

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



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Prepared August 03, 2017 (for the August 10, 2017 Hearing)

To: Commissioners and Interested Parties
From: Alison Dettmer, Deputy Director
Subject: **Energy, Ocean Resources and Federal Consistency Division Deputy Director's Report for August 2017**

The following coastal development permit (CDP) waivers, immaterial CDP amendments, CDP extensions, emergency CDPs, and negative determinations for the Energy, Ocean Resources and Federal Consistency Division are being reported to the Commission on August 10, 2017. Pursuant to the Commission's procedures, each item has been appropriately noticed as required, and each item is also available for review at the Commission's office in San Francisco. Staff is asking for the Commission's concurrence on the items in the Energy, Ocean Resources and Federal Consistency Division Deputy Director's report, and will report any objections received and any other relevant information on these items to the Commission when it considers the report on August 10th.

With respect to the August 10th hearing, interested persons may sign up to address the Commission on items contained in this report prior to the Commission's consideration of this report. The Commission can overturn staff's noticed determinations for some categories of items subject to certain criteria in each case (see individual notices for specific requirements).

Items being reported on August 10, 2017 (see attached)

Waivers

- 9-17-0547-W, LA Seismic 4D Survey (141 On- And Offshore Locations Within The City Of Long Beach, Los Angeles County)
- 9-17-0579-W, Los Cerritos Oil Consolidation & Restoration Project-Phase II Environmental Assessment Soil Testing (Long Beach)
- 9-17-0620-W, LA Basin Sub-surface Geologic Mapping-Placement of Survey Nodes (316 Locations Within And Offshore Of The City Of Seal Beach - Orange County)

Immaterial Amendments

- E-02-005-A7, Coast Seafoods Clam Cultivation Rafts - Permit Extension (Arcata Bay (Northern Humboldt Bay), Humboldt County)
- E-06-003-A6, Coast Seafoods Oyster Aquaculture -Permit Extension (Arcata Bay (Northern Humboldt Bay), Humboldt County)

Negative Determinations and No Effect Letters

Administrative Items for Federal Consistency Matters

- **ND-0014-17, U.S. Marine Corps, Action: Concur, 7/6/2017**
US, Marine Corps installation of 30 ft. high observation tower, Gold Beach, Marine Corps Base Camp Pendleton, San Diego Co.
- **ND-0015-17, Department of the Navy, Action: Concur, 7/27/2017**
Navy construction adding floating docks to Pier 4, northwest side of Naval Amphibious Base (NAB), Coronado, San Diego Co.
- **ND-0019-17, National Park Service, Action: Concur, 7/25/2017**
Replace a damaged culvert underneath Limantour Road at Point Reyes National Seashore, Marin County
- **NE-0005-17, City of Eureka, Attn: Miles Slattery, Action: Concur, 7/20/2017**
A City of Eureka five-year program to dispose at the Humboldt Open Ocean Disposal Site (HOODS) a maximum of 100,000 cu.yds. of dredged material per year from various locations in Humboldt Bay. The City will provide dredged material suitability determinations for open ocean disposal to the Commission staff prior to commencement of dredging, and disposal at HOODS will not occur until the Commission staff has concurred with those determinations.

Immaterial Amendment to Appealed Permit

- **A-3-SNC-10-010-A5, City of Sand City Desalination Facility- Geophysical Data Collection**
(City of Sand City and along the Monterey Bay shoreline, Monterey County)

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July 19, 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 (CDP) 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: 9-17-0547-W

Applicant: Eric Campbell, LA Seismic, LLC

Location: 141 on- and offshore locations within the City of Long Beach, Los Angeles County (APN(s): 7237017018, 7237020021, 7237020901, 7242013892, 7242014900).

Proposed Development: Temporary placement of 12-inch diameter geophone seismic sensors (“nodes”) at 118 onshore and 123 offshore locations in the coastal zone to support seismic surveys of the Long Beach and Seal Beach area. The seismic surveys are a part of an on-going series of subsurface geologic mapping efforts in the Los Angeles basin, being carried out by LA Seismic in partnership with the U.S. Geological Survey and the California Institute of Technology. The surveys are expected to yield new information on the locations and structure of sub-surface faults, aquifers and potential hydrocarbon reservoirs. New data on geologic hazards generated through the project will be made available to the public through the applicant’s governmental and academic partners.

Onshore nodes would be placed on dirt roads and other areas of bare ground within City-owned areas of the Long Beach Marina and former oil field areas of the Los Cerritos wetlands complex. Typically, the nodes would be placed within shallow excavated holes and covered with loose soil. At the 32 proposed node placement sites within unvegetated intertidal areas, no excavation would occur, and the nodes would be placed above ground on specialized posts (2-in wide x 1/8-in thick) that are inserted into the soil. Offshore nodes would be placed on sandy seafloor outside the surf zone at water depths of approximately 10 to 25 feet. These nodes would be deployed by divers from a small boat, and affixed with a submarine buoy floating 1 foot above the node.

Node deployment at the proposed on- and offshore locations would occur over a three to five day period. The nodes would be left in place for approximately 30 to 45 days, during which time they would passively record vibrations produced by vibrator trucks operating on city streets, as well as vibrations from other sources, including small earthquakes. At the end of the deployment period, the nodes would be retrieved in the same manner as they were deployed, over three to five days. LA Seismic anticipates conducting the proposed project during the late summer and fall of 2017.

Coastal Development Permit De Minimis Waiver

9-17-0547-W

This waiver applies only to project activities (the temporary node placements described above) occurring within the Commission's retained jurisdiction. The City of Long Beach has issued a Temporary Street Occupancy permit for project activities within City road right-of-way, and has determined that the placement of nodes at sites within the City's Local Coastal Program (LCP) jurisdiction qualifies for a Coastal Permit Categorical Exclusion. Related node placements and geophysical survey activities within the City of Seal Beach are the subject of a separate CDP application being prepared by LA Seismic.

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:

- **Wetlands and Sensitive Species:** To the maximum extent feasible, node placement within the Los Cerritos Wetlands complex will occur on existing roads and cleared areas associated with former oil field operations. 32 nodes proposed for placement within intertidal areas qualifying as coastal wetlands would avoid all vegetation, and would be deployed on specialized posts (described above), avoiding the need for excavation and significant ground disturbance. Node placement would be temporary (30 to 45 days) and is proposed for the purpose of mapping the sub-surface environment in the Long Beach area and better identifying potential natural hazards.

Node placement in the Los Cerritos wetlands complex would be carried out by hand under the supervision of a qualified ecologist with the authority to delay or modify deployment activities to avoid disturbance of sensitive species. No vehicles would be operated off of established roadways. The proposed node placement would occur outside the bird nesting season (March 15 to August 15).
- **Marine Resources:** Temporary offshore node placement would occur only in areas of sandy seafloor, avoiding all hard substrate habitats, seagrass beds, and other significant marine vegetation. Individual node placement by scientific divers would ensure that any minor patches of seafloor vegetation area avoided and that sediment disturbance is minimized. All small boat operations would include a qualified biological observer to monitor for marine mammals, sea turtles, and other sensitive wildlife. The proposed surveys use passive receptors (nodes) to detect vibrations, and do not involve the use of any high-energy seismic sources in the ocean with potential to harm marine mammals and wildlife.
- **Public Access & Visual Resources:** The proposed node placement at on- and offshore locations would be temporary (30 to 45 days), have a low visual profile, and would avoid beaches, public trails and other public access areas. The placement of offshore nodes would not result in navigation hazards.

This waiver will not become effective until reported to the Commission at its August 9-11 meeting in Calabasas, 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.

Coastal Development Permit De Minimis Waiver
9-17-0547-W

Sincerely,

John Ainsworth
Executive Director

A handwritten signature in blue ink that reads "Joseph Street". The signature is written in a cursive style with a large initial "J" and "S".

Joseph Street
Senior Environmental Scientist

cc: South Coast District
File

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July 28, 2018

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: 9-17-0579-W

Applicant: Beach Oil Minerals Partners, LLC

Location: 6433 Second St., Long Beach

Proposed Development: Beach Oil Minerals Partners (BOMP) proposes to conduct additional follow-up soil sampling at two locations within the Synergy Oil Field and one location within an adjacent City-owned oil field that is operated and maintained by BOMP. In November 2016, the Commission approved a waiver (9-16-0947-W) for BOMP to conduct a Phase II Environmental Site Assessment in support of an 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. 9-16-0947-W authorized BOMP to use hand augers to collect soil samples at 16 locations. Results of the analysis of these soil samples indicated elevated levels of hydrocarbons and metals at four locations. To further define the extent of contamination at these locations, in February of 2017, the Commission approved a second waiver, 9-17-0128-W, to collect five soil samples surrounding each of the four locations where contamination was discovered. Soil sampling was conducted using hand augers and no mechanized equipment. The additional sampling was able to adequately characterize contamination at two of the four sites. BOMP is seeking approval to conduct additional testing at the remaining two sites, each located adjacent to above-ground storage tanks in the southwestern portion of the site, as well as a site adjacent to above ground storage tanks on an adjacent City-owned property.

At the Synergy Oil Field, BOMP proposes to use a hand auger and a pickup truck-mounted Geoprobe drill rig to collect samples at 1, 3 and 6 feet below ground surface (bgs). Samples will be taken along transects heading north, south, east and west from the contaminated storage tanks area at staggered increments of 20 feet. Sampling will extend laterally until field screening results indicate that edge of the contamination has been reached. Samples of the soil and groundwater will be collected at each boring location.

At the City-owned field, BOMP proposes to use hand augers only to collect samples at 1, 3 and 6 feet bgs in the area around the above ground storage tanks to identify potential contamination. Sampling will extend at 20-foot increments in the four cardinal directions around the tanks.

Coastal Development Permit De Minimis Waiver
9-17-0579-W

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:

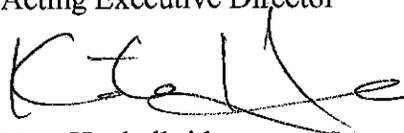
- **Wetlands:** The purpose of the proposed soil sampling is to determine the extent of soil contamination present within the Synergy and City Oil Fields that BOMP is proposing to eventually restore. The sampling efforts and any subsequent cleanup actions are a critical step in restoring the biological productivity of these disturbed wetland areas. The sampling locations include areas mapped as Coastal Commission wetlands, although sampling will occur only in unvegetated areas to avoid impacts to wetland vegetation. The truck-mounted Geoprobe drill will only be used in areas that the vehicle can access without impacting wetland vegetation or habitat. Areas that cannot be accessed by the vehicle will be sampled using the hand auger. Although several samples will be taken from wetland areas, the impact area of each sample is small (2.4-8.3 square inches per sample depending on the type of equipment) 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 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. With the exception of the truck carrying the Geoprobe drill rig, any additional service vehicles necessary to transport workers conducting the sampling to the sites will remain on existing access roads. Any necessary refueling will occur outside of wetland areas. All work will occur during the dry season and 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 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
Acting Executive Director



Kate Huckelbridge
Senior Environmental Scientist

Coastal Development Permit De Minimis Waiver

9-17-0620-W

The City of Seal Beach is reviewing an application for an Encroachment Permit to allow temporary access to the public right-of-way for the placement of nodes and survey truck activities, and has determined that the proposed project is categorically exempt (Class 6, data collection) from CEQA requirements. The California State Lands Commission is reviewing the proposed temporary placement of nodes on the seafloor; no offshore project activities would occur without appropriate authorization. Related node placements and geophysical survey activities within the City of Long Beach are the subject of a separate CDP waiver (9-17-0547-W).

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:

- **Wetlands and Sensitive Species:** Node placement within City right-of-way would occur within developed areas, with no potential to affect sensitive habitats or species, and would not require removal of major vegetation. Node placement within the Los Cerritos wetlands complex parcel would occur on existing roads and cleared areas associated with former oil field operations. All vegetation and intact tidal marsh areas would be avoided. Node placement would be temporary (30 to 45 days) and is proposed for the purpose of mapping the sub-surface environment in the Seal Beach area and better identifying potential natural hazards.

Node placement in the Los Cerritos wetlands complex would be carried out by hand under the supervision of a qualified ecologist with the authority to delay or modify deployment activities to avoid disturbance of sensitive species. No vehicles would be operated off of established roadways. The proposed node placement would occur outside the bird nesting season (March 15 to August 15).
- **Marine Resources:** Temporary offshore node placement would occur only in areas of sandy seafloor, avoiding all hard substrate habitats, seagrass beds, and other significant marine vegetation. Individual node placement by scientific divers would ensure that any areas of seafloor vegetation or hard substrates are avoided and that sediment disturbance is minimized. All small boat operations would include a qualified biological observer to monitor for marine mammals, sea turtles, and other sensitive wildlife. The proposed surveys use passive receptors (nodes) to detect vibrations, and do not involve the use of any high-energy seismic sources in the ocean with potential to harm marine mammals and wildlife.
- **Public Access & Visual Resources:** The proposed node placement at on- and offshore locations would be temporary (30 to 45 days), have a low visual profile, and would avoid beaches, public trails and other public access areas. The placement of offshore nodes would not result in navigation hazards. The operation of two to four survey trucks on city streets would not result in significant traffic delays or obstructions to public access.

This waiver will not become effective until reported to the Commission at its August 9-11 meeting in Calabasas, 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.

Coastal Development Permit De Minimis Waiver
9-17-0620-W

Sincerely,

John Ainsworth
Executive Director

A handwritten signature in blue ink that reads "Joseph Street". The signature is written in a cursive style with a large, looping "S" and "t".

Joseph Street
Senior Environmental Scientist

cc: File

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NOTICE OF PROPOSED IMMATERIAL PERMIT AMENDMENT

Coastal Development Permit Amendment No. **E-02-005-A7**

July 28, 2017

To: All Interested Parties

From: John Ainsworth, Executive Director

Subject: Permit No. **E-02-005** (as amended by **E-02-005-A1 through –A6**), granted to **Coast Seafoods Company** for: installation of ten 12-foot by 20-foot floating clam cultivation rafts in the Mad River Slough section of Arcata Bay.

Project Site: Arcata Bay (northern Humboldt Bay), Humboldt 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):

Extension of the permit term for the presence and use of the clam cultivation rafts for maintenance and harvesting operations from August 11, 2017 to December 31, 2017.

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 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 extension of the current permit term would be for only four and-a-half months or until replaced by a new, longer-term permit for Coast's operations in Arcata Bay.
- Clam grow-out operations would continue in the current manner and level without increases in the number, size, or age-class of cultivated clams.
- No new clams would be planted during the term of the extension (unless authorized by a new permit).
- All proposed operations would continue to be carried out consistent with the resource protection measures established through Special Conditions 1 through 9 of the coastal development permit and permit amendments issued to Coast Seafoods Company for the clam rafts. These conditions include provisions regarding the protection of marine wildlife; the collection of marine debris and fouling material during the conduct of maintenance cleaning

Notice of Proposed Immaterial Permit Amendment

E-02-005-A7

operations; and the design of seawater intakes to minimize the entrainment and impingement of marine life.

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

cc: Commissioners/File

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NOTICE OF PROPOSED IMMATERIAL PERMIT AMENDMENT

Coastal Development Permit Amendment No. **E-06-003-A6**

July 28, 2017

To: All Interested Parties

From: John Ainsworth, Executive Director

Subject: Coastal Development Permit No. **E-06-003** (as amended by **E-06-003-A1, E-06-003-A2, E-06-003-A4, and E-06-003-A5**) granted to **Coast Seafoods Company** for: off-bottom oyster aquaculture operations on approximately 300 acres in Humboldt Bay.

Project Site: Arcata Bay (northern Humboldt Bay), Humboldt 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):

Extension of the permit term for off-bottom oyster aquaculture maintenance and harvesting operations from August 11, 2017 to December 31, 2017.

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 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 extension of the permit term would be for only four and-a-half months or until replaced by a new, longer-term permit for Coast's operations in Arcata Bay.
- Aquaculture operations would be limited to only maintenance and harvesting – no shellfish planting activity, installation of cultivation equipment or increases in cultivation areas would occur during the term of the extension (unless authorized by a new permit).
- All proposed operations would continue to be carried out consistent with the resource protection measures established through Special Conditions 1 through 18 of Coastal Development Permit E-06-003 and its material amendments (E-06-003-A1 and E-06-003-A5). These conditions include provisions regarding the protection of marine wildlife; the location of culture areas; the submittal of annual reports; the implementation of adverse

Notice of Proposed Immaterial Permit Amendment

E-06-003-A6

impact avoidance and mitigation measures; and the collection of marine debris and fouling material during the conduct of maintenance cleaning operations.

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

cc: Commissioners/File

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July 6, 2017

B. Battista, Head
Environmental Planning
U.S. Marine Corps
Marine Corps Installations West - Marine Corps Base
Box 555008
Camp Pendleton, CA 92055-5010

Attn: Matthew Lorne

Re: **ND-0014-17**, U.S. Marine Corps Negative Determination, Installation of Observation Outpost, Gold Beach, Marine Corps Base Camp Pendleton, San Diego Co.

Dear Mr. Battista:

The Coastal Commission staff has reviewed the above-referenced negative determination for the installation of an observation outpost on the bluff above Gold Beach, north of Pulgas Road and west of I-5, on Marine Corps Base Camp Pendleton. The tower would extend up to 30 ft. high, be operated remotely, and be used “to monitor vulnerable areas” of the Camp Pendleton shoreline. No environmentally sensitive resources are located near the project site, and the tower would include perch deterrent features to avoid any effects on predation of snowy plovers, which nest on beaches 500 meters to the south. Public access would not be affected, and the beach west of the site is off limits to the public due to military security needs. Best Management Practices will be implemented to protect water quality. The tower would be slightly visible from I-5, but given the distance from I-5 (approximately 1/3 mile), and the small dimensions of the outpost, the effect on public views would be insignificant and comparable to other Marine Corps structures in the viewshed. In addition, the Marine Corps agrees to remove the outpost if and when it is no longer needed.

In conclusion, the Commission staff **agrees** 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 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'.

(for) JOHN AINSWORTH
Executive Director

cc: San Diego District

CALIFORNIA COASTAL COMMISSION

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July 27, 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-0015-17** Navy Negative Determination, Pier 4 Upgrades, Naval Amphibious Base, Coronado, San Diego Co.

Dear Captain Mulvehill:

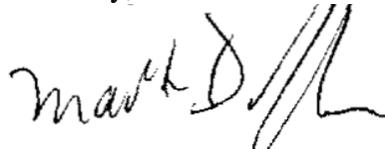
The Navy has submitted the above-referenced negative determination for upgrades on the east side of Pier 4 at the Naval Amphibious Base (NAB) in Coronado. The upgrades, which are intended to reduce safety risks during ship loading and unloading, would consist of installing a gangway between Pier 4 and the proposed 2,500 sq. ft. floating dock system, with five finger piers to secure the floating dock. The purpose of the system is to reduce safety risks during ship loading and unloading.

The project would not affect public access; the area is and will continue to be restricted for military security reasons. Water quality would be protected through the implementation of Best Management Practices. No public views or archaeological resources will be affected. Eelgrass beds have not previously been identified in the to-be affected area, although they have been identified in the surrounding area. The Navy will perform pre- and post-construction surveys to update this information and to monitor impacts to eelgrass, and any loss of eelgrass habitat will be mitigated.

No pile driving or other in-water construction will occur during the California least tern nesting season. Marine mammals are not expected in the area; however the Navy will monitor for marine mammals and sea turtles, and will suspend in-water activities if mammals or sea turtles are present. Ramp-up procedures will be implemented to further minimize noise impacts.

Under the federal consistency regulations (15 CFR Section 930.35(a)), a negative determination can be submitted for an activity “which is the same or similar to activities for which consistency determinations have been prepared in the past.” As the Navy notes in its negative determination, the project is similar to two previous Commission-authorized negative determinations for pier improvements in San Diego Bay – ND-0022-14 and ND-0219-13). With the measures included, we **agree** with the Navy’s conclusion that the project would avoid adverse effects on coastal zone resources and is similar to these previously-authorized Navy pier improvement projects. 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". The signature is stylized and written in a cursive-like font.

(for) JOHN AINSWORTH
Executive Director

cc: San Diego District
Corps of Engineers, L.A. District

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July 25, 2017

Steve Mietz
Acting Superintendent
ATTN: Dylan Voeller
Point Reyes National Seashore
Point Reyes, CA 94956

Subject: Negative Determination ND-0019-17 (Limantour Road Culvert Replacement, Point Reyes National Seashore, Marin County)

Dear Mr. Mietz:

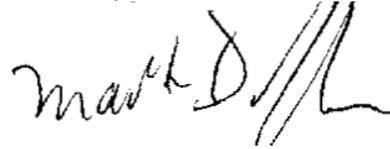
The Coastal Commission staff has reviewed the above-referenced negative determination. The National Park Service proposes to repair a 24-inch diameter corrugated metal pipe culvert underneath Limantour Road approximately one mile from its intersection with Bear Valley Road. The culvert failed in March 2017 and temporary repairs were made to keep the road open to Limantour Beach and other recreational areas. Subsequently, a large sink hole developed underneath the road due to subsurface erosion caused by the failed culvert. The NPS concluded that the potential collapse of the roadway at this location requires the complete replacement of the culvert and the adjacent 9-inch diameter underdrain pipe.

The NPS proposes to: (1) remove and replace approximately 38' by 32" of road pavement and underlying aggregate base as well as five trees directly adjacent to Limantour Road on its northeast side; (2) remove the failed culvert and drain pipe and replace with an equivalent-sized culvert and drain pipe; (3) excavate the eroded subgrade and import suitable fill to reconstruct the embankment below the culvert; (4) install a new concrete headwall and asphalt dikes at the culvert inlet; (5) place 40 cubic yards of riprap in the eroded gully below the culvert outlet to re-establish the existing rundown slope grade; (6) install culvert and drain pipe extensions anchored to the repaired rundown slope to increase erosion protection; and (7) place five cubic yards of riprap over geotextile fabric at the culvert extension outlet. The project is scheduled to occur in August 2017 and is expected to take 2 to 3 weeks to complete.

One lane of traffic will be kept open during project construction to maintain public access through the work area to Limantour Beach. The NPS will ensure that the project contractor will prepare and implement a Spill Prevention and Response Plan to avoid spills of fuel, lubricants, and other materials and to effectively respond to any accidental spills. Effective erosion control measures will be installed and maintained throughout the construction period. In addition, the NPS states that if continued erosion is likely to occur after construction is completed, then appropriate erosion prevention measures will be implemented and maintained until erosion has subsided. Avoidance and protection measures for the California red-legged frog and other aquatic species within the failed culvert area are incorporated into the project.

In conclusion, the Commission staff **agrees** that the proposed Limantour Road culvert replacement 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 written in a cursive style with a large, stylized "J" and "A".

(for) JOHN AINSWORTH
Executive Director

cc: CCC – North Central Coast District

CALIFORNIA COASTAL COMMISSION

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



July 20, 2017

Miles Slattery
Parks and Recreation Director
City of Eureka
1011 Waterfront Drive
Eureka, CA 95501-1146

Subject: No-Effects Determination NE-0005-17 (Five-Year Dredged Material Disposal Program at Humboldt Open Ocean Disposal Site, Humboldt County)

Dear Mr. Slattery:

The Coastal Commission staff has reviewed the above-referenced no-effects determination. The City of Eureka proposes to implement a five-year (2017-2021) program for disposal at the Humboldt Open Ocean Disposal Site (HOODS) of sediments dredged from various locations in Humboldt Bay. The program calls for a maximum of 100,000 cubic yards of dredged material disposal at HOODS per year. All sediment proposed for disposal at HOODS would be tested and determined by the U.S. Environmental Protection Agency to be physically and chemically suitable for open ocean disposal. All dredged sediment from locations in Humboldt Bay would be loaded directly into dump scows and towed out to and disposed at HOODS. All disposal operations would be performed in accordance with conditions established by the USEPA and the Corps of Engineers, including bathymetric surveys, vessel tracking systems, restrictions on disposal locations at cells within the HOODS footprint, and disposal record keeping and reporting.

During the first year of the disposal program (2017), the City proposes to dispose at HOODS approximately 60,000 cubic yards of sediment dredged from three City of Eureka facilities (the Eureka Small Boat Basin, Commercial Street Dock, and the Woodley Island Marina Dock F Coast Guard slip). Disposal operations are scheduled to occur between July 1 and October 15, 2017. In an email dated July 11, 2017, Brian Ross of the USEPA Region 9 office stated that the sediments proposed to be dredged during the summer of 2017 from the three aforementioned locations are suitable for ocean disposal at HOODS based on sediment chemistry and grain size test results. In addition, the City of Eureka received a Coastal Development Permit Exemption for the proposed 2017 maintenance dredging project from the Coastal Commission's North Coast District Office on July 14, 2017.

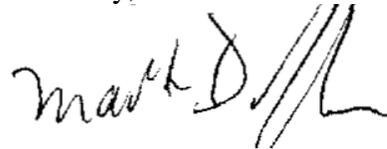
For the remaining four years of the proposed five-year disposal program, no later than one month prior to commencement of disposal operations at HOODS for years 2018 through 2021, the City will submit to the Coastal Commission staff for its review and approval new suitability determinations from the USEPA for dredged sediments proposed for HOODS disposal. The City

currently expects that these sediments would be dredged from other locations in Humboldt Bay as well as from the three locations to be dredged in 2017. The City will complete all sediment testing necessary to obtain suitability determinations from the USEPA and will submit those test results to the Commission staff for its review and approval. Should suitability determinations not be obtained for proposed dredged sediments for the years 2018-2021, the City will not dispose those sediments at HOODS.

With the above provisions for Commission staff review and approval of sediment test results and suitability determinations prior to annual dredging and disposal operations, the Commission staff **agrees** that the proposed five-year sediment disposal program at HOODS will not affect coastal resources. In addition, the Commission staff reviewed the sediment test results submitted by the City and the suitability determination provided by the USEPA for the proposed 2017 maintenance dredging project. The Commission staff **agrees** that the sediments to be dredged from the Eureka Small Boat Basin, Commercial Street Dock, and the Woodley Island Marina Dock F Coast Guard slip are suitable for disposal at HOODS and the 2017 disposal project will not affect coastal resources.

We therefore **concur** with your no-effects determination for the five-year HOODS disposal program and with the proposed 2017 disposal project. 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", written in a cursive style.

(for) JOHN AINSWORTH
Executive Director

cc: Melissa Kraemer, CCC – North Coast District
Brian Ross, USEPA – Region 9
Debra O’Leary, Corps of Engineers – San Francisco District

CALIFORNIA COASTAL COMMISSION

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NOTICE OF PROPOSED IMMATERIAL PERMIT AMENDMENT

Coastal Development Permit Amendment No. **A-3-SNC-10-010-A5**

July 27, 2017

To: All Interested Parties

From: John Ainsworth, Executive Director

Subject: Coastal Development Permit No. **A-3-SNC-10-010** granted to the **City of Sand City** for construction and operation of a desalination facility and associated intake wells and discharge lines.

Project Site: City of Sand City and along the Monterey Bay shoreline, County of Monterey.

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):

Amend the scope of the previously approved activities to include geophysical work the City will conduct using hand-carried instruments on the beach and a track-mounted sampling rig on paved areas. This geophysical data collection will allow the City to more precisely locate the subsurface fresh-saltwater transition zone and to establish the proposed new well locations described in the previous amendment to this permit. The subsequently required Construction Plan will then be based on the well locations identified through this geophysical work.

To achieve this, the amendment modifies **Special Condition 3** of the permit as follows:

“Construction Plan. PRIOR TO ISSUANCE OF THE AMENDED COASTAL DEVELOPMENT PERMIT, the Applicant shall submit the Spill Prevention and Response Plan and a Construction Plan to the Executive Director for review and approval. The Construction Plan shall incorporate geophysical data the Applicant will collect using electrical resistivity mapping equipment on the beach and a tracked geoprobe on the bikepath within the project footprint. This geophysical data collection is subject to the best management practices below and to the biological survey requirements of Special Condition 4 of this permit. In addition to the measures specified under Conditions #12.7,

12.8, 12.10, 12.11, 12.12, and 12.13 below, the Construction Plan shall identify the specific location of all construction areas, all staging areas, and all construction access corridors in site plan view in the coastal zone. Construction and staging zones shall be limited to the minimum area required to implement the approved project, and shall minimize encroachment onto the dunes, bluff, and beach by using, for example, existing paved areas for staging and storing construction equipment and materials. Consistent with these restrictions, public access shall be disrupted as little as possible, and corridors or detours to allow beach and bicycle access during construction shall be identified by the construction plan and maintained by the permittee throughout the construction period.

The Construction Plan shall also identify the type and location of erosion control/water quality best management practices that will be implemented during construction to protect coastal water quality, including the following:

- a. Silt fences, or equivalent apparatus, shall be installed at the perimeter of the construction areas to prevent construction-related runoff and/or sediment from entering the dunes and/or the Pacific Ocean.
- b. All construction materials and equipment shall be removed in their entirety from the dune and beach area by sunset each day that work occurs. The only exception shall be for the temporary erosion and sediment controls required above.
- c. Grading and alteration of the dunes and beach intertidal area outside of the approved construction zone is prohibited with one exception as follows: the existing asphalt and rock debris in the vicinity of Vista del Mar Street and Tioga Avenue may be removed in accordance with the final approved plans, using excavation equipment positioned landward of the waterline (i.e., excavator equipment with mechanical extension arms).
- d. Equipment washing, refueling, and/or servicing shall not take place on the beach or sandy dune area. All construction equipment shall be inspected and maintained at an off-site location to prevent leaks and spills of hazardous materials at the project site.
- e. The construction site shall maintain good construction housekeeping controls and procedures (e.g., clean up all leaks, drips, and other spills immediately; keep materials covered and out of the rain (including covering exposed piles of soil and wastes); dispose of all wastes properly, place trash receptacles on site for that purpose, and cover open trash receptacles during wet weather; remove all construction debris from the beach).
- f. All erosion and sediment controls shall be in place prior to the commencement of construction as well as at the end of each workday.

A copy of the approved Construction Plan shall be kept at the construction job site at all times and all persons involved with the construction shall be briefed on its content and meaning prior to commencement of construction. The Permittee shall notify planning staff of the Coastal Commission's Central Coast District Office at least 3 working days in advance of commencement of construction, and immediately upon completion of construction.

The Permittee shall undertake construction in accordance with the approved Construction Plan. Any proposed changes to the approved Construction Plan shall be reported to the Executive Director. No changes to the approved Construction Plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is necessary.”

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 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 City's proposed work will be done using minimally-invasive equipment, including hand-carried electrical resistivity mapping devices and a track-mounted geoprobe. The proposed work is similar to the work the Commission already approved as part of the project, will occur within the same project footprint as previously reviewed, and is not expected to result in additional impacts to coastal resources.
- The proposed work will be subject to best management practices already required through the permit's **Special Condition 3**, which include measures to avoid fuel spills, siltation into nearby coastal waters, adverse effects on nearby habitat, and others. It is therefore expected to not result in adverse construction-related effects.
- The proposed work would occur for up to several hours per day over an approximately five-day period on and near a public beach and bikepath. However, the work will not require beach closure and would represent only a short-term and minor disruption to use of the bikepath, so it will not result in significant adverse impacts to public recreation or to public access to the shoreline.
- Prior to conducting the geophysical work, the City will conduct biological surveys pursuant to the requirements of the CDP's **Special Condition 4** to ensure that project activities and timing do not adversely affect nearby sensitive habitat areas or sensitive species.

If you have any questions about the proposal or wish to register an objection, please contact Tom Luster at 415-904-5248 or tluster@coastal.ca.gov.

cc: Commissioners/File