

# RECORD PACKET COPY

STATE OF CALIFORNIA—THE RESOURCES AGENCY

PETE WILSON, Governor

## CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000  
SAN FRANCISCO, CA 94105-2219  
VOICE AND TDD (415) 904-5200

# Th-5a



Date Filed:	October 29, 1996
49th Day:	December 17, 1996
180th Day:	April 27, 1997
Staff:	CRO-SF
Staff Report:	November 22, 1996
Hearing Date:	December 12, 1996
Commission Action:	
Commission Vote:	

### STAFF REPORT: REGULAR CALENDAR

**Application No.:** E-96-25

**Applicant:** Chevron Pipe Line Company

**Agent:** Fugro West, Inc.

**Project Location:** On the dune above Atascadero Beach and within the California Department of Transportation (Caltrans) right-of-way, west of the Chevron Estero Marine Terminal and U.S. Highway 1, between the Cities of Cayucos and Morro Bay, San Luis Obispo County. (Exhibit 1)

**Project Description:** Delineation and remediation of a subsurface petroleum plume that extends along and below U.S. Highway 1. Activities include: (1) conduct five soil borings to collect soil samples, (2) install four temporary, 1-inch diameter monitoring wells to collect groundwater samples, (3) install one 4-inch diameter extraction well and a passive petroleum recovery canister, and (4) remove and properly abandon each well when monitoring/extraction is complete. (Exhibits 2-3)

**Other Approvals:** City of Morro Bay. Waived.  
Caltrans. Encroachment Permit No. 0596-6SV 0669 (to be issued in December 1996).

**Substantive File Documents:** See Appendix B.

## SYNOPSIS

This application constitutes Chevron's proposal to remediate the second and easternmost of two areas of contamination that Chevron discovered at Atascadero Beach west of the Chevron Estero Marine Terminal earlier this year. In January 1996, Chevron discovered an area of hydrocarbon-contaminated sand at approximately four feet below ground surface at the beach [Chevron made the discovery during a maintenance project on one of the Estero Terminal's crude oil loading pipelines (see CDP No. E-95-03)]. Sand samples were subsequently collected for analysis, and the results indicated that the material resembled a weathered crude oil. Chevron believes that the stained area is associated with an old loading line that Chevron removed in 1983.

In February 1996, Chevron further delineated the spill area, and remediated and restored 70 cubic yards of contaminated beach sands.<sup>1</sup> During the spill delineation work, Chevron detected a second area of contamination along and under U.S. Highway 1 and within the California Department of Transportation (Caltrans) right-of-way. Chevron is now proposing to remediate the second site. The project has been reviewed and/or approved by the following agencies:

- Regional Water Quality Control Board, Central Coast Region (RWQCB);
- Department of Fish and Game, Office of Spill Prevention and Response (CDFG- OSPR);
- San Luis Obispo County Health Department, Division of Environmental Health;
- City of Morro Bay;
- Caltrans; and
- U.S. Army Corps of Engineers.

Chevron proposes to conduct the following activities:

1. install five soil borings (to collect soil samples);
2. convert four of the soil borings to temporary well points (for the collection and sampling of petroleum hydrocarbons in groundwater);
3. install one extraction well (for passive separate-phase petroleum recovery) and a passive petroleum recovery canister;
4. remove and abandon each well when monitoring/extraction is complete.

Potential adverse impacts of the proposed hydrocarbon investigation project and measures Chevron proposes to avoid or mitigate those impacts are summarized in Table 1. Based on the following considerations—(1) the small area (approximately 225 ft<sup>2</sup>) to be disturbed; (2) the short duration of project activities (project work will be completed in seven to 10 days), and (3) implementation of the special conditions and Chevron's proposed mitigation measures—the staff believes that the project as proposed and conditioned is consistent with Coastal Act policies. Therefore, the staff recommends that the Commission approve the project as conditioned.

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<sup>1</sup> This project was authorized on an emergency basis by the Executive Director under two emergency permits: CDP No. E-96-05-G (spill delineation) and CDP No. E-96-06-G (spill remediation). In May 1996, Chevron obtained a regular CDP (No. E-96-12) for the project.

**Table 1. Issue summary: Potential impacts & proposed mitigation measures.**

Potential Impact	Proposed Mitigation Measures
<p><b><u>Oil Spills.</u></b></p> <ul style="list-style-type: none"> <li>• Remediation of an existing land-based spill will enhance the environment in the vicinity of spill.</li> <li>• However, the drilling of wells in the vicinity of pipelines, or spills from equipment used, could result in accidental releases of hydrocarbons.</li> </ul>	<ol style="list-style-type: none"> <li>1. Well installation will be monitored by a registered geologist and will be completed by OSHA certified drillers and helpers.</li> <li>2. All equipment will be inspected daily for leaks (e.g., of diesel fuel, gasoline, oil, etc.). Leaking equipment shall not be used.</li> <li>3. Pipelines that connect to the terminal berths shall be idle during soil and groundwater investigation activities or while heavy equipment is crossing the lines. The Number 1 loading line shall be clearly marked and pipeline repair material shall be kept onsite in case of a pipeline break.</li> <li>4. No fueling or scheduled maintenance of equipment shall occur on the beach.</li> <li>5. After completion of well installation and removal, the supervising project geologist shall ensure that no spills exist within the project areas. Any such spills will be reported to the Executive Director and immediately cleaned.</li> <li>6. In the event of any hydrocarbon spill during sampling or other activities, spill response will be handled according to the Chevron Emergency Spill and Oil Spill Response Manual. Spill response and construction equipment at Estero Marine Terminal (e.g., highway barricades, signs, sorbent spill boom and pads, pipe, welding equipment, air compressors, personal protective equipment) is available for use, as will be Estero Terminal repair crew staff.</li> </ol>
<p><b><u>Sensitive Species.</u></b></p> <ul style="list-style-type: none"> <li>• Activities could disturb the Western snowy plover.</li> </ul>	<ol style="list-style-type: none"> <li>7. Chevron will complete all work before the onset of the springtime nesting season of the Western snowy plover.</li> <li>8. Site disturbance shall be minimized to the maximum extent feasible by means of procedures that include but are not necessarily limited to the use of a single set of tire tracks by vehicles when entering and leaving the beach.</li> </ol>
<p><b><u>Access/Recreation.</u></b></p> <ul style="list-style-type: none"> <li>• Well caps extending up to six inches above grade could create safety hazards to persons recreating on the beach.</li> <li>• Work along Highway 1 could interfere with bicyclists.</li> </ul>	<ol style="list-style-type: none"> <li>9. Chevron shall place stakes and caution flagging around all well caps upon installation and shall immediately remove all well caps, stakes and caution flagging upon completion of sampling activities.</li> <li>10. To the maximum extent feasible, wells will be installed and removed by hand, and use of heavy equipment that may affect access to the beach will be minimized to the maximum extent feasible.</li> <li>11. No work that would interfere with the use of bicycles on Highway 1 will be conducted during Saturday or Sunday.</li> <li>12. Chevron shall obtain a Caltrans encroachment permit and abide by all permit conditions.</li> </ol>
<p><b><u>Cultural Resources.</u></b></p> <ul style="list-style-type: none"> <li>• Activities could disturb cultural/ archaeological resources located on the project site.</li> </ul>	<ol style="list-style-type: none"> <li>13. An archaeologist and Native American monitor approved by the Executive Director will be onsite to monitor ground-disturbance activities. In the event that any significant archaeological or cultural resources are discovered while performing any project-related activity, Chevron shall immediately halt work and notify the Executive Director and the City of Morro Bay, and resume work only after these agencies have determined the appropriate course of action. Chevron will conduct all hydrocarbon investigation activities pursuant to a Cultural Resources Management Plan to ensure that the integrity of these resources are preserved.</li> </ol>

## **1.0 STAFF RECOMMENDATION**

The staff recommends that the Commission adopt the following resolution:

### **APPROVAL WITH CONDITIONS**

The Commission hereby grants a permit, subject to the conditions below, for the proposed development on the grounds that the development, as conditioned, will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program (LCP) conforming to the provisions of Chapter 3 of the Coastal Act, and as conditioned will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

## **2.0 STANDARD CONDITIONS**      See Appendix A

## **3.0 SPECIAL CONDITIONS**

This permit is granted subject to the following special conditions:

1. Avoidance of Snowy Plovers. No project activities shall be conducted during the snowy plover nesting season at Atascadero Beach, as determined by the U.S. Fish and Wildlife Service for the nesting year.
2. Other Permit Approvals. Prior to commencement of project operations, Chevron shall submit to the Executive Director copies of the Caltrans Encroachment Permit (No. 0596-6SV-0669) and U.S. Army Corps of Engineers approvals.

## **4.0 FINDINGS AND DECLARATIONS**

### **4.1 Project Location and Description**

Chevron Estero Marine Terminal is located in and adjacent to Estero Bay, San Luis Obispo County, between the Cities of Cayucos and Morro Bay. (Exhibit 1) The terminal has been in continuous operation since 1929. The facility consists of a Hill Plant for crude oil storage; a Shore Plant with oil handling, control, and emergency equipment; and a two-berth marine terminal, each with underwater pipes and mooring buoys.

In January 1996, Chevron discovered hydrocarbon-stained sands on the beach west of the Estero Marine Terminal. Sand samples were collected for analysis after the discovery, and the results indicated that the collected material resembled a weathered crude oil (Chevron believes that the contamination is associated with an old loading pipeline that was removed in 1983). In February 1996, Chevron: (1) delineated the horizontal and vertical extent of contamination; (2) identified two contaminated sites—one in the tidal zone and a second within the Caltrans right-of-way; and

(3) remediated the site in the tidal zone.<sup>2</sup> Chevron is now proposing to remediate the site within the Caltrans right-of-way. Proposed operations are described below (Exhibit 2).

1. Chevron will install five soil borings to collect soil samples. Four of the soil borings will be converted to temporary wells for collection and sampling of hydrocarbons in groundwater.
  - Installation of each of the soil borings and temporary monitoring wells will take approximately two hours to complete;
  - The monitoring wells will remain in place for less than one week.
2. Chevron will install one extraction well for passive petroleum recovery (Exhibit 3).
  - Installation of each of the extraction well will take about three to four hours to complete.
  - The extraction well will be in place for two years, and possibly 10 years or more.
  - The well will be located on an existing path extending over the dunes to the Highway 1 fence. Chevron anticipates that less than one inch of the well casing will be above grade. A flush-mounted protective road box will be installed to protect the well casing.
3. At the conclusion of monitoring, all temporary well points will be pulled from the ground by hand if possible, and with a backhoe under worst case conditions. The borings located in unconsolidated sands will fill with sand that will cave into the boring holes during removal of the well points; due to this caving and to the relatively coarse grain size of the beach sands, abandonment with bentonite-cement may not be necessary. Borings located in consolidated materials will be filled with a slurry of bentonite and cement, from the bottom of the boring to within one inch of ground surface; the extraction well will be removed and abandoned with bentonite-cement slurry when extraction is completed.

Chevron will place stakes and caution flagging around the well caps to prevent exposed well caps from being a safety hazard to persons walking in the area. Chevron will remove the markers when the wells are removed. Use of heavy equipment will be minimized to the maximum extent feasible.

Project activities will be staged from the existing 5,700 square foot, fenced-in staging area that contains oil-spill-response equipment, on the west side of Highway 1 across from the Terminal. Equipment access routes will use an area of approximately 3,750 square feet, and may require the closure of one lane of Highway 1 for about four hours (this work will be conducted pursuant to the terms and conditions of a Caltrans encroachment permit). The area to be disturbed to place the wells is less than one square foot for each well, and the total area required for well installation activities is approximately 225 square feet. Chevron will complete installation and removal of the monitoring wells and installation of the extraction wells in approximately 7-10 days.

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<sup>2</sup> Immediate remediation of the tidal zone site was necessary to reduce the threat that hydrocarbons would enter into the marine environment. The remediation work—which was authorized by the Central Coast Regional Water Quality Control Board (RWQCB) and the Department of Fish and Game's Office of Oil Spill Prevention & Response (OSPR)—was conducted pursuant to Emergency CDP Nos. CDP E-96-05-G & E-96-06-G.

## 4.2 Other Related State and Local Approvals

Related approvals of the hydrocarbon investigation project were granted as follows:

- The San Luis Obispo Division of Environmental Health and the California Regional Water Quality Control Board issued letters approving the work plan on September 23 and September 24, 1996, respectively (Exhibits 4-5);
- The City of Morro Bay waived the local approval in September 1996 (Exhibit 6);
- Caltrans is in the process of issuing Encroachment Permit No. 0596-6SV-0669 and plans to approve the permit in December 1996 (telephone conversation between Samir Pakov, Caltrans, and Cy Oggins, CCC, November 21, 1996).

## 4.3 Coastal Act Issues

### 4.3.1 Marine Resources and Environmentally Sensitive Habitat

Section 30240 of the Coastal Act states:

*(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.*

*(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.*

Section 30230 of the Coastal Act states:

*Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.*

Section 30231 of the Coastal Act states in part:

*The biological productivity and the quality of coastal waters ... appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, ... preventing depletion of ground water supplies....*

Section 30232 of the Coastal Act states:

*Protection against the spillage of crude oil, gas, petroleum products, or hazardous substances shall be provided in relation to any development or transportation of such materials. Effective containment and cleanup facilities and procedures shall be provided for accidental spills that do occur.*

Project activities will be located on sandy dune above Atascadero Beach, as well as along U.S. Highway 1. The site is primarily beach sand. Dominant plants in the vicinity are coastal goldenbush [also commonly known as haplopappus (*Isocoma menziesii* var. *Vernonoides*)] and hottentot fig [a variety of ice plant (*Carpobrotus edulis*)]; other species present within the soft sand east of the dune include: New Zealand spinach (*Tetragonia tetragonioides*), European sea rocket (*Cakile maritima*), summer mustard (*Hirschfeldia incana*), and coastal golden-yarrow (*Eriophyllum* sp.). The project area is also located near the mouth of Toro Creek, a biologically sensitive area as designated by the City of Morro Bay.

The Western snowy plover (*Charadrius alexandrinus nivosus*) is a sensitive species that may occur on the project site. This species is listed as Federal Category 2 (*may warrant listing, but sufficient biological information to support a proposal rule is lacking*) and as a Species of Special Concern by the State of California (*California Department of Fish & Game determination that the species is at potential risk and warrants monitoring*). Other species of concern have been recorded at eight locations within a one-mile radius of the project site include the following: Monarch Butterfly (*Danaus plexippus*), Jones' Layia (*Layia jonesii*); San Luis Dudleya (*Dudleya bettiniae*); and Southwestern Pond Turtle (*Clemmys marmorata pallida*). In addition, the Tidewater Goby (*Eucyclogobius newberryi*) was found to occur in Toro Creek, about 525 feet upstream of U.S. Highway 1.

Biologists from Fugro West, Inc. have previously visited the project site and determined that no adverse impact to the Western snowy plover would result from project implementation. The Commission staff concurs with this determination based on the following factors:

1. Project timing. All project activities will be completed before the onset of the springtime Snowy plover nesting season (March)—in the event of an early nesting season, Special Condition 1 requires that no project activities shall be conducted during the snowy plover nesting season at Atascadero Beach, as determined by the U.S. Fish and Wildlife Service for the nesting year.
2. Short project duration. Temporary well point installation, monitoring, and removal activities will be completed within approximately seven to 10 days;
3. Small area of disturbance. The area of disturbance associated with the project is limited (approximately 225 ft<sup>2</sup> total area).

In the event of any hydrocarbon release from the hydrotest activities, spill response will be handled according to the Chevron Emergency and Oil Spill Response Manual (which Chevron

prepared in April 1994 to attain compliance with the Oil Pollution Act of 1990 and California Senate Bill 2040). A backhoe and vacuum trucks will already be on site. Additional spill response and construction equipment is located at the Estero Terminal, and includes highway barricades and construction signs, sorbant spill boom and pads, personal protective equipment, pipe, welding equipment, and air compressors. The Estero Terminal repair crew staff will also be present across Highway 1. Additional mitigation measures that Chevron is incorporating into the project description include:

1. Well installation will be monitored by a registered geologist and will be completed by OSHA certified drillers and helpers.
2. All equipment will be inspected daily for leaks (e.g., of diesel fuel, gasoline, oil, etc.). Leaking equipment shall not be used.
3. Pipelines that connect to the terminal berths shall be idle during soil and groundwater investigation activities or while heavy equipment is crossing the lines. The Number 1 loading line shall be clearly marked and pipeline repair material shall be kept onsite in case of a pipeline break.
4. No fueling or scheduled maintenance of equipment shall occur on the beach.
5. After completion of well installation and removal, the supervising project geologist shall ensure that no spills exist within the project areas. Any such spills will be reported to the Executive Director and immediately cleaned.

The Commission finds that the project as proposed and conditioned will not significantly impact environmentally sensitive species or marine resources for the following reasons:

1. No adverse impact to the Western snowy plover will result from project implementation;
2. An oil spill contingency plan is in place in the event of any hydrocarbon release from the hydrotest activities; and
3. Oil spill containment and cleanup equipment and personnel are available on-site and at the Estero Terminal; and

The Commission therefore finds that the proposed project as conditioned is consistent with Coastal Act Sections 30240, 30230, 30231, and 30232.

#### **4.3.2 Public Access and Recreation**

Section 30211 of the Coastal Act states:

*Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.*



Section 30220 of the Coastal Act states:

*Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.*

Public access to the shoreline and along the coast is available near the site. Existing state beaches (Morro Strand and Atascadero) lie to the north and south of the Chevron parcel and provide opportunities for access to the shoreline from Highway 1. Atascadero State Beach is accessible from Toro Point, approximately one-quarter mile south of the site near the intersection of Yerba Buena Street and Highway 1. Recreational use of the wet and dry sand area in the immediate project vicinity currently exists. The dry sand portion of the property connects two state park beach units and provides a logical connection for low intensity uses such as beachcombing and fishing. Bicyclists use Highway 1 in front of the Marine Terminal, particularly during weekends.

The project will require placement of temporary well caps that measure one inch in diameter and that will extend up to approximately two inches above ground surface. These caps will be visible on Atascadero State Beach. However, the well points will be in place for only one week. In addition, Chevron will place stakes and caution flagging around the well caps to prevent the exposed well caps from being a safety hazard to persons walking in the area. The extraction well is larger—a manhole cover 10 inches in diameter will be placed at the ground surface (less than one inch is anticipated to be above grade)—and will be in place for more than two years and possibly 10 years or more. Installation and removal of two of the well points may require the closure of one lane of Highway 1 for about four hours. This work will be conducted pursuant to the terms and conditions of the Caltrans encroachment permit.

To minimize impacts to public access, Chevron will minimize to the maximum extent feasible the use of heavy equipment to install and remove the well points. For example, Chevron will remove the well points by hand and will use a backhoe only when necessary. To minimize impacts to bicyclists, no work that would interfere with the use of bicycles on Highway 1 will be conducted during Saturday or Sunday.

Considering the duration of the project (approximately one week), the small area of disturbance, the use of stakes and caution flagging, the limited use of heavy equipment, and Chevron's commitment to avoid closing Highway 1 on weekends, the Commission finds that the project as proposed will not significantly impact access or public recreation. The Commission therefore finds that the proposed project is consistent with Coastal Act Sections 30211 and 30220.

#### **4.3.3 Archaeological and Cultural Resources**

Section 30244 of the Coastal Act states:

*Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.*

The project area is located in an archaeologically sensitive area and is highly significant to Chumash people. While no known archaeological site exists in the immediate vicinity of the well sites, a known archaeologically sensitive site is located to the south of the well sites. The project as proposed will not interfere with this known site.

Chevron has developed a Cultural Resources Management Plan (CRMP) to ensure that the integrity of cultural and archaeological resources is preserved. Chevron will conduct all activities pursuant to the CRMP. An archaeologist and Native American monitor will be on site to observe any ground-disturbing activities through the culturally significant soil/rock horizons. In the event that any significant cultural resources are discovered during project operations, Chevron shall immediately halt work and notify the Executive Director and the City of Morro Bay; work shall not restart until these agencies, in consultation with the monitor, have determined an appropriate course of action.

Considering that Chevron will conduct all activities pursuant to the CRMP and will have a monitor onsite, the Commission finds that the project as proposed will not significantly impact cultural or archaeological resources. The Commission therefore finds that the proposed project is consistent with Coastal Act section 30244.

#### **4.4 California Environmental Quality Act (CEQA)**

The Coastal Commission's permit process has been designated by the State Resources Agency as the functional equivalent of the CEQA environmental review process. Pursuant to CEQA section 21080.5(d)(2)(i) and section 15252(b)(1) of Title 14, California Code of Regulations, the Commission may not approve a development project "if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment." Thus the CEQA requires the consideration of feasible alternatives to a proposed project, including those less environmentally damaging, and the consideration of mitigation measures to minimize or lessen any significant environmental impacts.

The "no project" alternative would result in no further delineation of the western contaminant plume. Pursuing the "no project" alternative would inhibit the assessment, and subsequent remediation, necessary to prevent the contamination from further encroaching upon land, marine, and groundwater resources. Therefore, the no project alternative is not a less environmentally damaging alternative.

As discussed above, the proposed project activities are subject to mitigation measures that make them consistent with the Coastal Act and reduce their impacts to a level of insignificance.

The Commission finds no feasible less environmentally damaging alternatives or additional feasible mitigation measures, other than those identified herein, that would substantially lessen any significant adverse impact which the project activities may have on the environment. The Commission therefore finds the project is consistent with the provisions of the CEQA.

## APPENDIX A

### Standard Conditions

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Compliance. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent of interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.
6. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

## APPENDIX B

### Substantive File Documents

1. Letter waiving local government approval from Shauna Nauman, Interim Director, City of Morro Bay Planning and Building Department, to Donna Hebert, Fugro West, September 1996.
2. Caltrans, Draft Encroachment Permit No. 0596-6SV-0669 (as discussed in a November 21, 1996 telephone conversation between Samir Pakov, Caltrans, and Cy Oggins, CCC, the encroachment permit will be issued in December 1996).
3. Letter approving the project Workplan from Robert Baldridge, Central Coast RWQCB, to Jim Waldron, Chevron USA, September 24, 1996.
4. Letter approving the project Workplan from John Scholtes, San Luis Obispo County Division of Environmental Health, to Daniel R. Tormey, Entrix, September 23, 1996.
5. California Coastal Commission coastal development permits:
  - CDP No. E-96-12 (May 1996);
  - Emergency CDP No. E-96-06-G (as revised March 1996);
  - Emergency CDP No. E-96-05 (February 1996);
  - CDP No. E-94-18 (February 1995).
6. *Workplan for Subsurface Investigation, Adjacent to Highway 1, Chevron Estero Marine Terminal*, prepared by Entrix, Inc., August 14, 1996 (included as Attachment B of the CDP application).
7. *Atascadero Beach Investigation, Remediation and Restoration, Chevron Estero Marine Terminal*, prepared by Entrix, Inc., March 29, 1996.
8. *Revised Remediation and Restoration Plan, Atascadero Beach Excavation, Chevron Estero Marine Terminal*, prepared by Entrix, Inc., March 7, 1996.
9. Environmental and Cultural Resources Monitoring Report for the Chevron Estero Marine Terminal Loading Line Repair Project, San Luis Obispo County, California, prepared by Fugro West, February 1996.
10. *Survey for the Tidewater Goby in Toro Creek (San Luis Obispo County, California)*, prepared by Dr. Ramona Swenson (Trihey & Associates) and Gaylene Tupen (Fugro West, Inc.), December 1995.
11. *Cultural Resources Survey and Evaluation for the Chevron Estero Shore Plant, Morro Bay, San Luis Obispo County, California*, prepared by Applied Cultural Dynamics, October 1993.
12. *A Proposed Cultural Resources Management Plan for the Chevron Estero Marine Terminal, San Luis Obispo County, California*, prepared by Applied Cultural Dynamics, October 1993.

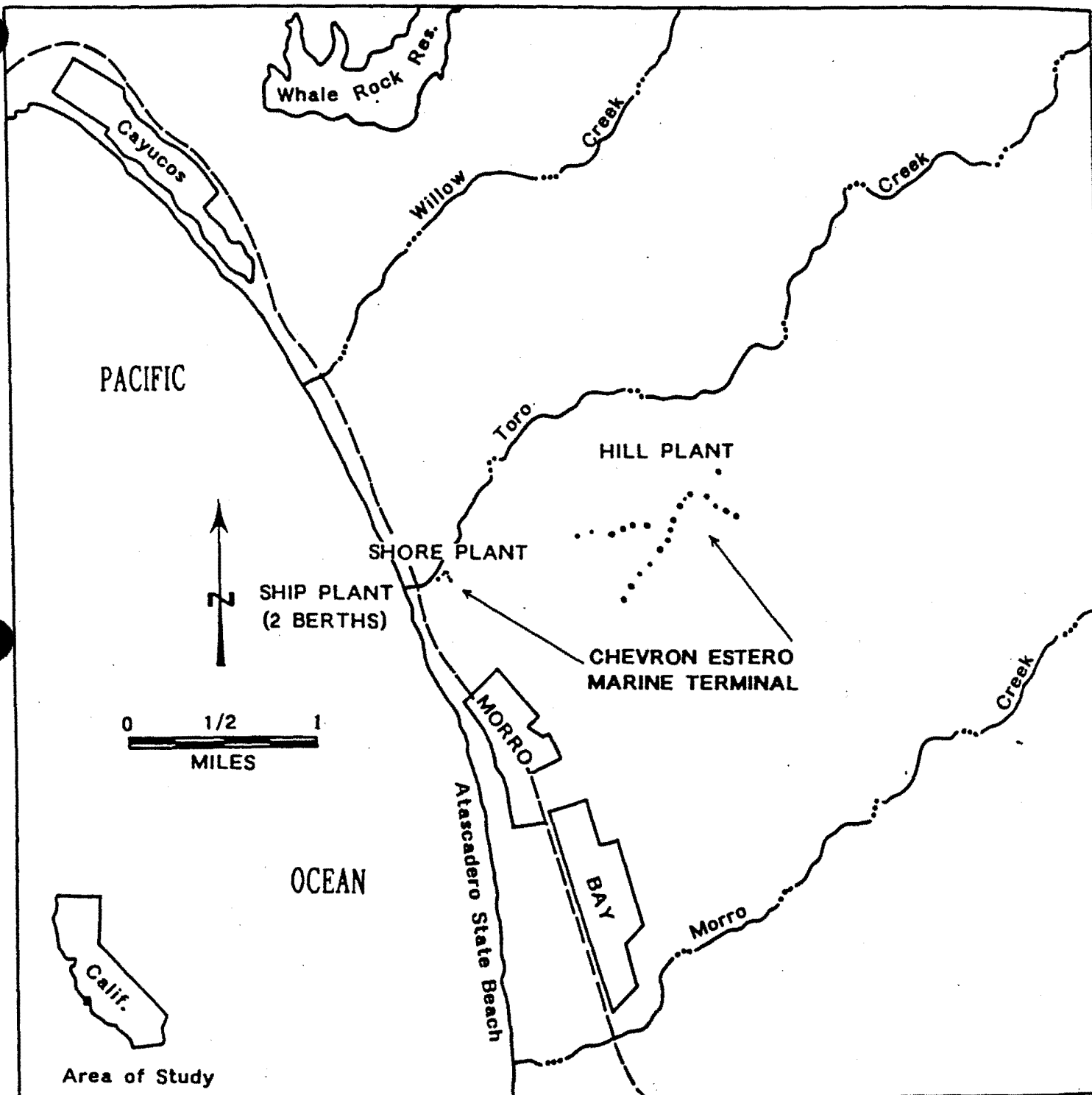


FIGURE 1

Chevron Estero  
Marine Terminal

LOCATION MAP

ENTRIX, INC.  
LLLL  
LLLL  
LLLL  
LLLL  
Glendale  
CALIFORNIA

EXHIBIT NO. 1

APPLICATION NO.  
E-96-25

Chevron Pipe Line

**EXHIBIT NO. 2**

**APPLICATION NO. E-96-25**

**Chevron Pipe Line**

Scale  
0 75 150  
(in feet)



Caltrans ROW →

#2 Loading Line

Previous Loading Line

Mean Sea Level (1935)

Line of Extent of  
TPH in Soil

#1 loading line

Access Route

HWY 1

TC-1

TORO CREEK

MW-9

TC-4A

EW-6

SB-31

SB-30

SB-29

SB-28

MW-1

MW-2

EW-5

MW-3

MW-1

P-1

EW-4

OFFICE

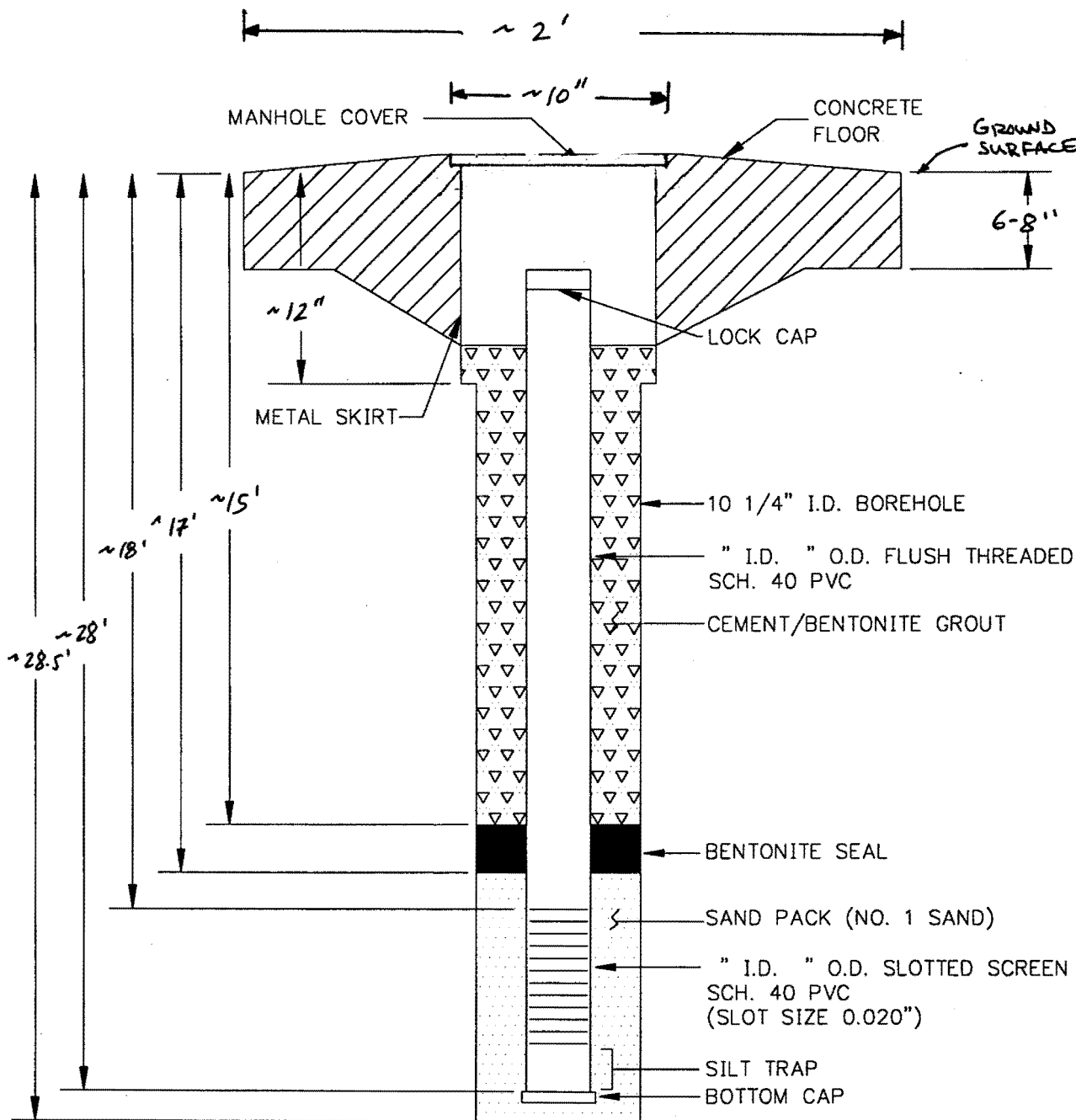
GARAGE

MW-12

MW-10

Legend

- Soil Boring Location
- ⊕ Groundwater Monitor Well
- ⊖ Groundwater Extraction Well
- Piesometer
- ⊙ Well Point (Previous Investigation)
- Proposed Extraction Well Location
- Proposed Soil Boring and Well Point Location



DATE INSTALLED:  
 ELEVATION, TOP OF CASING: FT. MSL  
 COORDINATES:  
 PLACEMENT OF BENTONITE SEAL  
 DATE: TIME:  
 ANNUAL GROUT  
 TIME:

**EXHIBIT NO. 3**

**APPLICATION NO.  
 E-96-25**

**Chevron Pipe Line**

DRAWN NOT TO SCALE

**ENTRIX**

**Figure**

**Typical Below Grade  
 Extraction Well Construction**

PROJ. NO: CK: DATE:



**SAN LUIS OBISPO COUNTY HEALTH DEPARTMENT  
DIVISION OF ENVIRONMENTAL HEALTH**  
2156 Sierra Way • P.O. Box 1489 • San Luis Obispo, California 93406  
TELEPHONE (805) 781-5544 • FAX (805) 781-4211

September 23, 1996

Daniel R. Tormey, Ph.D.  
Entrix, Inc.  
411 North Central Avenue, Suite 210  
Glendale CA 91203

**SUBJECT: WORKPLAN FOR SUBSURFACE INVESTIGATION ADJACENT TO HIGHWAY  
ONE - CHEVRON ESTERO MARINE TERMINAL**

Our Department has reviewed the above Workplan prepared by Entrix, Inc. dated August 14, 1996. The Workplan appears to comprehensively address the project and is deemed satisfactory as presented.

Should you have any questions regarding this matter, please contact our office at (805) 781-5544.

*John Scholtes*

JOHN SCHOLTES, R.E.H.S.  
Environmental Health Specialist III

Post-It® Fax Note 7671		Date 10/3	# of pages 1
To Cy Dogins		From Don Hebert	
Co./Dept. CCC		Co.	
Phone #		Phone # 805 650-7000	
Fax # (415) 904-5400		Fax #	

FOR YOUR FILE

c: Greig S. Cummings, County Planning Dept.  
Jim Waldron, Chevron Pipeline Company

EXHIBIT NO. 4
APPLICATION NO. E-96-25
Chevron Pipe Line

**RECEIVED**

OCT - 3 1996

CALIFORNIA  
COASTAL COMMISSION



**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL COAST REGION**

81 HIGUERA STREET, SUITE 200  
SAN LUIS OBISPO, CALIFORNIA 93401-5427  
(805)549-3147 Fax:(805)543-0397

**RECEIVED**

SEP 26 1996

CALIFORNIA  
COASTAL COMMISSION

September 24, 1996

Mr. Jim Waldron, Sr. Environmental Geologist  
Chevron U.S.A./Western Division - California  
5001 California Ave.  
P.O. Box 1392  
Bakersfield, CA 93302

Dear Mr. Waldron:

**AGT - CHEVRON ESTERO MARINE TERMINAL, MORRO BAY; WORKPLAN FOR ADDITIONAL ASSESSMENT AND  
SUBMITTAL DATE FOR CLEANUP PLAN**

Thank you for submitting your August 14, 1996 report "Workplan for Subsurface Investigation Adjacent to Highway 1 Chevron Estero Marine Terminal." On September 9, 1996, we gave our concurrence to implement this plan in a phone conversation between you and Frank DeMarco, of this Board. This additional assessment should complete the delineation of the petroleum hydrocarbon releases associated with Chevron's operations located at this site. Therefore, within 60-days of submitting the final assessment report for the work described in the above cited August 14 work plan, but by no later than **April 1, 1997**, please submit a cleanup plan. The cleanup plan must address the remediation of petroleum hydrocarbon affected soils and ground water beneath both Atascadero Beach and State Highway 1 right-of-way, and as described in Chevron's September 19, 1995 report titled: "Results of Additional Well Installation and Third Quarter 1995 Monitoring and Sampling."

This request is being made per Section 13267 of the California Water Code. Please note, we are required to inform you that failure to comply with this request may lead to our pursuing against Chevron, per section 13268 of the California Water Code, administrative civil liabilities of up to \$1,000 per day for each day of noncompliance with the above time schedule.

If you have any questions, please call **Frank DeMarco at (805) 542-4638** or Robert Baldrige at (805) 542-4620.

Sincerely,

for Roger W. Briggs  
Executive Officer

cs: Moira McEnespy  
California Coastal Commission  
45 Fremont St., Suite 2000  
San Francisco, CA 94105

Joe Pecs  
CA Dept. of Fish and Game  
Office of Oil Spill and Prev. Resp.  
P.O. Box 944209  
Sacramento, CA 94244-2090

John Euphrat  
San Luis Obispo County  
Dept. of Planning and Building  
County Government Center  
San Luis Obispo, CA 93408

Tiffany A. R. Welch  
U.S. Army Corps of Engineers  
Ventura Field Office  
2151 Alessandro Dr., Suite 255  
Ventura, CA 93001

John Scholtes  
San Luis Obispo County  
Environmental Health Department  
2156 Sierra Way  
San Luis Obispo, CA 93401

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Task: 372-32

File: Chevron Estero Marine Terminal, Morro Bay

<b>EXHIBIT NO.</b> 5
<b>APPLICATION NO.</b> E-96-25
<b>Chevron Pipe Line</b>

# City of Morro Bay

PLANNING & BUILDING DEPARTMENT • 595 HARBOR STREET, MORRO BAY, CALIFORNIA 93442 • 805-772-6210

September, 1996

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SEP 11 1996

Ms. Donna M. Hebert, Project Manager  
Fugro West, Inc.  
5855 Olivas Park Drive  
Ventura, CA 93003-7672

CALIFORNIA  
COASTAL COMMISSION

**SUBJECT:** Chevron Pipe Line Company - Estero Marine Terminal  
Installation of Additional Monitoring Wells for Continued Soil and Groundwater  
Investigation and Remediation

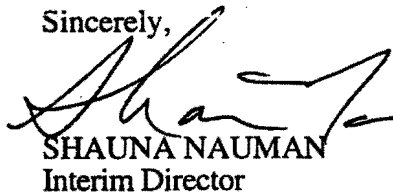
Dear Donna:

I have reviewed the material sent by FAX to me on 8-8-96 and your letter dated September 4, 1996. The August transmittal describes the continuation of the soil and groundwater investigation and remediation for the dune plume located in the western edge of the State Highway 1 right-of-way and the adjacent dunes area across from the terminal. Because the project falls within the original jurisdiction of the Coastal Commission, no permit is required by the City for this project.

The project is located within the Environmentally Sensitive Habitat (ESH) and Open Area 1 (OA-1) zoning districts. The current use is not allowed in the ESH/OA-1 zone and is legal nonconforming. A use permit is not required unless the use is proposed to be replaced or expanded. At this time Chevron is proposing investigation to develop a remediation plan, including an extraction well. As no new use or expansion to the facility is being proposed, no use permit is required. Morro Bay Municipal Code Section 17.56.100 allows for the continuation of a nonconforming uses.

Enclosed is the completed Local Agency Review Form for your coastal permit application. Please let me know if I can be of any further assistance.

Sincerely,

  
SHAUNA NAUMAN  
Interim Director

cc: Cy Oggins, Energy and Ocean Resources Unit, California Coastal Commission

EXHIBIT NO. 6
APPLICATION NO. E-96-25
Chevron Pipe Line