

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE AND TDD (415) 904-5200
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ENERGY, OCEAN RESOURCES, AND FEDERAL CONSISTENCY DIVISION REPORT
FOR THE
APRIL 10, 2014 MEETING OF THE CALIFORNIA COASTAL COMMISSION

TO: Commissioners and Interested Parties

FROM: Alison Dettmer, Deputy Director
Energy, Ocean Resources & Federal Consistency

EMERGENCY PERMIT		
APPLICANT	PROJECT	LOCATION
G-9-14-0008 California State Lands Commission	Remove exposed hazards from several sites along Ellwood Beach.	City of Goleta Santa Barbara County

DE MINIMIS WAIVER		
APPLICANT	PROJECT	LOCATION
9-14-0554-W Southern California Edison	Remove support buildings located on the Mesa side of the San Onofre Nuclear Generating Station facility.	SONGS Mesa Area Orange County

NO EFFECTS DETERMINATION		
APPLICANT	PROJECT	LOCATION
NE-0002-14 SANDAG	Control Point Sorrento Crossover Action: No effect, 3/28/2014	Sorrento Valley San Diego County



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EMERGENCY PERMIT

March 17, 2014

Applicant: California State Lands Commission

Emergency Permit No. G-9-14-0008

Location of Emergency Work: Areas of Ellwood Beach between the Venoco Ellwood oil pier and Devereux Slough, City of Goleta, Santa Barbara County.

Background: During the first week of March, 2014, large swells associated with winter storms struck the Santa Barbara County coast. Along the western shoreline of Goleta, wave action removed sand from the beach, exposing a variety of hazardous and derelict structures, including but not limited to steel sheet piles, H piles and rods, concrete caissons, well casings, groins, rail road irons, anchor cables, angle bar, pipelines, wooden piles and beams and other miscellaneous debris left over from historical oil extraction activities in past decades. High surf also damaged or undermined portions of an abandoned wooden seawall, debris from which was washed down-coast and accumulated on the beach between Santa Barbara Shores Park and Coal Oil Point. The exposed structures pose an immediate threat to public health and safety and impede public trust uses at the site. Immediate removal is necessary to alleviate the danger.

Previous coastal development permits issued by the Coastal Commission authorized the State Lands Commission to conduct an on-going program of hazard removal at 21 sites along the Santa Barbara County shoreline, including several which overlap the area of recent storm damage.¹ Special conditions included in these permits restrict the timing of project work and the locations and modes of beach access in order to protect sensitive species and habitats. The emergency work proposed here is similar in nature to the existing hazards removal program, but is specifically focused on those instances of acute hazard arising from recent high wave action.

Work Proposed: The proposed work consists of the removal of exposed hazards from several sites along the beach, with a target start-date of March 24, 2014 due to favorable low tide conditions.

One cluster of hazards is exposed on the western side of the project area, between the Venoco Ellwood oil pier and the PRC 421 piers on Ellwood Beach (Sites 4 and 5 under CDP E-02-024). These hazards include metal H piles, railroad irons, anchor cables, wooden piles and columns, steel pipes and an exposed 6-inch wastewater pipeline. The hazards will be excavated from the beach, hauled to a designated off-beach staging area, and disposed of offsite. Work at these western sites is expected to last 4 – 5 days, with an additional 1 – 2 days for demobilization and

¹ CDP#s E-02-024, E-02-024-A1, E-02-024-A2, E-02-024-A3.

site clean-up. The site will be accessed via a dirt road and Fire Department gate located ¼ mile southeast of the Bacara Resort.

A second set of hazards, including H piles, railroad irons, pipe frames, well casings, rebar, angle bars and wood sheet pile are located further to the southeast, between the 421 piers and Devereux Slough (Sites 6 and 7 under CDP#s E-02-024, E-02-024-A3). As above, these hazards will be excavated and removed, broken down at an off-beach staging area, and disposed of offsite. The eastern sites will be accessed via paved and dirt roads running along the northern boundary of Coil Oil Point Reserve. Work at these sites is expected to take 3 – 4 days.

Heavy equipment to support the beach hazards removal will include an excavator, back-hoe, loader, reach lift, and pick-up trucks; additional equipment at the staging areas will include a welding machine, roll-off scrap bins and flat-bed trucks. Equipment will be parked at the staging areas at night.

Exposed structures that cannot be readily extracted from the beach will be cut off at ground level and treated (e.g. smoothed) to minimize the remaining hazard. Project-related development occurring inland of the mean high tide line is subject to approval by the City of Goleta. State Lands Commission has received permission from Bacara Resort & Spa and UC Santa Barbara to use the access routes and staging areas as described above.


Executive Director's Determination: This permit constitutes approval of the emergency work you or your representatives have requested to undertake at the location listed above. I understand from your information that an unexpected occurrence in the form of winter storms and high wave action, leading to beach erosion and the exposure of buried hazards, requires immediate action to prevent or mitigate loss or damage to life, health and public safety (14 Cal. Admin. Code § 13009). The Executive Director hereby finds that:

- (a) An emergency exists which requires action more quickly than permitted by the procedures for administrative or ordinary permits and the development can and will be completed within 60 days, unless extended pursuant to the terms of the permit;
- (b) Public comment on the proposed emergency action has been reviewed as time allows; and
- (c) As conditioned, the proposed work would be consistent with the requirements of the California Coastal Act of 1976.

The work is hereby approved, subject to the attached conditions.

Very Truly Yours,

CHARLES F. LESTER
Executive Director


ALISON J. DETTMER
Deputy Director

Conditions of Approval

1. This permit is not valid until a copy of the permit is signed by the permittee or authorized agent, acknowledging receipt of the permit and the acceptance of the terms and conditions, is returned to the Commission office.
2. The authorization conferred by this emergency permit to conduct the activities described in the application shall expire with 60 days of the date of this permit unless, before that date, the applicant applies for and the Executive Director grants for good cause, an extension of that expiration date.
3. This permit authorizes only those activities described in a letter and attached Emergency Work Plan submitted to Alison Dettmer from Jennifer Lucchesi of the California State Lands Commission, dated March 5, 2014, and in electronic mail correspondence dated March 6 – 17, 2014, to Tom Luster, Joseph Street and Alison Dettmer from Chandrashekar Basavalinganadoddi, Marina Voskanian and Jennifer Lucchesi, subject to the conditions of this emergency permit.
4. The permittee shall not deviate from the operations, timing, or sequence of operations specified in the application unless and until authorized by the Executive Director.
5. Vehicle and heavy equipment access to the beach shall be via the designated access routes, and vehicles shall transit the beach between the access routes and the site within the zone of wetted sand only. The speed limit on the beach shall not exceed 10 miles per hour.
6. Equipment shall not be refueled within project areas or on the beach. Any fuel or petroleum products used for project equipment and vehicles shall be stored away from beach areas at a designated staging area(s).
7. Equipment shall be inspected daily for fuel or fluid leaks. Leaking equipment shall be repaired or replaced immediately.
8. The permittee shall have available at each staging area adequate spill containment equipment (absorbent materials, etc.) to respond to any fuel or oil spills or leaks from project-related vehicles and equipment.
9. Work on the beach shall occur at low tide, during daylight hours only. Any project lighting shall be limited to handheld devices only.
10. If project-targeted hazards and debris cannot be fully removed during the project, the remaining portions that may be exposed shall be treated to present a smooth surface or otherwise modified to reduce the possibility of harm to human or marine life and to reduce snagging of marine debris.

11. The permittee shall designate a qualified environmental monitor with expertise in shoreline ecosystems and sensitive species, with appropriate qualifications acceptable to the Executive Director. The permittee shall provide the environmental monitor's qualifications for review by the Executive Director prior to commencement of project activities.
12. No more than 5 days prior to the commencement of the hazards removal project, the environmental monitor shall conduct a visual survey of the project sites to determine the presence of the Western snowy plover. Additionally, immediately prior to any project activities on a given day, the environmental monitor shall examine the specific beach areas where work will occur to preclude impacts to the federally- and state-listed Western snowy plover. No excavation, removal, reconstruction, clean-up or maintenance activities shall occur until any and all Western snowy plovers have left the project area or its vicinity.
13. Prior to project commencement, the permittee shall obtain the seasonally-predicted run schedule for the California grunion, as identified by the California Department of Fish and Wildlife. If excavation, removal, reconstruction or maintenance activities will occur during the seasonally-predicted run period and egg incubation period for the California grunion, the environmental monitor shall document any grunion spawning activity, and if grunion are present in any life-stage, no excavation, removal, reconstruction or maintenance activities shall occur during the grunion spawning activity below the semilunar high tide mark.
14. The environmental monitor shall be present on-site during all phases of the proposed project, including the excavation and removal of debris from the beach, and site clean-up. In the event that endangered, threatened, or sensitive species, including the Western snowy plover and the California grunion, are sighted in or adjacent to the work areas, the permittee must cease work, and work must not resume until subsequent biological surveys have shown that these species are no longer present in the project area or vicinity.

Acknowledgment:

The undersigned permittee acknowledges receipt of this permit and agrees to abide by all terms and conditions thereof.

The undersigned permittee acknowledges that Government Code § 818.4 which states in pertinent part that "A public entity is not liable for injury caused by issuance ... of any permit ..." applies to this permit.

IMPORTANT: THIS PERMIT IS NOT VALID UNLESS AND UNTIL A COPY OF THE PERMIT WITH THE SIGNED ACKNOWLEDGMENT HAS BEEN RETURNED TO THE COMMISSION OFFICE. 14 CCR § 13158(a).

By: _____
Signature of Permittee

Date: _____

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45 FREMONT, SUITE 2000
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**NOTICE OF COASTAL DEVELOPMENT PERMIT WAIVER – DE MINIMIS****DATE:** March 31, 2014**PERMIT NO:** 9-14-0554-W**TO:** Coastal Commission and Interested Parties**SUBJECT:** Waiver of Coastal Development Permit Requirements

Based on the plans and information submitted by the applicant for the development described below, the Executive Director of the Coastal Commission hereby waives the requirements for a coastal development permit (CDP), pursuant to Section 30624.7 of the California Coastal Act.

Applicant: Southern California Edison**Background:**

In June 2013, Southern California Edison (Edison) made the decision to permanently retire and decommission the San Onofre Nuclear Generating Station (SONGS). SONGS and many of its support structures and facilities are located on property Edison leases from the U.S. Navy, including an approximately 118-acre area east of Interstate 5 known as the SONGS Mesa. The Mesa is almost entirely paved and developed and is the site of several dozen buildings that Edison no longer needs for SONGS operations. Edison's lease with the Navy requires it to remove most of these facilities prior to termination of the lease.

Project Location: San Onofre Nuclear Generating Station, 14300 Mesa Road, San Clemente, Orange County.

Project Description: As part of the initial stage of its decommissioning activities, Edison proposes to remove the above-grade portions of 15 metal buildings, eight trailers, three metal awnings, two concrete buildings, and two underground storage tanks from the SONGS Mesa area. The rest of the existing facilities will remain, pending Edison's further discussions with the Navy. These include water tanks, a sewage treatment system, and most above- and below-ground utilities, as well as the concrete foundations and paved areas associated with the buildings being removed.

Edison will use heavy equipment and standard demolition techniques to remove the structures. The underground storage tanks will be removed pursuant to state regulatory requirements. Edison has already removed fuel, paint, and other similar hazardous materials from the structures. Materials from the demolished structures will be recycled when feasible, or will be transported to a landfill. Edison expects the project to take about eight months, from May to December 2014.

Waiver Rationale: For the following reasons, the proposed project will not have a significant adverse effect, either individually or cumulatively, on coastal resources, nor will it conflict with the policies of Chapter Three of the Coastal Act:

- *Water quality:* Project activities will consist of standard demolition methods and will place entirely on an already paved and developed area that is subject to existing stormwater treatment measures and the facility's NPDES permit, Storm Water Pollution Prevention Plan (SWPPP), Spill Prevention, Control and Countermeasures Plan (SPCC) and Spill Contingency Plan.
- *Biological resources:* Although the SONGS Mesa includes areas of sensitive habitat, project activities will take place on paved areas no closer than approximately 250 feet to the nearest undeveloped part of the property. Edison has committed to use noise-reducing measures to prevent adverse effects on any nesting birds that may be present in nearby habitat. The facility is also subject to provisions of a U.S. Fish and Wildlife Service permit and procedures for avoiding and minimizing potential effects to listed species.
- *Visual:* The Mesa area is largely screened from nearby public highways, including Interstate 5 and Old Highway 101, so visual effects of project activities are likely to be minimal.
- *Public access:* Project activities are not expected to limit or alter coastal access, as the buildings are within a restricted access area at the power plant. Trucks transporting materials for recycling or to a landfill can be accommodated on nearby Interstate 5.

Important: This waiver is not valid unless the project site has been posted and until the waiver has been reported to the Coastal Commission. This waiver will be reported to the Commission at the meeting of April 9-11, 2014 in Santa Barbara. If four or more Commissioners object to this waiver, a coastal development permit will be required.

Sincerely,

CHARLES LESTER
Executive Director

By: _____



ALISON J. DETTMER
Deputy Director,
Energy, Ocean Resources, and Federal Consistency Division

CALIFORNIA COASTAL COMMISSION

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DATE: April 7, 2014

TO: Coastal Commissioners and Interested Parties

FROM: Charles Lester, Executive Director
Alison Dettmer, Deputy Director
Mark Delaplaine, Manager, Energy, Ocean Resources and Federal
Consistency Division

RE: No Effects Determination Issued by the Executive Director
[Executive Director decision letters are attached]

PROJECT #:	NE-0002-14
APPLICANT:	SANDAG
LOCATION:	Sorrento Valley, San Diego
PROJECT:	Control Point Sorrento Crossover
ACTION:	No Effect
ACTION DATE:	3/28/2014

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March 28, 2014

Rob Rundle
Principal Regional Planner
SANDAG
ATTN: Cheryle Hodge
401 B Street, Suite 800
San Diego, CA 92101-4231

Subject: No Effects Determination NE-0002-14 (Control Point Sorrento Crossover and Pines Maintenance Spur Track, Sorrento Valley, San Diego County)

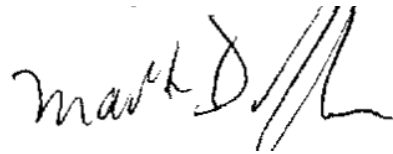
Dear Mr. Rundle:

The Coastal Commission staff has reviewed the above-referenced no-effects determination. SANDAG proposes to install a new track crossover at Control Point Sorrento and construct the Pines maintenance spur track, both located within the existing railroad right-of-way (ROW) in the vicinity of mile post 249.5 in the Sorrento Valley south of the I-5 and I-805 junction. The proposed crossover, in combination with a crossover previously approved as part of the Sorrento to Miramar Double Track Phase 1 Project (CC-052-10), will maximize flexibility in train operations by allowing trains to be routed from one track to the other regardless of the direction of travel. The proposed maintenance spur track will provide for storage of on-track maintenance equipment in a manner that does not interfere with railroad operations. In addition, excess soil from the recently-completed Sorrento to Miramar Double Track Phase 1 Project (stockpiled in the ROW east of the railroad tracks in the proposed project area) will be transported to and used as construction fill for the under-construction Sorrento Valley Double Track Project (CC-056-11, located immediately to the north between mile posts 247.6 and 249) and for the proposed Pines maintenance spur track project.

The proposed crossover track and maintenance spur track construction sites are located within the existing and disturbed railroad ROW and are devoid of any sensitive native vegetation or other biological resources. SANDAG will ensure that a Storm Water Pollution Prevention Plan (including construction best management practices) will be developed and implemented by the project contractor to protect water quality adjacent to the project site.

In conclusion, the Commission staff **agrees** with SANDAG's no-effects determination that the proposed crossover and maintenance spur tracks at milepost 249.5 will not adversely affect coastal resources. Please contact Larry Simon at (415) 904-5288 should you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles Lester". The signature is stylized with a large "C" and "L" and a cursive "Charles" in between.

CHARLES LESTER
Executive Director

cc: CCC- San Diego Coast District
Erich Lathers, BRG Consulting, Inc.