

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
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W16

**ENERGY, OCEAN RESOURCES AND FEDERAL
CONSISTENCY DIVISION****DEPUTY DIRECTOR'S REPORT***For the**March Meeting of the California Coastal Commission***MEMORANDUM**

Date: March 04, 2016

TO: Commissioners and Interested Parties

FROM: Alison Dettmer, Energy, Ocean Resources and Federal Consistency Division
Deputy Director

SUBJECT: *Deputy Director's Report*

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 March 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.

**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>
ND-0002-16 Attn:	U.S. Customs and Border Protection, replacement of highway signs on I-5, Border Patrol Checkpoint Area, Camp Pendleton Marine Corps Base, San Diego Co. Action: Concur, 2/19/2016	Border Patrol San Clemente Checkpoint On I-5, Approx. 5 Miles South Of City Of San Clemente, Camp Pendleton Marine Corps Base, San Diego Co. (APN(s): 1015201400)
NE-0002-16 Corps of Engineers, Los Angeles District	Install 14 temporary (up to 5 yr.) stream gauges in Jalama Creek and its tributaries, Santa Barbara County. Submitted by WRA consultants on behalf of applicants: California Mountain Oaks LLC, California Mountain Gardens LLC, California Ocean Oaks LLC, California Ocean Gardens LLC, Chase Parcels LLC, Preston Parcels LLC, and Remington Parcels LLC Action: Concur, 2/26/2016	East And Northeast Of Jalama Beach, East Of Vandenberg Air Force Base

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DATE: March 7, 2016

TO: Coastal Commissioners and Interested Parties

FROM: Jack Ainsworth, Senior Deputy Director
Alison Dettmer, Deputy Director
Mark Delaplaine, Manager, Energy, Ocean Resources and Federal
Consistency Division

RE: Negative Determinations Issued by the Executive Director
[Executive Director decision letters are attached]

PROJECT #:	ND-0002-16
APPLICANT:	U.S. Bureau of Customs and Border Protection
LOCATION:	Border Patrol Checkpoint, Camp Pendleton Marine Corps Base, San Diego Co.
PROJECT:	I-5 Sign replacement
ACTION:	Concur
ACTION DATE:	2/19/2016

PROJECT #:	NE-0002-16
APPLICANT:	Cojo-Jalama Ranches
LOCATION:	Watershed of Jalama Creek, Cojo-Jalama Ranches, Santa Barbara Co.
PROJECT:	Install stream gauges
ACTION:	No effects
ACTION DATE:	2/26/2016

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February 19, 2016

Paul Enriquez
Environmental Branch Chief
Border Patrol Facilities and Tactical Infrastructure
Program Management Office
U.S. Customs and Border Protection
1300 Pennsylvania Avenue, NW
Washington, DC 20229

Attn: John Petrilla

Re: ND-0002-16, Negative Determination, U.S. Customs and Border Protection (CBP),
San Clemente Border Patrol Station I-5 Sign Replacement, Camp Pendleton Marine
Corps Base, San Diego Co.

Dear Mr. Enriquez:

The Coastal Commission has reviewed the above-referenced negative determination submitted by the U.S. Customs and Border Protection (CBP), for the replacement of six sign systems on I-5 at and near the San Clemente Checkpoint Border Patrol Station on Camp Pendleton. The structures containing the signs would be retained in their current location; only the sign mechanisms would be altered. The alterations would consist of replacing solid state signs with LED dynamic message signs. Power systems that supply electricity to the signs would also be upgraded. The proposal also includes future maintenance activities to keep the signs in good working order. Construction activities would occur outside bird nesting seasons, and work areas would be surveyed for nests prior to commencement of each sign system alteration.

We agree with the CBP that the project would not affect scenic coastal views, public access, environmentally sensitive habitat, water quality, or other coastal zone resources. We therefore **concur** with your negative determination made pursuant to 15 CFR 930.35 of the NOAA implementing regulations. If you have any questions, please feel free to contact Mark Delaplaine of the Commission staff at (415) 904-5289.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark D. Delaplaine", with a stylized flourish at the end.

(for) JACK AINSWORTH
Senior Deputy Director

cc: San Diego District
USMC (Mark Anderson)

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February 26, 2016

Michael Josselyn
WRA Consultants
9015 Carroll Canyon Rd., Suite 206
San Diego, CA 92131

Re: **NE-0002-16**, No Effects Determination, Cojo-Jalama Ranch Stream Gauges, Santa Barbara Co.

Dear Mr. Josselyn:

The Coastal Commission staff has received the above-referenced "no effects" determination for the temporary (up to 5 year) installation of 14 stream gauges within Jalama Creek and its tributaries, for the purpose of collecting flow data to further enable characterization of the hydrological regime of the Jalama Creek watershed. The determination was submitted by WRA Consultants on behalf of seven "LLCs" who currently own Cojo-Jalama Ranches.¹

The project sites were surveyed by a qualified biologist for sensitive species. All work will be conducted to avoid impacts to listed species; however, additional measures will be implemented to assure impact avoidance, as follows:

- Prior to initiating work, a USFWS approved biologist shall conduct a reconnaissance 500 feet above and below the work area. If any listed species are present, no work will begin until the animal leaves the area.
- The USFWS approved biologist will also be on-site during any work within the stream or its banks to monitor for listed species. If any are observed within the project vicinity, all work shall stop until that animal has left the work area on its own accord.
- The biologist will also monitor for any migratory birds that may be present such that no work will be done should nesting be occurring within 100 feet of the work area or unless the nest is abandoned or the young birds have fledged.
- No debris, soil, silt, sand, bark, slash, sawdust, rubbish, construction waste, cement or concrete or washings thereof, oil or petroleum products or other organic or earthen material from any logging, construction, or associated activity of whatever nature shall be allowed to enter into or placed where it may be washed by rainfall or runoff into, waters of the State.

¹ California Mountain Oaks, LLC, California Mountain Gardens, LLC, California Ocean Oaks, LLC, California Ocean Gardens, LLC, Chase Parcels, LLC, Preston Parcels, LLC, and Remington Parcels, LLC.

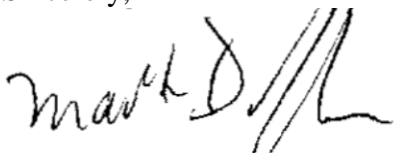
- Work will be conducted in a manner to avoid or eliminate excessive siltation. All work within the stream will be done by hand and the on-site biologist shall monitor turbidity 100 feet downstream of the work area such that it does not exceed the values observed upstream of the work area.
- Placement of flumes that involve excavation within small drainages will be done either when water is not present or if water is present, a small canvas dam will be located upstream of the work area and a small flexible plastic pipe used to divert water around the work area. A silt fence will be installed downstream of the work area.
- Downstream flows shall be maintained at all times during Project construction.
- No work will be performed between sunset and sunrise when amphibians are most likely to make overland migrations.
- No work will be performed if more than one inch of rain has fallen in the previous 7 days. This is the period when steelhead are most likely to run and amphibians are most likely to make overland migrations.
- No riparian vegetation nor any roots supporting banks will be removed during Project construction.
- Use adequate Best Management Practices (BMPs) (e.g., revegetation, fiber rolls, erosion control blankets, hydromulching, compost, straw with tackifiers, temporary basins) in and around work areas to intercept rain drop impacts, control the sources of erosion, and capture sedimentation.
- If used, tightly woven fiber netting or similar material shall be used for erosion control or other purposes at the Project to ensure that reptiles and amphibians do not get trapped. Plastic monofilament netting (erosion-control matting) or similar material shall not be used at the Project site.
- Implement washout, trackout, and dust control BMPs.
- Any material stockpiled during construction shall be covered with plastic unless reserved for seed banking, which requires alternative erosion and dust control BMPs.
- All construction vehicles and equipment used on site shall be well maintained and checked daily for fuel, oil, and hydraulic fluid leaks or other problems that could result in spills of toxic materials.
- Maintain on site a spill plan and appropriate spill control and clean up materials (e.g., oil absorbent pads) on site in case spills occur. Confine all trash and debris in

appropriate enclosed bins and dispose of the trash and debris at an approved site at the end of each workday.

- All vehicle fueling and maintenance activity shall be at least 100 feet away from waterways, and in designated staging areas. All temporary erosion and sediment control materials shall be removed and cleaned up before completing the Project.
- Raw cement/concrete or washings thereof, asphalt, paint, construction waste, or other coating material, oil or other petroleum products, or any other substances which could be hazardous to aquatic life, resulting from project related activities, shall be prevented from contaminating the soil and/or entering the waters of the State.
- After construction completion, any installed by-pass pipe, cofferdam, or other related construction materials installed below ordinary high water shall be removed in its entirety. Excavated substrate consisting of coarse sand, gravel, and cobble may be used as backfill material for construction purposes; all other material excavated below ordinary high water, including debris, mud, silt, and organic matter, shall be hauled offsite and disposed of at an upland location not subject to Corps' regulatory authority.
- All post-construction BMPs must be implemented and functioning prior to completion of the Project.
- Project related vehicles will observe a 15 mile per-hour speed limit in all Project areas, except on county roads and state highways; this is particularly important at night when amphibians are most active.

We agree with your assessment that, with the above measures, this activity would have no effect on environmentally sensitive habitat, water quality, or other coastal zone resources. 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.', with a stylized flourish at the end.

(for) JACK AINSWORTH
Senior Deputy Director

cc: Ventura District
U.S. Army Corps of Engineers, Ventura Field Office (Crystal Huerta)