

CALIFORNIA COASTAL COMMISSION

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



W10

Prepared May 26, 2023 (for the June 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 June 7, 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 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 June 7, 2023.

With respect to the June 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 June 7, 2023 (see attached)

Administrative Items for Federal Consistency Matters, Negative Determinations

- **ND-0006-23**, 2023 Maintenance Dredging of Federal Navigation Channels at Humboldt Bay (Humboldt County)
- **ND-0008-23**, Stinson Beach Lifeguard Tower and Grill Replacement (Marin County)
- **ND-0009-23**, Increase in frequency of space launch operations by SpaceX at Vandenberg Space Force Base (Santa Barbara County)
- **ND-00012-23**, Martinez Farm EQIP Project (Monterey County)

- **ND-00013-23**, Martinez Farm CSP Project (Monterey County)
- **ND-0014-23**, Beith Creek Livestock Bridge Crossing (Humboldt County)

Immaterial Extensions

- **9-21-0258**, Desalination Facility Repair and Maintenance (Santa Barbara County)

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

- None

CALIFORNIA COASTAL COMMISSION

455 MARKET STREET, SUITE 300
SAN FRANCISCO, CA 94105-2219
VOICE (415) 904-5200
FAX (415) 904-5400



April 21, 2023

Dr. Tessa Beach
Chief Environmental Services Branch
San Francisco District,
U.S. Army Corps of Engineers
450 Golden Gate Avenue
San Francisco, CA 94102

Subject: Negative Determination **ND-0006-23** (2023 Maintenance Dredging of Federal Navigation Channels at Humboldt Bay, Humboldt County)

Dear Dr. Beach:

The Coastal Commission staff has reviewed the above-referenced negative determination. Under current funding, the U.S. Army Corps of Engineers (Corps) proposes to dredge approximately 1 million cubic yards (with a maximum of 2 million cubic yards) of sediment from the Bar and Entrance channel, as well as 150,000 cubic yards (with a maximum of 250,000 cubic yards) from the Interior Channels, with disposal at the Humboldt Open Ocean Disposal Site (HOODS). Dredging and disposal is proposed to take place in May of 2023. 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 2023 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-0011-22 for the 2022 maintenance dredging project, ND-0007-21 for the 2021 maintenance dredging project, ND-0032-19 for the 2020 maintenance dredging project. 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 March 16, 2021. Sediment testing results confirmed that the sediments to be dredged in 2023 are 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 is planning another LiDAR survey for this year, 2023. Once the LiDAR results are collected, the Corps would conduct a hydrologic and hydraulic (H&H) analysis and then submit a report on the LiDAR analysis to the Commission. The Corps estimates that it would take approximately one month to prepare an updated Shoreline Monitoring Report following aerial survey results. With that information, the Corps and the Commission staffs will then determine if modifications to current dredged material disposal operations are necessary in order to address shoreline retreat along the North Spit.

In addition, should excessive shoreline retreat on the North Spit be documented in the forthcoming report, the Commission and Corps staffs would work together on the development of a pilot nearshore placement project. Until these steps have been taken, HOODS would be used because there are currently no feasible alternative disposal sites capable of receiving the dredged sediments from the proposed maintenance dredging. Although the LiDAR survey data would be collected later this year, the Corps proposes to hold an initial meeting in April 2023 with coordinating agencies to discuss pilot placement offshore of the North Spit. This Humboldt Nearshore Placement Study is expected to begin in 2025.

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

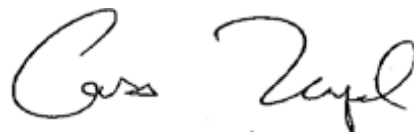
implement, in coordination with the National Marine Fisheries Service, California Department of Fish and Wildlife, and Commission staff, a Fish Survey and Monitoring Plan (FSMP) to evaluate the potential impact of entrainment of fish species by Corps dredging operations in Humboldt Bay. This FSMP relied on benthic trawl surveys of the areas to be dredged in order 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. 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, and ND-0011-22), 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' proposal to initiate discussions on the Humboldt Nearshore Placement Study this year and look forward to Corps staff providing completed LiDAR 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 Alexis Barrera at Alexis.Barrera@coastal.ca.gov should you have any questions regarding this matter.

Sincerely,

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

(for)
KATE HUCKELBRIDGE
Executive Director

ND-0006-23 (U.S. Army Corps of Engineers)

cc: CCC – North Coast District

CALIFORNIA COASTAL COMMISSION

455 MARKET STREET, SUITE 300
SAN FRANCISCO, CA 94105-2219
VOICE (415) 904-5200
FAX (415) 904-5400



May 12, 2023

David Schifsky
Deputy Superintendent
Golden Gate National Recreation Area
Building 201, Fort Mason
San Francisco, CA 94123-0022

Subject: Negative Determination **ND-0008-23** (Stinson Beach Lifeguard Tower and Grill Replacement, Marin County)

Dear Deputy Superintendent Schifsky:

We have received your letter dated March 14, 2023, in which you have determined that the above-referenced proposal to replace the Stinson Beach Lifeguard Tower and Grill in Marin County would have no adverse effect on coastal resources for the reasons identified in Negative Determination No. ND-0008-23. 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 Alexis Barrera at alexis.barrera@coastal.ca.gov if you have any questions regarding this matter.

Sincerely,

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

CASSIDY TEUFEL
Federal Consistency Coordinator
(for)

KATE HUCKLEBRIDGE
Executive Director

CALIFORNIA COASTAL COMMISSION

455 MARKET STREET, SUITE 228
SAN FRANCISCO, CA 94105-2219
VOICE (415) 904- 5200
FAX (415) 904- 5400
TDD (415) 597-5885



May 5, 2023

Beatrice L. Kephart
Chief Installation Management Flight
Department of the Air Force
ATTN: Samantha Kaisersatt
1028 Iceland Avenue
Vandenberg AFB, CA 93437-6010

Subject: Negative Determination **ND-0009-23** (Increase in frequency of space launch operations by SpaceX at Vandenberg Space Force Base)

Dear Chief Kephart:

The Coastal Commission staff has reviewed the above-referenced negative determination regarding the proposed increase in Space Exploration Technologies' (SpaceX) Falcon 9 launch activities at Vandenberg Space Force Base (VSFB) from six to 36 per year as well as the addition of offshore landing locations in the Pacific Ocean.

Background

In December 2003, the Executive Director concurred with the Air Force's ND-103-03 for implementation of the Falcon 1 launch vehicle program at Space Launch Complex 3 West, and in August 2005 concurred with ND-088-05 for relocation of that program to Space Launch Complex 4 West. The Executive Director determined that those programs would not generate new or additional adverse impacts on coastal resources not previously examined by the Commission in its concurrence with a consistency determination by the Department of the Air Force (CD-049-98) for launch activities at the adjacent SLC-3E associated with its Evolved Expendable Launch Vehicle Program.

In November 2010, the Executive Director concurred with the Air Force's ND-055-10 for modification of Space Launch Complex 4 East (SLC-4E) to support the Falcon 9 and Falcon 9 Heavy launch vehicle programs at VSFB and the use of SLC-4E for a maximum of ten launches per year (five of each). The Falcon 9 and Falcon 9 Heavy are significantly larger launch vehicles compared to the Falcon 1, and the facilities at SLC-4W are not able to accommodate the larger Falcon vehicles. SLC-4E supported launch operations for the larger and more powerful Titan IV launch vehicle through 2005 and, as a result, the Air Force modified SLC-4E to accommodate the Falcon 9 program operated SpaceX. In October 2013, the Executive Director concurred with a negative determination from the Air Force (ND-0035-14) for a single launch of the Falcon 9 rocket from SLC-4E, the in-flight abort test of the Dragon spacecraft capsule and

recovery operations approximately 1.5 miles off the Vandenberg AFB coast, and the Falcon 9 first stage boost-back and landing at SLC-4W. ND-0035-14 also included construction of a 1.6-acre concrete landing pad at SLC-4W; a temporary 5.7-acre area of flat panels west of the landing pad (installed two weeks prior to a launch and removed two weeks after launch) to facilitate radar sensor operations during first-stage landings; realignment of existing service and access roads; installation of ground-based communications equipment; and improvements to stormwater and firefighting runoff collection infrastructure at SLC-4W. In August 2015, the Executive Director concurred with ND-0027-15 for up to six SpaceX Falcon 9 launches per year from SLC-4E and associated first-stage landings at SLC-4W or on an offshore barge specifically designed as a first-stage landing platform and located at least 31 miles offshore of VSFB.

In the current proposal, SpaceX Falcon 9 launch operations previously concurred with by the Executive Director would continue and be increased to up to 36 per year. Existing infrastructure will be used and no construction activities or ground disturbance is proposed. First stage processing protocols at VSFB would remain unchanged but would increase in frequency. In addition, a new offshore landing location would be designated, SpaceX may add up to 100 personnel at VSFB and would increase its current level of use of specialized trucks for overland transport and barges for in-water transport of boosters, fairings, and other materials. SpaceX would also increase its processing of payloads and refurbishment of boosters and fairings at existing SpaceX facilities on VSFB. Up to 36 boosters and 36 fairings would be refurbished each year.

Marine Debris

Although this refurbishment and reuse of components by SpaceX significantly reduces the volume of marine debris generated from its launches over the Pacific Ocean, these launches and related activities (such as the use of weather balloons prior to launches) does result in the release of debris material into the ocean. To address this, the Department of the Air Force notes in ND-0009-23 that:

SpaceX proposes to participate in the SLD 30 Adopt-A-Beach Program and conduct quarterly beach cleanups at Surf Beach. SpaceX also proposes to make an annual contribution to the California Lost Fishing Gear Recovery Project to offset the impacts from unrecoverable debris (weather balloon/radiosonde, drogue parachute, parafoil, and MVac skirt ring). For every 3 pounds of unrecovered debris, SpaceX would make a compensatory donation of \$10.00, which is sufficient to recover 1 pound of lost fishing gear.

Based on estimates of the roughly 177 pounds of material anticipated to be released into the ocean and not recovered per launch, SpaceX would contribute approximately \$21,252 per year to the California Lost Fishing Gear Recovery Project. The actual contribution would be based on the actual amount of material released. With this commitment and SpaceX's participation in VSFB's Adopt-A-Beach program, Commission staff agrees that the proposed project would offset marine debris generated from launch activities through the removal of derelict fishing gear and thus

help ensure that the project does not result in a net increase in marine debris in California coastal waters.

Coastal Access and Recreation

The Department of the Air Force (DAF) also addresses in ND-0009-23 the potential effects of the proposed increase in launch activity on coastal access and recreation that would result from safety closures of public beaches in northern Santa Barbara County during launch operations. The need for such closures is summarized by DAF:

Since 1979, an evacuation and closure agreement has been in place between the DAF and Santa Barbara County. For the safety of park visitors, the County Parks Department and the County Sheriff currently close the parks upon request from the DAF. This agreement includes closing Jalama Beach County Park, Ocean Beach County Park, Surf Beach, and Point Sal Road, in the event of launch activities that have been determined by SLD 30 Range Safety to have certain human health and safety risks. These closures are communicated at least 72 hours' prior to closure and can be closed for a maximum of 48 hours per the agreement.

Based on information available to Commission staff, the number of such closures has not exceeded 12 per year and has typically been substantially less for the past several decades. In its concurrence with the DAF's consistency determination for the Evolved Expendable Launch Vehicle Program (CD-049-98), the Commission found that with the addition of mitigation measures, up to 14 beach closures per year would be consistent with California's Coastal Management Program. Mitigation measures included the consideration of coastal recreation impacts during launch scheduling and planning so that launches on weekends, holidays, and peak summer recreation season are avoided.

As part of the project proposed in ND-0009-23, the DAF states that "Launches from SLC-4E due to the Proposed Action would not cause an exceedance of 12 closures of Jalama Beach County Park per year" and that while "In the past, SLD 30 has restricted access to Ocean Beach County Park and Surf Beach for all launches from SLC-4E," this level of beach closures is no longer necessary and can be reduced:

Based on updated modeling and safety considerations, SLD 30 Range Safety and the Security Forces Squadron have determined closures are only required if the first stage of the Falcon 9 launch vehicle will boost back to land at SLC-4W. Thus, closures due to the Proposed Action would be infrequent (up to 12 times per year) and would not substantially diminish the protected activities, features, or attributes of Jalama Beach, Surf Beach, or Ocean Beach County Parks.

Commission staff greatly appreciates DAF's efforts to update its modeling and safety considerations in a way that would allow for increased launch activity while still maintaining public safety and not expanding adverse impacts to coastal access and recreation. With this reduction in proposed safety closures of Ocean Beach County Park and Surf Beach to only boost-back landing activities (rather than during launches

and landings, as is the current practice) as well as the commitment to not exceed 12 closures per year of any northern Santa Barbara County beaches (Jalama Beach, Ocean Beach County Park, and Surf Beach), the Commission staff agrees that the proposed project will not generate new or additional adverse impacts on coastal access and recreation not previously examined and found to be consistent by the Commission and Executive Director in CD-049-98 and subsequent negative determinations for launch activities on VSFB.

Biological Resources

As DAF notes in ND-0009-23,

Multiple federally listed species protected under the Endangered Species Act (ESA), potential habitat that supports these listed species, and several state special status species occur within the project vicinity. Pursuant to Section 7 of the ESA, the [U.S. Space Force (USSF)] has prepared two Biological Assessments for the federally listed species: one for species under the jurisdiction of the United States Fish and Wildlife Service (USFWS), and one for species under the jurisdiction of the National Marine Fisheries Service (NMFS). A list of federal and state special status species occurrence within the Proposed Action Area is included in Attachment 3. Potential impacts on federal and state listed species include indirect impacts resulting from water use, disruption of breeding, foraging, or roosting behaviors, and abandonment of habitat including breeding or roosting sites due to project related noise. The USSF has worked with the USFWS and NMFS to develop the avoidance, minimization, and mitigation measures described in Attachment 4 that are included as part of the Proposed Action to reduce impacts on biological resources. The USSF will implement these measures. Impacts to biological resources will not be significant.

Mitigation measures that would be implemented by the U.S. Space Force as part of the proposed project include a variety of protective measures as well as extensive baseline and post-launch monitoring of sensitive species such as red-legged frogs, western snowy plovers, California least tern, marine mammals, and bat species in the vicinity of the launch complex. If species-specific monitoring demonstrates a decline in a target population that is attributable to launch activities or due to indeterminate causes, specific compensatory mitigation action would be carried out on VSFB by the U.S. Space Force. Depending on the species, such mitigation would include habitat restoration, predator control efforts or similar activities.

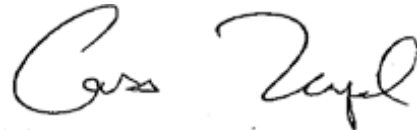
With the U.S. Space Force's commitment to carry out the specific biological resource mitigation measures detailed in Attachment 4 of ND-0009-23, as well as the lack of evidence of significant impacts on biological resources that have been documented by ongoing biological resource monitoring as a result of noise, sonic boom, and exhaust materials from past and current launch activities, Commission staff agrees that the proposed project will not generate new or additional adverse impacts on coastal biological resource not previously examined and found to be consistent by the

Commission and Executive Director in CD-049-98 and subsequent negative determinations for launch activities on VSFB.

Conclusion

In addition to the commitments described above to address the proposed project's potential to contribute to marine debris, loss of coastal access and recreation opportunities and disturbance of sensitive biological resources, the U.S. Space Force has also committed to convene an informational briefing with Commission staff in May of 2028 to present the results of biological monitoring efforts, beach closures and marine debris reduction and offset efforts over the previous five years. In addition to facilitating information sharing, this briefing would also provide an opportunity for U.S. Space Force and Commission staff to discuss potential lessons learned, emerging issues and unanticipated impacts associated with the proposed increase in SpaceX Falcon 9 launch activities. With these commitments, Commission staff **agrees** that the proposed increase to 36 Falcon 9 launches per year at VSFB and designation of a new offshore landing area will not adversely affect coastal zone resources. The proposed launch activities are similar to those concurred with by the Commission in CD-049-98 and by the Executive Director in ND-0027-15. We therefore **concur** with your negative determination made pursuant to 15 CFR 930.35 of the NOAA implementing regulations. Please contact Cassidy Teufel at Cassidy.Teufel@coastal.ca.gov should you have any questions regarding this matter.

Sincerely,



Federal Consistency Manager
(for)

KATE HUCKELBRIDGE
Executive Director

cc: CCC – South Central Coast District

CALIFORNIA COASTAL COMMISSION

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



May 12, 2023

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

Re: Negative Determination No. ND-00012-23: Martinez Farm EQIP Project, Monterey County

Dear Lauren Sullivan:

We have received your letter dated April 25, 2023, in which you have determined that the above-referenced proposal to install a sediment basin, underground outlet, hedgerow, and cover crop at a strawberry/vegetable farm in Monterey County would have no adverse effect on coastal resources for the reasons identified in Negative Determination No. ND-0012-23. 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 Alexis Barrera at alexis.barrera@coastal.ca.gov if you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Cass Teufel", is positioned above the printed name.

CASSIDY TEUFEL
Federal Consistency Coordinator
(for)

KATE HUCKLEBRIDGE
Executive Director

CALIFORNIA COASTAL COMMISSION

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



May 12, 2023

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

Re: Negative Determination No. ND-00013-23: Martinez Farm CSP Project, Monterey County

Dear Lauren Sullivan:

We have received your letter dated April 25, 2023, in which you have determined that the above-referenced proposal to plant cover crop on active farmland in Monterey County would have no adverse effect on coastal resources for the reasons identified in Negative Determination No. ND-0013-23. 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 Alexis Barrera at alexis.barrera@coastal.ca.gov if you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Cassidy Teufel", is positioned above the printed name.

CASSIDY TEUFEL
Federal Consistency Coordinator
(for)

KATE HUCKLEBRIDGE
Executive Director

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT OFFICE
455 MARKET STREET, SUITE 300
SAN FRANCISCO, CA 94105
VOICE (415) 904-5260
FAX (415) 904-5400



May 26, 2023

Dan Gale
Habitat Restoration Program
U.S. Fish and Wildlife Service
1655 Heindon Road
Arcata, CA 95521

Re: Negative Determination No. ND-0014-23: Beith Creek Livestock Bridge Crossing

Dear Mr. Gale:

The California Coastal Commission (Commission) has reviewed the above-referenced negative determination (ND), dated May 4, 2023, for the U.S. Fish and Wildlife Service (USFWS) proposed replacement of an existing informal livestock creek crossing with a constructed livestock bridge.

The existing creek crossing consists of an opening in the vegetation lining the creek with a gently sloping embankment on either side of the creek. Due to the high volume of cattle crossing the creek at this location and lack of soil stabilization, the embankment and channel have experienced excessive erosion. This erosion has resulted in widening of the stream channel, increased turbidity, and accelerated fine sediment deposition in the downstream riparian habitat. The proposed livestock bridge would allow cattle to cross Beith Creek to access grazing areas without continuing to adversely impact the creek.

The proposed bridge would be constructed 50 yards downstream of the existing crossing. The location of the bridge was chosen because of a reduced channel width, greater stability of the channel embankments to support the bridge, and because it would require the least amount of site preparation. The proposed bridge would be 12-foot-wide and 25-feet-long and the bridge footings would consist of precast, interlocking concrete blocks. The bridge girders would consist of a total of four, thirty-foot-long, 12-inch by 12-inch wooden beams that would fully span the width of the creek and rest upon the concrete blocks on either side. Bridge decking would consist of four-inch by eight-inch wood decking. Approach ramps, railings and side rails would be constructed on both sides of the bridge in order to funnel livestock across the bridge while existing livestock exclusionary fencing would be connected to both sides of the bridge to prevent livestock from entering the creek. The existing crossing would be permanently fenced off to prevent further use by livestock.

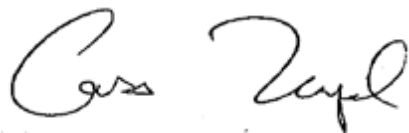
No equipment would need to enter the stream and construction activities would not adversely impact the stream during construction. To prevent any future settling and movement of the concrete blocks an area of 60 square feet on each side of the creek

would be covered with landscape fabric and a layer of gravel and then compacted with a vibrating plate compactor. Two willow trees would be removed in order to construct the bridge. After the completion of construction, the banks of the existing creek crossing would be planted with willow sprigs to restore the stream banks and adjoining riparian habitat.

Since minimal site preparation would be required to construct the bridge, the project would not result in the release of sediments into the riparian environment. Nevertheless, the proposed project would still include Best Management Practices (BMPs) to protect water quality and the riparian habitat during construction. All work would occur during summer when flow conditions in the creek are at their lowest. All equipment would be inspected daily and all refueling and necessary maintenance or repairs would be performed within an offsite location. Spill containment supplies such as booms and absorbent pads would be maintained on site during project activities. Lastly, USFWS conducted hydraulic analysis of Beith Creek in the area of the proposed project and determined that the bridge would not result in any adverse impacts to streamflow or flood elevations.

With implementation of the coastal resource protections proposed as part of this project, including those described above, 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,

A handwritten signature in black ink, appearing to read "Cassidy Teufel". The signature is fluid and cursive, with the first name "Cassidy" written in a larger, more prominent script than the last name "Teufel".

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

Dr. Kate Huckelbridge
Executive Director

CALIFORNIA COASTAL COMMISSION

ENERGY, OCEAN RESOURCES AND FEDERAL CONSISTENCY DIVISION
455 MARKET STREET, SUITE 300
SAN FRANCISCO, CA 94105
PHONE (415) 904-5260 FAX (415) 904-5400
WWW.COASTAL.CA.GOV



May 23, 2023

Notice of Extension Request for Coastal Development Permit

Notice is hereby given that the City of Santa Barbara has applied for a one-year extension of Coastal Development Permit (CDP) 9-21-0258 granted by the California Coastal Commission on June 9, 2021, which is currently set to expire on June 9, 2023.

CDP No.: 9-21-0258

Applicant: City of Santa Barbara

Location: Offshore of the City of Santa Barbara's East Beach and southeast of the terminus of Stearns Wharf, Santa Barbara County

Original CDP Approval

On June 9, 2021, the Coastal Commission approved CDP 9-21-0258, which allowed for repair and maintenance activities associated with improving the structural stability of two offshore intake platforms that are part of a seawater intake system used by the City of Santa Barbara's (City) Charles E. Myer Desalination Facility. The project includes placing grout beneath the platforms and installing rock aprons around each platform to provide long-term stabilization and protection from scour generated by wave action and currents.

Proposed CDP Extension

The applicant provided all documentation needed to request a permit extension prior to the June 9, 2023 deadline. The City has not been able to start work within the two year timeframe due to a delay in plan review by the Federal Emergency Management Agency (FEMA), which is needed to secure the City's Hazard Mitigation Grant Agreement #4344-382-107R. The CDP extension would allow the City an additional year – i.e. until June 9, 2024 – to start the repair and maintenance project.

Executive Director's Changed Circumstances Determination

Pursuant to Title 14, Section 13169 of the California Code of Regulations, the Executive Director of the California Coastal Commission has determined that there are no changed circumstances affecting the approved development's consistency with relevant provisions of the City of Santa Barbara's certified Local Coastal Program or Chapter 3 of the Coastal Act

Notice of Extension Request for Coastal Development Permit
9-21-0258

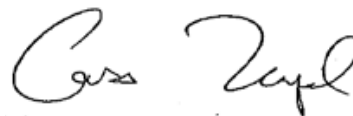
Coastal Commission Review Procedures

The Executive Director's determination and any written objections to it will be reported to the Commission on June 7, 2023. If three or more Commissioners object to the Executive Director's changed circumstances determination at that time, then the extension shall be denied, and the development shall be set for a full hearing of the Commission.

If you have any questions about the proposal or wish to register an objection, please contact Cassidy Teufel at 415-904-5248 or Cassidy.Teufel@coastal.ca.gov

Sincerely,

Kate Huckelbridge, PhD
Executive Director

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

(by) Cassidy Teufel
Director