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AGENDA ITEM W13b

May 3, 2013

California Coastal Commission
200 Oceangate, 10th Floor
Long Beach, CA 90802-4416

Re: Coastal Development Permit Application No. 5-12-348
Stockpile of 130,000 cubic yards of potentially contaminated dredged material by Shea Homes

Dear Commissioners,

On behalf of the Bolsa Chica Land Trust, we respectfully request that the Commission carefully consider the adverse impacts that the project would have on the Bolsa Chica wetlands. Since 1992, the Bolsa Chica Land Trust's mission has been to acquire, restore, and preserve the mesa, lowlands, and wetlands of the Bolsa Chica ecosystem, while educating the public about this national treasure. As Shea Homes' Parkside project is not currently in condition compliance (Staff Report p. 1), the application should be denied. However, if the Commission chooses to approve this application, it should only do so after imposing additional strict and enforceable conditions to protect the wetlands.

Application No 5-12-348 requests permission to stockpile up to 130,000 cubic yards of material dredged from the East Garden Grove Wintersburg (EGGW) flood control channel improvement project on 15 acres of property owned by Shea Homes within the Bolsa Chica wetlands. Shea Homes intends to use this material as fill for the 50-acre Parkside residential project (CDP 5-11-068) once the project reaches condition compliance. In addition to constructing homes, the Parkside project would conserve 23 acres of existing and restored habitat and buffers. However, the project's dredged soil has sat within a channel that drains a vast area of urban Orange County for many years, and the project would import dredged materials from the entire length of the channel. (Staff Report p. 7.) The soils are therefore likely contaminated by the products of urban and industrial runoff: heavy metals, PCBs, oil byproducts, benzene, ethylene glycol, salts, and other chemicals that have been identified in nearby soils. If released into the environment, these chemicals – several of which are known carcinogens – could

contaminate entire Shea Homes site and nearby areas within the Coastal Zone. The Staff Report acknowledges that the project could not prevent runoff from the stockpile. (Staff Report p. 12.) Without the imposition of strict conditions, such as thorough testing of dredged material *prior* to deposition to ensure its safety, the dredged soils and their runoff could endanger the health of future residents, but also the existing wetlands, restored wetlands, and buffer areas for wildlife this Commission is responsible for protecting. (Pub. Resource Code §§ 30230-31; Staff Report p. 15.)

Due to the likelihood that material dredged from the flood control channel is contaminated, Commission Staff has proposed six special conditions for the approval of this application. The Land Trust supports the implementation and strict enforcement of these special conditions:

1. Soil testing and removal of soils that fail to meet standards;
2. Three-year limit on duration of the stockpile;
3. Demarcation of the conservation area boundary;
4. Limited construction during raptor nesting periods;
5. Identification of seeds included in "native seed mix" for stockpile stabilization; and
6. Retention of public access.

However, these conditions are not sufficient to address all of the project's potential adverse impacts on the area's wetlands and wildlife. Additional concerns that should be addressed include:

- If soil contamination is discovered after the deposition of soils, remediation must be required. The required remediation should be determined now, and implemented into the CDP.
- A western burrowing owl was identified on-site in October 2012. While staff has recommended specific conditions to protect raptors and songbirds, and the applicant would be required to comply with all conditions attached to CDP 5-11-068, conditions specific to this application must also be imposed to protect burrowing owls from destruction during earthmoving.
- The project requires submission to the Executive Director and approval of a plan showing conservation areas that will be flagged for avoidance during the project. Since the conservation areas were determined by the October 2012 approval of CDP-11-068, there is no reason that this plan cannot be provided to the Commission and the public now, prior to approval.
- As with the flagging plan, the project requires the applicant to receive approval of the seed mix to be used on the project site. Given that 23 acres of conserved wetlands and ESHA buffers are located onsite, and that these areas are vulnerable to invasive species, this seed mix should be disclosed, analyzed by staff, and

incorporated into the special conditions for the permit. Additionally, the dredged material will likely be high in salinity and prevent germination of upland plant species, as occurred at the overlooks on the Reserve. The special conditions should address contingencies if the approved seed mix ultimately fails to vegetate the stockpile.

- The Staff Report and special conditions do not address odors which may emanate from the stockpile.

The Bolsa Chica Land Trust thanks you for this opportunity to comment and respectfully asks that the Commission deny Coastal Development Permit application 5-12-348 until additional special conditions are imposed to adequately protect the wetlands.

Sincerely,

Michelle N. Black

CALIFORNIA COASTAL COMMISSION
South Coast Area Office
200 Oceangate, Suite 1000
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W13b

Filed:	2/8/13
180th Day:	8/7/13
Staff:	M. Vaughn-LB
Staff Report:	4/25/13
Hearing Date:	5/8/13

STAFF REPORT: REGULAR CALENDAR

Application No.:	**5-12-348**
Applicant:	**Shea Homes**
Agent:	John Vander Velde, Shea Homes
Location:	**17301 Graham Street, Huntington Beach, Orange County** (APNs 110-016-019; 110-016-020; 110-016-023)
Project Description:	Stockpile of up to 130,000 cubic yards of excess excavated/dredged material to be imported onto the project site from the adjacent Orange County Public Works East Garden Grove Wintersburg (EGGW) flood control channel improvement project.
Staff Recommendation:	Approval with special conditions.

SUMMARY OF STAFF RECOMMENDATION:

The proposed project would allow the import of soil onto the subject site that is being excavated from the adjacent flood control channel. The applicant plans ultimately to use that soil in a residential development project (known as Shea-Parkside) that was previously approved by the Commission (CDP 5-11-068). The permit for the residential development has not yet been issued by the Executive Director because the applicant hasn't completed condition compliance; that effort likely won't be complete for many months. However, the soil being excavated on the adjacent site is available now, and would otherwise be sent to a landfill. Therefore, the applicant is requesting this permit to authorize the temporary stockpile of soil on the site for later use once CDP 5-11-068 is issued. Staff is recommending approval of the proposed project subject to six special conditions requiring: 1) that the project be carried out as proposed including the proposed soils testing, best management practices, and, removal of any import soils that do not meet specific standards; 2) limiting the duration of the stockpile to three years unless an amendment or new permit is approved

to extend this time limit; 3) flagging or staking of the conservation area boundary to assure the stockpile project remains within the approved development footprint; 4) limiting construction activities during raptor nesting; 5) identifying the seeds to be included within the "native seed mix" proposed to assist in stabilizing the stockpile; and 6) assuring that public access will be maintained during construction.

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EXHIBITS

I. MOTION AND RESOLUTION

Motion:

*I move that the Commission **approve** Coastal Development Permit Application No. 5-12-348 pursuant to the staff recommendation.*

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:

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:

This permit is granted subject to the following 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 of 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

This permit is granted subject to the following special conditions:

1. Project to be Carried Out as Proposed.

The applicant shall carry out the stockpile project as proposed including, but not limited to:

a) Implementation of the proposed *Import Source Soil Assessment* prepared by Environ, dated 2/19/13 (Exhibit 7), and compliance with the standards contained in the chart titled *Threshold Levels for Soil and Soil Gas Analysis* (Exhibit 10) received from the applicant via email on 4/19/13;
b) Implementation of all Best Management Practices (BMPs) proposed, including but not limited to water quality and erosion control BMPs proposed in the Engineer's Report prepared by Hunsaker & Associates, dated 2/7/13 and in the Stormwater Pollution Prevention Plan (WDID # 830C365477), for the proposed project, dated 11/26/12;
c) Stockpiling soil outside previously identified sensitive habitat areas and implementation of erosion and runoff controls consistent with the proposed project plans prepared by Hunsaker and Associates, dated 4/18/13;
d) Removal of all stockpile soil found to exceed the threshold RSL and CHHSL levels identified on the chart titled *Threshold Levels for Soil and Soil Gas Analysis* (Exhibit 10).

2. Duration that Stockpiled Soil & Associated Development May Remain Onsite.

A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT and consistent with the project as proposed, the applicant shall submit, for the review and approval of the Executive Director, a written agreement in which it agrees that it will do any one of the following:

1. Comply with all prior to permit issuance requirements of Coastal Development Permit 5-11-068 in order to obtain issuance of the permit by the Executive Director and commence development pursuant to that permit within three (3) years from the date the material is first placed on site; or
2. Remove the soil stockpiled on site pursuant to this coastal development permit, and other associated development such as fencing, drain pipes, gravel/drain rock, gravel filled bags, straw wattles, etc., from the subject site within three (3) years from the date the material is first placed on site; or
3. Apply for an amendment to this coastal development permit or a new coastal development permit to extend the time frame that the stockpiled soil and associated development will remain on site within two and a half (2.5) years from the date the material is first place on site.

B. WITHIN ONE WEEK OF THE DATE OF COMMENCEMENT OF THE DEVELOPMENT APPROVED UNDER THIS COASTAL DEVELOPMENT PERMIT (5-12-348), the applicant shall submit to the Executive Director a written Notice of Commencement of Development indicating the date upon which the stockpiled soil began to be placed on the subject site. The three year period described in Subsection A.2 above, shall commence as of that date.

C. If option A.2 above, is pursued, the stockpiled soil shall be disposed or recycled at a legal disposal/recycling site. If the disposal site is located in the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place unless the Executive Director determines that no amendment or new permit is legally required.

3. Protection of Sensitive Habitat and Wetland Areas

A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit for the review and approval of the Executive Director, a flagging and/or staking plan that clearly identifies the boundaries of the area on site that is land use designated Open Space – Conservation and zoned Coastal Conservation. All plans shall include a note apprising all on-site workers of the sensitive nature of the on-site habitat and clearly prohibit any work within these areas.

B. The approved flagging and/or staking shall remain in place for the duration of the stockpile.

C. Wetlands and any environmentally sensitive habitats and their buffer areas shall not be affected in any way by the stockpile project and/or subsequent removal of the stockpiled soil from the site.

4. Raptor Nesting

If active stockpiling activities will occur during the period of raptor nest initiation (from January 1 through April 30), a qualified biologist, with experience in conducting bird surveys, shall conduct raptor surveys within the thirty (30) days prior to January 1 to detect any active raptor nests or nesting activity within 500 feet of the active stockpiling area. If an active raptor nest or nesting activity is determined to be located within 500 feet of active stockpile activities, all such activities within the 500 foot area shall cease until the nest(s) is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting. The 500 foot limit shall be identified and protected with flagging and stakes or construction fencing. Construction personnel shall be instructed on the sensitivity of the area. The biologist shall record the results of the recommended protective measures described above to document compliance with this special condition and with applicable State and Federal laws pertaining to protection of nesting birds.

Activities allowed under this permit located further than 500 feet of an active raptor nest or nesting activities, however, may continue.

5. Native Seed Mix

A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT, the applicant shall submit for the review and approval of the Executive Director, a list of the types of seeds contained in the "native seed mix" to be sprayed on the stockpile area for erosion control purposes. The list of plant species in the seed list must be compatible with the plant species included in the Habitat Management Plan required by Coastal Development Permit No. 5-11-068.

B. The permittee shall undertake development in accordance with the approved native seed mix. Any proposed changes to the approved seed mix shall be reported to the Executive Director. No changes to the approved seed mix shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

6. Public Access

As proposed by the applicant, public Access at the site shall be maintained for the duration of the stockpile on site as shown on the document titled *Public Trail Access During Construction Revised Tentative Tract Map No. 15377* (Exhibit 6). Any temporary public access interruption shall be the minimum necessary, shall not exceed one week duration, and shall be reported to the Executive Director prior to being implemented.

IV. FINDINGS AND DECLARATIONS:

NOTE: The findings for denial of the Land Use Plan amendment for the subject site as submitted are incorporated as if fully set forth herein (HNB-MAJ-1-06, 5/10/07). In addition, the findings adopted by the Commission in approving the Land Use Plan Amendment for the subject site (HNB-MAJ-1-06, 11/14/07), and the findings adopted by the Commission in approving the Implementation Plan Amendment with suggested modifications for the subject site (HNB-MAJ-2-10, 10/13/10) are also hereby incorporated by reference as though fully set forth herein. Finally, the findings adopted by the Commission in approving Coastal Development Permit 5-11-068 are also herby incorporated by reference as though fully set forth herein.
http://documents.coastal.ca.gov/reports/2007/5/Th14a-5-2007.pdf
http://documents.coastal.ca.gov/reports/2012/10/Th20a-10-2012.pdf
http://documents.coastal.ca.gov/reports/2008/5/W26a-5-2008-rf.pdf
http://documents.coastal.ca.gov/reports/2010/10/W15a-10-2010.pdf

A. PROJECT LOCATION & DESCRIPTION

The proposed project involves the stockpile of up to 130,000 cubic yards of excess excavated/dredged soil to be imported onto the Shea Homes project site (17301 Graham Street, Huntington Beach, see Exhibit 1). The soil would be stockpiled within a 14.75 acre footprint located entirely within the area approved under Coastal Development Permit 5-11-068 for residential and related development, as described below (see Exhibit 2). The entire project will be located outside the conservation area designated by CDP 5-11-068 and related LCP amendments.

The designated conservation area includes both the habitat resources themselves as well as their required buffer areas.

The stockpiled soils will originate from the East Garden Grove Wintersburg flood control channel (EGGW, also sometimes referred to as the Co5) improvement project. The EGGW flood control channel improvement project was approved under Coastal Development Permit No. 5-09-209 and involves, among other things, expanding the channel bottom from the existing trapezoidal channel bed with earthen banks and bottom, to a rectangular channel bed with vertical sheetpile sides and earthen bottom (see Exhibit 3). The EGGW flood control channel is adjacent to the subject site's southern property line, and extends as well both upstream and downstream of the Shea Parkside project site. Portions of the County's project extend outside the coastal zone, within the EGGW flood control channel inland/upstream to Warner Avenue (see Exhibit 4). Material from the entire length of the County's project is proposed to be imported and stockpiled on the subject Shea project site.

Shea Homes, the project applicant, received approval of Coastal Development Permit No. 5-11-068 on October 11, 2012 (commonly known as the Parkside project) for development at the subject site including, among other things, import of fill material onto the site to support residential development. CDP 5-11-068 approved the import of approximately 260,000 cubic yards of fill onto the subject site. However, the special conditions of that permit have not yet been met and so that permit cannot yet be issued. Condition compliance for Coastal Development Permit No. 5-11-068 is currently on-going. Although the import of material has already been approved by the Commission via Coastal Development Permit No. 5-11-068, this separate permit is being processed so that the excess excavated/dredged soil from the County's adjacent channel widening project can be captured for use on the subject site while the flood control project is underway, but prior to final issuance of coastal development permit 5-11-068. The County's project is currently on-going.

The maximum height of the stockpile area will be an 8 foot high berm that encloses the stockpiled soil. The height of the interior stockpile area (i.e. the area excluding the surrounding berm which is also comprised of stockpiled soil) will progressively decrease from the high point of approximately 7 feet in the southernmost area to the low point of approximately 5.5 feet in the north, an approximate 0.5% overall slope.

Drainage from the stockpile area is expected to infiltrate and any remaining runoff (e.g. that which may occur during large and/or extended rainfall periods) is proposed to be directed to a retention basin with a 24 inch riser pipe drainage collector located at the northern side of the stockpile site. The 24 inch riser pipe will be surrounded by gravel. The riser is proposed to be connected via a new connector pipe to the existing City storm drain pipe that runs along the northern property line (see Exhibit 2).

The footprint of the stockpile area is proposed to be surrounded by a chain link fence. A silt fence consisting of 24 inch high filter fabric is proposed to be attached to the chain link and fence posts at the base of the chain link fence. On the interior of the chain link fence and immediately adjacent to it, a 12 inch wide and 12 inch deep, gravel filled trench is proposed to further contain sediment within the footprint of the stockpile area. Also proposed is a series of either straw wattles or gravel filled bags placed across the stockpile at approximately ½ foot contour intervals once all the stockpiled soils are in place. Finally, if work ceases for more than fourteen days and at the completion of the import operation, the stockpile area is proposed to be sprayed with soil binder

(such as EarthGuard) and a native seed mix to prevent erosion. The soil binder material will allow water infiltration.

The movement of soil from the flood control channel will be accomplished through normal excavation methods (per Coastal Development Permit No. 5-09-209) and loaded onto trucks for transportation to the Parkside site. The proposed truck haul routes are shown on Exhibit 6. The County will use different types and sizes of dump trucks, depending on access at the specific export location. The type of truck used by the County will also depend upon the condition of the export material. Rubber tire loaders or small bulldozers will be used by the applicant to spread out the material once placed upon the subject site. The specific type of equipment used to spread the material will depend upon the moisture content of the material being deposited. Rubber tire loaders, small bulldozers or skip loaders are also proposed to pull disks and other types of spreading equipment to aid in the drying of the material. Water trucks are proposed to be used for dust control (both on the street and on the stockpile area). Street sweepers are proposed to be used on haul routes as needed.

The County's flood control channel project is currently underway. Thus, the applicant intends to begin stockpiling as soon as possible once the Commission has reviewed this subject permit request, if the permit is granted. The import of fill onto the site is expected to extend approximately through December of this year. However, depending upon how long the material is available from the County's project, the timeframe may be adjusted. Commencement of grading at the subject site for the project approved under Coastal Development Permit No. 5-11-068 is tentatively expected to begin in late 2013 or early 2014, but that will depend upon the timing of completion of condition compliance. Once grading under 5-11-068 begins, the stockpile would be incorporated into the fill of that approved grading operation.

As proposed, the applicant will remove the stockpile material from the site within three years of stockpile placement if Shea Homes' Coastal Development Permit 5-11-068 (Parkside) has not been issued and commencement of that project has not begun. However, an amendment application or an application for a new coastal development permit may be submitted up to six months prior to the three year stockpile deadline if additional stockpile time is desired. The Commission would then evaluate the request to extend the length of time the stockpiled material may remain at the site.

Public access during the stockpile project will be provided via the same construction phase public access plan approved under Coastal Development Permit No. 5-11-068. This plan identifies three public access trails across the site, at least one of which will be available to the general public during stockpiling work (see Exhibit 6).

Through review and action on Huntington Beach Land Use Plan Amendment No. 1-06, Huntington Beach Implementation Plan Amendment No. 2-10, and Coastal Development Permit application 5-11-068, environmentally sensitive habitat areas (ESHA) and wetland areas were identified on the subject site. These areas are land use designated Open Space – Conservation and zoned Coastal Conservation and total approximately 23.1 acres of the 50 acre site. The conservation area includes both the resources as well as their necessary buffer area. As proposed, all stockpile material and all construction activities will be located outside this conservation area. The area proposed to receive the stockpile material is located within area that will be developed with residential and related uses

once condition compliance for approved coastal development permit 5-11-068 is complete and that permit is issued.

B. JURISDICTION

Coastal Development Permit No. 5-09-209 (Orange County Public Works) for the EGGW flood control channel improvement project was approved subject to special conditions. Special Condition No. 6 of that permit requires that, if the disposal site of the excess material is located within the coastal zone, a coastal development permit or an amendment to 5-09-209 is required before disposal can take place (unless the Executive Director determines that no amendment or new permit is legally required). The subject application, 5-12-348, represents the fulfillment of the requirement of Special Condition No. 6 of Coastal Development Permit No. 5-09-209.

The County's flood control channel is tidally influenced. Pursuant to Coastal Act Section 30519(b), development review authority for "development proposed or undertaken on any tidelands, submerged lands, or on public trust lands, whether filled or unfilled, lying within the coastal zone" remains with the Coastal Commission.

The subject site is located within the certified LCP jurisdiction of the City of Huntington Beach, for which the City has coastal development permit issuing authority. In addition, because the subject site is located between the sea (tidally influenced Bolsa Chica wetlands) and the nearest public road (Graham Street), the subject site falls within the Commission's appeals jurisdiction. In any case, the special conditions required by approval of Coastal Development Permit No. 5-09-209 (which is in the Commission's retained permit jurisdiction) require the subject (5-12-348) permit application.

Section 30601.3 of the Coastal Act provides that when a project requires a coastal development permit from both a local government with a certified Local Coastal Program and the Coastal Commission, a single, consolidated coastal development permit for the entire project may be processed by the Coastal Commission if the applicant and local government agree to that process. Thus, the proposed project is eligible to be processed as a consolidated permit if the applicant, City of Huntington Beach, and the Coastal Commission all agree. In this case, all three entities have agreed to process the subject application as a consolidated coastal development permit with the Coastal Commission. Therefore, the standard of review in this case is the Chapter Three policies of the Coastal Act, with the City's certified Local Coastal Program as guidance.

C. RELATIONSHIP TO COASTAL DEVELOPMENT PERMIT NO. 5-11-068

Coastal Development Permit No. 5-11-068 includes approval of import of approximately 260,000 cubic yards of fill onto the subject site. Special Condition No. 7 *Development Phasing*, recognizes that the deep grading phase of the project (of which the currently proposed import would be a part) must be the first phase of development, even before implementation of the Habitat Management Plan or construction of the public access components of the project. Thus, were it not for the timing of the approved permit's issuance, the applicant could proceed with the proposed stockpile project with no further requirements other than those imposed under Coastal Development Permit No. 5-11-068. Issuance of that permit is pending only completion of condition compliance, which, although well under way, is still some time off. However, the excess materials from the County's flood control channel improvement project are available now; hence the applicant's application to

allow the stockpile project to go forward now, while these materials are available. The proposed project, in accepting the flood control project's excess material on the subject site, in addition to providing the fill material needed for the applicant's approved residential project, would reduce the number and length of truck haul trips needed to dispose of the flood control channel project's excess material. In addition, it would avoid ultimate disposal of those materials into a landfill.

D. OTHER AGENCY APPROVALS

City of Huntington Beach Approval in Concept

The proposed stockpile project plans have been reviewed and approved in concept by the City of Huntington Beach Planning Division. The Approval in Concept is dated 4/17/13. In addition, in a letter dated 4/18/13, the City of Huntington Beach Public Works Department states that the proposed stockpile project plans have been reviewed by that department and are ready for approval pending approval of a coastal development permit for the project from the Coastal Commission (See Exhibit 12).

State Water Resources Control Board

The applicant has sent a Notice of Intent (NOI) to the State Water Resources Control Board. The NOI indicates that the applicant intends to comply with the terms of the General Permit to Discharge Storm Water Associated with Construction Activity. The State Water Resources Control in return sent the applicant acknowledgement of the NOI and notified the applicant that it is required to comply with the referenced General Permit. The related Waste Discharger Identification (WDID) number assigned by the State Water Resources Control Board is 8 30C365477.

E. Sensitive Habitat & Wetlands

Coastal Act section 30240 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 compatible with the continuance of those habitat and recreation areas.*

In addition, Section 30233 of the Coastal Act states that filling of wetlands is permissible only when there is no feasible less environmentally damaging alternative, when feasible mitigation measures have been provided to minimize adverse environmental effects, and when limited to one of the seven specifically enumerated uses.

As described earlier in this staff report, there is an approved coastal development permit for the subject site that includes residential and related development and habitat preservation, restoration and enhancement (5-11-068). As part of that permit process, as well as in establishing the land use designation and zoning for the subject site (HNB LCPA 1-06 and HNB LCPA 2-10), much consideration was given to the extent of sensitive habitat and wetland present on site. The approved

permit allows residential and related development within the area that is Land Use designated and zoned Residential. The subject coastal development permit application (5-12-348) recognizes the same development footprint that is recognized in the active, approved, pending coastal development permit at the site (5-11-068).

Although the subject site includes environmentally sensitive habitat area (ESHA) and wetland area, the footprint of the proposed stockpile area (including all construction/work areas) is not located within any of the ESHA or wetland areas, nor within any of the required buffer areas. However, the proposed project is adjacent to the ESHA and wetland buffer area. As such it is important to assure that the proposed stockpile project will not inadvertently impact any portion of the habitat and buffer area. In order to assure that the proposed stockpile area is compatible with the continuance of the adjacent habitat area it is important that the stockpile be stable and that neither runoff nor airborne dust and/or debris is allowed to enter into the conservation area. The applicant has proposed a number of measures to address this issue.

Runoff & Erosion Control Plan

The proposed project incorporates measures to control runoff and erosion, including the following measures. The stockpile area will be surrounded by an 8 foot high berm to enclose the material. Although most precipitation is expected to infiltrate the stockpile, the area enclosed by the berm will gradually slope (0.5%) to the north, directing any non-infiltrated drainage to a depression with a 24 inch riser pipe drainage collector within. The riser will be surrounded by gravel. Runoff will filter through the gravel jacket and filter fabric before entering the inlet riser pipe. A new pipe is proposed to connect the riser drainage collector pipe to an existing City storm drain pipe that runs along the northern edge of the subject property (see Exhibit 2). The applicant's engineering consultant estimates that maximum runoff from the site would be 3 cubic feet per second (cfs). The proposed riser and connection pipe have been sized to accommodate 38.4 cfs.

In addition, the stockpile area is proposed to be surrounded by a chain link fence at the outer base of the berm. A 24 inch high silt fence will be attached to the base of the chain link fence to prevent silt from leaving the stockpile area. On the interior of the chain link fence and immediately adjacent to it, a 12 inch wide and 12 inch deep, gravel filled trench is proposed to further contain sediment within the footprint of the stockpile area. Also proposed is a series of either straw wattles or gravel filled bags placed across the stockpile at approximately ½ foot contour intervals once all the stockpile materials are in place. Finally, if work ceases for more than fourteen days and also at the completion of the soil stockpiling operation, the stockpile area is proposed to be sprayed with soil binder (EarthGuard) and a native seed mix to prevent erosion. The soil binder material will allow water infiltration. In addition, the proposed stockpile will be uncompacted fill, which will optimize its ability to infiltrate stormwater. The Engineer's Report prepared for the proposed project by Hunsaker & Associates, dated 2/7/13 describes the use of the soil binder as follows:

> "*Stabilization will be achieved through the use of a bonded fiber matrix (BFM) material with a proprietary name of 'EarthGuard.' This product is applied as an aqueous slurry by itself or in combination with seed mix for revegetation. EarthGuard treats the soils and keeps it from breaking down during storm events and absorbs raindrop impact thus preventing erosion. This product is non-toxic and 100% biodegradable while creating a stabilized permeable surface which allows for the infiltration of stormwater into the underlying soils.*"

The Engineer's Report also states:

> "*It should be understood that the stockpile is not designed to retain or detain stormwater flows. Smaller storm events will infiltrate and/or evaporate as they currently do in the existing condition. Larger storm events will produce runoff from the stockpile area in a similar volume and rate as in the existing condition. The proposed stockpile does not alter the existing general patterns of drainage for the project site. Should a 100-year storm event occur at the project, the stormwater volume will flow off the stockpile area in a similar sheet flow manner that is present in the existing condition. The only difference in the stockpile plan is the addition of a riser and drain pipe that would convey small storm events directly to the existing 60" storm drain line onsite.*"

The Engineer's Report then concludes:

> "*As previously mentioned, the proposed berm as well as the entire stockpile area will be treated with EarthGuard and a native seed mix to prevent erosion. This material has the ability to provide protection through multiple rain events and wet seasons. Once the vegetation has been established, the reapplication of EarthGuard is not necessary. The material will be applied at the rates recommended by the manufacturer."*

Composition of Native Seed Mix

The stockpile project proposes to use a native seed mix to help stabilize the stockpile material. However, the term "native" is not defined. Would it be native to California in general, to southern California, or to coastal Orange County? The specific seeds to be included in the mix have not been identified. Once the stockpile area is planted with this seed mix, it is possible that, once these plants establish, they could migrate into the nearby sensitive habitat areas, potentially displacing native plants and threatening the continuance of those habitat areas, inconsistent with section 30240(b).

Thus, it is important to assure that the proposed native seed mix be specifically identified to assure all seeds included in the mix are compatible with the surrounding sensitive habitats. To address this issue, Special Condition 5 requires the applicant to submit, for the review and approval of the Executive Director, the list of seeds proposed to be used in the mix and that such seeds be compatible with the plantings included in the Habitat Management Plan required by the approval of Coastal Development Permit No. 5-11-068. Therefore, the Commission finds that only as conditioned to include locally appropriate seeds in the proposed seed mix, is the proposed project consistent with Section 30240 of the Coastal Act.

Dewatering Plan

Because the stockpile material will originate from a flood control channel, it will be wet. Consequently, the applicant has prepared a *Dewatering Plan for Dredge/Stockpile Material*. The Dewatering Plan is included in the Engineer's Report by Hunsaker & Associates, dated 2/7/13, referenced above. The dewatering process is proposed as follows: the material from the channel will be placed in dump trucks. The truck beds will be lined with a layer of dry dirt and then the wet material will be placed on top. The dry material will absorb the water from the wet material during

transport. Because the haul routes will be only five to ten minutes long (depending on where in the channel the material is loaded), the wet material is not expected to soak through the layer of dry dirt in the bottom of the truck bed before being deposited on the stockpile site. Once the material is dumped at the subject stockpile site, it will be spread out to allow the moisture to dissipate. In addition, as needed the stockpile material will be disked to allow for air to be placed into the soils and aid with the drying process. As the initial deposits dry, they will be formed into the proposed berm that will surround the stockpile footprint. The height of the berm will be built up as the project progresses and will always be higher than the stockpile material it encloses.

Emergency Response Plan

The proposed Emergency Response Plan is described as follows in the Engineer's Report prepared for the proposed project:

> *"During the establishment of the proposed stockpile, the perimeter berm will be carefully monitored. The berm and the entire stockpile area will be inspected before, during and after any rain event. Inspections will ensure that the berm and the BMPs are functioning in an appropriate manner. Should any corrective actions be identified, they will be initiated within 72 hours. Additional BMPs will be kept onsite for rapid deployment should correction actions be required during a rain event. These will be in place until final stabilization is achieved and approved by the Regional Water Quality Control Board."*

In addition, Section 4.0 *BMP Inspection, Maintenance, and Rain Event Action Plans* of the Stormwater Pollution Prevention Plan (SWPPP) states that the BMPs will be inspected and maintained consistent with the requirements of the State Water Quality Control Board Construction General Permit Order No. 2009-0009-DWG (which can be found online at http://www.waterboards.ca.gov/water_issues/programs/stormwater/docs/constpermits/wgo_2009_0009_complete.pdf). In addition, Section 4.0 of the project SWPPP states that the project BMPs will be monitored weekly during non-rain periods and daily during rain periods. In addition, Section 4.0 of the SWPPP requires that the BMPs must be maintained regularly and that corrective actions must be implemented with 72 hours of identification of deficiencies identified during inspections.

Nesting Birds

Special Condition No. 7 of Coastal Development Permit No. 5-11-068 requires, among other things: "*In addition, during the period of raptor nest initiation (January 1 through April 30), no grubbing, grading or other development activity shall take place within 328 feet (100 meters) of the Eucalyptus ESHAs. If raptors are nesting, no grading or other activities shall occur within 500 feet of any active nest.*"

Only the northern Eucalyptus ESHA falls within 500 feet of the proposed stockpile area. At the closest point, the northern Eucalyptus ESHA is approximately 420 feet from the stockpile area. The stockpile project, if approved, is expected to be completed before January 1, 2014, the beginning of the next raptor nest initiation season. Nevertheless, in the event that the proposed stockpile project does extend into the Raptor nest initiation season, in order to ensure that raptors that might nest in this ESHA are not disturbed, the work should be limited to outside the 500 foot distance from the northern Eucalyptus grove ESHA when active raptor nests or nesting activities are present.

Therefore, a special condition is imposed that requires that no activities allowed under this permit may continue within 500 feet of an active raptor nest. Work outside the 500 foot limit, however, may continue.

In addition, Special Condition No. 2 of approved Coastal Development Permit No. 5-09-209 (for the EGGW flood control channel project) requires that "*If an active songbird nest is located, clearing/construction within 300 feet shall be postponed until the nest(s) is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting. If an active raptor, rare, threatened, endangered, or species of concern nest is found, clearing/construction within 500 feet shall be postponed until the nest(s) is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting*." This special condition prohibits channel work if it would take place within 300 feet of an active songbird nest. If the channel work ceases, the import of fill from that work would necessarily cease as well. Therefore, the project as proposed is not expected to result in adverse impacts to songbirds.

Only as conditioned to protect raptor nesting can the proposed development be found to be consistent with Section 30240 of the Coastal Act which requires that development in areas adjacent to ESHA must be compatible with the continuance of the habitat.

Conclusion

The proposed project will occur outside all habitat areas including ESHA, wetlands, and their necessary buffer areas. As described above, adequate measures are proposed to assure that the proposed project will not impact these adjacent sensitive areas. Commission staff has evaluated the proposed runoff and erosion control plan, dewatering plan, and emergency response plan and concurs with the applicant's engineer's conclusion that they will adequately control runoff and erosion from the stockpile site and contain the stockpile soils within the proposed stockpile footprint. Thus, with the implementation of these plans, the stockpiled soils are expected to remain stable and runoff is not expected to adversely affect adjacent ESHA. Therefore, as conditioned, the proposed stockpile project will be compatible with the continuance of those habitat areas. In addition, no fill of wetland will result from the proposed stockpile project. Therefore, the Commission finds that, as conditioned, the proposed development is consistent with Sections 30233 and 30240 of the Coastal Act regarding fill of wetlands and protection of sensitive habitat areas.

F. Water Quality

Section 30230 of the Coastal Act requires that marine resources shall be maintained, enhanced, and where feasible, restored. 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.*

In addition, 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.*

Under existing conditions, no runoff leaves the site during most rainfall events. The Engineer's Report prepared for the project by Hunsaker & Associates, dated 2/7/13 indicates that this is expected to remain the same, stating: "*Smaller storm events will infiltrate and/or evaporate as they currently do in the existing condition.*" Regarding larger storm events, the Engineer's Report states: "*Larger storm events will produce runoff from the stockpile area in a similar volume and rate as in the existing condition. The proposed stockpile does not alter the existing general patterns of drainage for the project site. Should a 100-year storm event occur at the project, the stormwater volume will flow off the stockpile area in a similar sheet flow manner that is present in the existing condition. The only difference in the stockpile plan is the addition of a riser and drain pipe that would convey smaller storm events directly to the existing 60" storm drain line onsite.*" In addition, according to the applicant's water quality engineer, currently runoff from the project site will generally pond in place, however larger storm events could create runoff that flows to the west as well as to the east towards Graham Street. Any overflow onto Graham Street would mean that flow would enter the City's storm drain system. This represents the existing, pre-development situation. The proposed stockpile project will not change the existing condition except that drainage from the stockpile area will be collected through the 24 inch riser drainage collector pipe described previously.

As stated previously, wetlands and ESHA exist within the western portion of the subject site, outside the proposed stockpile footprint. Beyond these on-site resources lie the Bolsa Chica wetlands, including the Inner and Outer Bolsa Bay, and Muted Tidal Pocket wetlands. Although the proposed project is not expected to significantly alter current runoff patterns from the subject site, impacts arising to the water quality of the runoff due to the introduction of new soils onsite must be considered.

The Coastal Act protects the quality of coastal waters and wetlands, including the onsite wetlands and the Bolsa Chica wetlands. Therefore, in order for the project to be consistent with Coastal Act policies, the Commission must ensure that the proposed import of materials will not result in adverse impacts to the water quality of the site or to the Bolsa Chica wetlands area. If the import soils prove to be contaminated, that could result in contamination of the subject site, and if runoff from the site flows into the surrounding wetland and ESHA areas, those areas may become contaminated as well. Thus, the imported materials must meet the appropriate standards to ensure that they are not contaminated.

An Imported Source Soils Assessment (ISSA) was prepared for the proposed import and stockpile project by Environ and is dated 2/19/13 (see Exhibit 7). The import material is proposed to be tested according to a California Department of Toxic Substances Control document titled: *Information Advisory, Clean Imported Fill Material* (October 2001) [see Exhibit 8]; and according

to City of Huntington Beach Specification No. 431-92 for soil analysis and City of Huntington Beach Specification No. 429 relative to methane analysis (See Exhibit 9). As described in greater detail in the attached ISSA, the import soil material will be tested in-situ (while still in the flood control channel) as well as once the soil is placed on-site. The constraints of the area adjacent to the flood control channel preclude testing the soils prior to placement on-site once removed from the channel. Once the import soils materials are placed on site, however, they will be tested for soil concentrations and soil gas consistent with the document titled *Threshold Levels for Soil and Soil Gas Analyses* attached as Exhibit 10. The project as proposed states that if any of the samples of the stockpile exceed any of the threshold RSL and CHHSL values identified on the *Threshold Levels for Soil and Soil Gas Analyses* then the soil associated with the sample will be removed from the project site and disposed of in a proper manner at an authorized site. As proposed, the project includes appropriate procedures to assure that contaminated soils will not be allowed to remain on site. Thus, as proposed, the project is not expected to result in contamination of the site soils or the sensitive habitats on site and within the Bolsa Chica wetlands area.

In addition, other measures are proposed to be incorporated into the project to control runoff and erosion from the proposed stockpile. Many of these measures are described above such as the Runoff and Erosion Control Plan, the Dewatering Plan, and the Emergency Response Plan. Additional measures are also proposed to be incorporated into the project including a truck wheel wash and basin for all trucks entering and leaving the site. The wheel wash will consist of corrugated steel ridged panels set on crushed aggregate, which in turn will be placed upon filter fabric. Excess water generated by the wheel wash station will be directed via sandbags or straw bales to a small detention basin where it will be held until it infiltrates or evaporates. Water trucks are proposed for road and stockpile dust control. In addition, street sweeping is proposed on haul routes as needed.

The Engineer's Report prepared for the project concludes:

> *"It is my [project engineer] considered professional opinion that the stockpile plan as designed is adequate for the protection of any adjacent environmentally sensitive areas. The bermed stockpile area has been designed to retain over 10 times the anticipated generated sediment load. (Refer to calculations provided on the stockpile plans). It should be noted that these calculations assume bare soils with no erosion control BMPs in place. The berms will be constructed by excavating equipment and stabilized with the BMPs described above. The temporary drain pipe and riser are adequate to convey the anticipated runoff volumes from the stockpile to the existing storm drain onsite system."*

The drainage pattern of the site is not expected to change as a result of the proposed stockpile project with the exception that drainage from the stockpile area itself that does not infiltrate or evaporate will be collected and filtered and then directed to the City's storm drain system. In addition, measures are proposed that will prevent contaminated soils from remaining at the subject site. The Commission's water quality staff has reviewed the proposed project's water quality protection measures and agree that if implemented as proposed the project is not expected to result in any adverse impacts to water quality. Therefore, the Commission finds that as proposed and with the special condition that requires the project to be carried out as proposed, the stockpile project is consistent with Sections 30230 and 30231 of the Coastal Act which require that marine resources

and the biological productivity and the quality of coastal water and wetlands be maintained and, where feasible, restored.

G. HAZARD

Section 30253 of the Coastal Act states, in pertinent part:

> *New development shall do all of the following:*
>
> *(a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.*
> *(b) 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 protection devices that would substantially alter natural landforms along bluffs and cliffs.*
> *(c) . . .*

It is important to assure that the surrounding areas will not suffer from instability or erosion due to the proposed stockpile project and that risks to life and property be minimized. For the reasons described above, the proposed stockpile project is expected to be stable and to not contribute to erosion of the site or surrounding area. For the same reasons, the proposed erosion control measures are expected to contain the stockpile materials within the proposed stockpile footprint, the project would not be expected to create hazards within the surrounding area. In addition, the proposed stockpile plan has been reviewed by the applicant's geotechnical consultant. In a letter from Alta California Geotechnical, Inc., dated 4/19/13 the applicant's geotechnical consultant confirms that the proposed stockpile project is in general conformance with the previous geotechnical recommendations for the project approved under Coastal Development Permit No. 5-11-068. (See Exhibit 11) and with which that project must conform. The import of approximately 260,000 cubic yards of fill onto the subject site was reviewed and considered by the geotechnical consultant for that project. The geotechnical consultant has found that the proposed stockpile project is consistent with the geotechnical recommendations with which that approved project is required to conform. Commission staff concurs with the applicant's geotechnical consultant's conclusions. The proposed stockpiling of fill is consistent with the Commission's approval of import of 260,000 cubic yards of fill onto the site as part of the project approved under Coastal Development Permit 5-11-068. The proposed stockpiling represents the initial phase of the project approved under Coastal Development Permit 5-11-068. Import of that fill was carefully scrutinized and found to be consistent with Section 30253 of the Coastal Act. In the interim between placement of the stockpile soils and initiation of the approved deep grading on the site, the applicant has demonstrated that the stockpile material will be stable and not create erosion or instability. In addition, as described above, if any of the samples of the stockpile do not meet the required standards for soil concentrations they will be removed from the site. Thus, no soil contamination would result from the proposed import of fill onto the site. Therefore, the Commission finds that the proposed project is consistent with Section 30253 of the Coastal Act which requires that the project minimize risks and not create instability or erosion to the site or surrounding area.

H. PUBLIC ACCESS

Section 30210 of the Coastal Act requires that public access be maximized. The subject site is located between the sea (tidally influenced Bolsa Chica wetlands) and the nearest public road (Graham Street). As such, the area is given special significance with regard to the requirement for the provision of public access. In approving Coastal Development Permit No. 5-11-068, the Commission recognized the importance of providing public access at the subject site. In addition to the project's public access amenities to be constructed and implemented as part of the project, Special Condition No. 7 of Coastal Development Permit No. 5-11-068 requires public access at the site to be maintained during construction. As part of that project, as well as part of the currently proposed project, the applicant has proposed the provision of public access during construction consistent with the proposed plan titled "*Public Trail Access During Construction, Revised*", dated August 30, 2011 (see Exhibit 6). As proposed by the applicant, access during construction would be provided either along the informal trail at the base of the bluff at the western side of the property, and/or along the Paseo Park trail along the northern property line connecting to the "EPA" trail along the western boundary of the residential development area, and/or along the levee trail atop the north levee of the East Garden Grove Wintersburg flood control channel. All of these trail options will link to the existing levee trail. The provision of public access during construction, including temporary public access signage, is proposed to be carried out by the applicant as reflected in Exhibit 6 of this staff report. As proposed, any temporary public access interruption will be the minimum necessary, will not exceed one week duration, and will be reported to the Executive Director prior to being implemented. To insure that existing public access at the site is not interrupted during construction, consistent with the Coastal Act requirements to maximize public access, a special condition is imposed which requires the applicant to carry out interim public access during construction as proposed. Therefore, as conditioned and as proposed, the proposed project will be consistent with Coastal Act Section 30210 which requires that public access be maximized.

I. LOCAL COASTAL PROGRAM (LCP)

Section 30604 (a) of the Coastal Act states:

> *Prior to certification of the Local Coastal Program, a Coastal Development Permit shall be issued if the issuing agency, or the Commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the permitted development will not prejudice the ability of the local government to prepare a local coastal program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200).*

The LCP for the City of Huntington Beach, minus two geographic areas, was effectively certified in March 1985. The two geographic areas that were deferred certification were the subject site (known at that time as the MWD site), and an area inland of Pacific Coast Highway between Beach Boulevard and the Santa Ana River (known as the PCH ADC). Both of the ADCs were deferred certification due to unresolved wetland protection issues. The PCH ADC was certified by the Commission in 1995.

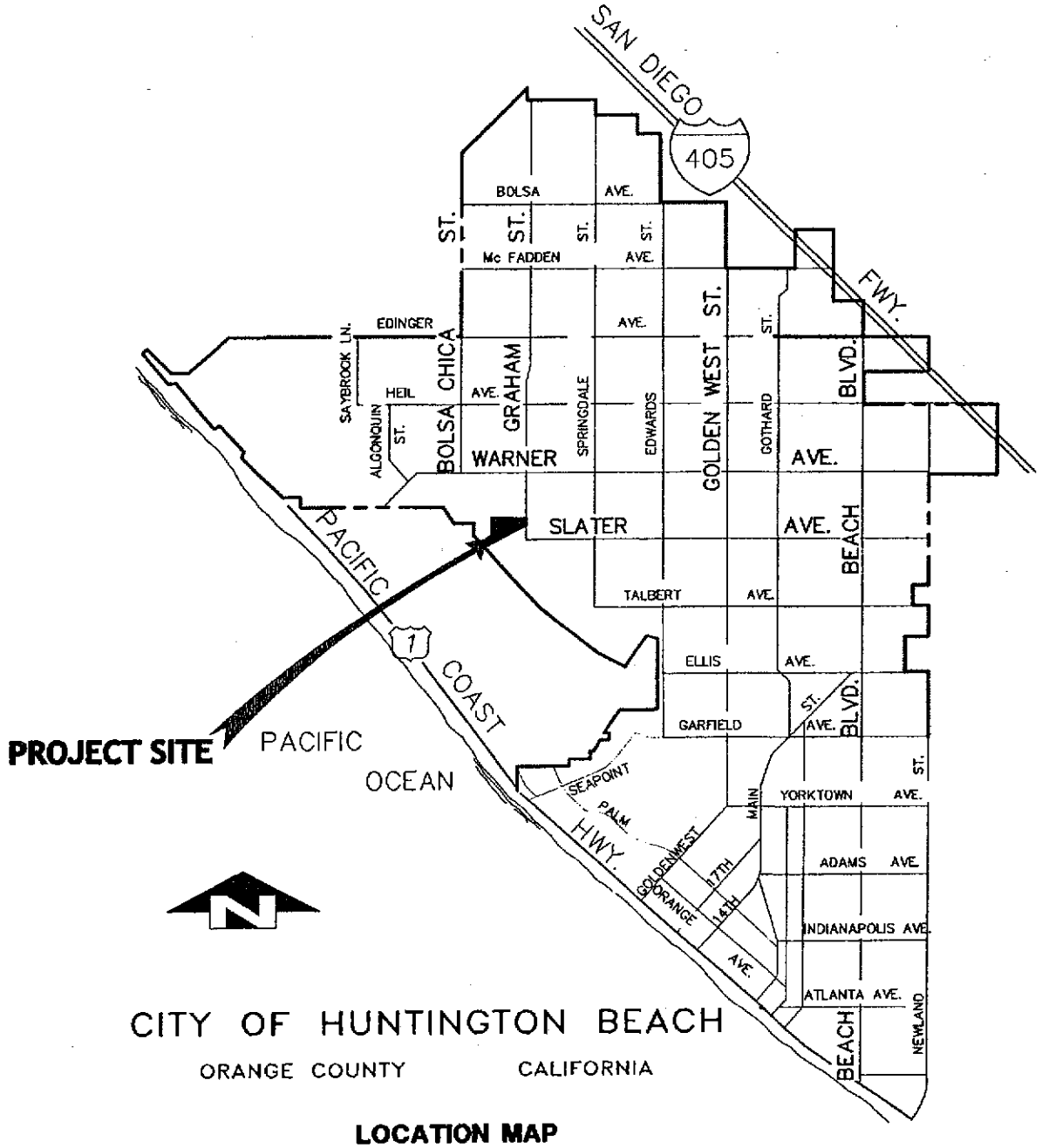
An LUP amendment (HNB-MAJ-1-06) for the subject site was approved with suggested modifications by the Coastal Commission on November 14, 2007. The City accepted the suggested modifications and the LUP amendment was effectively certified in August of 2008. An Implementation Plan amendment (HNB-MAJ-2-10) for the subject site was approved with suggested modifications by the Coastal Commission on October 13, 2010. The City accepted the suggested modifications, and the Commission concurred with the Executive Director's determination that the City's action was legally adequate on November 3, 2011, and the subject site is now effectively certified.

As described above, the proposed development, as conditioned, will protect wetland, ESHA, and other habitat on site, and is consistent with the wetland, habitat, and water quality protection and hazard policies of the Coastal Act. In addition, the subject site is located between the first public road paralleling the sea and the sea, and the proposed project, as conditioned, is consistent with the public access and recreation policies of the Coastal Act.

J. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Section 13096 of the Commission's regulations requires Commission approval of Coastal Development Permit applications 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.

As conditioned, there are no feasible alternatives or additional feasible mitigation measures available that would substantially lessen any significant adverse effect that the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA. The City of Huntington Beach, the lead CEQA agency for the project, approved an Environmental Impact Report (EIR) for the project approved under Coastal Development Permit No. 5-11-068 (EIR No. 97-2) in 2002. In 2009, the City approved an Addendum EIR to EIR No. 97-2 in 2009. The proposed project is part of the project reviewed under EIR No. 97-2.



CITY OF HUNTINGTON BEACH

ORANGE COUNTY CALIFORNIA

LOCATION MAP

VICINITY MAP

COASTAL COMMISSION

5-12-348

EXHIBIT # 1

PAGE 1 OF 1

5-12-348

RECEIVED
South Coast Region
APR 1 9 2013
CALIFORNIA
COASTAL COMMISSION

STOCKPILE PLAN FOR TENTATIVE TRACT NO. 15377 PARKSIDE ESTATES CUP 96-90, CDP 96-19

SEE SHEET 1A FOR ADDITIONAL NOTES

GENERAL NOTES

GRADING GENERAL NOTES

AQMD NOTES

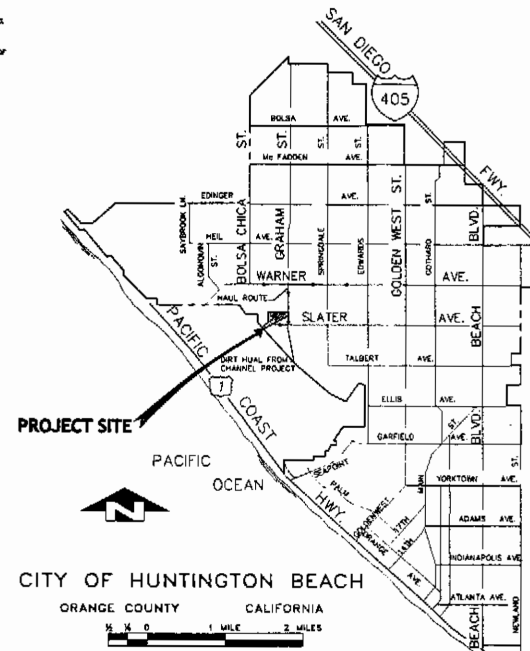
PRIVATE ENGINEER'S NOTICE TO CONTRACTORS

ASSESSOR'S PARCEL NUMBERS

110-016-08
110-016-18, 110-016-20 & 110-016-23

BENCHMARK

O.C.S. BENCH MARK NO. CMM-H14-74
ELEV. 9.378
DATUM: NAVD 88, OCS 1995 ADJUSTMENT, YEAR LEVELED 1992



LOCATION MAP

GRADING LEGEND OF ABBREVIATIONS & SYMBOLS

PROPERTY LINE
TRACT BOUNDARY LINE
RIGHT-OF-WAY LINE
DAYLIGHT LINE
SHEET FLOW RATE
GRADED SWALE
CENTERLINE
SWALE HIGH POINT
AREA DRAIN
TOP OF SLOPE
TOE OF SLOPE
EROSION CONTROL GRAVEL BAGS
EXIST. CONTOUR & ELEVATION
PROP. CONTOUR & ELEVATION
EPA WETLANDS BOUNDARY LINE
EPA WETLANDS SETBACK LINE
4P WETLANDS BOUNDARY LINE
4P WETLANDS SETBACK LINE

EARTHWORK VOLUMES (ESTIMATED. ALL VOLUMES RAW)
115,000 CYS OF FILL

STOCKPILE OPERATION NOTES

SHEET INDEX

PRIOR TO COMMENCEMENT OF ANY IMPORT, THE DEVELOPER SHALL SUBMIT TO THE CITY PUBLIC WORKS, BUILDING DEPT & FIRE DEPT FOR REVIEW & APPROVAL:

1. A SOIL MANAGEMENT PLAN (SMP) THAT WILL BE BASED ON THE FOLLOWING GUIDANCE: INFORMATION ADVISORY, CLEAN IMPORTED FILL MATERIAL (DEPARTMENT OF TOXIC SUBSTANCES CONTROL, DATED OCTOBER 2001)
2. CITY SPECIFICATIONS NO. 431-92 FOR SOIL ANALYSIS (CITY OF HUNTINGTON BEACH)
3. CITY SPECIFICATIONS NO. 429, RELATIVE TO METHANE ANALYSIS, DISTRICT BUILDING DEPARTMENT (CITY OF HUNTINGTON BEACH)

NPDES GENERAL NOTES

EROSION CONTROL GENERAL NOTES

WDID# 8 30C365477

ALTA CALIFORNIA GEOTECHNICAL, INC

Underground Service Alert
Call TOLL FREE 1-800-422-4133
TWO WORKING DAYS BEFORE YOU DIG

REVISIONS

HUNSAKER & ASSOCIATES IRVINE, INC.

CITY OF HUNTINGTON BEACH DEPARTMENT OF PUBLIC WORKS

SheaHomes
1250 Corona Pointe Court, Suite 600
Corona, CA 92879

TRACT 15377	L#12-198
STOCKPILE PLAN SHEA HOMES	SHEET 1 OF 4
TENTATIVE TRACT 15377 PARKSIDE ESTATES	
TITLE SHEET, SHEET INDEX, GENERAL NOTES	

PLOTTED BY: sepideh DATE: Apr. 18, 2013 TIME: 03:11 PM

Exhibit 2
Project Plans page 1 of 4

FIRE DEPARTMENT NOTES

1. ALL SOILS SHALL CONFORM TO THE CITY OF HUNTINGTON BEACH SOIL CLEANUP STANDARD, CITY SPECIFICATION 431-92.
2. ALL ABANDONED OR WELLS MUST MEET THE CRITERIA SPECIFIED WITH THE CITY SPECIFICATION 427, OIL WELL ABANDONMENT PERMIT PROCESS, AND ALL REQUIREMENTS OF THE DEPARTMENT OF OIL, GAS, AND GEOTHERMAL RESOURCES. (714) 816-6847.
3. ALL DEBRIS/CONTAMINATED SOIL SHALL BE REMOVED AND PROPERLY DISPOSED OF PER CITY, COUNTY AND STATE REQUIREMENTS.
4. SOIL STOCKPILING, REMEDIATION, MIXING FOR RE-USE, AND/OR DEBRIS REMOVAL REQUIRES THE FOLLOWING NOTIFICATION:
   a. HUNTINGTON BEACH PUBLIC WORKS DEPARTMENT (714) 536-5431
   b. HUNTINGTON BEACH FIRE DEPARTMENT (714) 536-5411
   c. CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD (909) 320-2024
   d. ORANGE COUNTY HEALTH CARE AGENCY (714) 667-3623
5. A REGISTERED STATE LICENSED ENVIRONMENTAL ASSESSMENT FIRM SHALL AT ALL TIMES BE PRESENT WITH THE APPROPRIATE NUMBER OF SITE MONITORS.
6. ANY ADDITIONAL DISCOVERY OF OILFIELD WASTE, HAZARDOUS MATERIALS, OR UNKNOWNS SHALL BE DISCLOSED IMMEDIATELY TO THE HUNTINGTON BEACH FIRE DEPARTMENT. ALL GRADING OPERATIONS SHALL CEASE UNTIL A NEW REMEDIATION WORK PLAN IS APPROVED.
7. ALL STRUCTURES SO AFFECTED UNDER THE REQUIREMENTS OF THE CITY of HUNTINGTON BEACH SOIL CLEANUP STANDARD, CITY SPECIFICATION 431-92 AND METHANE DISTRICT PERMIT REQUIREMENTS, CITY SPECIFICATION # 429, SHALL HAVE SAFETY MEASURES SUCH AS METHANE BARRIERS, FLEXTITE COMPATIBLE GAS COLLECTION SYSTEMS, VENT COLLECTION SYSTEMS, CLASSIFIED ELECTRICAL INSTALLATION, SOME OR ALL IN THE SUB-SLAB AREA.
8. THE GRADING PLANS MUST STATE THE SPECIFIC SAFETY MEASURES REQUIRED. THE FIRE DEPARTMENT PREVENTION BUREAU MAY BE CONTACTED AT (714) 536-5411.
9. ANY AND ALL ASSOCIATED UNDERGROUND FIRE SERVICE SUPPLY WORK SHALL REQUIRE SEPARATE FIRE DEPARTMENT PLAN REVIEW & PERMITTING. INSTALLATION CAN BE A C16, C34, C36, OR ALL "A" LICENSED CONTRACTOR MEETING THE ADOPTED NFPA 13, NFPA 24 AND THE HUNTINGTON BEACH MUNICIPAL FIRE CODE.

MITIGATION MEASURES

TRANSPORTATION/CIRCULATION:

1. Prior to the issuance of grading permits, the applicant shall coordinate with the City of Huntington Beach in developing a truck and construction vehicle routing plan (including dirt import haul routes). The plan shall specify the hours in which transport activities can occur and methods to minimize construction related impacts to adjacent residences. The final plan shall be approved by the City Engineer.

AIR QUALITY:

1. During grading and construction, the applicant shall be responsible for compliance with the following:

   A. During clearing, grading, earth moving, or excavation, maintain equipment engines in proper tune.

   B. After clearing, grading, earth moving, or excavation:

      1) Wet the area down, sufficient enough to form a crust on the surface with repeated soakings, as necessary, to maintain the crust and prevent dust pick up by the wind.
      2) Spread soil binders; and
      3) Implement Street sweeping as necessary.

   C. During construction:

      1) Use water trucks or sprinkler systems to keep all areas where vehicles move damp enough to prevent dust raised when leaving the site;
      2) Wet down areas in the late morning and after work is completed for the day;
      3) Use low sulfur fuel (.05% by weight) for construction equipment.

   D. Phase and schedule construction activities to avoid high ozone days.

   E. Discontinue construction during second stage smog alerts.

2. During grading and construction, the applicant shall be responsible for compliance with the following (or other measures as required by the City Engineer):

   A. Require a phased schedule for construction activities to minimize daily emissions.

   B. Schedule activities to minimize the amount of exposed excavated soil during and after the end of work periods.

   C. Treat unattended construction areas with water (disturbed lands which have been, or are expected to be unused four or more consecutive days).

   D. Require the planting of vegetative ground cover as soon as possible on construction sites.

   E. Install vehicle wheel-washers before the roadway entrance of construction sites.

   F. Wash off trucks leaving site.

   G. Require all trucks hauling dirt, sand, soil, or other loose substances and building materials to be covered, or to maintain a minimum freeboard of two feet between the top of the load and the top of the truck bed sides.

   H. Use vegetative stabilization, whenever possible, to control soil erosion from storm water especially on super pads.

   I. Require enclosures or chemical stabilization of open storage piles of sand, dirt, or other aggregate materials.

   J. Control off-road vehicle travel by posting driving speed limits on these roads, consistent with City standards.

   K. Use electricity from power poles rather than temporary diesel or gasoline power generators when practical.

3. During grading and construction, the applicant shall be responsible for assuring that vehicle movement on city unpaved surfaces other than water trucks shall be terminated if wind speeds exceed 15 mph.

4. During grading and construction, the contract shall be responsible for the paving of all access aprons to the project site and the maintenance of the paving.

5. Prior to issuance of grading permits, the applicant shall be responsible for assuring that construction vehicles be equipped with proper emission control equipment to substantially reduce emissions.

6. Prior to issuance of grading permits, the applicant shall be responsible for the preparation of measures to reduce construction related traffic congestion into the project grading permit measures, subject to the approval and verification by the Public Works Department, shall include, as appropriate:

   - Provision of rideshare incentives
   - Provision of transit incentives for construction personnel
   - Configuration of construction parking to minimize traffic interference.
   - Measures to minimize obstruction of through traffic lanes.
   - Use of a flagman to guide traffic when deemed necessary.

NOISE:

1. Prior to issuance of grading permits, the applicant shall submit and have approved a noise mitigation plan to the Department of Planning that will reduce or mitigate short-term noise impacts to nearby noise sensitive. The plan shall comply with the City of Huntington Beach Noise Ordinance and shall include, but not be limited to:

   A. A criteria of acceptable noise levels based on type and length of exposure to construction noise levels;

   B. Physical reduction measures such as temporary noise barriers that provide separation between the source and the receptor; temporary soundproof structures to house portable generators.

   C. Temporary generators (if utilized) shall be located as far as practical from sensitive noise receptors.

   D. Mitigation measures such as restrictions on the time of construction for activities resulting in high noise levels.

2. Prior to issuance of grading permits, the applicant shall produce evidence acceptable to the City Engineer that:

   A. All grading and construction vehicles and equipment, fixed or mobile, shall be equipped and maintained with effective muffler systems that are state of the art noise attenuation.

   B. Stockpiling and/or vehicle staging areas shall be located as far as practicable from Sensitive noise receptors.

   C. All operations shall comply with the City of Huntington Beach Noise Ordinance.

EARTH RESOURCES:

1. Prior to the issuance of a grading permit, the recommendations contained in section 7.0 of the geotechnical study, become an Appendix C of this document shall be incorporated into the earthwork activities of the proposed project to the satisfaction of the City engineer. Earthwork activities include grading, cleaning and demolition, site preparation, unsuitable soil removals, backfills, excavation processing, compaction aid of fills, mixing, trenching, inspection, survey control, subgrade preparation, cut and fill slope construction, haul roads, import soils, structural load and settlement/subsidence measures, and storm drain relocation.

5. Prior to the issuance of a grading permit, Phase II environmental soil sampling shall be conducted to determine the resultant levels of pesticides in the soil if inappropriate/unsafe levels are identified by this program, "clean up" measures shall be recommended and implemented. The Phase II sampling and any necessary measures shall be approved by the Department of Public Works

DRAINAGE/HYDROLOGY:

2. Prior to issuance of any grading permits, the applicant shall submit a "Notice of Intent" (NOI), along with the required fee to the State Water Resources Control Board to be covered under the State NPDES General Construction permit and provide the City with a copy of the written copy containing the discharger's identification number

CULTURAL RESOURCES:

1. Prior to issuance of a grading permit, the applicant shall construct a subsurface test investigation for CA-ORA-1368 and 1,508 to determine the horizontal boundaries of the sites as well as to confirm the surface conclusions of non-significance as indicated in the report's 1987 Archaeological Assessment. This may be accomplished through the mechanical excavation of a number of auger holes as well as two 1x1-meter hand excavated units for stratigraphic control. The subsurface test investigation, which includes discussion of significance (depth, nature, condition, and extent of resources), final mitigation recommendations, and cost estimates, shall be submitted to the Planning director for review and approval.

2. Prior to issuance of a grading permit, the applicant shall create (if deemed necessary through Measure 1 above) a cultural resource management plan based on test result. A full data recovery program shall be designed if site avoidance is not feasible through design. Possible recovery plans include, but are not limited to, preservation, salvage, partial salvage, or no mitigation necessary. The plan shall include consultation with appropriate Native American Organization and be reviewed and approved by the Planning Director. Additionally, the plan shall require peer review in conformance with the Coastal Commission's Archaeological Guidelines.

3. Prior to issuance of a grading permit, the applicant shall provide written evidence that a certified archaeologist has been retained, shall be present at the pre-grading meeting/conference, shall establish procedures for archaeological resource surveillance, and shall establish, in cooperation with the project proponent, procedures for temporarily halting or redirecting work to permit the sampling, identification, and evaluation of the artifacts as appropriate. The archaeological resource surveillance procedures shall include a provision for native American review of grading operations if additional or unexpected archaeological features are discovered, the archaeologist shall report such findings to the applicant and to the Department of Planning and the appropriate Native American Organization. If the archaeological resources are found to be significant, the archaeological observer shall determine appropriate actions, in cooperation with the applicant, for preservation and/or salvage. These actions, as well as final mitigation and disposition of the resources, shall be subject to the approval of the planning director.

RDA (06)

TRACT 15377 L#12-198

Underground Service Alert
Call TOLL FREE 1-800-422-4133
TWO WORKING DAYS BEFORE YOU DIG

REVISIONS				
REV.	DATE	BY	DESCRIPTION	APPVD

HUNSAKER & ASSOCIATES IRVINE, INC.
PLANNING • ENGINEERING • SURVEYING
PREPARED UNDER THE SUPERVISION OF:
PRINCIPAL ENGINEER — DATE
R.C.E. NO. 48118 — EXP. DATE: 09-30-14

APPROVED BY:
HUNTINGTON BEACH DEPT. OF PUBLIC WORKS — DATE
APPROVED BY:
FIRE DEPT. — DATE
APPROVED BY:
PLANNING DEPT. — DATE

CITY OF HUNTINGTON BEACH
DEPARTMENT OF PUBLIC WORKS

DEVELOPER:
SheaHomes
1250 Corona Pointe Court, Suite 600
Corona, CA 92879
Phone: (951) 739-9700 Fax: (951) 738-1759

STOCKPILE PLAN
SHEA HOMES

TENTATIVE TRACT 15377
PARKSIDE ESTATES

MITIGATION MEASURES

SHEET 1A OF 4

PLOTTED BY: tejiden DATE: Apr. 18, 2013 TIME: 03:11 PM
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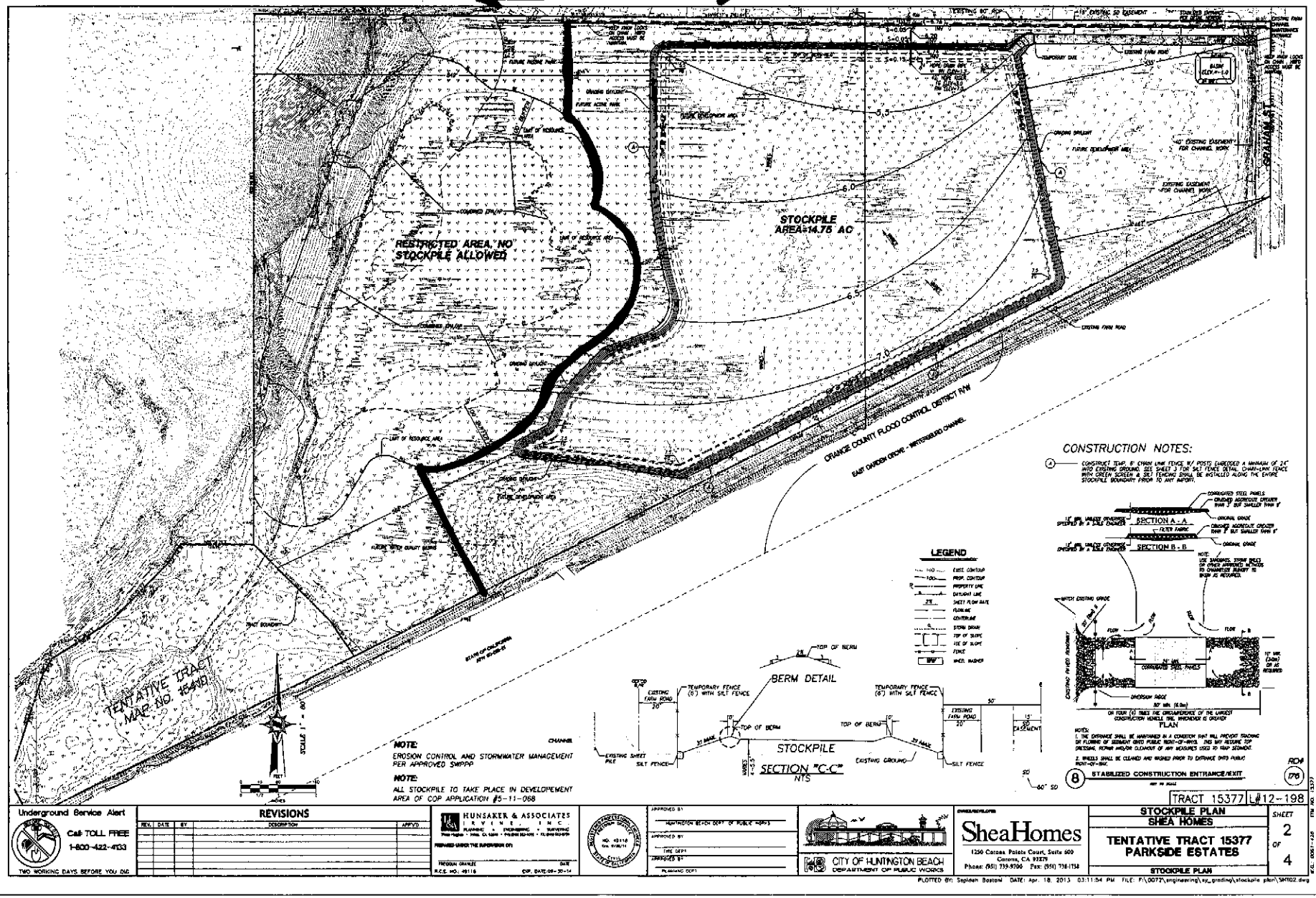
Project Plans 5-12-348 Exhibit 2 p. 2 of 4

conservation | development footprint



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REVISIONS

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HUNSAKER & ASSOCIATES IRVINE, INC
PLANNING • ENGINEERING • SURVEYING

APPROVED BY: HUNTINGTON BEACH DEPT. OF PUBLIC WORKS
APPROVED BY: FIRE DEPT.
APPROVED BY: PLANNING DEPT.

CITY OF HUNTINGTON BEACH
DEPARTMENT OF PUBLIC WORKS

OWNER/DEVELOPER
SheaHomes
1256 Corona Pointe Court, Suite 600
Corona, CA 92879
Phone: (951) 739-8700 Fax: (951) 736-1758

TRACT 15377 L#12-198

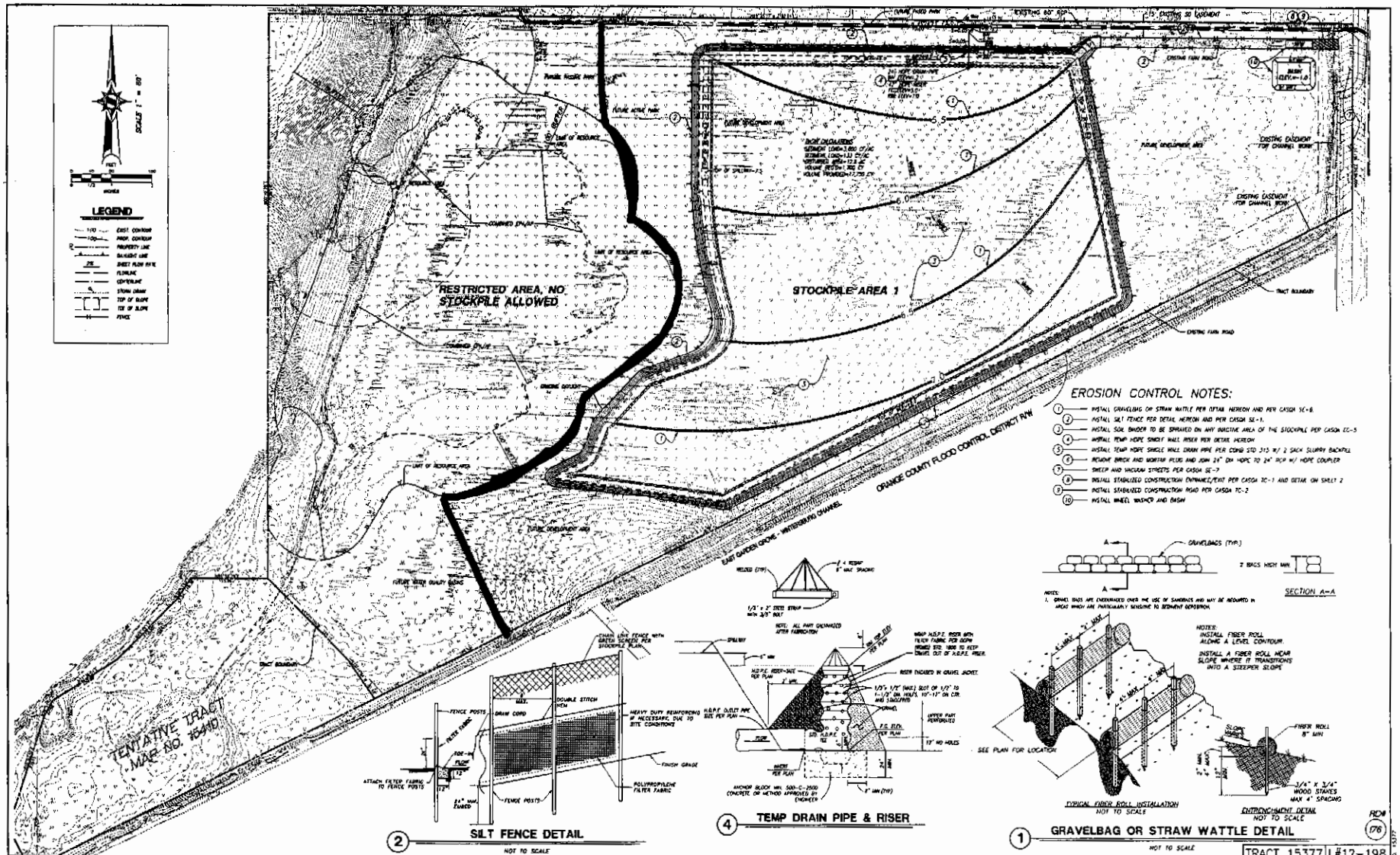
STOCKPILE PLAN
SHEA HOMES
TENTATIVE TRACT 15377
PARKSIDE ESTATES
STOCKPILE PLAN

SHEET 2 OF 4

PLOTTED BY: Saqlean Bostani DATE: Apr. 18, 2013 03:11:54 PM FILE: P:\0077\engineering\xy_grading\stockpile plan\SM102.dwg

Project Plans 5-12-348 Exhibit 2 p. 3 of 4

Conservation ← | → development footprint



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REVISIONS

REV.	DATE	BY	DESCRIPTION	APPVD.

HUNSAKER & ASSOCIATES IRVINE, INC. — PLANNING · ENGINEERING · SURVEYING

PREPARED UNDER THE SUPERVISION OF: KEDRON GRAYLEE, R.C.E. NO. 46118, EXP. DATE 09-30-14

APPROVED BY: HUNTINGTON BEACH DEPT. OF PUBLIC WORKS — APPROVED BY: FIRE DEPT. — APPROVED BY: PLANNING DEPT.

CITY OF HUNTINGTON BEACH, DEPARTMENT OF PUBLIC WORKS

SheaHomes — 1250 Corona Pointe Court, Suite 600, Corona, CA 92879, Phone: (951) 739-9700 Fax: (951) 738-4758

STOCKPILE PLAN
SHEA HOMES
TENTATIVE TRACT 15377
PARKSIDE ESTATES
STOCKPILE FINAL EROSION & SEDIMENT CONTROL PLAN

SHEET 3 OF 4

RD# 176 — TRACT 15377 L#12-198

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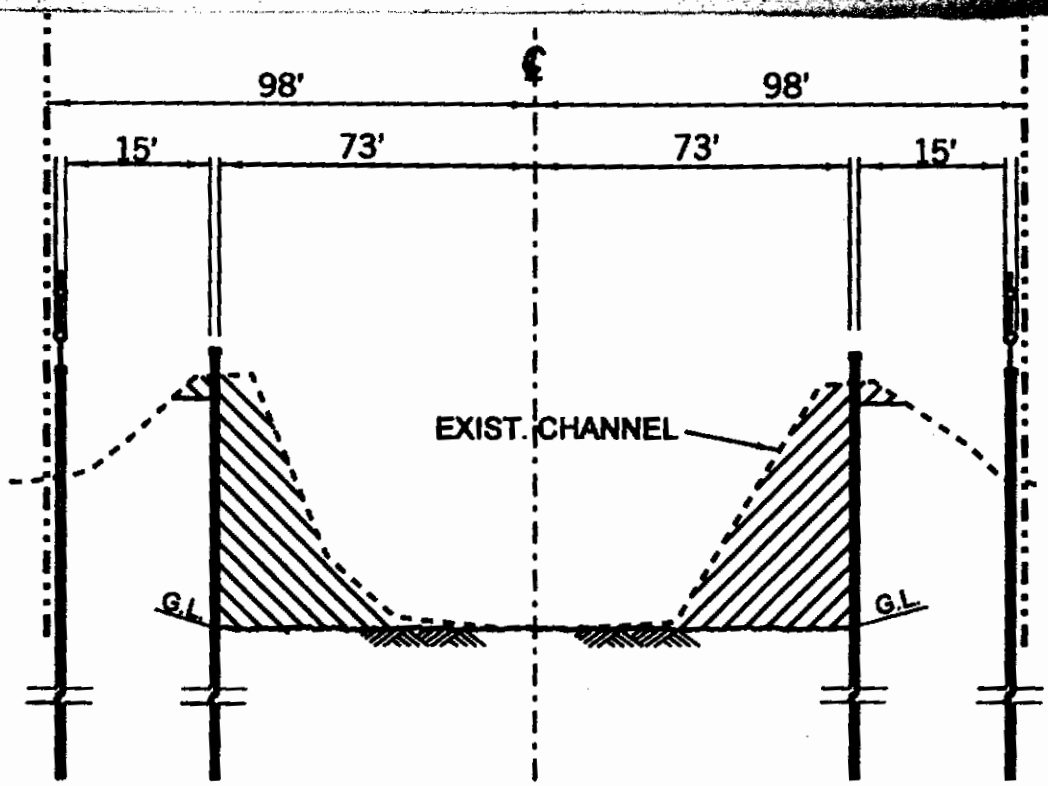
Exhibit 2 p. 4 of 4

Page of Plans 5-12-348



EXCAVATION

N.T.S.

FROM STA 74+11 TO STA 102+02

Typical Cross Section
=GGW flood control channel
improvement project
per 5-09-209

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5-12-348
EXHIBIT # 3
PAGE 1 OF 1

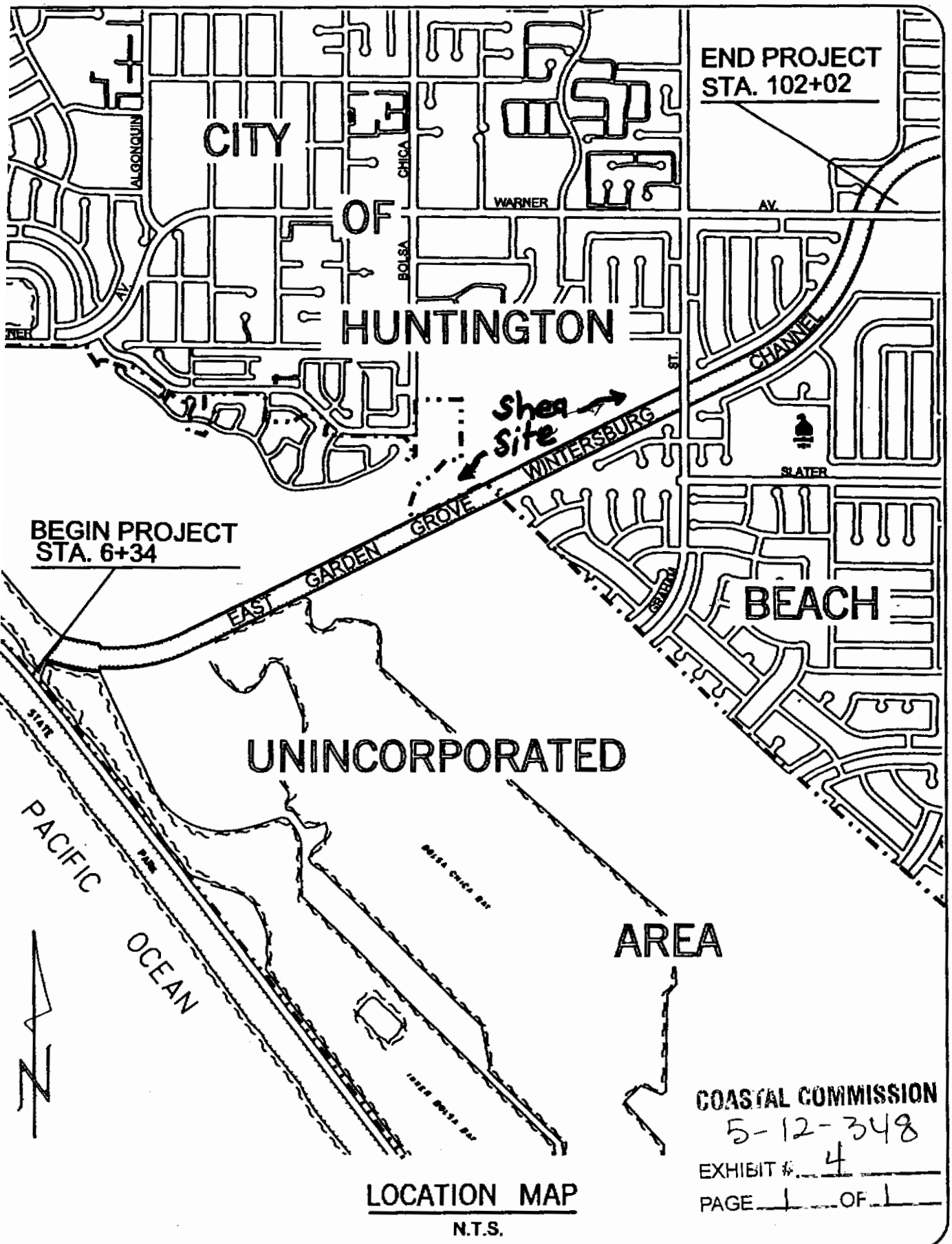

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EXHIBIT # 4
PAGE 1 OF 1

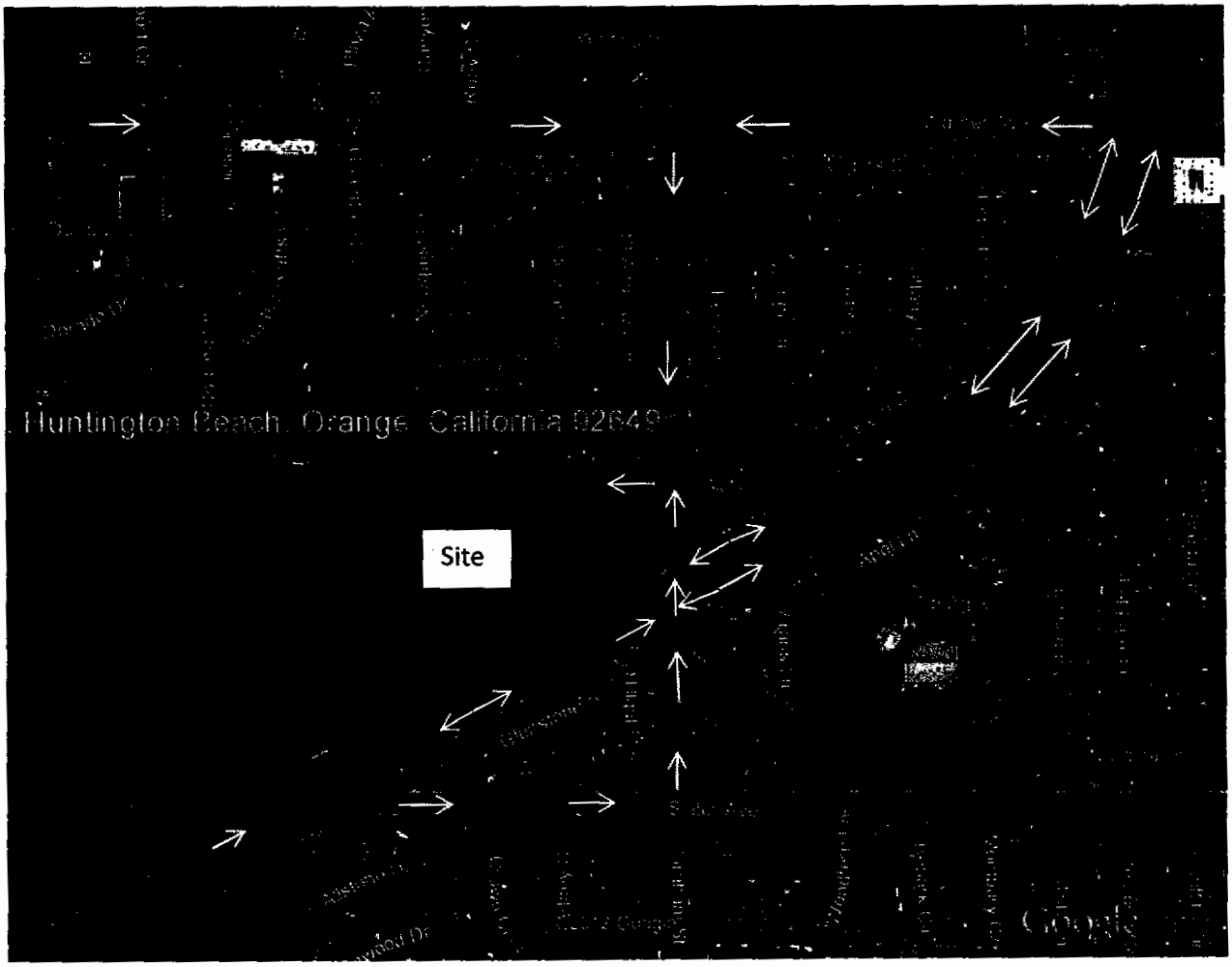
LOCATION MAP
N.T.S.

Extent of flood control channel project

Attachment "B"

Haul Routes for Dirt from East Garden Grove Wintersberg Channel Project

The dirt generated for the County of Orange Channel project would be brought to the Parkside site in trucks that would utilize City of Huntington Beach streets to access the site. They would access from Graham Street. A small percentage of the dirt may be accessed from the current bridge to the site.



Truck Hauling Routes

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5-12-348
EXHIBIT #. 5
PAGE 1 OF 2

Attachment "B"

Haul Routes for Dirt from East Garden Grove Wintersberg Channel Project

Truck Hauling Routes

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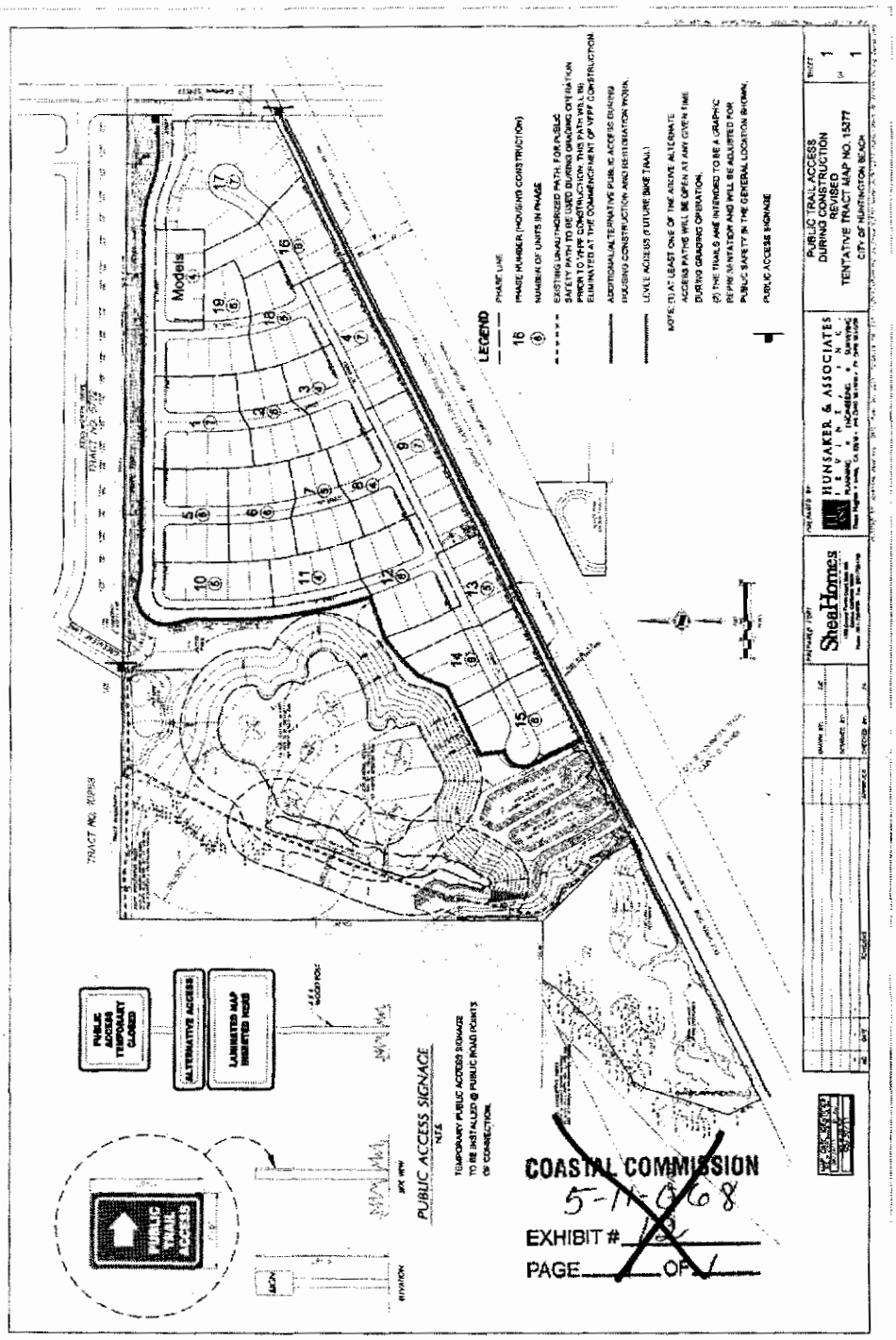
5-12-348
EXHIBIT # 5
PAGE 2 OF 2



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5-12-068
EXHIBIT # 6
PAGE 1 OF 1

Public Access

COASTAL COMMISSION
5-12-348
EXHIBIT # 6
PAGE 1 OF 1

ENVIRON

February 19, 2013

Via Electronic Mail

Mr. John Vander Velde
Vice President
Shea Homes LP
1250 Corona Pointe Court, Suite 600
Corona, CA 92879

Re: Import Source Soil Assessment
Parkside Estates, Huntington Beach, California

Dear John:

We understand that Shea Homes LP (Shea Homes) plans to develop the Parkside Estate (site), located next to the Bolsa Chica wetlands in Huntington Beach. In order to establish grades, Shea Homes needs to import approximately 200,000 cubic yards (cy) of soil. The County of Orange is starting a flood control improvement project adjacent to the site and has estimated that it will have approximately 100,000 cy of soil (not excavated yet) available for export. ENVIRON International Corporation (ENVIRON) will conduct the import source assessment on behalf of Shea Homes by following the protocol listed below:

Historical Use Assessment

Prior to initiating fieldwork, ENVIRON will conduct the following tasks:

A) Conduct a site visit (including the flood control channel)

B) Review of agency records and discussion with the personnel at the Fire Department of the City of Huntington Beach and the California Coastal Commission

C) Review of existing reports (environmental, soil, geology...)

Soil and soil Gas Sampling

In order to minimize the potential of introducing contaminated fill material onto the site, it is necessary to verify through documentation that the fill source (import) is appropriate and/or to have the fill material analyzed for potential contaminants, based on the location and history of the source area. Fill documentation should include detailed information on the previous use of the land from where the fill is taken, whether an environmental site assessment was performed and its findings, and the results of any testing performed. In its assessment of the imported soil, (soil that is still in place in the flood control channel and once it is placed aboveground), ENVIRON plans to develop a Soil Management Plan (SMP) that will be based on the following guidance:

1) Information Advisory, Clean Imported Fill Material (Department of Toxic Substances Control, dated October 2001)

2) City specifications No. 431-92 for soil analysis (City of Huntington Beach)

3) City specifications No. 429, relative to Methane analysis, District Building Department (City of Huntington Beach)

ENVIRON International Corp. 18100 Von Karman Avenue, Suite 600, Irvine, CA 92612
V +1 949.261.5151 F +1 949.261.6202

environcorp.com

5-12-348

Exhibit 7
page 1 of 3

ENVIRON will assess the first 100,000 cy of import material that is still in place in the flood control channel by conducting in-situ testing of soil and soil gas (methane), followed by collection of soil samples that will be analyzed according to the guidance cited above. ENVIRON will also assess the additional imported 100,000 cy of soil, once this soil is placed aboveground, prior to its use as fill in areas designated for residential and park uses by conducting appropriate analyses of the stockpiled soil before grading operations take place at the site. The guidance listed above will be applied for the characterization of the imported soil. The recommended sampling schedule will be based on whether the import source is in place or stockpiled, the number of samples required and the chemical analyses methods are listed in the guidance previously cited and are as follows:.

1) Chemical Analyses for Soil Matrix (soil in place)

   Collect a minimum of four soil samples if the borrow area is less than 2 acres (minimum of one sample per half acre) and analyze for the following target compounds:

   - Volatile Organic Compounds (VOCs) by EPA Method 8021 or 8260B, as appropriate, and in conjunction with sample collection by EPA Method 5035,
   - Semi-VOCs by EPA Method 8270C,
   - Total Petroleum Hydrocarbons (TPH) by modified EPA Method 8015,
   - Polychlorinated Biphenyls (PCBs) by EPA Method 8082 or 8080A,
   - Heavy metals, including lead (EPA Methods 6010B and 7471A),
   - Asbestos (OSHA Method ID-191)

2) Chemical Analyses for Soil Matrix (once soil is placed aboveground)

   Collect one soil sample per 250 cy. If the volume of stockpiled soil is more than 5,000 cy, then collect 12 samples for the first 5,000 cy and one sample for each additional 1,000 cy, then analyze for the following target compounds:

   - Volatile Organic Compounds (VOCs) by EPA Method 8021 or 8260B, as appropriate and combined with collection by EPA Method 5035,
   - Semi-VOCs by using EPA method 8270C,
   - Total Petroleum Hydrocarbons (TPH) by using modified EPA method 8015,
   - Polychlorinated Biphenyls PCB's (EPA method 8082 or 8080A),
   - Heavy metals including lead (EPA methods 6010B and 7471A),
   - Asbestos (OSHA MethodID-191)

3) Chemical Analysis for Soil Gas Matrix (soil in place)

   A direct push drill rig will be used to advance borings at several locations throughout the area where the imported soil is still in place. ENVIRON will install multi-depth probes and purge approximately 3 purge volumes from each installed probe, and then collect a soil gas sample in a Tedlar bag. The Tedlar bag sample will be delivered to a stationary laboratory and analyzed for methane using EPA 8015 (M) within 24-hours of collection. In addition to collecting the vapor sample, the subsurface pressure will be measured at each sample location prior to purging. ENVIRON will sample each probe the day of installation and the following day. Following collection of the second set of samples, the vapor probes will be removed and abandoned.

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Data Evaluation and Reporting

Upon completion of soil and soil gas sampling and receipt of the analytical results, a report will be prepared that will include a summary of the work completed, data tables, figures showing sampling locations, and a discussion of the results. ENVIRON will compare data to applicable regulatory criteria. On completion and your review, the report will be submitted to the Fire Department and the California Coastal Commission.

Schedule and Budget

ENVIRON will prepare a formal work plan and provide a budget estimate to conduct field work immediately upon review of relevant documents pertaining to the site and receipt of written approval from Shea Homes. It is anticipated that the subsurface sampling protocol as described in this letter can be completed within two weeks following approval by Shea Homes.

It is ENVIRON's understanding that this work will be performed under the same terms and conditions as the work performed in June 2011 by ENVIRON at the Riverpark Legacy Park in Oxnard.

Closing

If you have any questions regarding this document, please contact any of the undersigned at (949) 261-5151.

Very truly yours,

David K. Liu, PhD
Principal

Farid Achour, PhD
Senior Manager

FA:cet
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5-12-348

Exhibit 7
page 3 of 3

Information Advisory
Clean Imported Fill Material

October 2001

DEPARTMENT OF TOXIC SUBSTANCES CONTROL

It is DTSC's mission to restore, protect and enhance the environment, to ensure public health, environmental quality and economic vitality, by regulating hazardous waste, conducting and overseeing cleanups, and developing and promoting pollution prevention.

State of California

California Environmental Protection Agency

Executive Summary

This fact sheet has been prepared to ensure that inappropriate fill material is not introduced onto sensitive land use properties under the oversight of the DTSC or applicable regulatory authorities. Sensitive land use properties include those that contain facilities such as hospitals, homes, day care centers, and schools. This document only focuses on human health concerns and ecological issues are not addressed. It identifies those types of land use activities that may be appropriate when determining whether a site may be used as a fill material source area. It also provides guidelines for the appropriate types of analyses that should be performed relative to the former land use, and for the number of samples that should be collected and analyzed based on the estimated volume of fill material that will need to be used. The information provided in this fact sheet is not regulatory in nature, rather is to be used as a guide, and in most situations the final decision as to the acceptability of fill material for a sensitive land use property is made on a case-by-case basis by the appropriate regulatory agency.

Introduction

The use of imported fill material has recently come under scrutiny because of the instances where contaminated soil has been brought onto an otherwise clean site. However, there are currently no established standards in the statutes or regulations that address environmental requirements for imported fill material. Therefore, the California Environmental Protection Agency, Department of Toxic Substances Control (DTSC) has prepared this fact sheet to identify procedures that can be used to minimize the possibility of introducing contaminated soil onto a site that requires imported fill material. Such sites include those that are undergoing site remediation, corrective action, and closure activities overseen by DTSC or the appropriate regulatory agency. These procedures may also apply to construction projects that will result in sensitive land uses. The intent of this fact sheet is to protect people who live on or otherwise use a sensitive land use property. By using this fact sheet as a guide, the reader will minimize the chance of introducing fill material that may result in potential risk to human health or the environment at some future time.

Overview

Both natural and manmade fill materials are used for a variety of purposes. Fill material properties are commonly controlled to meet the necessary site specific engineering specifications. Because most sites requiring fill material are located in or near urban areas, the fill materials are often obtained from construction projects that generate an excess of soil, and from demolition debris (asphalt, broken concrete, etc.). However, materials from those types of sites may or may not be appropriate, depending on the proposed use of the fill, and the quality of the assessment and/or mitigation measures, if necessary. Therefore, unless material from construction projects can be demonstrated to be free of contamination and/or appropriate for the proposed use, the use of that material as fill should be avoided.

Selecting Fill Material

In general, the fill source area should be located in nonindustrial areas, and not from sites undergoing an environmental cleanup. Nonindustrial sites include those that were previously undeveloped, or used solely for residential or agricultural purposes. If the source is from an agricultural area, care should be taken to insure that the fill does not include former agricultural waste process byproducts such as manure or other decomposed organic material. Undesirable sources of fill material include industrial and/or commercial sites where hazardous ma-

Potential Contaminants Based on the Fill Source Area

Fill Source:	Target Compounds
Land near to an existing freeway	Lead (EPA methods 6010B or 7471A), PAHs (EPA method 8310)
Land near a mining area or rock quarry	Heavy Metals (EPA methods 6010B and 7471A), asbestos (polarized light microscopy), pH
Agricultural land	Pesticides (Organochlorine Pesticides: EPA method 8081A or 8080A; Organophosphorus Pesticides: EPA method 8141A; Chlorinated Herbicides: EPA method 8151A), heavy metals (EPA methods 6010B and 7471A)
Residential/acceptable commercial land	VOCs (EPA method 8021 or 8260B, as appropriate and combined with collection by EPA Method 5035), semi-VOCs (EPA method 8270C), TPH (modified EPA method 8015), PCBs (EPA method 8082 or 8080A), heavy metals including lead (EPA methods 6010B and 7471A), asbestos (OSHA Method ID-191)

**The recommended analyses should be performed in accordance with USEPA SW-846 methods (1996). Other possible analyses include Hexavalent Chromium: EPA method 7199*

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page 2 of 4

Recommended Fill Material Sampling Schedule

Area of Individual Borrow Area	Sampling Requirements
2 acres or less	Minimum of 4 samples
2 to 4 acres	Minimum of 1 sample every 1/2 acre
4 to 10 acres	Minimum of 8 samples
Greater than 10 acres	Minimum of 8 locations with 4 subsamples per location
Volume of Borrow Area Stockpile	**Samples per Volume**
Up to 1,000 cubic yards	1 sample per 250 cubic yards
1,000 to 5,000 cubic yards	4 samples for first 1000 cubic yards +1 sample per each additional 500 cubic yards
Greater than 5,000 cubic yards	12 samples for first 5,000 cubic yards + 1 sample per each additional 1,000 cubic yards

terials were used, handled or stored as part of the business operations, or unpaved parking areas where petroleum hydrocarbons could have been spilled or leaked into the soil. Undesirable commercial sites include former gasoline service stations, retail strip malls that contained dry cleaners or photographic processing facilities, paint stores, auto repair and/or painting facilities. Undesirable industrial facilities include metal processing shops, manufacturing facilities, aerospace facilities, oil refineries, waste treatment plants, etc. Alternatives to using fill from construction sites include the use of fill material obtained from a commercial supplier of fill material or from soil pits in rural or suburban areas. However, care should be taken to ensure that those materials are also uncontaminated.

Documentation and Analysis

In order to minimize the potential of introducing contaminated fill material onto a site, it is necessary to verify through documentation that the fill source is appropriate and/or to have the fill material analyzed for potential contaminants based on the location and history of the source area. Fill documentation should include detailed information on the previous use of the land from where the fill is taken, whether an environmental site assessment was performed and its findings, and the results of any testing performed. It is recommended that any such documentation should be signed by an appropriately licensed (CA-registered) individual. If such documentation is not available or is inadequate, samples of the fill material should be chemically analyzed. Analysis of the fill material should be based on the source of the fill and knowledge of the prior land use.

Detectable amounts of compounds of concern within the fill material should be evaluated for risk in accordance with the DTSC Preliminary Endangerment Assessment (PEA) Guidance Manual. If

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Exhibit 8
page 3 of 4

metal analyses are performed, only those metals (CAM 17 / Title 22) to which risk levels have been assigned need to be evaluated. At present, the DTSC is working to establish California Screening Levels (CSL) to determine whether some compounds of concern pose a risk. Until such time as these CSL values are established, DTSC recommends that the DTSC PEA Guidance Manual or an equivalent process be referenced. This guidance may include the Regional Water Quality Control Board's (RWQCB) guidelines for reuse of non-hazardous petroleum hydrocarbon contaminated soil as applied to Total Petroleum Hydrocarbons (TPH) only. The RWQCB guidelines should not be used for volatile organic compounds (VOCs) or semi-volatile organic compounds (SVOCS). In addition, a standard laboratory data package, including a summary of the QA/QC (Quality Assurance/Quality Control) sample results should also accompany all analytical reports.

When possible, representative samples should be collected at the borrow area while the potential fill material is still in place, and analyzed prior to removal from the borrow area. In addition to performing the appropriate analyses of the fill material, an appropriate number of samples should also be determined based on the approximate volume or area of soil to be used as fill material. The table above can be used as a guide to determine the number of samples needed to adequately characterize the fill material when sampled at the borrow site.

Alternative Sampling

A Phase I or PEA may be conducted prior to sampling to determine whether the borrow area may have been impacted by previous activities on the property. After the property has been evaluated, any sampling that may be required can be determined during a meeting with DTSC or appropriate regulatory agency. However, if it is not possible to analyze the fill material at the borrow area or determine that it is appropriate for use via a Phase I or PEA, it is recommended that one (1) sample per truckload be collected and analyzed for all compounds of concern to ensure that the imported soil is uncontaminated and acceptable. (See chart on Potential Contaminants Based on the Fill Source Area for appropriate analyses). This sampling frequency may be modified upon consultation with the DTSC or appropriate regulatory agency if all of the fill material is derived from a common borrow area. However, fill material that is not characterized at the borrow area will need to be stockpiled either on or off-site until the analyses have been completed. In addition, should contaminants exceeding acceptance criteria be identified in the stockpiled fill material, that material will be deemed unacceptable and new fill material will need to be obtained, sampled and analyzed. Therefore, the DTSC recommends that all sampling and analyses should be completed prior to delivery to the site to ensure the soil is free of contamination, and to eliminate unnecessary transportation charges for unacceptable fill material.

Composite sampling for fill material characterization may or may not be appropriate, depending on quality and homogeneity of source/borrow area, and compounds of concern. Compositing samples for volatile and semivolatile constituents is not acceptable. Composite sampling for heavy metals, pesticides, herbicides or PAH's from unanalyzed stockpiled soil is also unacceptable, unless it is stockpiled at the borrow area and originates from the same source area. In addition, if samples are composited, they should be from the same soil layer, and not from different soil layers.

When very large volumes of fill material are anticipated, or when larger areas are being considered as borrow areas, the DTSC recommends that a Phase I or PEA be conducted on the area to ensure that the borrow area has not been impacted by previous activities on the property. After the property has been evaluated, any sampling that may be required can be determined during a meeting with the DTSC.

For further information, call Richard Coffman, Ph.D., R.G., at (818) 551-2175.

Exhibit 8 Page 4 of 4

City Specification No. 429

Reference to HBMC Section 17.04.085

Huntington Beach Fire Department

Methane District Building Permit Requirements

The City of Huntington Beach strongly recommends **NOT** building structures over or near abandoned oil wells or hydrocarbon contaminated soil. If abandoned wells can be proven SAFE and/or hydrocarbon contaminated soils conform to Huntington Beach Soil Cleanup Standard 431-92, construction may be allowed at the discretion of the Fire Chief. The presence of abandoned wells and **approved non-remediated soils** shall be disclosed to future property owners.

REQUIREMENTS

1. **TESTING AND MITIGATION MEASURES FOR OIL AND HYDROCARBON IMPACTED DEVELOPMENT**

   1.1 **Plan Required**
   All proposed oil or hydrocarbon impacted divisions of land, subdivisions and/or property developments shall be reviewed by the Fire Department. The Fire Chief may require a site-soil testing plan to determine the presence of methane gas and/or soil contamination. Such a plan shall be subject to Fire Department approval and may include, but is not limited to, hammer probe, pneumatically driven probe and core hole sampling with monitoring for the presence of methane gas and/or soil contamination. The Fire Chief may require other actions as deemed necessary to ensure development and/or building site safety.

   1.2 **Testing Required**
   Testing for the presence of methane gas or soil contamination may be required to be carried out in accordance with the approved plan. Test results shall be submitted to the Fire Department for review and analysis.

   1.3 **Grading Permit Required**
   Prior to soil testing and/or remediation, the applicant must submit a grading/remediation plan to the Fire Department and the Public Works Department. All grading associated with soil testing and/or remediation shall be performed in accordance with City grading and excavation codes. A grading permit fee may be required.

2. **HYDROCARBON IMPACTED SOIL MITIGATION**

   2.1 **Methane Gas**
   High levels of subsurface methane gas may require mitigation before any grading, development or building construction is allowed. Such mitigation may include, but is not limited to, venting of abandoned oil wells, underground gas gathering and collection systems, vent systems and flared vent systems, down-hole vent systems, methane barriers, methane detection systems, and hydrogen sulfide detection systems. In order to ensure development and building safety, other systems, devices or components may be required as deemed necessary by the Fire Chief.

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2.2 **Soil Contamination**
Known or suspected hydrocarbon or other chemical contaminated sites may require one or more of the following evaluations prior to development. For cleanup standards refer to City Specification 431-92.

2.3 **Site Audits Required**

- **Phase I Audit** - The purpose of this audit is to collect and evaluate data to determine if chemical contamination at the site has occurred. Also, it is designed to review the site history, physical setting and uses that took place on the site, and any other site investigations. Additional items to be researched are climate, topography, geology, groundwater, ecological features and other environmental issues.

- **Phase II Audit** - Consists of developing and implementing a testing and sampling plan to investigate concerns raised in the Phase I Audit. The Phase II Audit may be required to contain a site safety work plan and/or a risk analysis, or other safety reviews as deemed necessary. By agreement, these additional plans may be deferred until the Phase III Audit.

- **Phase III Audit** - Incorporating and analyzing the information from the Phase I and Phase II Audits, the Phase III Audit is developed which outlines an appropriate action plan. Results from this analysis help characterize and identify site contamination levels. Additionally, this audit provides information to help assess the nature and magnitude of the risk reduction required, the establishment of cleanup levels, and the selection of appropriate remediation alternatives complying with federal, state and local requirements. The Phase III Audit is concluded with a site closure report. Third party review fees may be required.

3. **AREA WELL DOCUMENTATION AND REVIEW**

3.1 **Project Site Review**
An approved California Department of Conservation Division of Oil, Gas and Geothermal Resources (DOGGR) construction project Site Plan Review shall be on file with the Fire Department PetroChem section. All wells within or potentially within property boundaries must meet current DOGGR abandonment requirements and be reviewed by the Fire Department. A DOGGR Site Plan Review application may be obtained from the Fire Department or:

Department of Conservation
Division of Oil, Gas and Geothermal Resources (DOGGR)
5816 Corporate Avenue, Suite 200
Cypress, CA 90630-4731
(714) 816-6847
http://www.consrv.ca.gov/

3.2 **Oil Well History (third party) Abandoned/Re-abandoned Well Disposition Report**
A California licensed third party petroleum engineer or petroleum geologist shall review all wells located within the project boundaries. For City consultant review, the property owner/developer shall submit third party abandoned oil well reviews to the Fire Department. Minimum requirements for third party reviews are:

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- **Well History** – list when drilled; when abandoned. Note special shooting or re-completion work. Note production oil and gas details (or last reported) prior to abandonment.

- **Casing and Liner** – indicate types, depths and pipe grades. Submit copies of the DOGGR well history form, electric log, core data, ditch or sidewall sample description, and driller's log.

- **Cement** – location and amounts; completion and abandonment. Submit copies of DOGGR abandonment form and pertinent well cementing data.

- **Zonal Depths** – list all oil and/or gas zones; show depths.

- **Well Diagram** – show casing, cement and zones roughly to scale.

- **Gas – Leaking at Beginning, During or After Well Work** – report changes. Include gas analysis (C1, C2, etc.) and approximate flow (heavy-medium-light).

- **Final Statements**
  1. Does the well abandonment meet current DOGGR standards or not.
  2. A recommendation for safety measures such as passive venting, barriers, detection systems, and
  3. Determine the level of safety for structures built over or near the well.

3.3 **Oil Well History (City)**
The City consultant shall review all wells located within the project boundaries. Additionally, those wells within 100 feet of the project boundary may require reviewing. The City consultant reviews documents on all abandoned or re-abandoned wells to evaluate well integrity to back up third party reviews and to establish safety measures. The applicant will pay a fee based on the current fee schedule.

3.4 **Soil Test Results**
Based on site characteristics, suspected soil contamination or proximity to a well, soil testing and remediation may be required per City Specification 431-92. All sampling plans must be approved by the Fire Department, and a Public Works grading permit is required. Upon remediation work plan approval, a rough grading permit may be issued.

4. SAFETY MEASURES

4.1 **Methane Control System Requirements**
As a redundant safety measure additional to soil remediation, fugitive (methane, etc.) gas collection systems, isolation (methane, etc.) barriers and classified electrical installations serve as a unit to provide a METHANE CONTROL SYSTEM.

4.1.1 All structures within 100 feet of an oil well, active or abandoned, shall have an approved methane control system.

4.1.2 All on-site abandoned oil wells shall be provided with an approved vent cone and have a vent system directed to atmosphere. All structures over or within 10 feet of an abandoned oil well shall protect the vent riser in the exterior wall. Abandoned wells greater than 10 feet from a structure shall be remotely vented or placed as directed by the City consultant and the Fire Chief.

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4.1.3 All structures adjacent to, in or near hardscaped areas over or adjacent to active or abandoned oil wells shall have their safety measures determined on a case-by-case basis by the Fire Chief and the City consultant.

4.1.4 Structures **NOT** located adjacent to wells, but in areas of dense past or present oil production, areas of suspected, known or non-remediated, non-hazardous hydrocarbon contamination, naturally occurring biological methane, or other soil contaminates may require methane control systems as determined by the City consultant and the Fire Chief.

4.1.5 The electrical wiring method within a determined safety measure radius shall be Class I, Division 2, unless otherwise noted by the Chief Electrical Inspector (detail F5, 6 & 6.1).

4.1.6 Methane barrier material and application methods shall be Fire Department and Building Department approved.

4.1.7 All penetrations must be sealed, inspected and approved. Metallic penetrations must be epoxy coated and have Fire Department approval (concrete screed stakes are expressly **NOT** permitted to penetrate the barrier). Extreme efforts should be made to make all plumbing supports and other miscellaneous permanent penetrations non-metallic and all such penetrations must be sealed and inspected.

4.2 **Methane Collection**

4.2.1 Shall be installed as a unit with an approved methane barrier and located in the sub-slab area (detail F9).

4.2.2 Shall beshown superimposed on the foundation plan.

4.2.3 Shall be a minimum three (3) inch, approved, sock-wrapped, perforated pipe placed in a one (1) foot by one (1) foot sanded trench directly beneath the methane barrier (detail F4.3), or approved 12 inch sock-wrapped, flat pipe placed as determined by the City consultant. Other materials and methods to be approved on a case-by-case basis.

4.2.4 All foundation penetrations shall be sleeved (details F2.2-4).

4.2.5 Exceptions to the above shall be Building Department, Public Works Department and Fire Department approved.

4.3 **Methane Barriers**

4.3.1 All methane barriers shall be check & repair smoke tested prior to final inspection.

4.3.2 All systems shall be final smoke tested after check & repair smoke testing. Calls for inspection prior to initial check & repair smoke testing are subject to additional inspection fees.

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4.4 Well Vent System Requirements

4.4.1 Design

All vent systems shall be of a type and design approved by the Fire Chief. Any design not in conformance with this specification is subject to a certified engineer's review and approval. The design and installation shall be in conformance with applicable codes, such as the Uniform Building Code, Mechanical Code and Plumbing Code (detail F10).

4.4.2 Plans

When a vent system is required, the developer shall call out the requirement on the plans showing the following:

- Type of vent collector/cone (cross section), see detail F10
- Routing under slab/footing
- Routing through the exterior wall and roof, see details F7-7.4
- Type and size of materials

4.4.3 Conduit Penetrations

Underground electrical conduits penetrating the slab or foundation of the building shall comply with National Electric Code (NEC), which may require a seal off device as normally found on classified electrical installations. This device is intended to prevent the travel of gas into the occupied portion of the structure through conduit runs. Any device installed shall be approved by the City's Chief Electrical Inspector (detail F5). Additionally, vertical footing penetrations shall be protected with trowel grade liquid boot or its equivalent.

4.4.4 Installation and Inspection

4.4.4.1. **Vent Collectors/Cones** – Shall be inspected prior to backfilling the excavation and after the collector is placed over the well casing top plate.

4.4.4.2 **Foundation (Prior to Pour)** – An integrity check of the vent collector and inspection of the sub-slab vent pipe routing shall be conducted. The "first" elbow shall be left unglued for this check and shall be glued after the inspection prior to backfill.

4.4.4.3 **Exterior Wall Vent Riser (Prior to Drywall)** – A visual inspection of vent pipe joint integrity and routing through the exterior wall shall be conducted. The inspection is conducted after framing and prior to drywall installation.

4.4.4.4 **Vents** – PVC piping shall be installed with listed pipe, primers and cements. Galvanized piping shall be installed using threaded pipe with a listed pipe compound or UPC approved NO HUB fittings (HBMC 17.44 Section 3.10).

4.4.4.5 **Test Tee** - The installer shall provide an accessible test tee flush with the exterior wall surface near ground level for the purpose of testing the vent system and providing an access opening for future vent system

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monitoring. The tee shall be provided with a threaded, raised hex-head plug or cap of like material. No flush plugs are allowed. **Hex-head plugs and caps shall be painted red and maintained in red for the structure's duration.**

4.4.4.6 **Air Test** - Installer shall provide an air test at five psig for a period of not less than 15 minutes. The test is only for the piping above the test tee to through the roof. After the testing is approved, the threaded plug or cap shall be installed back into the tee (HBMC 17.44 Section 712.0).

4.4.4.7 **Final Inspection** - A square metal brass tag identifying the tee as a methane collection system vent, stamped "MCS," and/or a round metal brass tag identifying the tee as a well vent, stamped "WV," shall be issued upon final inspection and approval of the vent system. The appropriate tag shall be affixed by the developer and attached to the test tee plug or cap with a stainless steel fastener.

4.4.5 **Vent Piping**

Each vent cone or collector shall be provided with a path to the atmosphere by means of a vent pipe installed in accordance with this section.

4.4.5.1 **Minimum Pipe Size** – The minimum pipe size is two (2) inches, with a maximum total length of 120 feet. Horizontal distance cannot exceed 40 feet with two (2) inch piping. Each 90 degree elbow will equal four (4) feet of pipe length. Any distances over these totals will require the vent pipe to be increased one pipe size (HBMC 17.44 Table 7-5).

4.4.5.2 Manifolding of vents is prohibited without prior approval (HBMC 17.44 Section 301.2.2).

4.4.5.3 **Materials** – Exterior wall vent pipe risers shall be a minimum of two (2) inch galvanized steel. All other areas may be a minimum of two (2) inch PVC (HBMC 17.44 Section 903.1).

4.4.6 **Vent Termination**

4.4.6.1 The system shall allow gases to escape at a minimum of 16 feet above grade or 12 inches above the slope of the uppermost roofline where the vent pipe extends through the roof from an exterior wall (detail F7, 7.3-4).

4.4.6.2 Each vent pipe shall extend through its flashing and shall terminate vertically not less than six (6) inches above the roof nor less than one (1) foot from any vertical surface. (HBMC 17.44 Section 906.0)

4.4.6.3 Joints at the roof around the vent pipe shall be made watertight by the use of approved flashing or flashing materials (HBMC 17.44 Section 906.0).

4.4.6.4 Each vent shall terminate not less than 10 feet from, or less than three (3) feet above any opening into the building in every direction, and

three (3) feet from any lot line, alley or street (HBMC 17.44 Section 906.0).

4.4.6.5 Each vent pipe adjacent to a sun deck must be located a minimum of 10 feet from all sides of the walking deck (HBMC 17.44 Section 906.0).

4.4.6.6 Vent pipes not incorporated into a structure shall be extended at least 16 feet above the surrounding ground surface (detail 7.4) (HBMC 17.44 Section 906.0).

4.4.7 **Protection of Piping**

4.4.7.1 When the vent is routed through a structure, the vertical vent piping shall be installed in an exterior wall only, minimum of five (5) feet from electrical panels, water heaters, fireplaces or other sources of heat or ignition.

4.4.7.2 Vent pipes shall be routed in such a fashion so as to provide the straightest possible path and shall avoid windows, doors, significant structural members or other obstructions.

4.4.7.3 No electrical or other outlets are to be located within the same stud bay as vent piping.

4.4.7.4 Vent pipes that run under slabs shall have a 12 inch (minimum) sand backfill surrounding the pipe, and shall be protectively wrapped through any footing or slab. Note that the barrier may not be joined to the protective wrap. Additionally, vent trenches shall be graded back towards the vent cone (HBMC 17.44 Section 313.0).

4.4.7.5 Horizontal PVC well-vent pipe runs shall be protected by a minimum of two (2) inches of concrete or placed in an approved conduit. Either must be placed in a minimum three (3) foot deep by six (6) inch wide sanded trench. Additionally, these horizontal runs shall be provided with a 14 gauge solid-strand yellow insulated utility locator wire.

4.4.7.6 Straps and clamps securing vent system piping or bracing shall adequately support the weight of the system, thereby relieving the weight on joints or elbows. Vent piping shall be secured at intervals of four (4) feet. **Galvanized pipes require riser clamps at each floor, including the attic (HBMC 17.44 Section 313.0).**

4.4.7.7. All vent pipes passing through rated penetrations shall be fire stopped (HBMC 17.44 Section 313.0).

4.4.7.8. As-built plans shall be submitted and approved by the Fire Department and shall indicate all horizontal well-vent pipe runs located outside structural footprints. Plans shall be to scale.

4.5 **Alarm Systems**

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Methane District Building Permit Requirements

4.5.1 An approved methane detection system (alarm system) may be required in subterranean structures built over, or near, abandoned or re-abandoned wells, or upon approved non-remediated hydrocarbon contaminated soils.

APPROVED: _____ DATE: _____
Michael P. Dolder, Fire Chief

_____ DATE: _____
Ray Silver, City Administrator

Exhibit 9

City Specification No. 431-92

Huntington Beach Fire Department

Soil Clean-Up Standard

INTRODUCTION

In an attempt to restore hydrocarbon contaminated soil to a clean condition and to protect the health and safety of the community, the City of Huntington Beach maintains standards for soil clean-up.

The establishment of this standard was based on review of all applicable Federal, State and County statutes, which pertain to the regulation of petroleum contaminated soils.

In conclusion, the proposed standards, made a part of this Executive Summary, represent a recommendation to relax the existing City of Huntington Beach standards in respect to Total Petroleum Hydrocarbon (TPH) concentration while enhancing their scientific merit through the establishment of new criteria, which relate to specific chemical species. The Huntington Beach standard is in line with neighboring Southern California oil field communities and protects the health, safety and welfare of the residents and their environment while minimizing the hardship on the development interests of the City and its property owners.

1ST CLEAN-UP CRITERIA

Soils sampled during site assessments that fail California Assessment Manual (CAM) criteria for hazardous waste will be excavated and disposed of at a proper disposal site. Laboratory tests used in this determination are pH (EPA-9045), CAM Metals (total), and Volatile Chlorinated and Aromatic Hydrocarbons (EPA-8240) as described on Page 4 - Site Assessment and Laboratory Specifications.

2ND CLEAN-UP CRITERIA

Comparison of the Total Petroleum Hydrocarbon (TPH) concentration in soils sampled during the site assessment shall be made with the screening criteria in Table 1. If the sample results meet the Table 1 criteria, no further testing or remediation work shall be required.

If the TPH exceeds the screening criteria, the laboratory will perform the additional analyses specified (EPA-8020, EPA-8270).

Further delineation of the contaminated soil through use of additional borings, additional trenches or by excavation and stockpiling must be performed to determine the lateral and vertical extent of soil exceeding Table 1 criteria. Samples obtained during this delineation will be analyzed for screening criteria listed in Table 1 (EPA-418.1 and EPA-8015). If sample results exceed the screening criteria in Table 1, the laboratory shall be instructed to run the

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analyses specified in Table 2 (EPA-8020, EPA-8270) unless the applicant chooses to excavate the contaminated soil to meet criteria in Table 1 without proceeding to further analyses specified in Table 2. Soils which contain less than the screening levels specified in Table 2 shall not be required to undergo soil remediation provided that EPA 418.1 and EPA 8015M Total Petroleum Hydrocarbon concentrations are less than 100% excess of Table 1 screening criteria levels.

Table 1
Screening Level for Hydrocarbon Clean-up

Land Use	TPH (418.1)	TPH (8015M)
Residential and Recreational	<500 ppm	<500 ppm
Commercial and Industrial	<1,000 ppm	<1,000 ppm
Roadway		
• 0' – 4' Below Road Surface	N/A	<1,000 ppm Total; <100 ppm of the <C14 component
• Below Road Surface	<1,000 ppm	<1,000 ppm

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Soil Clean-Up Standard

Table 2 Screening Level for Hydrocarbon Clean-up		
Land Use	**BTX & E (8021)**	**PNA (8270)[1]**
Residential and Recreational	B< 1.0 PPM T, X & E < 10.0 ppm individually	Each CAPNA <0.5 ppm Total CAPNA's <3.0 ppm
Commercial and Industrial	B< 1.0 PPM T, X & E < 10.0 ppm individually	Each CAPNA <1.0 ppm Total CAPNA's <6.0 ppm
Roadway		
• 0' – 4' Below Road Surface	B<1.0 ppm T, X & E <10.0 ppm individually	Each CAPNA <1.0 ppm Total CAPNA's <6.0 ppm
• >4' Below Road Surface	B<1.0 ppm T, X & E <10.0 ppm individually	Each CAPNA <1.0 ppm Total CAPNA's <6.0 ppm

[1] Based on CAPNA's found in Proposition 65 list in addition to benzo(g,h,i)perylene.

DEPTH OF CONTAMINATED SOIL REMOVAL

Soil contamination in excess of the Tables 1 and 2 criteria extending deeper than 20 feet below ultimate finished grade or within five (5) feet of the groundwater table, whichever is shallower, and not exhibiting characteristics of material considered hazardous for disposal purposes, may be considered for non-remediation. Approval for non-remediation shall be by certification of the Fire Department and shall be issued with appropriate findings. The lateral and vertical extent of this contaminated material left in place shall be determined using Table 1 criteria. This extent shall be reported to the City and disclosed to subsequent property owners in a format approved by the Fire Department.

Surface structures within 100 feet of the lateral extent of the contaminated soil shall be built with vapor barriers in accordance with applicable City Specifications.

DISPOSITION OF STOCKPILED SOIL

Soil that is stockpiled on-site as a result of criteria applied above can be evaluated for reuse on-site. The reuse options may include, but are not limited to, on-site remediation and re-sampling to meet the criteria in Table 1 and/or 2, or reuse of the soil as road subgrade where applicable. Specifications for reuse of crude oil contaminated soil as road subgrade are identified on Page 5.

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Soil Clean-Up Standard

Soil that is planned for reuse on-site should be sampled at a frequency sufficient to adequately characterize the degree and composition of the contamination. A sampling plan shall be submitted to the Fire Department for approval prior to reuse.

ON-SITE REMEDIATION

Soil can be remediated on-site as long as it does not exhibit any characteristics of material considered hazardous for disposal purposes. On-site remediation must comply with all applicable State, County, Federal and City regulations. Remediation activities shall be performed within a designated area. A remediation plan shall be approved by the Fire Department.

After soil is remediated and reused, the surface of the designated remediation area shall be tested in accordance with provisions identified herein above. A testing plan shall be submitted to the Fire Department for approval as well as a final report, which shall summarize the remediation efforts and post remediation test results.

SITE ASSESSMENT AND LABORATORY SPECIFICATIONS

Analyses performed during site assessments of oil fields (other industrial or agricultural uses may require additional analysis) should include pH (EPA-9045), CAM Metals (total only, soluble if total exceeds 10 times STLC), Volatile Hydrocarbons (EPA-8240), Total Recoverable Hydrocarbons (EPA-418.1), Total Fuel Hydrocarbons (EPA-8015), Semi-Volatile Organics (EPA-8270) and Polychlorinated Biphenyls (EPA-8080).

Vertical limits of hydrocarbon contamination shall be assessed. Sampling shall extend to a depth sufficient to identify at least five (5) feet of uncontaminated soil or to a depth not greater than five (5) feet above the water table in cases where regional groundwater will be impacted by sampling operations.

If the landowner chooses to clean-up the site using screening criteria specified in Table 2, the laboratory analytical work may specify the re-analyses of samples exceeding screening criteria specified in Table 1. The shelf life for the samples must not be exceeded when the re-analyses are run.

The laboratory contract shall specify use of EPA Method 3630 as a clean-up procedure prior to soil analysis for CAPNA's using EPA-8270 if the 418.1 results show greater than 1,000 ppm.

Samples representative of a specific site should be obtained consistent with a Phase I historical review of the site. The sampling frequency will vary depending on potential for on-site contamination. Sampling should be targeted at identified or suspected contaminated locations on the site.

Sampling of areas not suspected to be contaminated shall be done on a random basis according to a Sampling Plan, which shall be approved by the Fire Department.

Soil Clean-Up Standard

The Sampling Protocol, both in terms of site-specific targets and other random sampling, should be formulated in cooperation with the Fire Department. The burden of demonstrating soil clean-up to established limits of contamination shall be the responsibility of the land owner. The Fire Department's approval of a Sampling Protocol shall be required.

A Site Auditor, as identified on Page 6, shall be a requirement placed on all significantly large oil field properties and on smaller properties where a reasonable large number of contamination sources are deemed to remain unsampled following completion of the approved Sampling Protocol. The requirement for a Site Auditor shall be at the discretion of the Fire Department.

Soil sampling shall be carried out using protocols approved by the California Leaking Underground Fuel Tank Manual and/or the Orange County Health Department.

Analytical results, which may be inconsistent or anomalous when compared to other sample data taken as part of the site assessment shall be made a part of the record although the landowner shall have the option of providing additional samples to clarify inconsistencies. The number and location of these samples shall be determined by the landowner.

SPECIFICATIONS FOR REUSE OF CRUDE OIL CONTAMINATED SOILS AS ROAD SUBGRADE

Soils must meet criteria listed in Table 1 and 2.

Reused soils must meet compaction requirements.

Reused soils shall be placed directly beneath the asphalt cap and underlying aggregate to a maximum depth of four (4) feet below the road surface. Fills deeper than four (4) feet must be approved by the Fire Department based on sufficient findings.

Potable drinking water lines must be surrounded by clean sand or gravel and approved and inspected by the appropriate City departments before burial in the roadway.

A detailed set of drawings must be submitted to the City showing the plan view of reused soils, a cross section of the road base, locations of utility lines and thickness of clean sand and gravel pack placed around these lines. Soil analysis data for the road fill must also be submitted which shall verify compliance with the standards listed in Table 1 and/or Table 2.

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Soil Clean-Up Standard

SCOPE OF CONTRACT SPECIFICATIONS FOR ON-SITE AUDITING DURING GRADING ACTIVITIES

The Auditor shall be an independent environmental or geotechnical consulting company with adequate training to identify petroleum contaminated soils with field instruments and techniques described below. The Auditor shall be licensed by the State of California as a Registered Environmental Assessor.

Auditors will monitor grading activities for indicators that petroleum hydrocarbons may have contaminated the soils and shall be aware of the situations and procedures:

1. Soft spongy soils that become evident as heavy equipment travels over it.

2. Hydrocarbon odors emanating from the soil.

3. A reading of greater than 20 ppm on a hand-held organic vapor monitor (OVM) held three (3) inches from suspected contaminated soils. The meter shall be calibrated at least twice per day.

4. A small vial of solvent can be used to extract a small amount of soil. If the solvent becomes discolored, petroleum may be present.

If any of the indicators above are found, the Auditor shall devise a sampling program capable of ascertaining whether or not the waste is classified as hazardous. All sampling procedures shall be in accordance with the protocols established by LUFT and/or the Orange County Health Department. The contamination citing shall be made a part of the record and the Fire Department shall be immediately notified.

Sufficient samples shall be analyzed to characterize the vertical and horizontal extent of the potential contaminant. If samples exceed the screening criteria in Table 1, the soil must either be removed or reanalyzed and compared to criteria in Table 2. If the soil is determined to meet the Table 2 criteria, the soil can be incorporated into the fill. If it does not, the soil can be stockpiled for remediation and reuse or removed from the site.

A report documenting the observations made and samples obtained during grading shall be prepared. This report shall document compliance with the appropriate sections of Table 1 and/or Table 2 as applicable.

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GLOSSARY AND EXPLANATION OF TERMS

Aromatic Hydrocarbons – Hydrocarbons that contain one or more Benzene ring. The name comes from the fact that many of them (e.g., Pentane, Hexane, Heptane, Octane, Toluene, Styrene, and Decane, etc.) have strong, pungent aromas. All of these products are part of the Hydrocarbon family.

BTX & E – Benzene, Toluene, Xylene, and Ethylbenzene. All are members of the hydrocarbon family. The "8021" heading in Table 2 refers to the EPA test number used to determine the screening levels.

CAM – California Assessment Manual. CAM is a manual or list that is used to identify heavy metals that are found in soil or ground water samples. These types of heavy metals are the result of end-stage hydrocarbon production. The CAM manual that is recognized in the petroleum chemical field lists 17 different metals:

1. Ag- Silver
2. As- Arsenic
3. Ba- Barium
4. Be- Beryillium
5. Cd- Cadmium
6. Cr- Chromium
7. Co- Cobalt
8. Cu- Copper
9. Mo- Molybdenum
10. Ni- Nickel
11. Pd- Palladium
12. Sb- Antimony
13. Se- Selenium
14. Ti- Thallium
15. V- Vanadium
16. Zn- Zinc
17. Hg- Mercury

CAPNA's – **CA** is in reference to the regulations by the State of California, and PNA refers to PolyNuclear Aromatic Hydrocarbons. Polynuclear Aromatic Hydrocarbons are associated with the process of oil production and could potentially be found in the soil or ground water of oil production areas.

DTSC – Department of Toxic Substance Control.

EPA – Environmental Protection Agency.

Laboratory Tests – The City Specification refers to the types of laboratory tests that are conducted to determine the pH level, CAM Metals (total), and the Volatile Chlorinated and Aromatic Hydrocarbons in any given soil sample. The acronyms listed (EPA-9045 and EPA-8240) are the recognized tests used by the Environmental Protection Agency (EPA) to find the levels of the specified agent (e.g., pH, CAM Metals, and various types of hydrocarbons). Several areas of this City Specification refer to these various types of EPA recognized tests. Each test carries a numerical reference number.

Soil Clean-Up Standard

LUFT – Leaking Underground Fuel Tank Field Manual. This provides guidance on procedures to address environmental concerns for water quality protection from gasoline or diesel leaks. The LUFT Manual was intended to approximate many complex phenomena that occur during the transport of all type of hydrocarbons.

OVM – Organic Vapor Monitor (OVM). This is a hand-held monitor that provides the capability of monitoring hydrocarbon families, as well as organic matter.

PH – Refers to the relative level of acidity or alkalinity of a solution.

PPM – Parts Per Million. Refers to the relative concentration of a chemical contained within the sample.

REA – Registered Environmental Assessor. REA's are registered by the Department of Toxic Substance Control Registered Environmental Assessor Program (DTSC) to conduct and direct site mitigation and investigation activities at hazardous waste and hazardous substance release sites.

STLC – Soluble Threshold Limits Concentrations. This is a method of extracting elements from soil or ground water samples looking for Metals and Trichloroethene.

TPH – Total Petroleum Hydrocarbon. Refers to the full range of total petroleum hydrocarbons including benzene, toluene, ethylbenzene, xylenes and the full suite of volatile organic compounds that can be found in any soil or ground water sample.

VCH – Volatile Chlorinated Hydrocarbons. Substances that readily evaporate at normal temperatures and pressures (e.g. benzene, toluene, ethylbenzene, and xylene) are also referred to as VCH.

APPROVED: _____ DATE: _____
Duane S. Olson, Fire Chief

Exhibit 9

Threshold Levels for Soil and Soil Gas Analyses

	SOIL CONCENTRATIONS					SOIL GAS	
	RSLs	CHHSLs	HB 431-92	OSHA		DTSC	
	Residential	Residential	Residential	Residential	Units	School Sites	Units
Methane (US EPA Method 8015M)	--	--	--	--	--	1,000	ppmv
Volatile Organic Compounds (US EPA Method 8260B)							
1,1,1,2-Tetrachloroethane	0.56	--	--	--	mg/kg	--	
1,1,1-Trichloroethane	8700	--	--	--	mg/kg	--	
1,1,2-Trichloroethane	1.1	--	--	--	mg/kg	--	
1,1,2-Trichlorotrifluoroethane	--	--	--	--	mg/kg	--	
1,1-Dichloroethane	3.3	--	--	--	mg/kg	--	
1,1-Dichloroethene	240	--	--	--	mg/kg	--	
1,2,3-Trichlorobenzene	49	--	--	--	mg/kg	--	
1,2,3-Trichloropropane	5000	--	--	--	mg/kg	--	
1,2,4-Trichlorobenzene	22	--	--	--	mg/kg	--	
1,2,4-Trimethylbenzene	62	--	--	--	mg/kg	--	
1,2-Dibromo-3-chloropropane	0.0054	--	--	--	mg/kg	--	
1,2-Dichlorobenzene	1900	--	--	--	mg/kg	--	
1,2-Dichloroethane	0.43	--	--	--	mg/kg	--	
1,3,5-Trimethylbenzene	780	--	--	--	mg/kg	--	
1,4-Dichlorobenzene	2.4	--	--	--	mg/kg	--	
2-Butanone (methyl ethyl ketone)	28000	--	--	--	mg/kg	--	
2-Hexanone	210	--	--	--	mg/kg	--	
2-Propanol (isopropanol)	9,900,000,000	--	--	--	mg/kg	--	
4-Methyl-2-pentanone (medthyl isobutyl ketone)	5300	--	--	--	mg/kg	--	
Acetone	61000	--	--	--	mg/kg	--	
Benzene	1.1	--	1.0	--	mg/kg	--	
Bromodichloromethane	0.27	--	--	--	mg/kg	--	
Bromoform	62	--	--	--	mg/kg	--	
Carbon disulfide	820	--	--	--	mg/kg	--	
Carbon tetrachloride	0.61	--	--	--	mg/kg	--	
Chlorobenzene	290	--	--	--	mg/kg	--	
Chloroethane (ethyl chloride)	15000	--	--	--	mg/kg	--	
Chloroform	0.29	--	--	--	mg/kg	--	
Chloromethane	120	--	--	--	mg/kg	--	
Dibromochloromethane	0.68	--	--	--	mg/kg	--	
cis-1,2-Dichloroethene	160	--	--	--	mg/kg	--	
Diisopropyl ether	2400	--	--	--	mg/kg	--	
Dichlorodifluoromethane	94	--	--	--	mg/kg	--	
Ethylbenzene	5.4	--	10	--	mg/kg	--	
Hexane	570	--	--	--	mg/kg	--	
Isopropylbenzene	--	--	--	--	mg/kg	--	
Methyl tert-butyl ether	43	--	--	--	mg/kg	--	
Methylene chloride	56	--	--	--	mg/kg	--	
Naphthalene	3.6	--	--	--	mg/kg	--	
o-Xylene	690	--	--	--	mg/kg	--	
p-Isopropyltoluene	--	--	--	--	mg/kg	--	
p-Ethyltoluene	--	--	--	--	mg/kg	--	
Styrene	6300	--	--	--	mg/kg	--	
tert-Butyl alcohol	--	--	--	--	mg/kg	--	
Tetrachloroethene	22	--	--	--	mg/kg	--	
Tetrahydrofuran	--	--	--	--	mg/kg	--	
Toluene	5000	--	10	--	mg/kg	--	
trans-1,2-Dichloroethene-	150	--	--	--	mg/kg	--	
Trichloroethene	0.91	--	--	--	mg/kg	--	
Trichlorofluoromethane	790	--	--	--	mg/kg	--	
Vinyl chloride	0.06	--	--	--	mg/kg	--	
Xylenes	630	--	10	--	mg/kg	--	
SVOCs (US EPA Method 8270C)							
1,4-Dioxane	4.9	18	--	--		--	
Acenaphthene	3400	--	0.5*	--	mg/kg	--	
Anthracene	17000	--	0.5*	--	mg/kg	--	
Benzo(a)anthracene	0.15	--	0.5*	--	mg/kg	--	
Benzo(a)pyrene	0.015	0.38	0.5*	--	mg/kg	--	
Benzo(b)fluoranthene	0.15	--	0.5*	--	mg/kg	--	
Benzo(ghi)perylene	--	--	--	--	mg/kg	--	
Benzo(k)fluoranthene	1.5	--	0.5*	--	mg/kg	--	
Benzoic acid	240000	--	--	--	mg/kg	--	
bis(2-Ethylhexyl) phthalate	35	--	--	--	mg/kg	--	
Butyl benzyl phthalate	260	--	--	--	mg/kg	--	
Chrysene	15	--	0.5*	--	mg/kg	--	
Dibenzo(a,h)anthracene	0.015	--	0.5*	--	mg/kg	--	
Fluoranthene	2300	--	0.5*	--	mg/kg	--	
Fluorene	2300	--	0.5*	--	mg/kg	--	
Hexachlorobutadiene	6.2	--	--	--	mg/kg	--	
Indeno(1,2,3-cd)pyrene	0.15	--	0.5*	--	mg/kg	--	
Naphthalene	3.6	--	0.5*	--	mg/kg	--	
Perchlorate	55	--	--	--	mg/kg	--	
Phenanthrene	--	--	--	--	mg/kg	--	
Pyrene	1700	--	0.5*	--	mg/kg	--	
TPH (US EPA Method 8015)							
DRO	--	-	500	--	mg/kg	--	
ORO	--	-	500	--	mg/kg	--	
Total Petroleum Hydrocarbons	--	-	500	--	mg/kg	--	

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PCBs (US EPA Method 8280 or 8080A)							
Aroclor 1016	3.9	0.089	--	--	mg/kg	--	
Aroclor 1221	0.14	0.089	--	--	mg/kg	--	
Aroclor 1232	0.14	0.089	--	--	mg/kg	--	
Aroclor 1242	0.22	0.089	--	--	mg/kg	--	
Aroclor 1248	0.22	0.089	--	--	mg/kg	--	
Aroclor 1254	0.22	0.089	--	--	mg/kg	--	
Aroclor 1260	0.22	0.089	--	--	mg/kg	--	
CAM-Heavy Metals (US EPA Methods 6010B/7471A)							
Antimony	31	30	--	--	mg/kg	--	
Arsenic	0.39	0.07	--	--	mg/kg	--	
Barium	15000	5200	--	--	mg/kg	--	
Beryllium	160	150	--	--	mg/kg	--	
Cadmium	--	1.7	--	--	mg/kg	--	
Chromium -Total	--	--	--	--	mg/kg	--	
Chromium VI	0.29	17	--	--	mg/kg	--	
Cobalt	23	660	--	--	mg/kg	--	
Copper	3100	3000	--	--	mg/kg	--	
Lead	400	150	--	--	mg/kg	--	
Mercury	10	18	--	--	mg/kg	--	
Molybdenum	390	380	--	--	mg/kg	--	
Nickel	1500	1600	--	--	mg/kg	--	
Palladium	--	--	--	--	mg/kg	--	
Selenium	390	380	--	--	mg/kg	--	
Silver	390	380	--	--	mg/kg	--	
Thallium	0.78	5	--	--	mg/kg	--	
Vanadium	390	530	--	--	mg/kg	--	
Zinc	23000	23000	--	--	mg/kg	--	
Asbestos (OSHA Method ID-191)	--	--	--	1	% by weight	--	

FOOTNOTES
(--) = Not applicable
mg/kg = Milligrams per kilogram
RSLs - EPA Regional Screening Levels, November 2012
CHHSLs - California Human Health Screening Levels, January 2005
HB 431-92 - Huntington Beach Fire Department Screening Level for Hydrocarbon Clean Up, February 2004
* HB 431-92 uses a screening level of <0.5 ppm for each PAH, and <3.0 total
DTSC guideline for Methane Assessment and Common Remedies at School Sites, June 2005

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ALTA CALIFORNIA
GEOTECHNICAL INC.

2900 Adams Street A-15
Riverside, CA 92504
www.altageotechnical.com

SHEA HOMES
1250 Corona Pointe, Suite 600
Corona, California 92879

April 19, 2013
Project Number 1-0042

Attention: Mr. John Vander Velde

Subject: ***UPDATED STOCKPILE PLAN REVIEW***
Stockpile Plan for Tentative Tract No. 15377
Parkside Estates Project, City of Huntington Beach

Reference: Updated Geotechnical Report and 40-scale Grading Plan Review, Parkside Estates, Tract 15377, City of Huntington Beach, California, by Pacific Soils Engineering, Inc., (Work Order 102300), dated November 25, 2008.

Dear Mr. Vander Velde:

Presented herein is Alta California Geotechnical, Inc.'s (Alta) updated review of the Stockpile Plan for Tentative Tract No. 15377, the Parkside Estates Project, located in the City of Huntington Beach, California.

Alta has reviewed the stockpile plan for the subject site, prepared by Hunsaker and Associates, Inc., Sheets 1 through 4, (plot date April 18, 2013) with respect to the geotechnical recommendations presented in the referenced report. The stockpile plan was found to be in general conformance with the geotechnical recommendations for the project.

Should you have any questions or need additional information, please contact the undersigned at (951) 509-7090.

Sincerely,
Alta California Geotechnical, Inc.

SCOTT A. GRAY/RGE 2857
Reg. Exp.: 12-31-14
Registered Geotechnical Engineer
Vice President
Distribution: (3) Addressee

REGISTERED PROFESSIONAL ENGINEER
SCOTT A. GRAY
No. 2857
Exp. 12-31-14
GEOTECHNICAL
STATE OF CALIFORNIA

SAG: skt- 1-0042, April 19, 2013 (Updated Stockpile Plan Review, Parkside Tr. 15377)

Exhibit 11
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CITY OF HUNTINGTON BEACH

Public Works Department

Travis K. Hopkins, PE
Director of Public Works

April 18, 2013

Meg Vaughn
CALIFORNIA COASTAL COMMISSION
South Coast Area Office
200 Oceangate
Suite 1000
Long Beach, CA 90802-4302

Project: Parkside Development Project- Huntington Beach
Subject: Stockpile Plans- **Final Approval**

Dear Ms. Vaughn:

This is to notify you that the Stockpile Plans for the subject project have been reviewed by the City of Huntington Beach and are now ready for approval. The final plan approval is subject to the approval of the Coastal Development Permit by the California Coastal Commission.

If you have any questions, please do not hesitate to contact me electronically at ddebow@surfcity-hb.org or via telephone at (714) 536-5528.

Sincerely,

Deborah De Bow

Deborah De Bow
Principal Civil Engineer
City of Huntington Beach

cc: John Vander Velde, Shea Homes
Fred Graylee, Hunsaker and Associates
Tom Herbel, City Engineer, City of Huntington Beach
Mary Beth Broeren, Planning Manager, City of Huntington Beach

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