

CALIFORNIA COASTAL COMMISSION

ENERGY, OCEAN RESOURCES AND FEDERAL CONSISTENCY DIVISION
45 FREMONT STREET
SUITE 2000
SAN FRANCISCO, CALIFORNIA 94105-2219
(415) 904-5200 FAX (415) 904-5400
WWW.COASTAL.CA.GOV

**F12****ENERGY, OCEAN RESOURCES AND FEDERAL
CONSISTENCY DIVISION
DEPUTY DIRECTOR'S REPORT**

*For the
December Meeting of the California Coastal Commission*

November 23, 2016

TO: Commissioners and Interested Parties
FROM: Alison Dettmer, Energy, Ocean Resources and Federal Consistency Division
Deputy Director

Following is a listing for the waivers, emergency permits, immaterial amendments, extensions and Negative Determinations issued by the Energy, Ocean Resources and Federal Consistency Division for the December 2016 Coastal Commission hearing. Copies of the applicable items are attached for your review. Each item includes a listing of the applicants involved, a description of the proposed development, and a project location.

Pursuant to the Commission's direction and adopted procedures, appropriate notice materials were sent to all applicants for posting at the project site. Additionally, these items have been posted at the District office and are available for public review and comment.

This report may also contain additional correspondence and/or any additional staff memorandum concerning the items to be heard on today's agenda for the Energy, Ocean Resources and Federal Consistency Division.

REPORT OF DE MINIMIS WAIVERS

The Executive Director has determined that the following developments do not require a coastal development permit pursuant to Section 30624.7 of the California Coastal Act of 1976.

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
9-16-0947-W Beach Oil Minerals Partners, LLC	Beach Oil Minerals Partners (BOMP) has engaged Advanced Environmental Concepts, Inc. (AEC) to conduct a Phase II study of the wetlands mitigation bank area on a portion of the Synergy Oil Field. AEC is proposing to use hand augers to collect soil samples at 16 locations at the surface and approximately every foot until groundwater is encountered, which is expected to range from approximately one to six feet below ground surface.	6433 E Second St, Long Beach, Ca

**ENERGY, OCEAN RESOURCES AND FEDERAL CONSISTENCY DIVISION DEPUTY
DIRECTOR'S REPORT CONTINUED**

NEGATIVE DETERMINATIONS AND NO EFFECT LETTERS

Administrative Items for Federal Consistency Matters

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
<p>ND-0036-16 National Park Service</p>	<p>Construct a 1,300-foot-long extension of the Dias Ridge Trail to connect its current terminus at Golden Gate Dairy with the Redwood Creek Trail, Golden Gate National Recreation Area, Marin County.</p> <p>Action: Concur, 10/31/2016</p>	<p>Dias Ridge Trail, Golden Gate National Recreation Area, Marin County (APN(s): 199-160-07)</p>
<p>ND-0037-16 Department of Agriculture</p>	<p>Yurok Tribe Requa Waterline and Tank Replacement Project, funded by US Dept. of Agriculture, located on the north side of the Klamath River, near Requa, Del Norte Co. Project consists of replacement of approx. 1.5 miles of existing water line along Requa Rd., and replacement of a 30,000 gallon water tank with a 100,000 gallon water tank, with pumps and other ancillary infrastructure, to serve 30 existing homes</p> <p>Action: Concur, 11/15/2016</p>	<p>North Side Of The Klamath River, Near Requa, Del Norte County (APN(s): 140-020-27)</p>
<p>ND-0038-16 National Park Service</p>	<p>Chemical treatment and control program of high-priority grassland weeds at several locations over a multi-year time period at Point Reyes National Seashore and Golden Gate National Recreation Area, Marin County</p> <p>Action: Concur, 11/14/2016</p>	<p>Point Reyes National Seashore And Golden Gate National Recreation Area, Marin County</p>
<p>ND-0039-16 Department of the Navy</p>	<p>Navy parking lot renovations, Rendova Circle, Naval Amphibious Base, Coronado, San Diego Co. Parking for residents on NAB, including adding 12 parking spaces adjacent to existing basketball court, and landscaping improvements</p> <p>Action: Concur, 11/17/2016</p>	<p>Rendova Circle, Naval Amphibious Base, Coronado, San Diego Co. (APN(s): 6150100300)</p>

**ENERGY, OCEAN RESOURCES AND FEDERAL CONSISTENCY DIVISION DEPUTY
DIRECTOR'S REPORT CONTINUED**

<p>NE-0012-16 Bureau of Ocean Energy Management</p>	<p>Freeport McMoRan Oil and Gas LLC, additional one-year extension from BOEM, for of additional time to resume oil and gas drilling activities at the Point Arguello OCS Unit (Leases OCS-P 0315, 0316, 0450 and 0451), offshore Pt. Conception, Santa Barbara Channel, Santa Barbara County</p> <p>Action: Concur, 11/8/2016</p>	<p>Point Arguello Ocs Unit (Leases Ocs-P 0315, 0316, 0450 And 0451), Offshore Pt. Conception, Santa Barbara Channel, Santa Barbara County</p>
<p>NE-0013-16 Corps of Engineers, San Francisco District</p>	<p>Disposal at SF-DODS of 33,000 cu. yds. of dredge sediment from the in-Bay dredging at Port of Oakland Berths 60-63. The remainder of the project (the dredging, and in-Bay disposal) is in BCDC's jurisdiction</p> <p>Action: Concur, 11/14/2016</p>	<p>Sf-Dods, 50 Miles West Of San Francisco</p>
<p>NE-0014-16 Bureau of Ocean Energy Management</p>	<p>ExxonMobil Lease Suspension, Santa Ynez Unit, additional one-year extension of time to resume oil production, offshore Santa Barbara Co.</p> <p>Action: Concur, 11/15/2016</p>	<p>Santa Ynez Unit, Ocs, Offshore Santa Barbara County</p>

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November 18, 2016

Coastal Development Permit De Minimis Waiver Coastal Act Section 30624.7

Based on the project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

Waiver: 9-16-0947-W

Applicant: Beach Oil Minerals Partners, LLC

Location: 6433 Second St., Long Beach

Proposed Development: Beach Oil Minerals Partners (BOMP) proposes to conduct a Phase II Environmental Site Assessment on a portion of the Synergy Oil Field. This work is being conducted to inform the environmental analysis of a larger project that will consolidate BOMP oil operations off of the existing Synergy Oil Field and wetland area, and create a wetland mitigation bank within a portion of the Synergy Oil Field. BOMP proposes to use hand augers to collect soil samples at 16 locations at the surface and approximately every foot until groundwater is encountered, which is expected to range from approximately one to six feet below ground surface. Sampling work will require two workers and will take place over two days. No mechanized equipment will be used and all staging will occur on existing access roads.

Rationale: For the following reasons, the proposed project will not have a significant adverse effect, either individually or cumulatively, on coastal resources, and it will not conflict with the policies of Chapter Three of the Coastal Act:

- **Wetlands:** The purpose of the proposed soil sampling is to determine if soil contamination is present within the portion of the Synergy Oil Field that BOMP will be proposing as a wetland mitigation bank. Nine of the soil sampling locations are on previously disturbed areas, including unpaved roads. Four of the soil sampling locations are in areas mapped as Coastal Commission wetlands, although sampling will occur only in unvegetated areas to avoid impacts to wetland vegetation. The remaining three soil samples are in areas of upland, ruderal vegetation. Although four of samples will be taken from wetland areas, the impact area is small (8.3 square inches per sample, 33 square inches total) and will be sited to avoid impacts to any wetland vegetation. Given the small size and isolated location of each sample impact area, any potential

Coastal Development Permit De Minimis Waiver

9-16-0947-W

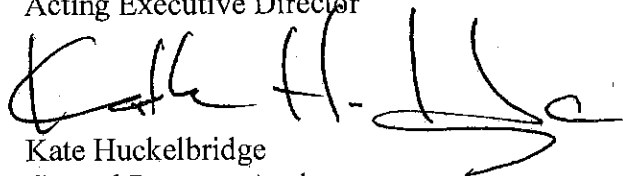
impacts to the surrounding wetland habitat will be insignificant. To further reduce the potential for adverse effects, a biological monitor will monitor all sampling work to ensure any sensitive areas and species are avoided and will conduct onsite contractor training to inform workers of sensitive habitats throughout the site. One service truck vehicle will be necessary to transport the workers conducting the sampling to the sites, but the truck will remain on existing access roads. All work will occur outside the avian nesting season.

The proposed development will not adversely impact coastal resources, public access, or public recreation opportunities, and is consistent with past Commission actions in the area and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The Notice of Pending Permit shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

Sincerely,

John Ainsworth
Acting Executive Director

A handwritten signature in black ink, appearing to read "Kate H. Huckelbridge", written over the typed name and title.

Kate Huckelbridge
Coastal Program Analyst

cc: File

CALIFORNIA COASTAL COMMISSION

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October 31, 2016

Aaron Roth
Acting General Superintendent
Golden Gate National Recreation Area
ATTN: Steve Ortega
Fort Mason
San Francisco, CA 94123

Subject: Negative Determination ND-0036-16 (Dias Ridge Trail Extension, Golden Gate National Recreation Area (GGNRA), Marin County)

Dear Mr. Roth:

The Coastal Commission staff has reviewed the above-referenced negative determination. The National Park Service (“NPS”) proposes to construct an approximately 1,000-foot-long extension of the Dias Ridge Trail on GGNRA land, parallel to but separate from the east side of Highway 1 (Shoreline Hwy.) just south of its intersection with Muir Woods Road. The proposed trail extension is a key element in NPS efforts to connect the current terminus of the Dias Ridge Trail at the Golden Gate Dairy with the southern terminus of the Redwood Creek Trail located to the north in the adjoining Mount Tamalpais State Park. The NPS reports that the Dias Ridge Trail (a part of the Bay Area Ridge Trail network) is a multi-use trail for hikers, equestrians, and bicyclists. Trail users currently must use the narrow shoulder of Highway 1 to travel the gap between the existing ends of both trails.

However, the proposed project will not completely close the trail gap. Construction of the northernmost section of the trail extension (approximately 300 feet in length) is precluded due to a life estate provision attached to a property acquired by the NPS for inclusion in the GGNRA. The original owner of this property has exclusive use of the property during his lifetime and as a result, the trail extension across this GGNRA property cannot be constructed at this time. The temporary end of the currently proposed trail extension will occur at the last driveway at NPS residences on the east side of Hwy 1, thereby allowing trail users to return to the Highway 1 shoulder by way of this driveway. The NPS will submit a separate negative determination for construction of this last section of the trail extension when the property is no longer subject to the use restriction.

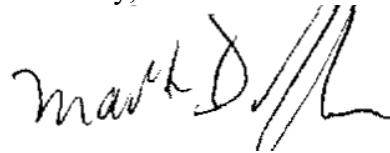
The NPS states that in order to construct the trail extension:

... 13 at-risk trees in the historic wind row along the east side of Highway 1 at the Golden Gate Dairy would be removed. Five trees would be retained and 8 Monterey

Cypress trees would be planted. A Bishop pine north of the historic wind row may be removed, if required for trail development. North of Golden Gate Dairy is approximately 200 feet of loose and saturated alluvial soil along the proposed trail tread that would require installation of rock drainage lenses below the trail tread surface to aid drainage and maintain a drier trail surface.

The NPS will implement best management practices during construction of the trail extension to minimize and avoid adverse impacts to water quality, habitat, scenic views, and public access. The proposed project would enhance public access and provide a safer separated travel corridor for trail users. In conclusion, the Commission staff **agrees** that the proposed Dias Ridge Trail extension will not adversely affect coastal resources. We therefore **concur** with your negative determination made pursuant to 15 CFR 930.35 of the NOAA implementing regulations. Please contact Larry Simon at (415) 904-5288 should you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark D. Ainsworth". The signature is written in a cursive style with a large, stylized "M" and "A".

(for) JOHN AINSWORTH
Acting Executive Director

cc: CCC – North Central Coast District
California State Parks – Bay Area District

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November 15, 2016

Peggy O'Neill, Director
Planning Dept.
Yurok Tribe
190 Klamath Blvd.
P.O. Box 1027
Klamath CA 95548

Re: **ND-0037-16**, Yurok Tribe, Negative Determination, Federally Funded Water Line Improvements, Requa, Del Norte Co.

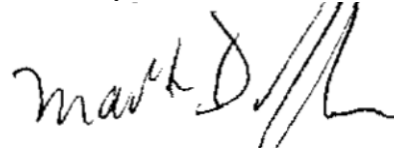
Dear Ms. O'Neill:

The Coastal Commission staff has reviewed the above-referenced negative determinations you have submitted, on behalf of the U.S. Department of Agriculture, for a Waterline Replacement Project north of the Klamath River, at Requa, Del Norte County. The project would be located primarily within the right-of-way of existing roads, and would be located between Salt Creek to the east and Tank Road to the west. The project would serve 27 existing homes in the vicinity, and would involve replacing existing substandard water lines with new water lines, adding pumps and booster stations to the water system, replacing a 30,000 gallon water tank at the west end of the line with a larger 100,000 gallon tank, and related infrastructure improvements.

The water line traverses both parcels that are held in Trust by the federal government for the Tribe, and parcels that are privately-owned (i.e., parcels that are not held in Trust). Parcels that are held in Trust are considered "excluded from the coastal zone." However, activities on parcels held in Trust can be reviewed under the federal consistency provisions of the Coastal Zone Management Act, if those activities would result in effects on coastal zone resources. The Tribe will be obtaining a coastal development permit from Del Norte County for work on the non-Trust parcels. Construction activities will be monitored by the Tribe's Tribal Historic Preservation Officer to protect cultural resources. The proposed new, higher-elevation and larger water tank will be fully screened from public views, and the Tribe has committed to maintaining vegetative screening to keep it from being visible. The project would not result in adverse effects to wetlands, environmentally sensitive habitat, water quality, or other coastal zone resources.

In conclusion, we **agree** with your determination that the proposed projects would not adversely affect coastal zone resources, and we therefore **concur** with your negative determination made pursuant to 15 CFR 930.35 of the NOAA implementing regulations. Please contact Mark Delaplaine of the Commission staff at (415) 904-5289 if you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark D. Delaplaine". The signature is stylized and written in a cursive-like font.

(for) JOHN AINSWORTH
Acting Executive Director

cc: Arcata District Office
Del Norte County

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November 14, 2016

David Brouillette
Acting Superintendent
Point Reyes National Seashore
ATTN: Dylan Voeller
Point Reyes, CA 94956

Subject: Negative Determination ND-0038-16 (Treatment of high-priority grassland weeds, Point Reyes National Seashore and Golden Gate National Recreation Area, Marin County)

Dear Mr. Brouillette:

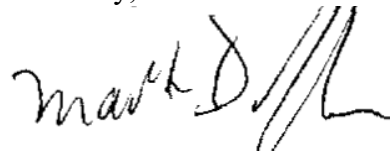
The Coastal Commission staff has reviewed the above-referenced negative determination. The National Park Service (“NPS”) proposes to implement a high-priority grassland weed control program at several locations in Point Reyes National Seashore (“Seashore”) and Golden Gate National Recreation Area (“GGNRA”). The project involves herbicide treatment of medusahead (1.75 acres on the C. Rogers Ranch in the GGNRA), onion grass (50 acres on the Home and Niman ranches in the Seashore), and distaff thistle (up to 500 acres on the McIsaac/Cheda, Percy, McFadden, E. Gallagher, and Zanardi ranches in the GGNRA). The NPS states that each of these invasive weed species represents a significant concern to biological and agricultural resources in the Seashore and the GGNRA. These species provide poor forage for livestock and wildlife, are highly competitive with native grassland plants, increase wildfire hazard, and once established are difficult and expensive to control.

All proposed treatments involve backpack or all-terrain vehicle spot spraying of lower density weed areas and small boom spraying of high density weed areas. The NPS states that herbicide treatments are expected to take several years to reach maintenance levels of control. Future treatments of onion grass and distaff thistle will be adapted based on information gathered from experimental plots where manipulation and data collection are ongoing. All herbicide product label restrictions will be strictly observed, and treatments will follow EPA specifications for protection of aquatic resources, including establishment of buffer areas around aquatic habitats. The NPS will implement its standard mitigation and protection measures used for all herbicide treatments in the Seashore and the GGNRA, including no treatments 24 hours before and/or after predicted rainfall, under moderate to heavy fog conditions, and when average wind speed exceeds 10 mph at plant level. Spill prevention, control, and clean-up plans will be in-place, and mixing and loading of herbicides will occur only on impermeable surfaces at least 65 feet away from aquatic resources.

No herbicide treatments will occur in wetlands, streams, or other environmentally sensitive habitat areas, and NPS personnel will be present during treatments to ensure these areas are avoided. The NPS is consulting with the U.S. Fish and Wildlife Service to ensure that project activities are covered by the existing Grazing Program Biological Opinion (September 25, 2002). Nesting birds covered by the Migratory Bird Treaty Act will be buffered by 100 feet from project activities during the breeding season (March 15 to July 31).

Under the federal consistency regulations, a negative determination can be submitted for an activity “which is the same as or similar to activities for which consistency determinations have been prepared in the past.” The proposed project is similar to previously concurred with consistency and negative determinations for invasive plant removal projects in the Seashore and the GGNRA (ND-0010-15, ND-0015-14, ND-026-12, ND-033-12, and CD-026-10). The Commission staff **agrees** that the proposed project is designed to assist the NPS in its efforts to control or eliminate high-priority grassland weeds in the Seashore and the GGNRA, includes adequate measures to protect sensitive habitat areas, and will not adversely affect coastal resources. We therefore **concur** with your negative determination made pursuant to 15 CFR 930.35 of the NOAA implementing regulations. Please contact Larry Simon at (415) 904-5288 should you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark D. Ainsworth". The signature is written in a cursive, somewhat stylized font.

(for) JOHN AINSWORTH
Acting Executive Director

cc: CCC – North Central Coast District

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November 17, 2016

Deborah McKay
Fleet Environmental NEPA & Coastal Coordinator
Navy Region Southwest N40
937 N Harbor Dr., Box 81
San Diego, CA 92132

Re: **ND-0039-16** Navy Parking Improvements, Naval Amphibious Base, Coronado,
San Diego Co.

Dear Ms. McKay:

The Navy has submitted the above-referenced negative determination for the installation of 12 parking spaces adjacent to Rendova Circle, to serve Navy residential development in the southern corner of the Naval Amphibious Base, east of Route 75, in Coronado. The parking would serve Navy Officer Housing on Rendova Circle. The project includes landscaping and relocation of a barbeque area and a palm tree to accommodate the additional spaces. The project would not affect public access, wetlands, environmentally sensitive habitat, or public views. Best Management Practices will be employed during construction to protect water quality in nearby San Diego Bay.

The Commission staff **agrees** that the proposed improvements would not adversely affect coastal zone resources. We therefore **concur** with your negative determination made pursuant to 15 CFR Section 930.35 of the NOAA implementing regulations. Please contact Mark Delaplaine at (415) 904-5289 if you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Delaplaine".

(for) JOHN AINSWORTH
Acting Executive Director

cc: San Diego District

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November 8, 2016

Drew Mayerson
Regional Supervisor
Office of Production and Development
Bureau of Safety and Environmental Enforcement
Pacific OCS Region
760 Paseo Camarillo, Suite 102
Camarillo, CA 93010-6064

Re: **NE-0012-16**, No Effects Determination, Freeport McMoran Oil and Gas, 180 days (or more) Lease Suspension, Point Arguello Unit, Santa Barbara Channel

Dear Mr. Mayerson:

The Coastal Commission staff has received the above-referenced "no effects" determination for the request by Freeport McMoran Oil and Gas to be granted permission for additional time to resume oil and gas operations at the Point Arguello Unit. On December 4, 2015, we authorized a similar request for the previous one-year period (NE-0009-15), which terminates on November 27, 2016. The need for the time extension remains the same - the operations ceased after the U.S. Dept. of Transportation's Office of Pipeline Safety (OPS) ordered corrections to onshore pipelines Line 901 and 903 on May 21, 2015, following the Plains All American pipeline spill on Line 901. OPS subsequently amended the corrective actions orders on November 12, 2015, and June 16, 2016. The pipelines remain unavailable and completion of remedial action plans may extend for at least an additional year. We **agree** with your assessment that this suspension of active oil and gas operations would have no effect on any coastal zone resources, and we therefore **concur** with your "no effects" determination. Please contact Mark Delaplaine at (415) 904-5289 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark D. Delaplaine".

(for) JOHN AINSWORTH
Acting Executive Director

cc: Ventura District Office
Freeport McMoran Oil and Gas
Santa Barbara County Energy Division (Peter Cantle)

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November 14, 2016

Anne M. Whittington
Environmental Assessment Supervisor
Port of Oakland
530 Water St.
Oakland, CA 94607

Re: **NE-0013-16** No-Effects Determination, Port of Oakland (Dredge Material Disposal offshore San Francisco, at SF-DODS)

Dear Ms. Whittington:

The Coastal Commission staff received the above-referenced no-effects determination for ocean disposal of up to 15,200 cubic yards of material to be dredged to maintain authorized depths at Berths 60-63 in the Port of Oakland. The disposal site is the EPA-approved San Francisco Deep Ocean Disposal Site (SF-DODS) located approximately 50 miles west of San Francisco. The dredging aspect of the activity (as well as any in-Bay disposal) is within San Francisco Bay and does not involve Coastal Commission jurisdiction, but rather the jurisdiction of the San Francisco Bay Conservation and Development Commission.

The Coastal Commission has determined in past federal consistency reviews that transportation of dredged material through the coastal zone to the disposal site outside the zone at SF-DODS could, if not properly conducted, affect the coastal zone. The key to avoiding these effects, according to these reviews, is continuation of adequate testing and monitoring provisions. The consolidated material proposed for ocean disposal was tested by the Port and determined by EPA and the interagency Dredge Materials Management Office to be suitable for unconfined aquatic disposal, including at SF-DODS. The sand content of the material at the berths is only 8%, and thus well below a content that would be appropriate for beach or nearshore disposal.

We therefore **concur** with your "no effects" determination. Please contact Mark Delaplaine at (415) 904-5288 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark D. Delaplaine".

(for) JOHN AINSWORTH
Acting Executive Director

cc: North Central Coast District
EPA (Brian Ross, Allan Ota, Jennifer Siu)
U.S. Army Corps of Engineers, S.F. District (James Mazza)
BCDC (Brenda Goeden)
RWQCB, S.F. Bay Region (Elizabeth Christian)

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November 15, 2016

Drew Mayerson
Regional Supervisor
Office of Production and Development
Bureau of Safety and Environmental Enforcement
Pacific OCS Region
760 Paseo Camarillo, Suite 102
Camarillo, CA 93010-6064

Re: **NE-0014-16**, No Effects Determination, ExxonMobil, One year addition to previously approved Lease Suspension, Santa Ynez Unit, Santa Barbara Channel

Dear Mr. Mayerson:

The Coastal Commission staff has received the above-referenced "no effects" determination for the request by ExxonMobil Corp. to be granted permission for additional time to resume oil and gas operations at the Santa Ynez Unit. On December 10, 2015, we authorized a similar request for the previous one-year period (NE-0010-15), which terminates on December 14, 2016. The need for the time extension remains the same - the operations ceased after the U.S. Dept. of Transportation's Office of Pipeline Safety (OPS) ordered corrections to onshore pipelines Line 901 and 903 on May 21, 2015, following the Plains All American pipeline spill on Line 901. OPS subsequently amended the corrective actions orders on November 12, 2015, and June 16, 2016. The pipelines remain unavailable and completion of remedial action plans may extend for at least an additional year. We agree with your assessment that this suspension of active oil and gas operations would have no effect on any coastal zone resources, and we therefore concur with your "no effects" determination. Please contact Mark Delaplaine at (415) 904-5289 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "mark D. L.", written over a white background.

(for) JOHN AINSWORTH
Acting Executive Director

cc: Ventura District Office
ExxonMobil Corp. (Robert Weitzel, Cole Ramsey)
Santa Barbara County Energy Division (Peter Cattle)