

**CALIFORNIA COASTAL COMMISSION**

455 MARKET ST, SUITE  
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# Th8

**Prepared March 1, 2023 (for the March 9, 2023 Hearing)**

**To:** Commissioners and Interested Parties  
**From:** Cassidy Teufel, Acting Deputy Director  
**Subject:** **Energy, Ocean Resources and Federal Consistency Division Deputy Director's Report for March 2023**

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 March 9, 2023. 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 March 9, 2023.

With respect to the March 9th 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 March 9, 2023 (see attached)**

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**Waivers**

- **9-22-0990-W** Southern California Edison Soil Remediation, (San Clemente, Orange County).

**Immaterial Amendments**

- **9-20-0268-A1**, Summerland Legacy Wells, (Santa Barbara County).

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

- **ND-0043-22**, Oak Mountain Antenna Tower Construction Project, Vandenberg Space Force Base (VSFB), (Santa Barbara County)

- **ND-0005-23**, Naval Amphibious Base Pier 17 Repairs, (Coronado, San Diego County)

**Administrative Items for Federal Consistency Matters, No-Effects Determinations, Immaterial Extensions**

- None

**CALIFORNIA COASTAL COMMISSION**

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February 27, 2023

## 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:** 9-22-0990-W

**Applicant:** Southern California Edison

**Location:** 14300 Mesa Road, San Clemente, CA 92672

**Proposed Development:** The proposed project would perform soil remediation at four locations within the Probable Maximum Flood (PMF) channel on the Mesa property, which Southern California Edison (SCE) has leased from the US Department of the Navy (Navy). The project would include excavation of four sites in the PMF channel, three sites to remove aerially deposited lead and one site to remove total petroleum hydrocarbons. A total of 1,440.8 cubic yards of material would be excavated. Excavated soil would be hauled to a parking lot on the Mesa, riprap would be removed for reuse along the PMF channel banks, and the soil would be tested to determine where to send it for disposal. Based on the testing soil would be sent to either a hazardous waste facility or non-hazardous disposal facility.

The excavated sites in the PMF channel would be backfilled with clean soil, stabilized, and restored to the existing elevation, if needed. Vegetation restoration would occur by hydro-seeding using a native plant seed mix. Staging areas for soil removal will be off the shoulder of El Camino Real for the first excavation site, and down a constructed ramp and trackway in the PMF channel for the other three excavation sites. The earliest work would start is March 10, 2023, and the entirety of the project would be expected to take four to six weeks.

**Rationale:**

- Soil removal for aerially deposited lead and total petroleum hydrocarbons would be performed in accordance with the approved Department of Toxic Substances Control Removal Action Work Plan, which lays out excavation implementation measures,

**Coastal Development Permit De Minimis Waiver**  
9-22-0990-W

including site security, air monitoring, contaminant control, decontamination procedures, etc.

- As the landowner, the Navy is requiring that SCE remove toxic contamination from soils on the Mesa property.
- All excavation sites and the constructed ramp and trackway in the PMF channel would impact small portions of non-native grasslands and disturbed or ruderal shrubland. The PMF channel is a constructed stormwater control feature that does not support rare or sensitive habitats.
- The staging area adjacent to El Camino Real will temporarily impact 31.46 square yards of *Artemisia californica* shrubland alliance/California sagebrush, which has low habitat suitability for California gnatcatcher due to its location adjacent to El Camino Real. Project work has been planned with an abundance of caution to avoid impacts to special status species, including:
  - If work must take place during California gnatcatcher nesting season, a qualified, federally permitted biologist will be present to monitor all project related activities.
  - A pre-construction biological survey will be conducted prior to ground disturbing activities. Active nests will require a disturbance-free work buffer of at least 500 feet.
  - If the biological monitor determines that noise or other Project activities have the potential to disturb breeding California gnatcatcher, the biologist will determine modifications to project activities, including the use of temporary sound barriers, to avoid impacts.

The proposed development will not adversely impact coastal resources, 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 March 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,

Kate Huckelbridge  
Executive Director

Original on File signed by:

Cassidy Teufel  
Manager

cc: File

**CALIFORNIA COASTAL COMMISSION**

ENERGY, OCEAN RESOURCES AND FEDERAL CONSISTENCY  
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February 24, 2023

## NOTICE OF PROPOSED IMMATERIAL PERMIT AMENDMENT

Coastal Development Permit Amendment No. **9-20-0268-A1**

**To:** All Interested Parties

**From:** Kate Huckelbridge, Executive Director  
Wesley Horn, Environmental Scientist

**Subject:** Permit No. **9-20-0268** granted to the **California State Lands Commission** for: re-abandonment of four leaking legacy oil wells.

**Project Site:** Intertidal and subtidal waters off Summerland, CA

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):

*Modify the project description to include re-abandonment of two additional leaking legacy oil wells, Treadwell #1 and Treadwell #5, located in subtidal waters off Summerland, CA.*

### Background and Project Description:

On November 11, 2020, the Commission approved Coastal Development Permit (CDP) No. 9-20-0268 to permanently re-abandon four leaking legacy oil wells located in the subtidal and intertidal zone offshore Summerland, Santa Barbara County. The legacy wells date to the largely unregulated development of the Summerland Oil Field in the late 19th and early 20th centuries and periodically leak crude oil. Two legacy wells, C.H. Olsson 805 and Duquesne Wharf 910, were located onshore in the intertidal zone. Two additional legacy wells, NorthStar 815 and Treadwell 10 were in the subtidal zone in approximately 6-15' of water, 130-300 ft. offshore, respectively.

Re-abandonment required the use of heavy equipment, vehicles, and specialized machinery on beach and intertidal areas, as well as the mooring and operation of a work barge and use of underwater excavation equipment for subtidal wells. The intertidal wells were re-abandoned during periods of extreme low tide. Re-abandonment of the subtidal wells was less restrictive and was completed during favorable marine weather conditions.

Re-abandonment activities included removing the existing well caps to expose the original wellheads, pile driving steel pipes over the well heads to the depth of the Blue Clay Zone or until refusal, capping the top of the pile, and filling the annulus with cement.

Because the re-abandonment activities took place within intertidal and subtidal areas, CDP No. 9-20-0268 included permit conditions requiring the California State Lands Commission (SLC) to avoid and minimize adverse impacts on those habitats and the species that use them. Those conditions include incorporating the mitigation measures from the project Environmental Impact Report (EIR), protecting public access by requiring work outside of high beach use times whenever feasible, removing all construction debris, implementing a marine wildlife protection plan, and conducting pre-construction eelgrass surveys.

### **Requested Amendment:**

In its current CDP amendment application, SLC is requesting authorization to re-abandon two additional leaking legacy oil wells, Treadwell #1 and Treadwell #5, that were recently discovered offshore in the project area. Re-abandonment of these wells would use the same methods previously applied to re-abandon the other leaking legacy oil wells and would be subject to the same permit conditions.

### **Findings**

The Executive Director has determined this amendment to be IMMATERIAL within the meaning of Section 13166(b) of the Commission's regulations.<sup>1</sup> Pursuant to section 13166(b)(1), if no written objection to this notice of immaterial amendment is received at the Commission office listed above within ten (10) working days of mailing of this notice, the determination of immateriality shall be conclusive, and the amendment shall be approved (i.e., the permit will be amended as proposed).

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 the mailing of this 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 amendment shall not be effective until the amendment and objection are reported to the Commission at its next regularly scheduled meeting. If any three Commissioners object to the Executive Director's designation of immateriality, the amendment application shall be referred to the Commission to be reviewed as a material amendment at a subsequent Commission meeting. If no three Commissioners object to the Executive Director's designation of immateriality, that designation shall stand, and the 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 the mailing of this 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 amendment application shall be referred to the Commission to be reviewed as a material amendment at a subsequent Commission meeting.

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<sup>1</sup> The Commission's regulations are codified in Title 14 of the California Code of Regulations

The Executive Director has determined this proposed amendment to be "immaterial" for the following reason(s):

- A marine wildlife monitor would be on-site and would alert the Project Manager if marine animals are identified within the project area. Project activities would be halted until the animals have left the project area.
- A third-party Oil Spill Response Organization would be on call and available to respond to an oil spill.
- Any contaminated sand and/or soils encountered during removal of the existing well cap would be removed from the site and disposed of at an appropriate facility.
- A wet cofferdam would be installed over the wellhead to prevent any leaking oil from dispersing into the marine environment. Any oil within the cofferdam would be removed and disposed of at an appropriate facility.
- To ensure that the benthic habitat would not be permanently impacted by project activities any debris generated by the project would be removed and disposed of at an appropriate facility.
- SLC would conduct pre-construction surveys to determine if any eelgrass is present. A post-project eelgrass survey would be conducted within 30 days after completion of the project to determine if any eelgrass was damaged. If any adverse impacts to eelgrass are detected SLC would submit an eelgrass mitigation plan to the Commission for review and approval.
- The project would require use of a portion of the public parking lot at Lookout Park for staging of equipment and vehicles. No work would take place on the sandy beach. Since the project duration is expected to require a total of ten days the impact to public access would be minimal. However, to minimize impacts to public access the project would be scheduled to avoid high-use times on the beach, such as weekends, holidays, and summer, as feasible.
- Based on a review of available data regarding archaeological and historic data and results of previous seafloor surveys, SLC did not identify any known cultural resources in the area. To ensure that any cultural resources that may be discovered are protected, the project would follow standard protection and notification protocols.
- The California Geologic Energy Management Division (CalGEM) is the agency responsible for regulating any oil well work and approving any abandonment activities. SLC consulted with CalGEM on the proposed re-abandonment and SLC would be required to submit approvals from CalGEM, any other agencies, to the Commission prior to commencing project activities.

With the continued implementation of the special conditions, the work under the proposed amendment would be carried out in a manner that would help ensure that adverse impacts to coastal resources would be avoided and minimized. As such, the proposed project is consistent with the applicable policies of Chapter 3 of the Coastal Act.

If you have any questions about this notice, please contact Wesley Horn at [Wesley.Horn@coastal.ca.gov](mailto:Wesley.Horn@coastal.ca.gov).

cc: Commissioners/File



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February 17, 2023

Beatrice L. Kephart  
Chief, Installation Management Flight  
Department of the Air Force  
1028 Iceland Avenue  
Vandenberg SFB, CA 93437

Re: Negative Determination No. ND-0043-22: Oak Mountain Antenna Tower Construction Project at the Vandenberg Space Force Base (VSFB), Santa Barbara County

Dear Ms. Kephart:

We have received your letter dated October 25, 2022, in which you have determined that the above-referenced proposal to install a new 90-foot-tall antenna tower and associated equipment on Oak Mountain at VSFB would have no adverse effect on coastal resources for the reasons identified in Negative Determination No. ND-0043-22 and the supplemental information you provided. On December 22, 2022, January 6, 2023, and January 27, 2023, VSFB approved extensions of time to complete the consistency review by February 20, 2023. 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](mailto: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)

KATE HUCKELBRIDGE, PhD  
Executive Director

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February 28, 2023

Deborah McKay  
Fleet Environmental Coastal Coordinator  
Department of the Navy  
Naval Base Coronado  
BOX 357033  
San Diego, CA 92135-7033

Re: Negative Determination No. ND-0005-23: Naval Amphibious Base Pier 17 Repairs,  
Coronado

Dear Ms. McKay:

We have received your letter dated January 23, 2023, in which you have determined that the above-referenced proposal to perform in-kind replacement of floating docks and up to eight piles at Pier 17 would have no adverse effect on coastal resources for the reasons identified in Negative Determination No. ND-0005-23 (Navy Document No. 5090 Ser N04/620) and all supplemental information provided. 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](mailto: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)

KATE HUCKELBRIDGE, PhD  
Executive Director