

**Draft**  
**Supplemental Environmental Assessment for**  
**Waterfront Repairs at**  
**U.S. Coast Guard Station Monterey,**  
**Monterey, California**

Contract No. HSCG50-14-D-PSL002  
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Prepared for:



**UNITED STATES COAST GUARD**

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## ACRONYMS AND ABBREVIATIONS

|           |                                                          |
|-----------|----------------------------------------------------------|
| ACHP      | Advisory Council on Historic Preservation                |
| AIRFA     | American Indian Religious Freedom Act                    |
| BA        | Biological Assessment                                    |
| BMP       | Best Management Practice                                 |
| CAA       | Clean Air Act                                            |
| CCC       | California Coastal Commission                            |
| CCMP      | California Coastal Management Program                    |
| CCRWQCB   | Central Coast Regional Water Quality Control Board       |
| CDFW      | California Department of Fish and Wildlife               |
| CEQ       | Council on Environmental Quality                         |
| CEQA      | California Environmental Quality Act                     |
| CEU       | Civil Engineering Unit                                   |
| CFR       | Code of Federal Regulations                              |
| CO        | carbon monoxide                                          |
| COMDTINST | Coast Guard Commandant Instruction                       |
| CWA       | Clean Water Act                                          |
| CZMA      | Coastal Zone Management Act                              |
| dB        | decibels                                                 |
| dBA       | A-Weighted Sound Level                                   |
| DPS       | Distinct Population Segment                              |
| EA        | Environmental Assessment                                 |
| EFH       | Essential Fish Habitat                                   |
| EIS       | Environmental Impact Statement                           |
| ESA       | Endangered Species Act                                   |
| ESU       | Evolutionary Significant Unit                            |
| FEMA      | Federal Emergency Management Agency                      |
| FICON     | Federal Interagency Committee on Noise                   |
| FMP       | Fishery Management Plan                                  |
| FONSI     | Finding of No Significant Impact                         |
| HAPC      | Habitat Area of Particular Concern                       |
| IHA       | Incidental Harassment Authorization                      |
| IHAA      | Incidental Harassment Authorization Application          |
| MBTA      | Migratory Bird Treaty Act                                |
| MHHW      | mean higher high water                                   |
| MLLW      | mean lower low water                                     |
| MMPA      | Marine Mammals Protection Act                            |
| MSFCMA    | Magnuson-Stevens Fishery Conservation and Management Act |
| NAAQS     | National Ambient Air Quality Standards                   |
| NAGPRA    | Native American Graves Protection and Repatriation Act   |

**ACRONYMS AND ABBREVIATIONS (CONTINUED)**

|                   |                                                 |
|-------------------|-------------------------------------------------|
| NEPA              | National Environmental Policy Act               |
| NHPA              | National Historic Preservation Act              |
| NMFS              | National Marine Fisheries Service               |
| NO <sub>2</sub>   | nitrogen dioxide                                |
| NOAA              | National Oceanic and Atmospheric Administration |
| NPDES             | National Pollutant Discharge Elimination System |
| NRHP              | National Register of Historic Places            |
| NWI               | National Wetland Inventory                      |
| O <sub>3</sub>    | ozone                                           |
| Pb                | lead                                            |
| PM                | particulate matter                              |
| PM <sub>10</sub>  | particulate matter 10 microns or less           |
| PM <sub>2.5</sub> | particulate matter 2.5 microns or less          |
| PVC               | polyvinyl chloride                              |
| RMS               | root mean square                                |
| SEA               | Supplemental Environmental Assessment           |
| SESA              | Sanctuary Ecologically Significant Area         |
| sf                | square feet                                     |
| SFA               | Sustainable Fisheries Act                       |
| SHPO              | State Historic Preservation Office              |
| SIP               | State Implementation Plan                       |
| SO <sub>2</sub>   | sulfur dioxide                                  |
| SPL               | Sound-pressure Level                            |
| U.S.              | United States                                   |
| USACE             | U.S. Army Corps of Engineers                    |
| USC               | U.S. Code                                       |
| USCG              | U.S. Coast Guard                                |
| USEPA             | U.S. Environmental Protection Agency            |
| USFWS             | U.S. Fish and Wildlife Service                  |

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**SECTION 1**  
**PURPOSE AND NEED FOR ACTION**

**1.1 INTRODUCTION**

This Supplemental Environmental Assessment (SEA) has been prepared in accordance with the requirements of the National Environmental Policy Act (NEPA) (42 United States Code [USC]); Council on Environmental Quality (CEQ) Regulations for Implementing NEPA (40 Code of Federal Regulations [CFR] §§1500- 1508) and associated CEQ guidelines; Department of Homeland Security Management Directive 023-01; and Coast Guard Commandant Instruction (COMDTINST) M16475.1D, *National Environmental Policy Act Implementing Procedures and Policy for Considering Environmental Impacts*. This section specifies the purpose of and need for the proposed waterfront repairs at US Coast Guard (USCG) Station Monterey, California.

**1.2 BACKGROUND**

In January 2014, the USCG prepared and published an Environmental Assessment (EA) which identified, described, and evaluated potential environmental impacts associated with proposed waterfront repairs at Station Monterey (Figure 1-1); an accompanying Finding of No Significant Impact (FONSI) was signed on 22 January 2014 (USCG 2014). The Proposed Action involved removal and replacement of 17 timber piles supporting the eastern portion of the pier; replacement of the existing water line; and improvements to associated structures to maintain the structural integrity of the pier and water line. The EA summarized the Proposed Action and the No-Action Alternative.

As part of the permitting process, the USCG prepared and submitted an Incidental Harassment Authorization (IHA) Application (IHAA) to the US Fish and Wildlife Service (USFWS) and National Oceanic and Atmospheric Administration / National Marine Fisheries Service (NOAA / NMFS):



**DSEA**

**Regional Location  
USCG Station Monterey**

**FIGURE  
1-1**

No warranty is made by the USCG as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data. This map is a "living document," in that it is intended to change as new data become available and are incorporated into the GIS database.

- 1       • USFWS prepared an EA and FONSI specific to the issuance of the IHA,  
2       pursuant to the Marine Mammal Protection Act (MMPA), and issued an  
3       IHA valid from 1 November 2014 through 31 October 2015 and authorized  
4       the incidental taking of small numbers of southern sea otters (*Enhydra*  
5       *lutris nereis*) during the course of construction activities associated with  
6       waterfront repairs at USCG Station Monterey (USFWS 2014; Appendix A).
  
- 7       • NMFS issued an IHA valid from 1 October 2014 through 30 September  
8       2015 (based on the USCG EA and IHAA) for activities associated with  
9       waterfront repair project at Station Monterey (NMFS 2014; Appendix B).  
10      The species authorized for incidental harassment takings, Level B  
11      harassment only, were: Pacific harbor seal (*Phoca vitulina richardsi*),  
12      California sea lion (*Zalophus californianus*), harbor porpoise (*Phocoena*  
13      *phocoena*), transient and offshore killer whales (*Orcinus area*), Risso's  
14      dolphin (*Grampus griseus*), bottlenose dolphin (*Tursiops truncatus*), and  
15      gray whale (*Eschrichtius robustus*).

16      Construction of the proposed waterfront repairs was not initiated prior to the  
17      expiration of the IHAs. Upon request for extension of the IHAs, NMFS indicated  
18      that the data upon which the EA and IHAA relied were deemed dated and  
19      required update in baseline conditions and impact assessment in the NEPA-  
20      compliant document and in an updated IHAA.

21      The pier at Station Monterey and adjacent submerged lands are owned by the  
22      USCG. As such, the U.S. Army Corps of Engineers (USACE) requires the USCG,  
23      as the applicant for required USACE permits, to prepare and submit this  
24      Supplemental EA (SEA) which is tiered from the approved Final EA for  
25      *Waterfront Repairs at United States Coast Guard Station Monterey, Monterey,*  
26      *California* (USCG 2014). This SEA evaluates potential environmental impacts of  
27      Proposed Action implementation in the context of updated environmental  
28      conditions following the completion of the original EA (USCG 2014), namely  
29      marine mammal abundance, locations, and potential impacts.

30      CEQ regulations and COMDTINST M16475.1D require that an EA identify and  
31      evaluate all reasonable alternatives, including a “No-Action Alternative” in  
32      which the Proposed Action is not undertaken; the USCG prepared an EA  
33      complying with those regulations for the waterfront repairs (USCG 2014). The  
34      information and analysis contained in this SEA supplements that EA and  
35      provides additional environmental analysis related to implementing the

1 Proposed Action and the No-Action Alternative. The information and analysis  
2 contained in this SEA together with the original EA (USCG 2014) will serve as  
3 the basis for a USCG decision if the Proposed Action would result in a significant  
4 impact to the environment, which would require the preparation of an  
5 Environmental Impact Statement (EIS), or if no significant impacts would occur  
6 and therefore a FONSI would be appropriate.

### 7 **1.3 OVERVIEW**

#### 8 **1.3.1 USCG Mission**

9 The USCG is this nation's first and oldest maritime agency. The USCG area of  
10 responsibility includes over 95,000 miles of US coastlines, waterways, and  
11 harbors; more than 3.36 million square miles of Exclusive Economic Zone and US  
12 territorial seas; and international waters or other maritime regions of importance  
13 to the US. The USCG is a multi-missioned military and maritime service within  
14 the Department of Homeland Security.

15 The USCG's 11 fundamental missions are ports, waterways, and coastal security;  
16 drug interdiction; aids to navigation; search and rescue; living marine resources;  
17 marine safety; defense readiness; migration interdiction; marine environmental  
18 protection; ice operations; and other law enforcement. Examples of these  
19 fundamental missions are:

- 20 • Protect all U.S. ports, inland waterways, harbors, navigable waters, the  
21 Great Lakes, territorial seas, contiguous waters, customs waters, coastal  
22 seas, littoral areas, the U.S. Exclusive Economic Zone, oceanic regions of  
23 the U.S. national interest, sea lanes to the U.S., U.S. maritime approaches,  
24 and high seas surrounding the nation;
- 25 • Protect the U.S. Marine Transportation System, which is comprised of the  
26 intermodal connections, vessels, vehicles, and system users, as well as all  
27 federal maritime navigation systems;
- 28 • Maintain maritime border security against illegal drugs, illegal aliens,  
29 firearms, and weapons of mass destruction;
- 30 • Ensure that U.S. military assets can be rapidly supplied and deployed by  
31 keeping USCG units at a high state of readiness, and by keeping marine

- 1 transportation open for the transit of assets and personnel from other  
2 branches of the armed forces;
- 3 • Coordinate efforts and intelligence with federal, state, and local agencies;
  - 4 • Respond to calls of distress, whether from commercial or recreational  
5 boats or downed aircraft;
  - 6 • Support programs to ensure that boats are safe for public use and that  
7 boats contain appropriate safety equipment;
  - 8 • Protect against illegal fishing and indiscriminate destruction of living  
9 marine resources; and
  - 10 • Prevent and respond to oil and hazardous material spills - both accidental  
11 and intentional.

### 12 **1.3.2 Regional Setting**

13 Station Monterey is located at Monterey Harbor, situated at the northeastern  
14 portion of the Monterey Peninsula (Figure 1-2). Monterey Bay is one of the  
15 widest bays on the Pacific Coast of the US and approximately 3.5 miles of  
16 coastline are within the city limits of Monterey; the Monterey Bay National  
17 Marine Sanctuary encompasses the entirety of the bay and further extends  
18 northward and southward along the Pacific Coast.

19 Monterey County generally consists of four prominent physiographic zones:  
20 inland and coastal mountain ranges, coastline and Monterey Bay, Monterey  
21 Peninsula, and Salinas and Carmel valleys. The coastal and valley areas in the  
22 central portion of the County support most of the County's population and  
23 urban development, including the cities of Salinas and Monterey.

24 The relatively undeveloped South County coastal and inland areas remain  
25 largely in agricultural production and open space. The Monterey Peninsula is  
26 characterized by a rugged coastline of granite and coastal sand dunes, as well as  
27 pine-covered ridgelines that separate the peninsula from Carmel and Carmel  
28 Valley.

No warranty is made by the USCG as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data. This map is a "living document," in that it is intended to change as new data become available and are incorporated into the GIS database.



DSEA

Project Area

FIGURE  
1-2

1    **1.3.3 Station Monterey**

2    Station Monterey is located at 100 Lighthouse Avenue in the City and County of  
3    Monterey, California. The Station’s area of responsibility extends 50 miles  
4    offshore for approximately 120 nautical miles of coastline, from Point Año Nuevo  
5    south to the Monterey-San Luis Obispo County line, encompassing 5,000 square  
6    miles.

7    The Station’s missions include maritime homeland security, search and rescue,  
8    maritime law enforcement, and public affairs. The Station works jointly with  
9    other agencies governing the Monterey Bay National Marine Sanctuary. The  
10   vessels that are used to support the Station’s missions are 21- to 25-foot rigid-hull  
11   inflatable boats; a 41-foot utility boat; a 47-foot motor life boat; and an 87-foot  
12   patrol boat (the Hawksbill). A NOAA vessel also uses Station facilities. Water  
13   depths in the harbor range from 0 feet mean lower low water (MLLW) along the  
14   interior edge, to about 30 feet MLLW at the harbor mouth.

15   The pier is located on the eastern portion of the Station’s waterfront facility along  
16   a breakwater that extends approximately 1,300 feet east into Monterey Harbor.  
17   The pier and floating docks are located on the southern side of the breakwater. A  
18   paved pier access road extends approximately 800 feet along the breakwater. The  
19   breakwater and pier access road are accessible to the general public; however,  
20   the USCG facilities are secured by fencing. The eastern end of the breakwater is a  
21   jetty, and is not accessible to the public; this area is inhabited throughout most of  
22   the year by seabirds (which use the jetty for nesting during spring and summer)  
23   and by California sea lions (which use the jetty as a haul-out site). Seabirds and  
24   California sea lions in the immediate project area are regularly exposed to human  
25   presence, boat traffic, and other common and continual disturbances at the  
26   Station Monterey and within Monterey Harbor, and are not easily deterred from  
27   the jetty. Pacific harbor seals and sea otters also use rocky outcroppings and  
28   waters within Monterey Harbor. The public is allowed to use a boat ramp at the  
29   head of the pier.

30   The pier is divided into eastern and western components. The western portion of  
31   the pier is not structurally sound, is fenced to prohibit access, and is not in use. A

1 floating dock located on the southern side of the eastern portion of the pier  
2 serves the USCG Hawksbill, as well as the NOAA vessel. An additional floating  
3 dock, located to the west of the western pier, is reached from the pier access  
4 road. A galvanized steel pipe (or *water line*) runs under the pier and provides  
5 water to the pier’s floating docks.

#### 6 **1.3.4 Breakwater, Pier, and Jetty**

7 Construction of the breakwater upon which the pier sits was completed in 1934.  
8 The pier was constructed by the early 1950s, of timber and steel, and is  
9 supported by 64 timber piles. In 1995, 47 of the original timber piles were  
10 replaced with 14-inch steel pipe piles, and the remaining 17 piles were covered  
11 with polyvinyl chloride (PVC) wraps to extend their service life. These 17 timber  
12 piles have exceeded their service life due to marine borers (i.e., marine  
13 organisms, such as mollusks, that feed on wood particles) and exposure to the  
14 marine environment, and therefore are in need of replacement. The pier deck  
15 and floating docks have also deteriorated as a result of exposure to the marine  
16 environment and regular use. Finally, exposure to the marine environment over  
17 time has resulted in severe corrosion of the water line, warranting its  
18 replacement.

### 19 **1.4 PURPOSE AND NEED OF THE PROPOSED ACTION**

20 As described in the Final EA for *Waterfront Repairs at United States Coast Guard*  
21 *Station Monterey, Monterey, California* (USCG 2014), the overarching *purpose* of the  
22 Proposed Action is to provide a safe and functioning waterfront infrastructure to  
23 enable the USCG to safely maintain its equipment and operate efficiently.

24 The overarching *need* for the Proposed Action is to repair and replace assets that  
25 have deteriorated over time to improve and maintain the structural integrity of  
26 the patrol boat pier and water line at Station Monterey.

### 27 **1.5 AGENCY AND PUBLIC INVOLVEMENT PROCESS**

28 *Scoping* is defined as the early and open process for determining the scope of  
29 issues to be addressed in the planning process and involves the public in

1 identification of significant issues associated with proposed federal actions. A 30-  
2 day scoping period for this project was originally held from 4 October through 2  
3 November 2012, initiated through distribution of scoping letters by the USCG to  
4 solicit input on the project from interested agencies and stakeholders. The notices  
5 provided a period during which comments could be submitted on key issues that  
6 relevant stakeholders felt should be addressed during the environmental review  
7 process. The stakeholder contact list, scoping letter, and associated scoping  
8 comments are included in Appendix C.

9 A Notice of Availability for the original Draft EA was published in the *Monterey*  
10 *County Herald* on 24 July 2013 announcing the availability for review by the  
11 public, agencies, and other interested parties of that document and a timeline for  
12 submitting comment and input; that Notice of Availability, a *Request for Comment*  
13 *Letter* sent to stakeholders, and comments received are included in Appendix D.

14 As part of the project planning process, USCG has worked closely with USFWS,  
15 NOAA, and the Central Coast Regional Water Quality Control Board  
16 (CCRWQCB) to identify opportunities and constraints as they relate to project  
17 design. USCG's goal is to avoid or minimize adverse environmental impacts to  
18 the extent feasible while maintaining the project's viability and its ability to meet  
19 the purpose and need.

20 For this SEA, a Notice of Availability was published in the *Monterey County*  
21 *Herald* on January 28, 2017 announcing the availability for review of that  
22 document and a timeline for submitting comment and input (Appendix E).

## 23 **1.6 SUMMARY OF ENVIRONMENTAL STUDY REQUIREMENTS**

24 This SEA has been prepared in accordance with the Department of Homeland  
25 Security Management Directive 023-01 and USCG COMDTINST Manual  
26 M16475.1D and is in compliance with requirements of NEPA and CEQ  
27 Regulations dated 28 November 1978 (40 CFR Parts 1500-1508). The primary  
28 legislation affecting these agencies' decision-making process is NEPA. This act  
29 and other facets of the environmental impact assessment process are described  
30 below.

1    **1.6.1 National Environmental Policy Act**

2    NEPA requires that federal agencies consider potential environmental  
3    consequences of proposed actions. The law’s intent is to protect, restore, or  
4    enhance the environment through well-informed federal decisions. The CEQ was  
5    established under NEPA for the purpose of implementing and overseeing federal  
6    policies as they relate to this process. In 1978, the CEQ issued Regulations for  
7    Implementing the Procedural Provisions of the National Environmental Policy  
8    Act (40 CFR §1500-1508 [CEQ 1978]). These regulations specify that an EA be  
9    prepared to:

- 10       • Briefly provide sufficient analysis and evidence for determining whether  
11       to prepare an EIS or a FONSI;
- 12       • Aid in an agency’s compliance with NEPA when no EIS is necessary; and
- 13       • Facilitate preparation of an EIS if one is necessary.

14    Further, to comply with other relevant environmental requirements (e.g., the Safe  
15    Drinking Water Act, Endangered Species Act [ESA], National Historic  
16    Preservation Act [NHPA], Coastal Zone Management Act [CZMA], etc.) in  
17    addition to NEPA, and to assess potential environmental impacts, the decision-  
18    making process for the Proposed Action involves a thorough examination of all  
19    environmental issues pertinent to the Proposed Action.

20    **1.6.2 Endangered Species Act**

21    The ESA of 1973 (16 USC §§ 1531–1544, as amended) established measures for  
22    the protection of plant and animal species that are federally listed as threatened  
23    and endangered, and for the conservation of habitats that are critical to the  
24    continued existence of those species. Federal agencies must evaluate the effects of  
25    their proposed actions through a set of defined procedures, which can include  
26    the preparation of a Biological Assessment (BA) and can require formal  
27    consultation with USFWS and/or NMFS under Section 7 of the ESA.

1 **1.6.3 Magnuson-Stevens Fishery Conservation and Management Act**

2 The Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA),  
3 as amended (*16 USC 1801 et seq.*) established: (1) A fishery conservation zone  
4 between the territorial seas of the U.S. and 200 nautical miles offshore; (2) An  
5 exclusive U.S. fishery management authority over fish within the fishery  
6 conservation zone (excluding highly migratory species); (3) Regulations for  
7 foreign fishing within the fishery conservation zone through international fishery  
8 agreements, permits, and import prohibitions; and, (4) National standards for  
9 fishery conservation and management and eight *regional fishery management*  
10 *councils* to apply those national standards in Fishery Management Plans (FMPs).

11 Congress enacted the 1996 amendments to the Act, known as the Sustainable  
12 Fisheries Act (SFA) (P.L. 104-297), to address the substantially reduced fish  
13 stocks that declined as a result of direct and indirect habitat loss. The SFA  
14 requires that agencies consult with the NMFS concerning actions that may  
15 adversely impact Essential Fish Habitat (EFH).

16 There is a requirement for USCG to consult with NMFS per the EFH provision if  
17 there “may be adverse effect to EFH” from implementation of the Proposed  
18 Action. In March 2013, the USCG submitted a BA – which included an EFH  
19 Assessment – to NOAA. Findings of the consultation process are presented in  
20 Appendix F.

21 **1.6.4 Clean Air Act and Conformity Requirements**

22 The Clean Air Act (CAA) (42 USC §§ 7401–7671, as amended) provided the  
23 authority for the U.S. Environmental Protection Agency (USEPA) to establish  
24 nationwide air quality standards to protect public health and welfare. Federal  
25 standards, known as the National Ambient Air Quality Standards (NAAQS),  
26 were developed for six criteria pollutants: ozone (O<sub>3</sub>), nitrogen dioxide (NO<sub>2</sub>),  
27 carbon monoxide (CO), sulfur dioxide (SO<sub>2</sub>), particulate matter (PM) 10 microns  
28 or less (PM<sub>10</sub>) and 2.5 microns or less (PM<sub>2.5</sub>), and lead (Pb). The CAA also  
29 requires that each state prepare a State Implementation Plan (SIP) for  
30 maintaining and improving air quality and eliminating violations of the NAAQS.  
31 Under the CAA Amendments of 1990, federal agencies are required to determine

1 whether their undertakings are in conformance with the applicable SIP and  
2 demonstrate that their actions will not cause or contribute to a new violation of  
3 the NAAQS; increase the frequency or severity of any existing violation; or delay  
4 timely attainment of any standard, emission reduction, or milestone contained in  
5 the SIP. The USEPA has set forth regulations in 40 CFR 51, Subpart W, which  
6 require the proponent of a Proposed Action to perform an analysis to determine  
7 if implementation of the action would conform to the SIP.

### 8 **1.6.5 Wetland and Water Resources Regulatory Requirements**

9 The Clean Water Act (CWA) of 1977 (33 USC §§ 1251 et seq.) regulates pollutant  
10 discharges that could affect aquatic life forms or human health and safety.  
11 Section 404 of the CWA, and Executive Order 11990, *Protection of Wetlands*,  
12 regulate development activities in or near streams or wetlands. Section 404 also  
13 regulates development in streams and wetlands and requires a permit from the  
14 USACE for dredging and filling in wetlands. Executive Order 11988, *Floodplain*  
15 *Management*, requires federal agencies to take action to reduce the risk of flood  
16 damage; minimize the impacts of floods on human safety, health, and welfare;  
17 and to restore and preserve the natural and beneficial values served by  
18 floodplains. Federal agencies are directed to consider the proximity of their  
19 actions to or within floodplains.

### 20 **1.6.6 Coastal Zone Consistency Determination**

21 The Federal CZMA of 1972 creates a state-federal partnership to ensure the  
22 protection of coastal resources. In compliance with this law and in order to  
23 address coastal problems and provide a means for resolving them, the State of  
24 California developed the California Coastal Management Program (CCMP). The  
25 CCMP is designed to protect valuable and vulnerable coastal resources by  
26 reducing coastal hazards and improving the review process for activities  
27 proposed within the coastal zone. The CCMP was federally approved in 1977  
28 and identifies two designated coastal zone management agencies that implement  
29 the federal consistency provisions: (1) the California Coastal Commission (CCC)  
30 for all coastal areas outside San Francisco Bay; and (2) the San Francisco Bay  
31 Conservation and Development Commission (BCDC) for the coastal areas in San  
32 Francisco Bay.

1 Given the project's location in Monterey Bay, the CCC serves as the State's  
2 reviewer for activities proposed at Station Monterey. The CCC considers the  
3 *enforceable policies* contained in Chapter 3 of the California Coastal Act as the  
4 most important portion of the CCMP; these policies specifically address the  
5 following six management elements: *Public Access, Recreation, Marine*  
6 *Environment, Land Resources, Development, and Industrial Development.*

7 Federal regulations implementing the CCMP require the State agency to inform  
8 the federal agency of its agreement or disagreement with the federal agency's  
9 consistency determination. Therefore, the Proposed Action and Alternatives to  
10 the Proposed Action analyzed in this NEPA-compliant process required the  
11 USCG to submit a consistency determination to the CCC and a response from the  
12 State of California of either agreement or disagreement with that determination.

13 On 17 May 1995, the CCC issued a Negative Determination for wharf repairs by  
14 the Coast Guard at Monterey addressing replacement of decking, damaged  
15 beams and associated fixtures, repairing and recoating steel girders and beams,  
16 reinforcing damaged and exposed timber piles, and replacing damaged timber  
17 piles with concrete and steel piles (ND-34-95, Appendix G). To support the  
18 current waterfront repairs effort, on 23 February 2015 the USCG submitted a  
19 request to the CCC to amend ND-34-95 to include the contemplated waterfront  
20 repair activity. In response, CCC staff agreed that the proposed pier facilities  
21 repair and replacement work at Station Monterey would not adversely affect  
22 coastal resources and provided their concurrence with a Negative Determination  
23 which remains valid as long as project elements and other agency concurrence  
24 does not change (Appendix G).

### 25 **1.6.7 California Environmental Quality Act**

26 The California Environmental Quality Act (CEQA) is a statute that requires state  
27 and local agencies to identify any significant environmental impacts of actions  
28 and to avoid or mitigate those impacts, as feasible. CEQA applies to certain  
29 activities of state and local public agencies. A public agency must comply with  
30 CEQA when it undertakes an activity defined by CEQA as a *project*. A project is  
31 an activity undertaken by a public agency or a private activity which must  
32 receive a discretionary permit or approval from a government agency which may

1 cause either a direct physical change in the environment or a reasonably  
2 foreseeable indirect change in the environment. Every development project  
3 which requires a discretionary governmental approval requires some level of  
4 environmental review pursuant to CEQA, unless an exemption applies.

5 Because actions proposed at Station Monterey required permits or approvals  
6 from agencies that must comply with CEQA - specifically the issuance of Water  
7 Quality Certification under Section 401 of the CWA by the CCRWQCB - the  
8 previously prepared EA also included discussion of topics relevant to  
9 compliance with CEQA (USCG 2014). Although the EA was not a joint  
10 NEPA/CEQA document, discussion of topics relevant to CEQA was included to  
11 assist state and local agencies providing approval for this project in meeting  
12 CEQA compliance requirements.

13 In the case of the Proposed Action, the CCRWQCB determined that the project  
14 was statutorily exempt from detailed CEQA analysis; statutory exemptions are  
15 descriptions of types of projects for which the California Legislature has  
16 provided a blanket exemption from CEQA procedures and policies. On 15 May  
17 2015, the CCRWQCB issued a Notice of Exemption for the project under Section  
18 15301 *Existing Facilities* (Appendix H).

### 19 **1.6.8 Cultural Resources Regulatory Requirements**

20 The NHPA of 1966 (16 USC § 470) established the National Register of Historic  
21 Places (NRHP) and the Advisory Council on Historic Preservation (ACHP)  
22 which outlined procedures for the management of cultural resources on federal  
23 property. Cultural resources can include archaeological remains, architectural  
24 structures, and traditional cultural properties such as ancestral settlements,  
25 historic trails, and places where significant historic events occurred. The NHPA  
26 requires federal agencies to consider potential impacts on cultural resources that  
27 are listed, nominated to, or eligible for listing on the NRHP; designated a  
28 National Historic Landmark; or valued by modern Native Americans for  
29 maintaining their traditional culture. Section 106 of NHPA requires federal  
30 agencies to consult with the appropriate State Historic Preservation Office  
31 (SHPO) if their undertaking might affect such resources. Protection of Historic  
32 and Cultural Properties (36 CFR 800 [2004]) provides an explicit set of

1 procedures for federal agencies to meet their obligations under the NHPA, which  
2 includes inventorying of resources and consultation with SHPO.

3 Executive Order 13007, *Indian Sacred Sites*, directs federal land (any land or  
4 interests in land owned by the U.S., including leasehold interests held by the  
5 U.S., except Indian trust lands) managing agencies to accommodate access to,  
6 and ceremonial use of, Indian sacred sites (any specific, discrete, narrowly  
7 delineated location on federal land that is identified by an Indian tribe [an Indian  
8 or Alaska Native tribe, band, nation, Pueblo, village, or community that the  
9 Secretary of the Interior acknowledges to exist as an Indian tribe pursuant to  
10 Public Law No. 103-454, 108 Stat. 4791, an "Indian" refers to a member of such an  
11 Indian tribe] or Indian individual determined to be an appropriately  
12 authoritative representative of an Indian religion, as sacred by virtue of its  
13 established religious significance to, or ceremonial use by, an Indian religion)  
14 provided that the tribe or appropriately authoritative representative of an Indian  
15 religion has informed the agency of the existence of such a site.

16 The American Indian Religious Freedom Act (AIRFA) (42 USC § 1996)  
17 established federal policy to protect and preserve the rights of Native Americans  
18 to believe, express, and exercise their traditional religions, including providing  
19 access to sacred sites. The Native American Graves Protection and Repatriation  
20 Act (NAGPRA) (25 USC §§ 3001-3013) requires consultation with Native  
21 American Tribes prior to excavation or removal of human remains and certain  
22 objects of cultural importance.

### 23 **1.6.9 Sustainability and Greening**

24 Executive Order 13514, *Federal Leadership in Environmental, Energy, and Economic*  
25 *Performance*, strives to improve efficiency and environmental performance in  
26 federal agencies by setting goals in the areas of energy efficiency, greenhouse gas  
27 emission mitigation, water conservation, waste management and recycling,  
28 green procurement, pollution prevention, and livable communities, among  
29 others. The Executive Order specifies that every federal organization and agency  
30 must make the reduction of greenhouse gas emissions a priority and establishes  
31 specific goal-setting, inventorying, and reporting requirements for federal  
32 agencies. This includes an order for each agency to develop, implement, and

1 update a Strategic Sustainability Performance Plan, which should work toward  
2 continual improvement of sustainable practices associated with federal actions.

3 **1.7 SCOPE OF THE ENVIRONMENTAL ASSESSMENT**

4 This EA supplements the Final EA for *Waterfront Repairs at United States Coast*  
5 *Guard Station Monterey, Monterey, California* (USCG 2014) since baseline  
6 environmental conditions for biological resources (specifically marine mammal  
7 abundance) have been deemed by NOAA / NMFS to be dated and require  
8 update – and related environmental consequences require corresponding update.

9 As a supplement to the *Environmental Assessment for Waterfront Repairs at United*  
10 *States Coast Guard Station Monterey, Monterey, California* (USCG 2014), this SEA:

- 11 • Reaffirms consistency of potential environmental impacts associated with  
12 implementation of the current Proposed Action against that evaluated in  
13 2014,
- 14 • Presents updated environmental conditions, and
- 15 • Assesses potential environmental impacts of the project to those updated  
16 resources that would likely be affected by implementation of the Proposed  
17 Action.

18 In this case, this SEA evaluates the following environmental resources:

- 19 • Noise and Vibration
- 20 • Water Quality / Water Resources, and
- 21 • Biological Resources.

22 As such – and per NEPA – those environmental resources that are anticipated to  
23 experience either no or negligible impacts under implementation of the Proposed  
24 Action or its alternatives, or those whose environmental conditions remain  
25 unchanged from the analysis presented in the Final EA for *Waterfront Repairs at*  
26 *United States Coast Guard Station Monterey, Monterey, California* (USCG 2014) are  
27 not examined in detail in this supplement. These environmental resources  
28 include:

- 29 • Cultural Resources;

- 1 • Geological and Soils;
- 2 • Hazardous Materials and Public Safety;
- 3 • Air Quality and Greenhouse Gases;
- 4 • Coastal Zone;
- 5 • Visual Resources;
- 6 • Recreation;
- 7 • Transportation, Navigation, and Access;
- 8 • Socioeconomics and Environmental Justice; and
- 9 • Utilities.

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**SECTION 2  
PROPOSED ACTION AND ALTERNATIVES**

As discussed in Section 1, *Purpose and Need*, this effort follows the January 2014 completion of the Final EA and Finding of No Significant Impact (FONSI) for proposed waterfront repairs. That EA analyzed the potential impacts of the same waterfront repairs at Station Monterey and included the Proposed Action, two alternatives considered but not carried forward for further analysis, and the No-Action Alternative.

As part of the permitting process, the USCG received IHAs from the USFWS and NOAA / NMFS (see Appendix A and Appendix B); however, construction of the proposed waterfront repairs was not initiated prior to the expiration of the IHAs. Upon request for extension of the IHAs, NMFS indicated that the data upon which the EA and IHAA relied were deemed dated and required update in baseline conditions and impact assessment in the NEPA-compliant document and in an updated IHAA. Therefore, USCG has prepared this SEA to update environmental resource information and impact assessment from the original EA.

Two alternatives are analyzed in detail in this SEA: the Proposed Action and the No Action Alternative. Although it does not meet the project’s purpose and need, the No Action Alternative is described in Section 2.2 and is evaluated in the SEA as required by NEPA.

**2.1 PROPOSED ACTION ELEMENTS AND INSTALLATION METHODS**

The Proposed Action elements have not changed since the final EA completed in 2014; however, details of component implementation have been identified that were not specified in previous Proposed Action. Under the current and previous Proposed Action, the USCG proposes to repair and perform related maintenance activities associated with the failing pier at Station Monterey located on the eastern portion of the Station’s waterfront facility. The pier is constructed of timber and steel material and is supported by 64 piles. In 1995, 47 of the original timber piles were replaced with 14-inch steel pipe piles and the remaining 17 timber piles had polyvinyl chloride (PVC) pile wraps installed. The 17 remaining

1 timber piles are load-bearing piles that have exceeded their service life partially  
2 due to marine bores and the harsh marine environment and they need to be  
3 replaced. The proposed maintenance activities include:

- 4 • Replace 17 timber piles and associated bracing and hardware
- 5 • Replace decking and stringers above each pile
- 6 • Repair existing upper guide pile bracing
- 7 • Replace upper and lower braces and collars associated with guide piles

8 All work would be conducted during the approved in-water work window  
9 between June 15 and October 15 and would be conducted from a barge.

#### 10 **File and Deck Replacement**

11 The Proposed Action would include removing 25 square feet (sf) of existing  
12 timber decking at each proposed pile replacement location (for a total of 400 sf)  
13 and associated stringers in order to access each pile. The existing 14- to 16-inch  
14 treated timber piles, and associated bracing and hardware, would then be  
15 removed, with piles to be extracted using a vibratory hammer.

16 Pile replacement would involve driving 14-inch coated steel piles in the same  
17 location the existing piles were extracted from. The majority of pile driving  
18 would be conducted with a vibratory hammer, with an impact hammer used to  
19 proof piles. If, due to substrate or jetty armor, a pile is unable to be driven to 30  
20 feet below the mud line with an vibratory hammer, the pipe pile would be  
21 posted onto the armor stone using concrete. Bracing and associated hardware  
22 would then be replaced, stringers set, and decking installed.

#### 23 **Guide Pile Maintenance**

24 The bracing associated with guide piles on adjacent floating docks is in need of  
25 repair. Bracing would be re-welded at 11 piles total. In addition, associated  
26 support for the guide piles - including brackets, collars, and hardware - would  
27 be replaced.

1    **Water Line Replacement**

2    To replace the failing line providing water to the pier, replacement would entail  
3    removal of approximately 175 feet of existing 3-inch galvanized steel pipe water  
4    line, hangers, and side connections and replacement with approximately 175 feet  
5    of new 3-inch galvanized steel pipe water line, hangers, and side connections.

6    **Installation Methods and Duration**

7    Repairs would require a maximum of 60 work days for completion. An average  
8    work day (beginning 2 hours after sunrise, and ending 2 hours before sunset) is  
9    approximately 8 to 9 hours, depending on the month. Based on the proposed  
10   repairs, it is assumed that two to eight piles per day would be both extracted and  
11   installed depending on potential restrictions associated with installation in and  
12   around armor stone. Pile-driving activities would therefore occur for an  
13   estimated minimum of three (3) days and a maximum of eight (8) days of the  
14   total construction time. It is assumed that driving time would be about 20  
15   minutes per pile for vibratory or impact pile driving, but may increase  
16   significantly if piles require to be posted. It is assumed that vibratory extraction  
17   of the existing piles would take about 10 minutes per pile. Pile driving and  
18   extraction would therefore result in an estimated 240 minutes per day. This  
19   would total 510 minutes for the total project or approximately 8.5 hours of  
20   underwater and airborne noise generation from pile driving over the course of  
21   the project construction.

22   **Best Management Practices**

23   The following Best Management Practices (BMPs) would be used to minimize  
24   potential impact to biological resources, water resources, and/or the human  
25   environment:

- 26       • Pre-drilling would be permitted and would be discontinued when the pile  
27       tip is approximately 5 feet above the required pile tip elevation.
- 28       • Noise attenuation systems (i.e., bubble curtains and cushion pads) would  
29       be used during all impact pile driving to interrupt the acoustic pressure  
30       and reduce impact on marine mammals, birds, and fish. By reducing  
31       underwater sound pressure levels at the source, bubble curtains would

- 1           reduce the area over which both Level A and B harassment would occur,  
2           thereby potentially reducing the numbers of marine mammals affected.
- 3           ○ Because the existing conditions include sloped topography and  
4           riprap, care would be taken when placing the bubble curtain to  
5           ensure a good seal is formed.
- 6           • Marine mammal monitoring would be conducted by qualified observers  
7           familiar with marine mammal species and their behavior. The observer  
8           would monitor the exclusion zone from the most practicable vantage  
9           point possible (the pier itself, the breakwater, adjacent boat docks in the  
10          harbor, or a boat) to determine whether marine mammals enter the  
11          exclusion zone.
- 12          • Hydroacoustic monitoring would be conducted during impact pile  
13          driving.
- 14          • A “soft-start” would be implemented to allow marine mammals to vacate  
15          the area before the pile driver reaches full power. For vibratory hammers,  
16          the contractor would initiate the driving for 15 seconds at reduced energy,  
17          followed by a 1-minute waiting period when there has been downtime of  
18          30 minutes or more. This procedure would be repeated two additional  
19          times before continuous driving is started. This procedure would also  
20          apply to vibratory pile extraction. For impact driving, an initial set of three  
21          strikes would be made by the hammer at 40 percent energy, followed by a  
22          1-minute waiting period, then two subsequent three-strike sets before  
23          initiating continuous driving.
- 24          • All work would be conducted within the approved in-water work  
25          window of June 15 and October 15., and during daylight hours.
- 26          • To the maximum extent possible, project-related debris would not be  
27          allowed to enter the water; any project-related debris that inadvertently  
28          enters the water would be removed.
- 29          • If posting (i.e. cementing replacement piles to existing armoring/riprap) is  
30          required, watertight formwork would be placed and concrete would be  
31          pumped into the form until full. Care would be taken not to spill or  
32          overtop the forms.
- 33          • Construction equipment would be kept in good repair without leaks of  
34          hydraulic or lubricating fluids. If such leaks or drips do occur, they would  
35          be cleaned up immediately. Drip pans would be utilized when vehicles  
36          are parked. Equipment maintenance and/or repair would be confined to  
37          one location. Runoff from this area would be controlled to prevent  
38          contamination of soils and water. Fueling of land-based vehicles and  
39          equipment would take place at least 50 feet away from the water (and

1 away from drains), preferably over an impervious surface. Fueling of  
2 vessels would be performed at approved fueling facilities. Staging would  
3 occur in the parking lot adjacent to the Station.

- 4 • To the maximum extent practicable equipment and material would be  
5 lowered to the bottom in a controlled manner. This could include the use  
6 of cranes, winches, or other equipment that affect positive control over the  
7 placement and rate of decent.
- 8 • Spill kits would be kept at Station Monterey at all times.
- 9 • The contractor would be required to implement a Storm Water Pollution  
10 Prevention Plan to control/eliminate storm water runoff from entering the  
11 harbor.
- 12 • A site-specific spill control plan would be prepared for the project.
- 13 • A containment system would be placed under the deck during removal  
14 and installation of decking and associated fittings. The containment  
15 system would be used to catch splintering wood, fittings, etc.
- 16 • Impact drivers used to install steel-piles would use hammer cushions and  
17 bubble curtains to reduce underwater sound created during pile driving.
- 18 • A silt curtain / turbidity curtain would be installed around the project  
19 area to reduce the potential for sediments to leave the immediate vicinity.

## 20 **2.2 NO ACTION ALTERNATIVE**

21 CEQ regulations implementing NEPA require that a No Action Alternative be  
22 analyzed to provide a baseline for comparison with the Proposed Action. The No  
23 Action Alternative identifies and describes the potential environmental impacts  
24 of the status quo (i.e., if the Proposed Action were to not be implemented).

25 Under the No Action Alternative, the USCG would not take action to provide  
26 necessary waterfront repairs at Station Monterey: the pier and associated  
27 infrastructure would remain unrepaired and would continue to deteriorate  
28 under existing environmental conditions. The USCG would likely lose use of  
29 these facilities due to structural inadequacy or failure, not only compromising its  
30 ability to meet its mission but also creating environmental and human safety  
31 hazards in the vicinity of Station Monterey. Under this alternative, the USCG  
32 would continue routine minor maintenance of the facilities - including filling  
33 gaps between the pier and jetty concrete slab and replacement of corroded

1 hardware on pile girders. The No Action Alternative would not meet the  
2 project's purpose and need.

3 **2.3 ALTERNATIVES CONSIDERED BUT ELIMINATED FROM DETAILED ANALYSIS**

4 Several alternatives to the Proposed Action were identified and preliminarily  
5 evaluated during project planning and development. These alternatives were  
6 eliminated from further consideration and are not analyzed in detail in this  
7 supplemental EA. Further, alternatives described in the original EA are not  
8 discussed herein.

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**SECTION 3  
AFFECTED ENVIRONMENT**

This section describes pertinent existing environmental conditions for resources potentially affected by the Proposed Action. In compliance with the NEPA, Council of Environmental Quality (CEQ) regulations, and USCG Commandant’s Instruction Manual M16475.1D, the description of the affected environment focuses on only those aspects potentially subject to impacts.

In the case of the Proposed Action at Station Monterey, the affected environment description is limited primarily to Station Monterey and, regionally, to the adjacent areas in Monterey Bay. Resource descriptions focus on the resources that would have the potential to be affected by implementation of the Proposed Action activities and/or resource areas that may have changed since publication of the original Final EA, including:

- Noise
- Water Quality and Resources, and
- Biological Resources.

Many environmental resources were either evaluated or identified as not requiring extensive evaluation in the original Final EA. The Proposed Action evaluated in this SEA is not anticipated to cause additional environmental impact to those resources beyond what was previously determined. Further, in accordance with NEPA, those environmental resource areas that are anticipated to experience either no or negligible environmental impact under implementation of the Proposed Action or its alternatives are not examined in detail. The environmental resources not examined further in this SEA include:

- Cultural Resources;
- Geological and Soils;
- Hazardous Materials and Public Safety;
- Air Quality and Greenhouse Gases;
- Coastal Zone;
- Visual Resources;

- 1 • Recreation;
- 2 • Transportation, Navigation, and Access;
- 3 • Socioeconomics and Environmental Justice; and
- 4 • Utilities.

1   **3.1   NOISE**

2   The noise environment has not changed since the original Final EA; however,  
3   noise generated during the proposed project may affect biological resources, and  
4   therefore this resource area has been evaluated in this Draft SEA.

5   **3.1.1   Definition of Resource**

6   Noise is defined as unwanted sound or, more specifically, as any sound that is  
7   undesirable because it interferes with communication, is intense enough to  
8   damage hearing, or is otherwise annoying (Federal Interagency Committee on  
9   Noise [FICON] 1992). Human response to noise can vary according to the type  
10   and characteristics of the noise source, the distance between the noise source and  
11   the receptor, the sensitivity of the receptor, and the time of day.

12   **Table 3-1.   Typical Noise Sources**

| Source                    | Distance<br>(feet) | Noise Level<br>(dBA) |
|---------------------------|--------------------|----------------------|
| Automobile, 40 mph        | 50                 | 72                   |
| Automobile Horn           | 10                 | 95                   |
| Light Automobile Traffic  | 100                | 50                   |
| Truck, 40 mph             | 50                 | 84                   |
| Heavy Truck or Motorcycle | 25                 | 90                   |

13   Notes: mph = miles per hour.  
14   dBA = A-Weighted Sound Level

15   Airborne noise levels from vibratory and impact driving are based on  
16   measurements made during a Navy Test Pile Project in Bangor, Washington  
17   (NAVFAC 2012). For vibratory driving, the greatest unweighted maximum noise  
18   level ( $L_{max}$ ) measured was 102 dB, and the average  $L_{max}$  was 97 dB at 50 feet or 15  
19   meters. For impact driving, the greatest  $L_{max}$  was 112 dB, and the average  $L_{max}$   
20   was 103 dB at 50 feet or 15 meters.

21   **3.1.2   Existing Conditions**

22   A survey of ambient sound levels was conducted in the project area in  
23   August 2012. Results from that survey found that the median daytime sound  
24   level ranged from 62 to 68 decibels (dB; C-weighted). The highest noise levels

1 were found to originate from barking sea lions and seagulls; however, other  
2 noise sources contributing to background noise levels include boat traffic  
3 (recreational and commercial), motor traffic (adjacent parking, boat ramp, and  
4 roadways), occasional aircraft, and other marine sea and wildlife using the jetty.

5 Noise-sensitive receptors are, in general, those areas of human habitation or  
6 substantial use where the intrusion of noise has the greatest potential to  
7 adversely affect the occupancy, use, or enjoyment of the environment. Two  
8 parks - San Carlos Beach Park and Fisherman's Shoreline Park - are located  
9 within 600 feet of the project area.

1 **3.2 WATER RESOURCES**

2 **3.2.1 Definition of Resource**

3 Water resources analyzed for this SEA include surface and groundwater  
4 resources. The quality and availability of surface and groundwater and potential  
5 for flooding are addressed in this section. Surface water resources comprise  
6 lakes, rivers, and streams and are important for a variety of reasons including  
7 economic, ecological, recreational, and human health. Groundwater comprises  
8 the subsurface hydrologic resources of the physical environment and is an  
9 essential resource in many areas; groundwater is commonly used for potable  
10 water consumption, agricultural irrigation, and industrial applications.  
11 Groundwater properties are often described in terms of depth to aquifer, aquifer  
12 or well capacity, water quality, and surrounding composition.

13 Water resources are also important because of their role in determining historical  
14 migratory and settlement patterns of virtually all mammals; influence on nesting  
15 and migratory activities of many bird species; contribution to the evolution of  
16 landforms through their roles in the erosion process; and their participation in  
17 critical global systems including hydrologic cycle, temperature modification, and  
18 oxygen replenishment.

19 Other issues relevant to water resources include watershed areas affected by  
20 existing and potential runoff and hazards associated with floodplains.  
21 Floodplains are belts of low, level ground present on one or both sides of a  
22 stream channel and are subject to either periodic or infrequent inundation by  
23 floodwater. Inundation dangers associated with floodplains have prompted  
24 Federal, state, and local legislation that limits development in these largely to  
25 recreation and preservation activities. For example, Executive Order 11988,  
26 *Floodplain Management*, requires actions to minimize flood risk and impacts.  
27 Under this order, development alternatives must be considered, and  
28 development must be in accordance with specific federal, state, and local  
29 floodplain regulations.

30 The CWA is the primary federal law establishing and governing water quality  
31 standards in surface waters of the US, and includes regulations for discharges of

1 pollutants into these waters. The USEPA delegates the administration of many of  
2 the programs under this act to state agencies; however, Sections 401 and 404 of  
3 the CWA are monitored and enforced by the USACE. The objective of the act is  
4 to restore and maintain the chemical, physical, and biological integrity of the  
5 nation's waters. The CWA includes the following sections that are applicable to  
6 the Proposed Action or alternatives:

- 7 • Section 303 of the CWA requires states to adopt surface water quality  
8 standards that define designated users and water quality criteria, and to  
9 adopt an anti-degradation policy. Section 303(d) (the 303[d] list) of the  
10 CWA requires states to maintain a list of impaired water bodies in order  
11 to develop Total Maximum Daily Load thresholds for these waters.
- 12 • Section 304 of the CWA directs the EPA to publish National  
13 Recommended Water Quality Criteria to aid states in developing surface  
14 water quality standards that are sufficient for protection of aquatic life and  
15 human health. This includes the Aquatic Life Criteria list with chemical  
16 concentration goals to protect surface water for aquatic life.
- 17 • Section 401 of the CWA requires federal agencies to obtain certification  
18 from states or before issuing permits that would result in increased  
19 pollutant loads to a water body. The certification is issued only if such  
20 increased loads would not cause or contribute to an exceedance of water  
21 quality standards.
- 22 • Section 402 created the National Pollutant Discharge Elimination System  
23 (NPDES) permit program. This program requires a NPDES permit for  
24 point sources of pollution discharging into a surface water body.

25 *Wetlands* are defined by the USACE and USEPA as “those areas that are  
26 inundated or saturated by surface or groundwater at a frequency and duration  
27 sufficient to support, and that under normal circumstances do support, a  
28 prevalence of vegetation typically adapted for life in saturated soil conditions.  
29 Wetlands generally include swamps, marshes, bogs, and similar areas” (33 CFR  
30 328.3 [b]; 1984). Hydric soils are those that are saturated, flooded, or ponded for  
31 sufficient periods during the growing season and that develop anaerobic  
32 conditions in their upper horizons (i.e., layers). Wetland hydrology is determined  
33 by the frequency and duration of inundation and soil saturation; permanent or  
34 periodic water inundation or soil saturation is considered an important force in  
35 wetland establishment and proliferation. Jurisdictional wetlands are those

1 subject to regulatory authority under Section 404 of the CWA and Executive  
2 Order 11990, *Protection of Wetlands*.

3 The National Marine Sanctuaries Act requires federal agencies whose actions are  
4 “likely to destroy, cause the loss of, or injure a sanctuary *resource*” to consult with  
5 NOAA before taking the action. A permit is required to conduct an activity  
6 within a sanctuary that would otherwise be prohibited by sanctuary regulations.  
7 The National Marine Sanctuary Program regulations are contained in 15 CFR  
8 Part 922; Subpart M includes regulations specific to the Monterey Bay National  
9 Marine Sanctuary.

### 10 **3.2.2 Existing Conditions**

#### 11 Surface Water

12 Although not identified in the original Final EA, Station Monterey and adjacent  
13 waters are located in Monterey Bay which is designated as a National Marine  
14 Sanctuary. The National Marine Sanctuary includes a 6,094 square statute miles  
15 (4,601 nmi<sup>2</sup>) ocean area from the mean high tide line to as far as 50 miles offshore  
16 between Cambria and the Marin Headlands and includes the project area.  
17 Projects conducted within the National Marine Sanctuary may have permit  
18 requirements prior to construction. Additionally, Sanctuary Ecologically  
19 Significant Areas (SESAs) have been designated within the Monterey Bay  
20 National Marine Sanctuary. However, Station Monterey and the adjacent waters  
21 are located outside of any SESAs.

22 Coastal areas of Monterey Bay - including harbors, lagoons, estuaries, and  
23 tributaries - are known to have elevated levels of nitrates, sediments, persistent  
24 pesticides, metals, bacteria, pathogens, detergents, and oils; other sources of  
25 marine water pollution include marinas and vessel pollution, spill incidents, and  
26 illegal dumping (NOAA 2008). Monterey Harbor is designated under CWA  
27 Section 303(d) as an impaired water body for both sediment toxicity and metals  
28 (general) (CCoWS 2016<sup>1</sup>).

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<sup>1</sup> accessed through:  
[http://ccows.csUMB.edu/wiki/index.php/The\\_303d\\_list\\_of\\_Impaired\\_Waterbodies\\_in\\_the\\_Monterey\\_Bay\\_Region](http://ccows.csUMB.edu/wiki/index.php/The_303d_list_of_Impaired_Waterbodies_in_the_Monterey_Bay_Region)

1 Groundwater

2 The project area is located within the Monterey Peninsula Watershed  
3 Management District which receives groundwater through a system privately  
4 owned and operated by California American Water (Monterey County 2016a<sup>2</sup>).  
5 The County is currently working to address preservation and replenishment of  
6 their existing water supply, which is drawn from the Seaside groundwater basin  
7 and the Carmel basin aquifer.

8 Wetlands

9 Although not identified in the original Final EA, According to the National  
10 Wetlands Inventory the majority of the project area falls within *Estuarine and*  
11 *Marine Deepwater* wetland category with the area directly adjacent to the pier  
12 classified as *Estuarine and Marine Wetland* (USFWS 2016<sup>3</sup>).

13 Floodplains

14 The western end of the jetty and the parking lot are located with *Zone VE*. The  
15 remaining portion of Station Monterey is not mapped for flood hazards. *Zone VE*  
16 designation is applicable to areas within the Coastal Flood Zone with velocity  
17 hazard and a base flood elevation of 20 feet.

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<sup>2</sup> accessed through: <https://www.co.monterey.ca.us/home/showdocument?id=1073>

<sup>3</sup> accessed through: <https://www.fws.gov/wetlands/Data/Mapper.html>



**DSEA**

**Approximate Wetland Locations in the Project Area**

**FIGURE 3-1**

No warranty is made by the USCG as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data. This map is a "living document," in that it is intended to change as new data become available and are incorporated into the GIS database.

1   **3.3   BIOLOGICAL RESOURCES**

2   **3.3.1   Definition of Resource**

3   Biological resources include native or naturalized plants and wildlife and the  
4   habitats in which they occur. Sensitive biological resources are defined as those  
5   plant and wildlife species listed as threatened or endangered, or proposed as  
6   such, by the USFWS or the NOAA (NMFS). The Federal ESA of 1973 protects  
7   listed species against take, which includes killing, harming, harassing, or any  
8   action that may damage their habitat. Federal candidate species receive no  
9   statutory protection under the ESA; however, cooperative conservation of these  
10   species is encouraged because they are, by definition, species that may warrant  
11   future protection under the ESA (USFWS 2014).

12   **3.3.2   Existing Conditions**

13   3.3.2.1   Terrestrial Biological Resources

14   Station Monterey is an active pier with both USCG and NOAA vessels mooring  
15   at the location (see Appendix J). The terrestrial portion of the project area consists  
16   of the existing dock and jetty. No terrestrial vegetation or habitat exists within  
17   the project area. Species that may use upland portions of the project area, such as  
18   the pier, jetty, and shoreline areas include birds and California sea lions.  
19   California sea lions are discussed in more detail under aquatic biological  
20   resources below.

21   **Birds.** The jetty is an active roosting site for the California brown pelican,  
22   Brandt’s cormorants, and various gulls. Seabirds are particularly active at the  
23   eastern end of the jetty where Brandt’s cormorants nest during the spring and  
24   summer months. A total of 26 bird species protected through the Migratory Bird  
25   Treaty Act (MBTA) and/or California Department of Fish and Wildlife (CDFW)  
26   are expected to fly over, forage, and/or rest in the vicinity of the project area.  
27   Reported bird sightings at Station Monterey indicate a higher diversity of species  
28   during the winter and spring months (USCG 2014). No federally listed  
29   threatened or endangered birds have the potential to occur in the project area  
30   due to lack of suitable habitat.

1 **Table 3-2. Protected Bird Species Expected to Occur in the Vicinity of the**  
2 **Project Area**

| Nearshore Seabirds         |                                            | Shorebirds and Wading Birds |                                |
|----------------------------|--------------------------------------------|-----------------------------|--------------------------------|
| Brandt's cormorant         | <i>Phalacrocorax penicillatus</i>          | Black oystercatcher         | <i>Haematopus bachmani</i>     |
| California brown pelican   | <i>Pelecanus occidentalis californicus</i> | Black turnstone             | <i>Arenaria melanocephala</i>  |
| California gull            | <i>Larus californicus</i>                  | Great blue heron            | <i>Ardea herodias</i>          |
| Double-crested cormorant   | <i>Phalacrocorax auritus</i>               | Great egret                 | <i>Ardea alba</i>              |
| Heermann's gull            | <i>Larus heermanni</i>                     | Red phalarope               | <i>Phalaropus fulicarius</i>   |
| Mew gull                   | <i>Larus canus</i>                         | Ruddy turnstone             | <i>Arenaria interpres</i>      |
| Pelagic Cormorant          | <i>Phalacrocorax pelagicus</i>             | Snowy egret                 | <i>Egretta thula</i>           |
| Western gull               | <i>Larus occidentalis</i>                  | Surfbird                    | <i>Aphriza virgata</i>         |
| Loons and Grebes           |                                            | Whimbrel                    | <i>Numenius phaeopus</i>       |
| Black-necked (eared) grebe | <i>Podiceps nigricollis</i>                | Sea Ducks                   |                                |
| Clark's grebe              | <i>Aechmophorus clarkii</i>                | Red-breasted merganser      | <i>Mergus serrator</i>         |
| Common loon                | <i>Gavia immer</i>                         | Surf scoter                 | <i>Melanitta perspicillata</i> |
| Horned grebe               | <i>Podiceps auritus</i>                    |                             |                                |
| Pacific loon               | <i>Gavia pacifica</i>                      |                             |                                |
| Pied-billed grebe          | <i>Podilymbus podiceps</i>                 |                             |                                |
| Western grebe              | <i>Aechmophorus occidentalis</i>           |                             |                                |

3 Source: USCG 2014; Species list determined by field observations (B. Hoover & J. Harvey 2008; E.M. Phillips  
4 & J. Harvey 2004; J. Harvey & B. Hoover 2009) and reports submitted to eBird.

### 5 3.3.2.2 Aquatic Biological Resources

6 Monterey Bay is a unique marine environment with a variety of communities  
7 including the rocky marine community, kelp forest community, sandy tidal and  
8 subtidal community, open water community, and haul-out and roosting sites.

9 The immediate project area consists of developed piers and upland urban  
10 development. Nearshore habitat diversity consists of a rocky substrate with a  
11 relatively thin layer of unconsolidated sediment/mud, piles, over-water  
12 structures, and the jetty.

13 Under California regulations [Title 14 §30.10 of the California Code of Regulations  
14 under the authority of Fish and Game Code §6750], eelgrass and surfgrass are  
15 classified as "No Take," meaning they may not be disturbed, cut, or harvested.  
16 However, although these two genera may occur in the general vicinity of the bay,  
17 they are unlikely to be present in the project area, based on lack of suitable  
18 habitat, existing conditions (e.g. turbidity, shading etc.), and lack of recorded

1 presence. The closest known population of eelgrass is located approximately 0.5  
2 miles from the project area. Further, because of continual propeller wash and  
3 shading from gangways, vessels, and the pier structure, these species are not  
4 expected to thrive or populate in this location in the future.

5 An aquatic vegetation survey was conducted in 2001 in support of proposed pier  
6 improvements in waters southward of the western end of the breakwater; that  
7 survey identified 11 attached kelp plants (*Macrocystis pyrifera*) - including some  
8 attached to the pier itself in addition to the seafloor - and drift (unattached)  
9 individuals of adult, subadult, and juvenile classes to the southwest of the pier  
10 (Herrlinger 2001, USCG 2014; see Appendix J).

11 California sea lions, harbor seals, sea otters, and whales may feed in the kelp or  
12 escape storms or predators in the shelter of kelp (see Appendix J). On rare  
13 occasions gray whales have been spotted seeking refuge in kelp forests from  
14 predatory killer whales. All larger marine life, including birds and mammals,  
15 may retreat to kelp during storms or high-energy regimes because the kelp helps  
16 to weaken currents and waves. Further, a host of invertebrates, fish, marine  
17 mammals, and birds exist in kelp forest environs. Kelp forests were not observed  
18 in the immediate vicinity of the pier (MBNMS 2016).

### 19 *Benthic Species*

20 The project area consists primarily of natural bare rock, marina structures  
21 including piles, docks, piers, and breakwater that support a variety of hard  
22 bottom communities including mussels, barnacles, periwinkle snails, limpets,  
23 chitons, starfish, sea anemones, bryozoans, and tunicates (see Appendix J).  
24 Additionally, soft bottom communities are likely present in areas protected from  
25 high wave energy where silt and sand accumulate. In the intertidal and low  
26 subtidal zone, it is likely that species such as amphipods and other small  
27 crustaceans occur. In the upper subtidal zone, there may occur sand dollar beds;  
28 in deeper zones, polychaete worms, mollusks, brittle stars would be expected to  
29 occur.

30 Black abalone (*Haliotis cracherodii*) is a federally listed endangered species that  
31 has the potential to occur within the project area. Designated critical habitat

1 includes primary constituent elements such as the rocky substrate that exists  
2 within the project area; however, much of the harbor is sandy making it  
3 unsuitable for this species. Designated critical habitat does not exist within the  
4 project area.

#### 5 ***Fish and Essential Fish Habitat***

6 Several species of fish such as kelp greenling, cabezon, and many species of  
7 rockfish, surfperch, jacksmelt, mackerel, and various flatfish species, striped  
8 bass, and starry flounder occur in the general vicinity of the project area. Open  
9 water areas in the vicinity of the project area support phytoplankton after  
10 periods of upwelling in Monterey Bay, which provide forage for anchovies and  
11 sardines, which in turn are preyed upon by salmon, bonito, and mackerel.

12 Additionally, the following federally listed fish species may occur in the vicinity  
13 of the project area: green sturgeon (*Acipenser medirostris*), Central California Coast  
14 Evolutionary Significant Unit (ESU) Coho salmon (*Oncorhynchus kisutch*), Central  
15 California Coast Distinct Population Segment (DPS) Steelhead (*Oncorhynchus*  
16 *mykiss*), and California Coastal ESU Chinook salmon (*Oncorhynchus tshawytscha*).  
17 Critical habitat for the Southern DPS green sturgeon also occurs within Monterey  
18 Bay.

#### 19 Green Sturgeon

20 The southern DPS of the green sturgeon is listed as a federally threatened species  
21 and has the potential to occur (71 FR 17757, April 7, 2006). This DPS includes all  
22 populations that spawn south of, but not including, the Eel River. Currently, the  
23 only known spawning location of southern DPS green sturgeon is the  
24 Sacramento River system. Adult green sturgeon feed on benthic invertebrates  
25 and return to freshwater every 3 to 5 years in late February to spawn before  
26 returning to the ocean. Juveniles migrate downstream before they are 2 years old,  
27 and rear in estuaries before migrating to the ocean, where they disperse widely  
28 (NOAA 2015a).

29 Critical habitat has been designated for the Southern DPS green sturgeon, and  
30 overlaps the project area (74 FR 52299, November 9, 2009). The designated critical

1 habitat includes coastal U.S. marine waters within 60 fathoms depth from  
2 Monterey Bay north to Cape Flattery, Washington. This area includes both  
3 freshwater spawning habitat (the Sacramento River system) and marine and  
4 estuarine rearing habitat (NOAA 2009).

5 Primary Constituent Elements (PCEs) identified by NOAA NMFS as essential for  
6 the conservation of the Southern DPS in estuarine areas include: Abundant food  
7 items, water flow, water quality, migratory corridor, depth, and sediment quality  
8 (NOAA 2009). Monterey Bay contains the following PCEs that support the  
9 presence of the Southern DPS: Abundant food items, water quality, migratory  
10 corridor, depth, and sediment quality.

#### 11 Coho Salmon

12 The Central California Coast ESU of Coho salmon is listed as a federally  
13 endangered species (70 FR 37160 37159, June 28, 2005). This ESU includes all  
14 naturally spawned populations of Coho salmon originating from rivers south of  
15 Punta Gorda in northern California to and including Aptos Creek in central  
16 California, as well as populations originating from tributaries to the San  
17 Francisco Bay (NOAA 2016a). This species feeds on plankton and insects in  
18 freshwater and small fish in the ocean. Coho salmon migrate from the ocean into  
19 freshwater streams and rivers where they spawn once and then die (NOAA  
20 2016b).

21 Critical habitat for this species has been designated (64 FR 24049, May 5, 1999),  
22 and includes accessible reaches of all rivers between Punta Gorda and the San  
23 Lorenzo River in California (NOAA 1999). Marine waters such as Monterey  
24 Harbor are not included in the designated critical habitat for this species.

#### 25 Steelhead

26 The Central California Coast DPS of steelhead is listed as a federally threatened  
27 species (62 FR 32996 32998, June 17, 1998). This DPS includes all naturally  
28 spawned anadromous steelhead originating below natural and manmade  
29 impassable barriers from the Russian River to and including Aptos Creek, as well  
30 as the drainages of San Francisco Bay and San Pablo Bays eastward to Chipps

1 Island at the confluence of the Sacramento and San Joaquin rivers. Adults  
2 migrate from a marine environment into freshwater streams and rivers to mate  
3 and spawn. They feed on zooplankton while young, and adults feed on aquatic  
4 and terrestrial insects, mollusks, crustaceans, fish eggs, and small fish. This DPS  
5 comprises winter-run steelhead. Winter-run steelhead are at or near sexual  
6 maturity when they enter freshwater during late fall and winter. After spending  
7 one or more years in natal streams, juvenile steelhead migrate downstream, enter  
8 the marine environment, and undergo the process of smoltification. Steelhead  
9 display the most variability in lifecycle of the anadromous salmonids, spending  
10 one to several years in both the freshwater and marine environments before  
11 maturation. Some individuals may never migrate to the ocean, and mature  
12 within fresh water. While out-migrating, juveniles use estuarine areas for rearing  
13 and feeding. While in the marine environment, steelhead travel widely within  
14 coastal waters. As a result, this species may occasionally be present within the  
15 project area. Threats to Central California Coast steelhead and other salmonids  
16 include water diversion, artificial barriers to migration, forestry operations,  
17 streambed alteration, urbanization, and water pollution (NOAA 2016c).

18 Critical habitat for this species has been designated (70 FR 52488, September 5,  
19 2005), and includes selected creeks and rivers where the species spawns. Marine  
20 waters such as Monterey Harbor are not included in the designated critical  
21 habitat for this species (NOAA 2005).

## 22 Chinook Salmon

23 The California Coastal Chinook ESU is listed as a federally threatened species as  
24 of September 16, 1999 (NOAA 1999). The ESU includes all naturally spawned  
25 populations of Chinook salmon from rivers and streams south of the Klamath  
26 River to the Russian River, California, as well as seven artificial propagation  
27 programs: the Humboldt Fish Action Council, Yager Creek, Redwood Creek,  
28 Hollow Tree, Van Arsdale Fish Station, Mattole Salmon Group, and Mad River  
29 Hatchery fall-run Chinook hatchery programs (NOAA 2016d). Chinook salmon  
30 remain in the ocean two to five years, where they mature before returning to  
31 their natal streams to spawn. While in the marine environment, Pacific salmon  
32 travel widely within coastal waters. As a result, this species may occasionally be  
33 present within the project area. Threats to California Coast Chinook and other

1 salmonids include water diversion, artificial barriers to migration, forestry  
2 operations, streambed alteration, urbanization, and water pollution (NOAA  
3 2016e).

4 Critical habitat for this species has been designated (70 FR 52488, September 5,  
5 2005), and includes selected creeks and rivers where the species spawns, as well  
6 as estuarine areas (NOAA 2005). Marine waters such as Monterey Harbor are not  
7 included in the designated critical habitat for this species.

#### 8 Essential Fish Habitat

9 The MSFCMA requires Federal agencies to consult with the NMFS to address  
10 activities that may adversely affect EFH, which is defined as “those waters and  
11 substrate necessary to fish for spawning, breeding, feeding, or growth to  
12 maturity.” Such “waters” include “aquatic areas and their associated physical,  
13 chemical, and biological properties that are used by fish” and may include  
14 aquatic areas historically used by fish. “Substrate” includes “sediment, hard  
15 bottom, structures underlying the waters, and associated biological  
16 communities”. Within the EFH framework, several FMPs have been developed  
17 by the Pacific Fishery Management Council to help preserve stocks of  
18 commercially important fish species (PFMC 2016a, 2016b, 2016c, 2016d).

19 The portion of the project area below mean higher high water (MHHW) is  
20 designated as EFH under several FMPs:

- 21 • Pacific Coast Salmon FMP;
- 22 • Coastal Pelagic Species FMP;
- 23 • Pacific Groundfish FMP; and
- 24 • West Coast Highly Migratory Species FMP.

25 A portion of Monterey Bay (Monterey Canyon) is also designated as a Habitat  
26 Area of Particular Concern (HAPC) under the Pacific Groundfish FMP. Canopy  
27 kelp and rocky reefs both occur within the bay and are designated as HAPCs.  
28 Rocky reef habitat consisting of riprap placed to protect the pier extends the  
29 length of the pier and continues to form the jetty to the east of the Coast Guard  
30 pier. Likewise, kelp forest habitat occurs immediately to the north of the pier

1 from approximately the point at which water depth becomes subtidal to almost  
2 the end of the jetty. A large area of kelp forest also occurs to the northwest of the  
3 pier. Fish species use a variety of habitats for foraging, including benthic habitat,  
4 open water, and intertidal areas. In particular, the existing riprap, pier structures,  
5 and kelp forest habitat in the project area may be regularly used by species  
6 managed under the Groundfish FMP. Further, several species within the Coastal  
7 Pelagic FMP are known to use Monterey Bay and would be expected to  
8 occasionally be present within the project area.

### 9 *Marine Mammals and Reptiles*

10 A number of marine mammals (protected under the Marine Mammals Protection  
11 Act [MMPA]) and sea turtles are known to occur off the coast of California.  
12 Federally listed threatened or endangered species that may occur In the vicinity  
13 of the project area include the leatherback sea turtle, the southern sea otter, and  
14 the Southern Resident Killer Whale. Critical habitat has been designated for the  
15 Leatherback sea turtle and overlaps the project area vicinity.

16 Additional species that may frequent the project area include California sea lions,  
17 Pacific harbor seals, harbor porpoise, Risso’s dolphin, bottlenose dolphin, gray  
18 whale, and humpback whale. These species, protected under the MMPA, are not  
19 federally listed and not discussed in detail below; however, coordination and  
20 consultation with USFWS and NMFS addressing these species in the context of  
21 this project is occurring via an IHAA per MMPA. Previous efforts have resulted  
22 in IHAs from both agencies regarding these species (see Appendix A and  
23 Appendix B).

### 24 Federally Listed Leatherback Sea Turtle

25 The leatherback sea turtle (*Dermochelys coriacea*) is listed as a federally  
26 endangered species (35 FR 8491 8498; June 2, 1970). The Western Pacific  
27 population of leatherback sea turtles feed off of the Pacific Coast of North  
28 America, including Monterey Bay, and migrate across the Pacific to nest in  
29 Malaysia, Indonesia, Papua New Guinea, and the Solomon Islands. Their diet  
30 consists of soft-bodied, open ocean prey, such as jellyfish and salps, and their

1 mouth and throat have backward-pointing spines that help retain their  
2 gelatinous prey (NOAA 2016f).

3 Critical habitat for the leatherback sea turtle throughout its range was designated  
4 on June 2, 1970 (35 FR 8491 8498) and revised to include areas off the West Coast  
5 of the United States (U.S.) on January 26, 2012 (72 FR 73745). In the rule, the area  
6 of critical habitat encompassing Monterey Bay is described as a principal  
7 California foraging area, characterized by high densities of primary prey species,  
8 brown sea nettle, particularly within upwelling shadows and retention areas  
9 (NOAA 2012).

#### 10 Federally Listed Southern Sea Otter

11 The southern sea otter (*Enhydra lutris nereis*) is listed as a federally threatened  
12 species in the vicinity of the project area (42 FR 2965, January 14, 1977), and is  
13 recognized as depleted under the MMPA. No critical habitat has been  
14 established for this species. The southern sea otter prefers rocky or sandy  
15 shoreline with kelp beds, which provide important foraging and shelter habitat.  
16 The sea otter feeds on a variety of benthic invertebrates, sometimes using tools to  
17 break open their food, usually in areas of water depth less than 82 feet. Unlike  
18 most marine mammals, sea otters lack blubber, and instead depend on their  
19 clean, dense, water-resistant fur for insulation against the cold water they inhabit  
20 (USFWS 2015). Currently, the southern sea otter ranges from San Mateo County  
21 to Santa Barbara County, with a population at San Nicolas Island. The southern  
22 sea otter is a resident species of Monterey Bay and is regularly observed within  
23 the harbor and project area; therefore, they have a high potential to occur within  
24 the project area during construction.

#### 25 Federally Listed Southern Resident DPS Killer Whale (SRKW)

26 The SRKW (*Orcinus orca*) is listed as a federally endangered species (72 FR 16284  
27 16286; April 4, 2007). Resident killer whales are distinguished from other forms  
28 of killer whales such as transient and offshore by their rounded dorsal fin that is  
29 curved and tapering, their eating habits of primarily fish, and the fact that they  
30 travel in large pods (NOAA 2016g). The most recent population count of this  
31 DPS is 78 individuals, and was taken in 2014. This population, consisting of the J,

1 K, and L pods, are found most of the year in the inland waterways of  
2 Washington and British Columbia, such as Puget Sound, the Strait of Juan de  
3 Fuca, and the Southern Georgia Strait. During winter months the SRKW ranges  
4 along the Pacific coastline and can be found as far south as Monterey Bay and  
5 central California, and has been seen occasionally in Monterey Bay (NOAA  
6 2015b). The SRKW is not expected to be found within Monterey Harbor;  
7 however, because they are found in the general vicinity during winter months,  
8 we have included a discussion on potential effects of the Proposed Action to  
9 discuss potential effects in the rare event that an individual makes its way into  
10 the harbor.

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## SECTION 4 ENVIRONMENTAL CONSEQUENCES

Environmental impacts that would result from implementation of the Proposed Action and its alternatives at U.S. Coast Guard (USCG) Station Monterey are evaluated in this section. Analyses are presented by resource area, as presented in Section 3, *Affected Environment*. Analysis of potential impacts on resources typically includes: 1) identification and description of resources that could potentially be affected; 2) examination of the Proposed Action and the potential effects the action may have on the resource; 3) assessment of the significance of potential impacts; and 4) development of mitigation, conservation measures, or adaptive management measures in the event that potentially significant impacts are identified.

For this analysis, potential impacts are defined as:

- **Negligible** - if the action would result in no noticeable effects, beneficial or adverse, over existing conditions.
- **Minor** - if the action would result in a limited adverse effect over existing conditions.
- **Substantial** - if the action would result in a noticeable or measurable adverse impact to existing environmental conditions.

Impacts were evaluated in terms of context (local or regional), type (adverse or beneficial), duration (short- or long-term), and intensity.

### 4.1 NOISE

#### 4.1.1 Approach to Analysis

Noise impact analyses typically evaluate potential changes to existing noise environments that are instigated by implementation of a Proposed Action. These potential changes may be beneficial if they reduce the number of sensitive receptors exposed to unacceptable noise levels. Conversely, changes may be significant if they result in increased exposure to unacceptable noise levels. An increase in noise levels due to introduction of a new noise source can create an impact on the surrounding environment. Noise associated with a Proposed

1 Action is compared with existing noise to determine the magnitude of potential  
2 impacts.

3 Short-term and long-term marine noise impacts resulting from construction-  
4 related activities and operation were evaluated in the *Environmental Assessment*  
5 *for Waterfront Repairs at United States Coast Guard Station Monterey, Monterey,*  
6 *California* (USCG 2014). Additionally, we have evaluated noise impacts as they  
7 relate to sensitive species and have included that analysis in Section 4.3, *Biological*  
8 *Resources* below. The analysis below confirms the original noise evaluation  
9 conducted in 2014.

#### 10 **4.1.2 Impacts**

##### 11 4.1.2.1 Proposed Action

##### 12 Construction-Related Noise

13 Implementation of the Proposed Action would have minor, temporary effects on  
14 the airborne noise environment in the vicinity of the proposed construction site  
15 at Station Monterey. Use of heavy equipment for water line replacement, deck  
16 replacement, and pile-driving activities would generate noise and vibration  
17 exposure above typical ambient levels at Station Monterey. However, noise  
18 generation would be short-term, and associated impacts could be reduced  
19 through the use of equipment sound mufflers, cushion pads, and restriction of  
20 construction activity to normal working hours (i.e. daylight hours) on weekdays.  
21 Construction timing (i.e. during normal working hours) would be consistent  
22 with the Monterey County General Plan Safety Element.

23 Construction activities are expected to occur no more than 60 days. Pile-driving  
24 activities could result in additional ambient and underwater noise that could  
25 have direct and indirect short-term impacts on migrating and resident marine  
26 wildlife that pass through the affected areas of Monterey Bay. These potential  
27 impacts are described in further detail in Section 4.3, *Biological Resources*. Pile  
28 driving and extraction would occur no more than eight days during the  
29 construction period.

1 Noise-sensitive land uses located nearest to the proposed construction activities  
2 include the existing facilities, adjacent recreation areas, and marina. Noise-  
3 related impacts would be primarily experienced by Station staff, construction  
4 crews, recreationalists using the immediate vicinity, and nearby businesses.  
5 Although construction-related noise would result in a temporary increase in  
6 noise exposure above ambient levels, such increases are anticipated to be minor  
7 given the number of ambient noise sources in the immediate vicinity including  
8 the adjacent parking lot and nearby road traffic, the relatively short construction  
9 period, and the limited extent of pile replacement work. Temporary vibration  
10 may be generated by pile replacement work if a vibratory hammer is used. Pile  
11 extraction and driving activities would be intermittent, temporary, and short  
12 term. Temporary ground-borne vibration during construction from pile  
13 extraction and/or installation is not expected to impact neighboring structures.

14 Proposed construction activities associated with implementation of the Proposed  
15 Action would be considered short-term and minor.

#### 16 Operations-Related Noise

17 Upon completion of the proposed construction, noise associated with operations  
18 at Station Monterey would not change from existing conditions. The project  
19 would not add new permanent sources of noise or ground-borne vibration.

#### 20 4.1.2.2 No-Action Alternative

21 No construction-related noise would be generated under the No-Action  
22 Alternative, and operational noise levels would be similar to existing conditions.  
23 Therefore, no impact would occur and noise conditions would remain as  
24 described in *Section 3.1, Noise*.

#### 25 **4.1.3 Best Management Practices**

26 No BMPs are required. Impacts are anticipated to be minor with the  
27 implementation of standard BMPs, such as the use of equipment sound mufflers,  
28 cushion pads, bubble curtains, and restrictions of noise-generating construction  
29 activities to daylight hours.

- 1     • Pre-drilling the top 6" of pile locations would be implemented to provide  
2       a soft start when an impact hammer is used.
- 3     • Impact drivers used to install steel-piles would use hammer cushions and  
4       bubble curtains to reduce underwater sound created during pile driving.
- 5     • Pile driving would employ soft-start or ramp-up techniques (slow  
6       increase in hammering intensity), at the start of each work day or  
7       following any break of more than 30 minutes.

1    **4.2    WATER RESOURCES**

2    **4.2.1    Approach to Analysis**

3    Significance of potential impacts on water resources is based on water  
4    availability, quality, and use; existence of floodplains and wetlands; and  
5    associated regulations. An impact on water resources would be significant if it  
6    would: 1) reduce water availability or interfere with the water supply of existing  
7    users; 2) create or contribute to overdraft of groundwater basins or exceed safe  
8    annual yield of water supply sources; 3) adversely affect water quality or  
9    endanger public health by creating or worsening adverse health hazard  
10   conditions; 4) threaten or damage unique hydrologic characteristics; or 5) violate  
11   laws or regulations that have been established to protect or manage water  
12   resources of an area. Impacts of flood hazards would be significant if any  
13   alternative is proposed in areas with high probabilities of flooding.

14   **4.2.2    Impacts**

15    4.2.2.1    Proposed Action

16    Surface Water

17    Construction activities have the potential to impact local water quality through  
18    surface water runoff from improvements and equipment leaks. Implementation  
19    of standard BMPs (e.g., drip pans would be used when vehicles are parked,  
20    turbidity curtains would be installed, etc.) would eliminate potential surface  
21    water impacts associated with these activities, including transport of any toxic or  
22    foreign material into marine habitat.

23    Some temporary, localized increases in turbidity (as measured by suspended  
24    sediment concentration) may occur during pile installation. Elevated  
25    concentrations of suspended sediment are expected to be confined primarily to  
26    the bottom near the contact point of the piles. Levels of total suspended  
27    sediments sufficient to cause adverse effects on the species of concern would be  
28    very limited in extent and duration. In addition, proposed conservation  
29    measures/BMPs would further reduce the potential for increased turbidity.

1 Because of the existing armoring along the jetty and beneath the pier, there is a  
2 small chance that piles would need to be posted. If posting is required, piles  
3 would be posted using concrete poured into water tight forms. With  
4 implementation of standard BMPs, impacts on surface waters resulting from  
5 construction activities would be minor and short-term.

6 Long-term operations at Station Monterey would not be substantially altered as a  
7 result of the Proposed Action. Conformance to all Federal and State requirements  
8 related to storm water pollution prevention during construction activities, and  
9 incorporation of BMPs described in Section **Error! Reference source not found.**,  
10 *Best Management Practices* would reduce potentially adverse impacts. Therefore,  
11 impacts on surface water associated with implementation of the Proposed Action  
12 would be minor.

### 13 Groundwater

14 The Proposed Action would not substantially alter the permeability of surfaces  
15 or surface area available for groundwater recharge. No new water supply wells  
16 would be constructed, and no changes to groundwater withdrawal are expected.  
17 Therefore, implementation of the Proposed Action would have a negligible  
18 impact on groundwater resources.

### 19 Wetlands

20 As documented in the U.S. Fish and Wildlife Service (USFWS) National Wetland  
21 Inventory (NWI), areas adjacent to the pier are designated as *estuarine and marine*  
22 *wetland* and *estuarine and marine deepwater wetland* (USFWS 2016). The Proposed  
23 Action would require construction within or in proximity to these wetlands;  
24 however, construction within the wetland area involves the replacement of  
25 existing piles with no new fill. Further, implementation of BMPs would reduce  
26 the potential for turbidity to leave the immediate vicinity of the project.  
27 Therefore, impacts related to wetlands would be minor and short-term; no long-  
28 term impacts would occur.

1 Floodplains

2 Proposed waterfront improvements at Station Monterey would be implemented  
3 within the boundaries of Federal Emergency Management Agency (FEMA) Zone  
4 VE designation. Implementation of the Proposed Action would not introduce  
5 any new obstructions that would impede or divert overland floodwater flow or  
6 alter the existing hydrologic regime at Station Monterey such that downstream  
7 flood hazards would be increased or newly created. Therefore, the Proposed  
8 Action would result in minor impacts on floodplain management.

9 4.2.2.2 No-Action Alternative

10 Under the No-Action Alternative, no upgrades to the pier structure would occur  
11 and no changes or impacts on water resources would have the potential to occur;  
12 further, the Station's current vulnerability to flood and storm events would  
13 remain unchanged from existing conditions. Selection of the No-Action  
14 Alternative would result in no impacts on floodplain management, wetlands,  
15 surface water, or groundwater resources.

16 **4.2.3 Best Management Practices**

17 Prior to and during construction, the following measures would be followed:

- 18 • To the maximum extent possible, project-related debris would not be  
19 allowed to enter the water; any project-related debris that inadvertently  
20 enters the water would be removed.
- 21 • Construction equipment would be kept in good repair without leaks of  
22 hydraulic or lubricating fluids. If such leaks or drips occur, they would be  
23 cleaned up immediately. Drip pans would be utilized when vehicles are  
24 parked. Equipment maintenance and/or repair would be confined to one  
25 location. Runoff from this area would be controlled to prevent  
26 contamination of soils and water. Fueling of land-based vehicles and  
27 equipment would take place at least 50 feet away from the water (and  
28 away from drains), preferably over an impervious surface. Fueling of  
29 vessels would be done at approved fueling facilities.
- 30 • To the maximum extent possible, equipment and material would be  
31 lowered to the bottom in a controlled manner. This can include the use of

- 1 cranes, winches, or other equipment that affect positive control over the  
2 placement and rate of decent.
- 3 • Spill kits would be kept on site at all times.
  - 4 • The contractor would be required to implement a site-specific spill control  
5 plan to reduce the potential for accidental spills.
  - 6 • A containment system would be placed under the deck during removal  
7 and installation.
  - 8 • Concrete for decking would be pumped into water tight forms.
  - 9 • A contingency plan to control toxic materials would be developed and  
10 followed to prevent toxic materials from entering or remaining in the  
11 marine environment during the project.
  - 12 • Floating turbidity barriers would be provided around limits of work  
13 during all phases of in-water work. Debris booms would be positioned to  
14 enclose the entire work area and have a freeboard of 8 inches to 12 inches  
15 above the water surface and a draft of 16 inches to 36 inches below the  
16 water surface. The silt curtain would be positioned to enclose the work  
17 area to minimize turbidity; extend below water to within 2 feet of mudline  
18 at the mean lower low water (MLLW); and be suitably anchored to  
19 prevent movement.

1   **4.3   BIOLOGICAL RESOURCES**

2   **4.3.1   Approach to Analysis**

3   Determination of the significance of potential impacts on biological resources is  
4   based on: 1) the importance (i.e., legal, commercial, recreational, ecological, or  
5   scientific) of the resource; 2) the proportion of the resource that would be  
6   affected relative to its occurrence in the region; 3) the sensitivity of the resource  
7   to proposed activities; and 4) the duration of adverse ecological effects. Impacts  
8   on biological resources would be considered significant if federally listed species  
9   or federally designated critical habitats of concern would be adversely affected or  
10  if species or habitats would be affected over relatively large areas or disturbances  
11  cause reductions in population size or distribution.

12  The region of influence for biological resources is defined as Station Monterey  
13  and the immediate surrounding waters. The threshold for significance is based  
14  on whether the Proposed Action would have a detrimental effect on terrestrial or  
15  aquatic habitats, local wildlife, or threatened and endangered species throughout  
16  the region of influence. A BA / EFH Assessment has been prepared for this  
17  proposed project; an *action area* specific to biological resources has been defined  
18  based on potential impacts on sensitive species and/or habitat. Underwater  
19  acoustics and areas/region of influence specific to biological resources are  
20  presented in Figures 4-1a through 4-1d.

21  Level A harassment is defined as “Any act of pursuit, torment, or annoyance  
22  which has the potential to injure a marine mammal or marine mammal stock in  
23  the wild.” Level B harassment is defined as “Any act of pursuit, torment, or  
24  annoyance which has the potential to disturb a marine mammal or marine  
25  mammal stock in the wild by causing disruption of behavioral patterns,  
26  including but not limited to migration, breathing, nursing, breeding, feeding or  
27  sheltering.”

No warranty is made by the USCG as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data. This map is a "living document," in that it is intended to change as new data become available and are incorporated into the GIS database.

4-10



DSEA

Unattenuated Underwater RMS Levels During Vibratory Pile Extraction and Driving

FIGURE 4-1a



**DSEA**

**Attenuated Underwater RMS Levels  
 During Impact Pile Driving**

**FIGURE  
 4-1B**

No warranty is made by the USCG as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data. This map is a "living document," in that it is intended to change as new data become available and are incorporated into the GIS database.

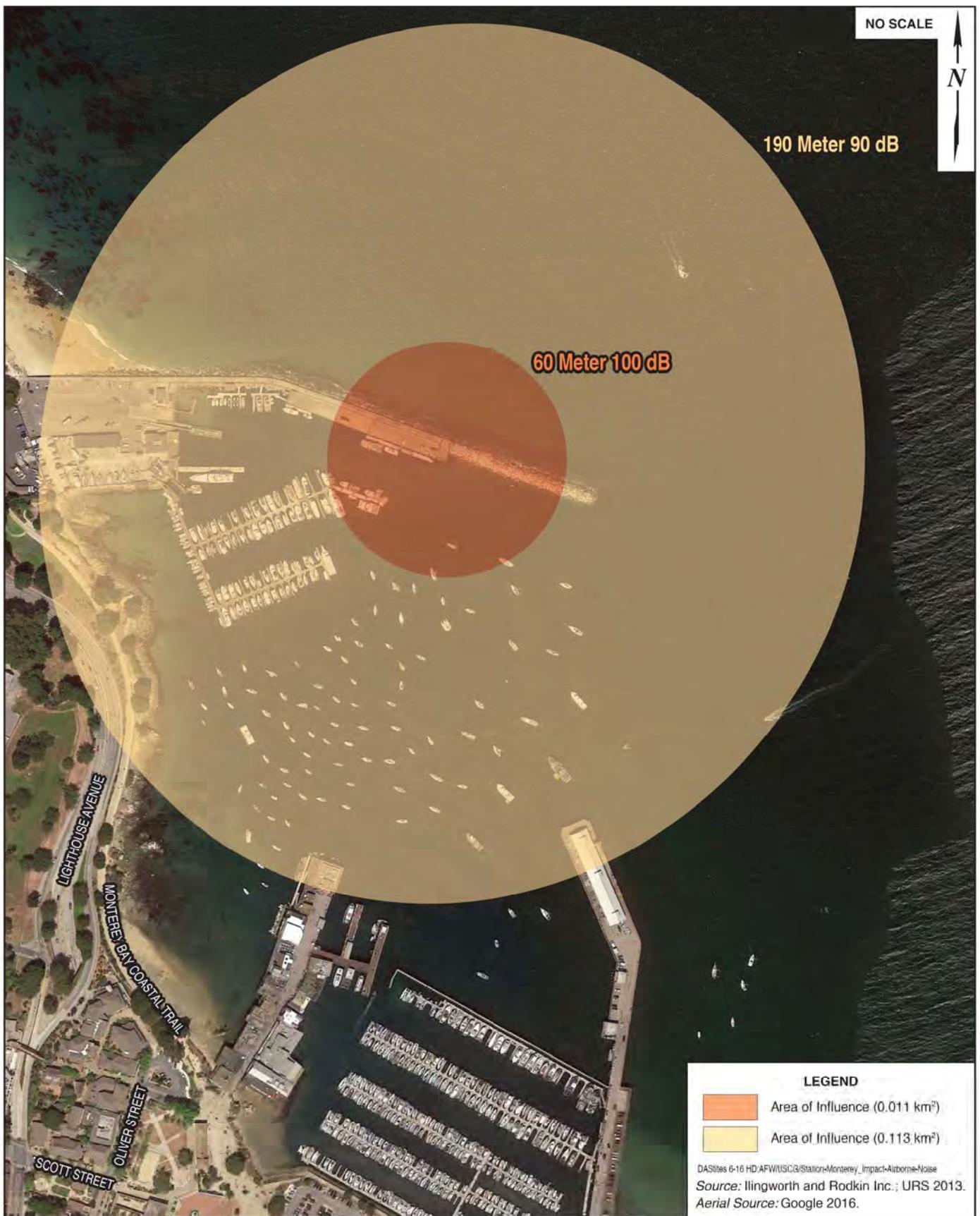


**DSEA**

**Airborne Noise Exposure Areas During  
 Vibratory Pile Extraction and Driving**

**FIGURE  
 4-1c**

No warranty is made by the USCG as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data. This map is a "living document," in that it is intended to change as new data become available and are incorporated into the GIS database.



**DSEA**

**Airborne Noise Exposure Areas During Impact Pile Driving**

**FIGURE 4-1d**

No warranty is made by the USCG as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data. This map is a "living document," in that it is intended to change as new data become available and are incorporated into the GIS database.

1 In addition to the BA completed for the project, a revised IHAA has also been  
2 prepared. The revised IHAA assesses the effects of underwater and airborne  
3 noise on marine mammals updated from the previously issued IHA.

#### 4 4.3.1.1 Proposed Action

##### 5 ***Birds***

6 Birds protected under the MBTA could transit the area. Birds that are present in  
7 the immediate vicinity of the project are accustomed to airborne and underwater  
8 noise from existing sources such as sea lion barks, boat operation, vehicle traffic,  
9 and other common disturbances at the Pier. Bird monitoring was conducted by  
10 the USCG during implementation of previous projects conducted at Station  
11 Monterey. Disturbance noted during these construction activities included minor  
12 dispersion and activities did not cause long-term or permanent changes in  
13 behavior. Further, birds were reported to have relocated to nearby locations.

14 During construction activities birds would be exposed to both underwater and  
15 airborne noise during pile driving and extraction activities and airborne noise  
16 during operation of equipment and tools Long-term exposure to high Sound-  
17 pressure Levels (SPLs) from impact pile driving can result in physical injury, or  
18 affect hearing sensitivity. Construction noise could cause individuals to avoid  
19 foraging areas during active project construction. Based on previous  
20 observations and implementation of BMPs to reduce noise levels impacts on bird  
21 species are expected to be minor and short-term.

##### 22 ***Vegetation***

23 No terrestrial vegetation exists within the project area. New piles would be  
24 placed in the footprint of existing/removed piles. Based on observations made  
25 during previous surveys, kelp may be attached to individual piles and would be  
26 directly impacted/removed when the pile is extracted. Indirect impacts could  
27 occur due to increased sedimentation generated during pile driving and  
28 extraction activities that may coat existing vegetation; however, construction  
29 activities would take place in an area with primarily rocky substrate with a  
30 relatively thin layer of sediment that is unlikely to generate turbidity levels that

1 could harm vegetation. Further, existing vegetation does not include species such  
2 as sea grass, surf grass, or kelp forest which is sensitive to sedimentation.  
3 Drifting giant kelp or kelp attached to existing piles could occur in the project  
4 area and come into contact with minor turbidity/sedimentation; however, this is  
5 expected to be short-term. Impacts on aquatic vegetation would be minor and  
6 short-term.

### 7 *Benthic Invertebrates*

8 Benthic species that occupy existing piles to be removed would be directly  
9 adversely impacted during construction activities; however, the numbers of  
10 benthic species to be removed are relatively low and the area is expected to be  
11 recolonized with placement of the new piles over the long-term. No black  
12 abalone is expected to be present in the project area as analyzed in the project-  
13 specific BA completed for the Proposed Action and the BA completed for a prior  
14 project in which NMFS provided concurrence for on November 7, 2013 (see  
15 Appendix F). Because the construction area is located primarily in rocky  
16 substrate, indirect effects caused by turbidity are expected to be minimal.  
17 Existing piles to be removed consist of treated wood and replacement piles  
18 consist of steel. There is a small potential for concrete to be used to post piles to  
19 the rock substrate. If concrete is used, BMPs such as the use of water tight forms  
20 would be implemented to minimize the potential of concrete to come into contact  
21 with water. Removal of treated piles would improve water quality in the  
22 immediate vicinity. Impacts on benthic invertebrates would be minimal and  
23 short-term.

### 24 *Fish and Critical Habitat*

25 Impacts on fish species are not expected to occur during above water  
26 construction including water line replacement and deck repairs as these activities  
27 are not expected to generate underwater noise, contribute to water quality  
28 degradation, or alter/remove habitat.

29 Direct impacts on fish, including forage fish and special status species could  
30 occur as a result of underwater noise generated during pile extraction and  
31 installation. Indirect impacts such as abrasion may occur through minor and

1 short-term increases in turbidity. There is a small potential for concrete to be  
2 used to post piles to the rock substrate. If concrete is used BMPs such as the use  
3 of water tight forms would be implemented to minimize the potential of concrete  
4 to come into contact with water. Further, the removal and replacement of piles  
5 may result in the temporary reduction of habitat for including critical habitat for  
6 the DPS green sturgeon.

7 An assessment of anticipated sound levels that may result from the extraction  
8 and installation of piles was completed in 2012. No significant changes from that  
9 study as they relate to the proposed project have occurred, would apply, or  
10 would cause the results of the study to be no longer valid. The study results  
11 indicate that underwater sound would exceed thresholds that have the potential  
12 to disturb fish species up to 328 feet from pile driving activities (NAVFAC 2012).  
13 Further the assessment concluded that with the implementation of BMPs  
14 including the use of bubble curtains sound levels would not exceed levels that  
15 would cause injury to fish.

16 In 2013, the USCG prepared a BA that documented potential affects to federally  
17 listed species. Impacts on fish species and critical habitat would be minor and  
18 short-term. The BA concluded that the action may affect but is not likely to  
19 adversely affect federally listed fish species or designated critical habitat for  
20 federally listed fish species (Appendix F).

21 ***Essential Fish Habitat (EFH)***

22 In 2013, the USCG prepared an EFH Assessment that documented potential  
23 affects to EFH as a result of the proposed project. Since that time, no significant  
24 changes have occurred to the proposed project. The EFH Assessment concluded  
25 that the action may affect but was not likely to adversely affect EFH. A letter was  
26 issued by NMFS in 2013 concluding that “the proposed action would adversely  
27 affect EFH for various federally managed fish species, including a temporary  
28 increase in suspended sediments in the water column from pile driving and  
29 removal, conversion of soft bottom habitat to artificial substrate, and an increase  
30 in underwater sound levels in the water column associated with pile driving.  
31 However, the project includes measures to avoid, minimize, or otherwise offset

1 adverse effects, such that NMFS has no further EFH conservation  
2 recommendations to provide” (NOAA 2013).

3 Underwater noise generated from the Proposed Action may cause disturbance to  
4 fish in the area which may reduce feeding and cause temporary reduction in the  
5 productivity of EFH. The extraction of existing piles may result in temporary  
6 reduction of EFH habitat through the removal of benthic species. There is a small  
7 potential for concrete to be used to post piles to the rock substrate. If concrete is  
8 used, conservation measures such as the use of watertight forms would be  
9 implemented to minimize the potential of concrete to come into contact with  
10 water. Because available habitat exists nearby that fish species can temporarily  
11 relocate to and because project activities are of short-term, with implementation  
12 of conservation measures/BMPs described in Section 4.3.2, the Proposed Action  
13 would result in only temporary and minor impacts on EFH.

14 *Marine Mammals, including Federally Listed Sea Otter and Killer Whale*

15 As presented in Section 3.3, nine marine mammal species have the potential to  
16 occur within the project vicinity. It has been documented that noise can influence  
17 marine mammal behavior. Marine mammals detect and respond to sound,  
18 utilizing it to hunt for prey, to avoid predators and for social interaction  
19 (Nightingale & Simenstad 2001). High intensity sounds can permanently damage  
20 marine mammal hearing (Cox & Rogers 1987; Enger 1981; Popper & Clark 1976).

21 A sound assessment was completed for the project in 2012 and an updated IHAA  
22 has been prepared for the project. Behavior changes may include fleeing,  
23 temporary cessation of feeding, interruption of social behavior, or causing  
24 hauled-out individual to startle and flush into the water disturbing sleep or rest.

25 Previous projects conducted at Station Monterey included similar activities such  
26 as pile driving. Monitoring conducted during construction of these activities  
27 found that disturbances to marine mammals was minor and did not cause long-  
28 term or permanent changes in behavior (B. Hoover & J. Harvey 2008; E.M.  
29 Phillips & J. Harvey 2004; J. Harvey & B. Hoover 2009).

1 Pile installation may result in temporary increases in underwater sound and  
2 temporary and localized, short-term, minor increases in turbidity that may have  
3 short-term direct effects on marine mammals using the project area. Additionally  
4 sound from construction activities may affect foraging behavior of marine  
5 mammals causing them to avoid foraging areas during active project  
6 construction. Based on the exposure analysis completed for the IHAA (per  
7 MMPA requirements) underwater and airborne noise pressure levels generated  
8 during pile extraction and installation activities would qualify as Level B  
9 harassment, and individuals that are hauled-out may exhibit behavior reactions  
10 to the airborne noise. To prevent Level A harassment from occurring, BMPs  
11 would be implemented as described in Section 4.3.2.

12 In addition to noise, harassment of individuals using the jetty and immediate  
13 work area could occur through interactions with construction workers.

14 Potential takes by behavioral disturbance (Level B harassment) would have  
15 negligible short-term effects on individual California sea lions, Pacific harbor  
16 seals, harbor porpoise, Risso's dolphin, bottlenose dolphin, gray whale,  
17 humpback whale, killer whale, and southern sea otter, and would not result in  
18 population-level impacts.

#### 19 *Federally Listed Leatherback Sea Turtles*

20 Leatherback Sea turtles could be affected by underwater and ambient noise  
21 generated during pile extraction and/or installation activities. Other construction  
22 activities such as waterline replacement and deck repair is not expected to affect  
23 sea turtles.

24 Very little information exists documenting possible behavior or injurious effects  
25 to sea turtles due to noise; however recent studies have found that they may be  
26 acoustically sensitive to frequencies between 200 and 700 hertz, which is within  
27 the expected range of pile driving. Further NMFS has indicated that the service  
28 currently uses the same acoustic thresholds for sea turtles as they do for marine  
29 mammals, with 160 dB threshold onset of behavioral disturbance and 180 dB for  
30 onset of injury (USCG 2015).

1 Both underwater and ambient sound levels were evaluated for the proposed  
2 project. As discussed above, pile installation may result in increases in  
3 underwater and ambient sound and temporary and localized increases in  
4 turbidity that may have short term effects on sea turtles using the project area.  
5 The additional sound from construction activities may affect foraging behavior  
6 causing sea turtles to avoid the active construction areas.

7 Biological monitoring has been conducted for similar construction projects at the  
8 project area, including installation of the Hawskbill floating dock in 2004,  
9 replacement of an Aid to Navigation device in 2008, and conducting repairs to  
10 the small boat and patrol boat floating docks between November 2008 and  
11 February 2009. During monitoring, no sea turtles were observed. Habitat to  
12 support leatherback sea turtle foraging is limited in the immediate project area  
13 and higher quality habitat exists in the general vicinity, making it unlikely that  
14 sea turtles would use the area. If sea turtles do use the project area, foraging and  
15 communication behavior could be temporarily disturbed during construction  
16 activities. This disturbance would not be expected to significantly disrupt normal  
17 behavior patterns sufficiently to constitute a take of sea turtles that may pass  
18 through the area. Therefore, the potential for incidental take in any form  
19 (including harassment) is considered negligible.

#### 20 4.3.1.2 No-Action Alternative

21 Under the No-Action Alternative, no upgrades to the pier structure would occur  
22 and no changes or impacts on biological resources would have the potential to  
23 occur. Selection of the No-Action Alternative would result in no impacts on  
24 biological resources.

#### 25 **4.3.2 Best Management Practices**

26 In coordination with USFWS and NOAA-Fisheries, the USCG would implement  
27 the following conservation measures to avoid or minimize potential  
28 effects/impacts on biological resources under implementation of the Proposed  
29 Action:

- 30 1. Pre-drilling would be initiated and would be discontinued when the pile  
31 tip is approximately 5 feet above the required pile tip elevation.

- 1        2. Noise attenuation systems (i.e., bubble curtains and cushion pads) would  
2        be used during all impact pile driving to interrupt the acoustic pressure  
3        and reduce impact to marine mammals, birds, and fish species in the area.
- 4        3. A soft-start technique would be used to allow fish and marine mammals  
5        to vacate the area before the pile driver reaches full power. For vibratory  
6        hammer use, the contractor would initiate pile driving or extraction for 15  
7        seconds at reduced energy, followed by a 1-minute waiting period when  
8        there has been downtime of 30 minutes or more. This procedure would be  
9        repeated two additional times before continuous driving is started. This  
10       procedure would also apply to vibratory pile extraction. For impact  
11       driving, an initial set of three strikes would be made by the hammer at 40  
12       percent energy, followed by a 1-min waiting period, then two subsequent  
13       three-strike sets before initiating continuous driving.
- 14       4. Acoustic Monitoring and Marine Mammal Monitoring Plans were  
15       developed in 2014 in consultation with and approval from NMFS and  
16       USFWS. Further, the Marine Mammal Monitoring Plan has been updated  
17       to reflect the additional marine mammals that may occur in the area  
18       including Risso's dolphin, bottlenose dolphin, and humpback whale. The  
19       plans include avoidance and minimization measures to reduce the  
20       potential affect to marine mammals and fish resulting from  
21       implementation of the Proposed Action. Avoidance and minimization  
22       measures would include:
- 23            a. Underwater sound measurements taken from approved locations  
24            to monitor and confirm estimated sound thresholds. Reference and  
25            monitoring locations as well as depth locations will be coordinated  
26            directly with the agencies for approval.
- 27            b. Marine mammal monitoring would be conducted by qualified  
28            observers familiar with marine mammal species and their behavior.  
29            The monitor will provide regular counts and behavior observations  
30            of the haul-out area and within the water in the vicinity of  
31            Proposed Action.
- 32            c. An "exclusion zone" would be been established and would include  
33            the area over which underwater sound levels may exceed Level A  
34            harassment thresholds for marine mammals (see Figure 4-1b). The

- 1                   exclusion zone would be evaluated during construction to ensure  
2                   the distance from the noise source to the boundary of the exclusion  
3                   zone is protective of marine mammals. Further, the exclusion zone  
4                   would be monitored 15 minutes prior and during pile extraction  
5                   and installation.
- 6                   d. Following completion of the project a Marine Mammal Monitoring  
7                   Report would be prepared summarizing the results of monitoring,  
8                   construction activities, and environmental conditions. The report  
9                   would be submitted to NMFS and USFWS.
- 10                  5. In order to reduce the potential for effects to fish and marine mammals,  
11                  impact pile driving would occur during the summer months, June 15-  
12                  October 15.
- 13                  6. As determined by the marine mammal monitor, non-lethal deterrence of  
14                  California sea lions may be needed to safely access the work site. The  
15                  marine mammal monitor would oversee any non-lethal deterrence actions  
16                  and may include methods such as the use of a “super soaker”-type water  
17                  gun to spray individuals on the rump or chest. No auditory devices would  
18                  be used. Should any injury or mortality result in the course of the  
19                  Proposed Action, the USCG would stop work and immediately contact  
20                  NMFS.
- 21                  7. To the maximum extent possible, project-related debris would not be  
22                  allowed to enter the water; any project-related debris that inadvertently  
23                  enters the water would be removed. A debris boom and silt curtain would  
24                  be installed and marinated around the work area.
- 25                  8. To the maximum extent practicable equipment and material would be  
26                  lowered to the bottom in a controlled manner. This could include the use  
27                  of cranes, winches, or other equipment that affect positive control over the  
28                  placement and rate of decent.
- 29                  9. A site specific spill control plan would be prepared and implemented for  
30                  the duration of construction.

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**SECTION 5  
CUMULATIVE IMPACTS**

Cumulative impacts on environmental resources result from incremental impacts of the Proposed Action which, when combined with other past, present, and reasonably foreseeable future projects in an affected area, may collectively cause more substantial impacts. Cumulative impacts can result from minor but collectively substantial actions undertaken over a period of time by various agencies (Federal, State, or local) or persons. In accordance with the NEPA, a discussion of cumulative impacts resulting from projects which are proposed, under construction, recently completed, or anticipated to be implemented in the near future is required.

**5.1 PROJECTS CONSIDERED**

Analysis of cumulative projects in this SEA has been limited to proposed or recently approved (i.e., within the last 5 years) projects within Monterey County. Because the potential impacts of the Proposed Action would be localized, the geographic area for cumulative impact assessment has also been limited to the coastal zone within 5 miles of Station Monterey. Based on a review of public documents made available by the County of Monterey, the City of Monterey (City of Monterey 2016; Monterey County 2016b), and consultation with the USCG, two proposed and 12 recently approved projects in the vicinity of the Proposed Action were identified. Because the Proposed Action primarily involves in-water work, only projects located within 1 mile of the coast and within 5 miles of the project area were evaluated. A summary of each of the 14 identified projects is provided in Table 5-1.

**5.2 EVALUATION OF CUMULATIVE EFFECTS**

The precise timing of the development for the projects described in Table 5-1 is not yet known; however, a number of these projects may be implemented concurrently with the Proposed Action. Consequently, the potential exists for cumulative environmental impacts to occur with regard to noise, biological resources, and water resources.

1 **Table 5-1. Cumulative Projects and Plans**

| Location Affected | Project                                           | Important Project Dates                                                                                     | Implementation Status                   | Description                                                                                                         |
|-------------------|---------------------------------------------------|-------------------------------------------------------------------------------------------------------------|-----------------------------------------|---------------------------------------------------------------------------------------------------------------------|
| City of Monterey  | Paseo Del Alvarado Renovations (301-375 Alvarado) |                                                                                                             | Planning and building permits approved. | Conversion of nightclub to 22 residential units                                                                     |
| City of Monterey  | Monterey Hotel Expansion (406 Alvarado)           |                                                                                                             | Planning and building permits approved. | 24 unit hotel room addition; 4,611 sf of retail space; 18 residential units                                         |
| City of Monterey  | Van Buren Senior Housing                          |                                                                                                             | Planning permits approved.              | 19 residential units                                                                                                |
| City of Monterey  | 230 Lighthouse Ave.                               |                                                                                                             | Planning and building permits approved  | 7,710 sf of commercial/retail area; 32 residential units                                                            |
| City of Monterey  | 459 Alvarado                                      |                                                                                                             | Planning and building permits approved. | 11,478 sf of commercial; 21 residential units                                                                       |
| City of Monterey  | 449 Calle Principal                               |                                                                                                             | Planning permits approved.              | 1,361 sf of commercial; 18 residential units                                                                        |
| City of Monterey  | Ocean View Plaza - 480 Cannery Row                | EIR Completed 2001, Project Approved by City, including Statement of Overriding Considerations June 1, 2004 | Planning permits approved               | 87,362 sf of commercial use; 30,000 sf of restaurant space; 8,408 sf of coastal/community use; 51 residential units |

**Table 5-1. Cumulative Projects and Plans (Continued)**

| <b>Location Affected</b>                | <b>Project</b>                               | <b>Important Project Dates</b> | <b>Implementation Status</b>                                                                                         | <b>Description</b>                                                                                                                                                                                                                                                                                                                                                                                 |
|-----------------------------------------|----------------------------------------------|--------------------------------|----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| City of Monterey                        | 520-52 Fremont                               |                                | Planning permits approved                                                                                            | 2,423 sf of commercial use; 14 residential units                                                                                                                                                                                                                                                                                                                                                   |
| Del Monte Beach                         | Del Monte Beach Resubdivision                |                                | 4 houses complete; 1 house under construction; 1 building permit issued; 8 vacant lots with issued building permits. | The Del Monte Beach Resubdivision Project involved re-subdividing multiple lots into 14 single-family lots.                                                                                                                                                                                                                                                                                        |
| City of Monterey                        | Strangio Apartments - 600 Irving             |                                | Planning permits approved. No water allocated for the development.                                                   | 5 residential units                                                                                                                                                                                                                                                                                                                                                                                |
| City of Monterey                        | 595 Munras                                   |                                | Planning and building permits approved.                                                                              | 5,600 sf of commercial space; 10 residential units.                                                                                                                                                                                                                                                                                                                                                |
| City of Monterey                        | Monterey Conference Center - 1 Portola Plaza |                                | Planning and building permits approved.                                                                              | Significant building renovation.                                                                                                                                                                                                                                                                                                                                                                   |
| Del Monte Forest/<br>County of Monterey | Signal Hill LLC/Mehdipour                    | RFP for EIR sent on May 7,2014 | Unknown/pending                                                                                                      | The project consists of the demolition of an existing 4,124 square foot single family residence and the construction of a new three level 11,933 square foot single family residence and associated site improvements including approximately 2,040 cubic yards of grading (1,210 cubic yards cut/830 cubic yards fill) and restoration of all remaining undeveloped areas to native dune habitat. |
| Carmel River State                      | Carmel Lagoon Ecosystem                      | DEIR review date August 10-    | Final EIR in progress; review                                                                                        | The project has three components:                                                                                                                                                                                                                                                                                                                                                                  |

**Table 5-1. Cumulative Projects and Plans (Continued)**

| Location Affected                | Project                                                                    | Important Project Dates | Implementation Status | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|----------------------------------|----------------------------------------------------------------------------|-------------------------|-----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Beach /<br>County of<br>Monterey | Protective<br>Barrier and<br>Scenic Road<br>Protective<br>Barrier Projects | October 9, 2016         | period TBD            | <p>1) Construction of an Ecosystem Protective Barrier<br/>The proposed EPB includes a setback of 40-feet from the property line with a top of wall elevation of 17.5 feet. This option increases protection of facilities and homes accounting for sea level rise over the next 50 years, minimizes ecological impacts by eliminating drainage infrastructure and fill; minimizes visual impacts; reduces noise; and increases area that serves as a bioswale to collect urban runoff.</p> <p>2) Scenic Road Protection Structure (SRPS)<br/>The preferred alternative SRPS would be located at the toe of the sand slope along Scenic Road. Involves excavation of the beach that would be followed by installation of a geotextile, then by two layers of armor rock.</p> <p>3) Interim Sandbar Management Plan (ISMP)<br/>Monterey County assumed a lead role in seeking permits for a long-term solution that would avoid performing mechanical breaching for flood control purposes. The process to complete technical feasibility studies, design, environmental review, permitting, and construction is estimated to take up to eight years, but the County is working to reduce this time frame. In the interim, the County has developed the ISMP for managing the Lagoon including winter openings and summer closure in the best possible manner that reduces potential impacts on both wildlife and property.</p> |

1   **5.2.1 Short-term Cumulative Impacts**

2   Cumulative noise impacts are expected to be negligible since all individual  
3   projects would be required to implement standard BMPs to minimize noise  
4   emission; therefore, cumulative airborne noise impacts would not be expected to  
5   be significant as construction-related noise would be short-term and temporary.  
6   Though exact construction timelines are not known, it is unlikely that all  
7   construction projects would take place simultaneously, further reducing the  
8   potential for noise-related impacts to reach a significant level.

9   None of the projects included in Table 5-1 would involve in-water work. The  
10   proposed improvements at Carmel Lagoon would take place along the coastline,  
11   but would not affect the water quality or marine habitat of the region. Therefore,  
12   none of the projects included in Table 5-1 would result in impacts on marine  
13   biological resources. All projects described in Table 5-1 would include standard  
14   BMPs to reduce impacts on biological resources. Consequently, with the  
15   implementation of USFWS and NMFS recommendations, the Proposed Action,  
16   when considered with the above listed projects, would not have a substantial  
17   contribution to cumulative impacts related to marine biological resources and  
18   water quality, and construction activities would be temporary and sporadic.  
19   Therefore, cumulative impacts would be minor.

20   **5.2.2 Long-term Cumulative Impacts**

21   Following implementation of the Proposed Action, operations at Station  
22   Monterey would return to current conditions. No increase in activity or  
23   personnel is expected as a result of the Proposed Action. Therefore, the Proposed  
24   Action's contribution to long-term operational impacts at Station Monterey  
25   would be negligible.

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**SECTION 6**  
**SUMMARY OF FINDINGS**

A summary of environmental impacts anticipated to result from the implementation of the Proposed Action is provided in this section. Minor impacts would result to the following resource areas as a result of the proposed waterfront repairs at UUSCG Station Monterey.

**Noise.** Implementation of the Proposed Action would have minor, temporary effects on the airborne noise environment in the vicinity of Station Monterey. Use of heavy equipment for construction activities would generate airborne and noise exposure above ambient levels. Construction noise could cause birds in the vicinity of the project area to avoid foraging areas. However, this noise generation would be short-term, and construction noise would be minimized through the use of BMPs, including equipment sound mufflers, pile driven hammer cushions(i.e. material placed between the pile and the pile driver), and limitation of working hours. The existing noise environment in the vicinity of Station Monterey consists of wildlife using the jetty, boat traffic, traffic on the adjacent roadways, and occasional aircraft. Upon completion of proposed construction, noise associated with operations at Station Monterey would not substantially change from existing conditions. Consequently, noise impacts resulting from the implementation of the Proposed Action would be short-term and minor. Upon completion of the proposed construction, noise associated with operations would not substantially change from existing conditions; therefore, long-term noise associated with operation of the Proposed Action would be negligible.

**Water Resources.** Construction activities have the potential to impact local water quality through surface water runoff. Implementation of standard BMPs (e.g., drip pans, turbidity curtains, SPCC etc.) would reduce potential surface water impacts associated with these activities. Some temporary, localized increases in turbidity may occur during pile installation. With implementation of BMPs, impacts on surface waters resulting from construction activities, including pile driving, would be negligible. The Proposed Action would require construction within and in proximity to estuarine and marine wetland and estuarine and marine deepwater wetland; however, construction within the wetland area

1 involves replacement of existing piles with no new fill. Further, implementation  
2 of BMPs would reduce the potential for turbidity to leave the project's immediate  
3 vicinity. Therefore, the Proposed Action would result in minor and short-term  
4 impacts on wetlands, and no long-term impacts would occur. The Proposed  
5 Action would not substantially alter the permeability of surfaces or surface area  
6 available for groundwater recharge, and proposed waterfront improvements at  
7 Station Monterey would be implemented within the boundaries of FEMA Zone  
8 VE designation. Further, implementation of the Proposed Action would not  
9 introduce any new obstructions that would impede or divert overland  
10 floodwater flow or alter the existing hydrologic regime at Station Monterey.  
11 Therefore, the Proposed Action would result in minor impacts on water  
12 resources and floodplain management.

13 **Biological Resources.** Station Monterey is an active pier with both USCG and  
14 NOAA vessels mooring at the location. The project area consists of developed  
15 piers and upland urban development. No terrestrial vegetation or habitat occurs  
16 in the project area. Existing aquatic vegetation does not include species that are  
17 sensitive to sedimentation, and impacts on kelp occurring in the project area due  
18 to contact with minor turbidity/sedimentation would be short-term. Therefore,  
19 the Proposed Action would result in minor and short-term impacts on vegetation  
20 during construction. Benthic species that occupy existing piles to be removed  
21 would be directly impacted during construction activities; however, the numbers  
22 of benthic species to be removed are relatively low and the area is expected to be  
23 recolonized over the long-term. Further, no black abalone, a federally listed  
24 species, is expected to be present in the project area. Therefore, the Proposed  
25 Action would result in minimal and short-term impacts on benthic species.

26 A total of 26 bird species protected through the MBTA and/or CDFW are  
27 expected to fly over, forage, and/or rest in the vicinity of the project area. No  
28 federally listed threatened or endangered birds have the potential to occur in the  
29 project area due to the lack of suitable habitat. Disturbance during construction  
30 activities would include minor dispersion and would not cause long-term or  
31 permanent changes in behavior; therefore, the Proposed Action would result in  
32 minor impacts on birds during construction.

1 A total of 7 federally listed species have the potential to occur in the project area  
2 including:

- 3 • Four federally listed fish species (California Coastal Chinook ESU, Central  
4 California Coast DPS of steelhead, Central California Coast ESU of Coho  
5 salmon, and Southern DPS of the green sturgeon)
- 6 • The leatherback sea turtle
- 7 • The southern sea otter
- 8 • The Southern Resident Killer Whale

9 Further designated critical habitat for both the Southern DPS green sturgeon and  
10 the leatherback sea turtle occur in the project area.

11 Indirect impacts on federally list fish species such as abrasion may occur through  
12 minor and short-term increases in turbidity. Therefore, the Proposed Action  
13 would result in minor and short-term impacts on fish during construction.

14 During pile installation there is the potential for underwater noise to affect bird,  
15 fish, turtle. and marine mammal species as well as EFH; however, with  
16 implementation of conservation measures / BMPs, the Proposed Action would  
17 result in temporary and minor underwater noise impacts.

18 Table 6-1 presents the anticipated effects of implementation of the preferred  
19 alternatives.

1 **Table 6-1. Summary of Potential Impacts on Affected Environmental**  
2 **Resources**

| Environmental Resource (with Subcategory as identified)                                                                                                                                                                                                       |                                   | Potential Impacts (Classification and Duration)         |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|---------------------------------------------------------|
|                                                                                                                                                                                                                                                               |                                   | Preferred Alternative: in-water and over water upgrades |
| Noise                                                                                                                                                                                                                                                         |                                   | Minor; Short-term                                       |
| Water Resources                                                                                                                                                                                                                                               |                                   | Minor; Short-term                                       |
| Biological Resources                                                                                                                                                                                                                                          | Terrestrial                       | Negligible; Short-term                                  |
|                                                                                                                                                                                                                                                               | Aquatic                           | Minor; Short-term                                       |
|                                                                                                                                                                                                                                                               | Migratory Birds                   | Negligible; Short-term                                  |
|                                                                                                                                                                                                                                                               | Threatened and Endangered Species | Minor; Short-term                                       |
| <p><u>Key</u><br/> <b>Negligible:</b> The action would result in no noticeable effects, beneficial or adverse, over existing conditions.<br/> <b>Minor:</b> The action would result in a limited effect, beneficial or adverse, over existing conditions.</p> |                                   |                                                         |

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**SECTION 7**  
**CONSERVATION MEASURES**

Impact evaluations conducted during preparation of the *Environmental Assessment for Waterfront Repairs at United States Coast Guard Station Monterey, Monterey, California* (USCG 2014) and this SEA have determined that no significant or otherwise substantial environmental impacts would result from implementation of the Proposed Action at USCG Station Monterey. This determination is based on a thorough review and analysis of existing resource information and coordination with knowledgeable, responsible personnel from the USCG and relevant local, State, and Federal agencies (USFWS, NOAA, CCRWQCB, USACE, and CCC).

The Proposed Action has been be designed to minimize potential environmental impacts by incorporating and implementing conservation measures and BMPs identified in Sections 4.1.2, 4.2.2, and 4.3.2. The following conservation measures and BMPs are consolidated from Sections 4.1.2, 4.2.2, and 4.3.2:

- Pre-drilling would be permitted and would be discontinued when the pile tip is approximately 5 feet above the required pile tip elevation.
- Noise attenuation systems (i.e., bubble curtains and cushion pads) would be used during all impact pile driving to interrupt the acoustic pressure and reduce impact to marine mammals. By reducing underwater sound pressure levels at the source, bubble curtains would reduce the area over which both Level A and B harassment would occur, thereby potentially reducing the numbers of marine mammals affected.
  - Because the existing conditions include sloped topography and riprap, care would be taken when placing the bubble curtain to ensure a good seal is formed.
- Marine mammal monitoring to be conducted by qualified observers familiar with marine mammal species and their behavior. The observer would monitor the exclusion zone from the most practicable vantage point possible (the pier itself, the breakwater, adjacent boat docks in the harbor, or a boat) to determine whether marine mammals enter the exclusion zone.
- Hydroacoustic monitoring would be conducted during impact pile driving.

- 1       • A “soft-start” would be implemented to allow marine mammals to vacate  
2       the area before the pile driver reaches full power. For vibratory hammers,  
3       the contractor would initiate the driving for 15 seconds at reduced energy,  
4       followed by a 1-minute waiting period when there has been downtime of  
5       30 minutes or more. This procedure would be repeated two additional  
6       times before continuous driving is started. This procedure would also  
7       apply to vibratory pile extraction. For impact driving, an initial set of three  
8       strikes would be made by the hammer at 40 percent energy, followed by a  
9       1-minute waiting period, then two subsequent three-strike sets before  
10      initiating continuous driving.
- 11      • All work would be conducted within the approved in-water work  
12      window of June 15 and October 15 and during daylight hours.
- 13      • To the maximum extent possible, project-related debris would not be  
14      allowed to enter the water; any project-related debris that inadvertently  
15      enters the water would be removed.
- 16      • If posting is required, watertight formwork would be placed and concrete  
17      would be pumped into the form until full. Care would be taken not to  
18      spill or overtop the forms.
- 19      • Construction equipment would be kept in good repair without leaks of  
20      hydraulic or lubricating fluids. If such leaks or drips do occur, they would  
21      be cleaned up immediately. Drip pans would be utilized when vehicles  
22      are parked. Equipment maintenance and/or repair would be confined to  
23      one location. Runoff from this area would be controlled to prevent  
24      contamination of soils and water. Fueling of land-based vehicles and  
25      equipment would take place at least 50 feet away from the water (and  
26      away from drains), preferably over an impervious surface. Fueling of  
27      vessels would be performed at approved fueling facilities.
- 28      • To the maximum extent practicable equipment and material would be  
29      lowered to the bottom in a controlled manner. This could include the use  
30      of cranes, winches, or other equipment that affect positive control over the  
31      placement and rate of descent.
- 32      • Spill kits would be kept on site at all times.
- 33      • The contractor would be required to implement a Storm Water Pollution  
34      Prevention Plan to control/eliminate storm water runoff from entering the  
35      harbor.
- 36      • A containment system would be placed under the deck during removal  
37      and installation.
- 38      • Impact drivers used to install steel-piles would use hammer cushions and  
39      bubble curtains to reduce underwater sound created during pile driving.

- 1       • A silt curtain / turbidity curtain would be installed around the project  
2       area to reduce the potential for sediments to leave the immediate vicinity.

3       In coordination with USFWS and NOAA-Fisheries, the USCG would implement  
4       the following actions:

- 5       • A soft-start technique would be used to allow fish and marine mammals  
6       to vacate the area before the pile driver reaches full power. For vibratory  
7       hammer use, the contractor would initiate pile driving or extraction for 15  
8       seconds at reduced energy, followed by a 1-minute waiting period when  
9       there has been downtime of 30 minutes or more. This procedure would be  
10      repeated two additional times before continuous driving is started. This  
11      procedure would also apply to vibratory pile extraction. For impact  
12      driving, an initial set of three strikes would be made by the hammer at 40  
13      percent energy, followed by a 1-min waiting period, then two subsequent  
14      three-strike sets before initiating continuous driving.

- 15     • Acoustic Monitoring and Marine Mammal Monitoring Plans were  
16     developed in 2014 in consultation with and approval from NMFS and  
17     USFWS. Further, the Marine Mammal Monitoring Plan has been updated  
18     to reflect the additional marine mammals that may occur in the area  
19     including Risso's dolphin, bottlenose dolphin, and humpback whale. The  
20     plans include avoidance and minimization measures to reduce the  
21     potential affect to marine mammals and fish resulting from  
22     implementation of the Proposed Action. Avoidance and minimization  
23     measures would include:

- 24       ○ Underwater sound measurements taken from approved locations  
25       to monitor and confirm estimated sound thresholds. Reference and  
26       monitoring locations as well as depth locations will be coordinated  
27       directly with the agencies for approval.

- 28       ○ Marine mammal monitoring would be conducted by qualified  
29       observers familiar with marine mammal species and their behavior.  
30       The monitor will provide regular counts and behavior observations  
31       of the haul-out area and within the water in the vicinity of  
32       Proposed Action.

- 33       ○ An "exclusion zone" would be been established and would include  
34       the area over which underwater sound levels may exceed Level A  
35       harassment thresholds for marine mammals. The exclusion zone  
36       would be evaluated during construction to ensure the distance  
37       from the noise source to the boundary of the exclusion zone is  
38       protective of marine mammals. Further, the exclusion zone would

- 1                   be monitored 15 minutes prior and during pile extraction and  
2                   installation.
- 3                   ○ Following completion of the project a Marine Mammal Monitoring  
4                   Report would be prepared summarizing the results of monitoring,  
5                   construction activities, and environmental conditions. The report  
6                   would be submitted to NMFS and USFWS.
- 7                   ● As determined by the marine mammal monitor, non-lethal deterrence of  
8                   California sea lions may be needed to safely access the work site. The  
9                   marine mammal monitor would oversee any non-lethal deterrence actions  
10                  and may include methods such as the use of a super soaker type water  
11                  gun to spray individuals on the rump or chest. No auditory devices would  
12                  be used. Should any injury or mortality result in the course of the  
13                  Proposed Action, the USCG would stop work and immediately contact  
14                  NMFS.
- 15                  ● A debris boom and silt curtain will be installed and marinated around the  
16                  work area.
- 17                  ● A site-specific spill control plan will be prepared and implemented for the  
18                  duration of construction.



- 1            [http://www.co.monterey.ca.us/government/departments-i-z/resource-](http://www.co.monterey.ca.us/government/departments-i-z/resource-management-agency-rma-/planning/current-major-projects)  
2            [management-agency-rma-/planning/current-major-projects.](http://www.co.monterey.ca.us/government/departments-i-z/resource-management-agency-rma-/planning/current-major-projects)
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**SECTION 9**  
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This report was prepared for, and under the direction of, Mr. William Robinson, USCG Project Environmental Protection Specialist by Amec Foster Wheeler Environment & Infrastructure, Inc. Members of the professional staff are listed below:

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## **Appendix A**

# **Incidental Harassment Authorization from USFWS (2014)**

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# United States Department of the Interior



FISH AND WILDLIFE SERVICE  
Pacific Southwest Region  
2800 Cottage Way, Room W-2606  
Sacramento, California 95825-1846

In Reply Refer To:  
08EVEN00-2015-CPA-0006

## Incidental Harassment Authorization (IHA-14-01)

The United States Coast Guard (USCG), Civil Engineering Unit Oakland, 1301 Clay Street, Suite 700N, Oakland, California 95612, is hereby authorized under section 101(a)(5)(D) of the Marine Mammal Protection Act (16 U.S.C. 1371(a)(5)(D)) and 50 CFR 216.107 to take, by Level B harassment only, small numbers of marine mammals incidental to conducting waterfront repair at its Monterey Station facility, contingent upon the following conditions:

1. This Authorization is valid from November 1, 2014, through October 31, 2015.
2. This Authorization is valid only for activities associated with waterfront repair project at the USCG's Monterey Station in Monterey, California, which are specified at 79 FR 58796 (September 30, 2014). Pile extraction and driving activities shall be limited to the period from June 15 to October 15, but other construction activities may occur at any time during the 1-year authorization window.
3. The only species authorized for taking, by Level B Harassment, is the southern sea otter (*Enhydra lutris nereis*). The taking of any sea otter in a manner prohibited under this Authorization must be reported within 24 hours of the taking to the U.S. Fish and Wildlife Service (Service) Southern Sea Otter Recovery Coordinator (805-612-2793).
4. The holder of this Authorization must notify the Southern Sea Otter Recovery Coordinator at least 48 hours prior to the start of construction activities (unless constrained by the date of issuance of this Authorization, in which case notification shall be made as soon as possible) and must provide 24-hour advance notice of pile driving activity.
5. Prohibitions
  - (a) The taking, by incidental Level B harassment only, is limited to southern sea otters. The taking by Level A harassment, injury, or death is prohibited and may result in the modification, suspension or revocation of this Authorization.
  - (b) The taking of any southern sea otter whenever the required marine mammal mitigation, monitoring, and reporting measures specified at 79 FR 58796 and within this Authorization have not been fully implemented is prohibited.

## 6. Mitigation

### (a) Use of Noise Attenuation Devices

A pile driving energy attenuator (such as an air bubble curtain system) shall be used for all impact pile driving.

### (b) Time Restriction

In-water construction work shall occur only during daylight hours when visual monitoring of marine mammals can be implemented.

### (c) Establishment of Level B Harassment Zones of Influence

(i) Before the commencement of in-water pile driving activities, USCG shall establish Level B behavioral harassment zones of influence (ZOIs) where received underwater sound pressure levels (SPLs) are higher than 160 dB (rms) and 120 dB (rms) re 1  $\mu$ Pa for impulse noise sources (impact pile driving) and non-impulse noise sources (vibratory pile driving and mechanic dismantling), respectively.

(ii) Once the underwater acoustic measurements are conducted during initial test pile driving, USCG shall adjust the size of the ZOIs, and monitor these zones as described under the Proposed Monitoring section below.

(d) Monitoring for marine mammal presence shall take place 30 minutes before and 30 minutes after pile driving.

### (e) Soft Start

(i) For vibratory hammers, the contractor shall initiate the driving for 15 seconds at reduced energy, followed by a 1 minute waiting period when there has been down time of 30 minutes or more. This procedure shall be repeated two additional times before continuous driving is started. This procedure shall also apply to vibratory pile extraction.

(ii) For impact driving, an initial set of three strikes shall be made by the hammer at 40 percent energy, followed by a 1 minute waiting period, then two subsequent three-strike sets before initiating continuous driving.

### (f) Shutdown Measures

A Level A harassment exclusion zone shall include all areas where underwater sound pressure levels are expected to reach or exceed 190 dB re 1  $\mu$ Pa. Modeled distances to the 190 dB isopleth are 33 ft (10 m) or less for attenuated noise and 75 ft (23 m) or less for unattenuated noise. The Level A harassment zone shall be adjusted, in consultation with the Service, once field conditions for impulse and non-impulse noise sources are established through hydroacoustic monitoring. Regardless of the results of field measurements, the radius of the Level A exclusion zone shall be a minimum of 33 feet (10 m) to prevent the injury of sea otters from machinery. Pile extraction or driving shall not commence (or re-commence following a shutdown) until sea otters are not sighted within the exclusion zone for a 30-minute period. If a sea otter enters the exclusion zone during pile replacement work, work shall stop until the animal leaves the exclusion zone.

## 7. Monitoring

### (a) Protected Species Observers

USCG shall employ Service-approved protected species observers (PSOs) to conduct marine mammal monitoring for its Station Monterey waterfront repair project.

### (b) Baseline Biological Monitoring

(i) Baseline biological monitoring shall be conducted to survey the potential Level A and B harassment zones on 2 separate days within 1 week before the first day of construction.

(ii) Biological information collected during baseline monitoring will be used for comparison with results of monitoring during pile driving and removal activities.

(c) Monitoring of marine mammals around the construction site shall be conducted using high-quality binoculars (*e.g.*, Zeiss, 10 x 42 power).

(d) Marine mammal visual monitoring shall be conducted from the best vantage point available, including the USCG pier, jetty, and adjacent docks within the harbor, to maintain an excellent view of the exclusion zone and adjacent areas during the survey period. Monitors shall be equipped with radios or cell phones for maintaining contact with work crews.

(e) Vessel-based visual marine mammal monitoring within the 120 dB and 160 dB ZOIs shall be conducted during 10 percent of the vibratory pile driving and removal and impact pile driving activities, respectively.

(f) Data collection during marine mammal monitoring shall consist of a count of all marine mammals by species, a description of behavior (if possible), location, direction of movement, type of construction that is occurring, time that pile replacement work begins and ends, any acoustic or visual disturbance, and time of the observation. Environmental conditions such as weather, visibility, temperature, tide level, current and sea state shall also be recorded.

(g) Activities related to the monitoring described in this Authorization do not require a separate scientific research permit issued under section 104 of the Marine Mammal Protection Act.

## 8. Reporting

(a) USCG shall submit to the Service weekly monitoring reports that summarize the monitoring results, construction activities, and environmental conditions.

(b) USCG shall provide the Service with a draft monitoring report within 90 days of the conclusion of the construction work. This report shall detail the monitoring protocol, summarize the data recorded during monitoring, and estimate the number of sea otters that may have been harassed.

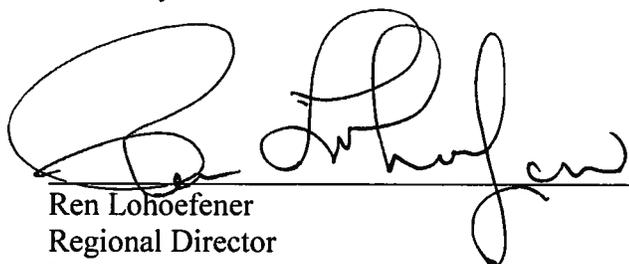
(c) If comments are received from the Service on the draft report, a final report shall be submitted to the Service within 30 days thereafter. If no comments are received from the Service, the draft report will be considered to be the final report.

(d) USCG shall call the Monterey Bay Aquarium's sea otter 24-hour emergency line (831-648-4840) immediately upon sighting an injured sea otter in the vicinity of the construction site and notify the Service's Southern Sea Otter Recovery Coordinator by telephone within one hour of such a sighting. USCG shall call the Monterey Bay

Aquarium's sea otter 24-hour emergency line and notify the Service's Southern Sea Otter Recovery Coordinator no later than 24 hours after sighting a dead sea otter in the vicinity of the construction site. The USCG shall provide a description of the condition of the animal(s) or carcass(es), location, time of discovery, observed behavior (if alive), and photographic or video documentation, if available. In the unanticipated event that the construction activities clearly cause the injury or death of a sea otter, the USCG shall immediately suspend all activities and immediately report the incident by telephone to the Monterey Bay Aquarium's sea otter 24-hour emergency line and the Service's Southern Sea Otter Recovery Coordinator. The USCG shall not resume activities until notified by the Service by email, letter, or telephone.

9. This Authorization may be modified, suspended or withdrawn if the holder fails to abide by the conditions prescribed herein or if the authorized taking is having more than a negligible impact on the species or stock of affected marine mammals.

10. Copies of this Authorization must be in the possession of the PSOs and on-site construction supervisor(s) when activities authorized by this Incidental Harassment Authorization are underway.



Ren Lohoefer  
Regional Director  
Pacific Southwest Region  
U.S. Fish and Wildlife Service

November 3, 2014

Date

**Appendix B**

**Incidental Harassment Authorization from NOAA**

**(2014)**

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### Incidental Harassment Authorization

United States Coast Guard (USCG), Civil Engineering Unit Oakland, 1301 Clay Street, Suite 700N, Oakland, California 95612, is hereby authorized under section 101(a)(5)(D) of the Marine Mammal Protection Act (16 U.S.C. 1371(a)(5)(D)) and 50 CFR 216.107 to take, by Level B harassment only, small numbers of marine mammals incidental to conducting waterfront repair at its Station Monterey facility, contingent upon the following conditions:

- 1 This Authorization is valid from October 1, 2014, through September 30, 2015.
- 2 This Authorization is valid only for activities associated with waterfront repair project at the USCG's Monterey Station in Monterey, California.
- 3 (a) The species authorized for incidental harassment takings, Level B harassment only, are: Pacific harbor seal (*Phoca vitulina richardsi*), California sea lion (*Zalophus californianus*), harbor porpoise (*Phocoena phocoena*), transient and offshore killer whales (*Orcinus orca*), Risso's dolphin (*Grampus griseus*), bottlenose dolphin (*Tursiops truncatus*), and gray whale (*Eschrichtius robustus*). The allowed take numbers of these species are shown in Table 1.

**Table 1. Species/stocks and numbers of marine mammals allowed under this IHA.**

| Species                                    | Estimated marine mammal takes |
|--------------------------------------------|-------------------------------|
| Pacific harbor seal                        | 70                            |
| California sea lion                        | 4,231                         |
| Harbor porpoise                            | 77                            |
| Killer whale (west coast transient)        | 6                             |
| Killer whale (Eastern N. Pacific offshore) | 6                             |
| Risso's dolphin                            | 10                            |
| Bottlenose dolphin                         | 10                            |
| Gray whale                                 | 6                             |



(b) The authorization for taking by harassment is limited to the following acoustic sources and from the following activities:

- Impact and vibratory pile driving;
- Pile removal; and
- Work associated with above piling activities.

(c) The taking of any marine mammal in a manner prohibited under this Authorization must be reported within 24 hours of the taking to the West Coast Regional Administrator (562) 980-4000, National Marine Fisheries Service (NMFS) and the Chief of the Permits and Conservation Division, Office of Protected Resources, NMFS, at (301) 427-8401, or his designee (301-427-8401).

4 The holder of this Authorization must notify the Chief of the Permits and Conservation Division, Office of Protected Resources, at least 48 hours prior to the start of activities identified in 3(b) (unless constrained by the date of issuance of this Authorization in which case notification shall be made as soon as possible).

#### 5 Prohibitions

(a) The taking, by incidental harassment only, is limited to the species listed under condition 3(a) above and by the numbers listed in Table 4. The taking by Level A harassment, injury or death of these species or the taking by harassment, injury or death of any other species of marine mammal is prohibited and may result in the modification, suspension, or revocation of this Authorization.

(b) The taking of any marine mammal is prohibited whenever the required protected species observers (PSOs), required by condition 7(a), are not present in conformance with condition 7(a) of this Authorization.

#### 6 Mitigation

(a) Use of Noise Attenuation Devices

Pile driving energy attenuator (such as air bubble curtain system) shall be used for all impact pile driving.

(b) Time Restriction

In-water construction work shall occur only during daylight hours when visual monitoring of marine mammals can be implemented.

(c) Establishment of Level B Harassment Zones of Influence

(i) Before the commencement of in-water pile driving activities, USCG shall establish Level B behavioral harassment zones of influence (ZOIs) where received underwater sound pressure levels (SPLs) are higher than 160 dB (rms) and 120 dB (rms) re 1  $\mu$ Pa for impulse noise sources (impact pile driving) and non-impulses noise sources (vibratory pile driving and mechanic dismantling), respectively. The modeled isopleths for ZOIs are listed in Table 2.

**Table 2. Modeled Level B harassment zones of influence for various pile driving activities**

| Pile Driving Activities                   | Distance to 120 dB re 1 $\mu$ Pa (rms) (m) | Distance to 160 dB re 1 $\mu$ Pa (rms) (m) |
|-------------------------------------------|--------------------------------------------|--------------------------------------------|
| Vibratory pile driving                    | 2,400                                      | NA                                         |
| Impact pile driving (with bubble curtain) | NA                                         | 465                                        |

(ii) Once the underwater acoustic measurements are conducted during initial test pile driving, USCG shall adjust the size of the ZOIs, and monitor these zones as described under the Proposed Monitoring section below.

(d) Monitoring for marine mammal presence shall take place 30 minutes before and 30 minutes after pile driving.

(e) Soft Start

(i) For vibratory hammers, the contractor shall initiate the driving for 15 seconds at reduced energy, followed by a 1 minute waiting period when there has been downtime of 30 minutes or more. This procedure shall be repeated two additional times before continuous driving is started. This procedure shall also apply to vibratory pile extraction.

(ii) For impact driving, an initial set of three strikes would be made by the hammer at 40 percent energy, followed by a 1 minute waiting period, then two subsequent three-strike sets before initiating continuous driving.

(f) Shutdown Measures

Although no marine mammal exclusion zone exists due to the implementation of noise attenuation devices (i.e., bubble curtain), USCG shall discontinue pile driving or pile removal activities if a marine mammal within the ZOI appears disturbed by the work activity. Work may resume until the animal leaves the ZOI, or 30 minutes have passed before the disturbed animal is last sighted.

## 7 Monitoring:

(a) Protected Species Observers

USCG shall employ NMFS-approved protected species observers (PSOs) to conduct marine mammal monitoring for its Station Monterey waterfront repair project.

(b) Baseline Biological Monitoring

(i) Baseline biological monitoring shall be conducted to survey the potential Level A and B harassment zones on 2 separate days within 1 week before the first day of construction.

(ii) Biological information collected during baseline monitoring will be used for comparison with results of monitoring during pile driving and removal activities.

(c) Monitoring of marine mammals around the construction site shall be conducted using high-quality binoculars (e.g., Zeiss, 10 x 42 power).

(d) Marine mammal visual monitoring shall be conducted from the best vantage point available, including the USCG pier, jetty, adjacent docks within the harbor, to maintain an excellent view of the exclusion zone and adjacent areas during the survey period. Monitors would be equipped with radios or cell phones for maintaining contact with work crews.

(e) Vessel-based visual marine mammal monitoring within the 120 dB and 160 dB ZOIs shall be conducted during 10% of the vibratory pile driving and removal and impact pile driving activities, respectively.

(f) Data collection during marine mammal monitoring shall consist of a count of all marine mammals by species, a description of behavior (if possible), location, direction of movement, type of construction that is occurring, time that pile replacement work begins and ends, any acoustic or visual disturbance, and time of the observation. Environmental conditions such as weather, visibility, temperature, tide level, current and sea state would also be recorded.

#### 8 Reporting:

(a) USCG shall submit weekly monitoring reports that summarize the monitoring results, construction activities and environmental conditions to NMFS.

(b) USCG shall provide NMFS with a draft monitoring report within 90 days of the conclusion of the construction work. This report shall detail the monitoring protocol, summarize the data recorded during monitoring, and estimate the number of marine mammals that may have been harassed.

(c) If comments are received from the NMFS West Coast Regional Administrator or NMFS Office of Protected Resources on the draft report, a final report shall be submitted to NMFS within 30 days thereafter. If no comments are received from NMFS, the draft report will be considered to be the final report.

(d) In the unanticipated event that the construction activities clearly cause the take of a marine mammal in a manner prohibited by this Authorization (if issued), such as an injury, serious injury or mortality (e.g., ship-strike, gear interaction, and/or entanglement), USCG shall immediately cease all operations and immediately report the incident to the Supervisor of Incidental Take Program, Permits and Conservation Division, Office of Protected Resources, NMFS, and the West Coast Regional Stranding Coordinators. The report must include the following information:

- (i) time, date, and location (latitude/longitude) of the incident;
- (ii) description of the incident;
- (iii) status of all sound source use in the 24 hours preceding the incident;

- (iv) environmental conditions (e.g., wind speed and direction, Beaufort sea state, cloud cover, visibility, and water depth);
- (v) description of marine mammal observations in the 24 hours preceding the incident;
- (vi) species identification or description of the animal(s) involved;
- (vii) the fate of the animal(s); and
- (viii) photographs or video footage of the animal (if equipment is available).

Activities shall not resume until NMFS is able to review the circumstances of the prohibited take. NMFS shall work with WSF to determine what is necessary to minimize the likelihood of further prohibited take and ensure MMPA compliance. USCG may not resume their activities until notified by NMFS via letter, email, or telephone.

(e) In the event that USCG discovers an injured or dead marine mammal, and the lead PSO determines that the cause of the injury or death is unknown and the death is relatively recent (i.e., in less than a moderate state of decomposition as described in the next paragraph), USCG will immediately report the incident to the Supervisor of the Incidental Take Program, Permits and Conservation Division, Office of Protected Resources, NMFS, and the West Coast Regional Stranding Coordinators. The report must include the same information identified above. Activities may continue while NMFS reviews the circumstances of the incident. NMFS will work with WSF to determine whether modifications in the activities are appropriate.

(f) In the event that USCG discovers an injured or dead marine mammal, and the lead PSO determines that the injury or death is not associated with or related to the activities authorized in the IHA (e.g., previously wounded animal, carcass with moderate to advanced decomposition, or scavenger damage), USCG shall report the incident to the Supervisor of the Incidental Take Program, Permits and Conservation Division, Office of Protected Resources, NMFS, and the West Coast Regional Stranding Coordinators, within 24 hours of the discovery. WSF shall provide photographs or video footage (if available) or other documentation of the stranded animal sighting to NMFS and the Marine Mammal Stranding Network. USCG can continue its operations under such a case.

9 This Authorization may be modified, suspended or withdrawn if the holder fails to abide by the conditions prescribed herein or if the authorized taking is having more than a negligible impact on the species or stock of affected marine mammals, or if there is an unmitigable adverse impact on the availability of such species or stocks for subsistence uses.

10 A copy of this Authorization must be in the possession of each contractor who performs the waterfront repair work at USCG Station Monterey.

Perry GAYARD

for Donna S. Wieting, Director  
Office of Protected Resources  
National Marine Fisheries Service

SEP 15 2014

Date

**Appendix C**

**Environmental Assessment: List of Contacts,  
Scoping Letter, and Responses**

---

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---

Richard Stedman  
Monterey Bay Unified Air Pollution Control  
District  
24580 Silver Cloud Court  
Monterey, CA 93940

Jeffrey Young  
Central Coast Regional Water Quality  
Control Board  
895 Aerovista Place, Suite 101  
San Luis Obispo, CA. 93401-7906

Kim Cole  
City of Monterey Planning Department  
Planning Office  
570 Pacific St  
Monterey, CA 93940

Monterey Bay National Marine Sanctuary  
Main Office  
99 Pacific Street, Bldg. 455A  
Monterey, CA 93940

Monterey County Library-Seaside Branch  
550 Harcourt Ave  
Seaside, CA 93955

Stephen Scheiblaue  
Office of Harbormaster  
250 Figueroa Street  
Monterey, CA 93940

U.S. Fish and Wildlife Service (USFWS)  
2800 Cottage Way, Suite W-2606  
Sacramento, CA 95825-1846

Valentin Lopez  
Amah Mutsun Tribal Band  
PO BOX 5272  
Galt, CA 95632

Jean-Marie Feyling  
Amah Mutsun Tribal Band  
19350 Hunter Court  
Redding, CA 96003

Louise Miranda-Ramirez  
Ohlone/Costanoan-Esselen Nation  
PO Box 1301  
Monterey, CA 93942

Dan Carl  
California Coastal Commission: Central  
Coast District Office  
725 Front Street, Suite 300  
Santa Cruz, CA 95060-4508

Chuck Della Salla  
City of Monterey  
City Hall  
580 Pacific Street  
Monterey, CA 93940

Robert Sitzman  
City of Monterey Public Works Dept  
Capital Projects  
353 Camino El Estero  
Monterey, CA 93940

Dave Potter  
Monterey County  
Monterey Courthouse  
1200 Aguajito Rd., Ste. 1  
Monterey, CA 93940

Rodney McInnis  
National Marine Fisheries Service-  
Southwest Regional Office  
501 West Ocean Boulevard, Suite 4200  
Long Beach, CA 90802-4213

Sandy Hale  
Point Lobos Foundation  
Route 1, Box 62  
Carmel, CA 93923

Ramona Garibay  
Trina Marine Ruaro Family  
30940 Watkins Street  
Union City, CA 94587

Edward Ketchum  
Amah Mutsun Tribal Band  
35867 Yosemite Ave.  
Davis, CA 95616

Tony Cerda  
Coastanoan Rumsen Carmel Tribe  
240 E, 1st Street  
Pomona, CA 97766

Christianne Arias  
Ohlone/Costanoan-Esselen Nation  
PO Box 552  
Soledad, CA93960

Marija Vojkovich  
California Department of Fish and Game  
20 Lower Ragsdale Drive, Suite 100  
Monterey, CA 93940

John Kuehl  
City of Monterey Building Permit &  
Inspection Department  
580 Pacific Street, Room 4  
Monterey, CA 93940

Thomas Frutchey  
City of Pacific Grove  
300 Forest Ave., 2nd Floor  
Pacific Grove, CA 93950

Mona Gudgel  
Monterey County Historical Society  
P.O. Box 3576  
Salinas, CA 93912

Carol Ralph  
North Coast Chapter of California Native  
Plant Society  
P.O. Box 1067  
Arcata, CA 95518

U.S. Army Corps of Engineers: South Pacific  
Division(USACE)  
1455 Market Street  
San Francisco, CA 94103-1398

Jakki Kehl  
720 North 2nd Street  
Patterson, CA 95363

Irene Zwierlein  
Amah Mutsun Tribal Band  
789 Canada Road  
Woodside, CA94062

Anne Marie Sayers  
Indian Canyon Mutsun Band of Costanoan  
PO Box 28  
Hollister, CA 95024

Pauline Martinez-Arias  
Ohlone/Costanoan-Esselen Nation  
1116 Merlot Way  
Gonzalez, CA 93926

U.S. Department of  
Homeland Security

United States  
Coast Guard



Commanding Officer  
United States Coast Guard  
Civil Engineering Unit Oakland

2000 Embarcadero, Suite 200  
Oakland, CA 94606-5337  
Staff Symbol: EVD  
Phone: (510) 535-7200  
FAX: (510) 535-7288

16475  
October 4, 2012

Dear Interested Party:

U.S. Coast Guard (USCG) Civil Engineering Unit Oakland has initiated an Environmental Assessment (EA) to analyze the effects of conducting waterfront repairs at USCG Station Monterey, Monterey, California.

### **Purpose and Need for Action**

USCG Station Monterey is a multi-mission CG facility. The multi-missions include maritime homeland security, search and rescue, maritime law enforcement and public affairs. The Station Monterey's area of responsibility consists of 5,000 square miles, which includes 120 nautical miles of California's coastline from Point Ano Nuevo (north) to Monterey-San Luis Obispo County line (south). The vessels that are used to support Station Monterey's multi-missions are rigid hull inflatable boats (21 to 25- feet), a utility boat (41-feet), a motor life boat (47-feet) and a patrol boat (87-feet). To fulfill its mission, Station Monterey needs functioning and accessible waterfront facilities. Over time, the existing patrol boat pier and the waterfront's potable water line have deteriorated.

The purpose of the waterfront repair project is to provide repairs and maintenance of these structures to support the operational requirements of Station Monterey, as well as a National Oceanic and Atmospheric Administration (NOAA) boat, which also uses these facilities.

### **Proposed Action**

The USCG proposes to remove and replace the 17 piles supporting the patrol boat pier; replace the existing potable water line; and improve associated structures to maintain the structural integrity of the patrol boat pier and potable water line. This project is proposed for construction in the 2013 fiscal year.

The proposed project would involve removing the existing timber deck, timber stringers, steel pile caps, steel support beams, and hardware to access the 17 timber piles. The timber piles would then be removed through use of a vibratory extractor. Each timber pile would be replaced with a steel-pipe pile (minimum diameter of 14-inch and maximum diameter of 18-inch) that would be positioned and installed in the footprint of the extracted timber pile. The majority of the pile driving would be conducted with a vibratory hammer, and an impact hammer would be used for proofing the piles. The new steel-pipe piles would not be filled with concrete. Other material and hardware removed to conduct the pile replacement would be replaced with in-kind materials.

16475  
October 4, 2012

Subj: ENVIRONMENTAL ASSESSMENT OF USCG STATION MONTEREY, MONTEREY,  
CALIFORNIA

Repairs to the potable water line would involve in-kind replacement of approximately 175 feet of 3-inch-diameter galvanized piping. The existing water line is on the outboard beam of the pier, and is mounted by hangers. The new water line would be supported every 4 feet in the same alignment as the existing configuration. All work for replacement of the potable water line would occur above Mean High Water.

### **Public Involvement**

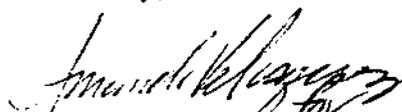
The USCG has initiated a public scoping period, during which public input on issues and concerns to be addressed in the EA are gathered. Please mail, email, or fax your comments to the address provided below. Your comments are requested no later than November 2, 2012. If you do not wish to comment, but would like to remain on the mailing list, please contact us in writing stating so, along with your address.

Linda S. Peters  
URS Group, Inc.  
One Montgomery Street, Suite 900  
San Francisco, California 94104  
linda.peters@urs.com  
(415) 882 - 9261 – Fax | (415) 243 - 3721 – Telephone

The EA is scheduled to be completed by early 2013. The public will be notified once it is available for public review, and copies will be available for review at local libraries. Copies of the EA will be sent to those parties that request them. This second comment period will provide the public with the opportunity to comment on the preferred alternative and environmental impacts. The National Environmental Policy Act process will conclude with the publication of a Finding of No Significant Impact, or Notice of Intent to prepare an Environmental Impact Statement.

Thank you for participating in the public scoping process. We look forward to receiving your comments.

Sincerely,



DAVE STALTERS  
Chief, Environmental Division  
U.S. Coast Guard  
By direction of the Commanding Officer

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**Appendix D**

**Notice of Availability and Comments Received for**

**EA (2014)**

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Monterey County  
**The Herald**

www.montereyherald.com

A Media News Group Newspaper

PO BOX 271 • MONTEREY, CALIFORNIA 93942-0271

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Fax: 831-372-4225

Email: mhlegals@montereyherald.com

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SAN FRANCISCO, CA 94104

Legal No. 0004920885

7/24 Ad

Ordered by: nisha.been@urs.com

**PROOF OF PUBLICATION**

STATE OF CALIFORNIA

County of Monterey

I am a citizen of the United States and a resident of the County aforesaid. I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of The Herald, a newspaper of general circulation, printed and published daily and Sunday in the City of Monterey, County of Monterey, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Monterey, State of California; that the notice, of which the annexed is a printed copy (set in type not smaller than 7 point), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

07/24/13

I certify (or declare), under penalty of perjury, that the foregoing is true and correct

Executed on 07/24/2013 at Monterey, California.



Signature

This space is reserved for the County Clerk's Filing Stamp

**Notice of Availability of Draft Environmental Assessment for  
Waterfront Repairs at United States Coast Guard Station  
Monterey, Monterey, CA**

Pursuant to the Council on Environmental Quality regulations that implement the National Environmental Policy Act, the U.S. Coast Guard (USCG) has completed a draft Environmental Assessment (EA) for a proposal to repair and replace facilities that have deteriorated over time to improve and maintain the structural integrity of a patrol boat pier and potable water line at USCG Station Monterey (Station). The Station is located at 100 Lighthouse Avenue in the City of Monterey, California. The Station's pier is located on the eastern portion of the Station's waterfront facility along a breakwater that extends approximately 1,300 feet east into Monterey Harbor. The pier and floating docks are located on the southern side of the breakwater.

The USCG proposes to remove and replace 17 timber piles supporting the eastern portion of the pier; replace the existing potable water line; and improve associated structures to maintain the structural integrity of the pier and potable water line. The Proposed Action would involve replacing the timber deck and making several ancillary repairs to the pier deck and floating dock. Repairs to the potable water line would involve in-kind replacement of approximately 175 feet of galvanized piping. Public review of the draft EA will begin on July 24, 2013, and will run for 30 days, until August 23, 2013. Paper copies of this document are available for review at the City of Monterey Public Library, 625 Pacific Street, Monterey, CA, 93940. Comments on the draft EA should be sent to:

Kelly Bayer  
URS Group, Inc.  
One Montgomery Street, Suite 900  
San Francisco, California 94104  
kelly.bayer@urs.com  
(415) 882-9261 - Fax | (415) 243-3840 - Telephone

A paper copy of the draft EA can be requested by contacting Kelly Bayer at URS Group, Inc.  
Published July 24, 2013

U.S. Department of  
Homeland Security

United States  
Coast Guard



Commanding Officer  
United States Coast Guard  
Civil Engineering Unit Oakland

2000 Embarcadero, Suite 200  
Oakland, CA 94606-5337  
Staff Symbol: EVD  
Phone: (510) 410-8300  
E-mail: Amanda.L.Velasquez@uscg.mil

16475  
July 24, 2013

Dear Interested Party:

United States Coast Guard (USCG) Civil Engineering Unit Oakland has initiated an Environmental Assessment (EA) to analyze the effects of conducting waterfront repairs at USCG Station Monterey, Monterey, California.

### **Purpose and Need for Action**

USCG Station Monterey is a multi-mission CG facility. The multi-missions include maritime homeland security, search and rescue, maritime law enforcement and public affairs. Station Monterey's area of responsibility consists of 5,000 square miles, which includes 120 nautical miles of California's coastline from Point Ano Nuevo (north) to Monterey-San Luis Obispo County line (south). The vessels that are used to support Station Monterey's multi-missions are rigid hull inflatable boats (21 to 25- feet), a utility boat (41-feet), a motor life boat (47-feet) and a patrol boat (87-feet). To fulfill its mission, Station Monterey needs functioning and accessible waterfront facilities. Over time, the existing patrol boat pier and the waterfront's waterline have deteriorated.

The purpose of the waterfront repair project is to provide repairs and maintenance of these structures to support the operational requirements of Station Monterey, as well as a National Oceanic and Atmospheric Administration (NOAA) boat, which also uses these facilities.

### **Proposed Action**

The USCG proposes to remove and replace the 17 piles supporting the patrol boat pier; replace the existing waterline; and improve associated structures to maintain the structural integrity of the patrol boat pier and water lines.

The proposed project would involve removing the existing timber deck, timber stringers, steel pile caps, steel support beams, and hardware to access the existing 17 timber piles (14- to 16-inch diameter). The timber piles would then be removed through use of a vibratory extractor. Each timber pile would be replaced with a steel pipe pile, minimum diameter of 14-inch and maximum of diameter of 18-inch, that would be positioned and installed in the footprint of the extracted timber pile. The majority of the pile driving would be conducted with a vibratory hammer, and an impact hammer would be used for proofing the piles. The new steel pipe piles would not be filled with concrete. Other material and hardware removed to conduct the pile replacement would be replaced with in-kind materials.

Repairs to the waterline would involve in-kind replacement of approximately 175 feet of 3-inch diameter galvanized piping. The existing waterline is on the outboard beam of the pier, and is

16475  
July 24, 2013

Subj: WATERFRONT REPAIRS AT USCG STATION MONTEREY

mounted by hangers. The new waterline would be supported every 4 feet in the same alignment as the existing configuration. All work for replacement of the waterline would occur above Mean High Water.

### **Public Involvement**

The USCG has initiated a public comment period, during which public input on to the draft EA will be gathered. Copies of the draft EA are being distributed for public comment to applicable government agencies. If you wish to comment on the draft EA, please send your comments via mail, FAX, or e-mail to the contact provided below. Your comments must be received within 30 days of this notification in order to be incorporated into the final EA.

Kelly Bayer  
URS Group, Inc.  
One Montgomery Street, Suite 900  
San Francisco, California 94104  
kelly.bayer@urs.com  
(415) 882 - 9261 – Fax | (415) 243 - 3840 – Telephone

### **Document Viewing**

A hard copy of the draft EA can be viewed at the Monterey Public Library, located at the address listed below. To obtain a hard copy of the draft EA, please contact Ms. Kelly Bayer.

Monterey Public Library  
625 Pacific Street  
Monterey, California 93940

The environmental review process will conclude with the publication of a Finding of No Significant Impact or a Notice of Intent to complete an Environmental Impact Statement in the fall of 2013.

Thank you for participating in the public review process. We look forward to receiving your comments.

Sincerely,



DAVE STALTERS  
Chief, Environmental Division  
U.S. Coast Guard  
By direction of the Commanding Officer

## *Ohlone/Costanoan-Esselen Nation*



*Previously acknowledged as  
The San Carlos Band of  
Mission Indians  
The Monterey Band  
And also known as  
O.C.E.N. or Esselen Nation  
P.O. Box 1301  
Monterey, CA 93942*

[www.ohlonecostanoanesselelnation.org](http://www.ohlonecostanoanesselelnation.org)

August 22, 2013

Kelly Bayer  
URS Group, Inc.  
One Montgomery Street, Suite 900  
San Francisco, CA 94104  
[kelly.bayer@urs.com](mailto:kelly.bayer@urs.com)

Re: Draft Environmental Assessment for Waterfront Repairs at  
United States Coast Guard Station Monterey, Monterey CA

Saleki Atsa,

Ohlone/Costanoan-Esselen Nation (OCEN) is the legal tribal government representing over 600 enrolled members of Esselen, Carmeleño, Monterey Band, Rumsen, Chalon, San Carlos Mission, Soledad Mission and/or Costanoan Mission Indian descent from the historic and previously federally recognized Monterey band of Monterey County. Though other descendants may have lived once in the area many families left the region over 130 years ago and have not had a relationship with our people since. As stated above the greater Monterey Bay area is the indigenous homeland of our people whom area enrolled in OCEN. Included with this letter please find a territorial map by compiled from the ethnographic and ethnohistoric work conducted by such notables as Alexander Taylor 1856; Dr. Richard Levy 1978; and Dr. Randall Milliken 1990 (and others), identifying the aboriginal distribution of our respective villages, districts and groups within our ethnohistoric Tribal area surrounding the Monterey Bay. At the present time we are unable to provide you with specific cultural resource information, but formally request that OCEN be contacted upon any findings relative of our ancestral heritage sites that might be impact as a result of this project.

### **Ohlone/Costanoan-Esselen Nation's General Policy about the Potential Destruction of our Ancestral Heritage Sites**

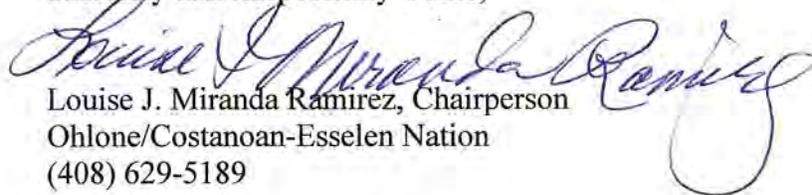
**Ohlone/Costanoan-Esselen Nation objects to all excavation in known and recorded Ancestral Heritage Sites, even when they are described as previously disturbed, and of no significant archaeological value. OCEN has been involved in projects that were considered previously disturbed, yet Ancestral remains were found at a level not disturbed.** Please be advised that it is our first priority that ancestral heritage sites be preserved and that our ancestor's remains be protected and undisturbed. We desire that all cultural and sacred items (regalia) be left with our ancestors on site or where they are

discovered. We further insist on the respect that is afforded all of our ancestral deceased persons, these ancestral burial sites are not “cultural resources” but they are formal cemeteries, therefore, we expect respectful treatment our these sacred ceremonial sites. Our definition of respect means **no disturbance**. .

In conclusion please be aware that despite our objection, disturbance continues, therefore, we formally request that Ohlone/Costanoan-Esselen Nation be consulted as to any planned projects that might adversely impact known or predicted ancestral heritage sites within our aboriginal territory. Furthermore, the OCEN Tribal leadership desires to be contacted about any: 1) surveys, 2) subsurface soil boring testing, 3) presence/absence testing, 4) mitigation and recovery programs, 5) reburial of any of our ancestral remains, 6) placement of all cultural items, and 7) that a Native American Monitor from Ohlone/Costanoan-Esselen Nation, approved by the OCEN Tribal Council be used on any and all projects from within our aboriginal territory.

We look forward to hearing more information about this project; please feel free to contact me at (408) 629-5189. Nimasianexelpasaleki. Thank you for your attention to this matter.

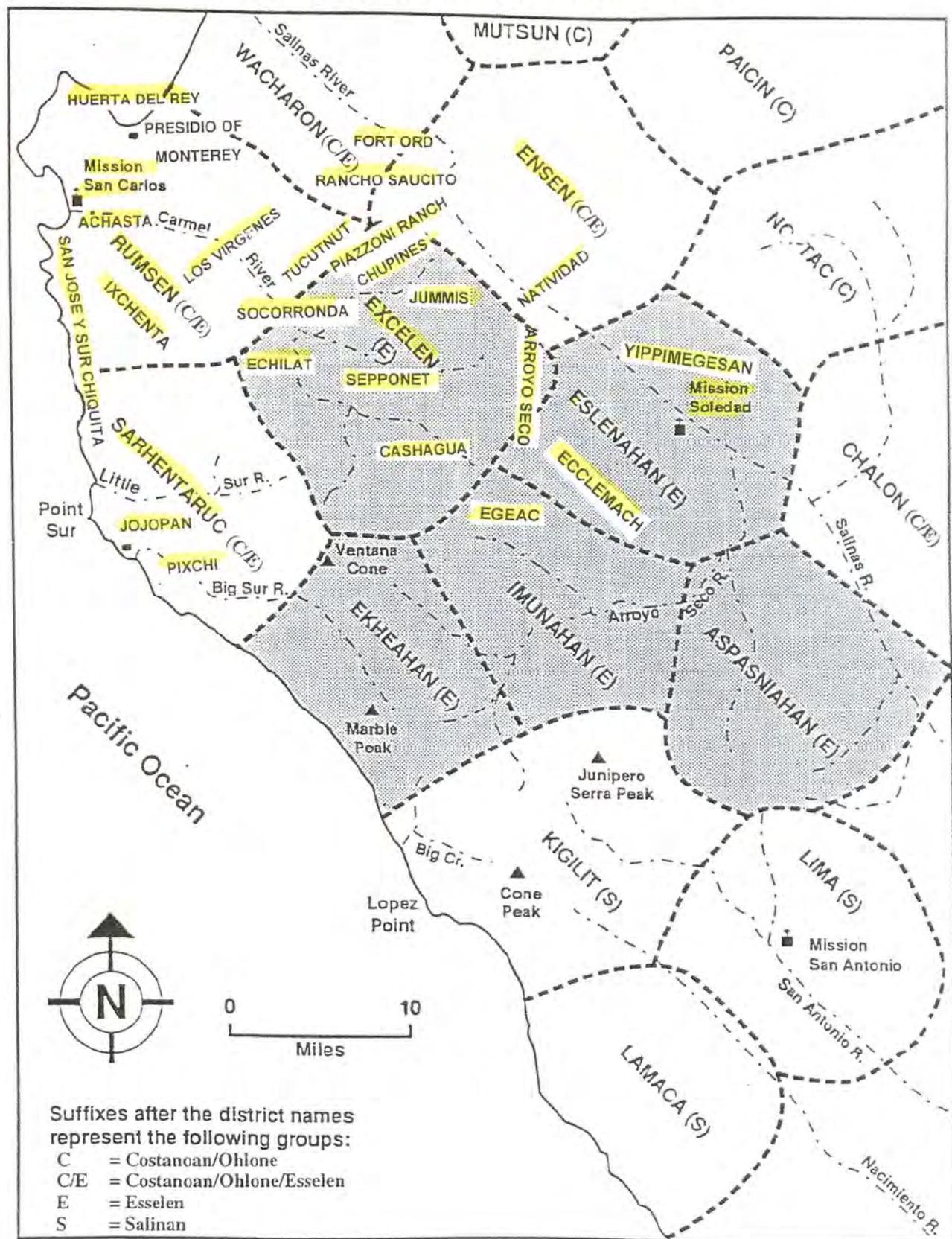
Sincerely and Respectfully Yours,

  
Louise J. Miranda Ramirez, Chairperson  
Ohlone/Costanoan-Esselen Nation  
(408) 629-5189

Cc: OCEN Tribal Council

# Distribution of Ohlone/Costanoan-Esselen Nation Tribal Rancherias, Districts, Landgrants and Historic Landmarks

## OCEN DIRECT LINEAL DESCENT



**Figure 2:**

Map after Taylor 1856; Levy 1973; Hester 1978; Milliken 1990

**Appendix E**

**Notice of Availability for Draft Supplemental EA**

**(2017)**

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**NOTICE OF AVAILABILITY  
DRAFT SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT  
FOR  
WATERFRONT REPAIRS AT  
U.S. COAST GUARD STATION MONTEREY, MONTEREY, CA**

Pursuant to Council on Environmental Quality regulations that implement the National Environmental Policy Act, the U.S. Coast Guard (USCG) has completed a draft Supplemental Environmental Assessment (EA) for a proposal to repair and replace facilities that have deteriorated over time to improve and maintain the structural integrity of a patrol boat pier and potable water line at USCG Station Monterey (Station). The Station is located at 100 Lighthouse Avenue in the City of Monterey. The Station's pier is located on the eastern portion of the Station's waterfront facility along a breakwater that extends approximately 1,700 feet east into Monterey Harbor. The pier and floating docks are located on the southern side of the breakwater. The USCG proposes to remove and replace 17 timber piles supporting the eastern portion of the pier; replace the existing potable water line; and improve associated structures to maintain the structural integrity of the pier and potable water line. The Proposed Action would involve replacing the timber deck and making several ancillary repairs to the pier deck and floating dock. Repairs to the water line would involve in-kind replacement of approximately 175 feet of galvanized piping.

In January 2014, the USCG prepared and published an EA which identified, described, and evaluated potential environmental impacts associated with the proposed waterfront repairs, and an accompanying Finding of No Significant Impact (FONSI) was signed. Since publication of the EA and signing of the associated FONSI, it has been determined that appreciable time has elapsed prior to construction, warranting an update of the EA. This Draft Supplemental EA serves as a concise public document that provides evidence and analysis for determining whether a FONSI is appropriate or an Environmental Impact Statement should be prepared. The Supplemental EA presents the purpose and need for the action, the proposed action and alternatives, a description of the affected environment, and an analysis of environmental consequences. The Supplemental EA also documents cumulative impacts from projects which are proposed, under construction, recently completed, or anticipated to be implemented in the near future.

This notice announces the availability of the Draft Supplemental EA for public review at the City of Monterey Public Library, 625 Pacific Street, Monterey, CA 93940. Individuals may request a copy of the Supplemental EA from, or may provide comments to, Aaron Goldschmidt via regular mail at Amec Foster Wheeler, 104 W. Anapamu Street Suite 204A, Santa Barbara, CA 93101 or via electronic mail at [aaron.goldschmidt@amecfw.com](mailto:aaron.goldschmidt@amecfw.com). Comments must be received no later than February 12, 2017.

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**Appendix F**

**Agency Coordination related to**

**Biological Assessment (2014)**

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**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
NATIONAL MARINE FISHERIES SERVICE

West Coast Region  
777 Sonoma Avenue, Room 325  
Santa Rosa, California 95404-4731

November 4, 2013

In response refer to:  
2013-9763

Amanda L. Velasquez  
Environmental Division  
USCG Civil Engineering Unit Oakland  
2000 Embarcadero, Suite 200  
Oakland, California 94606

Dear Ms. Velasquez:

Thank you for your letter of April 11, 2013 requesting initiation of consultation with NOAA's National Marine Fisheries Service (NMFS) pursuant to section 7 of the Endangered Species Act of 1973 (ESA), as amended, and the Essential Fish Habitat (EFH) provisions of the Magnuson Stevens Fishery Conservation and Management Act (MSA). This letter also serves as consultation under the authority of and in accordance with the provisions of the Fish and Wildlife Coordination Act (FWCA) of 1934, as amended. These consultations pertain to the proposed structural improvements to the United States Coast Guard (USCG) Pier and replacement of a potable water line located at the USCG Station in Monterey Harbor, Monterey, California.

The project is located within the Monterey Harbor adjacent to the northern jetty. The USCG proposes to remove the existing timber deck, timber strings, steel pile caps, steel support beams, and hardware of the pier in order to replace 17 old timber piles. Each timber pile will be removed with a vibratory extractor and replaced with 14 to 18-inch diameter steel pipe piles. Installation of the new piles will be done via pre-drilling into the substrate, and either vibratory or impact hammering. Pre-drilling will be done until the pipe tip elevation is approximately five feet above the required tip elevation. Vibratory hammering will be done to the greatest extent feasible, with an impact hammer used to "proof" the piles to the required depth. If the piles cannot be seated with a vibratory hammer and then proofed to achieve final elevation, a maximum of two piles per day will be driven entirely with an impact hammer. A bubble curtain will be implemented to attenuate sound during all pile driving activities. Standard Best Management Practices (BMPs) will also be incorporated to prevent pollution or debris from entering the water column from construction activities, and to reduce any contaminated storm runoff. If it is discovered that pile driving is insufficient to seat the piles, then the piles will be anchored to the jetty armor stone and substrate using 36-inch diameter concrete pedestals and dowels. A marine grade concrete slurry will be used to cement the piles within five feet of the posted steel-pipe piles. The slurry will be non-toxic to the aquatic environment once it cures. Wet concrete will be prevented from mixing with the surrounding water column.



The project is expected to require one season for construction, requiring three weeks for pile driving activities. All work within the Monterey Harbor will occur during the period of June 15<sup>th</sup> through October 15<sup>th</sup>.

### **Endangered Species Act**

Available information indicates the following listed species Distinct Population Segments (DPSs) or Evolutionarily Significant Units (ESUs), and critical habitat may occur in the project area:

- Sacramento River winter-run Chinook salmon ESU (*Oncorhynchus tshawytscha*)**  
endangered (70 FR 37160, June 28, 2005),
- Central Valley spring-run Chinook salmon ESU (*O. tshawytscha*)**  
threatened (70 FR 37160, June 28, 2005),
- California Coastal Chinook salmon ESU (*O. tshawytscha*)**  
threatened (70 FR 37160, June 28, 2005),
- Central Valley steelhead DPS (*O. mykiss*)**  
threatened (71 FR 834, January 5, 2006),
- South-Central California Coast steelhead DPS (*O. mykiss*)**  
threatened (71 FR 834, January 5, 2006),
- Central California Coast steelhead DPS (*O. mykiss*)**  
threatened (71 FR 834, January 5, 2006),
- North American green sturgeon southern DPS (*Acipenser medirostris*)**  
threatened (71 FR 17757, April 7, 2006)  
critical habitat (74 FR 52300, October 9, 2009), and
- Central California Coast Coho salmon ESU (*O. kisutch*)**  
endangered (70 FR 37160, June 28, 2005).

Adult and juvenile (smolts) salmonids, and adult and subadult green sturgeon may be present in Monterey Bay near the project site during project activities. The salmonid and green sturgeon species listed above use Monterey Bay primarily as refuge and foraging habitat. However, the probability of salmonids being present during construction activities is extremely low, due to their life history patterns, as both salmon and steelhead are expected to be distributed offshore out of the project's primary zone of impact during the work season. In addition, the project area is located in the Monterey Harbor near Fisherman's Wharf and the Coast Guard Pier, within an area that has been subjected to frequent disturbance and pollution from vessel traffic. Green sturgeon may be present, but are more likely to be located in other areas of Monterey Bay that possess higher quality habitat and are less disturbed.

Underwater sound impacts from pile driving have been analyzed according to the worst case scenario, driving two, 18-inch diameter piles per day, entirely with an impact hammer. High underwater sound levels from pile driving have been calculated for the project in order to estimate the ensonified area with the potential to affect fish. For this project, the area of impact from pile driving that may injure or kill fish is restricted to an area extending approximately 10 feet, and 138 feet from the pier. These areas correspond to the dual metric thresholds of 206 decibel (dB) peak (re: 1  $\mu$ Pa), and 187 dB (re: 1  $\mu$ Pa<sup>2</sup>-sec) cumulative sound exposure level

(cSEL), respectively. The cSEL value used is for fish equal to or greater than 2 grams in size. Fish located in the project area are likely to be larger than 2 grams. The area that may affect fish behavior, corresponding to 150 dB root-mean-square (RMS) sub-injury threshold may extend beyond 138 feet, out to 5,230 feet from the pile.

The large rock jetty located at the north end of the harbor entrance is expected to buffer the majority of the sound from traveling out into the ocean. Although some sound may propagate into the ocean, the area that may be affected is located in a busy vessel traffic zone and is affected by incoming waves, thus sound is expected to drop-off rapidly. This attenuation, combined with the use of a bubble curtain, is expected to limit the majority of underwater sound generated from pile driving to within the harbor itself. Fish are not expected to be injured or killed during pile driving since the area of impact is limited to the small 138 feet diameter area surrounding the pier and rocky substrate of the jetty on the inside of the harbor. In addition, fish behavior is not expected to be affected to a degree that would have adverse effects, since the RMS distance is primarily located within the harbor where all of the boat berths, vessel traffic, and associated disturbances occur. Therefore, salmonids are not expected to be present and any green sturgeon that may be displaced will have access to other areas in Monterey Bay so that their foraging ability will not be diminished.

The proposed action could temporarily increase turbidity and suspended sediments during drilling, hammering, and removal of piles. This will temporarily affect fish habitat and green sturgeon critical habitat within the water column. However, this impact is expected to be minor given the small area involved in the project, and suspended sediments should dissipate rapidly with tidal circulation. If 36-inch concrete pedestals are used to anchor the piles to the substrate, there will be a loss of benthic habitat within each pedestal footprint. However, invertebrates will likely colonize the pedestals so that the minor area of substrate lost due to the placement of the pedestals is insignificant. No impacts from the use of marine grade concrete slurry is expected since wet concrete will be prevented from coming in contact with the water. Green sturgeon critical habitat may also be subjected to disturbances in the substrate from underwater sound vibrations that may cause them to move from the area. NMFS expects any green sturgeon in the area that may be displaced during construction to easily access other, less disturbed habitat nearby or elsewhere in Monterey Bay.

NMFS considers the possibility of adverse effects to listed salmonids and North American green sturgeon southern DPS, and their designated critical habitat during project implementation to be insignificant because: (1) the installation of piles may temporarily produce high underwater sound levels, but these levels will affect a small area and are expected to be minor and for a short duration with the majority of fish located beyond the injury zones; (2) any increase in turbidity is expected to quickly dissipate from currents and tidal circulation; (3) only non-toxic concrete will be used and prevented from mixing with the water column; and (4) the BMPs and minimization measures incorporated into the project are sufficient to avoid and/or minimize the effects to listed species and habitat by reducing the areas of disturbance and will prevent construction debris from entering the water.

Based on the best available scientific and commercial information, NMFS concurs with the USCG's determination that the proposed project is not likely to adversely affect ESA-listed

salmonids and the southern DPS of North American green sturgeon, nor adversely modify green sturgeon critical habitat. This concludes ESA consultation in accordance with 50 CFR 402.13(a) for the proposed Waterfront Repairs, USCG Station Monterey Harbor Project.

However, further consultation may be required if: (1) new information becomes available indicating that listed species or habitat may be affected by the project in a manner or to an extent not previously considered; (2) current project plans change in a manner that causes an effect to listed species or critical habitat in a manner not previously considered; or (3) a new species is listed or critical habitat designated that may be affected by the action.

**Magnuson-Stevens Fishery Conservation and Management Act**

EFH is defined as those waters and substrate necessary to fish for spawning, breeding, feeding or growth to maturity. EFH includes all associated physical, chemical and biological properties of aquatic habitat that are used by fish. The project is located within an area identified as EFH for various life stages of fish species managed with the following Fishery Management Plans (FMP) under the MSA:

- Pacific Groundfish FMP** – various rockfishes, sole and sharks,
- Pacific Salmon FMP** – Chinook salmon, Coho salmon, and
- Coastal Pelagic FMP** – northern anchovy, Pacific sardine.

The proposed action area is within an active Harbor that provides permanent and seasonal mooring and berthing facilities for multiple vessels that move in and out of the harbor on a frequent, daily basis.

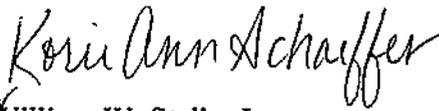
NMFS has evaluated the proposed project for potential adverse effects to EFH pursuant to Section 305(b)(2) of the MSA. Under the EFH implementing regulations [50 C.F.R. 600.810(a)], the term “adverse effect” is defined as any impact that reduces quality and/or quantity of EFH and may include direct or indirect physical, chemical, or biological alterations of the waters or substrate and loss of, or injury to, benthic organisms, prey species and their habitat, and other ecosystem components, if such modifications reduce quantity and/or quality of EFH.

NMFS has determined that the proposed action would adversely affect EFH for various federally managed fish species, including a temporary increase in suspended sediments in the water column from pile driving and removal, conversion of soft bottom habitat to artificial substrate, and an increase in underwater sound levels in the water column associated with pile driving. However, the project includes measures to avoid, minimize, or otherwise offset adverse effects, such that NMFS has no further EFH conservation recommendations to provide.

This concludes EFH consultation for the proposed Waterfront Repairs USCG Monterey Station Project. Pursuant to 50 CFR 600.920(l), the USCG must reinstate EFH consultation with NMFS if the proposed action is substantially revised in a way that may adversely affect EFH, or if new information becomes available that affects the basis for NMFS’ finding of negligible effects and no EFH Conservation Recommendations.

Please contact Ms. Jacqueline Pearson-Meyer at 707-575-6057, or via email at [Jacqueline.Pearson-Meyer@noaa.gov](mailto:Jacqueline.Pearson-Meyer@noaa.gov) for any questions.

Sincerely,

  
for William W. Stelle, Jr.  
Regional Administrator

Copy to file: 151422-SWR-2013-SR-00240

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## **Appendix G**

### **Coastal Consistency Concurrence (1995 and 2015)**

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**CALIFORNIA COASTAL COMMISSION**

45 FREMONT, SUITE 2000  
SAN FRANCISCO, CA 94105-2219  
VOICE (415) 904-5200  
FAX (415) 904-5400  
TDD (415) 597-5885



May 8, 2015

Dave Stalters  
Chief, Environmental Management Branch  
Civil Engineering Unit Oakland  
ATTN: Amanda Velasquez  
1301 Clay Street, Suite 700N  
Oakland, CA 94612-5203

Subject: Negative Determination ND-0008-15 (Facilities repair and replacement at Coast Guard Station Monterey, Monterey County)

Dear Mr. Stalters:

The Coastal Commission staff has reviewed the above-referenced project. The Coast Guard proposes to repair and replace facilities at the Coast Guard Station Monterey pier that have deteriorated over time due to exposure to the marine environment and regular use. The Coast Guard pier was constructed in the early 1950s of timber and steel materials. In 1995 the Coast Guard replaced 26 severely damaged timber piles with steel piles and reinforced and plastic-wrapped the remaining timber piles to extend their service life (ND-034-95). The proposed project includes: (1) removing 17 timber piles with a vibratory extractor; (2) installing 17 steel pipe piles in the footprint of the extracted timber piles, using a vibratory hammer and impact pile driving over a ten-day period; (3) replacing 175 feet of 3-inch diameter galvanized potable waterline on the outboard side of the pier; and (4) repairing and replacing hardware and deck planks on the pier deck and floating docks. Construction would occur during daylight hours, Monday through Friday, over a 45 to 60 day period. While construction would commence during the 2015 in-water work window to protect listed species, the work may be implemented over several years depending on available funding and Coast Guard Station Monterey operational needs.

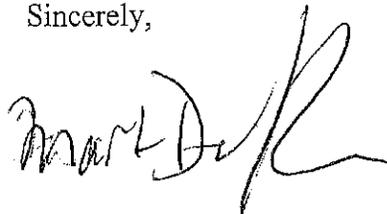
The Coast Guard prepared a *Final Environmental Assessment* (January 2014) to evaluate potential effects of project construction on listed and sensitive species and on designated and proposed critical habitat in the project area. The Coast Guard also consulted with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service and subsequently received from both agencies separate Incidental Harassment Authorization permits for the proposed project. These permits include conditions and measures to protect marine mammals from noise impacts during pile-driving (e.g., bubble curtains, time restrictions, establishment of Level B harassment zones of influence, soft starts for pile driving, shutdown measures, marine mammal monitoring protocols, and reporting requirements). The project also includes construction best management

practices, including erosion control, spill prevention, and debris containment measures to minimize water quality impacts during project construction.

The proposed project does not require any dredging to maintain adequate water depth for Coast Guard vessels that use the pier. In addition, because the new steel piles will be placed in the footprint of the extracted timber piles, there will be no loss of soft or hard bottom habitat at the project site. The Coast Guard states that nonmotorized and motorized boat access to areas immediately adjacent to the USCG pier would be temporarily restricted during construction but that the passage of watercraft between the pier and the public marina to the south would not be impeded. The nearby parking lot and boat launch ramp just to the east of the Coast Guard facilities would remain open to the public during construction.

In conclusion, the Commission staff **agrees** that the proposed pier facilities repair and replacement work at Coast Guard Station Monterey will not adversely affect coastal resources. The project is similar to other pier replacement projects previously reviewed by the Commission at this and other locations. We therefore **concur** with your negative determination made pursuant to 15 CFR 930.35 of the NOAA implementing regulations. Please contact Larry Simon at (415) 904-5288 should you have any questions regarding this matter.

Sincerely,



(for)

CHARLES LESTER  
Executive Director

cc: CCC – Central Coast District



16475  
February 23, 2015

Ms. Michelle Jespersion  
Federal Programs Manager  
California Coastal Commission  
45 Fremont, Suite 2000  
San Francisco, CA 94105-2219

Ref: ND-34-95

Dear Ms. Jespersion:

The United States Coast Guard (CG) proposes to repair and replace facilities that have deteriorated over time to improve and maintain the structural integrity of an existing CG and National Oceanic Atmospheric Administration (NOAA) pier (Pier), floating docks, and potable water line at CG Station Monterey (Station), Monterey, California. The proposed action will involve replacing 17 timber piles; replacing the existing potable waterline; and improving associated structures to maintain the structural integrity of the Pier and potable waterline, enclosure (1).

The Pier is located on the eastern portion of the Station's waterfront facility along a breakwater that extends approximately 1,300 feet east into Monterey Harbor. The Pier and floating docks are located on the southern side of the breakwater. A paved Pier access road extends approximately 800 feet along the breakwater. The Pier access road is accessible to the general public; however, the CG facilities are secured by fencing. The eastern end of the breakwater is a Jetty, and is not accessible to the public; this area is inhabited throughout most of the year by seabirds, which use the Jetty for nesting during spring and summer; and by California sea lions, which use the Jetty as a haul-out site. The seabirds and California sea lions in the immediate project area are regularly exposed to human presence, boat traffic, and other common and continual disturbances at the project site and within Monterey Harbor, and are not easily deterred from the Jetty. Pacific harbor seals also use rocky outcroppings and waters within Monterey Harbor. The public is allowed to use a boat ramp at the head of the Pier.

The Pier was constructed in the early 1950s, of timber and steel material, and supported by 64 timber piles. In, 1995, a section of the original timber piles were replaced with 14-inch steel pipe piles, and the remaining timber piles were covered with polyvinyl chloride wraps to extend their service life. Currently, 17 timber piles have exceeded the typical design and practical service life due to marine borers and exposure to the marine environment. The Pier deck and floating docks have also deteriorated as a result of exposure to the marine environment and regular use. Additionally, exposure to the marine environment over time has resulted in severe corrosion of the potable waterline. Therefore failure to replace the 17 timber piles, Pier hardware and potable waterline will seriously hinder the CG and NOAA ability to carry out their missions.

The proposed action would involve removing the existing timber deck, timber stringers, steel pile caps, steel support beams, and hardware to access the 17 timber piles that need to be replaced. The timber piles, which are approximately 14 to 16-inch in diameter, would be removed through use of a vibratory extractor. A 14 to 18-inch diameter, 1/2-inch thick walled steel pipe pile will be positioned and installed in the footprint of the extracted timber pile. Due to dense substrate at the project site, a majority of the steel pipe pile installation may require impact pile driving; however, pile driving would be conducted with a vibratory hammer to the extent feasible, with an impact hammer used for proofing the piles. Pre-drilling may occur, but would be discontinued when the pile tip is approximately 5 feet above the required

Subj: WATERFRONT REPAIRS AT CG STATION MONTEREY

pile tip elevation. If the steel pipe pile is unable to be driven 30 feet below the mudline with an impact hammer due to the substrate or Jetty armor, the pile would be posted onto the Jetty armor stone using 36-inch diameter concrete pedestals and dowels anchored into the armor stone. Concrete slurry would be used to cement stone within 5 feet of posted steel pipe piles to further secure the piles. The new steel pipe piles would not be filled with concrete. Other material and hardware removed to conduct the pile replacement would be replaced with in-kind materials. Pile extraction and driving will generate a minor discharge of turbid water for a brief period and will be quickly dissipated by tidal flush.

Based on the proposed pile work, it is assumed that two piles per day would be both extracted and installed. Pile replacement activities would therefore occur for an estimated maximum of 10 days of the total construction time. It is assumed that driving time would be about 20 to 25 minutes per pile (vibratory or impact). It is assumed that vibratory extraction of the existing piles would take about 10 minutes per pile. This would result in, at most, 60 to 70 minutes of pile driving per day, or 8.5 to 10 hours of underwater and airborne noise generation from pile driving over the course of the project construction. A bubble curtain would be used during all pile driving with an impact hammer to reduce underwater sound pressures. Vehicles and heavy equipment would likely include dump trucks, pick-up trucks, a vibratory or impact hammer located on a barge, a diesel tugboat, a gasoline utility boat, diesel generator, air compressor, and a variety of small tools such as table saws, welders, and drills.

Several proposed ancillary repairs to the Pier deck and floating docks would also occur. Specifically, under-deck repairs would restore bearings at pedestals and sea walls with non-shrink grout pads, and replace underwater pile struts. Above-deck repairs would include removing abandoned mooring hardware, replacing missing sections of curb, and replacing isolated deck planks that have deteriorated. Repairs to the floating docks would include repairing tie rods, repairing guide pile brackets, repairing concrete spall, relocating and securing gangway wear plates, replacing cleats, replacing missing rubstrips, and replacing underwater pile struts.

Repairs to the potable waterline would involve in-kind replacement of approximately 175 feet of 3-inch diameter galvanized piping. The existing potable waterline is on the outboard beam of the Pier, and is mounted by hangers. The new potable waterline would be supported every 4 feet in the same alignment as the existing configuration. Three top-side water standpipes would be replaced as part of the potable waterline replacement. All work for replacement of the potable waterline would occur above Mean High Water.

Construction would be conducted during daylight hours (7 a.m. to 7 p.m.), Monday through Friday, and construction duration would be a total of approximately 45 to 60 days. Construction would commence during the 2015 in-water work window fiscal year; however, project components may be implemented over several years, depending on available funding and operational needs

A Biological Assessment (BA) to evaluate the potential effect of the proposed actions on threatened, endangered, proposed, or sensitive species and designated or proposed critical habitat that have the potential to occur in the proposed project area was prepared. The BA was provided to the United States Fish and Wildlife Service and National Marine Fisheries Service. The BA also evaluated the potential effect on essential fish habitat (EFH) in accordance with the Magnuson-Stevens Fishery Conservation and Management Act. The CG has concluded its consultations with both USFWS and NMFS under Section 7 of the ESA and EFH consultation with NMFS for the proposed action, enclosure (2).

16475  
February 23, 2015

Subj: WATERFRONT REPAIRS AT CG STATION MONTEREY

The CG requested an Incidental Harassment Authorization (IHA) for the harassment of marine mammals incidental to the proposed action permitted under Section 101(a)(5)(A-D) of the Marine Mammal Protection Act (MMPA) of 1972, as amended, with both USFWS (southern sea otter) and NMFS (cetaceans and pinipeds). Enclosure (3) contains both USFWS and NMFS IHA permits.

In 1995, Negative Determination ND-34-95, enclosure (4), was issued for the original repairs to the Pier that involved replacing supporting timber piles. The work covered by ND-34-95 is similar to the proposed action. Mitigation measures and industry-standard best management practices will be used to minimize the potential construction impacts on coastal uses or resources. In accordance with the Coastal Zone Management Act of 1972, as amended, the CG has determined that this proposed project will have no effect upon coastal uses or resources and is consistent to the maximum extent practicable with the policies of the California Coastal Management Plan. We request that ND-34-95 be amended to include the proposed project.

To address CEQA issues our National Environment Policy Act documentation is provided as enclosure (5). Please contact Amanda Velasquez, telephone (510) 410-8300 or e-mail [Amanda.L.Velasquez@uscg.mil](mailto:Amanda.L.Velasquez@uscg.mil), if you have any questions or need additional information or would like to make a site visit.

Sincerely,



DAVE STALTERS  
Chief, Environmental Management Branch  
U.S. Coast Guard  
By direction of the Commanding Officer

- Encl: (1) Proposed Action Drawings  
(2) ESA Consultation Letters  
(3) IHA Permit Letters  
(4) ND-34-95  
(5) Final EA

**CALIFORNIA COASTAL COMMISSION**

45 FREMONT, SUITE 2000  
SAN FRANCISCO, CA 94105-2219  
VOICE (415) 904-5200  
FAX (415) 904-5400  
TDD (415) 597-5885



May 8, 2015

Dave Stalters  
Chief, Environmental Management Branch  
Civil Engineering Unit Oakland  
ATTN: Amanda Velasquez  
1301 Clay Street, Suite 700N  
Oakland, CA 94612-5203

Subject: Negative Determination ND-0008-15 (Facilities repair and replacement at Coast Guard Station Monterey, Monterey County)

Dear Mr. Stalters:

The Coastal Commission staff has reviewed the above-referenced project. The Coast Guard proposes to repair and replace facilities at the Coast Guard Station Monterey pier that have deteriorated over time due to exposure to the marine environment and regular use. The Coast Guard pier was constructed in the early 1950s of timber and steel materials. In 1995 the Coast Guard replaced 26 severely damaged timber piles with steel piles and reinforced and plastic-wrapped the remaining timber piles to extend their service life (ND-034-95). The proposed project includes: (1) removing 17 timber piles with a vibratory extractor; (2) installing 17 steel pipe piles in the footprint of the extracted timber piles, using a vibratory hammer and impact pile driving over a ten-day period; (3) replacing 175 feet of 3-inch diameter galvanized potable waterline on the outboard side of the pier; and (4) repairing and replacing hardware and deck planks on the pier deck and floating docks. Construction would occur during daylight hours, Monday through Friday, over a 45 to 60 day period. While construction would commence during the 2015 in-water work window to protect listed species, the work may be implemented over several years depending on available funding and Coast Guard Station Monterey operational needs.

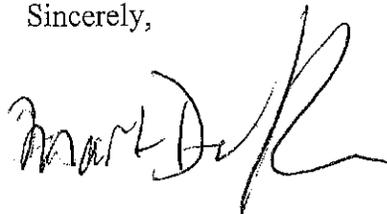
The Coast Guard prepared a *Final Environmental Assessment* (January 2014) to evaluate potential effects of project construction on listed and sensitive species and on designated and proposed critical habitat in the project area. The Coast Guard also consulted with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service and subsequently received from both agencies separate Incidental Harassment Authorization permits for the proposed project. These permits include conditions and measures to protect marine mammals from noise impacts during pile-driving (e.g., bubble curtains, time restrictions, establishment of Level B harassment zones of influence, soft starts for pile driving, shutdown measures, marine mammal monitoring protocols, and reporting requirements). The project also includes construction best management

practices, including erosion control, spill prevention, and debris containment measures to minimize water quality impacts during project construction.

The proposed project does not require any dredging to maintain adequate water depth for Coast Guard vessels that use the pier. In addition, because the new steel piles will be placed in the footprint of the extracted timber piles, there will be no loss of soft or hard bottom habitat at the project site. The Coast Guard states that nonmotorized and motorized boat access to areas immediately adjacent to the USCG pier would be temporarily restricted during construction but that the passage of watercraft between the pier and the public marina to the south would not be impeded. The nearby parking lot and boat launch ramp just to the east of the Coast Guard facilities would remain open to the public during construction.

In conclusion, the Commission staff **agrees** that the proposed pier facilities repair and replacement work at Coast Guard Station Monterey will not adversely affect coastal resources. The project is similar to other pier replacement projects previously reviewed by the Commission at this and other locations. We therefore **concur** with your negative determination made pursuant to 15 CFR 930.35 of the NOAA implementing regulations. Please contact Larry Simon at (415) 904-5288 should you have any questions regarding this matter.

Sincerely,



(for)

CHARLES LESTER  
Executive Director

cc: CCC – Central Coast District

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**Appendix H**

**California Environmental Quality Act Notice of  
Exemption (2015)**

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# Notice of Exemption

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**To:** Office of Planning and Research  
P. O. Box 3044, Room 113  
Sacramento, CA 95812-3044

**From:** (Public Agency): Central Coast RWQCB  
895 Aerovista Place, Suite 101  
San Luis Obispo, CA. 93401-7906

---

(Address)

**Project Title:** U.S. Coast Guard Monterey Waterfront Repairs Project

**Project Applicant:** U.S. Coast Guard, Civil Engineering Unit Oakland

**Project Location - Specific:** A Coast Guard and National Oceanic and Atmospheric Administration (NOAA) pier and floating docks at Coast Guard Station Monterey, Monterey California, located at 36.6067° N, - 121.8967° W.

**Project Location - City:** Monterey

**Project Location - County:** Monterey County

**Description of Nature, Purpose and Beneficiaries of Project:**

The project includes the following activities:

1. Removal of the existing timber deck, timber stringers, steel pile caps, steel support beams, and hardware;
2. Removal of 17 timber piles;
3. Replacement of removed piles with 14 to 16-inch diameter ½-inch thick walled steel pipe piles;
4. Restoration of under-deck bearings at pedestals and sea walls with non-shrink grout pads; and
5. Implementation of several other proposed ancillary above-deck repairs and repairs to floating docks.

The purpose of the project is to repair and replace facilities that have deteriorated over time, and to improve and maintain structural integrity of an existing Coast Guard and NOAA pier, floating docks, and potable water line at Coast Guard Station Monterey.

Beneficiaries: U.S. Coast Guard and NOAA.

**Name of Public Agency Approving Project:** Central Coast Regional Water Quality Control Board

**Name of Person or Agency Carrying Out Project:** U.S. Coast Guard, Civil Engineering Unit Oakland

**Exempt Status: (check one):**

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: Sec. 15301 Existing Facilities
- Statutory Exemptions. State code number: \_\_\_\_\_

**Reasons why project is exempt:**

The proposed project consists of the repair and replacement of existing structures/facilities and involves no expansion of use.

**Lead Agency Contact Person:** Kim Sanders      Area Code/Telephone/Extension: (805) 542-4771

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project?  Yes  No

Signature \_\_\_\_\_ Date: May 15, 205 Title: Senior Environmental Scientist

Signed by Lead Agency     Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.  
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.  
Date Received for filing at OPR: \_\_\_\_\_  
Revised 2011

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**Appendix I**

**Supplemental Environmental Assessment:**

**Request for Comment Letter, Agency Responses,**

**and Summary**

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To Be Provided

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## **Appendix J**

### **Photo Log**

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# Appendix J

## Photo Log

*View of pier, jetty and moored vessels*



*View of pier with sea lions*



*Aquatic vegetation*



*Marine and benthic species on pier*

