

**CALIFORNIA COASTAL COMMISSION**

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

*For the*

*March Meeting of the California Coastal Commission*

March 07, 2017

**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 March 2017 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**

***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.

<b><i>Applicant</i></b>	<b><i>Project Description</i></b>	<b><i>Project Location</i></b>
<p><b>9-16-1148-W</b> San Diego Gas &amp; Electric Company, Attn: Chris Terzich</p>	<p>Installation of (a) new 230 kV overhead transmission line and a new all-dielectric self-supporting (ADSS) communication cable on four existing steel poles, (b) one deepwell anode adjacent to an existing metal pipeline running alongside Sorrento Valley Parkway within Los Penasquitos Canyon, and aerial marker balls on the existing shield wire as required by the by Federal Aviation Administration, within an existing SDG&amp;E right-of-way.</p>	<p>Los Penasquitos Canyon, City Of San Diego</p>
<p><b>9-17-0172-W</b> Ultramar, Inc., Wilmington Refinery, Attn: Thomas Cheng</p>	<p>Replace the 23-year old a Continuous Emissions Monitoring System (CEMS) Shelter located within the Ultramar Wilmington Refinery with a slightly larger structure. The replacement CEMS shelter, measures 12 ft. x 8 ft. and will contain the same pollutant gas analyzers as the current setup. The new gas analyzers replacements will meet the current AQMD requirements. The gas analyzer replacements will be source tested and certified by the AQMD prior to operation. Updated equipment installed within the structure will improve reliability and is expected to decrease downtime of the air quality monitoring system.</p>	<p>2402 East Anaheim St., Wilmington, CA 90744</p>

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

***REPORT OF IMMATERIAL AMENDMENTS***

The Executive Director has determined that there are no changes in circumstances affecting the conformity of the subject development with the California Coastal Act of 1976. No objections to this determination have been received at this office. Therefore, the Executive Director grants the requested Immaterial Amendment, subject to the same conditions, if any, approved by the Commission.

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
<b>9-16-0490-A1</b> Environmental Services Dept, Attn: Southern California Edison	Modification of Special Condition 1 of Coastal Development Permit No. 9-16-0490 to reflect current tidelands lease arrangement between the state, Catalina Island Company and Connolly-Pacific. Proposed changes to Special Condition 1 would replace the pre-construction requirement to submit an approved State Lands Commission lease amendment with a pre-construction requirement to submit documentation of approval from the current leaseholders.	Dump Road and Quarry Road, Los Angeles County (APN(s): 7480045033)
<b>E-11-031-A2</b> Southern California Gas Co. (SoCalGas)	Extend CDP No. #-11-031 for another five (5) year period to continue the existing Pipeline Maintenance projects and Vegetation Management Activities at the La Goleta Natural Gas Storage Facility in Goleta, Santa Barbara County.	1171 - 0 More Ranch Rd, Goleta

***REPORT OF EMERGENCY PERMITS***

The Executive Director has determined that the following developments do not require a coastal development permit pursuant to Section 13142 of the California Code of Regulations because the development is necessary to protect life and public property, or to maintain public services.

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
<b>G-9-17-0007</b> Pacific Gas & Electric Co., Attn: Kris Vardas	Relocate an approximately 400 foot long segment of the Fairhaven 1104 12kV distribution line from the east side of New Navy Base Road to the west side to avoid further exposure from future storm and high tide events. In addition to the new distribution line segment, an AT&T phone line would also be relocated to the west side of the road and co located with the same trench as the distribution line	New Navy Base Road just south of the south Samoa County Park and Boat Ramp Unincorporated Community of Fairhaven, Humboldt County

**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>
<b>ND-0002-17</b> National Oceanic and Atmospheric Administration	Installation of six short-term (3-4 months) water level stations along the California shoreline to collect data to update tidal and geodetic elevations. Project sites are at the Klamath River, Eel River, Avalon, San Clemente Island, Mission Bay, and South San Diego Bay.  Action: <b>Concur, 2/7/2017</b>	Klamath River, Eel River, Avalon, San Clemente Island, Mission Bay, South San Diego Bay
<b>ND-0003-17</b> U.S. Coast Guard	U.S. Coast Guard Installation of fabric-covered structure over Tennis Court, Coast Guard Air Station, San Diego  Action: <b>Concur, 2/13/2017</b>	
<b>ND-0004-17</b> National Park Service	National Park Service, Replacement of Anacapa Loading Crane with a 2-Crane loading system, including derrick and foundation replacement, Anacapa Island Light Station Historic District, east side of Anacapa Island, Ventura Co.  Action: <b>Concur, 2/22/2017</b>	APN(s): 199-050-050
<b>ND-0005-17</b> Department of the Navy	After-the-fact submittal for Navy Emergency Repairs to Parking Lot damaged by storm/high tide, on ocean side of Naval Amphibious Base Coronado, San Diego County  Action: <b>Concur, 3/1/2017</b>	Ocean Side Of Nab, Coronado (APN(s): 5376100200)

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February 17, 2017

## 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:** 9-16-1148-W

**Applicant:** San Diego Gas & Electric Company (SDG&E)

**Location:** Los Peñasquitos Canyon, City of San Diego

**Proposed Development:** Installation of (a) new 230 kilovolt (kV) overhead transmission line and communication cables on existing steel poles, (b) one deepwell anode near an existing buried pipeline, and (c) aerial marker balls on existing overhead shield wires, within an existing SDG&E right-of-way.

**Project Background & Description:** SDG&E proposes to construct and operate a new, 14.27-mile long 230-kV electrical transmission line between its existing Sycamore Canyon and Peñasquitos substations, within the City of San Diego and the extreme northern portion of Marine Corps Air Station Miramar. The project is being proposed in order to meet the need for electrical distribution system upgrades identified in the California Independent System Operator (CAISO) 2012-13 Transmission Plan. Most of the project would occur outside of the coastal zone; however, an approximately two-mile long segment of the project (Segment C) crosses the coastal zone in the vicinity of Los Peñasquitos Canyon. Along this Segment, SDG&E proposes to conduct the following work:

- Install a new 230-kV overhead transmission line on eleven existing tubular steel poles (four within the coastal zone) located within existing SDG&E right-of-way;
- Install a new all-dielectric self-supporting (ADSS) communication cable, in an underbuild position, on the existing steel poles;
- Install aerial marker balls on the existing shield wire as required by the Federal Aviation Administration (FAA);
- Install one deepwell anode adjacent to an existing metal pipeline running alongside Sorrento Valley Parkway within Los Peñasquitos Canyon, in order to mitigate for potential corrosion of the pipeline from the nearby alternating current transmission line. The anode would require the installation of a small (13' x 13' x 35' tall) aboveground steady state decoupler (SSD) structure on the road shoulder to connect the pipeline to the installed deepwell anode.

## Coastal Development Permit De Minimis Waiver

9-16-1148-W

Within the coastal zone, SDG&E would carry out the proposed transmission line and cable installation work from five work areas at the bases of existing transmission poles, and from one cable stringing site. Aerial manlifts (e.g., bucket trucks) and/or helicopters would be used to install the new transmission and communications cables to the poles, pulling the cables from the stringing site. The stringing site and the two southernmost work sites occur within an existing parking lot; the other three work sites within the coastal zone occur along and within existing dirt access roads and maintenance pads within the SDG&E right-of-way. The various work sites would be accessed along the existing dirt roads and paved streets (for the southern sites). SDG&E also proposes to construct four temporary guard structures to prevent accidentally-dropped conductor cable from coming into contact with pedestrians, vehicles or existing utility lines. The guard structures would be placed within paved areas, bare ground, road shoulder or areas of ornamental vegetation, and would avoid native vegetation and habitats. Anticipated equipment for conductor and fiber optic cable stringing include bucket trucks, line trucks, portable generators and air compressors, pulling rig, wire tensioner, tool van, wire truck, and water truck.

The deepwell anode would be installed on bare ground along the shoulder of Sorrento Valley Parkway. A well-drilling truck would be used to install a borehole to a depth of approximately 150 feet below ground surface. The borehole would be flushed with water to clean out debris, a grounding cable and grounding rod would be installed in the borehole, and the hole would be backfilled and capped with bentonite clay. The deepwell would then be connected to the SSD structure via a copper cable installed in a five-foot deep, 1-foot wide, ten-foot long trench. The work area for deepwell installation would include bare ground on the road shoulder, an existing sidewalk, and would extend into the eastbound lane of the existing two-lane road. Anticipated construction equipment for deepwell installation would include a backhoe, mini excavator, well drilling truck, and water truck. All drill cuttings and backflow water generated during drilling and cleaning would be pumped to the surface, captured, and stored in a tank. Best management practices (BMPs) would be implemented to minimize soil disturbance and runoff.

Project construction within the coastal zone is expected to last approximately six weeks, including site preparation and cleanup, though the various project activities may not occur consecutively. Deepwell anode installation would last approximately one week. Work would be performed during daylight hours, typically six days per week (excluding Sundays and holidays).

The project sites in the coastal zone occur in both the Local Coastal Program jurisdiction of the City of San Diego and the retained jurisdiction of the Commission. The City has requested that the Commission review the project as a consolidated permit pursuant to Section 30601.3 of the Coastal Act.

**Rationale:** For the following reasons, 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.

- **Sensitive Habitats & Species:** The proposed work would occur in paved or developed areas, within ornamental vegetation, on the road shoulder of Sorrento Valley Parkway, or on bare ground within existing dirt access roads and maintenance pads, with no direct encroachment on the wetlands, sensitive habitat areas, and native vegetation or sensitive habitat areas, including

## Coastal Development Permit De Minimis Waiver

9-16-1148-W

Diegan coastal sage scrub, mulefat scrub, bulrush marsh and riparian woodlands, which occur in the vicinity of the project work sites and access routes. No new permanent structures would be placed within these habitats or existing natural buffers. Existing seasonal pools in road ruts and depressions within the access roads and work pads do not support endangered San Diego or Riverside fairy shrimp. A qualified biological observer would be present at all work sites adjacent to habitat areas to monitor for and prevent direct adverse impacts to sensitive wildlife species with the potential to occur in areas adjacent to project sites.

Indirect impacts to sensitive wildlife, in particular to nesting birds, could result from noise generated during project activities and borehole drilling during deepwell anode installation in particular. Noise generated during borehole drilling would be limited in duration (intermittently for less than one week) and localized to a single location, but could nonetheless result in noise levels of up to 85 dBA at 50 feet. At the deepwell drilling site, which is located near Los Peñasquitos Creek and several habitats (i.e., riparian woodlands, coastal sage scrub) with potential to support federally-listed coastal California gnatcatcher, southwester willow flycatcher, and Bell's least vireo, and other sensitive avian species, and at any other coastal zone work sites adjacent to potential nesting habitat, SDG&E would implement a number of protective measures. Specifically, where there is potential nesting habitat for sensitive species, activities with potential to generate noise in excess of an hourly average threshold of 60 dB, or 3 dB above the existing background noise for a site, whichever is higher, would be avoided during the March 1 to September 15 breeding/nesting season to the maximum extent feasible. If avoidance of the breeding season is not possible, SDG&E would implement additional mitigation measures to avoid significant impacts, including the following:

- pre-project nesting bird surveys to identify active nests;
- establishment of appropriate no-disturbance buffers around active nests to ensure noise levels do not exceed the above thresholds;
- if needed, use of noise attenuation devices;
- monitoring of nest sites for signs of disturbance;
- if signs of disturbance are observed, suspension of project activities until after the breeding season or effective noise attenuation strategies have been implemented.

With the proposed avoidance and mitigation measures in place, the project would avoid significant disruption of sensitive habitats and wildlife species.

- **Water Quality:** The project will employ construction BMPs and implement a Stormwater Pollution Prevention Plan (SWPPP) to minimize erosion, sediment mobilization, runoff and impacts to water quality. Drill cuttings and groundwater extracted during borehole drilling for the deepwell anode would be collected and reused or disposed of in accordance with federal and state regulations; no discharge to surface waters, natural drainages or storm drains would occur. All vehicles and equipment used during the project would be stored and refueled offsite in order to minimize the possibility of spills in natural areas. SDG&E will also implement a Hazardous Substances Control and Emergency Response Plan to minimize the potential for and effectively respond to contaminant spills.
- **Visual Resources:** Project vehicles and equipment, including the drill rig used for deepwell anode installation, would be in place only temporarily, and would thus avoid significant impacts to scenic resources.

**Coastal Development Permit De Minimis Waiver**

9-16-1148-W

- **Public Access & Recreation:** Project activities will be limited to dirt access roads and maintenance pads within the SDG&E right-of-way, avoiding designated hiking trails within Los Peñasquitos Canyon Preserve. However, several of the access roads may be used informally by the public to connect to the official trail network. To avoid impacts to public access along these routes, SDG&E would designate project personnel to maintain safety buffers and allow safe passage through active work sites, and provide detours and alternate routes as needed. Overhead transmission line stringing operations and deepwell anode installation may require short-term traffic restrictions (e.g., closure of one lane) along Sorrento Valley Road, but vehicle access to the Preserve and other recreation areas would be maintained, and any disruptions of public access would be minor and temporary.

This waiver will not become effective until reported to the Commission at its 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  
Executive Director



Joseph Street  
Environmental Scientist

cc: File



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February 27, 2017

## **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:** 9-17-0172-W

**Applicant:** Ultramar, Inc. Wilmington Refinery

**Location:** 2402 East Anaheim St., Wilmington, Los Angeles County

**Proposed Development:** Replace the 23-year old Continuous Emissions Monitoring System (CEMS) Shelter located within the Ultramar Wilmington refinery with a new, slightly larger structure at the same location.

**Rationale:** The applicant owns and operates the Refinery, located in the coastal zone within the City of Los Angeles. The Refinery is adjacent to the Dominguez Channel, which flows to Los Angeles Harbor, and is near several other heavy industrial facilities, including another refinery, marine cargo transport facilities, a hydrogen plant, storage areas and other related activities. More than a century of port, industrial, and oil and gas development has heavily disturbed the coastal zone in the vicinity of the Refinery.

The applicant proposes to replace the existing CEMS shelter that measures 10 feet by 6 feet, with a new structure that measures 12 feet by 8 feet. The CEMS shelter houses air monitoring equipment, including pollutant gas analyzers, ambient air monitors, program logic controllers and data acquisition systems that continuously collect and analyze air samples from the process heater stack. The emissions data are stored and submitted to the Air Quality Management District (AQMD) on a daily basis.

The proposed structure has a slightly larger size and footprint than the existing structure which will allow for easier accessibility and movement within the structure. Updated equipment installed within the structure will improve reliability and is expected to decrease downtime of the air quality monitoring system. To accommodate the larger structure, the existing mat foundation

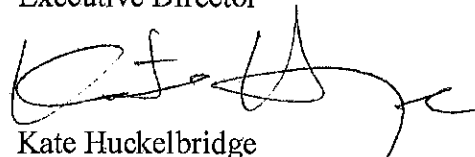
will be extended by 2 feet. Construction is estimated to take six months. There will be no impacts to biological resources of the coastal zone. Project construction will result in a minor and temporary increase in traffic due to construction vehicles, although this increase is not expected to substantially impact existing traffic in the vicinity of the refinery and interfere with the public's ability to get to the coast. Construction, excavation and soil handling activities will result in a temporary increase in air emissions that will be addressed under SCAQMD's Rule 403 which regulates fugitive emissions during construction. Potentially contaminated soil will be handled according to Ultramar's interim waste discharge permit for soil management in connection with excavation from the Los Angeles Regional Water Quality Control Board. The Refinery is subject to a Stormwater Pollution Prevention (SWPP) Plan and a Spill Prevention Control and Countermeasures (SPCC) Plan. These Plans will be implemented during the proposed project to avoid or minimize effects to coastal waters. The proposed structure will not be visible from outside the Refinery property.

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 its 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  
Executive Director



Kate Huckelbridge  
Senior Environmental Scientist

cc: File

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## NOTICE OF PROPOSED IMMATERIAL PERMIT AMENDMENT

Coastal Development Permit Amendment No. 9-16-0490-A1

February 27, 2017

**To:** All Interested Parties

**From:** John Ainsworth, Executive Director

**Subject:** Coastal Development Permit No. 9-16-0490 granted to **Southern California Edison Company** to: repair and expand existing shoreline riprap following wave damage by placing approximately 1225 tons (817 cubic yards) of additional rip-rap material both above and below the mean high tide line.

**Project Site:** State Lease 8330.1; Dump Road and Quarry Road near East End Quarry, Santa Catalina Island, Los Angeles County.

The Executive Director of the California Coastal Commission has reviewed a proposed amendment to the above referenced permit, which would result in the following change(s):

Modification of Special Condition 1 of Coastal Development Permit No. 9-16-0490 to reflect current tidelands lease arrangement between the state, Catalina Island Company and Connolly-Pacific. Proposed changes are shown below in ~~strike through~~ (for deletions) and underline (for additions):

**1. ~~State Lands Commission Leaseholder~~ Approval.** PRIOR TO COMMENCEMENT OF CONSTRUCTION, the Permittee shall submit documentation of the approval of the holders of the current leases of the state tidelands in which the project would occur. ~~a lease amendment from the California State Lands Commission (CSLC) for the proposed project.~~ This requirement can be satisfied through the submittal of the final, signed Three-Party Agreement among SCE, Connolly-Pacific and the Santa Catalina Island Company. If this ~~agreement or other landowner lease~~ approval results in the need for changes to the project as approved by the Commission, the Applicant shall notify the Commission's Executive Director of the required changes. No changes to the approved project shall occur without a Commission-approved amendment to this coastal development permit, unless the Executive Director determines that no amendment is legally required.

### FINDINGS

Pursuant to 14 Cal. Admin. Code Section 13166(b) this amendment is considered to be IMMATERIAL and the permit will be amended accordingly if no written objections are received

## Notice of Proposed Immaterial Permit Amendment

9-16-0490-A1

within ten working days of the date of this notice. If an objection is received, the amendment must be reported to the Commission at the next regularly scheduled Commission hearing. This amendment has been considered "immaterial" for the following reason(s):

- The proposed modification to the permit condition would have no potential to result in adverse impacts to coastal resources.
- The proposed modification is necessary to accurately reflect the current tidelands lease arrangement between the state, Catalina Island Company and Connolly-Pacific for the proposed area in which the Southern California Edison Company has received Commission approval to pursue development activities.

If you have any questions about the proposal or wish to register an objection, please contact Joseph Street at the phone number provided above.

cc: Commissioners/File

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**NOTICE OF PROPOSED IMMATERIAL PERMIT AMENDMENT****E-11-031-A2**

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**TO:** All Interested Parties

**FROM:** John Ainsworth, Executive Director

**DATE:** February 24, 2017

**SUBJECT:** Application to amend Coastal Development Permit No. E-11-031 granted to Southern California Gas Company (“SoCalGas”) extending for five years the existing Pipeline Maintenance and Vegetation Management Activities at the La Goleta Natural Gas Storage Facility, in Goleta, Santa Barbara County.

The Executive Director has determined that the requested project change described herein may be approved as an immaterial amendment to the above-referenced coastal development permit (CDP).

**Background and Project Description:** On March 9, 2012, the Commission approved CDP No. E-11-031 allowing SoCalGas to conduct pipeline maintenance and vegetation management activities at its La Goleta Natural Gas Storage Facility in Goleta, Santa Barbara County. The approved activities include those involved with maintaining aboveground infrastructure at the Facility and managing vegetation as necessary to provide a 10-foot safety buffer around the various pipelines, fences, gates, and valves at the Facility. Because the Facility is located near the Goleta Slough and its associated wetlands and environmentally sensitive habitat areas, the existing CDP includes conditions requiring SoCalGas to avoid and minimize adverse effects on those habitats and the species that use them. Conditions include limits on activities conducted during breeding and nesting seasons, ongoing monitoring and oversight of activities by a qualified biologist, limits on the use of chemicals and paint near wetlands and waterbodies, and implementation of an approved spill prevention and control plan. The approved CDP allowed SoCalGas to conduct these activities for a five-year period.

**Requested Amendment:** SoCalGas has requested its permit be amended to allow it to continue implementing the same activities subject to the same conditions for an additional five-year period.

**FINDINGS: THE PROPOSED AMENDMENT HAS BEEN DEEMED “IMMATERIAL” FOR THE FOLLOWING REASONS:**

- Wetlands and Water Quality: SoCalGas will continue to conduct all project-related activities in accordance with the existing CDP and its Standard and Special Conditions, which include timing restrictions, monitoring by qualified biologists, implementation of a spill prevention plan and other similar measures to ensure protection of nearby wetlands and water quality.

- Species Protection: Activities will continue to be limited during breeding and nesting season and be subject to nesting and other surveys to ensure avoidance and minimization of adverse effect on sensitive species.
- Archaeological and Cultural Resources: Any ground disturbance during project activities will be subject to monitoring by a County-approved archaeologist and Native American consultant, pursuant to Santa Barbara County guidelines. The approved archaeologist will hold worker orientation prior to any ground disturbing activities and will be present during those activities to identify and evaluate potential archaeological or cultural resources

### **Immaterial Permit Amendment**

Pursuant to the California Code of Regulations—Title 14, Division 5.5, Volume 19, section 13166(b)—the Executive Director has determined this amendment to be IMMATERIAL.

Pursuant to section 13166(b)(1), if no written objection to this notice of immaterial amendment is received at the Commission office within ten (10) working days of mailing said notice, the determination of immateriality shall be conclusive and the amendment shall be approved.

Pursuant to section 13166(b)(2), if a written objection to this notice of an immaterial amendment is received within ten (10) working days of mailing notice, and the executive director determines that the objection does not raise an issue of conformity with the Coastal Act or certified local coastal program if applicable, the immaterial amendment shall not be effective until the amendment and objection are reported to the Commission at its next regularly scheduled meeting. If any three (3) Commissioners object to the executive director's designation of immateriality, the amendment application shall be referred to the Commission for action as set forth in section 13166(c). Otherwise, the immaterial amendment shall become effective.

Pursuant to section 13166(b)(3), if a written objection to this notice of an immaterial amendment is received within ten (10) working days of mailing notice, and the executive director determines that the objection does raise an issue of conformity with the Coastal Act or a certified local coastal program if applicable, the immaterial amendment application shall be referred to the Commission for action as set forth in section 13166(c).

If you wish to register an objection to this notice, please send the objection in writing to Tom Luster at the above address. If you have any questions, you may contact him at (415) 904-5248 or via email at [tluster@coastal.ca.gov](mailto:tluster@coastal.ca.gov).

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**EMERGENCY PERMIT**

Issue Date: February 10, 2017  
Emergency Permit No. G-9-17-0007

**APPLICANT:**

Pacific Gas & Electric Co.  
735 Tank Farm Road, San Luis Obispo, CA 93401

**LOCATION OF EMERGENCY:**

New Navy Base Road just south of the Samoa County Park and Boat Ramp, Unincorporated Community of Fairhaven, Humboldt County, CA (APN: 401-141-004)

**EMERGENCY WORK:**

PG&E seeks approval to relocate an approximately 400-foot long segment of the Fairhaven 1104 12kV distribution line from the east side of New Navy Base Road to the west side. On January 11, 2017, a 10-foot long section of the line became exposed below the mean high tide line. On January 16, 2017, PG&E placed 40 cubic yards of sand over the exposed conductor segment. To avoid further exposure of this and surrounding segments of the 1104 distribution line from future storm and high tide events, PG&E proposes to relocate a 400-foot segment of the line adjacent to Humboldt Bay, from the east or Bay side of the road to the west side of the road (see Exhibit 1). In addition to the new distribution line segment, an AT&T phone line would also be relocated to the west side of the road and co-located within the same trench as the distribution line.

The east side of New Navy Base Road is in the Commission's retained jurisdiction. The west side of the road is in Humboldt County's Local Coastal Program jurisdiction. The County has requested that the Commission review this project as a consolidated emergency permit (See Exhibit 2).

To install the lines, PG&E will excavate a 24-inch wide by 36-inch deep trench that extends from an existing splice box on the west side of the road (LOC 1, Exhibit 1), approximately 320 feet north. The trench will be located as close to the edge of the road pavement as feasible and within the road shoulder. The trench will run adjacent to, but will avoid directly impacting, an arroyo willow thicket that has been delineated as a wetland under the Coastal Act. A biological monitor will flag the wetland prior to construction and will be onsite throughout construction to monitor construction activities and ensure that impacts to the wetlands are avoided. A qualified archeologist and tribal monitor will also be present during all ground disturbing activities to ensure that impacts to cultural resources are avoided.

At the northern end of the trench, PG&E will install two splice boxes, one for the distribution line (3-feet wide by 5-feet long by 3.5-feet deep) and one for the phone line (2-feet wide by 3-feet long by 2.5-feet deep), as close to the road pavement as feasible and within the road shoulder (LOC 3, Exhibit 1). PG&E will connect the new line to the old line by digging a trench that crosses New Navy Base Road and connects with the existing line on the eastern side of the road (LOC 4, Exhibit

1). PG&E will install a new splice box (3-feet wide by 5-feet long by 3.5-feet deep) on the existing distribution line to make the connection (LOC 5, Exhibit 1). The phone conduit will be capped and a standing pipe, 3-feet tall by 2-inches in diameter, will be installed to mark its location. Once construction is complete, the existing segment of the distribution line on the east side of the road will be de-energized and abandoned in place. PG&E will monitor the abandoned line and if any section becomes exposed, PG&E would cut and remove the exposed section and cover the ends with native sand.

If dewatering of the trenches and splice box excavation is necessary, PG&E will first bore three test pits (24-inches in diameter and 42-inches deep) using an auger truck to determine the depth to the water table. If water is encountered during construction, it will be removed using a pump or a vacuum truck and transferred to one of three 21,000-gallon capacity steel water tanks with filtration equipment, which are located on a 50-feet by 50-feet paved laydown area at the Samoa County Park and Boat Ramp (a short distance north of the site on Navy Base Road).

This letter constitutes approval of the emergency work you or your representative has requested to be done at the location listed above. I understand from your information that an unexpected occurrence in the form of exposure of a segment of an underground distribution line along New Navy Base Road, and the threat of exposure to additional segments of the line, pose a threat to public safety and the continued delivery of power to residents of and visitors to the community of Fairhaven, and requires immediate action to prevent or mitigate loss or damage to life, health, property or essential public services pursuant to 14 Cal. Admin. Code Section 13009. The Executive Director of the California Coastal Commission hereby finds that:

- (a) An emergency exists that requires action more quickly than permitted by the procedures for administrative or ordinary coastal development permits (CDPs), and that the development can and will be completed within 30 days unless otherwise specified by the terms of this Emergency Permit; and
- (b) Public comment on the proposed emergency development has been reviewed if time allows.

The emergency work is hereby approved, subject to the conditions listed on the attached pages.

Sincerely,

John Ainsworth  
Acting Executive Director



By: Alison Dettmer, Deputy Director

cc: Local Planning Department

Enclosures: 1) Acceptance Form;  
2) Regular Permit Application Form



## CONDITIONS OF APPROVAL:

1. The enclosed Emergency Permit Acceptance form must be signed by the PERMITTEE and returned to our office within 15 days.
2. Only that work specifically described in this permit and for the specific property listed above is authorized. Any additional work requires separate authorization from the Executive Director.
3. All work shall take place in a time and manner to minimize any potential damages to any resources, including intertidal species, and to minimize impacts to public access.
4. The work authorized by this permit must be completed within 45 days of the date of this permit, which shall become null and void unless extended by the Executive Director for good cause.
5. The applicant recognizes that the emergency work is considered temporary and subject to removal unless and until a regular coastal development permit permanently authorizing the work is approved. A regular permit would be subject to all of the provisions of the California Coastal Act and may be conditioned accordingly. These conditions may include provisions for public access (such as offers to dedicate, easements, in-lieu fees, etc.) and/or a requirement that a deed restriction be placed on the property assuming liability for damages incurred from storm waves.
6. In exercising this permit, the applicant agrees to hold the California Coastal Commission harmless from any liabilities for damage to public or private properties or personal injury that may result from the project.
7. This permit does not obviate the need to obtain necessary authorizations and/or permits from other agencies, including but not limited to the California Department of Fish & Wildlife, U.S. Fish & Wildlife, U.S. Army Corps of Engineers, and the California State Lands Commission.
8. Within 60 days of issuance of this Emergency Permit, or as extended by the Executive Director through correspondence, for good cause, the applicant shall either: (a) remove all of the materials placed or installed in connection with the emergency development authorized in this Permit and restore all affected areas to their prior condition after consultation with California Coastal Commission staff, and consistent with the Coastal Act. In some instances, a permit may be needed for removal; or (b) submit a complete follow-up Coastal Development Permit (CDP) that satisfies the requirements of Section 13056 of Title 14 of the California Code of Regulations. If the Executive Director determines that the follow-up CDP application is incomplete and requests additional information, the applicant shall submit this additional information by a certain date, as established by the Executive Director. If such a

follow-up CDP application is withdrawn by the applicant or is denied by the Commission, or if the follow-up CDP application remains incomplete for a period of 120 days after the Executive Director informs the applicant that the application is incomplete, the emergency-permitted development shall be removed and all affected areas restored to their prior condition, after consultation with CCC staff and consistent with the Coastal Act, within 60 days, subject to any regulatory approvals necessary for such removal. In some instances, a permit may be needed for removal.

9. Failure to a) submit a complete follow-up CDP Application that complies with Condition 8 above, or b) remove the emergency development and restore all affected areas to their prior condition after consultation with CCC staff, and consistent with the Coastal Act (if required by this Emergency Permit) by the date specified in this Emergency Permit<sup>1</sup>, or c) comply with all terms and conditions of the required follow-up CDP, including any deadlines identified therein, or d) remove the emergency-permitted development and restore all affected areas to their prior condition after consultation with CCC staff and consistent with the Coastal Act immediately upon denial of the required follow-up CDP<sup>2</sup> will constitute a knowing and intentional violation of the Coastal Act<sup>3</sup> and may result in formal enforcement action by the Commission or the Executive Director. This formal action could include a recordation of a Notice of Violation on the applicant's property; the issuance of a Cease and Desist Order and/or a Restoration Order; imposition of administrative penalties for violations involving public access; and/or a civil lawsuit, which may result in the imposition of monetary penalties, including daily penalties of up to \$15,000 per violation per day, and other applicable penalties and other relief pursuant to Chapter 9 of the Coastal Act. Further, failure to follow all the terms and conditions of this Emergency Permit will constitute a knowing and intentional Coastal Act violation.
10. The Avoidance and Mitigation Measures (AMMs) listed on page 7-8 of the emergency permit application are incorporated as conditions of this permit (see Attachment 1).
11. A biologist(s) approved by the Executive Director shall be present during all project operations. At least five days before starting work at the project site, PG&E shall submit the name and qualifications of the proposed biologist for review and approval by the Executive Director. The biologist shall be responsible for implementing the Avoidance and Mitigation Measures (AMMs) included in PG&E's emergency permit application. Within thirty days of project completion, the biologist shall prepare a report for the Executive Director that includes: (1) Pre- and post-project photographs of the project site, (2) a description of the

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<sup>1</sup> In some instances, a permit may also be required for removal.

<sup>2</sup> As noted above, in some instances, a permit may also be required for removal.

<sup>3</sup> The Coastal Act is codified in sections 30000 to 30900 of the California Public Resources Code. All further section references are to that code, and thus, to the Coastal Act, unless otherwise indicated.

pre-project condition of existing vegetation, (3) results of all pre-project surveys, including rare plant and nesting surveys, (4) a description of all avoidance and protection measures implemented, (5) a discussion of any problems encountered during project implementation, and (6) a description of the type and extent of any potential impacts on coastal resources resulting from project activities.

12. At least five days before starting work at the project site, PG&E shall submit the name and qualifications of the proposed archeologist and tribal monitor for review and approval by the Executive Director. If any cultural resources are discovered, the archeologist and/or tribal monitor shall follow the protocols outlined in the AMMs described in Attachment 1. In addition, the archeologist and/or tribal monitor shall be responsible for preparing a report for the Executive Director that fully describes the resource and what steps were taken to document and protect the resource.
13. PG&E shall stage construction equipment on the paved portion of New Navy Base Road.
14. Public access shall be maintained during the project by keeping at least one lane of New Navy Base Road open to traffic. PG&E shall use signs and flaggers when needed.
15. If there is a spill or hazardous material release (including oil, fuel, other petroleum products, or any hazardous chemicals), PG&E shall immediately contact Coastal Commission staff (Kate Huckelbridge at 415-396-9708, and for oil spills, Jonathan Bishop, at 415-693-8375) and shall provide a detailed description of the incident.
16. The disturbance footprint shall be minimized to the maximum extent feasible.
17. Best Management Practices (BMPs) for construction activities shall be implemented to minimize erosion and limit sedimentation into aquatic and wetland habitats.
18. All construction work shall occur only between the hours of 7 a.m. and 7 p.m. Monday through Saturday.
19. Any lighting shall be directed in such a way to reduce potential impacts to sensitive species and habitats while maintaining safe work conditions. Lighting shall be directed towards the Road and not towards adjacent dune or wetland habitat to the maximum extent feasible.
20. During the project, PG&E shall have at the project site spill response equipment that may be needed to immediately respond to the maximum credible spill.

## Attachment 1

### Fairhaven 1104 Emergency Repair/Relocation Avoidance and Minimization Measures

#### Biological Resources

- Prior to construction, a biological tailboard (training) shall be given to all construction personnel to educate workers regarding potential for special-status species, wetlands, and off-pavement disturbance minimization.
- Prior to construction, a biological monitor shall flag wetlands and special-status species occurring in and adjacent to the work area. In addition, the monitor shall be on-site during construction activities adjacent to the CCC jurisdictional wetland. The monitor shall restrict construction personnel to the work area and assist to minimize off-pavement activity and disturbance.
- If tree trimming or brush removal occurs during the typical nesting bird season (February 15 to August 31), a preconstruction nesting bird survey shall be conducted by a qualified biologist within two weeks prior to these vegetation management activities.
- If construction occurs during the typical avian nesting season (February 15 to August 31), the crew must review and implement the Avian Protection Plan, (PG&E Work Procedure 2321).
- If an active bird nest is observed within or near project sites, work must cease, care must be taken not to disturb the nest, and the work supervisor should contact the PG&E Biologist.
- Prior to soil disturbing activities, seasonally appropriate rare plant surveys shall be conducted to identify potentially occurring special-status species within the work areas.
- Best Management Practices (BMPs) shall be installed to prevent sediment discharge into aquatic and wetland habitats identified as suitable for special status species. These will also help to avoid and minimize impacts to likely jurisdictional waters of the U.S.
- No equipment refueling will take place within 100 feet of wetlands, coastal waters, or drainage features. If refueling must occur within 100 feet of a wetland, coastal waters, or drainage feature, secondary containment will be used to prevent unanticipated spills into waterways. Spill kits will be on-site to manage any unanticipated spills of materials from project equipment. Crews will inspect equipment for leaks regularly and make repairs immediately if leaks are detected.
- All excavated, steep-walled holes or trenches more than two feet deep should be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks at an angle no greater than 45 degrees. Before such holes or trenches are filled, they should be thoroughly inspected for trapped animals.

#### Cultural Resources

- A qualified archaeologist shall present a cultural resource training (tailboard) to the construction crew; and
- A qualified archaeologist shall monitor the excavations during construction. Based on communications with local tribes, a tribal monitor will also be present during construction. The level of monitoring effort may be reduced, modified, or suspended at the discretion of the monitor based on field conditions and soils identified.
- **Inadvertent Discovery Protocol:** If any cultural resources are identified during project activities, stop all work in the vicinity of the discovery and immediately

notify the **PG&E Cultural Resources Specialist (CRS) Mike Taggart at (916) 261-6523.**

- Archaeological and historic-period resources in the region may include:  
Archaeological materials: flaked stone tools (projectile point, biface, scraper, etc.) and debitage (flakes) made of chert, obsidian, etc., groundstone milling tools and fragments (mortar, pestle, handstone, millstone, etc.), faunal bones, fire-affected rock, dark middens, housepit depressions and human interments.
- Historic-era resources: may include, but are not limited to, small cemeteries or burial plots, cut (square) nails, containers or miscellaneous hardware, glass fragments, cans with soldered seams or tops, ceramic or stoneware objects or fragments, milled or split lumber, earthworks, feature or structure remains and trash dumps.
- **Human Remains Protocol:** Section 7050.5 of the California Health and Safety Code states that it is a misdemeanor to knowingly disturb a human burial. If human remains are encountered (or suspected) during any project-related activity:
  - Stop all work within 100 feet;
  - Immediately contact a PG&E CRS, who will notify the county coroner, if necessary;
  - Secure location, but do not touch or remove remains and associated artifacts;
  - Do not remove associated spoils or pick through them;
  - Record the location and keep notes of all calls and events; and
  - Treat the find as confidential and do not publically disclose the location
  - Authorization from a PG&E CRS is required prior to resuming work in the discovery location.

#### **Air/Hazardous Materials & Waste/Soil/Water**

- Immediately contact the assigned **Environmental Field Specialist (EFS) Zantha Ricks at 925-597-7321** if any of the following conditions occur. After hours or if the assigned EFS is unavailable, please call the Environmental Hotline at (800) 874-4043.
  - Discharge or spill of hazardous substance;
  - If an Environmental Regulator visits the site;
  - Visually cloudy/muddy water is observed leaving the work area;
  - An underground storage tank is discovered; or
  - A subsurface component related to site remediation activities (e.g., monitoring well, recovery well, injection well) is discovered.

**CALIFORNIA COASTAL COMMISSION**

45 FREMONT, SUITE 2000  
SAN FRANCISCO, CA 94105-2219  
VOICE (415) 904-5200  
FAX (415) 904-5400  
TDD (415) 597-5885



February 7, 2017

Richard Edwing  
Director, Center for Operational Oceanographic  
Products and Services  
National Ocean Service  
National Oceanic and Atmospheric Administration  
ATTN: Michael Michalski  
1305 East West Highway  
Silver Spring, MD 20910

Subject: Negative Determination ND-0002-17 (Temporary water level stations at shoreline locations in Del Norte, Humboldt, Los Angeles, and San Diego Counties)

Dear Mr. Edwing:

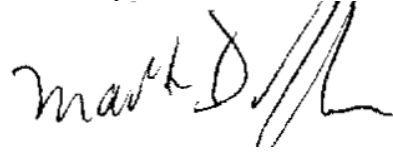
The Coastal Commission staff has reviewed the above-referenced negative determination. NOAA proposes to install temporary water level stations at six proposed sites on the California coast to collect water level observations that will provide NOAA with the ability to update tidal and geodetic elevations. The proposed stations will fill known tidal and geodetic data gaps along the California coastline. The stations will be installed at the Yurok boat launch on the Klamath River, on the Cock Robin Island Bridge on the Eel River, on Avalon Harbor Pier on Catalina Island, on Wilson Cove Pier on San Clemente Island, on Fiesta Bay breakwater in northeast Mission Bay, and on a boatyard seawall in Chula Vista in south San Diego Bay. The four southern California stations will be installed in winter 2017 and the two northern California stations in summer 2017. Water level data, tidal datums, bench mark elevations, and tide predictions will be made publically available on the NOAA website.

Each water level station will consist of an electronics box with a data logger, a satellite radio for data telemetry, and either a small air compressor and pressure sensor (Klamath River and Mission Bay stations) or a microwave water level gauge (the remaining four stations). Each station will be powered by two 12V batteries that are recharged by a solar panel. New tidal bench marks will also be established at each location, either brass disks set in rock or existing concrete or steel rods driven into the ground. All project equipment will be removed at the completion of the data collection period except for the tidal bench marks.

In conclusion, the Commission staff **agrees** that the proposed temporary water level stations 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 "John Ainsworth". The signature is stylized and cursive, with a prominent "J" and "A".

(for) John Ainsworth  
Acting Executive Director

cc: CCC – North Coast, South Coast, and San Diego Coast Districts

**CALIFORNIA COASTAL COMMISSION**

45 FREMONT STREET, SUITE 2000  
SAN FRANCISCO, CA 94105-2219  
VOICE AND TDD (415) 904-5200



February 13, 2017

Dave Stalters, Chief  
Environmental Management Branch  
U.S. Coast Guard  
Civil Engineering Unit Oakland  
Attn: Gilda Barboza  
1301 Clay St., Suite 700N  
Oakland, CA 94612-5203

Re: **ND-0003-17** Negative Determination, U.S. Coast Guard, Gym Cover Structure,  
Coast Guard Air Station San Diego

Dear Mr. Stalters:

The Coast Guard has submitted the above-referenced negative determination for the installation of a fabric-covered telescoping structure over an existing tennis court, located south of North Harbor Drive at the Coast Guard Air Station San Diego. The cover is needed to maintain health and safety for Coast Guard personnel. The structure would involve placing a 60 ft. by 40 ft. fabric structure over a 24 ft. high metal support structure. The top portion of the structure would be white, and the base maroon, which would mimic the color scheme of the surrounding buildings. The structure would be visible from the public pedestrian path along North Harbor Drive, but due to the adjacent buildings it would not block bay views. The project would not affect public access; the Air Station is closed to the public for military security reasons.

The Commission staff **agrees** that the proposed structure 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 D. Delaplaine".

(for) JOHN AINSWORTH  
Executive Director

cc: San Diego District



**CALIFORNIA COASTAL COMMISSION**

45 FREMONT STREET, SUITE 2000  
SAN FRANCISCO, CA 94105-2219  
VOICE AND TDD (415) 904-5200



February 22, 2017

Russell E. Galipeau, Jr., Superintendent  
National Park Service  
Channel Islands National Park  
1901 Spinnaker Dr.  
Ventura CA 93001

Attn: Sterling Holdorf

Re: **ND-0004-17** Negative Determination, National Park Service, Anacapa Island Crane Replacement Project, Ventura Co.

Dear Superintendent Galipeau:

The National Park Service (Park Service) has submitted the above-referenced negative determination for the replacement of the derrick crane used to load and offload equipment and materials at the Anacapa Light Station Historic District on the east side of Anacapa Island. In 1932 the U.S. Coast Guard installed two cranes on the island. In 1968, when it automated the light station, the Coast Guard removed one of the cranes (the lower crane) and lengthened the second crane so it could service the necessary distances/heights between the dock at ocean level and the upper landing. Harsh marine conditions have caused deterioration and structural deficiencies such that the crane is no longer usable, resulting in the need to manually transport materials and equipment up the extremely steep terrain (including up 150 uneven stairs) – meaning difficult and hazardous duty for Park Service personnel. To remedy this situation, the Park Service proposes to return to the original two-crane system, through removing the existing crane and foundation, replacing one crane within the historic crane footprint on the upper landing, adding a smaller crane on the lower landing, and removing the old crane and foundation materials from the island.

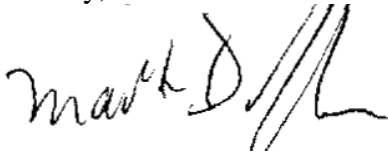
While Anacapa Island is home to one of the largest protected western gull breeding colonies in North America (with up to 10,000 gulls gathering between April through July), construction would occur outside the bird nesting period. Temporary closure of the island to the public may be necessary during construction, which is scheduled for late summer 2018; with any closures needed limited to non-peak visitor periods. Minimal grading would be needed. Construction noise would be minimized, and water quality would be protected through implementation of a Spill Prevention and Control Measures Plan to minimize runoff and accidental releases.

The Park Service notes that the Light Station Historic District is culturally significant and is listed in the National Register of Historic Places. At the same time the Park Service maintains that cultural effects would be avoided. The Park Service is also consulting

with the California State Historic Preservation Office (SHPO), as well as with the Santa Ynez Band of Chumash Mission Indians of the Santa Ynez Reservation.

The Commission staff **agrees** with the Park Service's determination that the proposed project 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 D. Delaplaine". The signature is written in a cursive style with a large, stylized "D" and "L".

(for) JOHN AINSWORTH  
Executive Director

cc: Ventura District

**CALIFORNIA COASTAL COMMISSION**

45 FREMONT STREET, SUITE 2000  
SAN FRANCISCO, CA 94105-2219  
VOICE AND TDD (415) 904-5200



March 1, 2017

S.T. Mulvehill, Captain  
Commanding Officer  
Naval Base Coronado  
Department of the Navy  
Box 357033  
San Diego, CA 92138-7033

Attn: Deb McKay

Re: **ND-0005-17** Navy Negative Determination, Emergency Response to Storm  
Damage, Naval Amphibious Base, Coronado, San Diego Co.

Dear Captain Mulvehill:

The Navy has submitted the above-referenced after-the-fact negative determination for emergency response and repairs made on the ocean side of the Naval Amphibious Base in Coronado. In the first week of March 2016 high tides and storm waves resulted in damage to existing Navy infrastructure. At that time the Navy informed the Commission staff of the damage and immediately needed repairs, and during those discussions the Navy agreed to submit this after-the-fact determination memorializing the discussions and reflecting the repairs that were implemented.

The damage occurred during the king tides of March 5-7, 2016, when the combination of high tides and storm surge resulted in damage to sand berms protecting the Navy's infrastructure, fences, a parking lot, and storm water detention basins, and threatened undermining of existing buildings if no remedial actions were immediately implemented.

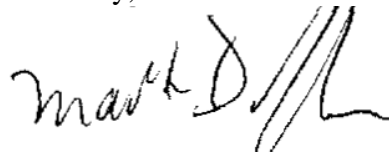
The repair activities consisted of installing 800 linear feet of sheet pile (driven 20 ft. deep), with a concrete cap (to further support the stability of an existing parking area), installing 900 linear feet of security fencing, re-establishing the sand berm protecting the buildings and infrastructure, repairing two retention basins, and repaving approximately 40,000 sq. ft. of parking area. In discussions with Commission staff the Navy acknowledged that managed retreat needed to be incorporated into the repair activities, and the parking area restored was 20 ft. landward of the previously-existing parking lot. The project also included abandonment/removal of a condemned tower (Bldg. 623) located at the southwest corner of the parking lot.

The project area is off limits to the public for military security reasons, and the project did not affect any public access and recreation. The Navy acknowledged the need to consider climate change and sea level rise in its planning for this base, and the negative determination states: "The intent of the actions was to repair and protect infrastructure without negatively affecting natural coastal processes." Sensitive bird nesting areas (least

terns and snowy plovers) were monitored and protected during construction, and thus were not adversely affected. Water quality was also protected through use of Best Management Practices. Public views and archaeological resources were not affected.

In conclusion, the Commission staff appreciates the Navy's prompt consultation when the storm damaging occurred, and **agrees** that the activities described in the negative determination did 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 D. Delaplaine". The signature is written in a cursive, somewhat stylized font.

(for) JOHN AINSWORTH  
Executive Director

cc: San Diego District