
Issue 10: Nearshore Development

Comment

Protection of Coastal Lands from Development

There is a need for landward protection and controls on nearshore development. Adequate protection of the ocean environment must include management of the adjacent coastal and upland zones. NOAA should extend its jurisdiction to include beaches, dunes, uplands, and wetland habitats adjacent to the proposed Sanctuary.

The impacts of increasing local transportation traffic adjacent to the Sanctuary should be addressed in the FEIS/MP.

No excavation, drilling, pile driving, trenching, or soil aeration should be allowed on lands suspected to contain hazardous chemicals, as such activities might result in point or non-point source discharges to the Sanctuary.

Seawall Impacts

NOAA should prohibit the construction of seawalls after Sanctuary designation. It is well-documented that seawalls change wave refraction patterns, often increasing erosion on adjacent sites, and property owners should not be allowed to build these structures.

NOAA Response

Protection of Coastal Lands from Development

NOAA agrees that protection and management of the land portion of the coastal zone is necessary for adequate protection of the ocean environment. NOAA will coordinate with existing coastal zone management authorities such as the California Coastal Commission and the State Lands Commission regarding potential land- and-water-based threats and impacts to the Sanctuary. The physical boundary of this Sanctuary encompasses ocean and coastal waters up to the mean high-water line. NOAA intends to protect the Sanctuary from the impacts of coastal development via its regulation of discharges or deposits from beyond the Sanctuary boundary that subsequently enters the Sanctuary and injures a Sanctuary resource or quality. In addition, NOAA has entered into a water quality MOA with the state of California, CPA and AMBAG to ensure that development on coastal areas do not result in adverse impacts to Sanctuary resources and qualities (see *Introduction* in NOAA's *Depositing and Discharging Activities* response).

NOAA has included a discussion of urban and associated developmental impacts in the FEIS/MP.

The EPA has programs dealing with hazardous material disposal and recovery. NOAA will work with Federal, state, and local authorities and landowners regarding appropriate measures for addressing hazardous chemical sites that may affect Sanctuary resources.

Seawall Impacts

Activities that require drilling into, dredging, or otherwise altering the seabed of the Sanctuary, or constructing, placing, or abandoning any structure, material, or other matter on the seabed of the Sanctuary are prohibited except as allowed under 15 CFR §944.11 or exempted under activities related to the maintenance of harbors. Seawall construction would not be allowed.

Comment

Beach Nourishment

Are there any limits on the amount of silt in the sand used for beach nourishment? Even though the sand may be placed above the high-tide mark, erosion may move silt into the Bay.

NOAA Response

Beach Nourishment

NOAA will work with the appropriate authorities, in particular the COE, to determine the impacts of beach nourishment programs. If it should appear that a particular project would injure Sanctuary resources or qualities, NOAA may impose terms and conditions pursuant to 15 CFR §944.10 and 944.11.