

**CALIFORNIA COASTAL COMMISSION**

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Commission Action:



## RECORD PACKET COPY

### STAFF REPORT: REGULAR CALENDAR

**APPLICATION NO.:** 4-01-136

**APPLICANT:** Santa Barbara County Department of Parks & Recreation

**AGENTS:** Moffatt & Nichol Engineers

**PROJECT LOCATION:** Goleta Beach County Park, Goleta, Santa Barbara County.

**PROJECT DESCRIPTION:** Construction of a 1,400 foot long, 15 foot high winter sand dike on the back beach and, if beach conditions warrant, an additional 600 foot long, 15 foot high winter sand dike requiring approximately 14,700 cubic yard of grading (7,000 cubic yards of cut grading from nearby sand sources and 7,700 cubic yards of fill grading). The dikes will be maintained as necessary after wave damage and will be lowered prior to Memorial Day, 2002.

**SUBSTANTIVE FILE DOCUMENTS:** Letter from Santa Barbara County Parks & Recreation to Commission Staff, October 19, 2001; Electronic Mail from United States Army Corps of Engineers to Moffatt & Nichol Engineers, October 18, 2001; "Notice of Final Approval/Intent to Issue an Appealable Coastal Development Permit," County of Santa Barbara, October 17, 2001; Electronic Mail from US Fish and Wildlife Service to United States Army Corps of Engineers, October 11, 2001; Letter from Moffatt & Nichol Engineers to Commission Staff, October 8, 2001; "Wave Uprush Study, Goleta Beach Winter Dike," Moffatt & Nichol Engineers, October 5, 2001; Letter from California Department of Fish and Game to Commission Staff, October 5, 2001; Letter from Santa Barbara County Parks & Recreation to Stakeholders, October 2, 2001; "Goleta Beach County Park Long-Term Beach Restoration and Shoreline Erosion Management Plan (80% Draft), Moffatt & Nichol Engineers, October 1, 2001; "Letter from Chambers Group, Inc., to Moffatt & Nichol Engineers, August 23, 2001; "Long-Term Beach Restoration and Shoreline Erosion Management Plan," Moffatt & Nichol Engineers, August 3, 2001; Letter from Santa Barbara County Parks & Recreation to Stakeholders, August 3, 2001; Letter from Moffatt & Nichol Engineers to Commission Staff, July 5, 2001; "Goleta Beach Long Term Plan - Alternatives," Moffatt & Nichol Engineers, July 3, 2001; "Biological Analysis - Goleta Beach Winter Dike Project, Chambers Group, Inc., July 2001; "Goleta Beach County Park Long Term Beach Restoration and Shoreline Erosion Management Plan," Moffatt & Nichol Engineers, June 21, 2001;

"Geotechnical and Engineering Analysis," Moffatt & Nichol Engineers, September 18, 2000; "Biological Analysis," Chambers Group, September 18, 2000; Letter from California Department of Fish and Game to Santa Barbara County Parks & Recreation, June 7, 2000; County of Santa Barbara Local Coastal Program; and Coastal Development Permits 4-00-193 (Santa Barbara County Parks & Recreation) and 4-00-118 (Santa Barbara County Parks & Recreation).

### **SUMMARY OF STAFF RECOMMENDATION**

Staff recommends approval of the proposed project with four special conditions regarding project monitoring and responsibilities, required approvals, completion of evaluation of long-term solutions and alternatives analysis, and assumption of risk.

The proposed project is for the construction of a 1,400 foot long and 600 foot long winter sand dike requiring approximately 14,700 cubic yard of grading (7,000 cubic yards of cut grading and 7,700 cubic yards of fill grading) at Goleta Beach County Park. The dikes will be maintained as necessary after wave damage and will be lowered prior to Memorial Day, 2002. Last year, a similar sand dike was approved until Memorial Day, 2001, to protect the improved areas of Goleta Beach County Park from erosion by wave action following the removal of a rock revetment.

### **I. STAFF RECOMMENDATION**

**MOTION:**        *I move that the Commission approve Coastal Development Permit 4-01-136 pursuant to the staff recommendation.*

### **STAFF RECOMMENDATION OF APPROVAL:**

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

### **RESOLUTION TO APPROVE THE PERMIT:**

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible

mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

## **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. **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. **Interpretation.** Any questions of intent or interpretation of any term or condition will be resolved by the Executive Director or the Commission.
4. **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.
5. **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. Project Monitoring and Responsibilities**

Prior to commencement of development, the applicant shall retain the services of an environmental resource specialist with appropriate qualifications acceptable to the Executive Director. The resource specialist shall be present on site to monitor all dike construction, demolition, and sand transportation activity. All dike construction, demolition, and sand transportation activity shall be carried out consistent with the following:

- (a) No stockpiling of dirt or construction materials shall occur on the beach seaward of the proposed dike location.
- (b) Any and all debris that results from the construction period shall be immediately removed from the sandy beach.
- (c) Prior to any excavation, construction, maintenance, or removal activities, a qualified resource specialist shall examine the beach area at dusk and dawn to preclude

impacts to the federally listed western snowy plover (*Charadrius alexandrinus nivosus*) and the state listed endangered Belding's savannah sparrow (*Passerculus sandwichensis beldingi*). No excavation, construction, maintenance, or removal activities shall occur until any western snowy plovers or Belding's savannah sparrows have left the project area or its vicinity. If any breeding activities of the western snowy plover or Belding's savannah sparrow are observed, then no excavation, construction, maintenance, or removal activities shall be allowed, unless by authorization of the United States Fish and Wildlife Service and/or the California Department of Fish and Game and subject to the approval of the Executive Director. In the event that excavation, construction, maintenance or removal activities will occur during the seasonally predicted run period and egg incubation period for the California grunion (*Leuresthes tenuis*), as identified by the California Department of Fish and Game, then the resource specialist shall document any grunion spawning activity and if grunion are present, no excavation, construction, maintenance, or removal activities shall occur until the next predicted run in which no grunion are observed. The resource specialist shall provide inspection reports after each grunion run observed and shall provide copies of such reports to the Executive Director and to the California Department of Fish and Game.

- (d) The monitor shall require the applicant to cease work should any breach in permit compliance occur, or if any unforeseen sensitive habitat issues arise. If significant impacts or damage occur to the beach, slough, or marine environment on site beyond the scope of work allowed for by this permit, the applicant shall be required to submit a revised, or supplemental, restoration program to adequately mitigate such impacts. The revised, or supplemental, restoration program shall be processed as an amendment to this coastal development permit.

## 2. Required Approvals

Prior to commencement of construction, the applicant agrees to obtain, and provide evidence to the Executive Director of, all other necessary State or Federal permits that may be necessary for construction of the proposed sand dikes (including the California Department of Fish and Game, California State Lands Commission, California Regional Water Quality Control Board, and the United States Army Corps of Engineers) and/or evidence that notice has been provided to such agencies and no permit is required.

## 3. Completion of Evaluation of Long-Term Solutions and Alternatives Analysis

If the applicant proposes to expand or restore the approved dikes, or construct new dikes, after Memorial Day 2002, then the applicant shall submit as part of any application to the Commission for such development a completed and detailed evaluation of the feasibility of all long-term solutions and potential alternatives to the proposed project (including importation of donor sand material from an offsite inland source and coordination with the Santa Barbara County Flood Control District in order to utilize sand material from local dredging projects for construction of the dikes). In

accepting this permit, the applicant acknowledges that a complete coastal development application, including the evaluation and analysis required herein, shall be submitted to the Coastal Commission no later than August 15, 2002, if the applicant seeks to construct a future sand dike for the winter season of 2002 – 2003.

#### **4. Assumption of Risk, Waiver of Liability and Indemnity Agreement**

Prior to issuance of the coastal development permit, the applicant shall submit a written agreement, in a form and content acceptable to the Executive Director, which states that the applicant acknowledges and agrees (i) that the site may be subject to hazards from storm waves, surges, erosion, and flooding; (ii) to assume the risks to the applicant and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

#### **IV. Findings and Declarations**

The Commission hereby finds and declares:

##### **A. Project Description and Background**

The proposed project is for the construction of a 1,400 foot long and a 600 foot long winter sand dike, 15 feet in height at Goleta Beach County Park in Santa Barbara County. The proposed dikes will require approximately 14,700 cubic yards of grading, including 7,000 cubic yards of cut grading from nearby sand sources and 7,700 cubic yards of fill grading. The dikes will be maintained as necessary after wave damage and will be lowered prior to Memorial Day, 2002. The 1,400 foot long sand dike will be constructed on the back portion of the sandy beach immediately seaward of the existing lawn, picnic area, restrooms, showers, restaurant, utilities, and parking lot areas on the site (Exhibits 2 and 7). The 600 foot long sand dike will be constructed seaward of the base of the abutment of the pier (Exhibit 2). The donor site for the 7,000 cubic yards of sand and material to be excavated is located approximately 1,200 feet downcoast of the proposed dike sites, near the mouth of Goleta Slough. Sand at the donor site measures approximately 3.5 acres and would be excavated to a depth of approximately 12 to 18 inches. Additionally, approximately 670 cubic yards of fill material will be obtained from Santa Barbara County's Flood Control District, which has removed this sediment from creeks within the watershed of the Goleta Slough and is currently being stockpiled at the western parking lot in Goleta Beach County Park.

Periodic maintenance of the dikes will involve pushing sand from the beach immediately seaward of the dikes back onto the dikes with excavators/bulldozers. The County does not anticipate that sufficient damage will occur that would completely destroy the dikes or necessitate complete reconstruction. As in the 2000 to 2001 winter season, when the capacity of the dikes is reduced by 50 percent or more, excavators will be placed on the beach to push sand back to the damaged areas of the dikes. Removal of the dikes would occur prior to Memorial Day, 2002, and would involve lowering the crest elevation of the dikes to the same elevation as the lawn and parking lot areas on site. The remaining portion of the dikes would be recontoured, if necessary, to gently slope seaward to create a ramped surface for improved access between the beach and the improved portions of the park. Further, although the applicant originally proposed a five year permit to construct the dikes on a seasonal basis, the project description has since been changed for only the 2001 to 2002 winter season. The time period for the proposed berm was revised in light of the pending long-term alternatives analysis that may result in changes to the management of shoreline erosion on this site.

The project site is located at Goleta Beach County Park, in Santa Barbara County (Exhibit 1). Public access is available along the entire length of the park that is contiguous to the beach, nearly one mile in length. All portions of the park located landward of the sandy beach are located on top of a clay-rich fill base placed after World War II by the federal government. Prior to placement of the fill after World War II, the subject site was a sandspit extending across the mouth of Goleta Slough subject to wave action and periodic erosion. Existing development on site consists of a restaurant, two public restrooms, showers, parking lots, recreation lawn area, picnic facilities, numerous utility lines, and a pier. In recent years, and most notably during the 1999 winter storm season, erosion of the clay-rich fill underlying the park due to wave action has occurred forming a steep slope approximately four to five feet in height between the improved areas on site and the sandy beach.

The project site has been subject to past Commission action. Coastal Development Permit (CDP) 4-00-193 (Santa Barbara County Parks) approved the construction of a temporary sand berm for the winter season from 2000 to 2001, similar to the project currently proposed. Further, prior to the construction of the previous temporary sand berm under CDP 4-00-193, an approximately 1,000 feet long rock revetment was placed on the site by Santa Barbara County Department of Parks & Recreation in February 2000 as an emergency measure to prevent further erosion of the improved areas of the park pursuant to Emergency Permit 00-EMP-002, which was issued by Santa Barbara County. This action by the County was appealed by two members of the Commission. Prior to the Commission's determination of whether a substantial issue was raised by the appeal, the County submitted CDP Application 4-00-118 for removal of the previously constructed rock revetment. CDP 4-00-118 was approved by the Commission on June 13, 2000, subject to a special condition which required the rock revetment be removed prior to August 31, 2000. Pursuant to a request by Santa Barbara County Department of Parks & Recreation, the time allowed for removal of the rock revetment was extended by the Executive Director until November 30, 2000, in order to allow the County to avoid interference with the grunion spawning cycle and to

secure the necessary permits from other State and Federal agencies. That rock revetment was subsequently removed, as was required pursuant to the special condition.

Although the rock revetment installed in 2000 was removed, however, there remains a smaller rock revetment on the subject site in front of a parking area and another rock revetment buried beneath the sand in the area of the pier. According to staff from the Santa Barbara County Department of Parks & Recreation, the rock revetment by the pier at the east end of the park was constructed in approximately 1950 with additional work performed in 1961. Staff from the Santa Barbara County Department of Parks & Recreation have also stated that it appears that the rock revetment that exists in front of a parking area at the western end of the park was installed between 1985 and 1986 without the benefit of a coastal development permit, although the County approved a permit for the parking area in 1984. In order to resolve this violation and plan a comprehensive solution to shoreline erosion at the park, staff from Santa Barbara County Department of Parks & Recreation have indicated to Commission staff that in preparing the long-term alternatives analysis for the subject site, the value of these revetments will be examined and identified and recommendations will be made pursuant to their retention, replacement, or removal.

## **B. Hazards and Shoreline Processes**

Section 30235 of the Coastal Act states:

*Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Existing marine structures causing water stagnation contributing to pollution problems and fish kills should be phased out or upgraded where feasible.*

Section 30253 of the Coastal Act states, in part, that new development shall:

- (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.*
- (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.*

Section 30235 of the Coastal Act allows for the construction of a shoreline protective device when necessary to protect existing development or to protect a coastal dependent use. In addition, Section 30253 of the Coastal Act mandates that new development provide for geologic stability and integrity and minimize risks to life and property.

The proposed project is for the construction of a 1,400 foot long, 15 foot high winter sand dike and, if beach conditions warrant, an additional 600 foot long, 15 foot high winter sand dike. The sand dikes will be constructed on the back portion of the sandy beach immediately seaward of the existing lawn, picnic area, parking lot areas, and pier abutment on the site. The back beach where the dikes are proposed is currently approximately seven feet in elevation, while the dikes will increase this area by approximately eight feet, to 15 feet in height. The dikes will slope down to the existing beach at a constructed slope of 2:1 (horizontal to vertical). Additionally, the 600 foot long dike proposed to protect the abutment to the pier will only be constructed if beach conditions during the winter storm season warrant this protection. Further, the dikes will be maintained as necessary after wave damage and will be lowered prior to Memorial Day, 2002.

The sand dikes will require approximately 14,700 cubic yard of grading (7,000 cubic yards of cut grading from nearby sand sources and 7,700 cubic yards of fill grading). The donor site for approximately 7,000 cubic yards of sand material to be excavated is located approximately 1,200 feet downcoast of the proposed dikes, near the mouth of Goleta Slough, from where the donor sand will be transported to the receiver site (Exhibits 5 and 6). Sand at the donor site would be excavated to a depth of approximately 12 to 18 inches over an area measuring approximately 3.5 acres. Approximately 670 cubic yards of fill material will also be obtained from the Santa Barbara County Flood Control District that resulted from dredging operations in watershed of the Goleta Slough and that is currently stockpiled at the western parking lot in Goleta Beach County Park. Additional sand material may be pushed up into the dikes from areas in the immediate vicinity, seaward of the dikes for periodic maintenance activity (Exhibit 2).

All portions of the project site located landward of the sandy beach are located on top of a clay-rich fill base placed after World War II by the federal government. Prior to placement of the fill, the subject site was a sandspit extending across the mouth of Goleta Slough subject to wave action and periodic erosion. In recent years, and most notably during the 1999 winter storm season, erosion of the clay-rich fill underlying the park due to wave action has occurred. This has resulted in steep slopes and drop-offs of approximately four to five feet in height between the improved areas on site (the portion of the site constructed on fill) and the sandy beach. The proposed 1,400 foot long temporary sand dike will be located in approximately the same area as the temporary sand berm approved last year under CDP 4-00-193. The applicant is also proposing to construct a 600 foot long sand dike in front of the existing pier abutment, which has been attached and eroded in past years. The purpose of the sand dikes is to protect the improved areas of the park and the pier abutment from erosion by wave action. The Wave Uprush Study prepared by Moffatt & Nichol Engineers, dated October 5, 2001, states:

***The Goleta Beach County Park experienced severe erosion during both the 1999 – 2000 and 2000 – 2001 winter storm seasons, and it is expected that this will continue in future years. To protect the park against potential erosion, the County proposes to construct a winter sand dike . . . While this is not a long-term solution, it can provide immediate***



*protection to existing structures and utility lines. A long-term plan for beach restoration and shoreline erosion management is being developed. . . .*

*A similar dike was successfully constructed during the 2000 - 2001 winter storm season.*

*If necessary, depending on storm conditions, a secondary dike will be constructed at the pier itself, extending an additional 600 feet where considerable erosion occurred during January - March 2001.*

This report also states:

*The sand dike operates as a sacrificial protective barrier; it is designed to be eroded by wave attack, thereby dissipating the wave energy and protecting the park frontage from erosion. This maintains the protective buffer for the park infrastructure. The sand dike is normally rebuilt after an erosive storm event. In effect, the reason for building the sand dike is to reduce the cumulative, irreversible erosion of the park by repeatedly rebuilding the sacrificial dike.*

Regarding wave overtopping and periodic maintenance, this report states:

*It is extremely likely that some overtopping, by the top one-tenth highest waves, will occur at some point during the winter season: the probability is calculated as 92% without a winter sand dike, and 46% if the winter sand dike is constructed. Without a sand dike, this is expected to occur an average of 3 times per winter season - with slight but cumulative erosion happening each time. If the sand dike is constructed, overtopping is expected to occur, on average, once per season. Dike maintenance would likely be required after each overtopping episode. Dike maintenance was required after 2 storm episodes in 2000 - 2001, consistent with the calculated average of once per season. . . .*

*If the winter sand dike is constructed, there is still a 1% chance of some inundation damage. However, the more important cumulative erosion of the park frontage is replaced by erosion of the sacrificial dike - which can be maintained at the next low tide. It is expected that, on average, one dike maintenance episode will be required during the winter season, compared to two in 2000 - 2001.*

In addition, in a letter from the Santa Barbara County Parks & Recreation Department to Commission staff dated October 19, 2001, the maintenance procedures are laid out in further detail. That letter states, in part:

*Similar to berm management last winter, when the capacity of the berm was reduced by 50% or more, two excavators were placed on the beach to place sand along the damaged areas of the berm. It can be anticipated with good accuracy that if there is a storm that coincides with a high tide the berm will be eroded. The maintenance activity can only take place during low tide cycles to avoid placing the equipment in the water. The maintenance activity would take place for no more than 3 days (depending upon length and width of berm damaged during high tide cycle) during the low tide cycle immediately after the high storm tides. The maintenance activity is anticipated to be required for up to two or three independent storms. During the 2000 - 2001 winter period there were two such maintenance cycles after two separate storms; this is consistent with the Wave*

***Uprush Study which showed that typically one significant overtopping event requiring maintenance will be required.***

Additionally, a letter from Moffatt & Nichol Engineers to Commission staff dated July 5, 2001 also states:

***It is not anticipated that sufficient damage will occur that would completely destroy the dike necessitating complete reconstruction. However, if extensive damage were to occur and insufficient quantities of sand were present at the beach in front of or adjacent to the beach, more sand would be obtained from the original donor site, or from offsite creek dredging (meeting EPA requirements for Flood Control deposit on the beach). Maintenance activities will be episodic and in response to sever storm wave activities.***

The applicant's geotechnical engineering consultant has indicated that the proposed project will serve to increase the stability of the improved areas of the park where the sand dikes will be located and will not result in any adverse effects to the proposed donor site (where 7,000 cubic yards of donor material will be excavated) or other downcoast areas from increased erosion. In addition, in its letter to Commission staff, dated August 27, 2001, Moffatt & Nichol Engineers states:

***Impacts to the sand donor site will be minimal, short-term, and imperceptible over time. Impacts will consist of a temporary lowering of the surface elevation of the spit by one to two feet from its existing elevation of approximately eight feet above National Geodetic Vertical Datum (near Mean Sea Level). The sand spit will continue to be reworked by weaves and tides over time and the sand spit surface will be returned to its existing equilibrium elevation in a relatively short period of time, possibly within a two-week tide cycle. The spit will also undergo seasonal changes in elevation and landform from waves and would not retain its existing configuration indefinitely. No long-term changes are expected because sand from upcoast will be delivered to the spit over time and replace sand removed for the project. Also, the quantity of sand removed for the project is relatively small compared to the sand volumes being naturally transported through the area by longshore currents and the change in beach configuration will therefore not be significant or sufficiently long-lived to cause discernible impacts.***

***The project will not cause increased erosion to the donor beach or adjacent beaches. It will also not cause increased breaching of the entrance to Goleta Slough. . . . Finally, the project will have no effect on the bluffs downcoast of the site due to the insignificant changes to the donor beach that will occur. No long-term changes are expected because sand from upcoast will be delivered to the spit over time and replace sand removed for the project. . . . The project will not cause increased erosion to the donor beach or adjacent beaches. It will also not cause increased breaching of the entrance to Goleta Slough. . . . Finally, the project will have no effect on the bluffs downcoast of the site due to the insignificant changes to the donor beach that will occur.***

Interference by shoreline protective devices, including structures such as sand dikes, may result in a number of adverse effects on the dynamic shoreline system, including increased scour and erosion of the sandy beach directly seaward of the device as a result of reflected wave energy, as well as increased scour and erosion both upcoast and downcoast of the device from end effects and refracted wave energy. Changes in the shoreline profile from increased erosion and scour reduce the usable area of the

sandy beach available for public use. A beach that rests either temporarily or permanently at a steeper angle than under natural conditions will have less horizontal distance between the mean low water and mean high water lines, effectively reducing the actual area of beach able to be utilized by beach users and members of the public. In addition, erosion is expected to occur at an increased rate over time as the device is acted upon by wave action more frequently as a result of changes in the shoreline profile and the corresponding reduction in beach width.

The Santa Barbara County Department of Parks & Recreation has submitted a document to Commission staff entitled, "Goleta Beach County Park Long-Term Beach Restoration and Shoreline Erosion Management Plan (80% Draft)," prepared by Moffatt & Nichol Engineers, dated October 1, 2001. A detailed alternatives analysis is currently underway and includes a substantial stakeholder and public input component. The applicant has also submitted the schedule for the detailed long-term alternatives analysis to the Commission staff. Funding for the study was obtained in April 2001, and the study has been fully funded. Additionally, stakeholder meetings began on August 21, 2001. A second stakeholder meeting was held on October 15, 2001 and another public meeting is scheduled for October 27, 2001 to discuss alternatives in further detail. In addition, a presentation to the Parks Commission is scheduled for December 6, 2001, at which time the preferred alternative will be set forth for future action. Presently, some of the alternatives being considered include: beach nourishment (including the importation of donor sand material and coordination with the Santa Barbara County Flood Control District), beach nourishment in combination with continued construction of a winter sand dike, and beach nourishment in combination with a sand retention structure such as a groin or breakwater. Further, BEACON is also proposing to conduct a beach nourishment project at Goleta County Beach Park during 2002. The applicant stated in a letter to Commission staff dated October 8, 2001, that a "hard seawall was rejected based on its likely effects on downcoast erosion; managed retreat was rejected based on the heavy public usage of the park and the lack of any area to retreat to (the park is bounded by the environmentally sensitive Goleta Slough."

Pursuant to CDP 4-00-193, which permitted the sand berm for the 2000 – 2001 winter season at Goleta Beach County Park, a special condition required the applicant to include a detailed evaluation of the feasibility of all long-term solutions and potential alternatives to a sand berm or dike, including importation of donor sand material from on offsite inland source and coordination with the Santa Barbara County Flood Control District in order to utilize sand material from local dredging projects for construction of the dikes with any future application for a sand berm or dike. Although this alternatives analysis has not been entirely completed, the applicant has submitted documentation regarding the potential alternatives, has engaged in meetings with stakeholders and the public to obtain input, has scheduled future meetings with stakeholders and the public, and has acquired full funding for a complete and detailed long-term alternatives analysis.

The proposed project is for the construction of temporary sand dikes only during the 2001 - 2002 winter storm season. Any future construction of sand dikes after the 2001

– 2002 winter storm season will require the issuance of a new coastal development permit. As such, the Commission notes that the above identified alternatives may be feasible in the event that sand dikes are proposed at a future point in time on the project site. Therefore, **Special Condition Three (3)** is required to ensure that the applicant will proceed with the long-term alternatives analysis and that any new coastal development permit application will include a detailed evaluation of the feasibility of all long-term solutions and potential alternatives to a sand berm or dike.

The 7,000 cu. yds. of sand collected from the excavation site (the donor site) for construction of the dikes will be transported to the dike sites (the receiver sites) via scrapers and/or dumptrucks. The donor site is located near the mouth of Goleta Slough. The applicant has stated that there will not be a need to construct a temporary berm across the mouth of the Goleta Slough, as was initially proposed, to allow for transportation of the collected sand material to the receiver site. The elimination of the temporary berm across the mouth of the Goleta Slough from the proposed development reduces potential impacts that could result from such construction. Additionally, the applicant has stated that no work will encroach on the Goleta Slough and no construction equipment will cross the slough mouth.

In addition, the proposed development will also require approval from the United States Army Corps of Engineers and from the California State Lands Commission. Therefore, **Special Condition Two (2)** requires the applicant to agree to obtain all necessary approvals from the California Department of Fish and Game, California State Lands Commission, and the United States Army Corps of Engineers for the proposed project prior to commencement of construction, or evidence that notice has been provided to such agencies and no permit is required. The applicant has, however, already submitted evidence to Commission staff that all necessary applications have been submitted to these agencies.

In addition, based on the information submitted by Santa Barbara County Department of Parks & Recreation, the proposed development is located in an area of the Coastal Zone that has been identified as subject to potential hazards from wave action during the winter storm season. As discussed above, Goleta Beach County Park has previously been subject to substantial damage as the result of storm and flood occurrences. Most recently, and perhaps most dramatically, approximately one acre of recreational lawn area has been lost from previous winter storms. In addition, there has been erosion and exposure of protective footings in front of the restaurant on site, erosion and exposure of the pier abutment and associated utilities to the pier, and erosion near the existing restrooms and beach parking areas. As such, evidence exists that the project site is subject to potential risks due to storm waves and surges, high surf conditions, erosion, and flooding.

Although the proposed project will increase the stability of the developed portions of the subject site in relation to wave caused erosion, there remains some inherent risk to development on such sites. The Coastal Act recognizes that certain types of development, such as the proposed project to protect existing park facilities from storm

waves, may involve the taking of some risk. Coastal Act policies require the Commission to establish the appropriate degree of risk acceptable for the proposed development and to determine who should assume the risk. When development in areas of identified hazards is proposed, the Commission considers the hazard associated with the project site and the potential cost to the public, as well as the individual's right to use his property. As such, the Commission finds that due to the unforeseen possibility of liquefaction, storm waves, surges, erosion, and flooding, the applicant shall assume these risks as a condition of approval.

Therefore, **Special Condition Four (4)** requires the applicant to waive any claim of liability against the Commission for damage to life or property that may occur as a result of the permitted development. The applicant's assumption of risk will demonstrate that the applicant is aware of and appreciates the nature of the hazards which exist on the site and which may adversely affect the stability or safety of the proposed development.

In addition, the proposed project will involve approximately 14,400 cubic yards of grading and the use of construction equipment on a sandy beach. As such, the proposed project has the potential to generate debris and or presence of equipment and materials that could be subject to tidal action on the beach. The presence of construction equipment, building materials, and excavated materials on the subject site could pose hazards to beachgoers or swimmers if construction site materials were discharged into the marine environment or left inappropriately or unsafely exposed on the project site. In addition, such discharge to the marine environment would result in adverse effects to offshore habitat from increased turbidity caused by erosion and siltation of coastal waters. Therefore, in order to ensure that adverse effects to the marine environment are minimized, **Special Condition One (1)**, requires the applicant to ensure that no stockpiling of dirt or construction materials shall occur on the beach seaward of the proposed dike locations and that any and all debris resulting from the construction period shall be immediately removed from the sandy beach.

Therefore, the Commission finds that the proposed project, as conditioned, is consistent with Coastal Act Sections 30235, and 30253.

### **C. Environmentally Sensitive Habitat and Marine Resources**

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:

***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 30240 of the Coastal Acts 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 30231 requires that the biological productivity and quality of coastal waters be maintained. Section 30230 requires that uses of the marine environment be carried out in a manner that will sustain the biological productivity of coastal waters for long-term commercial, recreational, scientific, and educational purposes.

The proposed project is for the construction of a 1,400 foot long, 15 foot high winter sand dike and, if beach conditions warrant, an additional 600 foot long, 15 foot high winter sand dike. The sand dikes will require approximately 14,700 cubic yard of grading (7,000 cubic yards of cut grading from nearby sand sources and 7,700 cubic yards of fill grading). The dikes will be maintained, as necessary, after wave damage and will be lowered prior to Memorial Day, 2002. The sand dikes will be constructed on the back portion of the sandy beach immediately seaward of the existing lawn, picnic area, parking lot areas, and pier abutment on the site. The donor site for approximately 7,000 cubic yards of sand material to be excavated is located approximately 1,200 feet downcoast of the proposed dikes, near the mouth of Goleta Slough. Sand at the donor site would be excavated to a depth of approximately 12 to 18 inches over an area measuring approximately 3.5 acres. Approximately 670 cubic yards of fill material will also be obtained from the Santa Barbara County Flood Control District that resulted from dredging operations in watershed of the Goleta Slough and which is currently being stockpiled at the western parking lot in Goleta Beach County Park. This dredged material has been tested by Santa Barbara County Flood Control District and meets the requirements established by the Environmental Protection Agency for placement within the surf zone. Additional sand material may be pushed up into the dikes from areas in the immediate vicinity, seaward of the dikes.

The applicant has submitted a biological analysis prepared by Chambers Group, Inc., dated July 2001, which indicates that construction of the dikes will not result in any significant adverse effects to beach habitat. The proposed sand dikes will be constructed on the backbeach (the receiver sites) and will not result in the displacement of any existing beach habitat. The report also indicates that although some adverse effects to the habitat value of the area of beach where excavation will occur at the donor site from the excavation of 7,000 cubic yards of sand, these impacts will be temporary in nature and the habitat value of the site is expected to return to its pre-development condition by the following spring. The Biological Analysis, prepared by Chambers Group, Inc., dated July 2001, states:

*Excavation of about 1 foot of sand from the donor site would destroy most of the organisms within the excavation area. Sandy beach species are adapted to dramatic seasonal movements of sand. Typically sand moves off of beaches during the winter and back in spring and summer. Sandy beach organisms recolonize beaches every spring. Recolonization of the disturbed area would begin immediately after the end of the excavation, as mobile species would be expected to move into the disturbed area from the adjacent undisturbed beach. By the following spring, the community would be expected to be similar to the pre-disturbance condition.*

*Shorebirds and gulls would avoid the donor site while the excavation was taking place but would reoccupy the area as soon as the excavation was ended. Snowy plovers may at times forage at Goleta Beach, but because the excavation area is not within designated Critical Habitat for this species, the temporary disturbance of a small amount of potential foraging area would not be significant. Since excavation will be conducted this fall/winter which is outside of the breeding season of the great blue heron, no disturbance will be caused to the herons.*

*Excavation for initial construction will not occur during the grunion spawning season; therefore, no impacts to grunion are expected. However, it is possible that storms may occur in late March, requiring dike maintenance during grunion spawning season; and the dike will probably be lowered in April or May, during the grunion spawning season. Measures should be taken to avoid maintenance or lowering activities while grunion are present. . . .*

*The proposed berm would be constructed along the upper portion of the beach. The only intertidal invertebrates expected to occupy this upper zone are beach hoppers (Orchestoidea sp.). The area is above the intertidal zone where shorebirds feed. Gulls may forage on debris and garbage within the area. . . .*

*Construction of the berm along the back portion of the beach is expected to have minimal impact on biological resources. Some beach hoppers may be buried by the deposition of sand. Gulls would avoid the area while construction was taking place.*

In addition, the California Department of Fish and Game submitted a letter to Commission staff, dated October 5, 2001, stating:

*The project description . . . includes mitigation measures to avoid impacts to the federally listed western snowy plover (Charadrius alexandrinus nivosus) and California grunion (Leuresthes tenuis). To preclude impacts to the snowy plover, a biologist will examine the beach area at dusk and dawn prior to any excavation or berm maintenance activities.*

*No activities would occur until the snowy plovers have left the area. The Department concurs with this measure, but recommends it be extended to include monitoring and restriction of activities for the state endangered Belding's savannah sparrow (*Passerculus sandwichensis beldingi*). Belding's savannah sparrows breed in the Goleta Slough and have been found foraging in kelp wrack at the western end of Goleta Beach. Thus, we recommend the beach area be surveyed for snowy plovers and Belding's savannah sparrows prior to any excavation or berm maintenance activities, and that no activities occur until the species have left the area.*

*To avoid impacts on grunion, a monitor will document any grunion spawning activity during the predicted grunion runs. If grunion are present, no excavation or berm maintenance activities will be allowed until the next predicted run in which no grunion are observed. The monitor will provide inspection reports after each grunion run observed. The Department concurs with this measure. In addition, we would like to receive copies of the grunion reports.*

The proposed project has been designed in a manner to minimize adverse effects to the sensitive beach, slough, and marine resources on the subject site. However, the proposed project may result in potential adverse effects to surrounding habitat due to unintentional disturbance from construction equipment and grading activity. Therefore, to ensure that all recommendations of the environmental consultant are properly implemented, and to ensure that any potential adverse effects to beach, slough, and marine environment are minimized, **Special Condition One (1)** requires that a qualified resource specialist shall be present on site to monitor all excavation, construction, maintenance, and removal activities for the proposed dikes. The monitor shall have the authority to require the applicant to cease work should any breach in permit compliance occur, or if any unforeseen sensitive habitat issues arise. If significant impacts or damage occur to the beach, slough, or marine environment on site beyond the scope of work allowed for by this permit, the applicant shall be required to submit a revised, or supplemental, restoration program to adequately mitigate such impacts. The revised, or supplemental, restoration program shall be processed as an amendment to this coastal development permit.

The sandy beach on the subject site has been identified as a potential grunion spawning location. Construction of the proposed dikes is expected to occur outside the seasonally predicted run period and egg incubation period of the California grunion and will not result in any adverse effects to grunion spawning activities. However, removal of the dikes the following spring may result in potential adverse effects to grunion spawning activities on site. In order to ensure that excavation, construction, maintenance, or removal of the proposed sand dikes does not adversely affect grunion spawning events, **Special Condition One (1)** also requires that in the event that excavation, construction, maintenance or removal activities will occur during the seasonally predicted run period and egg incubation period for the California grunion (*Leuresthes tenuis*), as identified by the California Department of Fish and Game, then the resource specialist shall document any grunion spawning activity and if grunion are present, no excavation, construction, maintenance, or removal activities shall occur until the next predicted run in which no grunion are observed. The resource specialist shall provide inspection reports after each grunion run observed and shall provide copies of



such reports to the Executive Director and to the California Department of Fish and Game.

In addition, as stated above, the federally listed western snowy plover (*Charadrius alexandrinus nivosus*) and the state listed endangered Belding's savannah sparrow (*Passerculus sandwichensis beldingi*) may also be found on the subject site. In order to ensure that excavation, construction, maintenance, or removal of the proposed sand dikes do not adversely affect these species, **Special Condition One (1)** requires a qualified resource specialist to examine the beach area at dusk and dawn to identify the presence of these species in order to preclude potential adverse impacts to them. As a result, the resource specialist shall ensure that prior to any excavation, construction, maintenance, or removal activities, there are no western snowy plovers or Belding's savannah sparrows in the project area or its vicinity. If any breeding activities of the western snowy plover or Belding's savannah sparrow are observed, then no excavation, construction, maintenance, or removal activities shall be allowed, unless by authorization of the United States Fish and Wildlife Service and/or the California Department of Fish and Game and subject to the approval of the Executive Director.

Therefore, the Commission finds that the proposed project, as conditioned, is consistent with Sections 30230, 30231, and 30235 of the Coastal Act.

#### **D. Public Access and Visual Resources**

Coastal Act Section 30210 states:

*In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.*

Coastal Act Section 30211 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.*

In addition, Section 30251 of the Coastal Act states:

*The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinated to the character of its setting.*

Coastal Act Sections 30210 and 30211 mandate that maximum public access and recreational opportunities be provided and that development not interfere with the public's right to access the coast. In addition, Coastal Act Section 30251 requires that visual qualities of coastal areas shall be considered and protected, landform alteration shall be minimized, and where feasible, degraded areas shall be enhanced and restored.

The project site is located within a county-operated park available for public use. Public access is available along the entire approximately one mile length of the park that is contiguous to the beach. The proposed project involves the construction of an approximately 15 foot high sand dike between the lawn and parking lot areas on the project site and the sandy beach and possibly a second sand dike in front of the abutment of the pier, if necessary. The elevation of the lawn and parking lot areas on the project site is approximately 12.5 feet above mean sea level. The crest of the proposed dike will not extend above 15 feet in elevation above mean sea level (approximately only eight feet above the ground elevation of the lawn, picnic, and parking lot areas on the project site) and will not, therefore, significantly obstruct public views of the beach and ocean from any portion of the park located landward of the dike.

In recent years, and most notably during the 1999 winter storm season, wave caused erosion of the clay-rich fill underlying the park has occurred forming a steep slope (or drop-off) approximately four to five feet in height between the improved areas on site (the portion of the site constructed on fill) and the sandy beach.

Public access may be impeded somewhat by the proposed dikes, due to the steep drop-off to the beach from the lawn and parking lot areas on site. Construction of the proposed dike will also result in some adverse effects to the public's ability to access the sandy beach since beachgoers would be required to traverse a sand dike higher than the elevation of the lawn and parking lot areas on site. However, due to the presence of the steep drop-off to the beach from the lawn and parking lot areas on site, the construction of the proposed dikes will not create any greater difficulty for members of the public to access the sandy beach than if the dikes were not constructed. In addition, the proposed project includes the removal of the dikes prior to Memorial Day 2002. Removal of the dikes would involve lowering the crest elevation of the dikes to the same elevation as the lawn and parking lot areas on site. The remaining portion of the dikes would be recontoured, if necessary, to gently slope seaward to create a ramped surface for improved access between the sandy beach and the improved portions of the park.

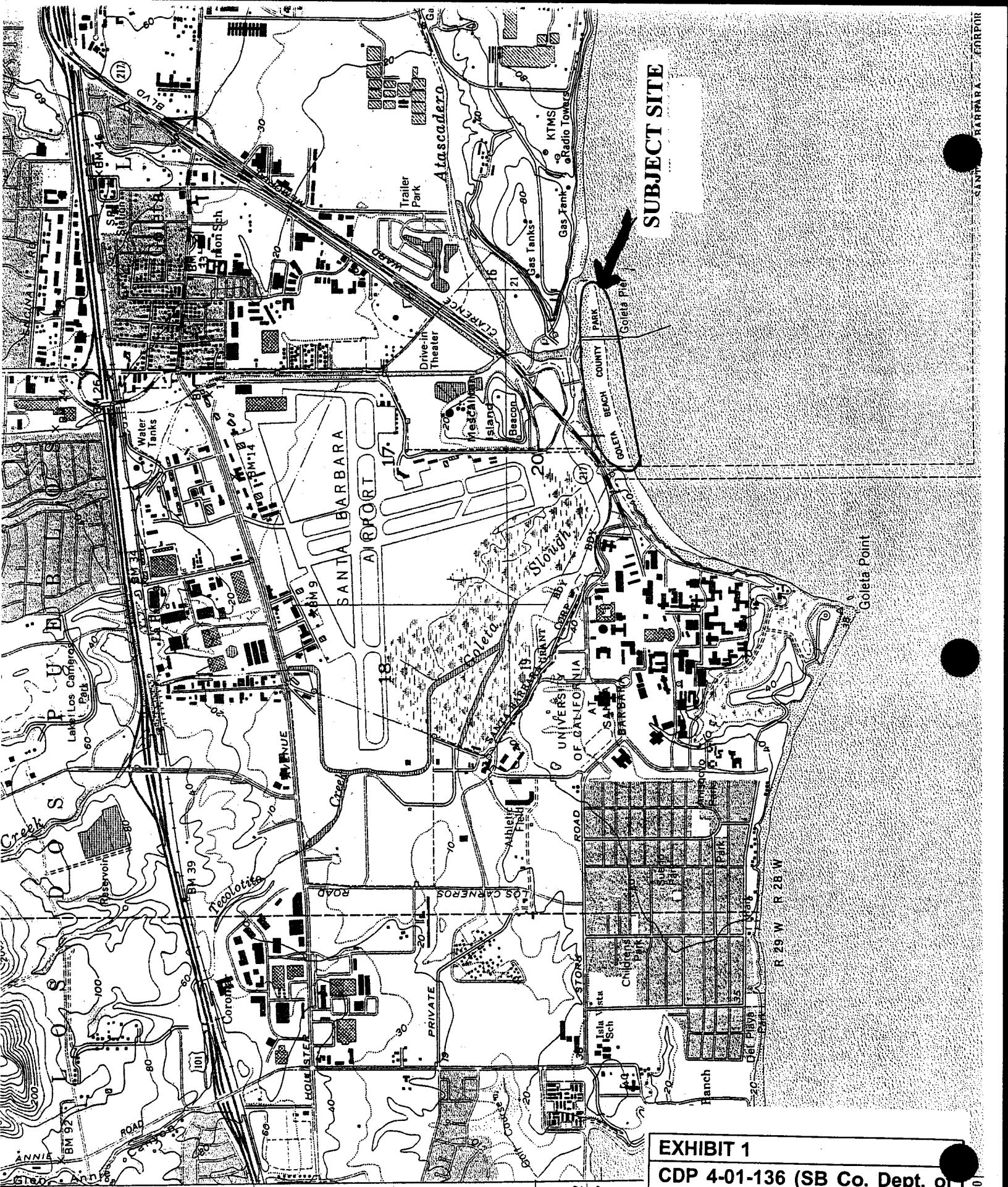
The proposed project site is located on an area of sandy beach subject to tidal influence and wave action. As such, the proposed project will require a lease or other form of approval from the California State Lands Commission (CSLC). The applicant has submitted evidence to Commission staff that an application has already been submitted for approval from CSLC. Therefore, **Special Condition Two (2)** requires the applicant to agree to obtain approval from the CSLC prior to commencement of construction of the proposed sand dikes.

Therefore, the Commission finds that the proposed project, as conditioned, is consistent with Sections 30210, 30211, and 30251 of the Coastal Act.

#### **E. CEQA**

Section 13096(a) of the Commission's administrative regulations requires Commission approval of Coastal Development Permit application to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) 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 effect, which the activity may have on the environment.

The Commission finds that, the proposed project, as conditioned will not have significant adverse effects on the environment, within the meaning of the California Environmental Quality Act of 1970. Therefore, the proposed project, as conditioned, has been adequately mitigated and is determined to be consistent with CEQA and the policies of the Coastal Act.

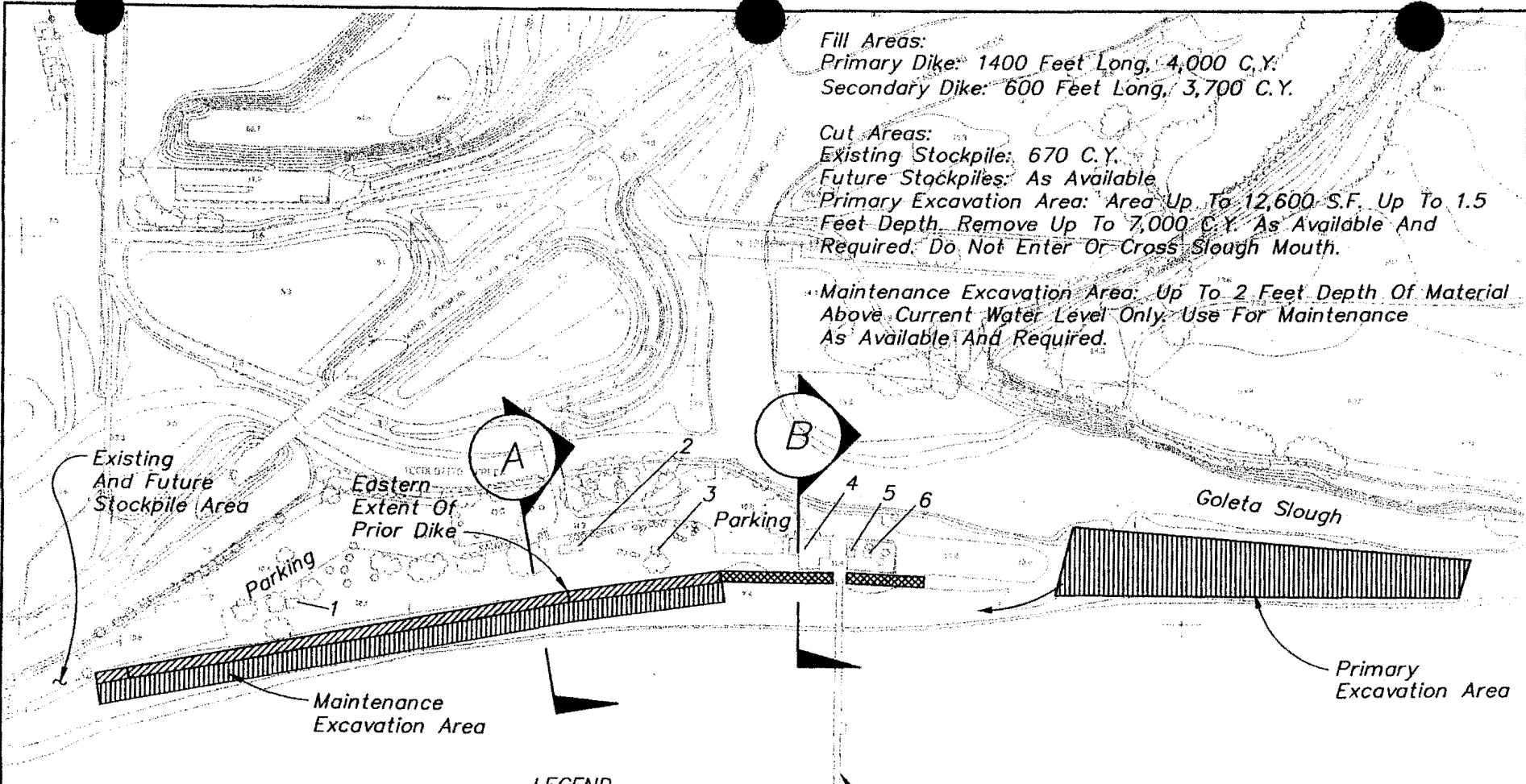


**EXHIBIT 1**  
**CDP 4-01-136 (SB Co. Dept. of Parks & Recreation)**  
**Location Map**




Fill Areas:  
 Primary Dike: 1400 Feet Long, 4,000 C.Y.  
 Secondary Dike: 600 Feet Long, 3,700 C.Y.

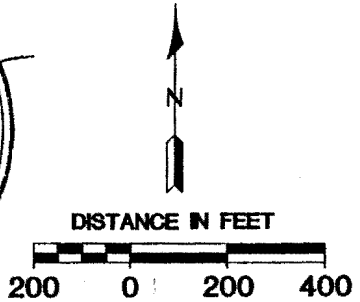
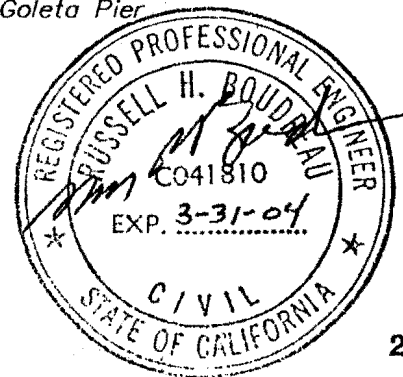
Cut Areas:  
 Existing Stockpile: 670 C.Y.  
 Future Stockpiles: As Available  
 Primary Excavation Area: Area Up To 12,600 S.F. Up To 1.5 Feet Depth. Remove Up To 7,000 C.Y. As Available And Required. Do Not Enter Or Cross Slough Mouth.

Maintenance Excavation Area: Up To 2 Feet Depth Of Material Above Current Water Level Only. Use For Maintenance As Available And Required.



**LEGEND**

-  Primary Dike
-  Secondary Dike
-  Sand Excavation Areas
- 1 Restroom
- 2 Ranger Residences
- 3 Restroom
- 4 Beachside Bar & Cafe
- 5 Storage Building
- 6 Restroom



**EXHIBIT 2**  
 CDP 4-01-136 (SB Co. Dept. of  
 Parks & Recreation)  
 Site and Grading Plan

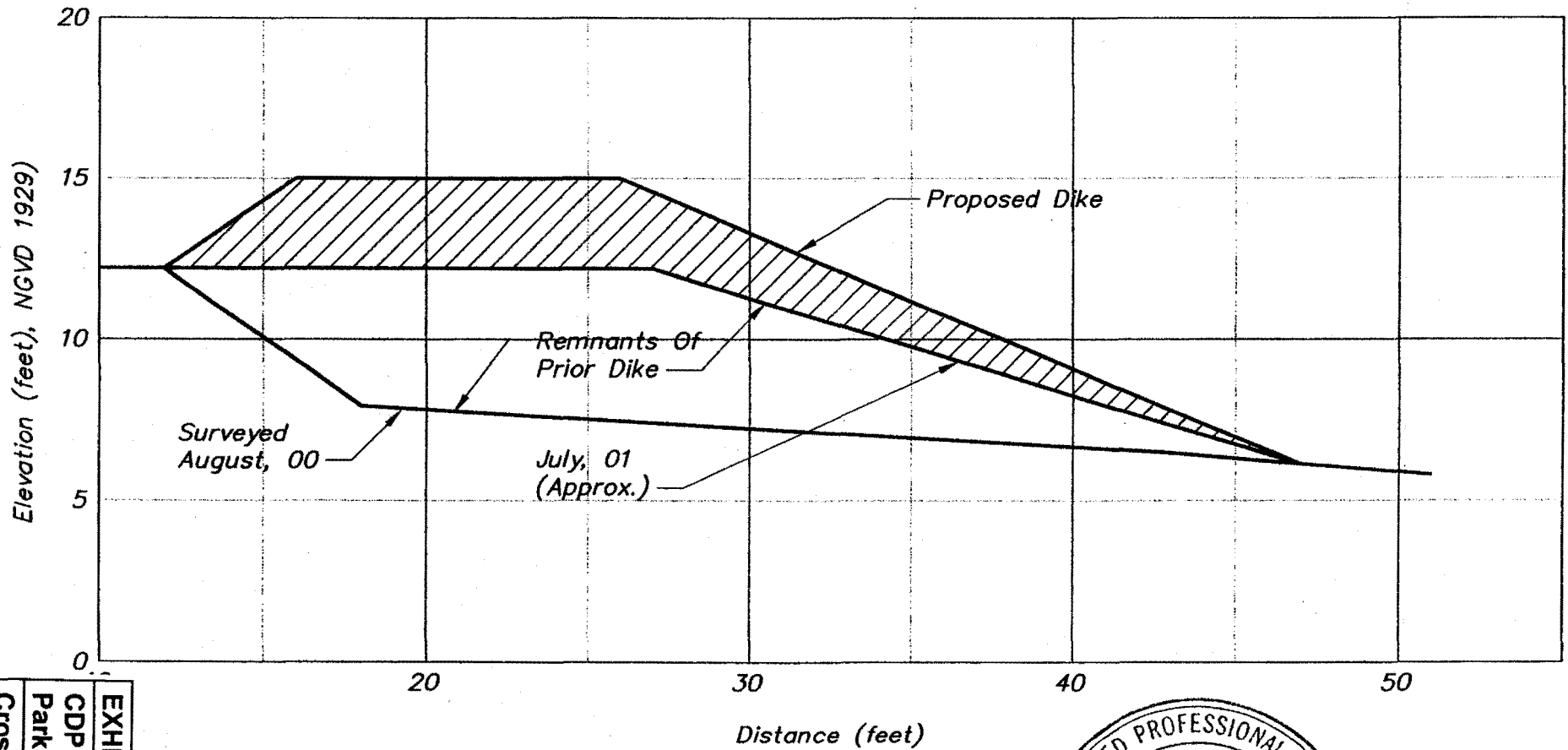
Pacific Ocean

permits\DWG\Site\_plan.dwg

ETA BEACH WINTER DIKE PROJECT

SITE AND GRADING PLAN

FIGURE  
1



 Proposed Fill

SECTION (A)



Scale:  
 Horiz. 1"=5'  
 Vert. 1"=5'

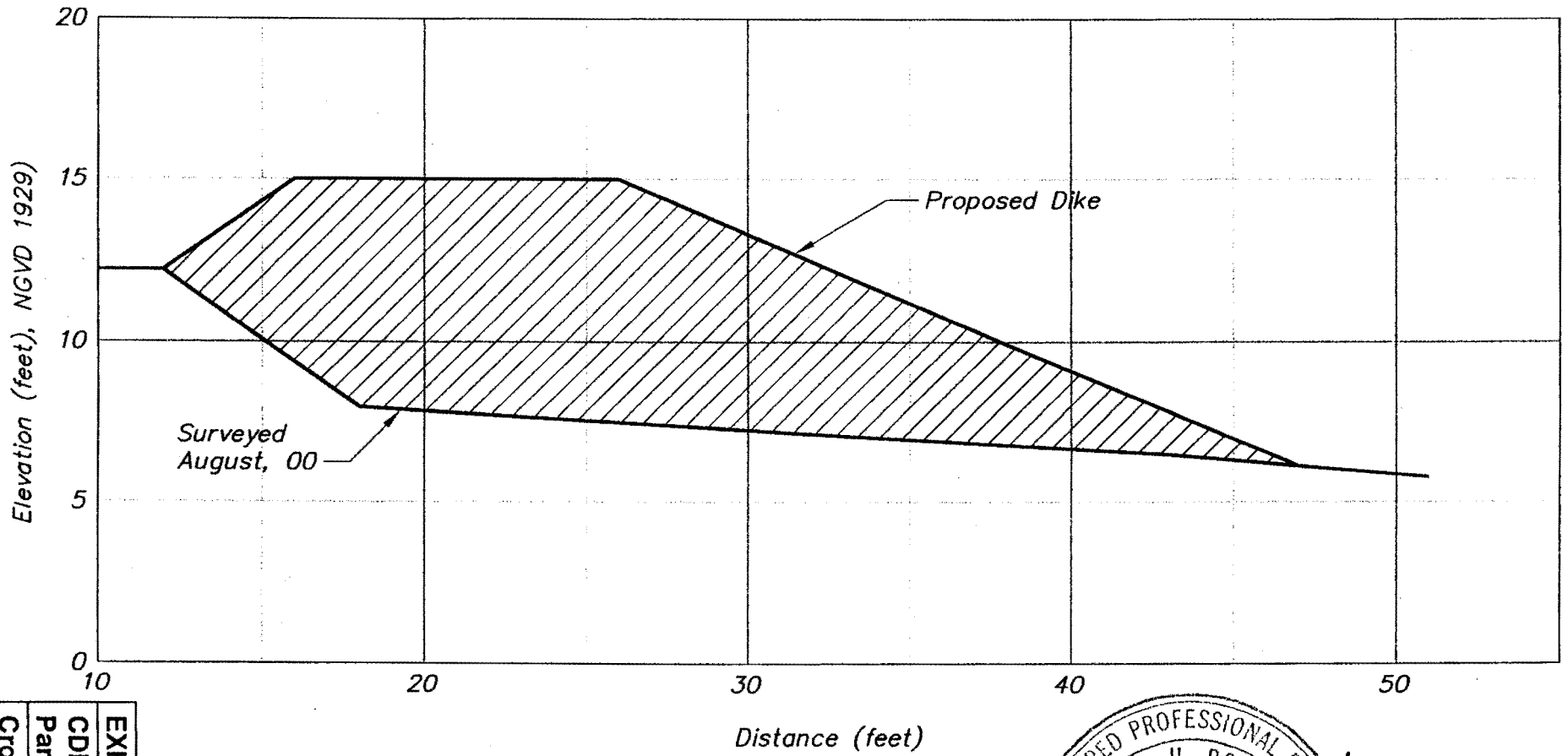
EXHIBIT 3  
 CDP 4-01-136 (SB Co. Dept. of  
 Parks & Recreation)  
 Cross Section of 1,400 Ft. Dike

101  
 11  
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LETA BEACH WINTER DIKE PROJECT

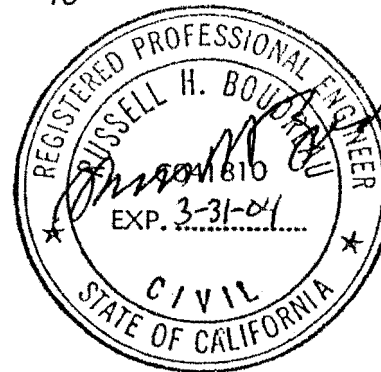
GOLETA BEACH DIKE DESIGN CROSS SECTION

FIGURE  
 2A



 Proposed Fill

SECTION (B)



Scale:  
 Horiz. 1"=5'  
 Vert. 1"=5'

EXHIBIT 4  
 GDP 4-01-136 (SB Co. Dept. of  
 Parks & Recreation)  
 Cross Section of 600 ft. Dike

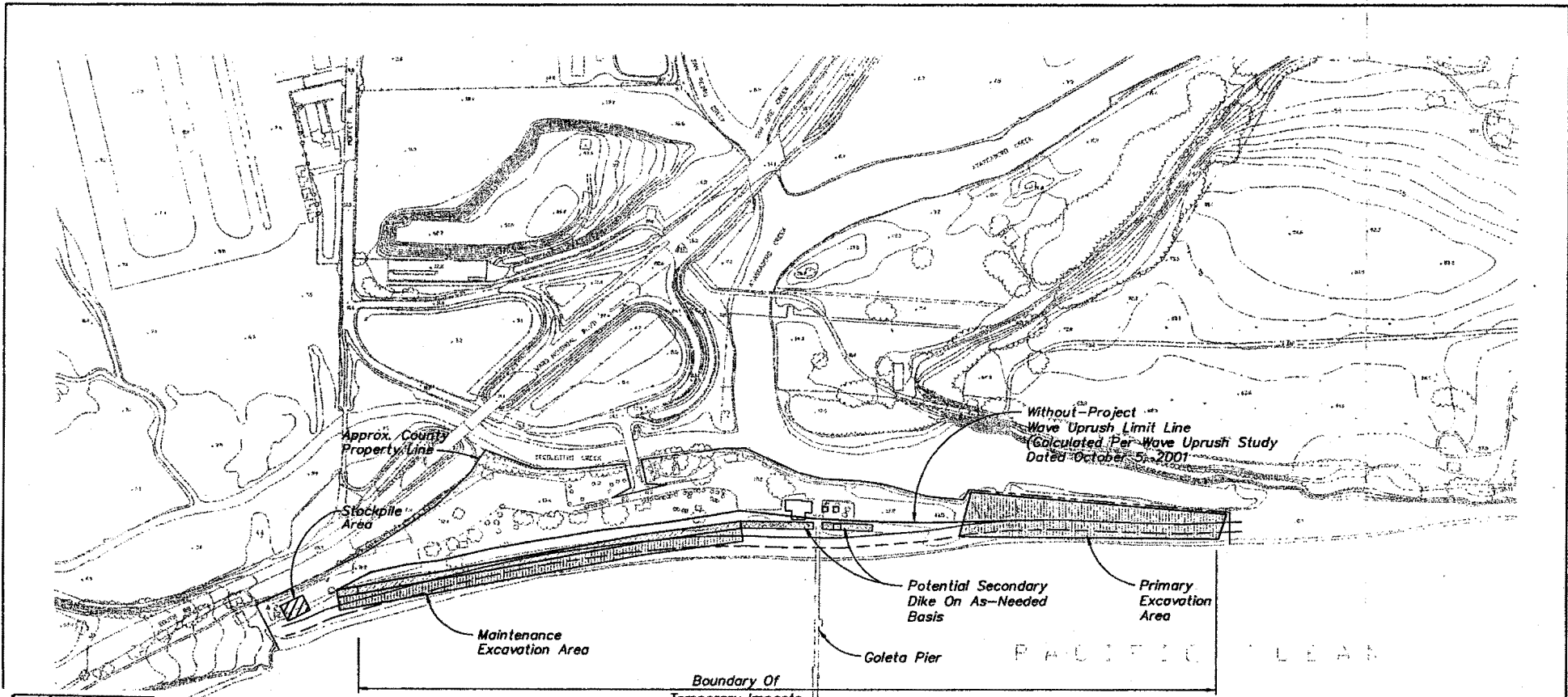
101

Permits\DWG\FIG2B.dwg

ETA BEACH WINTER DIKE PROJECT

GOLETA BEACH DIKE DESIGN CROSS SECTION

FIGURE  
 2B

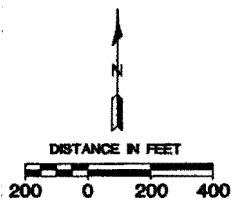
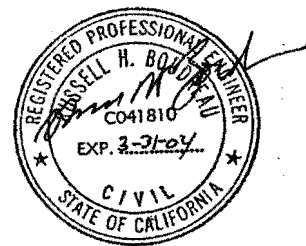


Pacific Ocean  
Boundary Of Temporary Impacts

**LEGEND**

- Approximate Winter Mean High Water (MHW)
- - - Property Line
- - - Approximate Summer Mean High Water (MHW)
- [Hatched Box] Primary Dike
- [Cross-hatched Box] Secondary Dike
- [Grid Box] Sand Excavation Areas

Notes:



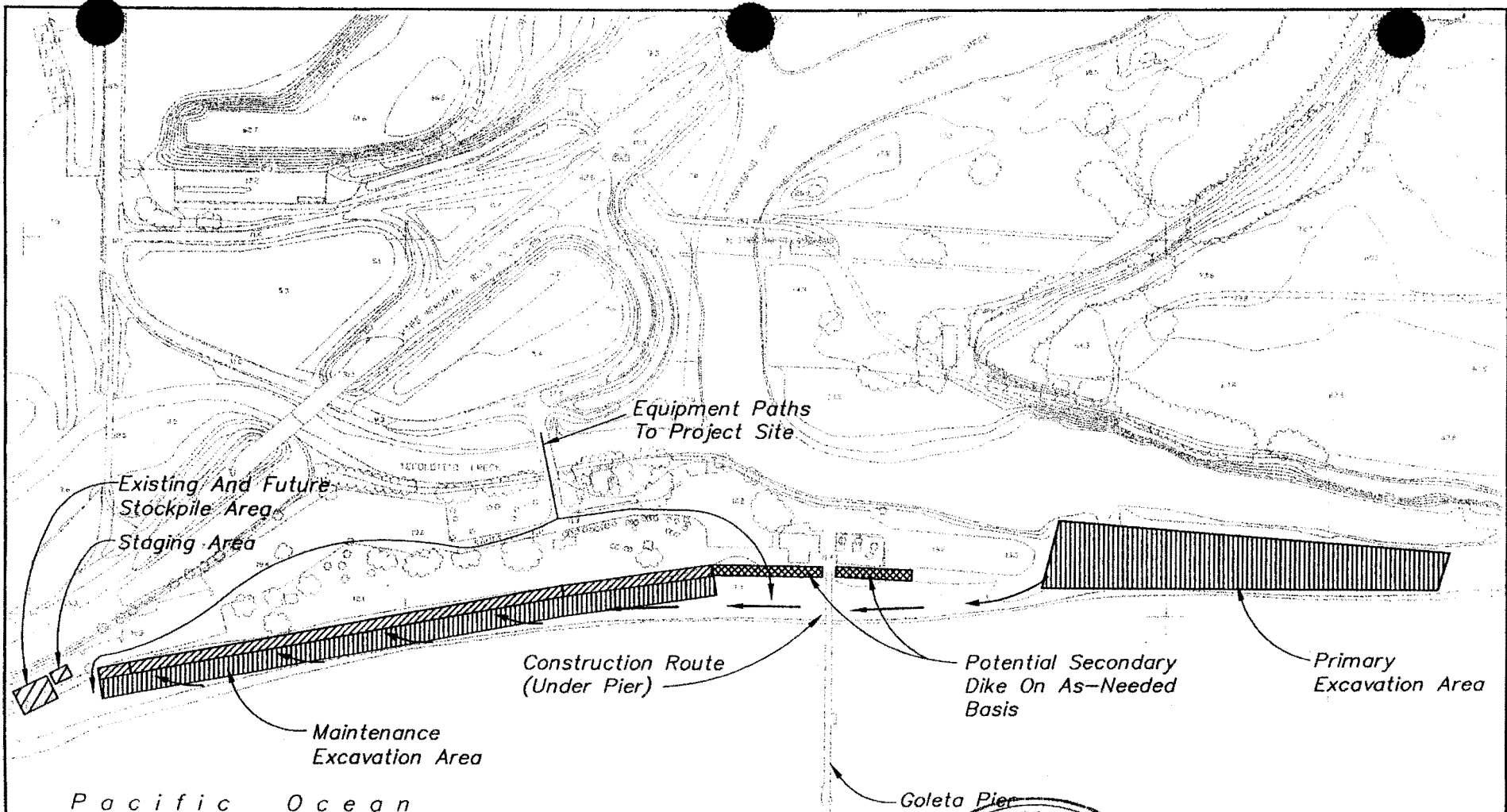
**EXHIBIT 5**  
**CDP 4-01-136 (SB Co. Dept. of Parks & Recreation)**  
**Construction Design/Tidal Plan**

**GOLETA BEACH WINTER DIKE PROJECT**

**CONSTRUCTION DESIGN RELATIVE TO TIDAL ELEVATIONS AND PROPERTY LINES**

**Figure 3**







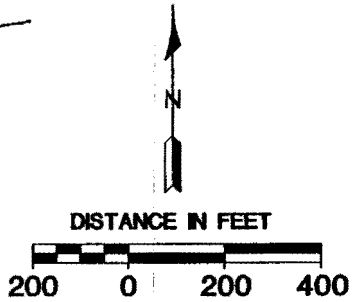
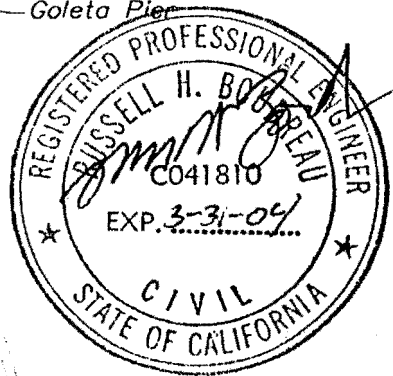


**EXHIBIT 6**  
**CDP 4-01-136 (SB Co. Dept. of Parks & Recreation)**  
**Construction Access, Staging, & Storage Plan**

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**LEGEND**

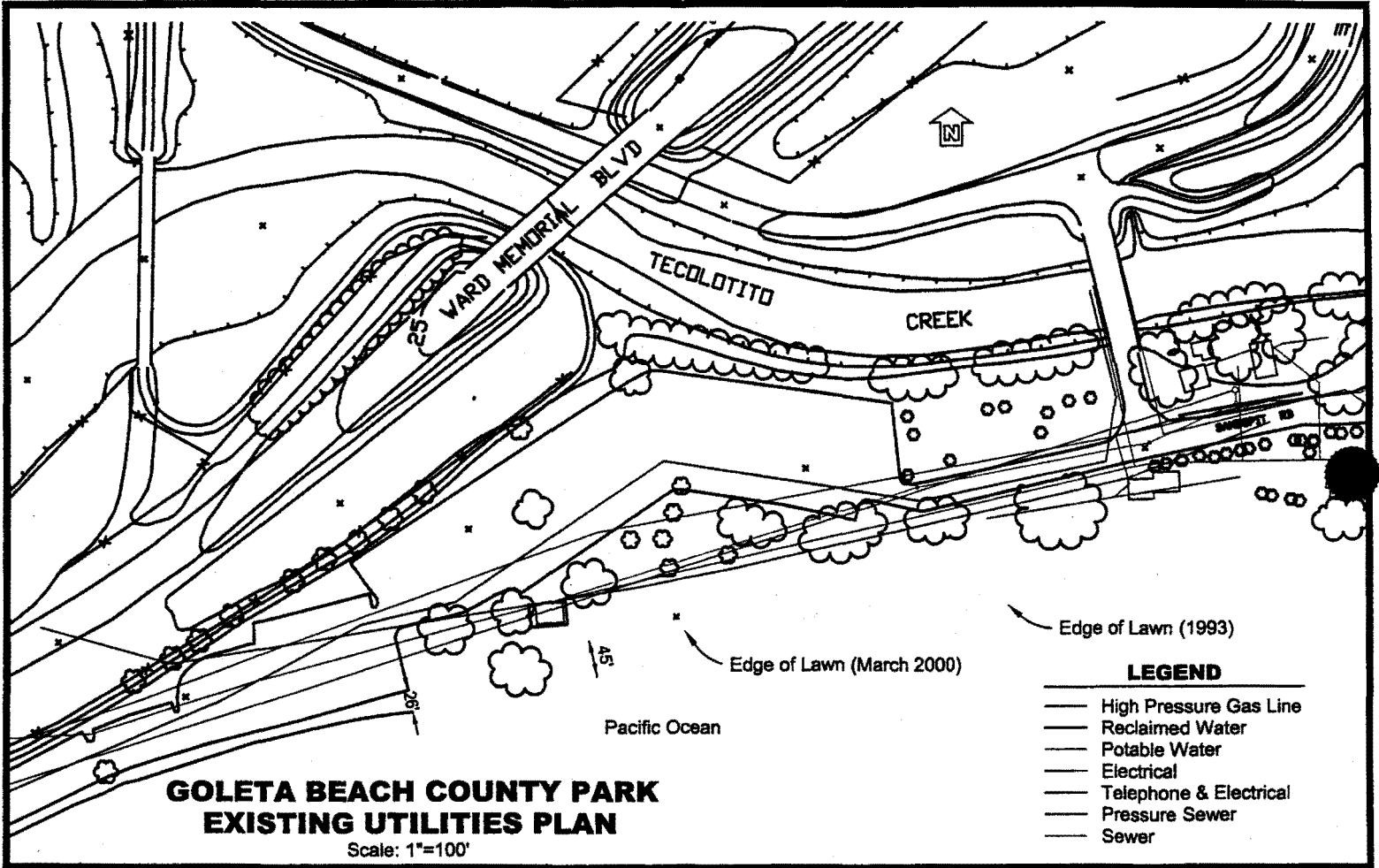
-  Primary Dike
-  Secondary Dike
-  Sand Excavation Areas
-  Temporary Sand Haul Route



**'A BEACH WINTER DIKE PROJECT**

**CONSTRUCTION ACCESS, STAGING AND STORAGE**

**FIGURE 4**



**GOLETA BEACH COUNTY PARK  
EXISTING UTILITIES PLAN**

Scale: 1"=100'

- Edge of Lawn (1993)
- Edge of Lawn (March 2000)
- Pacific Ocean
- LEGEND**
- High Pressure Gas Line
  - - - Reclaimed Water
  - Potable Water
  - · · Electrical
  - - - Telephone & Electrical
  - · - Pressure Sewer
  - · - Sewer

**EXHIBIT 7**

**CDP 4-01-136 (SB Co. Dept. of  
Parks & Recreation)**

**Existing Utilities Plan**