

CALIFORNIA COASTAL COMMISSION

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Th8

Prepared August 23, 2023 (for the September 7, 2023 Hearing)

To: Commissioners and Interested Parties
From: Cassidy Teufel, Energy, Ocean Resources and Federal Consistency Division Director
Subject: **Energy, Ocean Resources and Federal Consistency Division Deputy Director's Report for September 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 September 7, 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 September 7, 2023.

With respect to the September 7th 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 September 7, 2023 (see attached)

Waivers

- **9-23-0631-W**, Klamath River Renewal Corporation (Offshore waters between the Klamath River mouth and Crescent City Harbor, Del Norte County)
- **9-23-0633-W**, Oneka Technologies: Temporary installation and use of two monitoring buoys, offshore of Fort Bragg (Mendocino County)

Negative Determinations

- **ND-0017-23**, Coastal Dune Prescribed Fire Restoration Project, Point Reyes

National Seashore (Marin County)

- **ND-0019-23**, Lorenc Fuel Loads Reduction Project, Carmel-By-The-Sea (Monterey County)
- **ND-00020-23**, Collins Irrigation and Cover Crop Project, Aromas (Monterey County)
- **ND-0021-23**, Point Conception Dune Restoration Project, Vandenberg Space Force Base (Santa Barbara County)
- **ND-0023-23**, Removal of Federal Aviation Administration equipment buildings and storage tank, San Diego International Airport (San Diego County)
- **ND-00026-23**, Federal Aviation Administration Island Shoreline Revetment Repair Project, Mission Bay (San Diego County)

Immaterial Amendments

- **E-12-012-A6**, Santa Barbara Mariculture Company: kelp cultivation research (Santa Barbara County)
- **9-21-0714-A1**, Southern California Gas Company: removal and replacement of two above-ground natural gas pipelines, Goleta Slough (Santa Barbara County)

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

- None

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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: 9-23-0631-W

Applicants: Klamath River Renewal Corporation

Location: Offshore waters between the Klamath River mouth and Crescent City Harbor, Del Norte County

Proposed Development: The proposed project involves vessel-based deployment of nine monitoring buoys with acoustic doppler current profilers (ADCPs) between the Klamath River mouth and Crescent City Harbor. The buoys will be deployed in a three-by-three grid pattern in 2023 and will be removed before December 31, 2025. The data collected by the buoys will determine oceanic current speed and direction before, during and following the removal of four dams on the Klamath River. This data will be used to map and model the increased sediment transportation and loads due to dam removal activities. Each of the data buoys is approximately 38 inches wide, will have a surface expression of approximately 46 inches, and a draft of 63 inches. Each of the nine buoys will be moored using 3/16th inch steel mooring line connected to a bottom chain and compact steel anchor. Buoys will be inspected and serviced in-place approximately every two months. At the completion of the monitoring term, all buoys, anchors, and lines will be removed through the use of a support vessel.

Rationale:

- The proposed installation, maintenance and use of the buoy would be carried out consistent with similar short-term research buoys authorized by the Commission, including 9-17-0072-W and 9-21-0464-W.
- To minimize potential damage to rocky reef or other sensitive marine habitats, the buoys will be anchored in areas shown to be sandy substrate in recent seafloor surveys. Inspection and service activities will not require movement or recovery of the buoy anchors.
- The buoy installation and removal vessel would have spill response equipment onboard and would operate in accordance with its Spill Prevention and Response Plan.

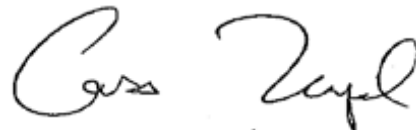
Coastal Development Permit De Minimis Waiver
9-23-0631-W

- One or more marine wildlife observers will be present during installation and removal activities to ensure project vessels do not intentionally chase, herd, or approach whales and that work that poses an entanglement risk does not proceed if whales or other marine mammals are in the vicinity.
- To minimize the risk of wildlife entanglement, each buoy will be attached to a single weighted line that will remain taught in the water column and buoys will be serviced and repaired every two months.
- To avoid adverse impacts to the fishing industry, buoy locations were coordinated with the Crescent City Harbor District and selected to avoid areas with heavy commercial fishing activity and vessel traffic.
- Each buoy will be equipped with a navigation light to meet U.S. Coast Guard specifications for vessel safety, and a Local Notice to Mariners will be provided upon deployment.
- The California State Lands Commission has issued a letter of non-objection for the temporary presence of eight buoys on submerged state lands and the Crescent City Harbor District has authorized the placement of one buoy located on the submerged land under its management.
- The buoys, anchors, and mooring lines will be fully removed at the end of the project.

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 September 7, 2023, 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,



CASSIDY TEUFEL
Director
(for)

KATE HUCKELBRIDGE, PhD
Executive Director

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Notice of Coastal Development Permit De Minimis Waiver Coastal Act Section 30624.7

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Waiver: 9-23-0633-W

Applicants: Oneka Technologies

Location: Approximately 0.4 miles and 0.6 miles offshore of Soldier Point, Fort Bragg, Mendocino County

Proposed Development: The proposed project involves deployment of two Sofar spotter buoys, approximately 0.4 and 0.6 miles offshore. The buoys will be deployed for up to one year to collect wave height and movement data to inform the possible placement of a wave-powered desalination buoy. Each solar-powered buoy will be approximately 16 inches tall by 12 inches wide and will attach to two orange surface floats. A roughly 72-foot polypropylene line will connect the surface floats to a 20-foot wrapped, galvanized anchor chain attached to the anchor. The anchor will consist of up to four stacked 45-pound iron weights. The anchor will be at a depth of 60 to 80 feet mean lower low water. All development is temporary and will be removed upon project completion no more than one year post-installation.

Rationale:

- The proposed installation, maintenance and use of the buoy would be carried out consistent with similar short-term research buoys authorized by the Commission, including 9-23-0378-W, 9-17-0072-W and 9-21-0464-W.
- To minimize potential damage to rocky reef, kelp, or other sensitive marine habitats, the buoys will be anchored in an area shown to be sandy substrate in a recent seafloor survey.
- The buoy installation and removal vessel would have spill response equipment onboard and would operate in accordance with its Spill Prevention and Response Plan.
- To minimize the risk of wildlife entanglement, the buoy will be attached to a single weighted line that maintains constant tension. The rope and buoy chains have swivel shackles to allow them to spin freely and to decrease the potential for entanglement.

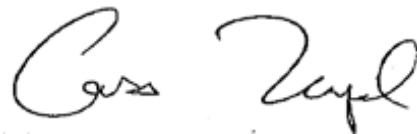
Coastal Development Permit De Minimis Waiver
9-23-0633-W

- Data will be continuously transmitted and monitored by Oneka Technologies to allow any anomalous readings to be received in real-time and responded to. The buoys are also equipped with an alarm system and Oneka Technologies would be notified if a buoy moves outside of its geofenced perimeter.
- In the event of an entanglement with a marine mammal, the Noyo Center for Marine Science and NOAA's Stranding Coordinator for California would be contacted immediately for assistance in responding.
- Buoys will be periodically cleaned and inspected for any marine debris or wildlife entanglements.
- One or more marine wildlife observers will be present during installation and removal activities to ensure project vessels do not intentionally chase, herd, or approach whales and that work that poses an entanglement risk does not proceed if whales or other marine mammals are in the vicinity.
- Prior to installation a notice to mariners would be posted informing the commercial and recreational fishing community and boaters of the installation activities and location of the buoys.
- The California State Lands Commission has issued a letter of non-objection for the temporary presence of buoys on submerged state lands.
- The buoys, lines, anchors, and all associated equipment will be fully removed upon project completion.

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 September 7, 2023, 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,



CASSIDY TEUFEL
Director
(for)
KATE HUCKELBRIDGE, PhD
Executive Director

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July 12, 2023

Craig Kenkel, Superintendent
National Park Service
Point Reyes National Seashore
1 Bear Valley Road
Point Reyes Station, CA 94956

Re: Negative Determination ND-0017-23 (Coastal Dune Prescribed Fire Restoration Project, Point Reyes National Seashore, Marin County)

Superintendent Kenkel:

The Coastal Commission (Commission) staff has reviewed the above-referenced project. The National Park Service (NPS) proposes to use prescribed fire to eliminate invasive dune plants at the AT&T Coastal Dune Restoration Project site within the Point Reyes National Seashore (Seashore). The NPS has determined that the proposed project would have no adverse effects on coastal resources for the reasons identified in Negative Determination No. ND-0017-23 and the associated supplemental information provided to Commission staff. On June 26, 2023, the NPS granted an extension to the deadline for the Commission's decision to July 12, 2023.

Project Background

The proposed project is located in the coastal dunes between the Pacific Ocean and the former AT&T radio transmission facility within the Seashore. On August 20, 2015, the Executive Director concurred with a negative determination for the AT&T Coastal Dune Restoration Project (ND-0025-15), which involved removal of invasive European beachgrass (*Ammophila arenaria*; herein beachgrass) and to a lesser extent, iceplant (*Carpobrotus* spp.), using mechanical and chemical treatment methods. The AT&T project site is also located directly adjacent to the Abbotts Lagoon Coastal Dune Restoration Project initiated in 2011. For that project, the Commission and Executive Director concurred with consistency determination CD-026-10 and negative determinations ND-039-11 and ND-026-12, respectively, and authorized mechanical and chemical removal of beachgrass and iceplant. The proposed project builds on these previously concurred with projects by adding prescribed fire to the suite of restoration methods that NPS would implement.

In the subject negative determination, NPS reports that mowing and scraping beachgrass have not been effective removal methods because the resulting grass thatch or litter persists, and ground disturbance seems to promote the invasion of secondary weeds. Monitoring results from Abbotts Lagoon indicate that it takes approximately 10 years for standing dead biomass or "necromass" to drop below 1% (Parsons et al., *in prep.*). In partnership with the University of Arizona, the NPS has also been researching other options for speeding up decomposition of beachgrass, such as the addition of fungal decomposers. However, this method would be difficult to scale up to the landscape level. Burning the necromass is proposed to facilitate decomposition and jumpstart recovery to native backdune vegetation communities while also

reducing the amount of herbicide needed in follow-up treatments. NPS will also collect data on the relationship between prescribed fire and native plant colonization to inform future overall restoration efforts.

Proposed Project

The proposed prescribed fire project would occur between September 15, 2023, and February 15, 2024, within 13 acres of AT&T North and 13 acres in AT&T South, for a total of 26 acres within the 110-acre AT&T Coastal Dune Restoration project area. NPS agreed via email on June 26, 2023, to only implement a portion of the originally proposed 44-acre project, as this is the NPS's first time using prescribed fire as a restoration technique in the Seashore's dune ecosystem. The primary technique for prescribed burning would be hand ignition with drip torches within previously treated beachgrass. Burn procedures would comply with the Seashore's Fire Management Plan (FMP), the FMP Environmental Assessment, NPS policy, and the 2015 Coastal Dune Restoration Environmental Assessment. The prescribed fire burn plan and implementation planning will be managed by NPS Fire Management Staff and will be provided to Commission staff for review and comment prior to project commencement. The Fire Management Office will also coordinate with Bay Area Air Quality Management District (BAAQMD) to obtain the necessary permits and to ensure no smoke sensitive receptors are adversely affected. Burning would not occur 1) on holidays or weekends, 2) on "no burn days" as determined by BAAQMD (unless a variance is requested and granted) or 3) if the National or Regional Preparedness Levels preclude new prescribed fires. One week prior to burning, burn notification flyers would be delivered to residents and businesses near the location of the burn. Flyers would be posted on bulletin boards and in post offices in Inverness, and a press release would be sent to local media. On burn days, prescribed fire warning signs would be placed at North Beach, at the Abbotts Lagoon and Bull Point trailheads, and at the entrance and pull-out for the North District Operations Center. Wind flow and direction will be monitored by the crew prior to and during ignition, and smoke emission and behavior will be continually monitored and documented. If hazardous or unhealthful smoke conditions are observed, the Fire Management Officer would initiate notification procedures.

As with previous dune restoration projects in the Seashore, the proposed restoration work includes impact avoidance and minimization measures to protect coastal resources. Restoration work will occur only in the non-breeding season (fall or winter) and will avoid all wetlands located within the project area. Carrying out the work in fall or winter will reduce the potential for adverse impacts to nesting birds, Myrtle's silverspot butterfly, and western snowy plover. Buffers of 20 to 25 feet will be established for wetlands, dune mat, dune scrub, moist meadow, eastern grasslands and scrub, organic pastures, and other sensitive habitat areas. Firebreaks of cleared vegetation that are two to 10 feet in width may be constructed depending on the burn location. Fire breaks would be carefully located to ensure that no rare plants, wetlands, or other special status species are impacted. No prescribed burning would be conducted within buffers, nor would firebreaks be constructed within them. The fire crew would avoid more open sand areas and any native shrubs to the maximum extent possible. The primary staging area for project operations will be located in an area not subject to grazing in the northeastern portion of the project area. Two smaller staging areas in the southern portion of the site, not subject to grazing, may also be used. All staging areas will be surveyed by park staff prior to establishment to ensure that no listed or otherwise rare or sensitive species are present. During prescribed burn operations, crews will likely access the project area by foot,

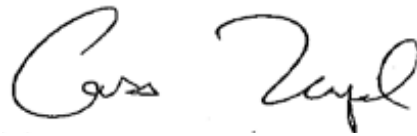
although UTVs may be used to transport supplies. UTVs would not be driven in sensitive habitats or within buffers.

Conclusion

By implementing the proposed coastal resource protection measures, including NPS's commitment to only burn 26 acres, provide Commission staff with the burn plan prior to project commencement, and provide the post-restoration monitoring report, Commission staff **agrees** that the proposed project will not adversely affect coastal zone resources.

With that understanding, we **concur** with NPS's negative determination made pursuant to 15 CFR Section 930.35 of the NOAA implementing regulations. Please contact Jules Kelly at Jules.Kelly@coastal.ca.gov, should you have any questions regarding this matter.

Sincerely,



CASSIDY TEUFEL
Federal Consistency Manager
(for)

KATE HUCKELBRIDGE, PhD
Executive Director

cc. Lorraine Parsons, National Park Service

CALIFORNIA COASTAL COMMISSION

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July 17, 2023

Lauren Sullivan
Area 2 Biologist
Natural Resources Conservation Service
U.S. Department of Agriculture

Re: Negative Determination No. ND-0019-23: Lorenc Fuel Loads Reduction Project,
Carmel-By-The-Sea, Monterey County

Dear Ms. Sullivan:

We have received your letter dated May 23, 2023, regarding the above-referenced project to carry out 6.5 acres of Forest Stand Improvement and Woody Residue Treatment to improve forest health and to reduce fire risk on Christopher John Lorenc's property. The Natural Resources Conservation Service has determined that this project would have no adverse effect on coastal resources for the reasons identified in Negative Determination No. ND-0019-23. 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, appearing to read "Cassidy Teufel".

CASSIDY TEUFEL
Federal Consistency Coordinator
(for)

Dr. Kate Huckelbridge
Executive Director

CALIFORNIA COASTAL COMMISSION

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July 17, 2023

Lauren Sullivan
Area 2 Biologist
Natural Resources Conservation Service
U.S. Department of Agriculture

Re: Negative Determination No. ND-0020-23: Collins Irrigation and Cover Crop Project,
Aromas, Monterey County

Dear Ms. Sullivan:

We have received your letter dated May 23, 2023, regarding the above-referenced project to install a booster pump and aboveground micro-irrigation, as well planting of a cover crop on the Collins Orchard in Aromas, Monterey County. The Natural Resources Conservation Service has determined that this project would have no adverse effect on coastal resources for the reasons identified in Negative Determination No. ND-0020-23. 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,

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CASSIDY TEUFEL
Federal Consistency Coordinator
(for)

Dr. Kate Huckelbridge
Executive Director

CALIFORNIA COASTAL COMMISSION

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August 8, 2023

Beatrice L. Kephart
Chief, Installation Management Flight
United States Space Force
30 CES/CEI
1028 Iceland Avenue
Vandenberg SFB 9437-6919

Re: Negative Determination No. ND-0021-23: Point Conception Restoration, Santa Barbara County

Dear Chief Kephart:

We have received your letter dated July 5, 2023, regarding the above-referenced project to install a buck and rail fence to prevent access by cattle, remove nonnative plant species, and outplant native species across roughly 19 acres immediately surrounding the Point Conception Lighthouse in Santa Barbara County. The U.S. Space Force has determined that this project would have no adverse effect on coastal resources for the reasons identified in Negative Determination No. ND-0021-23. 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)

Dr. Kate Huckelbridge
Executive Director

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August 17, 2023

Charles Dodge, Environmental Protection Specialist
Federal Aviation Administration
Western Service Area Air Traffic Organization
777 S. Aviation Blvd.
El Segundo, CA 90245

Re: Negative Determination No. ND-0023-23: Demolition and removal of two equipment buildings and one storage tank at the San Diego International Airport, San Diego County

Dear Mr. Dodge:

We have received your letter dated July 17, 2023, regarding the above-referenced project to demolish and remove three structures: the 16-foot by 28-foot by 10-foot-tall SANR NASEB building, the 8-foot by 21-foot by 10-foot-tall SAND NASEB building, and the empty SAND TANK above ground storage tank. The work area is located within the Airport Operations Area of the San Diego International Airport. The Federal Aviation Administration has determined that this project would have no adverse effect on coastal resources for the reasons identified in Negative Determination No. ND-0023-23. 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, appearing to read "Cassidy Teufel".

CASSIDY TEUFEL
Federal Consistency Manager
(for)

KATE HUCKELBRIDGE, PhD
Executive Director

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT OFFICE
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August 17, 2023

John Louie
Environmental Engineer
Federal Aviation Administration
ATO-Engineering Services WSA
AJW-2W16E

Re: Negative Determination No. ND-0026-23: FAA Island Shoreline Revetment Repair Project

Dear Mr. Louie:

The California Coastal Commission (Commission) has reviewed the above-referenced negative determination (ND), dated August 1, 2023, for the Federal Aviation Administration (FAA) proposed repair of four areas of eroded shoreline on FAA Island in Mission Bay

FAA Island is approximately 1.7 acres in area and is located 1,200 feet northwest of Fiesta Island within San Diego Mission Bay. The FAA leases FAA Island from the City of San Diego for the maintenance and operation of the Very High Frequency Omnidirectional Range and Tactical Air Navigation System (VORTAC). FAA Island is only accessible by boat via a mooring dock located on the southwest shore of the island and access is restricted by the FAA.

Wave action within Mission Bay resulted in overtopping of the shoreline which eroded four locations along FAA Island. The proposed project is intended to repair the eroded areas and also prevent future erosion at these locations. Proposed repairs would include removing any debris, laying down geotextile fabric, installing a six-inch-thick gravel filter underlayer, installing an approximately four-foot-wide by two-foot-thick rock revetment which would include restacking of any loose rocks from within the eroded areas, placing granular fill behind the rock revetment, and spreading a shell and sand layer over the granular fill. The proposed repair would be constructed at a 2:1 slope consistent with the shoreline of the island. A total of approximately 270 linear feet of shoreline would be repaired.

The project would require use of a floating crane barge, material barge, and support equipment that would be towed from San Diego Bay near Coronado Bridge to the FAA Island in Mission Bay via tugboat. Materials for the project would be staged within an approximately 100-foot by 200-foot dirt staging area within Fiesta Sunset Beach, west of Fiesta Island Road. The floating crane barge would make multiple trips between the staging area and FAA Island to ferry equipment and materials to the project site. Once

on FAA Island equipment would use an existing route located along the periphery of the island to access shoreline repair areas.

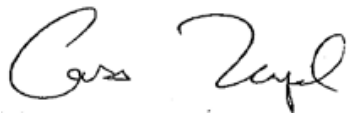
To avoid any adverse impacts to California least tern, the project would be conducted outside of the least tern breeding season. Additionally, the shell and sandy layer that would be placed above the granular fill following completion of the repairs would provide suitable nesting habitat for California least terns. Sensitive plant species including Nuttall's acmispon (*Acmispon prostrates*) and wooly sea blite (*Suaeda taxifolia*) would be surveyed and marked with flagging prior to project activities to ensure construction equipment and personnel avoid disturbing these sensitive plant species.

In accordance with the National Marine Fisheries Services (NMFS) California Eelgrass Mitigation Policy and Implementing Guidelines (CEMP), the project would include pre-construction and post-construction surveys to document the extent and density of eelgrass in the project area and to also document any adverse impacts to eelgrass habitat as a result of the project. The barge operator would be directed to pull any barge anchors vertically from the seafloor to avoid dragging anchors through eelgrass beds. If adverse impacts to eelgrass are observed, FAA would provide compensatory mitigation via eelgrass transplantation consistent with the CEMP.

To prevent the release of sediment or hazardous materials into the marine environment, the project would make use of best management practices (BMPs) including: maintaining all equipment and materials above the high tide line; cleaning all equipment at an offsite location prior to mobilizing to the project site; placing straw wattles or silt fencing around disturbed areas and material stockpiles; and maintaining a spill containment kit with oil-absorbent materials onsite at all times.

With implementation of the coastal resource protections proposed as part of this project, including those described above and in Negative Determination No. ND-0026-23, we agree 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 Wesley Horn at wesley.horn@coastal.ca.gov if you have any questions regarding this matter.

Sincerely,



Cassidy Teufel
Director
Energy, Ocean Resources, and Federal Consistency
(for)

Dr. Kate Huckelbridge
Executive Director

CALIFORNIA COASTAL COMMISSION

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August 23, 2023

NOTICE OF PROPOSED IMMATERIAL PERMIT AMENDMENT

Coastal Development Permit Amendment No. **E-12-012-A6**

To: All Interested Parties

From: Kate Huckelbridge, PhD, Executive Director

Subject: Permit No. **E-12-012-A1** granted to **Santa Barbara Mariculture Company** for: installation and operation of a 72-acre shellfish aquaculture facility off the coast of Santa Barbara.

Project Site: 0.75 miles offshore coast of Arroyo Burro County Beach Park in Santa Barbara; State Water Bottom Lease No. M-653-02

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 partnership with aquaculture researchers from University of California, Santa Barbara (UCSB) for a 2-year period for the planting, cultivation and harvest, for scientific research purposes, of giant kelp (*Macrocystis pyrifera*) on four of the existing cultivation lines within Santa Barbara Mariculture's state aquaculture lease.

FINDINGS

The Executive Director has determined this amendment to be IMMATERIAL within the meaning of section 13166(b) of the Commission's regulations.¹ 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 said 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 mailing notice, and the executive director determines that the objection does not raise an issue of conformity with the

¹ The Commission's regulations are codified in Title 14 of the California Code of Regulations.

Notice of Proposed Immaterial Permit Amendment

E-12-012-A6

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 mailing 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.

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

- All planting, inspection and harvest activities would be carried out consistent with the relevant marine resource protection conditions and requirements of CDP No. E-12-012-A1 and its subsequent amendments, Scientific Collecting Permits issued by the California Department of Fish and Wildlife (SCP S200500001-20050-001 and SCP S-183050002-18305-001), and the Water Quality Certification and Department of the Army Permit that are currently being processed.
- The species of kelp proposed to be cultivated is endemic and native to the California marine environment and abundant throughout Santa Barbara County.
- Cultivation of this species would result in only minor changes to the cultivation equipment and aquaculture operations approved by the Commission in CDP No. E-12-012-A1.
- Santa Barbara Mariculture Company's 2019 and 2020 Benthic Survey and Biofouling Monitoring Reports demonstrated that its operation has not resulted in alteration of the seafloor habitat within its lease area or other adverse impacts to marine biological resources. Santa Barbara Mariculture Company will submit the results from an updated survey at the end of this year.
- All kelp planted and cultivated by UCSB researchers would be fully harvested and removed from the ocean each August (2024 and 2025) and prior to reaching maturity (capable of reproduction).
- All planting, harvest and cultivation activities carried out by UCSB researchers would be a continuation of those previously authorized by the Commission through CDP Amendment Nos. E-12-012-A2 and E-12-012-A5.
- All kelp cultivation and research activities by UCSB researchers would be completed by December 31, 2025, and all associated equipment, kelp and other materials (not including Santa Barbara Mariculture's cultivation lines, buoys and anchors) would be removed by that date.

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- As described in Santa Barbara Mariculture Company's Anchor Survey Plan, all existing anchors in place for less than ten years would be replaced on or before ten years. In addition, visual inspections of longline tension and orientation would be carried out during each visit to the facility and any indication of anchoring or maintenance issues would be immediately addressed.

If you wish to register an objection to the processing of this amendment application as an immaterial amendment, please send the objection in writing to the address above.

If you have any questions about this notice, please contact Alexis Barrera at Alexis.Barrera@coastal.ca.gov.

cc: Commissioners/File

CALIFORNIA COASTAL COMMISSION

ENERGY, OCEAN RESOURCES AND FEDERAL CONSISTENCY

455 MARKET STREET, SUITE 300

SAN FRANCISCO, CA 94105-2421

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August 23, 2023

**NOTICE OF PROPOSED IMMATERIAL PERMIT
AMENDMENT**Coastal Development Permit Amendment No. **9-21-0714-A1**

To: All Interested Parties

From: Kate Huckelbridge, PhD, Executive Director
Cassidy Teufel, Director of Energy, Ocean Resources and Federal Consistency
Division
Alexis Barrera, Environmental Scientist

Subject: Permit No. **9-21-0714** granted to the Southern California Gas Company (**SoCalGas**) for: the removal and replacement of two above-ground natural gas pipelines and associated support structures within the La Goleta Storage Facility.

Project Site: Goleta Slough, Goleta, Santa Barbara 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):

1. Removal of an existing creosote wood headwall.
2. Installation of temporary metal sheetpile support.
3. Expansion of temporary staging area.

Requested Amendment:

On August 8, 2023, SoCalGas submitted an application to the Commission requesting an amendment to CDP No. 9-21-0714. SoCalGas proposes to remove a 35-foot-long deteriorating creosote wood headwall near the western end of the Line 128 workspace within the La Goleta Storage Facility and install a temporary metal sheetpile support in its place. The metal sheetpile would support the embankment in the area in which a mechanical crane would be used to replace sections of Line 128 and its associated pipe supports (authorized by the Commission through CDP No. 9-21-0714). SoCalGas proposes to use an excavator with a vibrating hammer attachment to install and remove the metal sheetpile. Once construction is complete, the ground would be

stabilized and re-graded using native soil in accordance with the Santa Barbara County Grading Code. To accommodate these proposed activities, SoCalGas proposes to expand the Line 128 workspace an additional 4,690 square feet.

FINDINGS

The Executive Director has determined this amendment to be IMMATERIAL within the meaning of section 13166(b) of the Commission's regulations.¹ 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 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 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.

The Executive Director has determined this proposed amendment to be "immaterial" for the reasons set forth below.

- The proposed temporary metal sheetpile would provide greater safety to the construction crew and sensitive habitats than the existing deteriorating creosote wood headwall.
- The proposed removal of the creosote wood headwall would reduce the risk of adverse impacts to the adjacent aquatic habitat resulting from the treated wood. SoCalGas would test the creosote wood headwall prior to removal and determine an appropriate off-site disposal facility. During removal, a silt fence and a tarp would be used to contain any pieces of demolished wood and stop debris from entering Goleta Slough. The wood would be placed in covered bins to avoid contact with the surrounding habitat.
- In the event of an unusually high tide, work would be delayed if there was any risk of material falling near the tidal area.
- SoCalGas would mitigate for temporary impacts to 1,178 square feet of native

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

vegetation consistent with the Executive Director-approved La Goleta Natural Gas Storage Facility Native Revegetation Plan (NVRP) that was developed and would be implemented as a requirement of CDP No. 9-21-0714. SoCalGas would follow all mitigation, monitoring, and reporting requirements included in the NVRP.

- No permanent impacts to native vegetation are proposed.
- SoCalGas would remove approximately 3,486 square feet of invasive ice plant and re-seed the area with native seeds in accordance with the NVRP.
- Additionally, all of the special conditions included with CDP No. 9-21-0714, which address potential impacts with the originally approved project, including the restriction of work during the nesting bird season, also apply to the proposed amendment.

With the continued implementation of these 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. Further, the proposed amendment includes changes that would reduce adverse impacts to coastal resources, such as the removal of the creosote wood headwall, and provide benefits to the environment, such as the removal of ice plant mats and native re-seeding efforts. As such, the proposed project is consistent with the applicable policies of Chapter 3 of the Coastal Act.

If you wish to register an objection to the processing of this amendment application as an immaterial amendment, please send the objection in writing to the address above.

If you have any questions about this notice, please contact Alexis Barrera at alexis.barrera@coastal.ca.gov.

cc: Commissioners/File