

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST DISTRICT OFFICE
89 SOUTH CALIFORNIA STREET, SUITE 200
VENTURA, CALIFORNIA 93001-2801
(805) 585-1800 FAX (805) 641-1732
WWW.COASTAL.CA.GOV



Th18

Prepared May 02, 2019 (for the May 09, 2019 Hearing)

To: Commissioners and Interested Parties
From: Steve Hudson, South Central Coast District Deputy Director
Subject: **South Central Coast District Deputy Director's Report for May 2019**

The following coastal development permit (CDP) waivers, immaterial CDP amendments, CDP extensions, and emergency CDPs for the South Central Coast District Office are being reported to the Commission on May 09, 2019. Pursuant to the Commission's procedures, each item has been appropriately noticed as required, and each item is also available for review at the Commission's South Central Coast District Office in Ventura. Staff is asking for the Commission's concurrence on the items in the South Central Coast District Deputy Director's report, and will report any objections received and any other relevant information on these items to the Commission when it considers the report on May 9th.

With respect to the May 9th hearing, interested persons may sign up to address the Commission on items contained in this report prior to the Commission's consideration of this report. The Commission can overturn staff's noticed determinations for some categories of items subject to certain criteria in each case (see individual notices for specific requirements).

Items being reported on May 09, 2019 (see attached)

Waivers

- 4-19-0197-W, Southern California Edison (Santa Barbara)
- 4-19-0300-W, Brainin (Ventura)

Emergency Permits

- G-4-19-0017, Souther California Edison (Goleta)

Miscellaneous Item

- Emergency Permit Waiver – Santa Barbara County Flood Control

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST DISTRICT OFFICE
89 SOUTH CALIFORNIA ST., SUITE 200
VENTURA, CA 93001
(805) 585-1800

**NOTICE OF COASTAL DEVELOPMENT PERMIT
WAIVER-DE-MINIMIS**

DATE: April 26, 2019
TO: All Interested Parties
SUBJECT: Waiver of Coastal Development Permit Requirement
Waiver No.: 4-19-0197-W

Based on project plans and information submitted by the applicant regarding the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit, pursuant to Title 14, Section 13238 of the California Code of Regulations.

Applicant: Southern California Edison
Location: Ellwood Mesa, City of Goleta (Santa Barbara County)
(APNs: 079-210-069 & 079-332-014)
Description: After-the-fact pruning of 114 eucalyptus trees within Southern California Edison right-of-ways on the Ellwood Mesa during the week of August 6, 2018.
Rationale: The proposed project involved pruning dead and stressed eucalyptus trees that were an imminent threat to existing powerlines. The trees were trimmed to heights between 12 ft. and 50 ft. A biological monitor surveyed the project area for nesting birds and monarch butterflies prior to project activities. No nesting activity or overwintering monarch butterflies were observed within the project area. Further, the work took place outside of the monarch butterfly overwintering season. The project did not impact any trails or coastal access parking. Therefore, the project did not result in any significant adverse impacts to coastal resources or public access. Thus, the proposed project is consistent with all applicable Chapter Three policies of the Coastal Act.

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 is proposed to be reported to the Commission on May 9, 2019 in Oxnard. If three or more Commissioners object to this waiver, a coastal permit will be required. Persons having questions or wishing to object to the issuance of a coastal permit waiver for this project should contact the Commission office at the above address or phone number prior to the Commission meeting date.

Sincerely,

JOHN AINSWORTH
Executive Director

By: Michelle Kubran, Coastal Program Analyst

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST DISTRICT OFFICE
89 SOUTH CALIFORNIA ST., SUITE 200
VENTURA, CA 93001
(805) 585-1800

**NOTICE OF COASTAL DEVELOPMENT PERMIT
WAIVER-DE-MINIMIS**

DATE: April 26, 2019
TO: All Interested Parties
SUBJECT: Waiver of Coastal Development Permit Requirement
Waiver No.: 4-19-0300-W

Based on project plans and information submitted by the applicant regarding the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit, pursuant to Title 14, Section 13238 of the California Code of Regulations.

Applicant: Doug and Barbara Brainin

Agent: Kevin Miller

Location: 2936 Sailor Avenue, City of Ventura (Ventura County)
(APN: 080-0-285-245)

Description: Replace an existing approximately 676 sq. ft. concrete deck with a new 990 sq. ft. cantilevered concrete deck at the rear of an existing residence that is adjacent to an existing private boat dock in the Pierpont Keys neighborhood in Ventura Harbor. No change to the existing dock, piles, or gangway is proposed. The project proposal includes implementation of best management practices to ensure the water quality of the harbor is not degraded during construction.

Rationale: The proposed project is minor in nature as it is a concrete deck replacement associated with an existing residence and private boat dock. The project will not involve work in the water or change to the existing dock or gangway. In addition, the applicant has included implementation of construction best management practices as part of the proposed project to ensure the water quality of the harbor is not degraded during construction. The proposed project will not adversely impact coastal resources, public access, or water quality. Therefore, the proposed project is consistent with all applicable Chapter Three policies of the Coastal Act.

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 is proposed to be reported to the Commission on May 9, 2019 in Oxnard. If three or more Commissioners object to this waiver, a coastal permit will be required. Persons having questions or wishing to object to the issuance of a coastal permit waiver for this project should contact the Commission office at the above address or phone number prior to the Commission meeting date.

Sincerely,

JOHN AINSWORTH
Executive Director

By: Deanna Christensen, District Supervisor

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
89 SOUTH CALIFORNIA ST., SUITE 200
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**EMERGENCY PERMIT**

Date: April 8, 2019

Permit No. G-4-19-0017

Applicant: Southern California Edison

Work Proposed: One-time tree pruning of 39 eucalyptus trees within the Southern California Edison utility right-of-way on Ellwood Mesa that are dead and/or at high risk of failure adjacent to high voltage electrical facilities in order to protect life and property from imminent danger.

This letter constitutes approval of the emergency work you or your representative has requested to be done at the location listed above. I understand from the information submitted that there is an unexpected occurrence in the form of dead eucalyptus trees at high risk of failure that are adjacent to high voltage electrical facilities on Ellwood Mesa and that constitute a risk to public health and safety. This occurrence requires immediate action to prevent or mitigate loss or damage to life, health, property or essential public services. 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 30 days unless otherwise specified by the terms of the permit;
- (b) Public comment on the proposed emergency action has been reviewed if time allows; and

The work is hereby approved, subject to the conditions listed on the reverse.

Sincerely,

John Ainsworth
Executive Director

Blaven for:

By: Steve Hudson
Title: Deputy Director

CONDITIONS OF APPROVAL

1. The enclosed form must be signed by the applicant and returned to our office within fifteen (15) days.
2. Only that work specifically described above is authorized for the specific property listed above, subject to the conditions set forth below. Any additional work requires separate authorization from the Executive Director.
3. The work authorized by this permit must be completed within 30 days of the date of this permit and shall take place in a manner to minimize any potential impacts to coastal resources and public access. The applicant shall also avoid adverse impacts to live eucalyptus trees near the project site to the maximum extent feasible.
4. The applicant shall ensure that a qualified biologist shall monitor the site prior to and during all emergency work activities to ensure that adverse impacts to sensitive plant and animal species are avoided or minimized to the maximum extent feasible. If an active bird nest is located (within 300 ft. for songbirds and 500 ft. for raptors), the biologist shall conduct bird and noise surveys to monitor bird behavior and construction noise levels. Construction activities may occur only if construction noise levels are at or below a peak of 65 dB at the nest(s) site. If construction noise exceeds a peak level of 65 dB at the nest(s) site, sound mitigation measures, such as the use of non-motorized equipment and hand tools, sound shields, blankets around smaller equipment, use of mufflers, and minimizing the use of back-up alarms shall be employed. If these sound mitigation measures do not reduce noise levels, construction shall cease and shall not recommence until either new sound mitigation can be employed or the birds have fledged.
5. In exercising this emergency permit, the applicant agrees to hold the California Coastal Commission (Commission) harmless from any liabilities for damage to public or private properties or personal injury that may result from the project and to indemnify the Commission, which includes its officers, agents, and employees, against any and all liability, related claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any such damage or personal injury.

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Deputy Directors Report Memo

May 3, 2019

To: Commissioners and Interested Persons

From: South Central Coast District Staff

Subject: Memo for Item Th18, South Central Deputy Director's Report, 30611 Emergency Permit Waiver (Santa Barbara County Flood Control District) for the Commission Meeting of May 9, 2019

On January 31, 2019, following winter rain events, the Santa Barbara County Flood Control District notified Commission staff, via email and telephone, of an emergency situation involving the buildup of sediment within a number of debris basins in the watersheds that were affected by the 2017/2018 Thomas Fire in southern Santa Barbara County. County Flood Control District staff indicated that it was important to remove sediment from the basins in order for the basins to be ready for subsequent rain events during the winter storm season and to prevent potential flooding and debris deposition on existing surrounding development. Given the quantity of sediment that needed to be removed (over 150,000 cubic yards of material) and limited capacity, the total amount of sediment could not be placed at the County's inland disposal and stockpile sites. Therefore, the Flood Control District determined it was necessary to undertake several emergency actions located within the Commission's retained coastal development permit jurisdiction. The description for emergency actions that the County provided notification of pursuant to Section 30611 of the Coastal Act, in which work began on February 4, 2019 and continued until March 18, 2019, includes the following: 1) depositing sediment consisting of silt, sand, and cobble removed from debris basins on two beaches, including 20,050 cu. yds. on Carpinteria Beach at Ash Avenue and 28,750 cu. yds. on Goleta Beach; 2) installation of a temporary ramp (k-rail frame filled with gabion rock) that was approximately 90 ft. long and 30 ft. wide at the end of Ash Avenue at the Carpinteria Beach deposition site to stabilize trucks during beach deposition and to minimize tracking sand onto adjacent public streets; and 3) clearing approximately 650 cu. yds. of sediment from the lower reach of San Ysidro Creek (500 linear ft.) and pushing the sediment into the surf zone at the mouth of the creek.

In total, 48,800 cubic yards of material was delivered to Carpinteria Beach and Goleta Beach for beach disposal. When beach deposition was complete, the sites were groomed to disperse material and reduce the likelihood of a hard sediment layer forming on the beach. This work was necessary to restore flow capacity and reduce flood hazard to existing development during the recent storm season.

After detailed discussions with the County about the work proposed to alleviate the emergency situation and the potential for impacts to coastal resources, Commission staff determined that this project qualifies for an Emergency Coastal Development Permit Waiver, as provided under Coastal Act Section 30611, for the following reasons:

1. Immediate action by the Santa Barbara County Flood Control District, a public agency, was necessary to protect life and public property from imminent danger and to restore public works, utilities, and services destroyed, damaged, or interrupted by natural disaster.
2. Commission staff was notified of the emergency situation within three days of the County's discovery of the emergency.
3. The project does not include any permanent erection of any structures.
4. The project impacts were temporary in nature and best management practices were employed in the project operations to minimize impacts. Material was sorted to remove vegetation, debris, and rocks (all of which were disposed of in other inland sites) before it was transported to the beach. The Flood Control District had a monitor present during all beach deposition. The monitor verified that any debris or vegetation within the material after it was deposited on the beach by truck, was collected and removed from the beach to an inland site. The monitor also ensured that members of the public did not enter a 400 foot buffer area surrounding the deposition site to ensure public safety. Sediment samples were collected by the Flood Control District at each source site and tested for grain size, pesticides, metals, and hydrocarbons. Source site samples were submitted to the testing lab and depending upon the day the sample was received by the lab and how busy the lab was, results were obtained within 3-7 days after submittal. In several cases, the Flood Control District was able to provide results prior to the material being transported to the beach. In all cases, sediment results were provided to Commission staff and other state and federal resource agencies as they were obtained. In addition to the source site samples, ongoing samples were collected at each of the beach disposal sites and a composite sample was sent in for analysis (chemical and grain size) every three days and these ongoing sediment sample results were also provided to Commission staff and the resource agencies. The grain size analyses showed that beach deposition materials contained a percentage of fine material that ranged from 7% to 28% (with a range of 72% to 93% inclusion of sand and cobble) which is within the range that is acceptable for surf zone placement. The testing for toxic materials such as hydrocarbons, pesticides and heavy metals indicate that levels within the samples are below contaminant threshold levels for surfzone disposal of such materials. The sediment was also screened at the beach with a hand-held Volatile Organic Compound (VOC) meter. No volatile organic compounds were detected in the materials deposited at either beach location.

Sediment and water samples were also taken to test for human fecal DNA markers, and the results indicated that the sediment was not contaminated with human fecal matter. The Santa Barbara County Public Health Department's ocean water tests for bacterial levels are conducted 1-2 times per week throughout the year as typical practice. The Flood Control District also performed supplemental tests at Carpinteria Beach and Goleta Beach. Tests revealed occasional instances of elevated levels of bacteria (total coliform, fecal coliform, and/or enterococcus) throughout the rainy season that exceeded standards for human health. Elevated levels have occurred before beach disposal began and during beach disposal. Bacterial levels have fluctuated above and below human health standards and beach warnings were posted at both Goleta Beach and Carpinteria Beach when tests showed elevated bacterial levels.