

CALIFORNIA COASTAL COMMISSION

455 MARKET ST, SUITE 300
SAN FRANCISCO, CA 94105
FAX (415) 904-5400
TDD (415) 597-5885



F11

Prepared February 4, 2022 (for the February 11, 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 February 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 February 11, 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 February 11, 2022.

With respect to the February 11th 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 February 11, 2022 (see attached)

Waivers

- 9-21-0711-W, Repairing a 15-foot-wide section of berm damaged by high tides at in Synergy Oil Field (Steamshovel Slough, Long Beach).
- 9-21-0731-W, Performing soil remediation and remove above ground and underground infrastructure at Southern California Edison's Mesa Property (San Clemente, Orange).

Administrative Items for Federal Consistency Matters, Negative Determinations

- ND-0001-22, United States Department of Agriculture Natural Resources Conservation Service proposal to install a seasonal high tunnel structure system, irrigation reservoir tank, and conservation plantings on an existing 6-acre farm in Monterey County, Action: Concur, 1/10/2022.

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

- ND-0002-22, United States Department of Agriculture Natural Resources Conservation Service proposal to install two high tunnel structures and a micro-irrigation system on an existing 9-acre farm in Monterey County, Action: Concur, 1/10/2022.
- ND-0003-22, United States Department of Agriculture Natural Resources Conservation Service proposal to install a sediment basin, cover crops, and two owl boxes on an existing 8.8-acre farm in Monterey County, Action: Concur, 1/10/2022.

CALIFORNIA COASTAL COMMISSION

ENERGY, OCEAN RESOURCES AND FEDERAL CONSISTENCY DIVISION
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January 20, 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: 9-21-0711-W

Applicant: Synergy Oil & Gas, LLC

Location: 6433 East 2nd Street, Long Beach CA 90803

Proposed Development: Under Emergency Permit No. G-D-21-0028, Synergy Oil & Gas, LLC (Synergy) repaired a 15-foot-wide section of berm damaged by high tides. The berm is located in Steamshovel Slough at the Synergy Oil Field Site in Long Beach. Following the collapse of the existing culverts and subsequent erosion, the applicant replaced the damaged culverts with two new 10-inch culverts and recontoured the soil around the berm to the existing topography. Crushed rock was then placed on top of the soil to stabilize the berm and prevent future erosion. The area of this repair and replacement work covered 300 square feet and the work was completed on July, 22 2021. This waiver satisfies the Emergency Permit condition of approval for a follow-up Coastal Development Permit.

Rationale: For the following reasons, the proposed development did not adversely affect 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:

- The emergency repair successfully prevented ocean water from breaking through the compromised berm and flooding the nearby oil wells, which could have potentially caused an oil spill in sensitive wetland habitat.
- The repair of the berm and culverts restored water flow between Steamshovel Slough and the tidal channels behind the berm.

Coastal Development Permit De Minimis Waiver

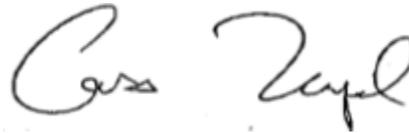
9-21-0711-W

- Culverts were placed manually by workers in the sensitive habitat area to avoid the impact of vehicles.
- The total area of disturbance was limited to 300 square feet all within the damaged area, and existing roadways provided access.
- The repair occurred during low tide and took four hours to complete.

This waiver will not become effective until reported to the Commission at its February 9-11, 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



Cassidy Teufel
Manager

cc: Commissioners/File

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January 25, 2022

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: 9-21-0731-W

Applicant: Southern California Edison

Location: 14300 Mesa Road, San Clemente, CA 92672

Proposed Development: The proposed project would perform soil remediation and remove above ground and underground infrastructure from the Mesa property, which Southern California Edison (SCE) has leased from the US Department of the Navy (Navy). The project would include three activities:

1. Removing a 48-foot section of underground former sewer pipe, the remainder of the pipeline would be abandoned in place. Removal of the pipe also includes remediating approximately 220 cubic yards of soil contaminated with tetrachloroethene (PCE) along the pipe route. The removed soil would be backfilled with clean material from a Navy stockpile, and the road would be reconstructed to Navy specifications. This work would take place on a portion of the Old Camino Real roadway and unpaved road shoulder.
2. Removing approximately 17 cubic yards of soil contaminated with aerially deposited lead on the shoulder of Old Pacific Coast Highway. Once removed, the area would be backfilled and repaired with clean material from a Navy stockpile, like the process for the PCE remediation.
3. Removing six pieces of above-ground infrastructure from the Mesa property: four vents for the sewer system and two sections of above-ground pipe.

The attached map includes locations of all proposed project activities. The earliest work would start is September 1, 2022, and the entirety of the project would be expected to take six to eight weeks.

Coastal Development Permit De Minimis Waiver
9-21-0731-W

Rationale:

- Soil removal for PCE and aerially deposited lead would be performed in accordance with the approved Department of Toxic Substances Control Removal Action Work Plan, which lays out excavation implementation measures, including site security, air monitoring, contaminant control, decontamination procedures, etc.
- Staging would not occur in natural areas or habitat for federally listed species. On-site staging would use the bike lane on the road or on the road shoulder and would not occur in natural areas.
- Work would occur in accordance with a traffic control plan to ensure continuous public access to the road and bike lane that leads to the beach. The portion of the work affecting traffic and the bike lane would last approximately seven days.
- Removal of the sewer pipeline and above-ground infrastructure would disturb up to 150 square feet of mixed vegetation. To protect the California gnatcatcher, work would only occur between September 1 and February 14, outside the bird nesting season.
- Work would occur in accordance with a spill prevention and response plan to minimize the potential for a spill or release of oil products, such as fuel or other petroleum-based oil from storage and operational equipment during construction and remediation activities.

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 February 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

Original on File signed by:

Cassidy Teufel
Manager

cc: File

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January 10, 2022

Lauren Sullivan
NRCS Area Biologist (Area 2)
United States Department of Agriculture
Natural Resources Conservation Service
Salinas, California

Re: Negative Determination No. ND-0001-22: Antonia Vega Gonzalez Farm Improvement Project, Monterey County

Dear Lauren Sullivan:

We have received your letter dated November 3, 2021, in which you have determined that the above-referenced proposal to install a seasonal high tunnel structure system, irrigation reservoir tank, and conservation plantings on an existing 6-acre farm in Monterey County would have no adverse effect on coastal resources for the reasons identified in Negative Determination No. ND-0001-22. 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 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

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January 10, 2022

Lauren Sullivan
NRCS Area Biologist (Area 2)
United States Department of Agriculture
Natural Resources Conservation Service
Salinas, California

Re: Negative Determination No. ND-0002-22: Bertha Magana Micro-irrigation and High Tunnel Project, Monterey County

Dear Lauren Sullivan:

We have received your letter dated November 3, 2021, in which you have determined that the above-referenced proposal to install two high tunnel structures and a micro-irrigation system on an existing 9-acre farm in Monterey County would have no adverse effect on coastal resources for the reasons identified in Negative Determination No. ND-0002-22. 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 Alexis Barrera at alexis.barrera@coastal.ca.gov if you have any questions regarding this matter.

Sincerely,

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CASSIDY TEUFEL
Federal Consistency Coordinator
(for)

JOHN AINSWORTH
Executive Director

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January 10, 2022

Lauren Sullivan
NRCS Area Biologist (Area 2)
United States Department of Agriculture
Natural Resources Conservation Service
Salinas, California

Re: Negative Determination No. ND-0003-22: Mendoza Berry Farms Sediment Basin Project, Monterey County

Dear Lauren Sullivan:

We have received your letter dated November 3, 2021, in which you have determined that the above-referenced proposal to install a sediment basin, cover crops, and two owl boxes on an existing 8.8-acre farm in Monterey County would have no adverse effect on coastal resources for the reasons identified in Negative Determination No. ND-0003-22. 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 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