CALIFORNIA COASTAL COMMISSION

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W9a

Filed:	November 21, 2002
180th Day:	Waived
Staff:	ALB/LB ALB
Staff Report:	June 19, 2003
Hearing Date:	July 9-11, 2003
Commission Action:	

STAFF REPORT: REGULAR CALENDAR

RECORD PACKET COPY

APPLICATION NUMBER: 5-02-031

APPLICANT: County of Orange, Public Facilities and Resources Division

AGENT: Chris Kubasek, Chief
Public Works/Engineering & Permit Services

PROJECT LOCATION: Segunda Deshecha (San Clemente); Poche Beach, Capistrano Beach, North Doheny, and Salt Creek (Dana Point); Santa Ana River and Talbert Channel (Huntington Beach), Orange County

PROJECT DESCRIPTION: Implementation of an ocean outlet maintenance program at ocean outlet locations throughout Orange County

APPROVALS RECEIVED: California Coastal Commission No Effects Determination NE-035-02 dated June 13, 2002; Department of Fish and Game Streambed Alteration Agreement R5-2002-0087 executed on February 14, 2003; State Water Quality Control Board Section 401 Certification; Coastal Development Permit 02-02 approved by the City of Dana Point Planning Commission on April 3, 2002; Approval-in-Concept from the City of San Clemente Department of Community Development dated April 5, 2002; and determination that no permit is required by the City of Huntington Beach dated February 4, 2002.

SUBSTANTIVE FILE DOCUMENTS: City of San Clemente Certified LUP; City of Dana Point Certified LCP; City of Huntington Beach Certified LCP; *Operation, Maintenance, Repair, Replacement, and Rehabilitation Manual for Lower Santa Ana River* prepared by US ACOE dated December 1996; Coastal Development Permit 5-89-289 for reconstruction of the Talbert Channel issued August 18, 1989.

SUMMARY OF STAFF RECOMMENDATION:

The County of Orange is requesting authorization to carry out semi-annual maintenance of ocean outlets throughout the County, located between the first public road and the sea. The major issues addressed in the staff report involve water quality, biological resources and public access.

Staff recommends the Commission **APPROVE** the proposed development with six (6) special conditions which require 1) expiration of permit five (5) years from issuance; 2) conformance with the requirements of the Resource Agencies; 3) conformance with proposed Best Management Practices (BMPs); 4) conformance with Water Quality Monitoring Plan and submittal of an annual monitoring report; 5) timing of maintenance activities to avoid biological resources; and 6) timing of maintenance activities to avoid public access impacts.

At the time of this staff report, the applicant is in agreement with the staff recommendation and special conditions.

LIST OF EXHIBITS:

1. Vicinity Map
2. Ocean Outlet Sites
3. Maintenance Guideline Summary Table
4. Regulatory Requirements
5. Best Management Practices
6. Water Quality Monitoring Plan

STAFF RECOMMENDATION:

The staff recommends that the Commission **APPROVE** the permit with special conditions.

MOTION:

I move that the Commission approve Coastal Development Permit No. 5-02-031 pursuant to the staff recommendation.

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

RESOLUTION:

I. APPROVAL WITH CONDITIONS

The Commission hereby **APPROVES** a permit, subject to the conditions below, for the proposed development on the grounds that the development, as conditioned, will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976 including the public access and recreation policies of Chapter 3, will not prejudice the ability of the local governments having jurisdiction over the areas to prepare a Local Coastal Programs conforming to the provisions of Chapter 3 of the Coastal Act, and will not have any significant adverse effects on the environment within the meaning of the California Environmental Quality 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. Expiration. If development has not commenced, the permit will expire two years from the date this permit is reported to the Commission. 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 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. Expiration of Permit

This coastal development permit (5-02-031) shall expire five (5) years from the date of permit approval. Except as provided in Public Resources Code Section 30610 and applicable regulations, and as specifically provided in this condition, any future development as defined in PRC section 30106, including but not limited to, maintenance activities beyond the expiration date of this permit, shall require an amendment to 5-02-031 from the California Coastal Commission or shall require an additional coastal development permit from the California Coastal Commission.

2. Conformance with the Requirements of the Resource Agencies

The permittee shall comply with all permit requirements and mitigation measures of the California Department of Fish and Game, California State Water Quality Control Board, Regional Water Quality Control Boards (Santa Ana and San Diego), U.S. Army Corps of Engineers, and the U.S. Fish and Wildlife Service with respect to preservation and protection of water quality and marine environment. Any change in the approved project, which is required by the above-stated agencies, shall be submitted to the Executive Director in order to determine if the proposed change shall require a permit amendment pursuant to the requirements of the Coastal Act and the California Code of Regulations.

3. Conformance with Best Management Practices

The applicant shall undertake development in conformance with the Best Management Practices (Appendix H), attached as Exhibit 5. Additionally, the applicant shall comply with the following construction-related requirements:

(a) No construction materials, debris, or waste shall be placed or stored where it may enter a storm drain or be subject to wave erosion and dispersion;

(b) Any and all debris resulting from construction activities shall be removed from the project site within 24 hours of completion of construction;

(c) Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) designed to prevent spillage and/or runoff of construction-related materials, and to contain sediment or contaminants associated with construction activities shall be implemented prior to the on-set of such activity. BMPs and GHPs which shall be implemented include, but are not limited to: solid waste management, off-site vehicle and equipment cleaning, off-site vehicle and equipment maintenance, and a employee/subcontractor training. BMPs shall be maintained in a functional condition throughout the duration of the project.

4. Conformance with Water Quality Monitoring Plan

The applicant shall monitor the effects of the proposed maintenance activities in accordance with the Water Quality Monitoring Plan prepared by P & D Consultants dated January 2003, attached as Exhibit 6. The applicant shall submit the annual report for Commission review by February 1 of each year. If it is determined that the maintenance activities are

contributing to a discharge resulting in adverse impacts to the adjacent receiving waters, the applicant shall be required to submit a revised, or supplemental, program to adequately mitigate such impacts. The revised, or supplemental, program shall be processed as an amendment to this coastal development permit.

5. Timing—Biological Resources

To avoid adverse impacts on California grunion and California least tern, routine maintenance activities shall not occur during the least tern nesting season (April 15-September 15) or the grunion run. By February 25 of each year, the applicant shall obtain the seasonally predicted run schedule for the grunion, as identified by the California Department of Fish and Game.

In the event that emergency maintenance activities must occur during the least tern nesting season or the seasonally predicted grunion run period, the permittee may proceed upon obtaining a written statement from the Executive Director authorizing construction on specified dates. To obtain such a determination, the permittee must submit a declaration from the Department of Fish and Game stating that construction on the specific dates proposed will not cause adverse impacts to any sensitive or endangered species. The declaration must contain an assessment of the behavior of the grunion and California least tern found in the area and a statement that the construction activity on the specific dates proposed will not adversely impact the grunion and/or the least tern.

6. Timing—Public Access

To avoid adverse impacts on public access and recreational use of the beach, all project operations associated with routine maintenance activities shall be prohibited during the "peak use" beach season, defined as the period starting the day before the Memorial Day weekend and ending the day after the Labor Day weekend of any year.

IV. FINDINGS AND DECLARATIONS

The Commission hereby finds and declares:

A. Project Location, Description and Background

Project Location

The proposed project involves seven (7) ocean outlet sites throughout Orange County, including Segunda Deshecha (San Clemente); Poche Beach, Capistrano Beach 1 and 2, North Doheny and Salt Creek (Dana Point); Santa Ana River and Talbert Channel (Huntington Beach). These sites are depicted in Exhibit 1.[1] Maps and general maintenance requirements for each outlet area are included as Exhibit 2.

Project Description

The County of Orange is requesting approval of on-going maintenance activities at seven (7) County-maintained ocean outlet facilities for flood control and recreational purposes. Toward this end, the Public Facilities and Resources Department (PFRD) has prepared the *"Ocean Outlet Maintenance Manual,"* which is intended to serve as a guide for maintenance activities and will provide baseline data for the permits required to perform the proposed maintenance activities. The proposed maintenance activities will not vary significantly from past maintenance activities and will not result in increased storm water capacity in the outlets. The purpose of the current request is to standardize the County's outlet maintenance practices. The County also proposes to monitor outfall discharge as part of the current request. Water quality will be discussed in Section B.

The outlet facilities will be serviced semi-annually before the storm season (late summer) and before the summer recreation season (late spring). Occasionally, the channels will be reestablished, as needed, during the summer months when the meandering stream flow either precludes recreational use of the beach, affects private property, or when sediment obstructs tidal flow. In general, maintenance activities will consist of removing sand deposits at the end of the outlet structures and distributing the sand on the beach above the mean high tide line. Typically, maintenance is required when the streambed is either blocked at the end of the outlet structure or the streambed meanders across the beach for several hundred feet in either direction. The amount of sand to be removed varies with surf conditions, storm surge and time of year. Depending on the quantity of material to be moved, equipment such as bulldozers, backhoe and front loaders will be used. Estimated average volumes are included in the Maintenance Manual based on historic data and an estimated maximum volume is provided to set the upper limit of the earthwork anticipated.

Maintenance activities also include the retrieval of riprap at Salt Creek and Santa Ana River, and low flow diversion at North Doheny Creek. In the spring, the North Doheny Creek ditch is blocked at the upstream end of the beach area and urban runoff is diverted to a nearby sanitary sewer for treatment. (This activity is within the City of Dana Point's jurisdiction; therefore, it has been permitted by the City's local CDP). All maintenance activities, regardless of permitting jurisdiction, are outlined in the Ocean Outlet Maintenance Guideline Summary Table (Exhibit 3).

Work will be timed to avoid sensitive resources and to ensure maximum public access. Specifically, activities will be required to avoid grunion breeding runs and the least terns' nesting and foraging season. Biological resources will be discussed in Section C. The applicant will be required to carry out maintenance activities in the off peak beach use season. Public access will be discussed in Section D.

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[1] The Aliso Creek outlet is not included in this project because of its complexity and special conditions.

Jurisdiction and Agency Approvals

Outlet maintenance is proposed at various locations throughout the County. As such, the project falls within the jurisdictional boundary of multiple governmental agencies and municipalities. Exhibit 4 provides a table prepared by the applicant depicting regulatory requirements. The US Army Corps of Engineers (ACOE), the California Department of Fish and Game (DFG), the State Water Quality Control Board, the Regional Water Quality Control Boards (Santa Ana and San Diego), and the Cities of Huntington Beach, Dana Point, and San Clemente have reviewed, or are in the process of reviewing, the proposed project. As part of the Commission's approval of the project, the applicant is required to comply with all permit requirements and mitigation measures of the resources agencies (Special Condition 1).

The County has applied to have all maintenance work covered by a single Commission-issued coastal development permit. However, not all work is located within the Commission's original permit jurisdiction. Much of the proposed maintenance activities are proposed above the mean high tide line within areas with a certified Local Coastal Program (LCP). Of the seven (7) outlet locations, six (6) are located within certified areas. The Talbert Channel is located within Huntington Beach. The Santa Ana River is located between Huntington Beach (certified) and Newport Beach (not certified). Salt Creek, North Doheny, Capistrano Beach and Prima Deschecha are located within Dana Point. Only the Segunda Deschecha outlet is located entirely within an uncertified area—San Clemente. The City of San Clemente has a certified Land Use Plan (LUP), but is not yet fully certified. As such, the Commission retains permit issuance jurisdiction over development occurring in San Clemente's coastal zone. For work occurring above the mean high tide line in certified areas, the applicable local government has permit issuance jurisdiction. The local approval is appealable to the Commission. Work occurring below the mean high tide line falls within the Commission's original jurisdiction. The mean high tide line changes seasonally and depending on the maintenance work to be carried out, activities may extend into the Commission's jurisdiction. Consequently, for the purposes of this permit (5-02-031), the Commission has jurisdiction over all work occurring below the mean high tide line and all work at the Segunda Deschecha outlet.

Permit Duration

The County requests that the current coastal development permit be granted in perpetuity and that the Commission approve minor changes to the maintenance activities administratively. The Commission cannot grant such an open-ended approval. Site conditions and practices must be periodically reviewed to ensure that maintenance activities are in compliance with Chapter Three policies of the Coastal Act. Substantive changes must come back to the Commission for review as an amendment or a subsequent permit. Therefore, the Commission imposes Special Condition 2, which limits the approval validity to five (5) years from the date the permit is approved by the Commission. Any changes or requests for an extension of time must come back to the Commission for review. This is consistent with the timing of the DFG Streambed Alteration Agreement, which limits the term of approval to five (5) years.

Prior Commission Action

On June 15, 1989, the Coastal Commission approved with conditions Coastal Development Permit 5-89-283 for *"[r]econstruction of the Talbert and Huntington Beach Channels, including a new ocean outlet cut through Huntington Beach State Park, demolition and reconstruction of a public restroom, and the construction of new bridges for Pacific Coast Highway."* As a condition of approval, the County of Orange was required to maintain the rock jetties and temporary rock revetment. The condition requires the County to remove from the beach any portion of the revetment or jetties that is deposited on the beach. The condition also requires the County to consult with the Commission to determine the need for subsequent permits. As such, the retrieval

of rock at the Talbert Outlet, as proposed as part of this permit, is consistent with the previously imposed special condition.

B. Marine Resources and Water Quality

Section 30230 of the Coastal Act states, in pertinent part:

> *Marine resources shall be maintained, enhanced, and where feasible, restored.*

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 30232 of the Coastal Act states, in pertinent part:

> *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.*

Section 30233 (d) of the Coastal Act states:

> *(d) Erosion control and flood control facilities constructed on water courses can impede the movement of sediment and nutrients which would otherwise be carried by storm runoff into coastal waters. To facilitate the continued delivery of these sediments to the littoral zone, whenever feasible, the material removed from these facilities may be placed at appropriate points on the shoreline in accordance with other applicable provisions of this division, where feasible mitigation measures have been provided to minimize adverse environmental effects. Aspects that shall be considered before issuing a coastal development permit for such purposes are the method of placement, time of year of placement, and sensitivity of the placement area.*

Section 30236 of the Coastal Act states:

> *Channelizations, dams, or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible, and be limited to (1) necessary water supply projects, (2) flood control projects where no other method for protecting existing structures in the floodplain is feasible and where such protection is necessary for public safety or to protect existing development, or (3) developments where the primary function is the improvement of fish and wildlife habitat.*

The proposed project involves maintenance of existing ocean outlets that carry urban runoff to the sea. The project does not constitute channelization or substantial alteration of rivers and streams. The capacity of the existing outlets will not be changed. As such, no additional storm water runoff will result from the proposed project. Nevertheless, storm drain outlets are the discharge points for contaminants that are entrained in urban runoff. The contaminants may include trash and particulate debris, petroleum hydrocarbons, bacteria and pathogens, heavy metals, sediments, synthetic organic compounds, nutrients, pesticides and herbicides, and others. These pollutants may build up at the ocean outlet, and any movement of sediment at the mouth may cause the

release of a plume of contaminants into coastal waters. The County proposes to utilize Best Management Practices (BMPs) when carrying our their maintenance activities and will monitor the runoff being discharged from each outlet to *"determine if the proposed maintenance will have a detrimental effect on the surf zone water quality."*

Best Management Practices
The proposed project would involve some use of heavy machinery on sandy beaches or in tidal inlets. Machinery may have oils, greases, heavy metals, and other vehicular fluids on the body of the machine. The County's proposed Maintenance Manual includes an appendix entitled "Best Management Practices," which includes measures designed to minimize the release of vehicular or other contaminants to coastal waters (Exhibit 5). The list includes BMPs such as off-site cleaning and maintenance of equipment, as well as trash collection and employee education.

In order to ensure implementation of the proposed BMPs designed to prevent adverse impacts to water quality and marine waters, the Commission imposes Special Condition 3. This condition requires conformance with the "Best Management Practices" contained in the Maintenance Manual and requires the implementation of additional BMPs and Good Housekeeping Practices.

Monitoring
Compliance with the special condition discussed above will mitigate any immediate water quality impacts associated with the proposed maintenance activities. However, the long-term effects of maintenance activities must also be considered. The County is also proposing to evaluate the effects of the maintenance activities on water quality through a new monitoring program prepared by P & D Consultants (Exhibit 6). Part of the County's Maintenance Manual involves monitoring of the discharge at each site before and after maintenance activities. As described in the Manual, *"Prior to maintenance activities to breach sand berms blocking an ocean outlet or to realign a stream across a beach, two samples will be collected. Each sample location will be approximately 25 yards up and down current of where the stream drains into the ocean and at generally the same time each day. During the week prior to the maintenance activity, samples will be taken on three days. During the week following the maintenance activity, samples will be collected on three days approximately 25 yards up and down current of the outlet. Samples will be analyzed for total coliform, fecal coliform, and Enterococcis bacteria. The geo-mean of the samples will be determined. Comparison of the pre-maintenance and post-maintenance test results will be performed to determine if the maintenance activities had an adverse affect on water quality."* An annual report will be prepared which includes water sample analyses and an evaluation of effects on biotic resources.

In order to examine the long-term effects of the outlet maintenance activities, the Commission imposes Special Condition 4. Special Condition 4 requires the County to submit their annual monitoring report to the Executive Director by February 1 of each year. If significant impacts or damage occur to water quality or sensitive wildlife species, the applicant shall be required to submit a revised, or supplemental program to adequately mitigate such impacts. The revised, or supplemental, program shall be processed as an amendment to this coastal development permit. Only as conditioned for the implementation of BMPs and submittal of an annual monitoring report does the Commission find the proposed development consistent with Sections 30230, 30231 and 30232 of the Coastal Act. The Commission finds the project consistent with Section 30233 (d), which requires material removed from erosion control and flood control facilities be placed at appropriate points on the shoreline.

C. Biological Resources

Section 30240 (b) of the Coastal Act states,

> *(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.

The proposed semi-annual maintenance activities involve the use of mechanized equipment to breach storm water outlets and create dredged channels to the ocean for flood control and public recreation purposes. At certain outlet locations, removed sand will be spread on adjacent beaches above the mean high tide line. Additionally, construction of a sand berm is proposed at North Doheny and replacement of portions of the existing rock revetment is proposed at Salt Creek. (No additional rock will be added.) These activities have the potential to affect marine resources and/or environmentally sensitive habitat area. Specifically, all of the outlets sites are subject to grunion spawning and the Talbert and Santa Ana River outlets are adjacent to the Huntington Beach Least Tern colony.

On April 11, 2003, P & D Environmental performed a biological survey of each outlet site. Their review provides a baseline of existing conditions and evaluates potential impacts to sensitive species. In general, they conclude that the ocean outlets lack any appreciable biological resources because the outlets are located at beaches heavily used by the general public for recreational purposes. As stated in the biological report, *"[d]ue to the lack of undisturbed habitat and high level of human activity within the vicinity of the eight outlets, no sensitive avian species, would be expected to use the sites for nesting or for significant foraging habitat."* To maintain public health requirements for public use, the beaches are routinely sanitized of wrack and human debris deposited on the beach. The County states, *"In terms of long term impacts associated with the maintenance of the outlet structures since there are no appreciable habitats in the outlet areas as described in the baseline condition report, there are not significant impacts. However, all the sites are subject to grunion spawning and the Talbert and Santa Ana River outlets are adjacent to the Huntington Beach Least Tern colony."*

To minimize any potential impacts, maintenance work will be scheduled before and after the grunion spawning seasons and the California least tern breeding season. To ensure that maintenance activities do not adversely affect sensitive habitat areas, the Commission imposes Special Condition 5, which requires the applicant to comply with specific timing requirements to avoid the least tern nesting season (April 15—September 15) or the grunion run. The Executive Director can authorize an exception to this restriction if information is provided which ensures there will be no impacts to sensitive species. Only as conditioned for avoidance of sensitive biological resources does the Commission find the proposed development consistent with Section 30240 of the Coastal Act.

D. Public Access and Recreation

Section 30210 of the Coastal Act 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.

Section 30212(a)(2) of the Coastal Act states, in pertinent part:

(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where:

(2) adequate access exists nearby

Section 30604(c) of the Coastal Act requires that every coastal development permit issued for any development between the nearest public road and the sea include a specific finding that the

development is in conformity with the public access and public recreation policies of Chapter 3, including 30210 and 30212 identified above. As shown in Exhibit 2, the proposed project sites are located on the beach, between the first public road and the sea.

As described previously, the proposed project consists of ocean outlet maintenance that provides an essential public service for the benefit of residents and visitors. Construction impacts, such as obstruction of lateral or vertical access to the shoreline with trucks and/or equipment, can affect the public's ability to access the beach and recreate on it. Construction related impacts can be partially alleviated by limiting construction work to the off-peak season (fall to early spring) when beach use by the public is typically low. With this in mind, the County intends to carry out routine maintenance activities before and after the popular summer beach use season. The County has also indicated that beach access will not be affected during construction, as alternative access will be provided during maintenance. To ensure that the proposed maintenance activities minimize impacts to continued public access, the Commission imposes Special Condition 6. The condition prohibits routine maintenance activities to be carried out between Memorial Day and Labor Day. The Commission finds the proposed development, as conditioned, consistent with the public access policies of the Coastal Act.

E. Local Coastal Program

Section 30604(a) of the Coastal Act provides that the Commission shall issue a coastal permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program (LCP), which conforms with Chapter 3 policies of the Coastal Act.

The ocean outlets that are the subject of this permit are located within multiple jurisdictions, including the cities of Huntington Beach, Dana Point and San Clemente. The Commission certified the LCP for the City of Huntington Beach in 1985, and significant amendments in 1996 and 2001. The Commission certified the LCP for the City of Dana Point in 1989. The Commission certified the Land Use Plan for the City of San Clemente in 1988, and certified an amendment in 1995. On April 10, 1998, the Commission certified with suggested modifications the Implementation Plan portion of the Local Coastal Program. The suggested modifications expired on October 10, 1998. The City re-submitted on June 3, 1999, but withdrew the submittal on October 5, 2000. Therefore, the Commission retains permit issuance authority for the City of San Clemente.

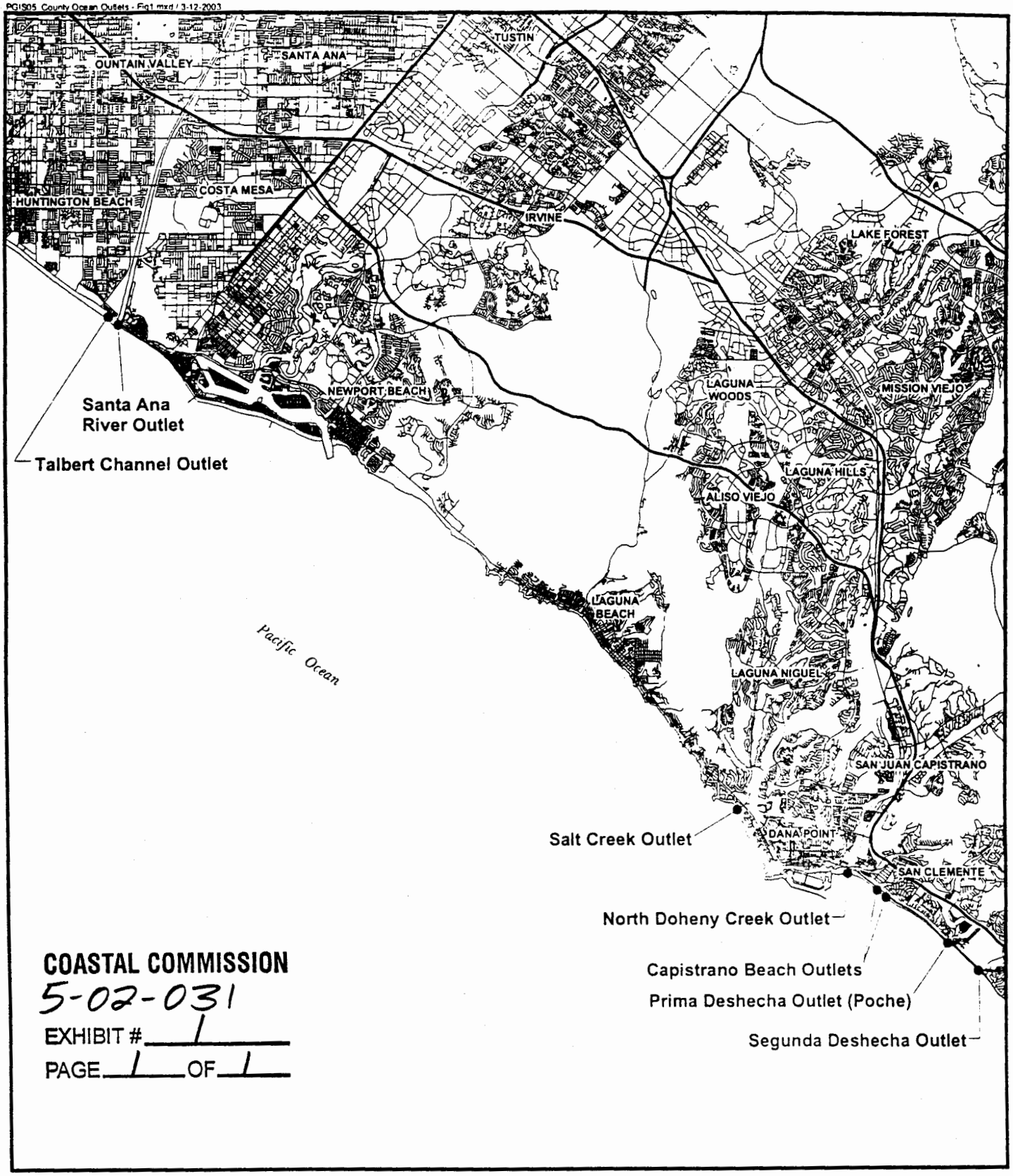
The Commission finds the proposed development consistent with the policies in the certified Land Use Plan for San Clemente. Moreover, as discussed herein, the development, as conditioned, is consistent with the Chapter 3 policies of the Coastal Act. Therefore, approval of the proposed development will not prejudice the City's ability to prepare a Local Coastal Program for San Clemente that is consistent with the Chapter 3 policies of the Coastal Act as required by Section 30604(a). The other cities already have certified Local Coastal Programs.

F. Consistency with the California Environmental Quality Act (CEQA)

Section 13096 of Title 14 of the California Code of Regulations requires Commission approval of Coastal Development Permits to be supported by a finding showing the permit, 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 proposed project has been found to be consistent with the public access policies of the Coastal Act. Mitigation measures, in the form of special conditions, are imposed which require 1) expiration of permit five (5) years from issuance; 2) conformance with the requirements of the Resource Agencies; 3) conformance with proposed Best Management Practices (BMPs); 4)

conformance with Water Quality Monitoring Plan and submittal of an annual monitoring report; 5) timing of maintenance activities to avoid biological resources; and 6) timing of maintenance activities to avoid public access impacts. No further alternatives, or mitigation measures, beyond those imposed by this permit, would substantially lessen any significant adverse impacts which the development would have on the environment. Therefore, the Commission finds that the proposed project, as conditioned, can be found consistent with the requirements of the Coastal Act to conform to CEQA.



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0 1 2 3 Miles

Routine Maintenance Activities

Ocean Outlets - Vicinity Map

Figure 1

GENERAL NOTES

1. BOUNDARY LINES ARE DISPLAYED FOR VISUAL PURPOSES ONLY AND MAY NOT REFLECT THE ACTUAL TRUE LOCATION OF BOUNDARY.

2. MEAN HIGH WATER LINE - 4.65 FEET ABOVE MEAN LOWER LOW WATER LINE PER NATIONAL OCEAN SERVICE (NOS) TIDAL DATUM SHEET PUBLICATION DATE 07/17/89.

3. AERIAL PHOTOGRAPH DATE SEPTEMBER 1999.

4. GENERAL MAINTENANCE CONSISTS OF RE-ESTABLISHING THE OUTLET CHANNEL

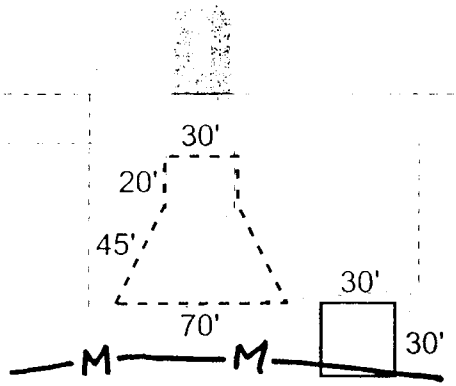
5. SEDIMENT TO BE REMOVED SEMI-ANNUALLY. IN FALL AND SPRING.

6. ALL SEDIMENT SHALL BE SPREAD ON ADJACENT BEACHES ABOVE ORDINARY HIGH WATER LINE.

EARTHWORK QUANTITIES

EXCAVATION AREA: 0.060 ACRES

DISPOSAL AREA: 0.021 ACRES



LEGEND

-M- MEAN HIGH WATER LINE SURVEYED 10/29/01

BOUNDARY

EXCAVATION

DEPOSIT

N

1 inch equals 50 feet

COUNTY OF ORANGE
PUBLIC FACILITIES & RESOURCES DEPT.
OPERATIONS & MAINTENANCE

SEGUNDA DESHECHA OUTLET - M02
401 CERTIFICATION WORK LIMITS

DESIGNED INFO SHEETH	CHECKED [illegible]
DATE SEPTEMBER 26 2002	[illegible]

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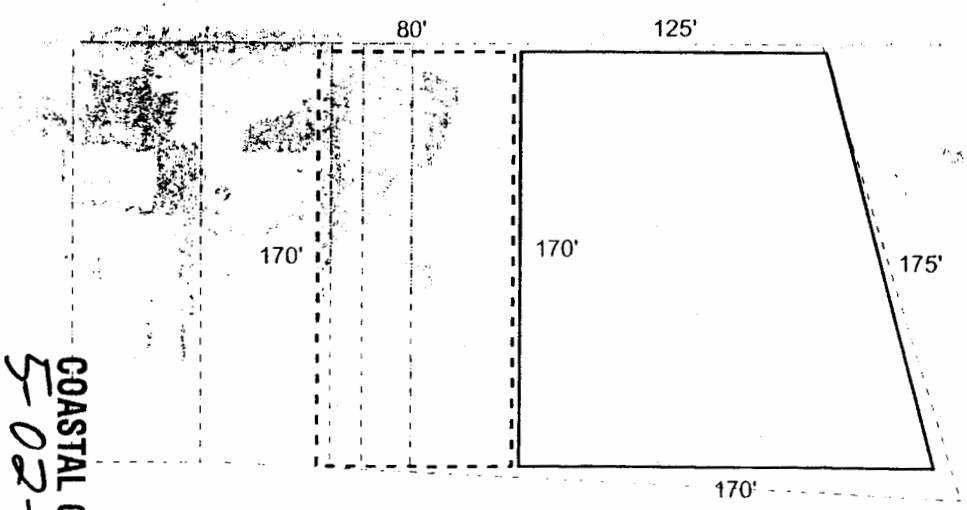

GENERAL NOTES

1. BOUNDARY LINES ARE DISPLAYED FOR VISUAL PURPOSES ONLY AND MAY NOT REFLECT THE ACTUAL TRUE LOCATION OF BOUNDARY.
2. MEAN HIGH WATER LINE = 4.65 FEET ABOVE MEAN LOWER LOW WATER LINE PER NATIONAL OCEAN SERVICE (NOS) TIDAL DATUM SHEET PUBLICATION DATE 07/17/89.
3. AERIAL PHOTOGRAPH DATE SEPTEMBER 1999.
4. GENERAL MAINTENANCE CONSISTS OF RE-ESTABLISHING THE OUTLET CHANNEL.
5. SEDIMENT TO BE REMOVED SEMI ANNUALLY, IN FALL AND SPRING.
6. ALL SEDIMENT SHALL BE SPREAD ON ADJACENT BEACHES ABOVE ORDINARY HIGH WATER LINE.

EARTHWORK QUANTITIES

EXCAVATION AREA: 0.312 ACRES

DISPOSAL AREA: 0.576 ACRES

LEGEND

—M— MEAN HIGH WATER LINE SURVEYED 10/30/01

BOUNDARY

EXCAVATION

DEPOSIT

—M———M—

N

1 inch equals 50 feet

COUNTY OF ORANGE
PUBLIC FACILITIES & RESOURCES DEPT.
OPERATIONS & MAINTENANCE

PRIMA DESHECHA OUTLET - M01
401 CERTIFICATION WORK LIMITS

[illegible]	[illegible]
DATE: SEPTEMBER 24, 2002	[illegible]

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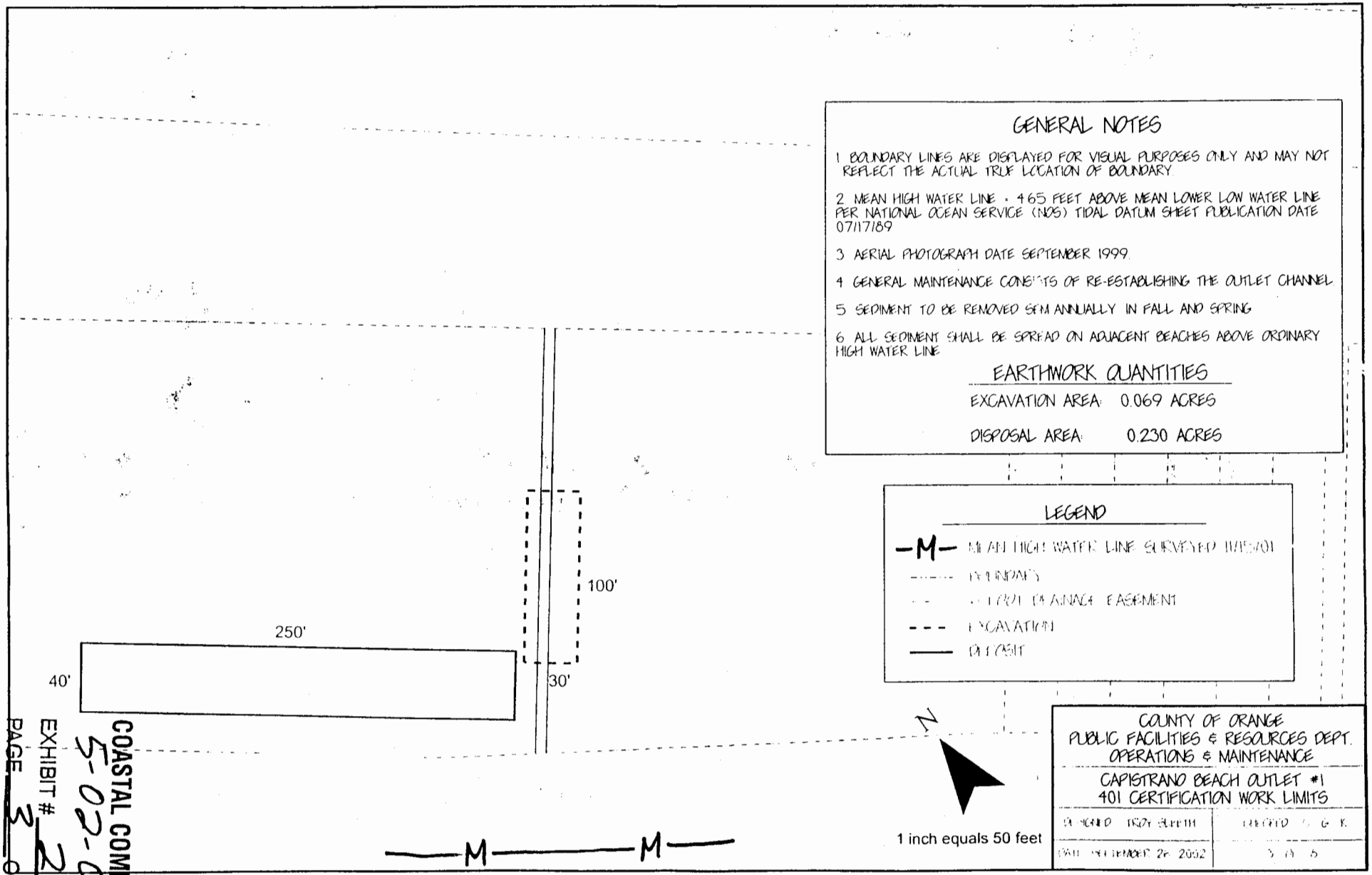

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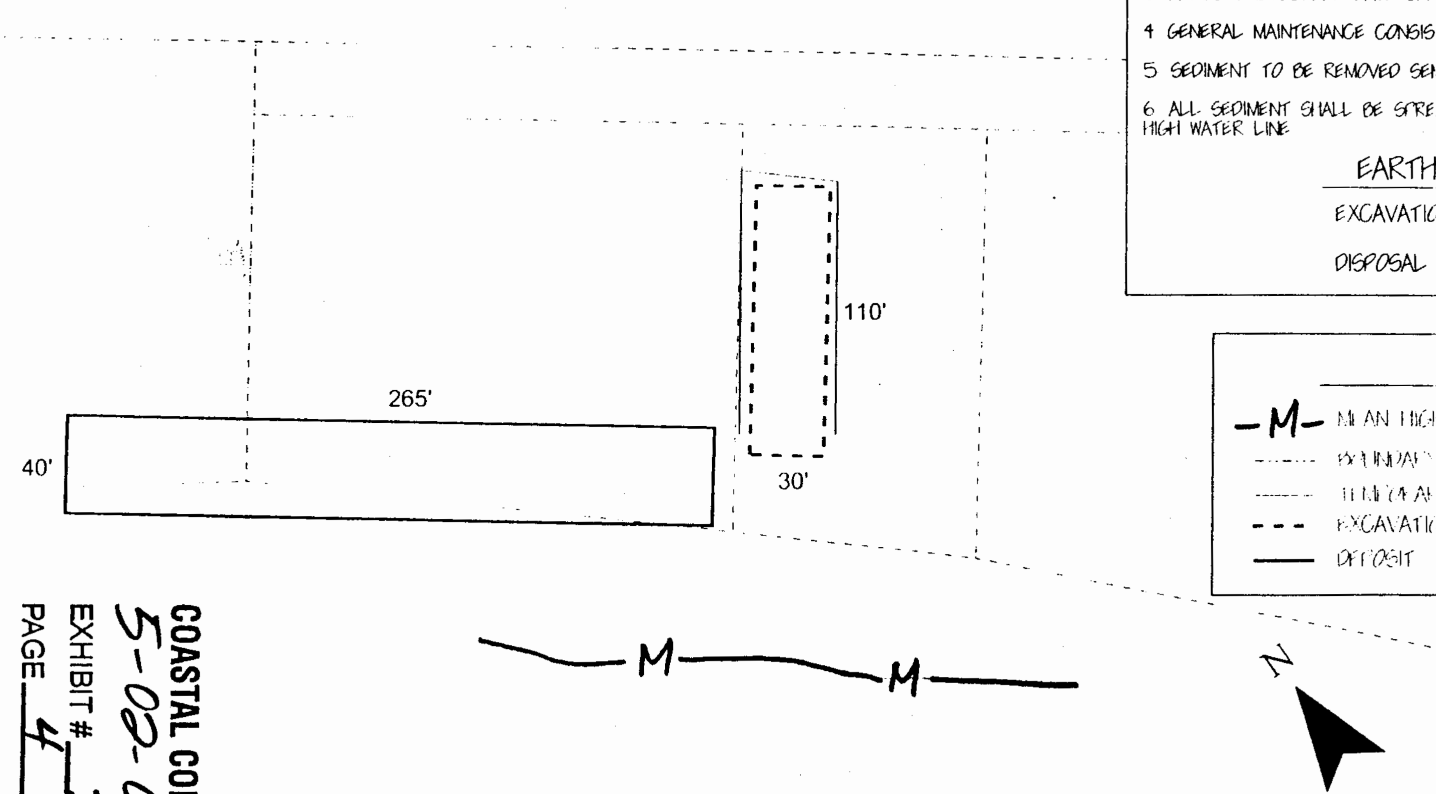


1 inch equals 50 feet

GENERAL NOTES

1. BOUNDARY LINES ARE DISPLAYED FOR VISUAL PURPOSES ONLY AND MAY NOT REFLECT THE ACTUAL TRUE LOCATION OF BOUNDARY.
2. MEAN HIGH WATER LINE • 4.65 FEET ABOVE MEAN LOWER LOW WATER LINE PER NATIONAL OCEAN SERVICE (NOS) TIDAL DATUM SHEET PUBLICATION DATE 07/17/89
3. AERIAL PHOTOGRAPH DATE SEPTEMBER 1999.
4. GENERAL MAINTENANCE CONSISTS OF RE-ESTABLISHING THE OUTLET CHANNEL.
5. SEDIMENT TO BE REMOVED SEMI-ANNUALLY IN FALL AND SPRING.
6. ALL SEDIMENT SHALL BE SPREAD ON ADJACENT BEACHES ABOVE ORDINARY HIGH WATER LINE.

EARTHWORK QUANTITIES

EXCAVATION AREA: 0.076 ACRES

DISPOSAL AREA: 0.243 ACRES

LEGEND

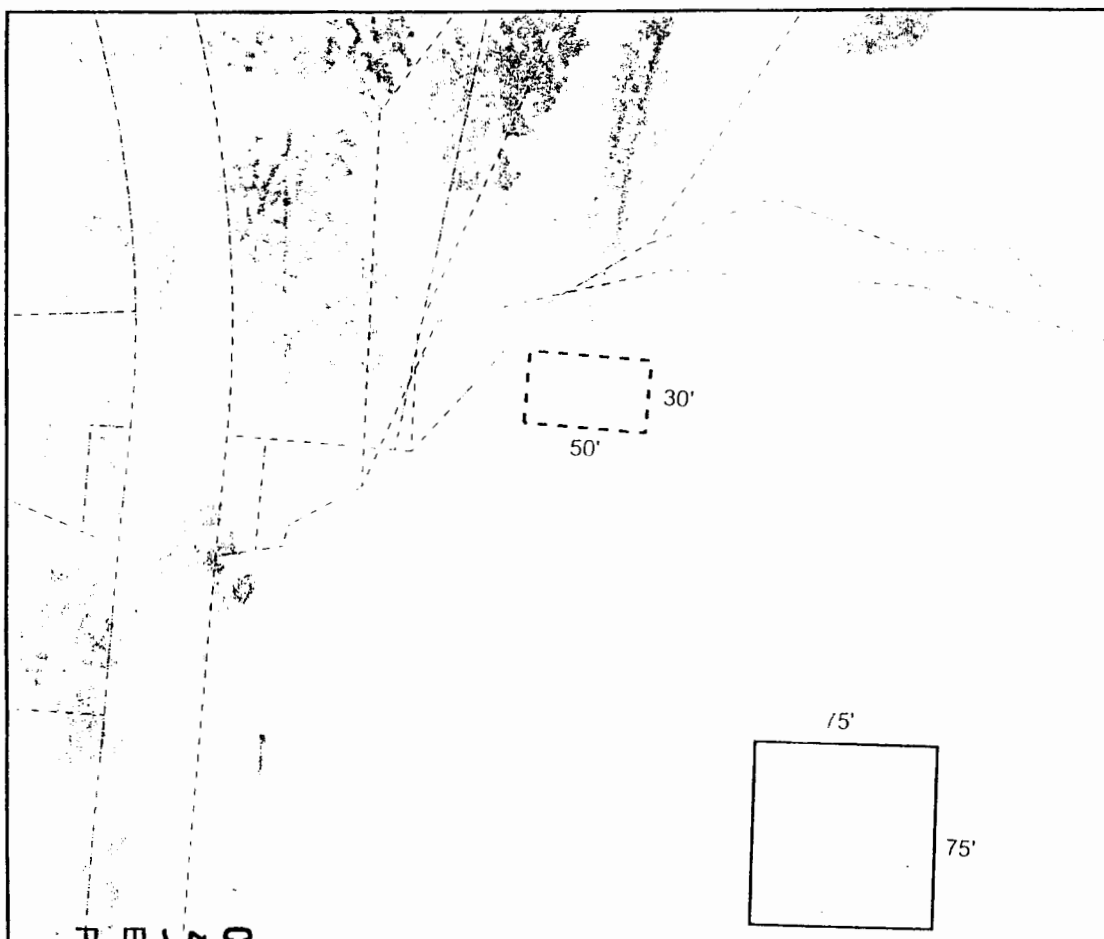
—M—	MEAN HIGH WATER LINE SURVEYED 10/29/01
- - - - -	BOUNDARY
---------	TEMPORARY FENCE AROUND DRAINAGE
— — —	EXCAVATION
———	DEPOSIT

COUNTY OF ORANGE
PUBLIC FACILITIES & RESOURCES DEPT.
OPERATIONS & MAINTENANCE

CAPISTRANO BEACH OUTLET #2
401 CERTIFICATION WORK LIMITS

DESIGNED [illegible]	CHECKED [illegible]
DATE SEPTEMBER 26 2002	[illegible]

COASTAL COMMISSION
5-02-031
EXHIBIT # 2
PAGE 4 OF 8



GENERAL NOTES

1. BOUNDARY LINES ARE DISPLAYED FOR VISUAL PURPOSES ONLY AND MAY NOT REFLECT THE ACTUAL TRUE LOCATION OF BOUNDARY.

2. MEAN HIGH WATER LINE = 4.65 FEET ABOVE MEAN LOWER LOW WATER LINE PER NATIONAL OCEAN SERVICE (NOS) TIDAL DATUM SHEET PUBLICATION DATE 07/17/89

3. AERIAL PHOTOGRAPH DATE SEPTEMBER 1999.

4. GENERAL MAINTENANCE CONSISTS OF INSTALLING A BERM ACROSS THE DITCH ABOVE THE ORDINARY HIGH WATER LINE IN THE SPRING AND REMOVING THE BERM IN THE FALL.

5. THE SAND USED FOR THE BERM SHALL BE SPREAD ON ADJACENT BEACHES ABOVE ORDINARY HIGH WATER LINE.

6. ALL SEDIMENT SHALL BE SPREAD ON ADJACENT BEACHES ABOVE ORDINARY HIGH WATER LINE.

EARTHWORK QUANTITIES

EXCAVATION AREA:	0.034 ACRES
DISPOSAL AREA:	0.129 ACRES

LEGEND

—M— MEAN HIGH WATER LINE SURVEYED 10/25/01

BOUNDARY

EXCAVATION

DEPOSIT

N

1 inch equals 50 feet

COUNTY OF ORANGE
PUBLIC FACILITIES & RESOURCES DEPT.
OPERATIONS & MAINTENANCE

NORTH DOHENY CREEK OUTLET
401 CERTIFICATION WORK LIMITS

DESIGNED: DON SLEETH | CHECKED: C. G. F.

DATE: SEPTEMBER 26, 2002 | SCALE: AS SHOWN

COASTAL COMMISSION
5-02-031
EXHIBIT # 2
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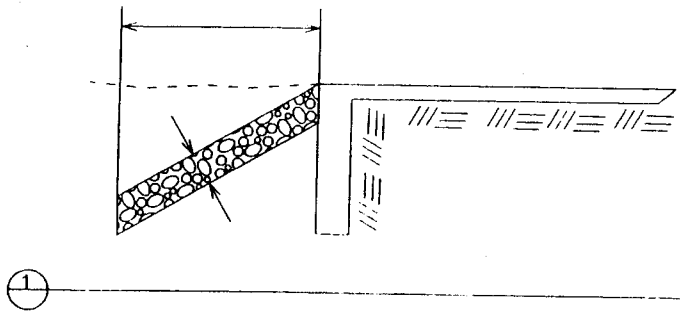

General Notes

1 Boundary lines are depicted for visual purposes only and may not reflect the actual true location of boundary

2 Mean high water line = 4.69 feet above mean lower low water line per national ocean service (noaa) tidal datum sheet publication date 07/17/89

3 Aerial photograph date September 1999

4 General maintenance consists of retrieving riprap washed out onto the beach and placing the rock back to the end of the concrete apron

5 All sediment shall be spread on adjacent beaches above ordinary high water line

Earthwork Quantities

Cut 111 [illegible] 10

Fill *see general note 5

Legend

Mean High Water Line Surveyed 10/29/01

Boundary

County of Orange Public Facilities & Resources Dept Operations & Maintenance	
Salt Creek Outlet KOI	
Designed Troy Sheets	Sheet [illegible]
Date January 17, 2002	[illegible] 8

COASTAL COMMISSION
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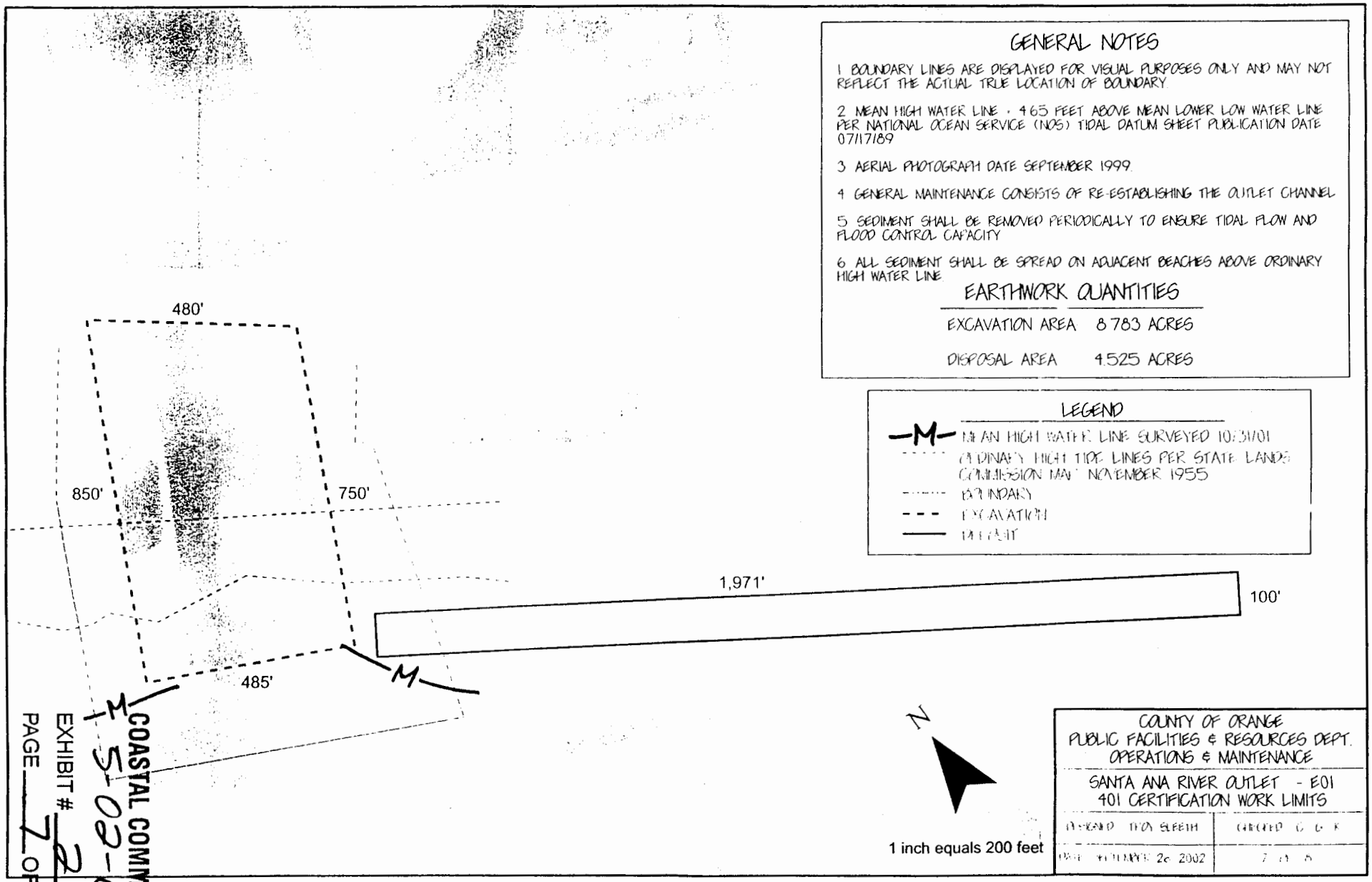

GENERAL NOTES

1 BOUNDARY LINES ARE DISPLAYED FOR VISUAL PURPOSES ONLY AND MAY NOT REFLECT THE ACTUAL TRUE LOCATION OF BOUNDARY

2 MEAN HIGH WATER LINE - 4.65 FEET ABOVE MEAN LOWER LOW WATER LINE PER NATIONAL OCEAN SERVICE (NOS) TIDAL DATUM SHEET PUBLICATION DATE 07/17/89

3 AERIAL PHOTOGRAPH DATE SEPTEMBER 1999

4 GENERAL MAINTENANCE CONSISTS OF RE-ESTABLISHING THE OUTLET CHANNEL

5 SEDIMENT SHALL BE REMOVED PERIODICALLY TO ENSURE TIDAL FLOW AND FLOOD CONTROL CAPACITY

6 ALL SEDIMENT SHALL BE SPREAD ON ADJACENT BEACHES ABOVE ORDINARY HIGH WATER LINE

EARTHWORK QUANTITIES

EXCAVATION AREA	8.783 ACRES
DISPOSAL AREA	4.525 ACRES

LEGEND

- —M— MEAN HIGH WATER LINE SURVEYED 10/31/01
- ORDINARY HIGH TIDE LINES PER STATE LANDS COMMISSION MAP NOVEMBER 1955
- BOUNDARY
- EXCAVATION
- DISPOSAL

COUNTY OF ORANGE
PUBLIC FACILITIES & RESOURCES DEPT.
OPERATIONS & MAINTENANCE

SANTA ANA RIVER OUTLET - E01
401 CERTIFICATION WORK LIMITS

DESIGNED [illegible] SHEETH	CHECKED [illegible]
DATE NOVEMBER 26, 2002	[illegible]

COASTAL COMMISSION
5-02-031
EXHIBIT # 2
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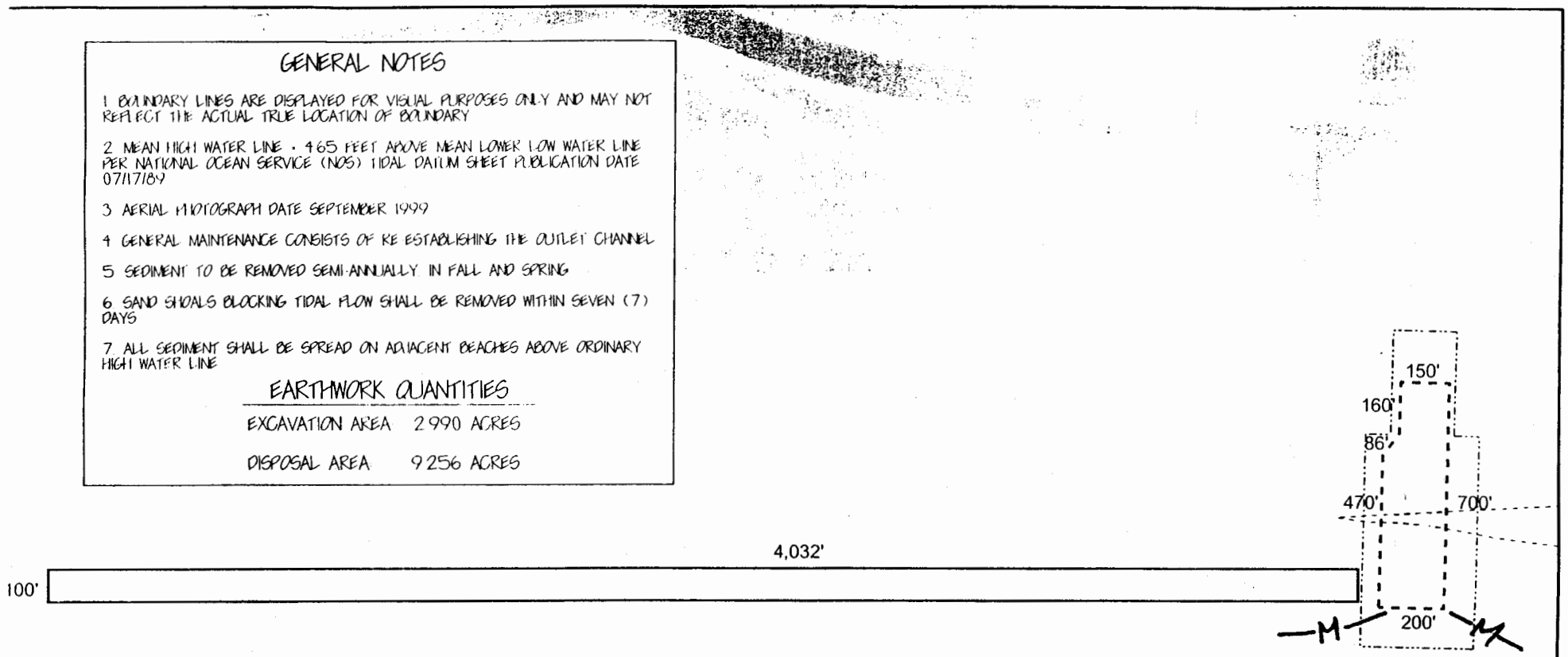
GENERAL NOTES

1. BOUNDARY LINES ARE DISPLAYED FOR VISUAL PURPOSES ONLY AND MAY NOT REFLECT THE ACTUAL TRUE LOCATION OF BOUNDARY
2. MEAN HIGH WATER LINE - 4.65 FEET ABOVE MEAN LOWER LOW WATER LINE PER NATIONAL OCEAN SERVICE (NOS) TIDAL DATUM SHEET PUBLICATION DATE 07/17/89
3. AERIAL PHOTOGRAPH DATE SEPTEMBER 1999
4. GENERAL MAINTENANCE CONSISTS OF RE ESTABLISHING THE OUTLET CHANNEL
5. SEDIMENT TO BE REMOVED SEMI-ANNUALLY IN FALL AND SPRING
6. SAND SHOALS BLOCKING TIDAL FLOW SHALL BE REMOVED WITHIN SEVEN (7) DAYS
7. ALL SEDIMENT SHALL BE SPREAD ON ADJACENT BEACHES ABOVE ORDINARY HIGH WATER LINE

EARTHWORK QUANTITIES

EXCAVATION AREA	2.990 ACRES
DISPOSAL AREA	9.256 ACRES



LEGEND

- M — MEAN HIGH WATER LINE SURVEYED 10/31/01
- ORDINARY HIGH TIDE LINE PER STATE LANDS COMMISSION MAP DATED MARCH 1955
- BOUNDARY
- EXCAVATION
- DEPOSIT

1 inch equals 300 feet

COUNTY OF ORANGE PUBLIC FACILITIES & RESOURCES DEPT. OPERATIONS & MAINTENANCE	
TALBERT CHANNEL OUTLET - D02 401 CERTIFICATION WORK LIMITS	
DESIGNED TPO SURVEY	CHECKED G. G. K.
DATE SEPTEMBER 26, 2002	S. G. S.

COASTAL COMMISSION
5-02-031
EXHIBIT # 2
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OCEAN OUTLET MAINTENANCE GUIDELINE SUMMARY TABLE

Ocean outlet name, city location, & UTM Coordinates [Zone11]	Maintenance description and type of equipment to be used	Outlet type & dimension (feet)	Purpose and criteria that triggers maintenance activity	Excavation area (acres)	Fill or disposal area (acres)	Volume of excavated material (CY)	Construction schedule & duration (days)	Other Requirements
Segunda Deschecha (M02), San Clemente [N3699312.64983m E441181.58985m]	Retrieve and re-establish displaced rock materials used for channel outlet's revetment; dispose excavated sediments to adjacent beach above MHHW: bulldozer and backhoe.	Concrete trapezoidal channel outlet w/ reinforced concrete box, concrete wings and rock revetment (25ft[length] x 4ft[depth] x16ft[width])	**Fall:** Remove any accumulated sediment in the outlet before October 15th to the 4 ft design depth to maintain hydraulic capacity. **Spring:** Re-establish outlet channel to as-built location: prepare beach area for recreational use after April 15.	0.060	0.021	26+-4	bi-annual (fall/spring); approximately one day per maintenance event	Submit Pre-construction Notification & Monitoring Report Coordinate maintenance with grunion runs.
Prima Deschecha-Poche Beach (M01), Dana Point [N3700372.32876m E440032.15557m]	Excavate and re-establish channel outlet's shape and alignment; dispose excavated sediments to adjacent beach above MHHW: bulldozer and backhoe.	Concrete trapezoidal channel outlet w/ rock revetment (115ft/length x 5ft/depth x 50ft/width)	**Fall:** Remove any accumulated sediment in the outlet before October 15th. to the 5 ft design depth to maintain hydraulic capacity. **Spring:** Re-establish outlet channel to as-built location: prepare beach area for recreational use after April 15. **Summer:** As needed, re-establish outlet channel to as-built location when stream course meanders over the beach southward towards existing private recreational facilities.	0.312	0.576	1,384+-140	bi-annual (fall/spring); approximately one day per maintenance event	Submit Pre-construction Notification & Monitoring Report Coordinate maintenance with grunion runs.
Capistrano Beach Outlet #1, Dana Point [N3701793.3800m E438050.44095m]	Excavate and re-establish channel outlet's shape and alignment; dispose excavated sediments to adjacent beach above MHHW: Backhoe and front loader.	Soft bottom trapezoidal ditch; (105ft[length] x 5ft[depth] x 10ft[width])	**Fall:** Remove any accumulated sediment in the outlet before October 15th. to the 5 ft design depth to maintain hydraulic capacity. **Spring:** Re-establish outlet channel to as-built location: prepare beach area for recreational use after April 15.	0.069	0.230	389+-40	bi-annual (fall/spring); approximately one day per maintenance event	Submit Pre-construction Notification & Monitoring Reports Coordinate maintenance with grunion runs.

Ocean outlet name, city, & UTM Coordinates (Zone11]	Maintenance description and type of equipment to be used	Outlet type & dimension (feet)	Purpose and criteria that triggers maintenance activity	Excavation area (acres)	Fill or disposal area (acres)	Volume of excavated material (CY)	Construction schedule & duration (days)	Other requirements
Capistrano Beach Outlet #2, Dana Point [N3702005.52216m E437804.89499m]	Excavate and re-establish channel outlet's shape and alignment; dispose excavated sediments to adjacent beach above MHHW: Backhoe and front loader.	Soft bottom trapezoidal ditch (80ft[length] x 5ft[depth] x 10ft[width])	**Fall:** Remove any accumulated sediment in the outlet before October 15th to the 5 ft design depth to maintain hydraulic capacity **Spring:** Re-establish outlet channel to as-built location: prepare beach area for recreational use after April 15.	0.076	0.243	370+-40	bi-annual (fall/spring); approximately one day per maintenance event	Submit Pre-construction Notification & Monitoring Report Coordinate maintenance with grunion runs.
North Doheny Creek at State Beach, Doheny [N3702738.967476m E435966.87161m]	Construct temporary sand berm to close out channel outlet and divert ponded water to local sanitary sewer system (summer); excavate and re-establish channel outlet's shape and alignment (winter); dispose excavated sediments to adjacent beach above MHHW: bulldozer and front loader.	Soft bottom trapezoidal ditch Berm dimensions: 12ft (top width);	**Fall:** Maintain flood control capacity: remove the diversion berm from ditch before October 15th each year. **Spring:** Maintenance for public recreation, health and safety: one week before spring break install berm across existing drainage ditch.	0.034	0.129	194+-20	bi-annual (fall/spring); approximately one day per maintenance event	Submit Pre-construction Notification & Monitoring Report Coordinate maintenance with grunion runs.
Salt Creek (K01), Dana Point [N3704918.57353m E432707.52344m]	Retrieve and re-establish blown-out rock materials used for channel outlet's revetment; remove accumulated sediments on the outlet's apron; dispose excavated sediments to adjacent beach above MHHW: front loader.	RCB culvert outlet [12ft(height) x 14ft(length)] w/ concrete apron and rock revetment	**Spring:** Protection of Outlet Structure: restore the rock protection when scour hole observed at the end of the outlet structure	0.421	0.297	111+-10	Annually each May approximately one day per maintenance event	Submit Pre-construction Notification & Monitoring Report. Coordinate maintenance with grunion runs.
Santa Ana River (E01), Huntington Beach [N3721597.94804m E411190.98695m]	Excavate accumulated sediments to re-establish channel outlet's shape and alignment; retrieve and re-establish displaced rock materials used for channel outlet's revetment; dispose excavated sediments to adjacent beach above MHHW; bulldozer, front loader, and articulating dump truck.	Trapezoidal channel outlet w/ rock revetment levees [1000ft (length x 22.5ft (height) x 450 ft (width)]; soft-bottom upstream and concrete-lined downstream of PCH bridge	**Fall:** Remove any accumulated sediment in the outlet before October 15th to the 22.5 ft design depth to maintain hydraulic capacity. Spring/Summer: Re-establish tidal flow by excavating 5ft deep notch through shoal	8.783	4.2525	7,300+-730	bi-annual (fall/spring); approximately one week per maintenance event	Submit Pre-maintenance Notification & Monitoring Report. Coordinate maintenance with grunion runs.
Talbert Channel Outlet (D02), Huntington Beach [N3731773.10317m E410836.29934m]	Excavate accumulated sediments (shoals) to re-establish channel outlet's shape and alignment; dispose excavated sediments to adjacent beach above MHHW: bulldozer, front loader, and articulating dump truck.	Trapezoid soft-bottom channel outlet w/ rock revetment levees downstream/beachside [1000ft (length) x 10ft (height) x 150ft (width)]	**Fall:** Remove any accumulated sediment in the outlet before October 15th to the 10 ft design depth to maintain hydraulic capacity. **Spring/Summer:** Maintain	2.990	9.256	7,300+-730	bi-annual (fall/spring); approximately one week per maintenance event	Submit Pre-maintenance Notification & Monitoring Report. Coordinate maintenance

Ex. 1-13

Ocean outlet name, city, & UTM Coordinates (Zone11]	Maintenance description and type of equipment to be used	Outlet type & dimension (feet)	Purpose and criteria that triggers maintenance activity	Excavation area (acres)	Fill or disposal area (acres)	Volume of excavated material (CY)	Construction schedule & duration (days)	Other requirements
			tidal flow: remove shoal in the channel observed to block tidal flow to 10 ft design depth. As required for least tern habitat management: remove any shoal blocking tidal flows within seven (7) days of observation.					with grunion runs. Work shall coincide with low tide events to minimize sediment in marsh.

Ex. 3
3/3

FACILITY NAME	OWNER-SHIP	SECTION 10 PERMIT	SECTION 404 PERMIT	CDFG 1601 AGREEMENT	CA COASTAL COMMISSION DEVELOPMENT PERMIT	RWCQB SECTION 401 CERTIFICATION
Segunda Deschecha (M02)	Flood-fee	REQUIRED	REQUIRED	N/A	REQUIRED	REQUIRED
Poche Beach (Prima Deschecha M01)	HBP-fee	REQUIRED	REQUIRED	MAYBE	REQUIRED	REQUIRED
Capistrano Beach	HBP-fee	REQUIRED	REQUIRED	N/A	REQUIRED	REQUIRED
North Doheny Creek (Dana Point Harbor)	State of California Parks & Recreation	REQUIRED	REQUIRED	MAYBE	REQUIRED	REQUIRED
Salt Creek (K01)	Flood-esmt.	NO	NO	NO	NO	NO
Santa Ana River (E01)	Flood-fee/esmt.	REQUIRED	REQUIRED	REQUIRED	REQUIRED	REQUIRED
Talbert Channel (D02)	Flood-fee/lease	REQUIRED	REQUIRED	REQUIRED	REQUIRED	REQUIRED

Table 2. Regulatory Requirements for Ocean Outlets.

APPENDIX - H
Best Management Practices
for
Ocean Outlet Maintenance Activities

To ensure the highest possible water quality controls during, and after, the ocean outlets maintenance activities, the following Best Management Practices (BMP) are adopted by PFRD – Operations and Maintenance. The purpose of these guidelines is to prevent, to the maximum extent practicable, the discharge of pollutants into storm water or beaches caused by activities proposed in the O&M maintenance manual. Each BMP listed below includes a description of the specific implementation of the BMP regarding the ocean outlets maintenance activities, the entity responsible for the maintenance activities, and the location, if applicable, for structural BMP. Any exceptions to a BMP, which will not be implemented, will be noted with a brief explanation and proposed alternative courses of action, if any.

1 CA20 – Solid Waste Management

☐ Structural ☒ Non-Structural

1.1 **Description:** O&M will prevent the pollution of maintenance sites by collection of trash and other debris located in the storm channel outlets.

1.2 **Maintenance:** PFRD - Operations and Maintenance Division

1.3 **Location:** All Sites

1.4 **Exceptions:** N/A – BMP accepted as is.

2 CA30 – Vehicle and Equipment Cleaning

☐ Structural ☒ Non-Structural

2.1 **Description:** O&M will prevent the pollution of maintenance sites through regular cleaning of on-site vehicles, such as bulldozers or front loaders. The cleaning will occur at County facilities prior to arriving on the beach or storm channel, and after leaving the job site upon the daily completion of work.

2.2 **Maintenance:** PFRD - Operations and Maintenance Division

2.3 **Location:** All Sites

2.4 **Exceptions:** N/A – BMP accepted as is.

3 CA32 – Vehicle and Equipment Maintenance

☐ Structural ☒ Non-Structural

3.1 **Description:** O&M will reduce and prevent the discharge of pollutants from vehicles and equipment by regular off-site inspection of vehicles and equipment for leaks and fluid buildup, such as grease or oil. If any maintenance or repair is needed, the necessary corrective measures will be taken promptly. Additionally, employees will be trained in proper equipment maintenance and spill cleanup procedures.

3.2 **Maintenance:** PFRD - Operations and Maintenance Division

3.3 **Location:** All Sites

3.4 **Exceptions:** N/A – BMP accepted as is.

3.5

4 CA40 – Employee/Subcontractor Training

☐ Structural ☒ Non-Structural

4.1 **Description:** O&M will conduct thorough employee training to promote clear identification and understanding of activities that have the potential to pollute storm water. The prevention of storm water pollution will be accomplished through a comprehensive training plan emphasizing the importance of problem awareness, analysis, and identifying solutions.

4.2 **Maintenance:** PFRD - Operations and Maintenance Division

4.3 **Location:** All Sites

4.4 **Exceptions:** N/A – BMP accepted as is.

5 SC40 – Vehicle and Leak Spill Control

☐ Structural ☒ Non-Structural

5.1 **Description:** To prevent the discharge of pollutants to storm water from vehicles, the County will use secondary containment such as drain pans or drop cloths, to catch leaks or spills, under all equipment when not in use. If leaks or spills are detected, the affected machinery will promptly be removed from the site to a suitable location for repair. Employee training will include the proper procedures for cleanup of leaks and spills, and the disposition of spill materials.

5.2 **Maintenance:** PFRD - Operations and Maintenance Division

5.3 **Location:** All Sites

5.4 **Exceptions:** Minor spills or leaks will not be officially reported to the fire department or local agency if cleanup assistance is unnecessary.

Ex. 5
2/4

6 SC71 – Catch Basin Cleaning

☐ Structural ☒ Non-Structural

6.1 **Description:** O&M will maintain and monitor catch basins located adjacent to the target ocean outlets to prevent and reduce pollutant buildup from entering the ocean.

6.2 **Maintenance:** PFRD - Operations and Maintenance Division

6.3 **Location:** Capistrano Beach Outlet No. 2 only

6.4 **Exceptions:** O&M will not inspect or maintain private catch basins. O&M has no legal authority to enter private property to inspect or clean privately owned catch basins. It is the responsibility of the private property owners to maintain their catch basins. O&M will not keep logs or records of the number of catch basins cleaned, or the amount of waste collected.

7 ESC1 - Scheduling

☒ Structural ☐ Non-Structural

7.1 **Description:** Maintenance activities will be scheduled to reduce the amount of beach exposed to runoff and vehicle tracking. Maintenance activities in the fall will open up the outlets for flood control purposes and allow for the proper conveyance of flow. Maintenance activities in the summer will back-fill the outlets to allow for public recreational purposes.

7.2 **Maintenance:** PFRD - Operations and Maintenance Division

7.3 **Location:** All Sites

7.4 **Exceptions:** See below for site specific scheduling practices.

7.5 **Site Specific Practices:** Project scheduling plays and important role in effective processing of required project information to the regulatory agencies, protection of aquatic resources near the project site and effective use of field work crews.

7.5.1 Inspections should be scheduled such that the extent of the work is defined, biological assessment of the work site is conducted, pre-construction water samples are collected and appropriate notification packages are sent to the regulatory agencies.

7.5.2 The scheduler needs to consider avoidance of biological resources such as spawning grunion and the least Tern colony at Huntington Beach. Avoidance measures include scheduling maintenance activities prior to the grunion spawning season or during times when a grunion run has not occurred at the project site and performing maintenance activities at the Talbert and Santa Ana River outlets prior to the arrival of the least Tern.

Ex. 5
3/4

7.5.3 California Grunion spawning season occurs from late February to early September. Grunion runs occur sporadically along the Orange county coast, therefore the Inspector should contact local park rangers to determine if grunion have spawned in the vicinity of any outlet.

7.5.4 The Talbert Outlet maintenance promotes tidal flow into the Huntington Beach marsh which serves as a foraging site for the California Least Tern. Each spring an inspection of the outlet should be scheduled to determine if the outlet is blocked by sediment. The sediment removal work should be scheduled in the early spring and completed prior to the arrival of the least tern.

The outlet should be inspected during the spring and summer months for observance of blockage in the outlet. If a blockage is observed a meeting with regulatory agencies shall be scheduled.

8 ESC30 – Earth Dike

☒ Structural ☐ Non-Structural

8.1 **Description:** O&M will be constructing and utilizing sand berms to control and prevent pollutants from public exposure and entering the Pacific Ocean. The berms will be used to backfill the channel above the high water line during the summer months for public recreational purposes.

8.2 **Maintenance:** PFRD - Operations and Maintenance Division

8.3 **Location:** North Doheny Creek Outlet

8.4 **Exceptions:** N/A – BMP accepted as is.

9 ESC40 – Outlet Protection

☒ Structural ☐ Non-Structural

9.1 **Description:** O&M will be replacing/retrieving protective rocks that have been washed out of the outlet onto the beach during winter storms.

9.2 **Maintenance:** PFRD - Operations and Maintenance Division

9.3 **Location:** Salt Creek Outlet

9.4 **Exceptions:** O&M will only use the pre-existing rock found at the target site, rather that using imported rock or protective matting. The rocks will not be permanently placed, but instead allowed to wash out onto the beach. Inspection and maintenance of this site will occur annually in the spring as outlined in the Ocean Outlets Maintenance Manual.

COUNTY OF ORANGE
Public Facilities and Resources Department

Water Quality Monitoring Plan for Ocean Outlet Maintenance

PREPARED FOR:

County of Orange
Public Facilities and Resources
Operations and Maintenance Division
300 North Flower Street
Santa Ana, California 92703

PREPARED BY:

P&D Consultants
999 Town and Country Road
Orange, California 92868

January 2003

TABLE OF CONTENTS

Section

Tables

Attachments

EX. 6
2/17

1.0 Introduction

Periodic maintenance at seven County of Orange Public Facilities and Resources Department (PFRD) outfall locations is required to ensure that recreational use of beaches and protection of adjacent private property is not compromised due to sediment and trash buildup or changes in the stream channel. As a result of these periodic maintenance activities, a monitoring program is needed to determine if maintenance on any of these outlets has contributed a discharge that resulted in impacts to the adjacent receiving waters (e.g. the Pacific Ocean). The monitoring program will be conducted when maintenance activities that have the potential to result in a discharge to the ocean occur. Attachment A of this Water Quality Monitoring Plan (WQMP) contains a detailed list of maintenance activities that have the potential to discharge to the ocean, as noted in Sections 2 and 3 of the Ocean Outlet Maintenance Manual (manual) prepared by the PFRD, dated December 28, 2001.

This WQMP details the water and sediment sampling protocols that will be implemented when any of the activities listed in Attachment A of this WQMP are conducted at the following outlet facilities currently maintained by PFRD:

- Segunda Deshecha – M02
- Prima Deshecha – M01
- Capistrano Beach #1 and #2
- North Doheny Creek
- Salt Creek – K01
- Santa Ana River – E01
- Talbert Channel – D02

2.0 Sample Collection Protocol

2.1 Sampling Frequency

Water Samples

Sampling activities will include pre- and post-maintenance activity sampling of freshwater discharge and the receiving waters. Pre-maintenance water sampling will be conducted for three consecutive days during the week prior to the scheduled maintenance activity. Additionally, post-maintenance water sampling will be conducted for three consecutive days during the week following completion of the maintenance activity. Pre- and post- maintenance water samples will be collected during morning hours when bacteria levels are at their highest. Sampling will be conducted during periods of dry-weather only, since rainfall could dilute runoff and affect the assessment of impacts due to maintenance. Water sample collection is not necessarily required during weekends unless directed otherwise.

Ex. 6
3/12

Sediment Samples

Sediment sampling will be limited to pre-maintenance activity sample collection. Sediment sampling shall be conducted for one day during the week prior to the scheduled maintenance activity.

2.2 Sample Locations

Water Samples

Three grab samples will be collected each day that water sampling occurs. Each day where a water sample is collected is known as a water sampling event. One water sample (discharge from the outlet) will be collected within the discharge immediately upstream from the surf zone interface. The two remaining water samples will be collected 25 yards up-coast and 25 yards down-coast at the receiving water (ocean) of the freshwater-saltwater interface. The surf zone interface is the area where the landward limit of wave uprush is located. The freshwater-saltwater interface occurs where the freshwater discharge from the outlet meets the saline waters in the ocean.

In the event that a shift in the location of the freshwater-saltwater interface occurs due to maintenance activities, such as stream reestablishment, post-maintenance receiving water sampling locations will also be shifted accordingly. Samples will continue to be collected 25 yards up-coast and 25 yards down-coast of the interface, based on the shift.

Sediment Samples

Three grab samples (continuous core, discrete, and residual) will be collected from each area where sediment removal is proposed during maintenance. Each day where a sediment sample is collected is known as a sediment sampling event. Sampling depth will be selected at random.

2.3 Sample Preparations

An adequate stock of sampling supplies and equipment will be available prior to each sampling event. Monitoring supplies and equipment will be stored in a cool-temperature environment that will not come into contact with rain or direct sunlight to protect the integrity of sample bottles. Sampling supplies include: latex powder-free, surgical gloves, sample collection equipment (bailers, water collection scoops, core sampler, etc.), coolers, sample bottles, distilled water, identification labels, Ziploc®-type storage bags, paper towels, and Chain of Custody (COC) forms. Sample bottles, identification labels, and the COC forms can be obtained from the laboratory that will be conducting the sample analyses.

Ex. 6
4/12

Prior to collecting samples, sampling personnel shall attach an identification label to each sample bottle. Self-adhesive labels shall be prepared to prevent sample misidentification. At a minimum, the following information will be recorded on the label with waterproof ink:

- Project name
- Name of sample collector
- Matrix – water or soil
- Sample identification number and location. [Six digit sample collection date]-[Location]. *Example* [061003-Prima Deshecha – Up-coast].
- Collection date and time
- Analysis parameter *Example* [Total suspended solids (TSS), Turbidity]

2.4 Decontamination Protocols

Sampling equipment will be decontaminated prior to and after sample collection. All sampling equipment will be decontaminated by washing with non-phosphate detergent, rinsing with tap water, and then rinsing twice with distilled water to ensure that contaminants have been thoroughly removed. The equipment will then be air dried in a dust-free environment and wrapped in aluminum foil or a plastic bag for transport to the sampling location. Sample bottles obtained from a laboratory for the analysis will already be sterile and will not require decontamination.

2.5 Sample Collection

Water Samples

Water samples will be collected approximately 0.3-meters (1 foot) below the water surface with a bailer or other clean collection device (i.e. sample scoop), and transferred to appropriate sample bottles. If a water sample cannot be collected at 0.3-meters below the water surface for discharge streams, the water sample should be collected at the mid-point of the flow without disturbing the streambed. For TSS and turbidity analyses, fill the sample bottle completely without rinsing and immediately seal with the cap.

For bacteriological analyses (total coliform, fecal coliform, and enterococcus), fill the sample bottle without rinsing so as to leave approximately 2 to 3 cm of air space in the sample bottle to facilitate mixing by shaking prior to laboratory analysis. Water samples should be collected just below the water surface in ankle-deep water to minimize the amount of sand or other suspended particles. Standard Water sampling protocols established in the Standard Methods for Examination of Waters and Wastewater, 20th edition will be observed.

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Sediment Samples

Sediment samples shall be collected at randomly selected depths depending upon the location and potential for contaminants. A continuous core, discrete, and residual sample will be collected from each sample area. The discrete and residual samples can be collected with a stainless steel spoon or grain scoop. A sediment dredge, such as an Eckman dredge, may also be used. If conditions are safe, the sampler may wade into the water body to obtain a scooped sample, or the scoop may be attached to an extendible pole for obtaining samples several feet from shore. The sample should be collected in the upstream direction of flow. Care should be taken not to disturb the bed of the stream prior to sample collection. The sample bottle shall be filled completely and immediately sealed with the cap.

Coring devices can be fabricated from a stainless steel, PVC, or teflon pipe or a gravity driven device may be purchased. The corer should be placed in the sediment where the sample is to be collected and rotated as it is pushed in. Rotation should be around its axis, not rocked back and forth. A cap shall be placed on the bottom of the corer upon withdrawal to prevent the sample from sliding out. The core should then be extruded out into the sample jar and immediately sealed with the cap.

3.0 Sample Handling and Preservation

In order to reduce the potential for sample contamination, sample collection personnel will abide by the following measures:

- Where a clean pair of latex surgical gloves prior to the collection and handling of each sample at each location.
- Do not contaminate the inside of the sample bottle by allowing it to come into contact with any material or fluid other than the sample.
- Discard sample bottles or sample lids that have been dropped onto the ground.
- Do not allow falling or dripping rain water to enter sample containers.
- Do not eat, smoke, or drink during sample collection.
- Do not open any sample bottle until it is ready to be filled.

Each sample will be inspected following collection for anomalously large amounts of foreign material that might have been captured or for any other reason to suspect that any bottle is not sterile during sample collection. If such a condition is observed, discard the sample bottle, prepare a new sample bottle, and resample.

Although the integrity of the sample during sample collection should not be compromised, it is also noted that wearing adequate protection of the sampler is also just as important. Samplers should wear protective eye wear, clothing, and gloves to ensure

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sampler safety from any contamination in the water or soil. In the case of high flows, a second sampler should be utilized to maintain a 'buddy-system'.

Following collection, sample bottles for laboratory analytical testing will be sealed in a Ziploc®-like plastic storage bag and stored in an ice-chilled cooler at as near to 4 degrees Celsius (39.4 degrees Fahrenheit) as practicable. Blue Ice® or its equivalent is the recommended coolant. If ice packs are used they should be placed in bubble-wrap sheaths to prevent sample temperatures from reaching 0 degrees Celsius. A certified thermometer should be kept in the cooler during sample transport and the temperature should be recorded at the time of submittal to the analytical laboratory.

Each sample must be documented on a COC form following sample collection. A COC form is a document used to record important information regarding each sample collected and the transfer of the custody of each sample to the laboratory conducting the analyses. The samples and the COC form must be delivered within 5 hours to a California state-certified laboratory due to limited holding times bacteria for bacteria analysis.

4.0 Testing and Analysis

Tables 1 and 2 summarize the analytical requirements for water and sediment sampling

5.0 Analysis Results

The results of each sample analysis will be delivered from the laboratory following completion of the analyses. The arithmetic means of the three pre-maintenance outlet discharge samples will be compared to the arithmetic means of the three post-maintenance outlet discharge samples. Likewise, the geometric mean concentration of each bacteriological indictor from up-coast and down-coast pre-maintenance samples will be compared to the respective post-monitoring samples. The results of the sediment samples will be used to determine whether constituents present within the sediment exceed water quality objectives for the receiving water prior to disturbance. Findings will be included in the maintenance reports described below in Section

6.0 Quality Control and Reporting Requirements

All data will be documented on log books, sample identification labels, and COC forms using waterproof ink. All documentation is considered accountable documents. If an error is made on an accountable document, the individual will make corrections by lining through the error once and entering the correct information. The erroneous information will not be obliterated. All corrections will be initialed and dated.

Log Books: Log books will be maintained to document where the samples where collected, depth of collection, date and time of sample collection, sampling procedures, and any other pertinent information on how and where the sample was collected.

Chain-of-Custody Forms: All samples to be analyzed by a laboratory will be accompanied by a COC form provided by the laboratory. Ensure that all of the required.

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Table 1: Water Sampling and Analysis

Sample Location	Parameter	Analytical Method	Minimum Sample Volume	Sample Type	Minimum Analysis Frequency	Sample Preservation	Maximum Holding Time
Outlet Discharge	Total Suspended Solids (TSS)	SM2540(d)	200 mL	Grab	3 days prior and following the scheduled maintenance activity	Store at 4°C	7 days
	Turbidity	SM2130(b)	100 mL	Grab	3 days prior and following the scheduled maintenance activity	Store at 4°C	24 hours
Up- & Down-Coast from Receiving Waters	Total Coliform	SM9222(b)	100 mL	Grab	3 days prior and following the scheduled maintenance activity	Store at 4°C	6 hours
	Fecal Coliform	SM9222(d)	100 mL	Grab	3 days prior and following the scheduled maintenance activity	Store at 4°C	6 hours
	Enterococcus	SM9230(c)	100 mL	Grab	3 days prior and following the scheduled maintenance activity	Store at 4°C	6 hours

Notes:
°C - Degrees Celsius
mL - Milliliters
SM - Standard Method (per *Standard Methods for the Examination of Water and Wastewater*, 20th Edition)
Poly – Polypropylene

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Table 2: Sediment Sampling and Analysis

Sample Type	Parameter	Analytical Method	Units	Sample Unit	Minimum Analysis Frequency
Continuous Core Sampling	Atterberg Limits	--	---	Grab	Once prior to maintenance activity
	Moisture Content	--	%	Grab	Once prior to maintenance activity
	Pesticides	EPA 8081	ug/kg	Grab	Once prior to maintenance activity
	pH	--	pH units	Grab	Once prior to maintenance activity
	Polynuclear Aromatic Compounds	EPA 8310	ug/kg	Grab	Once prior to maintenance activity
Discrete Sampling	Soluble and Total Metals	EPA 6010, 7000	mg/L	Grab	Once prior to maintenance activity
	Total Extractable Petroleum Hydrocarbons (Kerosine and Diesel)	California LUFT 8015	mg/L	Grab	Once prior to maintenance activity
	Total Organic Carbon	---	mg/L	Grab	Once prior to maintenance activity
Residual Sampling	Polychlorinated Biphenyls	EPA 8082	ug/kg	Grab	Once prior to maintenance activity
	Total Mercury	EPA 7471	ug/kg	Grab	Once prior to maintenance activity

Notes:
EPA – Environmental Protection Agency
ug/mg – Micrograms per Milligram
mg/L – Milligrams per Liter

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information on the COC is fill out completely and that there are no blanks left on the form. Typical COC information includes: sample number; date, time and location of the collected sample; sample type; sample preservation requirements; signatures of samplers involved in the chain of possession; signature of collectors; and date and time of laboratory custody. COC procedures must be strictly adhered to for quality control purposes.

Maintenance Reports: Water and soil sampling activities and sample results will be documented in accordance with the reporting requirements listed in Section 6 of the Ocean Outlet Maintenance Manual for routine and emergency maintenance activities. These reports will be compiled into an annual report used to document compliance with the maintenance manual and this monitoring plan.

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REFERENCES

Standard Methods for the Examination of Water and Wastewater, 20th Ed. American Public Health Association, American Water Works Association, and Water Environment Federation, Washington D.C. 1998.

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Attachment A

Maintenance Activities at Each Outfall Location

Segundo Deshecha Outlet: General Maintenance consists of re-establishing the outlet channel. Sediment to be removed semi-annually in Fall and Spring. All sediment shall be spread on adjacent beaches above ordinary high water line.

Prima Deshecha Outlet: General Maintenance consists of re-establishing the outlet channel. Sediment to be removed semi-annually in Fall and Spring. All sediment shall be spread on adjacent beaches above ordinary high water line.

Capistrano Beach Outlet #1: General Maintenance consists of re-establishing the outlet channel. Sediment to be removed semi-annually in Fall and Spring. All sediment shall be spread on adjacent beaches above ordinary high water line.

Capistrano Beach Outlet #2: General Maintenance consists of re-establishing the outlet channel. Sediment to be removed semi-annually in Fall and Spring. All sediment shall be spread on adjacent beaches above ordinary high water line.

North Doheny Creek Outlet: General maintenance consists of installing a berm across the ditch above the ordinary high water line in the spring and removing the berm in the fall. The sand used for the berm shall be spread on adjacent beaches above ordinary high water line. All sediment shall be spread on adjacent beaches above ordinary high water line.

Salt Creek Outlet: General maintenance consists of retrieving riprap washed out onto the beach and placing the rock back to the end of the concrete apron. All sediment shall be spread on adjacent beaches above ordinary high water line.

Santa Ana River Outlet: General maintenance consists of re-establishing the outlet channel. Sediment shall be removed periodically to ensure tidal flow and flood control capacity. All sediment shall be spread on adjacent beaches above ordinary high water line.

Talbert Channel Outlet: General Maintenance consists of re-establishing the outlet channel. Sand shoals blocking tidal flow shall be removed within seven days. Sediment to be removed semi-annually in Fall and Spring. All sediment shall be spread on adjacent beaches above ordinary high water line.

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