

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE
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Th 10a

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49th day: 12/22/97
180th day: 02/01/98
Staff: SM-SC
Staff Report: 11/12/97
Hearing Date: 12/9-12/97

**STAFF REPORT
REGULAR CALENDAR**

APPLICATION NUMBER: **3-97-078**

APPLICANT: **PORT SAN LUIS HARBOR DISTRICT**

PROJECT LOCATION: Port San Luis Harbor, San Luis Obispo County

PROJECT DESCRIPTION: Repair and maintenance of the following harbor facilities and structures: Avila Beach pier; Harford pier; boat launch floating dock and adjacent seawall; mobile boat hoist pier, dock, and seawall; all floating docks and landings within the Colreg Line of Demarcation; and, the Harford parking lot seawall and rip rap. Planned repair and maintenance activities include the repair and/or replacement of pier components such as pilings and decking, the retrieval and replacement of any dislodged rip rap, and the repair and replacement of floating docks, moorings, and mobile boat hoist components. All repair and maintenance activities will conform to existing footprints and specifications.

LOCAL APPROVALS: None required (State tidelands)

FILE DOCUMENTS: Coastal Development Permit 3-96-089 (Monterey Harbor Operations and Maintenance Program)

SUMMARY OF STAFF RECOMMENDATION

The proposed project includes repair and maintenance activities to various facilities and structures within Port San Luis Harbor, including the Avila Beach pier, trailer boat launch, mobile boat hoist, Harford Pier, floating docks and Harford parking lot. Proposed repair and maintenance activities consist of: the repair and replacement of pier pilings, decking, stringers, caps, fixed landings and stairs; repair and replacement of floating dock components; repairs to existing concrete seawalls; the retrieval and replacement of rip rap along existing revetments; mooring inspections and repairs; and, other structural repairs. All repair and maintenance activities will not exceed the original footprint of the structure.

The staff recommends that the Commission approve the proposed repair and maintenance activities, as the repair and maintenance of harbor facilities will serve recreational boating and

commercial fishing consistent with Coastal Act Section 30234. The staff further recommends that this approval be subject to conditions that: limit the permit's validity to 5 years or the date on which the U.S. Army Corps permit expires (whichever occurs first); and, ensure the protection of marine resources as required by Coastal Act section 30230 and 30231. It is anticipated that this permit will be renewed in 5 year increments, to match the Corps permit cycle.

I. STAFF RECOMMENDATION

The staff recommends that the Commission adopt the following resolution:

Approval with Conditions.

The Commission hereby **grants** a permit for the proposed development, subject to the conditions below, on the grounds that the development, as conditioned, will be in conformity with the provisions of Chapter 3 of the Coastal Act and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act. The project is located seaward of the first public road nearest the sea and will be in conformance with the public access and recreation policies of the Coastal Act.

II. 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. 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.
3. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. Inspections. The Commission staff shall be allowed to inspect the site and the project during its development, subject to 24-hour advance notice.
5. 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.
6. 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.

III. SPECIAL CONDITIONS

1. Permit Expiration. This permit shall be valid for 5 years from the date of Commission approval, or until the U.S. Army Corps of Engineers permit for the authorized activities expires, whichever comes first. An extension of this expiration date may be achieved through an amendment to this permit.

2. Final Project Plans. PRIOR TO THE COMMENCEMENT OF CONSTRUCTION OF EACH RESPECTIVE ELEMENT OF THE REPAIR AND MAINTENANCE PROGRAM, the permittee shall submit, for Executive Director review and approval, final project plans for that component of the program. Final plans shall identify the exact design and location of the development, materials to be used, and the disposal method/location for removed or demolished materials.

Final plans for each component of the operations and maintenance plan shall be accompanied by a construction operations plan, for Executive Director review and approval, which provides a written description and supporting graphics documenting: construction sequence (i.e., phasing); seasonal considerations (e.g., tidal and wave constraints); and location of equipment staging areas, employee restrooms, employee parking, temporary security fencing, concrete washdown facility, and any similar elements which have the potential to impact water quality or public access to the shoreline. To the maximum extent feasible, construction phasing shall maintain opportunities for public parking and shoreline access during construction.

Minor repair and maintenance activities included within the repair and maintenance program which do not have the potential to impact public access or marine resources may not, however, necessitate submission of the detailed final plans required above. In such cases, the permittee shall notify the Executive Director of the proposed minor repair and maintenance activity PRIOR TO THE COMMENCEMENT OF CONSTRUCTION, for a determination if additional information is needed.

3. Inventory and Use of Creosote Treated Pilings. PRIOR TO THE ISSUANCE OF THE PERMIT, the permittee shall submit, for Executive Director review and approval, a complete inventory of all creosote treated pilings and wood products owned by the Port San Luis Harbor District as of October 1, 1997. The use of these materials must take place in a manner consistent with the guidelines established by the California Department of Fish and Game (attached as Exhibit 11), and the conditions of this permit. The use of creosote treated wood products, other than those materials included in the inventory, shall be prohibited. PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION ACTIVITY THAT INVOLVES THE USE OF CREOSOTE TREATED WOOD PRODUCTS, the permittee shall submit, for Executive Director review and approval, written evidence that the California Department of Fish and Game has approved the use of such materials.

4. Water Quality Protection. PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION ACTIVITY THAT WILL DISTURB OCEAN SEDIMENTS (e.g., installation of pilings), the permittee shall submit, for Executive Director review and approval, a sediment testing program to detect the presence of any heavy metals, petroleum hydrocarbons, and any other organic chemical contaminants in the project vicinity. The permittee may include existing testing data for the area in order to narrow down any additional testing that may be required.

FOLLOWING EXECUTIVE DIRECTOR APPROVAL AND SUBSEQUENT IMPLEMENTATION OF THE TESTING PROGRAM, the permittee shall submit, for Executive Director review and approval, testing results, and proposed measures to mitigate any significant risks to water quality that would likely result from the proposed activity. Typically, such measures would contain any contaminated sediments or petroleum hydrocarbons detected (e.g., use of a flexible skirt around the driven pile). This submittal shall be accompanied by written evidence that the Regional Water Quality Control Board has reviewed the testing results and approved the proposed construction work, or that no such approval is required.

5. Containment Requirements. Particular care shall be exercised to prevent foreign materials (e.g., construction scraps, wood preservatives, other chemicals, etc.) from entering state waters. Where additional wood preservatives must be applied to cut wood surfaces, the materials, where feasible, shall be treated at an onshore location to preclude the possibility of spills into state waters. UNLESS AN ALTERNATIVE CONTAINMENT PLAN IS APPROVED BY THE EXECUTIVE DIRECTOR, a floating containment boom shall be placed around active portions of a construction site where wood scraps or other floatable debris could enter the water. Also, for any work on or beneath pier decks, heavy duty mesh containment netting shall be maintained below all work areas where construction discards or other material could fall into the water. The floating boom and net shall be cleared daily or as often as necessary to prevent accumulation of debris. Contractors shall insure that work crews are carefully briefed on the importance of observing the appropriate precautions and reporting any accidental spills. Construction contracts shall contain appropriate penalty provisions to offset the cost of retrieving or cleaning up any foreign materials not properly contained.

6. Procedures for Concrete Work. Any component of the repair and maintenance program involving the pouring of concrete in, adjacent to, or above the water shall employ the following methods to prevent uncured concrete from entering state waters:

- a. Complete dewatering of the pour site, within a cassion or other barrier; the site to remain dewatered until the concrete is sufficiently cured to prevent any significant increase in the pH of adjacent waters; or
- b. the tremie method, which involves the placement of a form in the water, inserting a plastic pipe to the bottom of the form, and pumping concrete into the form so that the water is displaced towards the top of the form. If this method is selected, the displaced waters shall be pumped off and collected in a holding tank. The collected waters shall then be tested for pH, in accordance with the following California Department of Fish and Game recommendations. If the pH is greater than 8.5, the water will be neutralized with sulfuric acid until the pH is between 8.5 and 6.5. This pH-balanced water can then be returned to the sea. However, any solids that settle out during the pH balancing process shall not be discharged to the marine environment; or,
- c. an alternative method, subject to review and approval by the Executive Director in consultation with the California Department of Fish and Game PRIOR TO THE COMMENCEMENT OF WORK.

In each case involving concrete pours in, adjacent to, or above state waters, the permittee shall insure that a separate wash out area is provided for the concrete trucks and for tools. The

washout area(s) shall be designated and located so that there will be no chance of concrete slurry or contaminated water runoff to ocean waters.

7. U.S. Army Corps of Engineers Approval. PRIOR TO THE COMMENCEMENT OF ANY ELEMENT OF THE REPAIR AND MAINTENANCE PROGRAM, the permittee shall submit, for Executive Director review and approval, documentation of approval from the U.S. Department of the Army, Corps of Engineers, or evidence that such approval is not required.

8. Additional Harbor Improvements. Additional installation of pilings, berthing spaces, moorings, or floating docks beyond the repair and maintenance activities specified in this approval shall be submitted for a determination of coastal development permit requirements (i.e., a separate coastal development permit, amendment to this permit, or waiver).

IV. FINDINGS AND DECLARATIONS

A. Background and Purpose

Due to the corrosive nature of the marine environment, and constant exposure to the sometimes extreme forces of the Pacific Ocean, harbor facilities require consistent repair and maintenance. These repair and maintenance activities are necessary to carry out Section 30234 of the Coastal Act, which calls for the protection and improvement of existing commercial fishing and recreational boating harbor space. Unlike other repair and maintenance activities which are exempt from coastal development permit requirements, Section 13253 of the California Coastal Commission's Administrative Regulations requires a coastal development permit for repair and maintenance activities in, adjacent to, and above coastal waters because they involve a risk of substantial adverse environmental impact.

In an effort to streamline the coastal development permit process for the routine repair and maintenance activities that are essential to harbor operations, the Commission has developed a "master" coastal development permit process. The purpose of the master permit is to establish parameters for harbor repair and maintenance activities that ensure such activities will not have a significant adverse impact on coastal resources and public access and recreation opportunities. Once such parameters are adopted by the Commission, the harbor district is responsible for notifying the Commission staff of specific repair and maintenance activities. Staff then confirms compliance with the parameters established by the Commission, and subsequently authorizes the project. This approach is being successfully utilized at Monterey Harbor, pursuant to Coastal Development Permit 3-96-089.

Another element of streamlining the permitting process for routine harbor repair and maintenance activities is interagency coordination. Towards this end, this permit has been structured to run concurrently with the U.S. Army Corps of Engineers (Corps) permit. By coordinating the timing of these permits, the necessary regulatory reviews can occur in a consolidated fashion. However, a maximum permit period of 5 years has been established, consistent with the Corps own 5 year cycle, to provide the Commission with an opportunity to review any new information which may warrant alteration of the parameters under which repair and maintenance activities have been authorized. At the end of the 5 year period, an extension to this approval may be accommodated through an amendment to this permit.

B. Project Description and Location

Port San Luis Harbor is located south of Morro Bay and north of Pismo Beach, between Point San Luis and the east end of Avila Beach, in San Luis Obispo County (Exhibit 1). The general location of the specific repair and maintenance activities authorized by this permit is illustrated by Exhibit 2. As described in the coastal development permit application, the proposed repair and maintenance activities include:

Project 1 - Avila Beach Public Pier. The wooden timber and piling pier is approximately 1,600 feet long, with an average width of 20 feet and 60 feet wide at its terminus. The maintenance includes: repairing and replacing decking, stringers, caps, piling, fixed landings and stairs as necessary from regular wear, storm damage, and boat damage. It is anticipated that pier structural repairs will be made with original type construction materials, although substitute materials may be used. Quantities used will be determined by the project at hand, not to exceed the existing pier footprint. Piles shall be wrapped with plastic in order to prevent the introduction of wood preservatives into the marine environment. (See Exhibits 3 and 4).

Project 2 - Harbor District Trailer Boat Launch Floating Dock and Adjacent Seawalls. This facility is designed to launch, retrieve, and fuel small vessels. The trailer boat launch is a dual-rail crane facility which utilizes slings to lift boats from trailers into the water. The two docks are 10 x 94 feet and are constructed of wooden decking and stringers surrounding encapsulated floats. These are tethered to three reinforced concrete or steel pilings. The seawall is of reinforced concrete construction surrounded by rock rip rap revetment. Maintenance includes repairing and replacing floating dock components from wear and storm damage, repairing the seawall from storm damage, and recovering and replacing any lost revetment rip rap after storm damage. It is anticipated that the trailer boat launch floating docks and seawall structural repairs will be made with original type construction materials, although substitute materials may be used. Quantities will be determined by the project at hand, not to exceed the existing footprint and specifications. (See Exhibits 5 and 6).

Project 3 - Harbor District Mobile Boat Hoist Pier, Dock, and Seawall. This facility is designed to launch and retrieve commercial fishing and recreational vessels. The hoist is a standard 60-ton capacity Travel Lift mobile boat hoist. The Hoist's pier is constructed of reinforced steel, and the headwall is of reinforced concrete with rip rap revetment. Maintenance includes routine and emergency damage repairs to the pier, seawall, seasonal floating dock, and surrounding revetment. It is anticipated that the mobile boat hoist pier, dock, and seawall structural repairs will be made with original type construction materials, although substitute materials may be used. Quantities used will be determined by the project at hand, not to exceed the existing footprint and specifications. (See Exhibits 5 and 7).

Project 4 - Harford Pier (Pier 3) Structures. The wooden timber and piling pier is approximately 1,600 feet long and approximately 120 feet wide at its terminus. The maintenance includes repairing and replacing decking, stringers, caps, pilings, stairs, and landings (floating and fixed docks) as necessary from regular wear, storm damage, vehicle damage, and boat damage. It is anticipated that pier structural repairs will be made with original type construction materials, although substitute materials may be used. Piles will be wrapped in plastic to prevent the introduction of wood preservatives

into the marine environment. Quantities used will be determined by the project at hand, not to exceed the existing footprint and specifications. No alterations to the historic qualities of the structure will be made. (See Exhibits 4 and 8).

Project 5 - All Floating Docks and Landings within the Colreg Line of Demarcation. The three floating docks are 10 x 20 foot public use wooden docks designed to facilitate in - water repairs on commercial and recreational vessels. The docks are constructed of wooden decking and are tethered to two-point moorings. Maintenance includes repairing and replacing floating dock components from wear, storm, and vessel damage and seasonal removal of docks during winter months to minimize storm damage. Moorings will be inspected and repaired as needed. It is anticipated that dock repairs will be made with original type construction materials, although substitute materials may be used. The quantity of material used will be determined by the project at hand, not to exceed existing floating dock footprint and specifications. (See Exhibit 9).

Project 6 - Harford Land Area Parking Lot Rip Rap and Adjacent Seawall. The lot is constructed of asphalt paving over aggregate base material, and the adjacent seawall is of reinforced concrete construction with surrounding rock rip rap revetment. Maintenance includes the recovery and replacement of any lost revetment rip rap which may become necessary after storm, wave, or vehicle damage. It is anticipated that repairs will be made with original type construction materials, although substitute materials may be used. Quantities used will be determined by the project at hand, not to exceed the original footprint and specifications. (See Exhibit 10).

C. Marine Resources.

1. Coastal Act Policies:

Several Coastal Act sections protecting marine resources apply to the subject project, including:

Section 30230.

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.

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes 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, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Section 30232.

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.

2. Analysis:

a. Protection of Marine Resources:

Coastal Act Sections 30230 and 30231 require that marine resources and the biological productivity of coastal waters be maintained. Potential impacts to marine resources and the biological productivity of coastal waters, and the measures required by the conditions of this permit to avoid such impacts, are described by the following table:

Potential Impacts	Required Mitigation Measures
Construction activities, equipment, and staging and wash down areas have the potential to result in the discharge of harmful materials to the marine environment, thereby reducing water quality, and harming marine life.	Special Condition 2 requires Executive Director review and approval of construction operation plans for each element of the project. This will ensure that construction activities will be conducted in a manner which minimizes adverse impacts to the marine environment. In addition, Special Condition 5 prescribes specific procedure to ensure that construction materials and debris do not enter the marine environment.
The installation of piles and similar construction activities have the potential to stir up sediments on the ocean floor. This increase in turbidity adversely affects marine resources by reducing the amount of light penetration, diminishing water quality, and burying living organisms. In addition any contaminants contained in harbor sediments become more bioavailable when suspended in the water column.	Special Condition 4 requires any construction activities that will disturb ocean sediments to be preceded by a sediment testing program. If significant contaminants are detected, methods to contain the sediments (or otherwise mitigate) must be proposed by the permittee and approved by both the Executive Director and Regional Water Quality Control Board.
The use of creosote treated wood products can impact coastal water quality and marine resources by leaching creosote, a toxic material, into the marine environment.	Special Condition 3 limits the use of creosote treated wood products to the current inventory of such materials owned by the harbor district, in accordance with the guidelines established by the Department of Fish and Game.
The pH of marine water becomes elevated if it comes in contact with uncured concrete. Elevated pH levels can be toxic to marine life.	Special Condition 6 specifies procedures for concrete work designed to eliminate the possibility of marine water coming into contact with uncured concrete.

c. Containment of Hazardous Materials:

Coastal Act Section 30232 requires that development provide protection against the spillage of crude oil, gas, petroleum products, or hazardous substances. The subject project includes development activities which involve the use and transport of materials hazardous to marine resources, including concrete, asphalt, and wood preservatives, as well as fluids and oils associated with mechanized equipment.

In order to ensure that the hazardous substances associated with the proposed development activities are adequately contained, consistent with Coastal Act standards, Special Condition 5 requires particular care to be exercised in order to prevent foreign materials from entering the water. Specifically, it requires that:

- the application of wood preservatives be undertaken at an onshore location, whenever feasible, to preclude the possibility of spills into Bay waters;
- a floating containment boom be placed around all active portions of a construction site where wood scraps or other floatable debris could enter the water;
- for any work on or beneath fixed wharf decks, heavy duty mesh containment netting shall be maintained below all work areas where construction discards or other material could fall into the water. The floating boom and net shall be cleared daily or as often as necessary to prevent accumulation of debris; and,
- project contractors insure that the work crews are carefully briefed on the importance of observing the appropriate precautions and reporting any accidental spills.

In addition, Special Condition 5 requires that construction contracts contain appropriate penalty provisions, sufficient to offset the cost of retrieving or clean up of foreign materials not properly contained.

e. Water Quality:

Coastal Act section 30231 specifies that 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. The subject project has the potential to adversely affect water quality through the discharge of harmful materials and disturbance of contaminated sediments. Therefore, special conditions have been attached to this permit which will minimize, to the greatest extent feasible, the impact of construction operations on water quality and marine resources.

3. Conclusion:

The subject project represents a comprehensive program for repair and maintenance activities necessary to maintain and improve facilities for recreational boating and commercial fishing. Because these activities have the potential to impact marine resources, special conditions are attached to this permit that will protect the quality and biological productivity of coastal waters. Therefore, the repair and maintenance program, as conditioned, is consistent with Coastal Act provisions protecting Marine Resources.

D. Public Access and Recreation

Coastal Act Section 30220 protects coastal areas for water oriented recreational activities. Section 30252 requires that the location and amount of new development maintain and enhance public access to the coast. The proposed repair and maintenance activities will protect and enhance the water oriented access and recreation facilities provided by Port San Luis Harbor.

The proposed repair and maintenance activities do, however, have the potential to temporarily disrupt coastal access and recreation opportunities during construction operations. To minimize this impact, Special Condition 2 requires a construction operations plan, to be reviewed and approved by the Executive Director prior to construction, which protects, to the greatest degree feasible, facilities serving coastal access and recreation such as public parking and access routes during construction.

With this condition, the project is consistent with the public access and recreation policies of the Coastal Act.

E. Commercial Fishing and Boating

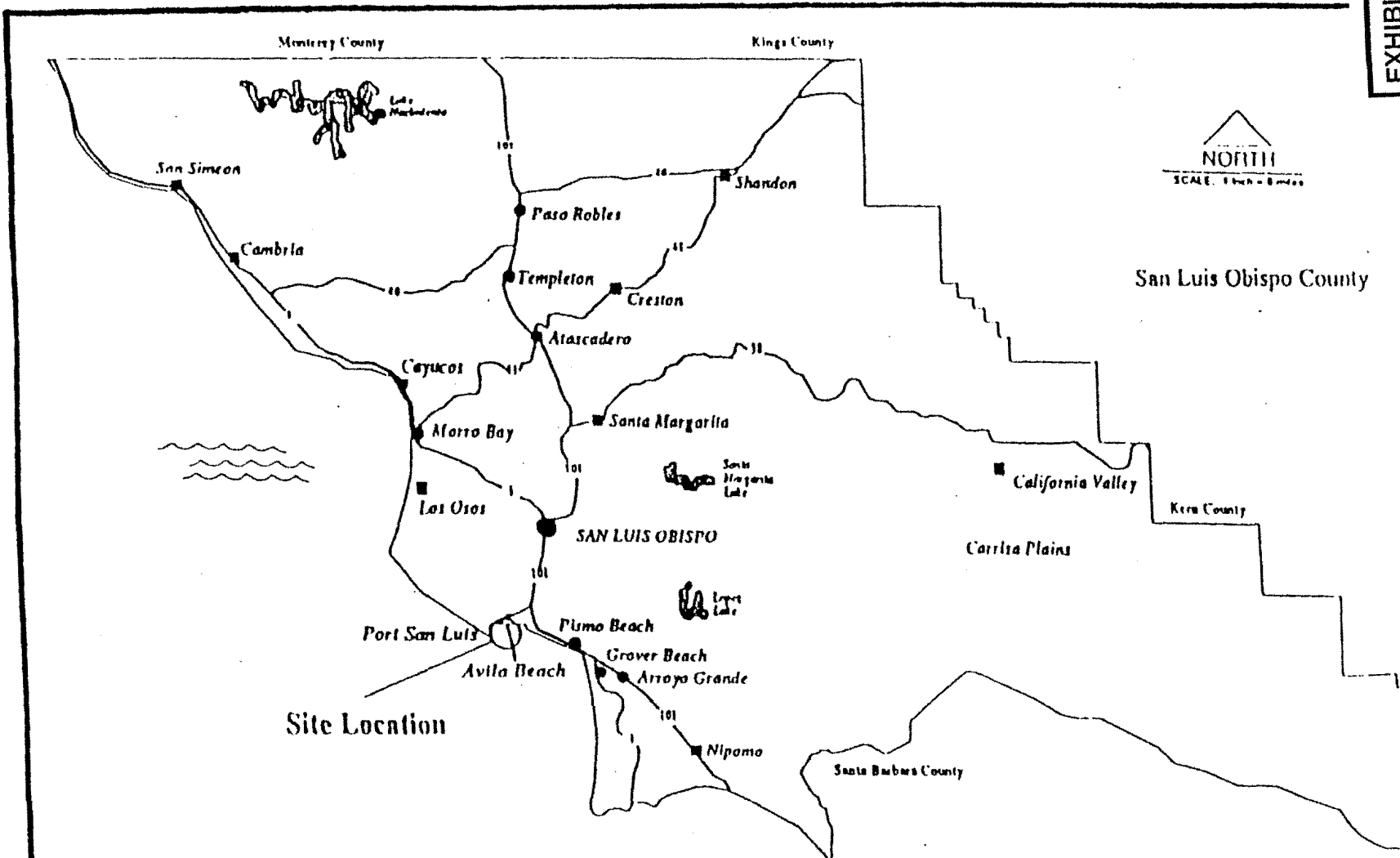
Coastal Act Sections 30234 and 30234.5 require that the importance of fishing activities be recognized, and that facilities serving the commercial fishing and recreational boating industries be protected, and where feasible, upgraded. This permit allows the Port San Luis Harbor District to proceed with the repair and maintenance activities that are essential to maintaining and operating the commercial fishing fleet as well as recreational boats. Accordingly, this project implements, and is consistent with, Sections 30234 and 30234.5.

V. CALIFORNIA ENVIRONMENTAL QUALITY ACT

Section 13096 of the California Code of Regulations requires that a specific finding be made in conjunction with coastal development permit applications showing the application to be consistent with the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(i) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the project may have on the environment.

In response to the environmental review requirements of CEQA, the Port San Luis Harbor District determined that the project qualifies for a categorical exemption under CEQA. During the course of coastal development permit review, the Commission identified mitigation measures necessary to protect marine resources and coastal water quality. These measures are required to be implemented by the Special Conditions of this permit. With these conditions, the project will not have a significant impact on the environment within the meaning of CEQA.

EXHIBIT NO. 1

APPLICATION NO.
3-97-078Regional
LocationCounty:
San Luis Obispo CountyAgency:
Port San Luis Harbor DistrictTitle:
San Luis Obispo County
Project/Site Location

Sheet Number

Water Body:
San Luis Obispo BayDate:
June 20, 1997

S-1

County: San Luis Obispo County	Agency: Port San Luis Harbor District	Title: Port San Luis Harbor District Project Zones	Sheet Number S-2
Water Body: San Luis Obispo Bay	Date: June 20, 1997		

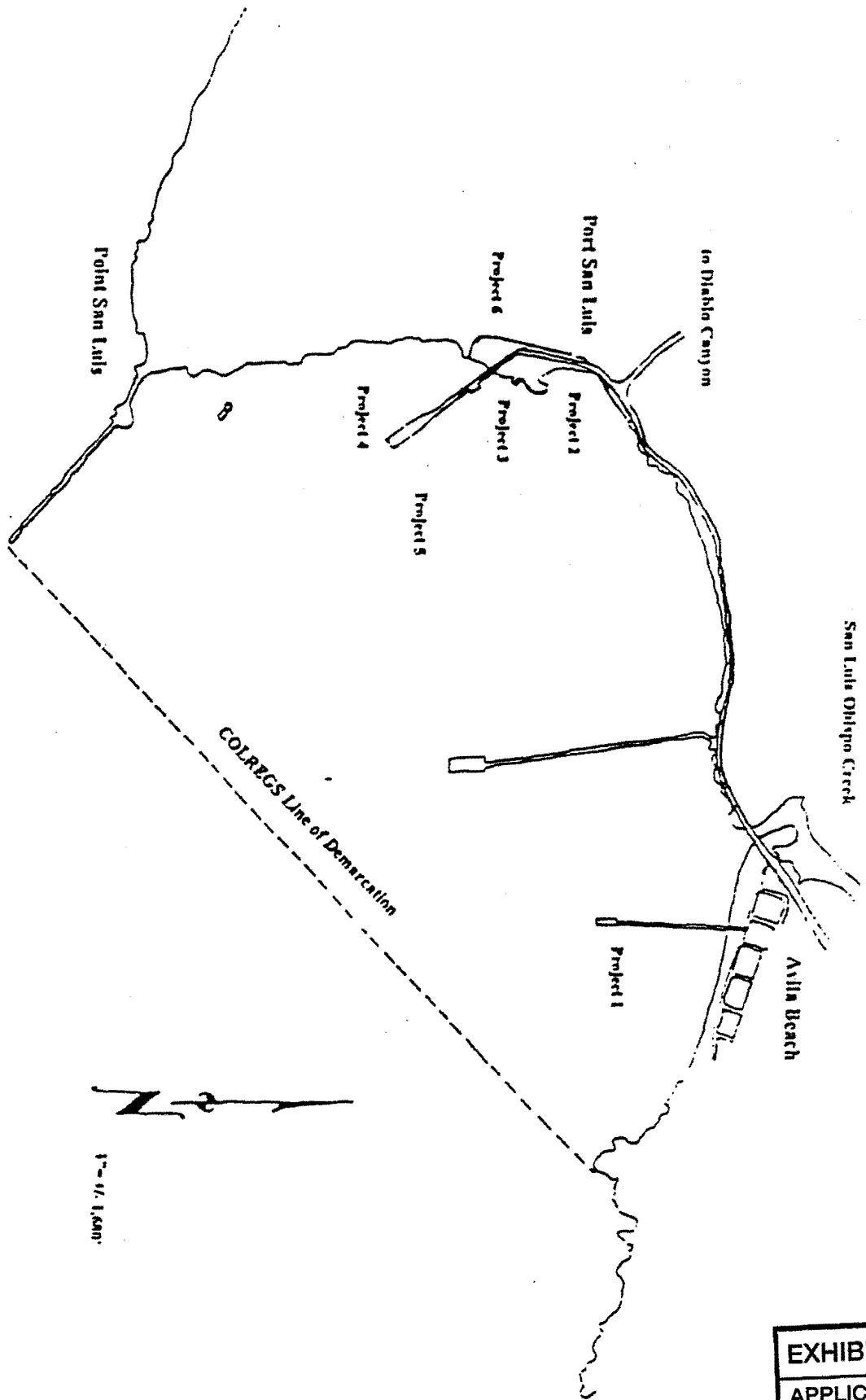
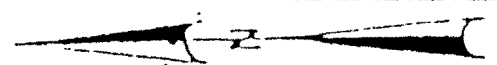
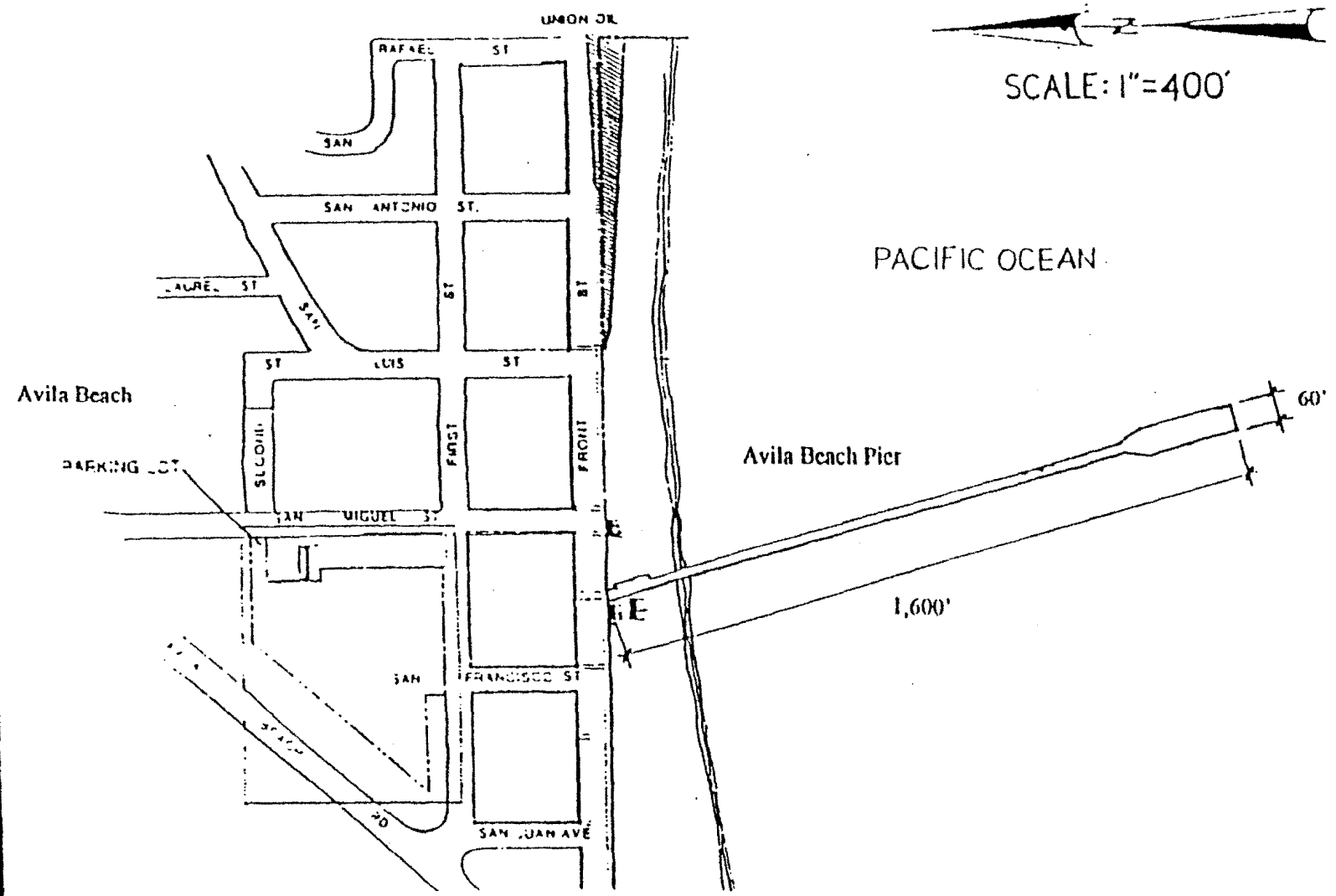


EXHIBIT NO. 2
APPLICATION NO. 3-97-078
Project
Locations

EXHIBIT NO. 3
APPLICATION NO. 3-97-078
Avila Beach
Public Pier

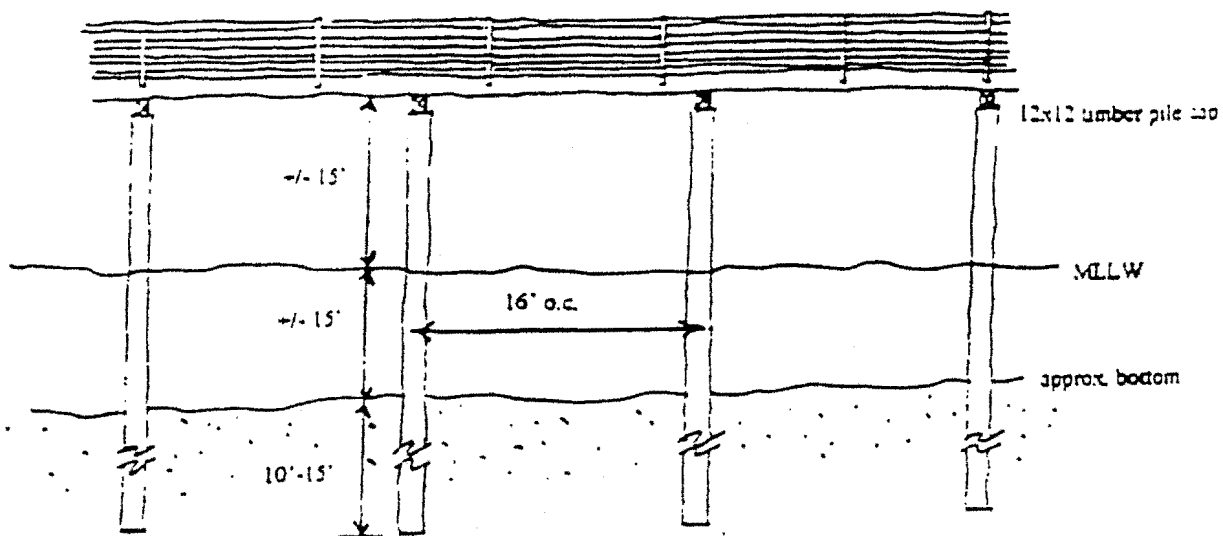


SCALE: 1"=400'



County: San Luis Obispo County	Agency: Port San Luis Harbor District	Title: Project 1 Avila Beach Public Pier	Sheet Number P-1a
Water Body: San Luis Obispo Bay	Date: June 20, 1997		

wood guardrail



Typical Longitudinal Cross-Section of Harford and Avila Beach Piers

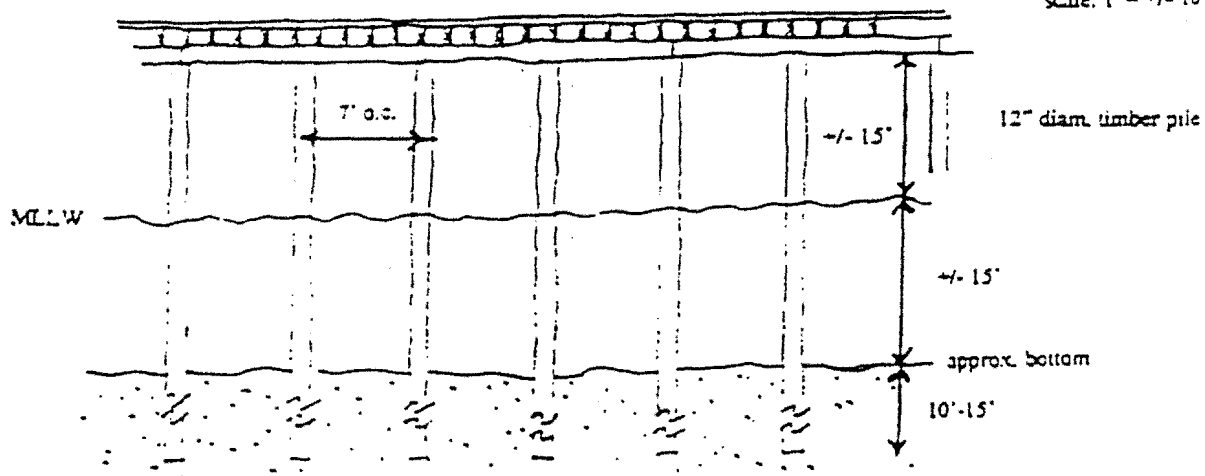
all hardware hot-dip galvanized

all timber chemical and pressure treated

4x12 wood decking

4x12 wood stringers @ 16" o.c.

scale: 1" = +/- 10'



Typical Latitudinal Cross-Section of Harford and Avila Beach Piers

County:
San Luis Obispo County

Agency:
Port San Luis Harbor District

Title:
Projects 1 & 4
Harford and Avila Beach
Pier Typical Construction

Water Body:
San Luis Obispo Bay

Date:
June 20, 1997

EXHIBIT NO. 4

APPLICATION NO.
3-97-078

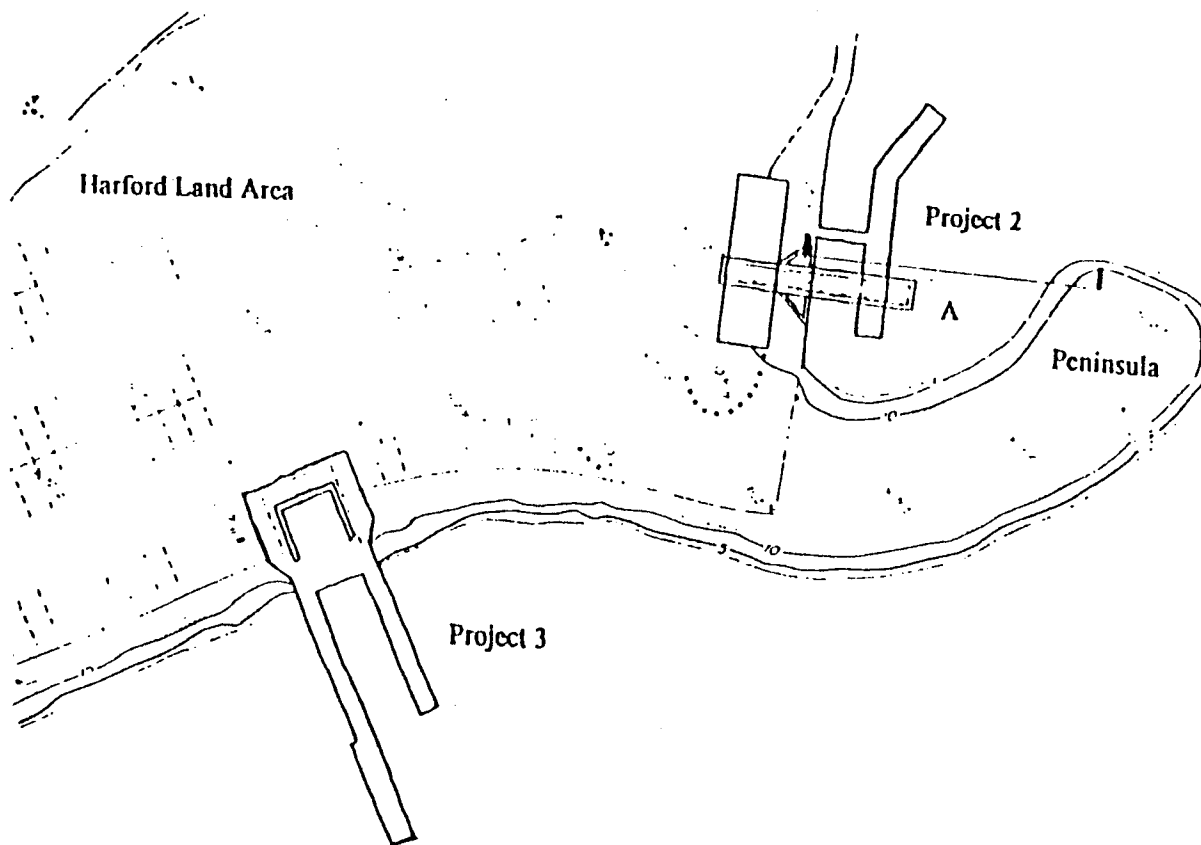
Harford + Avila Piers
Typical Construction

EXHIBIT NO. 5

APPLICATION NO.
3-97-078

Trailer launch + Boat

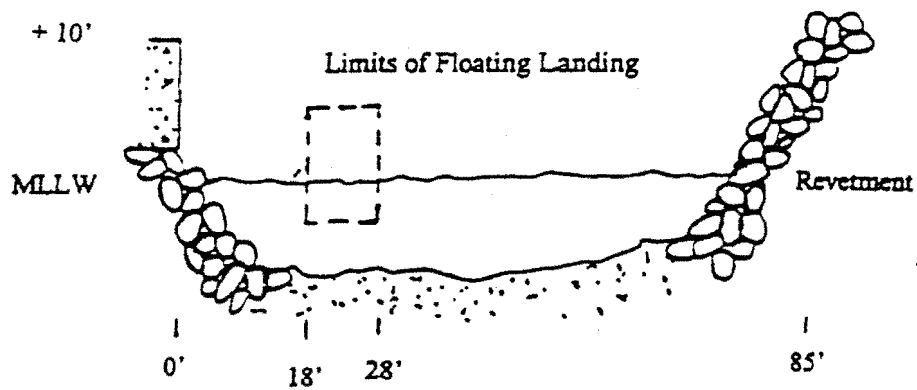
Hoist (Projects 2+3)



scale: 1" = 80'

County: San Luis Obispo County	Agency: Port San Luis Harbor District	Title: Projects 2 & 3 Trailer Boat Launch Floating Dock, Mobile Boat Hoist Pier, and adjacent seawalls	Sheet Number: P-2a P-1a
Water Body: San Luis Obispo Bay	Date: June 20, 1997		

Section A



County:
San Luis Obispo County

Agency:
Port San Luis Harbor District

Title:
Project 2
Trailer Boat Launch Floating
Dock

Water Body:
San Luis Obispo Bay

Date:
June 20, 1997

EXHIBIT NO. 6

APPLICATION NO.
3-97-078

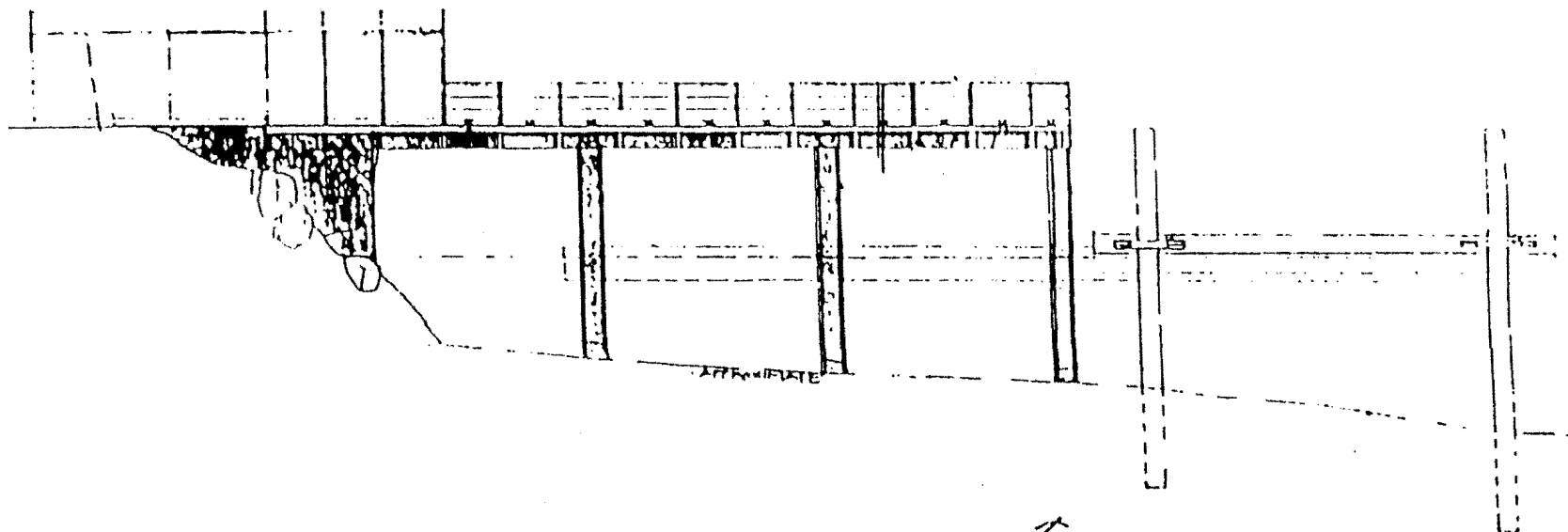
Trailer launch floating
Dock (Project 2)

EXHIBIT NO. 7

APPLICATION NO.
3-97-078

Boat Hoist Pier

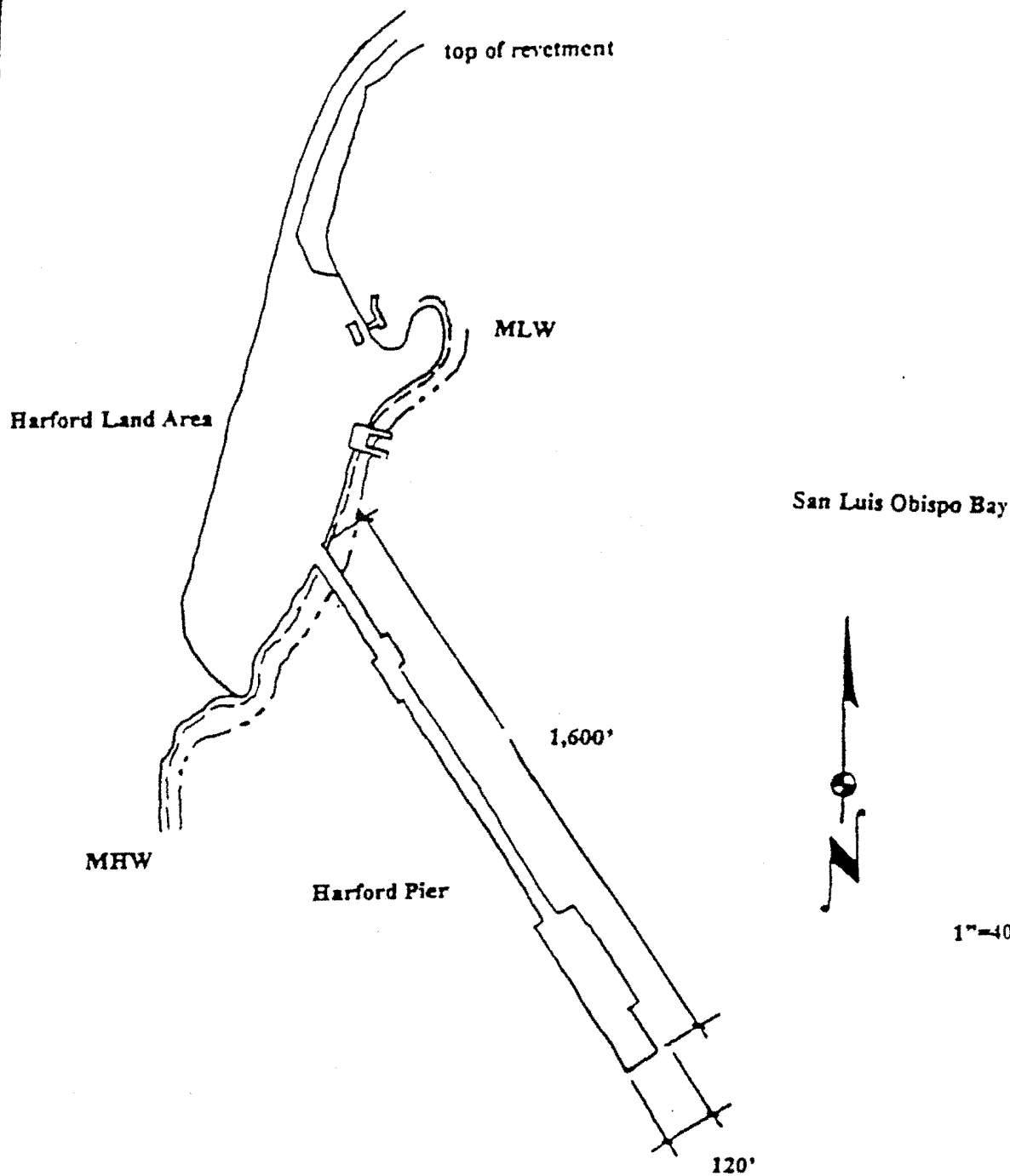
(Project 3)



Top of Deck = approx. + 11' MLLW

Sand Bottom = approx - 9' MLLW

County: San Luis Obispo County	Agency: Port San Luis Harbor District	Title: Mobile Boat Hoist Pier Elevation	Sheet Number P-1b
Water Body San Luis Obispo Bay	Date: June 20, 1997		

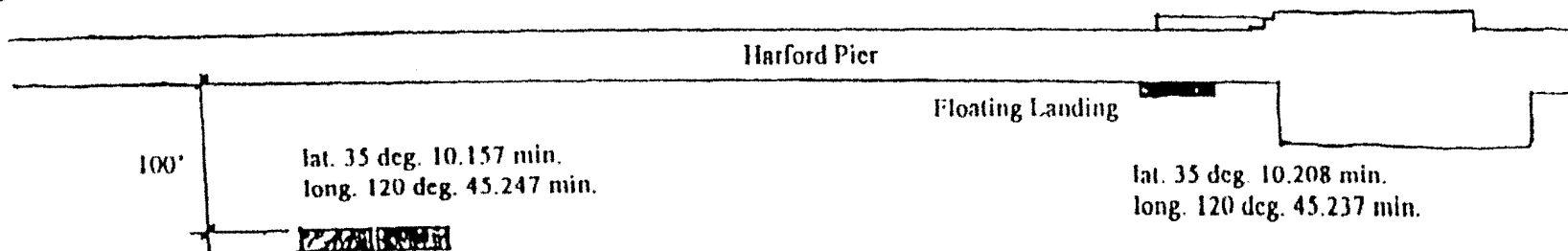


County: San Luis Obispo County	Agency: Port San Luis Harbor District	Title: Project 4 Harford Pier (Pier 3)	EXHIBIT NO. 8
Water Body: San Luis Obispo Bay	Date: June 20, 1997		APPLICATION NO. 3-97-078
			Harford Pier (Project 4)

EXHIBIT NO. 9
 APPLICATION NO:
 3-97-078
 Floating Docks +
 Landings (Project 5)

To Pier Terminus

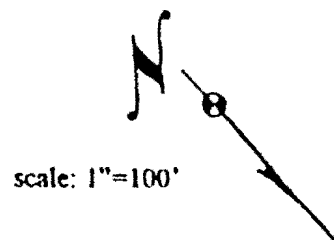
To Harford Land Area



10'x20' Floating Docks



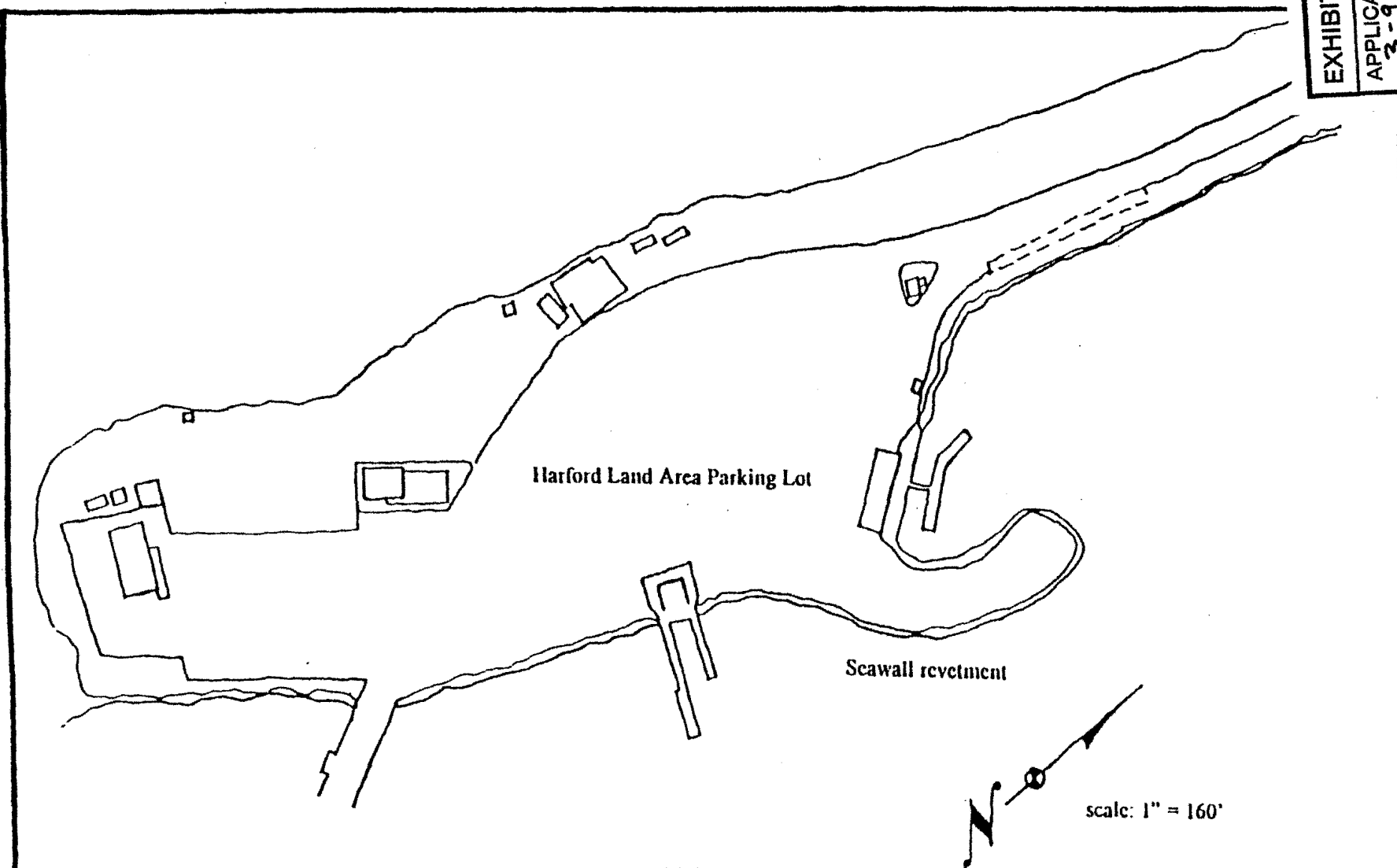
lat. 35 deg. 10.206 min.
long. 120 deg. 45.237 min.



San Luis Obispo Bay

County: San Luis Obispo County	Agency: Port San Luis Harbor District	Title:	Sheet Number:
Water Body: San Luis Obispo Bay	Date: June 20, 1997	Project 5 Floating Docks and Landings	P-5

EXHIBIT NO. 10
 APPLICATION NO.
 3-97-078
 Harford Parking Lot
 (Project 6)



County: San Luis Obispo County	Agency: Port San Luis Harbor District	Title: Project 6 Harford Land Area Parking Lot	Sheet Number: P-6
Water Body: San Luis Obispo Bay	Date: June 20, 1997		

Joe.



DEPARTMENT OF FISH AND GAME

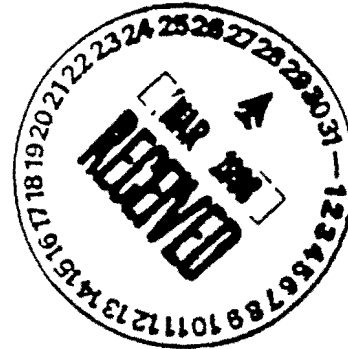
115 NINTH STREET

944209

SANTO, CA 94244-2090

(415) 653-7667

March 25, 1996



Mr. Jay K. Elder, Harbor Manager
Port San Luis Harbor District
P. O. Box 249
Avila Beach, California 93424

Dear Mr. Elder:

Thank you for your March 8, 1996 letter requesting information on the Department of Fish and Game's (DFG) policy regarding the use of creosote-treated wood products in marine waters. I have attached a copy of the DFG's guidance letter on this subject, dated March 8, 1994.

As you can see, the DFG has taken a position against the use of creosote-treated wood products in State waters. However, the DFG is very much aware of the difficulties this creates for users such as the Port San Luis Harbor District. To partially address these, the DFG will accept use of plastic-wrapped, creosote-treated wood products in marine waters of the State under the following conditions and situations:

1. For new projects that were designed or approved prior to DFG's guidance letter. This will help prevent hardships that would otherwise be caused by the need to re-engineer projects that originally contemplated using creosote-treated wood products.
2. For repair of existing projects constructed using wood products. This will help prevent hardships that would otherwise be caused by a need to redesign or replace existing structures if wood could not be used for repair work.
3. Where the use of plastic-wrapped creosote pilings is restricted to marine waters.
4. Where measures are taken to prevent damage to the plastic wrap from boat use. These measures may include installation of rub strips or bumpers.
5. Where measures are taken to prevent creosote from dripping over the top of plastic wrapping into State waters. These measures may include wrapping pilings to the top or installing collars to prevent dripping.
6. Where the plastic wrapping is sealed at all joints to prevent leakage.

EXHIBIT NO. 11, p. 1
APPLICATION NO. 3-97-078
DFG Guidelines for use of creosote

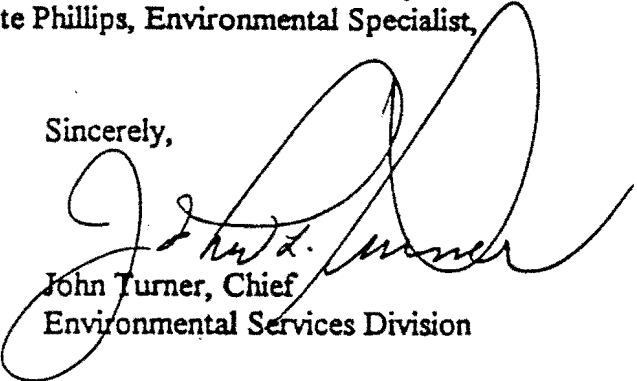
Mr. Jay K. Elder
March 25, 1996
Page Two

7. Where the plastic material is expected to maintain its integrity for at least ten years, and where plastic wrappings that develop holes or leaks are repaired or replaced in a timely manner.

Please note that this letter relates only to issues of concern to the DFG under Section 5650 of the Fish and Game Code. The use of creosote, as set forth in this letter, may be subject to other regulations administered by other agencies.

I hope this response addresses your questions on the use of creosote. If you would like to discuss this subject further, please contact Mr. Pete Phillips, Environmental Specialist, (916) 653-9714, or at the letterhead address.

Sincerely,



John Turner, Chief
Environmental Services Division

Attachment

cc: Mr. Pete Phillips
Department of Fish and Game
Sacramento

3-97-078
Exhibit 11, p. 2