

**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



# Th10

**Prepared October 10, 2019 (for the October 17, 2019 Hearing)**

**To:** Commissioners and Interested Parties  
**From:** Alison Dettmer, Deputy Director  
**Subject:** **Energy, Ocean Resources and Federal Consistency Division Deputy Director's Report for October 2019**

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 October 17, 2019. 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 October 17th.

With respect to the October 17th 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 October 17, 2019 (see attached)**

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## **Waivers**

- 9-19-1131-W, Southern California Gas Co. Annual Compliance Maintenance for pipeline leakage surveys (Morro Strand State Beach, Between 24th Street and Highway 1, Cayucos)

## **Negative Determinations and No Effect Letters**

Administrative Items for Federal Consistency Matters

- **ND-0026-19, Bureau of Land Management, Action: Concur, 9/10/2019**  
BLM Humboldt Bay South Spit Green Waste Disposal, Mike Thompson Wildlife Area, Humboldt County, using prescribed pile-burning to dispose of dried invasive vegetation

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October 3, 2019

## 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:** 9-19-1131-W

**Applicant:** Southern California Gas Company (SoCal Gas)

**Location:** Morro Strand State Beach; San Luis Obispo County

**Proposed Development:** Vegetation trimming within natural gas pipeline corridor and right-of-way easement through Morro Strand State Beach. The pipeline corridor is five feet wide by 900 feet long and includes a six-inch diameter belowground pipeline. To facilitate access directly above the pipeline so that annual leak detection surveys can be completed, Southern California Gas Company maintenance personnel would use hand tools to trim small shrubs, bushes and willow tree branches with diameters of three inches or less from within the pipeline corridor. Upon completion of trimming activities, SoCal Gas inspectors would survey the pipeline using handheld detection equipment to confirm the pipeline's structural integrity. No vehicle access would be needed in the pipeline corridor and all trimming and inspection activities would be carried out by personnel on foot using hand tools.

**Rationale:**

- All vegetation trimming would be carried out under the supervision of a biological monitor.
- All trimming and inspection activities have been authorized by the California Department of Fish and Wildlife through a Streambed Alteration Agreement.
- No earthmoving, grading or excavation would occur as part of trimming and inspection activities.
- No storage or staging of equipment or materials would occur within pipeline right-of-way or adjacent vegetated areas.
- All work would be carried out in dry conditions.

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9-19-1131-W

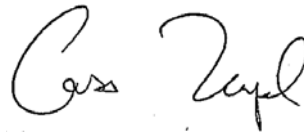
- All equipment would be inspected for leaks and repaired (if necessary) prior to use. No fueling or refueling would be carried out within vegetated areas.
- No damage or removal of tree roots would occur and no branches greater than three inches in diameter would be cut or trimmed.
- All trimming of tree branches would be limited to willow or bay laurel trees and no trimming would occur higher than seven feet from the ground.
- All work would be carried out during daylight hours.

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 October 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



(by) Cassidy Teufel  
Senior Environmental Scientist

cc: File

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September 10, 2019

Molly Brown  
Arcata Field Manager  
Bureau of Land Management  
ATTN: Jennifer Wheeler  
1695 Heindon Road  
Arcata, CA 95521

RE: **ND-0026-19**, Negative Determination, Bureau of Land Management, Green Waste Disposal, Humboldt Bay South Spit, Humboldt Co.

Dear Ms. Brown:

The Coastal Commission staff has reviewed the above-referenced negative determination for the Green Waste Disposal project, which consists primarily of the removal of dried, invasive vegetation using prescribed burning, on the Bureau of Land Management's (BLM's) Humboldt Bay South Spit Cooperative Management Area. Methods of removal other than burning may be implemented (i.e., composting, shipping, or trucking offsite) if some of the material is not sufficiently desiccated to be burned. The burning would occur in accordance with oversight from the local Air Quality Management District. Burning would not occur during the snowy plover nesting season if plovers are present. No burn piles would be sited on or near environmentally sensitive habitat (i.e., beach layia and Menzies' wallflower) or culturally sensitive areas.

Under the federal consistency regulations, a negative determination can be submitted for an activity "which is the same as or similar to activities for which consistency determinations have been prepared in the past." The Commission and staff have previously authorized BLM prescribed burning on the South Spit, through Consistency and Negative Determinations ND-047-08, ND-094-03, and CD-052-02 (the South Spit Interim Management Plan). The proposed burning would include similar resource protection measures to those in the previously-authorized activities, and with the measures, the activity would 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 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: North Coast District Office

## Coastal Development Permit De Minimis Waiver

9-19-1131-W

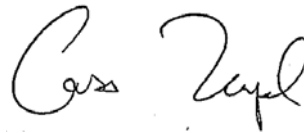
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