

**CALIFORNIA COASTAL COMMISSION**

455 MARKET ST, SUITE  
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CA 94105  
FAX (415) 904-5400  
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# W9

**Prepared June 4, 2024 (for the June 12, 2024 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 October 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 June 12, 2024. 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 June 12, 2024.

With respect to the June 12, 2024 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 June 12, 2024 (see attached)**

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**Waivers**

- **9-24-0449-W**, The Nature Conservancy (TNC) Kelp Restoration Research Project (Mendocino County)

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

- **ND-0010-24**, Moss Landing Harbor Federal Navigation Maintenance Dredging (Monterey County)
- **ND-0011-24**, 2024 Maintenance Dredging of Federal Navigation Channels at

Humboldt Bay (Humboldt County)

- **ND-0012-24**, North Ocean Beach Sand Management Project (City and County of San Francisco)
- **ND-0013-24**, Redondo Beach King Harbor North Breakwater Repairs (Los Angeles County)
- **ND-0014-24**, Humboldt Bay National Wildlife Refuge Wadulh Dunes UTV Trail and Sand Fencing (Humboldt County)
- **ND-0015-24**, Humboldt Bay National Wildlife Refuge Hookton Septic System (Humboldt County)
- **ND-0016-24**, Reissuance of Regional General Permit (RGP) No. 41 authorizing eradication and removal of invasive, non-native plant and algal species from water of the U.S. (Southern California)
- **ND-0017-24**, Modified Schedule for Oceanside Harbor Maintenance Dredging Project (San Diego County)
- **ND-0020-24**, Riparian Fence Project at Paul Grafton Ranch (San Luis Obispo County)

**Immaterial Amendments**

- **E-05-001**, Pacific Gas & Electric (PG&E) Construction and Operation of an Independent Spent Fuel Storage Installation (ISFSI) at the Humboldt Bay Power Plant, near King Salmon (Humboldt 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 the 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:** 9-24-0449-W

**Applicants:** Benjamin Grime and Tristin Anoush McHugh, The Nature Conservancy

**Location:** Big River (39.30295, -123.80318) and Albion Cove (39.22901, -123.77416), Mendocino County

**Proposed Development:** The Nature Conservancy (TNC) proposes a kelp restoration research project involving (a) the removal of kelp-grazing sea urchins and (b) temporary deployment of bull kelp seeding modules at Albion Cove and Big River, Mendocino County. The purpose of the project is to test methods for enhancing kelp recovery along California's Coast. The proposed project is part of California Department of Fish and Wildlife's (CDFW) and California Sea Grant's "Accelerating Kelp Restoration and Research in California" grant program. To test the effects on bull kelp regrowth, TNC proposes to reduce populations of purple urchins, which graze upon juvenile kelp plants, to densities that enable kelp-urchin coexistence (~2 urchins per square meter). Urchins would primarily be removed by licensed fishermen from the Commercial Sea Urchin Commission under contract with the applicant and under existing fishing regulations ([California Code of Regulations \(CCR\) Title 14 Section 120.7](#)) and processed at facilities in Noyo Harbor. Additional urchin removal would be done by TNC under a CDFW-issued Scientific Collecting Permit under [California Code of Regulations \(CCR\) Title 14 Section 650](#). Additionally, TNC proposes to deploy multiple "Array to Recover Kelp Ecosystem Vegetation" (ARKEV) modules to enhance kelp recovery (see Figure 1 below). Each ARKEV module would consist of a weighted 8 x 8 x 16 inch cinderblock base attached to a vertical line that is suspended in the water column from a surface float; near the top of the vertical line, two parallel horizontal bars would extend 0.5 meters in either direction. Two spore bags would be secured at the base of the module, and lengths of twine with seeded juvenile bull kelp would be placed along the horizontal bars. The modules would be deployed by divers and serviced at least once per month. The proposed project would have a two-year duration beginning in June 2024. In year one, six modules would be

## **Coastal Development Permit De Minimis Waiver**

9-24-0449-W

deployed in Albion Cove and up to 30 modules would be deployed in Big River. In year two, up to 30 modules would be deployed in Big River. The modules would be deployed seasonally from spring to fall (5-6 months). At the end of each study season, all project materials would be fully recovered and removed.

### **Rationale:**

- The proposed project site was chosen based on spatio-temporal modeling of kelp dynamics, high resolution kelp canopy data, subtidal observations, site accessibility considerations, and community interest. The project sites are in former areas of high kelp density, prior to recent ecosystem disruptions and overgrazing by urchins.
- The ARKEV module will be seeded with spores and juvenile bull kelp grown from a diversity of bull kelp individuals near the study area.
- ARKEV modules with small cinder block bases will be placed by hand on open granite substrate where kelp canopy persisted prior to 2022 and will be placed to completely avoid sensitive benthic species and habitats. Placement of the ARKEV on hard substrate increases potential survivorship of kelp recruited to the area around the cinderblock from the spore bags at the base of the ARKEV.
- The ARKEV modules will be deployed temporarily (for 5-6 months of the year over the project's two-year duration), and all lines will be kept taut to minimize entanglement risk.
- The research team will provide the GPS coordinates and deployment dates of all ARKEV modules to the public at outreach events, through signage in public areas, and through institutional partners including City of Fort Bragg, Noyo Harbor District, Litter River Inn, Mendocino Parks, Waterman's Alliance, and California State Parks.
- At the end of each study season, all materials will be removed from the study sites and the applicant has committed to removing and disposing of any debris and trash that its researchers and divers encounter that does not require special equipment to remove during the project's duration.
- ARKEV module retrieval will occur earlier in the fall season if strong storm events pose a risk to damaging or dislodging study gear.
- Biological monitoring and servicing of the ARKEV modules will occur at least once per month to ensure all equipment is sound and remains in place where deployed.
- Researchers will access the study area via small fishing vessels or through established public trails and campgrounds.
- The proposed project will not impact coastal public recreation or access.
- Purple urchin removal conducted by fishermen will adhere to fishing regulations that dictate collection methods, recording, and processing. Purple urchin removal by TNC will adhere to a CDFW Scientific Collecting Permit expected to be issued by mid-June 2024.
- Purple urchin removal will return urchin density to the historic (pre-2022) average observed when kelp was present in the area.

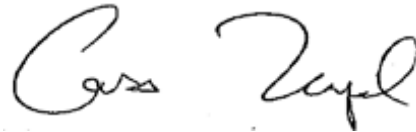
**Coastal Development Permit De Minimis Waiver**  
9-24-0449-W

- The California State Lands Commission has issued a letter of non-objection for the temporary placement of the ARKEV modules and bases on submerged state lands, allowing TNC temporary use of State lands.
- The research project will provide scientific insights into novel kelp restoration methods, with potential for wider applications.

The proposed development will not adversely impact coastal resources, public access, or public recreation opportunities and is consistent with past Commission actions (9-23-0202-W, 9-24-0121-W) and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at its June 12-14, 2024, 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) or more Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

Sincerely,

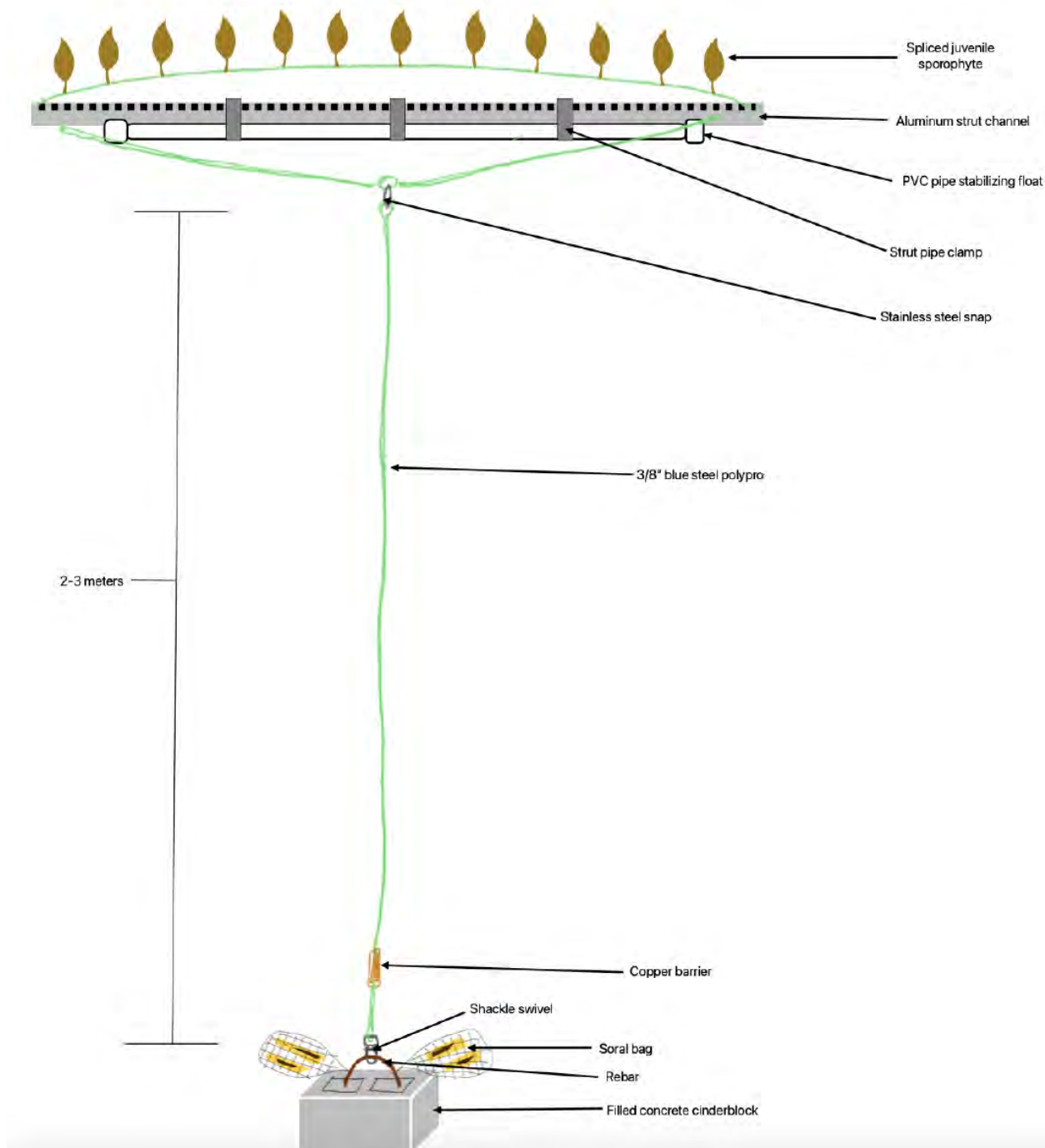
A handwritten signature in black ink, appearing to read "Cassidy Teufel", written in a cursive style.

CASSIDY TEUFEL  
Deputy Director  
(for)

KATE HUCKELBRIDGE, PhD  
Executive Director

## Coastal Development Permit De Minimis Waiver 9-24-0449-W

**Figure 1.** ARKEV module design. The design includes two parallel 1 m bars that extend 0.5 m in either direction. The drawing shows one of the two bars.



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April 30, 2024

Savannah Fahning  
Environmental Manager  
U.S. Army Corps of Engineers  
San Francisco District  
601 Startare Dr #100  
Eureka, CA 95501  
Via e-mail to: [savannah.r.fahning@usace.army.mil](mailto:savannah.r.fahning@usace.army.mil)

Re: Negative Determination No. ND-0010-24: Moss Landing Harbor Federal Navigation  
Maintenance Dredging (Monterey County)

Dear Ms. Fahning:

We have reviewed the above-referenced negative determination submitted by the U.S. Army Corps of Engineers (USACE) for maintenance dredging of the federal navigation channels at Moss Landing Harbor (Monterey County), specifically the Entrance Harbor and Outer Lagoon channels. Dredging the entrance channel and outer lagoon channel utilizing a hydraulic (cutterhead) dredge will remove hazardous shoals and return both channels to the authorized depth of -15 feet mean lower low water (with two feet of overdepth). Approximately 25,000 cubic yards of dredged sediments will be transported via submerged pipeline to a designated beneficial use placement site at the Moss Landing Wildlife Area (Wildlife Refuge).

The dredged material placement, after its transport authorized by this negative determination, is covered separately by a Coastal Development Permit (CDP No. 3-23-0176) issued to the California Department of Fish and Wildlife (CDFW) for activities which include the construction of a setback levee in the Wildlife Refuge. The dredging action under the subject negative determination will not start until the setback levee authorized by CDP No. 3-23-0176 has been constructed and the borrow area is ready to receive dredged material. Material from the outer lagoon channel will be dredged and transported to the Wildlife Refuge first, followed by the Entrance Channel material. All in-water work would occur during the period from June 1 through November 30; the work is expected to require eight days to complete. Sediment samples were collected and analyzed for this project, assessing physical, chemical, and biological parameters. Based on those results, the Environmental Protection Agency and Central Coast Regional Water Quality Control Board determined that the material would be suitable for unconfined aquatic disposal at SF-12 or SF-14, beach nourishment, and at the identified Wildlife Refuge site.

Returning the navigation channels to the authorized depth will ensure safe navigation for the approximately 600 recreational and commercial vessels that are docked at Moss Landing Harbor. During dredging operations vessels will still be able to navigate the federal channels and enter and exit the harbor, through the coordinated efforts of the USACE, U.S. Coast

Guard, and the Moss Landing Harbor District. Moss Landing Harbor is located within the boundaries of the Monterey Bay National Marine Sanctuary (MBNMS). However, the harbor is delineated as a "harbor exclusion zone" within the sanctuary boundary. Previous dredging of the federal channels have included a scheduled operation in 2002 (ND-056-02), an emergency dredging operation in 2012 (ND-042-12), and a scheduled operation in 2020 (ND-0019-20) with placement at the EPA-designated SF-12 open ocean disposal site, located 1,100 feet offshore of Moss Landing. The Moss Landing Harbor District also undertook maintenance dredging of the non-federal inner channels and berthing areas within the harbor between October 2019 and January 2020, and dredged sediments were placed on South Spit Beach (south of the entrance channel) and at SF-12.

The proposed project includes measures to protect water quality during dredging and disposal operations by minimizing localized increases in turbidity through the use of a hydraulic cutterhead dredge, implementing best management practices during operations, and complying with waste discharge requirements issued by the Central Coast Regional Water Quality Control Board. USACE has coordinated or consulted with the National Marine Fisheries Service and the MBNMS to assure that measures are in place to minimize effects on federally-listed species and other sensitive wildlife and resources. A qualified biological monitor will be present during all project operations to ensure protection of the federally threatened southern sea otter and other marine mammals that may enter the project area. Dredging and disposal will occur during the work window authorized by the National Marine Fisheries Service to protect federally endangered Southern California steelhead. The pipeline will not be deployed in critical eelgrass habitat. The USACE will conduct pre- and post-dredging eelgrass surveys of the project area, including the pipeline extent into Elkhorn Slough, and will share the data with the Commission and other consulting agencies for their review. Consultation with the U.S Fish and Wildlife Service is on-going, and USACE will notify Commission staff of any significant project changes that arise out of this process.

The USACE has determined that this project would have no adverse effect on coastal resources for the reasons identified in Negative Determination No. ND-0010-24. 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 Walt Deppe at [Walt.Deppe@coastal.ca.gov](mailto:Walt.Deppe@coastal.ca.gov) if you have any questions regarding this matter.

Sincerely,



JOSEPH STREET  
Manager  
Energy, Ocean Resources & Federal  
Consistency Division  
(for)

Dr. Kate Huckelbridge  
Executive Director



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May 5, 2024

Ellie Covington  
Navigation and Operations Section Chief  
San Francisco District,  
U.S. Army Corps of Engineers  
450 Golden Gate Avenue  
San Francisco, CA 94102  
Via e-mail to: [Savannah.R.Fahning@usace.army.mil](mailto:Savannah.R.Fahning@usace.army.mil)

Subject: Negative Determination **ND-0011-24** (2024 Maintenance Dredging of Federal Navigation Channels at Humboldt Bay, Humboldt County)

Dear Ellie Covington:

The Coastal Commission staff has reviewed the above-referenced negative determination. Under current funding, the U.S. Army Corps of Engineers (USACE, Corps) proposes to dredge approximately 1.15 million cubic yards (with a maximum of about 1.3 million cubic yards) of sediment from the Bar and Entrance channel, as well as 100,000 – 200,000 cubic yards from the Interior Channels, with disposal at the Humboldt Open Ocean Disposal Site (HOODS). The total volume of approximately 1.25 – 1.5 million cubic yards is similar to previous dredging cycles. Dredging and disposal is proposed to begin in May of 2024, with operations lasting approximately one month. Annual maintenance dredging is necessary to remove shoals that build up in the Bar and Entrance channels during the winter and spring, and to maintain authorized channel depths and navigational safety for commercial, recreational, and Coast Guard vessels entering and exiting Humboldt Bay.

The proposed 2024 maintenance dredging and disposal project at Humboldt Bay is similar to annual projects previously concurred with by the Commission or authorized by the Executive Director dating back to 1985, most recently in negative determinations ND-0006-23, ND-0011-22, ND-0007-21 and ND-0032-19 for the 2023, 2022, 2021 and 2020 maintenance dredging projects, respectively. Prior to these negative determinations, the Commission concurred with consistency determination number CD-0005-18 for the 2019 maintenance dredging project. Under the federal consistency regulations [15 CFR Section 930.35(a)], a negative determination can be submitted for an activity "...which is the same or is similar to activities for which consistency determinations have been prepared in the past."

As noted in CD-0005-18, the current sediment testing schedule for Humboldt Bay calls for physical testing of sediments every five years for those channels that have historically contained sediments consisting predominately of sand. The most recent sediment testing was conducted on samples collected February 16-18, 2021. Sediment testing results confirmed

that the sediments to be dredged in 2024 are likely to be physically and chemically suitable for beneficial reuse or offshore disposal at the newly expanded HOODS.

Although the sediments are suitable for beach nourishment and nearshore disposal, neither are being proposed as part of this project because the Corps has stated that there are currently no EPA-designated alternative disposal sites available for beneficial reuse in the project area. However, there are other potential nearshore alternatives, such as placement of the material on the beaches on the North and South Spits, that could serve as beneficial reuse sites in the future with further study. As it has for many years, Commission staff continues to encourage the Corps to carry out the studies and take all other necessary steps to pursue beneficial reuse for suitable materials dredged from Humboldt Bay's Bar and Entrance Channel. We also note that these priorities are reflected in the Water Resources Development Act (WRDA) of 2020 which asserts that there is a critical need for the Corps to "maximize the beneficial use, in an environmentally acceptable manner, of suitable dredged material obtained from the construction or operation and maintenance of water resources development projects."

Towards this end, CD-005-18 also included a commitment by the Corps to provide an update to the Humboldt Shoreline Monitoring Program. The update would contain needed information on the significance of shoreline erosion on the North Spit of Humboldt Bay, which could potentially lead to implementation of disposal alternatives that will reduce the amount of dredged material disposal outside the Eureka littoral zone (including the HOODS site). Results from the update would include aerial flyover photography and subsequent analysis of shoreline changes. The last Humboldt Shoreline Monitoring Program update analyzed shoreline changes using data from 2011 to 2015. The survey results showed no excessive shoreline retreat and determined that erosion of the North Spit was not significant, and no immediate corrective action was needed.

However, the baseline used to determine whether excessive erosion had occurred was from shoreline conditions from 1974-1990. The Corps and Commission determined in CD-0005-18 that the 1974-1990 baseline did not adequately represent baseline shoreline conditions due to the extensive jetty modifications that occurred during that time period. Therefore, the next update to the Humboldt Shoreline Monitoring Program will use the 1948-1974 shoreline baseline, as noted in CD-0005-18. Because it would rely on this more relevant and scientifically robust baseline, this upcoming shoreline monitoring update is expected to more conclusively and definitively determine if excessive shoreline retreat has persisted along the North Spit.

The Corps currently has LiDAR survey data of the North Spit from 2020 and had planned another LiDAR survey for 2023. However, due to bad weather and logistical problems, these surveys were not carried out, and new data on the status of the North Spit shoreline and beaches has not been collected or provided to Commission staff for review. The Corps states that it will be able to collect topographic data in 2024, via either an aerial photogrammetric survey using an unmanned aerial system (UAS) or a ground-based survey using a mobile laser scanner. Once the beach and shoreline surveys are completed, the Corps would conduct a hydrologic and hydraulic (H&H) analysis and then submit a summary to Commission staff for review. Up-to-date survey information will be critical for determining what modifications to dredged material disposal operations are needed address shoreline retreat along the North Spit. Commission staff is aware of at least two instances of localized severe beach erosion along North Spit occurring during recent winter storms, resulting in damage to the Fairhaven

“T” beach parking area and exposure of the Humboldt Bay Harbor, Recreation & Conservation District (HBHRCD) wastewater outfall line. In the latter case, the Commission issued an emergency coastal development permit (No. G-1-24-0035) to allow placement of rock stabilization to prevent damage to the outfall and potential wastewater spills.

In response to concerns about shoreline erosion and the on-going loss of littoral sediment through disposal at HOODS, the USACE, U.S. Environmental Protection Agency (EPA), and the Humboldt Bay Harbor, Recreation, & Conservation District (HBHRCD) are developing a pilot project to test the nearshore placement of sandy dredged material at a demonstration site along the North Spit. The Corps hosted an interagency meeting in July 2023 to introduce the Humboldt Nearshore Pilot Project (HNPP), including representatives from the USACE, EPA, HBHRCD, National Marine Fisheries Service (NMFS), California Department of Fish and Wildlife (CDFW), and the Coastal Commission. In November 2023, the USACE hosted a public meeting, attended by local tribal organizations, recreational groups, university faculty, and interested citizens, to further introduce the project and collect feedback. USACE is preparing a Sediment Analysis Plan (SAP) for the pilot project to be submitted to the EPA and North Coast Regional Water Quality Control Board (NCRWQCB) shortly, which will detail plans for a Tier III sediment sampling scheduled to happen later in 2024. This sediment testing is a key precursor to environmental compliance for the HNPP. The HNPP is expected to begin in 2025, and once operational is anticipated to divert at least 250,000 cubic yards of sediment from offshore disposal. The USACE will provide sediment testing results to Commission staff when available and has committed to providing a progress update on the HNPP as part of its submittal for the 2025 maintenance dredging cycle. Commission staff will seek to work with the USACE to ensure that the nearshore pilot project is designed to benefit known erosion “hot spots” along the North Spit.

Until the pilot project is operational, HOODS would remain the sole disposal site because there are currently no feasible alternative disposal sites capable of receiving the dredged sediments from the proposed maintenance dredging.

In addition to addressing sediment testing and an update to the Humboldt Shoreline Monitoring Program, CD-0005-18 included a commitment by the Corps to develop and implement, in coordination with the NMFS, CDFW and Commission staff, a Fish Survey and Monitoring Plan (FSMP) to evaluate the potential impact of entrainment of fish species by Corps dredging operations in Humboldt Bay. This FSMP relied on benthic trawl surveys of the areas to be dredged to determine which marine fish and invertebrate species are present and potentially at risk of entrainment during dredging operations. Carried out from 2019 to 2021, the FSMP sampling documented the presence of common marine fish species within the dredge area such as anchovy, sand lance, surf perch and sole as well as two species listed as threatened under the federal Endangered Species Act (ESA) and California ESA, green sturgeon and longfin smelt.

To help ensure that potential entrainment risk to these listed species during dredge operations is minimized and offset, the Corps will continue to implement all conservation measures and recommendations for listed species, their critical habitat, and essential fish habitat (EFH) identified by NMFS in its Biological Opinion and Essential Fish Habitat consultation. Further, the Corps has committed to working with NMFS, the Wiyot Tribe, and coordinating agencies, (including the Commission) to identify and fund tidal restoration actions (up to \$10,000) that would help mitigate for adverse impacts to fish species from maintenance dredging operations.

ND-0011-24 (U.S. Army Corps of Engineers)

The USACE met with NMFS and the Wiyot Tribe in February 2024 to further discuss tidal restoration and related projects. Priorities identified by the Tribe include (i) funding to acquire a water quality monitoring sonde, (ii) support for a new continuous monitoring site within the Bay, (iii) soil and water sampling of suspected contaminated sites vulnerable to sea level rise or sediment mobilization during the proposed heavy-life terminal development on Samoa peninsula. The USACE will continue to work with the Tribe to realize its commitment to support tidal restoration actions.

With this commitment and implementation of the conservation measures and recommendations identified by NMFS in its Biological Opinion and Essential Fish Habitat consultation, the Commission staff **agrees** that the proposed 2023 maintenance dredging project will not adversely affect coastal resources.

However, as noted in the Commission and Executive Director's previous concurrences with the Corps' consistency and negative determinations (including CD-0005-18, CD-0001- 20, ND-0032-19, ND-0007-21, ND-0011-22 and ND-0006-23), concurrence with this negative determination is not in any way meant to convey the message that the Commission's concerns have diminished regarding excessive erosion at the North Spit and the need for viable beneficial reuse alternatives. We appreciate the Corps' on-going work to develop the Humboldt Nearshore Placement Project, with planned implementation in 2025, and look forward to Corps staff providing completed shoreline surveys and an update to the Humboldt Shoreline Monitoring Program in the next negative determination request submitted by the Corps for Humboldt Bay dredging. Commission staff also looks forward to working with Corps staff to begin making progress on developing and implementing tidal restoration projects prior to the next negative determination request.

With that understanding, we **concur** with your negative determination made pursuant to 15 CFR Section 930.35 of the NOAA implementing regulations. Please contact me at [joseph.street@coastal.ca.gov](mailto:joseph.street@coastal.ca.gov) should you have any questions regarding this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Joseph Street".

(for)  
KATE HUCKELBRIDGE  
Executive Director

cc: CCC – North Coast District

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May 10, 2024

David A. Smith  
General Superintendent  
Golden Gate National Recreation Area  
National Park Service  
Attn: Laura Caballero  
Building 201, Fort Mason  
San Francisco, CA 94123-0022  
Via e-mail to: [laura\\_caballero@nps.gov](mailto:laura_caballero@nps.gov)

Re: Negative Determination No. ND-0012-24: North Ocean Beach Sand Management Project (City and County of San Francisco)

Dear Mr. Smith:

We have reviewed the above-referenced negative determination submitted by the National Park Service (NPS) for a five-year term of an annual sand management project at north Ocean Beach (City and County of San Francisco), in the Golden Gate National Recreation Area, along the O'Shaughnessy Seawall. The sand management project will annually move up to approximately 140,000 cubic yards of sand away from the O'Shaughnessy Seawall (and its access stairwells), from Stairwell 1 to 28 and the area in front of Lincoln Boulevard (just south of Stairwell 28), and toward, but not more seaward than, the high tide line. All sand will be retained at north Ocean Beach and will be pushed at a gradual slope toward the high tide line, leaving a smooth surface for visitors to use, with level grade areas incorporated. The area of sand removal would be approximately 15 feet out from, and parallel to, the seawall along the approximately 5,500-linear-foot project area, and the average width from the seawall to the high tide line is approximately 283 linear feet. Equipment to be used will be bulldozers, excavators, and skid steer loaders.

The negative determination will cover five years of annual sand management operations (2024 through 2028). Following operations each year, the NPS will provide Commission staff with reporting information which will include the dates of operations and an estimate of the volume of sand that was moved. If major changes in sand management operations (e.g., increases in volume or changed placement strategy, new methods or equipment) emerge over time, NPS will notify and coordinate with Commission staff. While one major operation is expected to be necessary each year, if other more minor sand movement operations are necessary to enhance public access (e.g., clear blocked stairwells) throughout year, those will be described and included in annual reporting.

The primary operation is expected to occur from May to July each year. A qualified NPS biologist will determine when project activities can be initiated annually once any western snowy plover present for the season have moved on from the project area, and the work would occur consistent with the work window requirements of NPS's US Fish and Wildlife Service Programmatic Biological Opinion for the Golden Gate National Recreation Area Park Operations (PBO). The PBO specifies that whenever possible, operations will be scheduled during the times when western snowy plovers are not present at GGNRA from May 15 to June 30, and that a biological monitor will conduct surveys on site for necessary work within the Snowy Plover Protection Area at Ocean Beach from July 1 to May 15 when snowy plovers may be present in these areas. A qualified biologist will be present during all project operations to ensure protection of sensitive species, including the federally threatened western snowy plover, through implementation of the best management practices specified in the PBO. Additionally, any wrack found on the beach seaward of the seawall will be relocated from the beach operations area before sand placement and replaced after the sand has been placed. Work will occur Monday through Friday between 7 am to 6 pm and sand movement operations will be suspended on days of heavy visitation. Additional measures will be implemented for safety and management of public access and recreation, including signage, flaggers, and designated staging areas.

The NPS has determined that this project would have no adverse effect on coastal resources for the reasons identified in Negative Determination No. ND-0012-24. 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 Walt Deppe at [Walt.Deppe@coastal.ca.gov](mailto:Walt.Deppe@coastal.ca.gov) if you have any questions regarding this matter.

Sincerely,



JOSEPH STREET  
Manager  
Energy, Ocean Resources &  
Federal Consistency Division  
(for)

Dr. Kate Huckelbridge  
Executive Director

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May 17, 2024

Jodi L. Clifford  
Chief, Planning Division  
U.S. Army Corps of Engineers  
Los Angeles District  
915 Wilshire Blvd., Suite 1109  
Los Angeles, CA 90017-3409  
Via email: [Thomas.F.Sentner@usace.army.mil](mailto:Thomas.F.Sentner@usace.army.mil)

Re: Negative Determination No. **ND-0013-24**: Redondo Beach King Harbor North Breakwater Repairs

Dear Jodi Clifford:

We have received your agency's negative determination letter dated March 18, 2024, and the attached supplemental information regarding the above-referenced project for repairs to the north breakwater and associated minor dredging at King Harbor, Redondo Beach, Los Angeles County. The Commission has previously reviewed two consistency determinations (CD-4-88, CD-25-91) and one negative determination (ND-86-98) for similar breakwater repairs at King Harbor.

The proposed repairs include the resetting of existing armor stone and the placement of approximately 15,000 US tons of new, large armor stone along approximately 1,500 linear feet of the breakwater, within the existing structure height and footprint; no enlargement or expansion of the structure is proposed. Excavation of approximately 2,000 cubic yards of sediment from inside the breakwater may be necessary to create adequate depths to allow a barge and crane vessel to be positioned close enough to the breakwater to perform the repair work. If needed, dredging would be conducted with a smaller barge with an attached crane and clamshell bucket, and dredged sediment would be side cast to the seaward side of the breakwater. Armor stone would be transported to the site by a marine barge. Additionally, repair activities may require the temporary removal of up to temporarily remove up to ten 18-inch octagonal concrete dock pilings from the adjacent King Harbor Yacht Club (KHYC) to allow for equipment access. Once repair work is complete, the pilings would be re-installed, likely involving jetting and impact driving. The proposed repairs are expected to take about six months, beginning in late summer/early fall of 2024, depending on weather and other factors.

The proposed project includes multiple protective measures to avoid impacts to marine wildlife and water quality, including the use of marine wildlife surveillance and turbidity monitoring during dredging and rock placement activities, awareness training for all project personnel and vessel crew, a 10-knot speed limit during barge transit, and implementation of spill



prevention/response and critical operations and curtailment plans. If pile driving is necessary for pile replacement, a soft-start procedure would be used, and a protected species observer would enforce exclusion zones for sensitive species known to use the project area, including sea turtles, dolphins, and pinnipeds.

Based on recent surveys, eelgrass is present within King Harbor near the end of the north breakwater. USACE proposes to avoid, minimize and, if necessary, mitigate impacts to eelgrass through implementation of a Pacific Eelgrass Monitoring and Mitigation Plan containing provisions for: (a) preparation of a barge anchoring plan that would avoid direct impacts to and shading eelgrass beds to the extent feasible; (b) limits on the duration of direct shading; (c) pre- and post-project eelgrass surveys to identify and quantify eelgrass impacts, consistent with the California Eelgrass Mitigation Policy (CEMP); and (d) mitigation of any impacts through on-site restoration/replanting at a minimum 1.2:1 ratio and five years of monitoring, in accordance with CEMP standards.

Project staging is expected to occur in the private KHYC parking lot or in a nearby lot with ample parking, and no public marina closures or restrictions on harbor use would be necessary during project activities. In prior reviews of breakwater repair projects, Commission staff has identified potential traffic and coastal access impacts related to the trucking of armor stone from inland quarries. In this case, local traffic and access impacts would be avoided by (a) marine barging of armor stone from the Catalina Island quarry (expected/preferred), or (b) trucking of stone from an inland source to a major port (e.g., Los Angeles or Long Beach) via the regional highway system, followed by barge transport to King Harbor. For these reasons, adverse effects to coastal public access and recreational boating are not anticipated.

With these measures in place, the Coastal Commission staff agrees with the USACE's determination that this project would have no adverse effect on coastal resources for the reasons identified in Negative Determination No. ND-0013-24. We therefore **concur** with your negative determination made pursuant to 15 CFR Section 930.35 of the NOAA implementing regulations.

Please contact Joseph Street at [Joseph.Street@coastal.ca.gov](mailto:Joseph.Street@coastal.ca.gov) if you have any questions regarding this matter.

Sincerely,



JOSEPH STREET  
Manager, Energy, Ocean Resources  
& Federal Consistency Division  
(for)

Dr. Kate Huckelbridge  
Executive Director



**CALIFORNIA COASTAL COMMISSION**

ENERGY, OCEAN RESOURCES AND FEDERAL CONSISTENCY  
455 MARKET STREET, SUITE 300  
SAN FRANCISCO, CA 94105  
VOICE (415) 904-5260



June 3, 2024

Cashell Villa  
Project Leader  
Humboldt Bay National Wildlife Refuge Complex  
U. S. Fish & Wildlife Service  
Attn: Andrea Pickart  
P.O. Box 576  
1020 Ranch Rd.  
Loleta, CA 95551  
Via e-mail to: [cashell\\_villa@fws.gov](mailto:cashell_villa@fws.gov), [andrea\\_pickart@fws.gov](mailto:andrea_pickart@fws.gov)

Re: Negative Determination No. ND-0014-24: Wadulh Dunes Restoration UTV Access Trail and Sand Fencing

Dear Mr. Villa:

The Commission staff has reviewed the above-referenced negative determination submitted by the U.S. Fish and Wildlife Service (USFWS) for the construction of a utility task vehicle (UTV) access trail and erection of temporary sand fencing in conjunction with the on-going coastal dune habitat restoration project on the Wadulh Unit of Humboldt Bay National Wildlife Refuge (HBNWR). A prior negative determination (ND-0046-18) for the larger restoration project was concurred with by the Commission Executive Director in 2019.

The proposed 18-ft-wide dirt UTV trail would extend approximately 980 feet from an existing barn/staging area east (inland) of the Wadulh/Lanphere Dunes restoration site, connecting with an existing UTV trail. UTV access is essential for completing the dune restoration project and carrying out on-going adaptive management. The new access trail would provide more direct access to the restoration site from HBNWR offices on Lanphere Rd., eliminating the need to drive UTVs approximately 10 miles out of the way in order to access the restoration site from existing roads and trails, and reducing vehicle traffic along the beach and within the dune restoration area proper. The trail has been routed to minimize its length and impacts, including the loss of any live trees. A small amount (0.3 acre) of vegetation clearance would be required but would occur within locally common brush and avoid rare or sensitive species. The small loss of forest understory habitat would be mitigated by the planned restoration of approximately 21 acres of Sitka spruce forest within the larger restoration area. A cultural survey would be completed prior to beginning the work, and a cultural resources monitor would be present during construction. Pre-

project Nesting bird surveys would also be performed, and the work would be postponed until after the nesting season if nests are detected.

Temporary sand fencing would be erected over approximately 70 acres of open sand that will be planted with native dune mat species pursuant to the larger restoration project. Sand fencing is needed to slow wind speeds while plants become established. The sand fencing consists of 4-foot-high wood slat fencing, anchored with peeler core posts alternating with T-posts. The distance between fence rows will be 28 feet, a spacing which Fencing will be removed when plants achieve sufficient height. Fence segments will be staggered to allow for the movement of animals through the fenced area. The proposed use of sand fencing is similar to its past use in dune restoration activities at the NWR reviewed by the Commission in prior consistency determinations and negative determinations (e.g., CD-069-06, ND-0046-18).

The USFWS has determined that this project would have no adverse effect on coastal resources for the reasons identified in Negative Determination No. ND-0014-24. 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 Joseph Street at [joseph.street@coastal.ca.gov](mailto:joseph.street@coastal.ca.gov) if you have any questions regarding this matter.

Sincerely,



JOSEPH STREET  
Manager  
Energy, Ocean Resources &  
Federal Consistency Division  
(for)

Dr. Kate Huckelbridge  
Executive Director

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SAN FRANCISCO, CA 94105  
VOICE (415) 904-5260



May 16, 2024

Cashell Villa  
Project Leader  
U.S. Fish and Wildlife Service  
Humboldt Bay National Wildlife Refuge Complex  
1020 Ranch Road  
P.O. Box 576  
Loleta, CA 95551  
Via e-mail to: [cashell\\_villa@fws.gov](mailto:cashell_villa@fws.gov)

Re: Negative Determination No. ND-0015-24: Humboldt Bay National Wildlife Refuge  
Hookton Septic System, Humboldt County

Dear Ms. Villa:

We have received your letter dated April 12, 2024, regarding the above-referenced project to repair and expand a septic system for a quarters building, located at 1603 Hookton Rd, in the census-designated place of Loleta (Humboldt County), on the Hookton Slough Unit of the Humboldt Bay National Wildlife Refuge (the Refuge).

The quarters building houses U.S. Fish and Wildlife Service (USFWS) employees onsite. This septic system project is associated with a previous negative determination (ND-0003-24) for a parcel merger of two Humboldt County parcels (APNs 308-201-020 and 308-201-018) owned by the Refuge, and would be located on the merged parcel.

The USFWS worked with the Humboldt County Department of Human and Health Services, Division of Environmental Health, to develop a repair design that will replace the old septic system with a shallow, low pressure distribution system. The project will relocate the leach field into an area of the property that is at higher elevation than the current system and designed to ensure a 3-ft. separation from ground water, replace the old septic tank and install a new pump tank to enable the effluent to be pumped up to the higher elevation leach field, and relocate a domestic water line to comply with code.

The USFWS has determined that this project would have no adverse effect on coastal resources for the reasons identified in Negative Determination No. ND-0015-24. 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 Walt Deppe at [Walt.Deppe@coastal.ca.gov](mailto:Walt.Deppe@coastal.ca.gov) if you have any questions regarding this matter.

Sincerely,

A handwritten signature in blue ink, reading "Joseph Street". The signature is fluid and cursive, with the first name "Joseph" and last name "Street" clearly legible.

JOSEPH STREET  
Manager  
Energy, Ocean Resources &  
Federal Consistency Division  
(for)

Dr. Kate Huckelbridge  
Executive Director

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SAN FRANCISCO, CA 94105  
VOICE (415) 904-5260



May 6, 2024

Alexandra Ryan  
Project Manager  
Regulatory Division, Arizona Branch  
Los Angeles District, U.S. Army Corps of Engineers  
Via email: [alexandra.ryan@usace.army.mil](mailto:alexandra.ryan@usace.army.mil)

Re: Negative Determination No. ND-0016-24: Reissuance of Regional General Permit (RGP) No. 41 authorizing eradication and removal of invasive, non-native plant and algal species from water of the U.S., Southern California

Dear Ms. Ryan:

We have reviewed the above-referenced negative determination submitted by the U.S. Army Corps of Engineers (USACE) for reissuance of Regional General Permit (RGP) No. 41 authorizing eradication and removal of invasive, non-native plant and algal species from water of the U.S in Southern California.

The USACE submitted a consistency determination for reissuance of the 5-Year RGP on February 26, 2024. On March 4, 2024, Commission staff notified the USACE that information required by 15 CFR Section 930.39(a) had not been included with the determination and that the 60-day review period had not begun. A resubmittal containing the required information was received on March 13, 2024. On April 17, 2024, after consultation with Commission staff, the USACE revised its submittal to a negative determination.

The proposed 5-year reissuance of RGP No. 41 would also expand its applicability to include algal species, specifically those of the invasive algal genus *Caulerpa*. The current RGP would include the same habitat protection and monitoring provisions as the previous RGPs (issued by the USACE in 2003, 2008, 2009, 2014, and 2019) to assure its effectiveness, including project-by-project notice to resource agencies, including notifying the Commission for activities occurring within or affecting the coastal zone. For *Caulerpa*, detection and eradication methods would be required to conform to the National Marine Fisheries Service and California Department of Fish and Wildlife *Caulerpa* Control Protocol (Version 5, October 20, 2021, or as subsequently revised). The re-issuance of RGP No. 41 would continue to be applicable within the portions of California in the Los Angeles District of the USACE (Los Angeles, Orange, Riverside, San Diego, San Bernardino, Imperial, Ventura, Santa Barbara, Mono, Inyo, Kern, and San Luis Obispo Counties), and would also expand it for use throughout the state of Arizona.

On October 15, 1998, the Coastal Commission concurred with the USACE's consistency certification for the issuance of RGP No. 41 authorizing the mechanized removal of invasive,

exotic plants (exotics) from waters of the U.S., including wetlands, for the purpose of habitat recovery (CC-119-98). Prior to that concurrence, the Commission had concurred with the USACE's consistency certification for issuance of this same permit for a trial 2-year period (CC-39-96). Additionally, the Commission staff concurred with the USACE's negative determination for the reissuance of RGP No. 41 in 2003 (ND-073-03). As noted above, as part of the current reissuance the USACE will notify Commission staff of any activities proposed under RGP No. 41 occurring within or affecting the coastal zone. The Commission retains its authority to pursue coastal development permit review or separate federal consistency review of such activities where applicable.

Under the federal consistency regulations (Section 930.35(a)) a negative determination can be submitted for an activity "which is the same as or is similar to activities for which consistency determinations have been prepared in the past." While the USACE submitted the RGP as a consistency certification in the past, changes in the federal consistency regulations enacted since the 1998 submittal encourage the USACE to submit general permits as a consistency or negative determinations and not certifications (15 CFR Section 930.31). Therefore we consider the procedure under Section 930.35(a) applicable to this situation. The proposed activities authorized under the RGP are similar to activities authorized under the USACE's previous consistency certifications (CC-119-98 and CC-39-96) and the USACE's 2003 negative determination (ND-073-03) with which we concurred.

The USACE has determined that this project would have no adverse effect on coastal resources for the reasons identified in Negative Determination No. ND-0016-24. With the clarification that the Commission retains its authority to pursue coastal development permit review or separate federal consistency review of RGP 41 activities, where applicable, 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 Walt Deppe at [Walt.Deppe@coastal.ca.gov](mailto:Walt.Deppe@coastal.ca.gov) if you have any questions regarding this matter.

Sincerely,



JOSEPH STREET  
Manager  
Energy, Ocean Resources & Federal  
Consistency Division  
(for)

Dr. Kate Huckelbridge  
Executive Director

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VOICE (415) 904-5260



May 9, 2024

Chris L. Chabot, Ph.D.  
Chief, Environmental Policy Group  
Environmental Resources Branch, Planning Division  
U.S. Army Corps of Engineers  
Los Angeles District  
Via email: [christopher.l.chabot@usace.army.mil](mailto:christopher.l.chabot@usace.army.mil)

Re: Negative Determination No. ND-0017-24: Modified Schedule for Oceanside Harbor Maintenance Dredging Project, San Diego County

Dear Dr. Chabot:

We have received your agency's email dated April 8, 2024, and attached supplemental negative determination regarding the above-referenced project to extend construction activities at Oceanside Harbor and adjacent beaches for the 2024 and 2028 dredging events past the Memorial Day weekend. Specifically, dredging work is proposed to continue up to an additional two weeks after Memorial Day with up to an additional week to demobilize all equipment off of the project beaches. The project was initially reviewed as ND-0010-18 and concurred with by Commission staff but specified that dredging and sand placement would not occur between Memorial Day and Labor Day weekends in order to avoid the peak recreational time period. As a result of delays encountered during preceding dredging events at other locations and the need for equipment repairs, the Oceanside Harbor maintenance dredging is getting a late start in 2024 and may not be able to be completed before the Memorial Day weekend. Given the significant loss of sand from Oceanside beaches that has occurred since the last dredging and beach nourishment event, the U.S. Army Corps of Engineers (USACE) and City of Oceanside support an extension of operations in order to maximize the volume of material placed on area beaches and the associated benefits to coastal access and recreation.

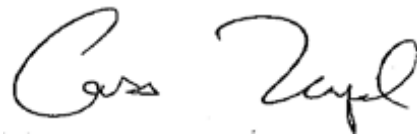
However, extension of dredging and beach nourishment operations into the high-beach-use summer season (typically considered to start with Memorial Day weekend) has the potential to negatively affect coastal access and recreation, including due to the presence and operation of construction equipment on beaches, loss of parking spaces used for project staging, and additional traffic generated by construction activities and personnel. In order to help minimize these potential adverse effects on public coastal access and

recreation, USACE has committed to cease construction activities over the Memorial Day weekend starting on the Friday before and a restart on the following Tuesday. All equipment would be removed from the beach except the dredged material transport pipeline which would have the open end fenced off for safety purposes. In addition, if operations are not completed before the start of the Beach Soccer Championships event to be held on Harbor Beach, the USACE will ensure that the temporary equipment corridor on Harbor Beach is removed and any activities that may affect the beach or beach access are paused for the duration of the event.

With these measures in place, the Coastal Commission staff agrees with the USACE's determination that this project would have no adverse effect on coastal resources for the reasons identified in Negative Determination No. ND-0017-24. 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, appearing to read "Cass Teufel", written in a cursive style.

CASSIDY TEUFEL  
Federal Consistency Coordinator  
(for)

Dr. Kate Huckelbridge  
Executive Director



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455 MARKET STREET, SUITE 300  
SAN FRANCISCO, CA 94105  
VOICE (415) 904-5260



May 29, 2024

*Via Electronic Mail Only To: [lauren.sullivan2@usda.gov](mailto:lauren.sullivan2@usda.gov)*

Lauren Sullivan  
Area Biologist  
Natural Resources Conservation Service  
Salinas Area Office  
744-A La Guardia Street, Salinas, CA 93904

Re: Negative Determination No. ND-0020-24: Riparian Fence Project at Paul Grafton Ranch, San Luis Obispo County

Dear Ms. Sullivan:

We have received your letter dated May 15, 2024, in which you have determined that the above-referenced proposal to replace a 2,800-ft fence, install a new 1,650-ft riparian fence, and install livestock water infrastructure at a ranch in San Luis Obispo County to manage grazing and protect riparian habitat would have no adverse effect on coastal resources for the reasons identified in Negative Determination No. ND-0020-24 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 Jules Kelly at [jules.kelly@coastal.ca.gov](mailto:jules.kelly@coastal.ca.gov) if you have any questions regarding this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Joseph Street".

JOSEPH STREET, PhD  
Federal Consistency Manager  
(for)

KATE HUCKELBRIDGE, PhD  
Executive Director

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VOICE (415) 904-5260  
FAX (415) 904-5400



May 29, 2024

## NOTICE OF PROPOSED IMMATERIAL PERMIT AMENDMENT

Coastal Development Permit Amendment No. **E-05-001-A3**

**To:** All Interested Parties

**From:** Kate Huckelbridge, Executive Director

**Subject:** Application to amend coastal development permit No. E-05-001 granted to Pacific Gas & Electric (PG&E) allowing construction and operation of an Independent Spent Fuel Storage Installation (ISFSI) at the Humboldt Bay Power Plant, near King Salmon, Humboldt County.

**Project Site:** 1000 King Salmon Avenue on Buhne Point Hill in King Salmon, an unincorporated community in Humboldt County, approximately 3 miles south of the City of Eureka, Humboldt County (**Exhibit 1**).

**Background:** On September 15, 2005, the Commission approved CDP No. E-05-001 allowing PG&E to construct and operate an ISFSI at the Humboldt Bay Power Plant (HBPP). On February 10, 2010, the Commission approved an immaterial permit amendment (No. E-05-001-A1) authorizing replacement of utility poles and associated underground conduit in response to a Nuclear Regulatory Commission requirement.

**Project Description:** 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):

To improve safety for facility personnel within the ISFSI perimeter fence, PG&E proposes to replace the existing cobble ground surface with a terraced hardscape consisting of reinforced concrete and conventional asphalt concrete. Approximately 26,600 ft<sup>2</sup> of concrete slab, 2,000 ft<sup>2</sup> of concrete curbs, and 22,600 ft<sup>2</sup> of asphalt concrete would be installed around the ISFSI up to the perimeter fence. A base layer of 3,000 cubic yards (cy) of high-density polyethylene plastic geocell grids with 6- to 8-inch pockets would first be placed in the soil in a horizontally stacked configuration, over a 125,000 ft<sup>2</sup> area, to build up the slope. An 8-inch-thick layer of rock armor would be placed on top of the geocell prior to installing the reinforced concrete surface. An 8-inch-tall soil berm that is approximately two-feet-wide by 143-feet-long

## Notice of Proposed Immaterial Permit Amendment

E-05-001-A3

would be built to the southwest of the ISFSI perimeter fence to direct surface water away from the armored rock slope. The existing cobbles would be removed, temporarily stockpiled onsite, and backfilled into the new ground surface. The geotextile material that is currently present would be removed and disposed of at an approved, offsite waste facility. Approximately 3,000 cy of imported gravel fill would be used to establish a new uniform surface. See **Exhibit 2** for existing conditions and **Exhibit 3** for the project site plans.

### 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 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 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):

- The new facility surface would result in a slight increase in stormwater runoff, but PG&E has calculated that the existing HBPP stormwater system has ample capacity to accept the anticipated increase in stormwater.

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

## **Notice of Proposed Immaterial Permit Amendment**

E-05-001-A3

- All intercepted surface run-on and runoff would be directed to existing outlet points to ensure that water does not flow towards the bluff edge and to drain surface water within the ISFSI perimeter fence.
- The proposed change to the project would not change the industrial, developed visual character of the facility and would be consistent with the original CDP's Special Condition #3 requiring that offsite visual effects be minimized.
- The proposed hardscaping project would not affect nearby environmentally sensitive habitat areas or wetlands located outside the ISFSI fenced perimeter. There are no environmentally sensitive habitat areas or wetlands within the ISFSI perimeter fence. Vegetation within the ISFSI perimeter fence consists of nonnative grasses and nonnative forbs.
- If work occurs during the bird nesting season (February 15 to August 31), a preconstruction nesting bird survey will be conducted by a qualified biologist within one week prior to commencement of construction activities. If any active bird nest is detected, a 500-foot buffer around active raptor nests or a 300-foot buffer around active nests of other species would be established. A smaller buffer of no less than 300 feet for raptors or 100 feet for other bird species may be established if the Executive Director concurs that a modified 300/100-foot buffer would not result in significant adverse impacts to the nesting birds. Buffers around active nests will be maintained until the young have fledged.
- Wetlands adjacent to the ISFSI perimeter (including a drainage swale wetland) would be marked for avoidance.
- Erosion control measures such as silt fences and straw bales would be installed to prevent any sediment or materials from entering the wetland during rain events.
- A biologist would be on call during construction activities to provide assistance as needed.
- Project activities would take place on previously disturbed and graded areas. The technical memorandum prepared by DZC Archaeology & Cultural Resource Consulting dated November 2, 2022, stated that there are no cultural resources present and a cultural resource monitor would not be required during construction activities.

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 Jules Kelly at [jules.kelly@coastal.ca.gov](mailto:jules.kelly@coastal.ca.gov).

## **CALIFORNIA COASTAL COMMISSION**

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455 MARKET STREET, SUITE 300  
SAN FRANCISCO, CA 94105-2421  
VOICE (415) 904-5200



# W9

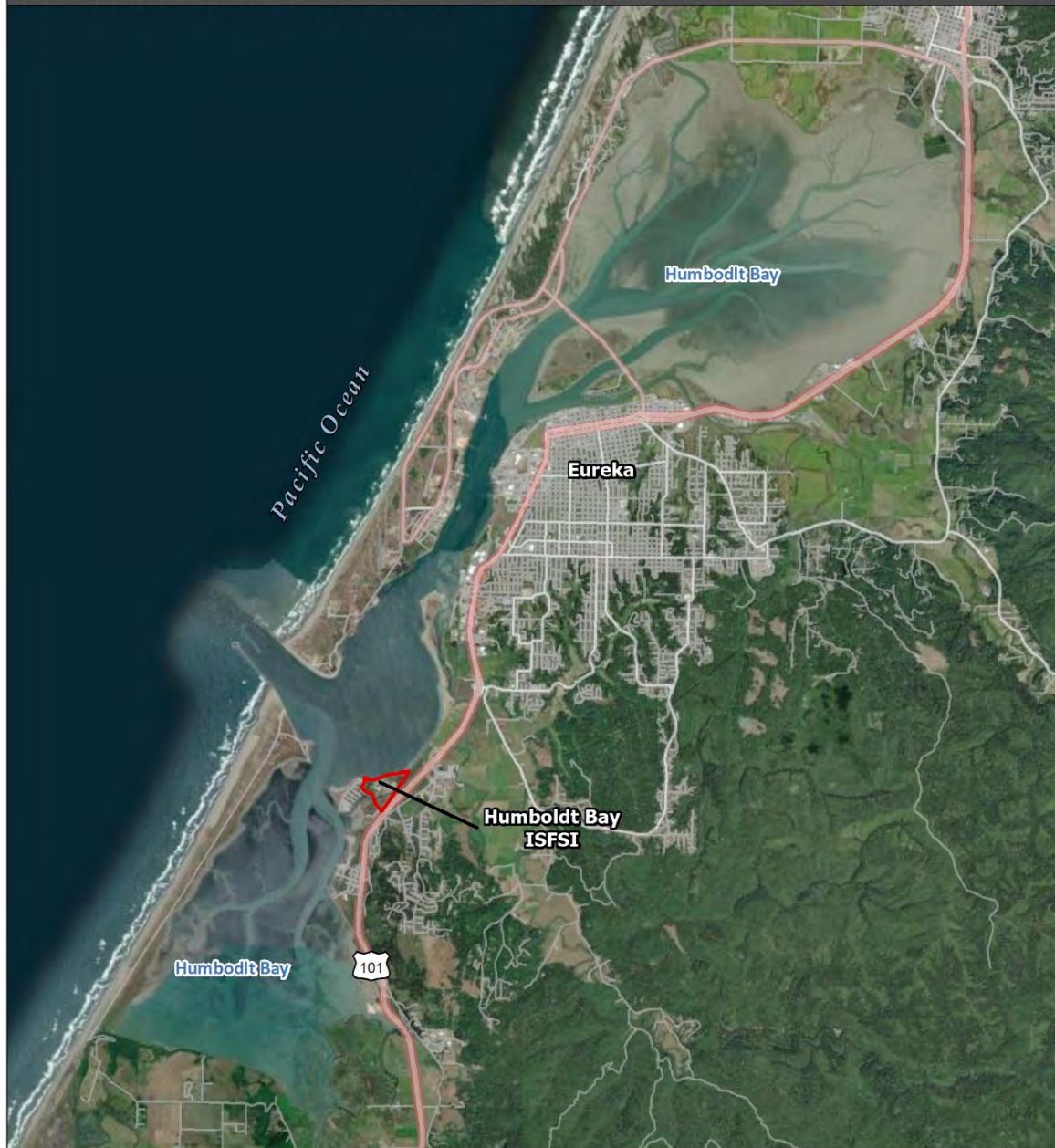
**E-05-001-A3  
(Pacific Gas & Electric)**

**June 12, 2024**

### **EXHIBITS**

Exhibit 1 – Vicinity Map  
Exhibit 2 – Project Location and Existing Conditions  
Exhibit 3 – Project Plans

# HUMBOLDT BAY INDEPENDENT SPENT FUEL STORAGE INSTALLATION



## Project Location

 HBPP property boundary



Map Sources:  
Cities, Roads, and Rivers: ESRI 2016  
Imagery: ESRI 2019



0 1 2 4 Kilometers  
0 0.5 1 2 Miles

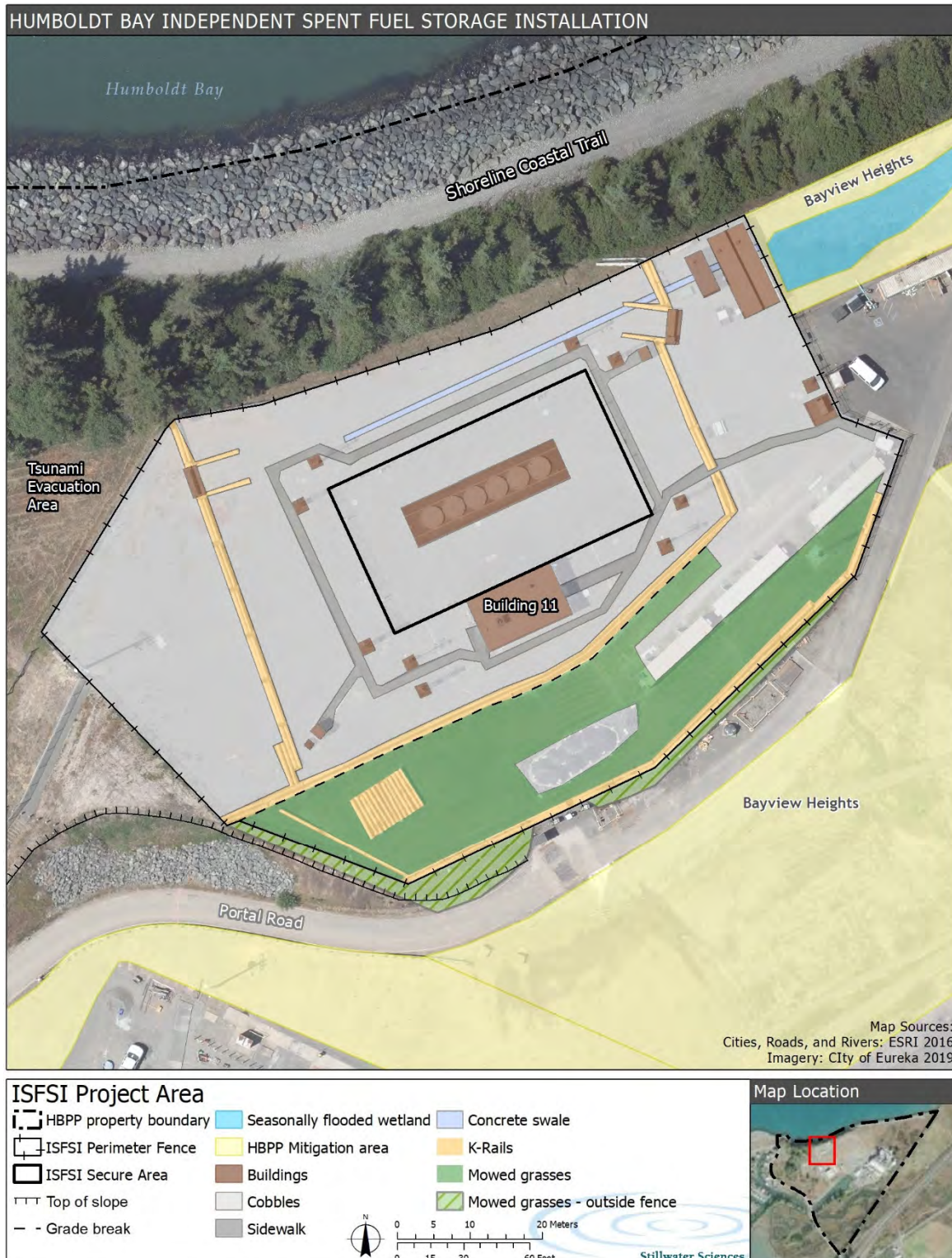
Stillwater Sciences

## Map Location



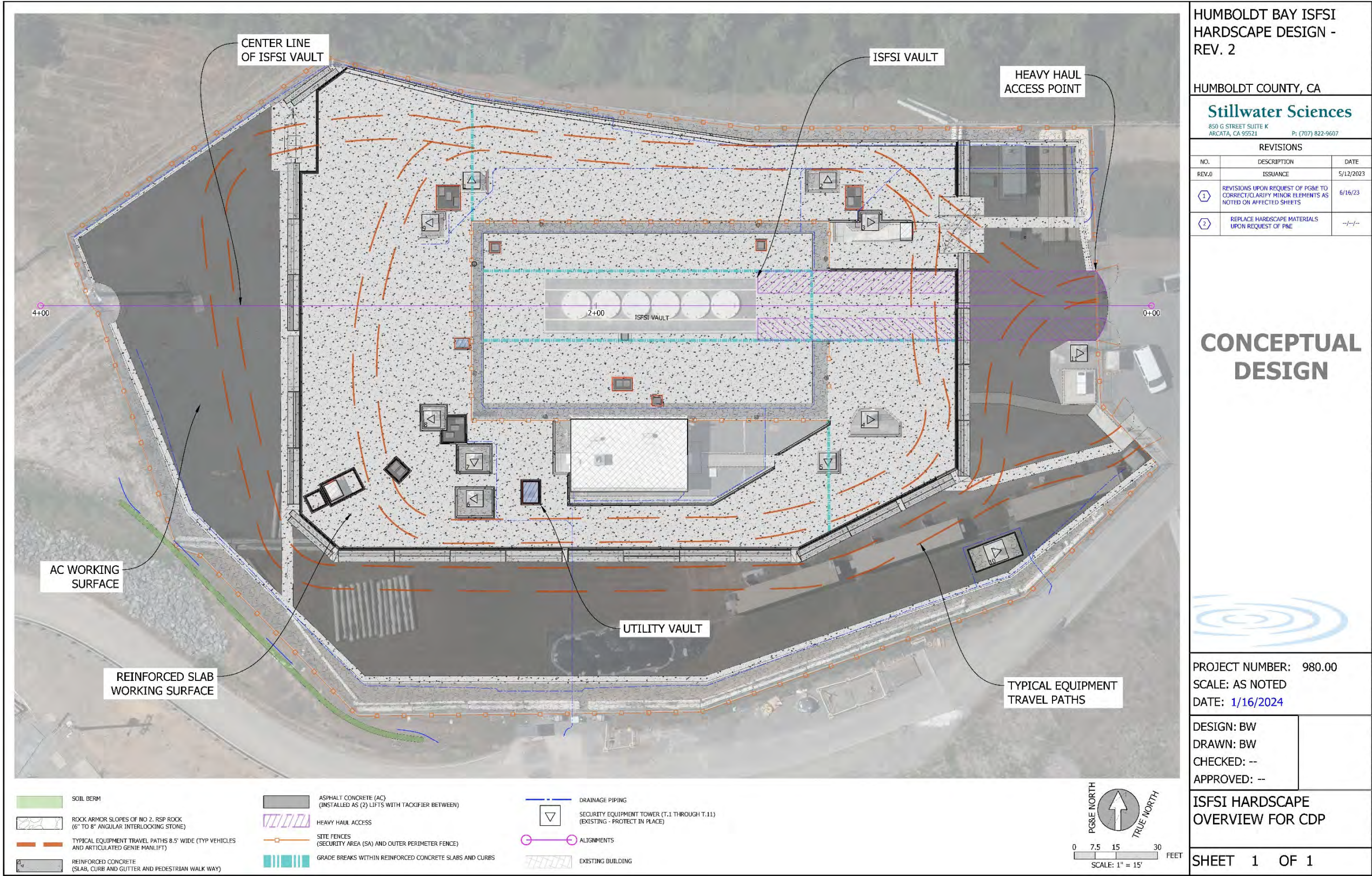
**Exhibit 1 - Vicinity Map**  
E-05-001-A3  
(PG&E)





**Exhibit 2 - Project Location and Existing Conditions**  
E-05-001-A3  
(PG&E)





**Exhibit 3 - Project Plans**  
**E-05-001-A3 (PG&E)**