

CALIFORNIA COASTAL COMMISSION

ENERGY, OCEAN RESOURCES &
FEDERAL CONSISTENCY DIVISION
455 MARKET ST, SUITE
300 SAN FRANCISCO,
CA 94105
FAX (415) 904-5400
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Prepared October 6, 2022 (for the October 13, 2022 Hearing)

To: Commissioners and Interested Parties
From: Kate Huckelbridge, Deputy Director
Subject: Energy, Ocean Resources and Federal Consistency Division Deputy Director's Report for October 2022

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 13, 2022. 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 13, 2022.

With respect to the October 13th 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 13, 2022 (see attached)

Waivers

- 9-21-09140W, SoCal Gas excavations and pipeline repair. (Sandyland Cove Rd., Carpinteria Salt Marsh Reserve, Santa Barbara County).

**Administrative Items for Federal Consistency Matters,
Negative Determinations**

- ND-0033-22, U.S. Customs and Border Protection dairy mart maintenance yard additions and alterations, San Ysidro, San Diego County, Action: concur, 9/19/2022.
- ND-0035-22, National Park Service installation of a gate on Enderts Beach Road, Redwood National Park, Crescent City, Del Norte County, Action: concur, 10/6/2022.

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September 30, 2022

Notice of 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: 9-21-0914-W

Applicant: Southern California Gas Company

Location: Sandyland Cove Road, Carpinteria Salt Marsh Reserve, Santa Barbara County (APN 004-031-009)

Proposed Development: Under Emergency Permit Nos. G-D-21-0041 and G-9-22-0027, Southern California Gas Company (SoCal Gas) performed minor excavations and natural gas pipeline repairs at two sites along Sandyland Cove Road and Del Mar Avenue in Santa Barbara County. Under Emergency Permit No. G-D-21-0041, SoCal Gas conducted minor excavation work to isolate the pipeline and maintain gas supply to the isolated customers while repair work was being done at a separate location along the pipeline. This work resulted in a 3-foot by 5-foot excavation in the unvegetated road shoulder. Under Emergency Permit No. G-9-22-0027, SoCal Gas conducted minor excavation work (3-foot by 3-foot hole) in the road shoulder and installed a clamp on the section of pipeline that needed repair. This waiver would satisfy the requirement for follow-up Coastal Development Permit authorization for this work carried out under Emergency Permit Nos. G-D-21-0041 and G-9-22-0027.

As a continuation of the emergency repair work that has already been completed, SoCal Gas also proposes to replace an approximately 1,600-foot section of two-inch diameter pipeline along Sandyland Cove Road. This work would include minor excavation, approximately 100 feet of lateral excavation for jack and bore operation, leak testing, and installing a new pipeline. All excavations would be in asphalt and/or road shoulders to a depth no greater than 10 feet, outside of native vegetation areas.

Coastal Development Permit De Minimis Waiver 9-21-0914-W

Rationale: For the following reasons, the proposed development will not adversely affect coastal resources, public access, or public recreation opportunities, and is consistent with and the relevant Chapter Three policies of the Coastal Act:

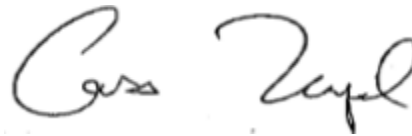
- All work areas are located entirely within existing paved roadways and directly adjacent unvegetated road shoulders.
- No vegetation would be removed as part of the excavation or repair work.
- No road closures or limits on public beach access or coastal recreation would occur.
- Staging and parking of project vehicles would be located within existing cleared areas and outside of wetland and other sensitive habitat areas.
- Natural gas service to residences on Del Mar Avenue would not be interrupted and installation and use of Compressed Natural Gas trailers would not be required.
- Cultural resources are not anticipated to be encountered based on recent cultural resource monitoring and siting of work within areas previously disturbed as a result of the installation and use of existing roads. In addition, full-time cultural resource monitoring during all ground disturbance activities will be implemented.
- Construction would occur outside of the bird nesting season of February 1 – August 31, if feasible. If construction occurs during the breeding season, a pre-construction nesting bird survey would be conducted no more than 7 days prior to initiation of ground disturbance. If nests are found, an avoidance buffer of the nesting area would be established and avoided until nesting and fledging have been completed, as determined by an avian biologist.
- Prior to initiation of all construction activities (including staging and mobilization), all personnel associated with project construction would attend a Worker Environmental Awareness Program training, conducted by a qualified biologist, to assist workers in recognizing special-status biological resources that may occur in the project area.
- A qualified biological monitor familiar with special-status plant and wildlife species with potential to occur in the project work area shall be present during all construction activities to ensure compliance with all avoidance and minimization measures and applicable permit conditions.
- Prior to ground disturbing activities at the project site, the biological monitor will conduct a survey for special-status plant and wildlife species in or adjacent to the project site. The survey will include all components in the project site including staging areas and a 100-ft buffer.
- Wetlands and native habitat within 50 ft of any ground disturbance and construction-related activities (including staging and access roads) shall be clearly marked and/or fenced to avoid impacts from construction equipment and vehicles.

Coastal Development Permit De Minimis Waiver
9-21-0914-W

This waiver will not become effective until reported to the Commission at its October 12-14, 2022 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

A handwritten signature in black ink, appearing to read "Cassidy Teufel". The signature is written in a cursive, flowing style.

(by) Cassidy Teufel
Manager

cc: Commissioners/File

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September 19, 2022

John Petrilla
Environmental Branch Chief, Acting
Border Patrol & Air and Marine PMO
U.S. Customs and Border Protection

Re: Negative Determination No. ND-0033-22: Dairy Mart Maintenance Yard Additions and Alterations, U.S. Customs and Border Protection, San Ysidro, San Diego County

Dear Mr. Petrilla:

We have received your letter dated July 25, 2022, in which you have determined that the above-referenced proposal to construct a 6,500 square foot self-contained, pre-engineered metal building and dedicated sewer connection within the U.S. Customs and Border Protection's Dairy Mart Maintenance Yard would have no adverse effect on coastal resources for the reasons identified in Negative Determination No. ND-0033-22. The Coastal Commission staff agrees that the proposed project will 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 Cassidy Teufel at Cassidy.Teufel@coastal.ca.gov if you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink that reads "Cassidy Teufel".

CASSIDY TEUFEL
Federal Consistency Coordinator
(for)

JOHN AINSWORTH
Executive Director

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October 6, 2022

Steven Mietz
Superintendent
National Park Service
Redwood National Park
P.O. Box 7, Orick, California 95555

Re: Negative Determination No. ND-0035-22: Redwood National Park, Install Gate on Enderts Beach Road, Crescent City, Del Norte County

Dear Mr. Gietz:

We have received your letter dated August 25, 2022, in which you have determined that the above-referenced proposal to install a gate on Enderts Beach Road within Redwood National Park in Del Norte County would have no adverse effect on coastal resources for the reasons identified in Negative Determination No. ND-0035-22. The proposed gate would only be used temporarily during limited circumstances, such as government shutdowns, wildfires or similar emergency situations, when National Park Service staff need to manage access within Redwood National Park for public safety and resource protection. The Coastal Commission staff agrees that the proposed project will 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 Alexis Barrera at alexis.barrera@coastal.ca.gov if you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Cassidy Teufel".

CASSIDY TEUFEL
Federal Consistency Coordinator
(for)

JOHN AINSWORTH
Executive Director