

CALIFORNIA COASTAL COMMISSION

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W12a

9-20-0268 (State Lands Commission)

August 12, 2020

EXHIBITS

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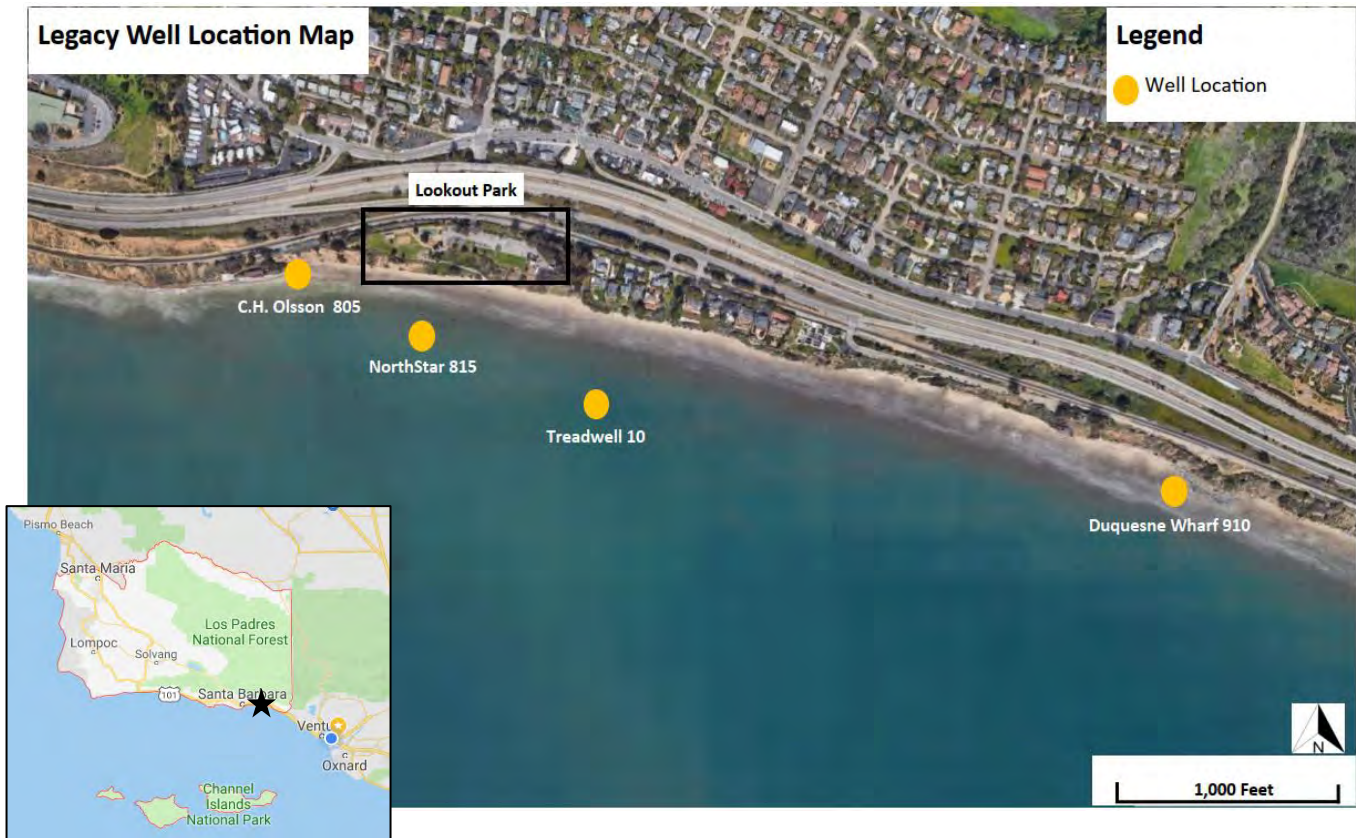
California State Lands Commission
100 Howe Ave.
Suite 100-South
Sacramento, CA 95825



260 Maple Ct.
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Location Map:

Figure 1: Summerland Legacy Wells Location Map.





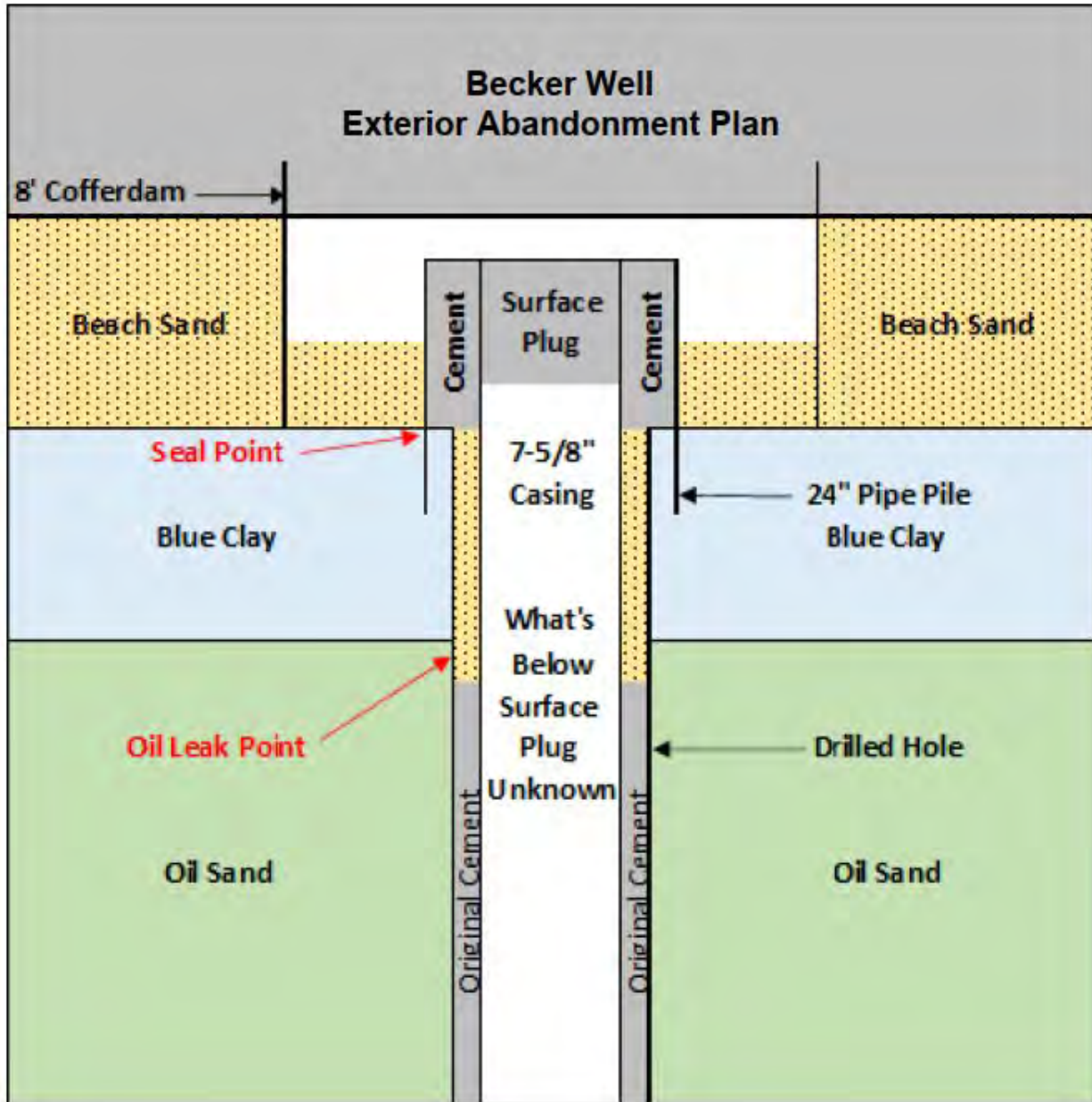
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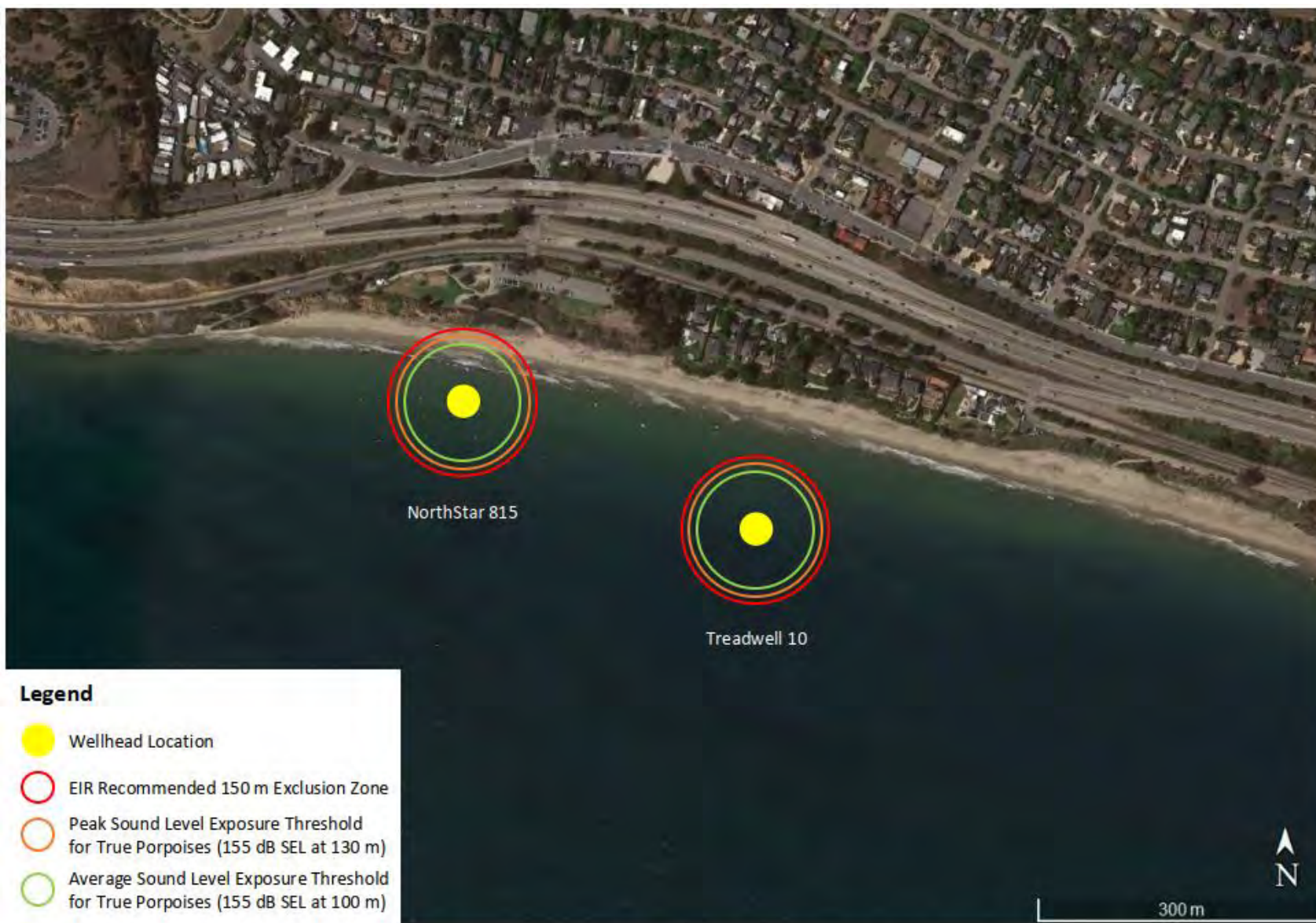


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Figure 2: Onshore Beach Access to Legacy Wells.

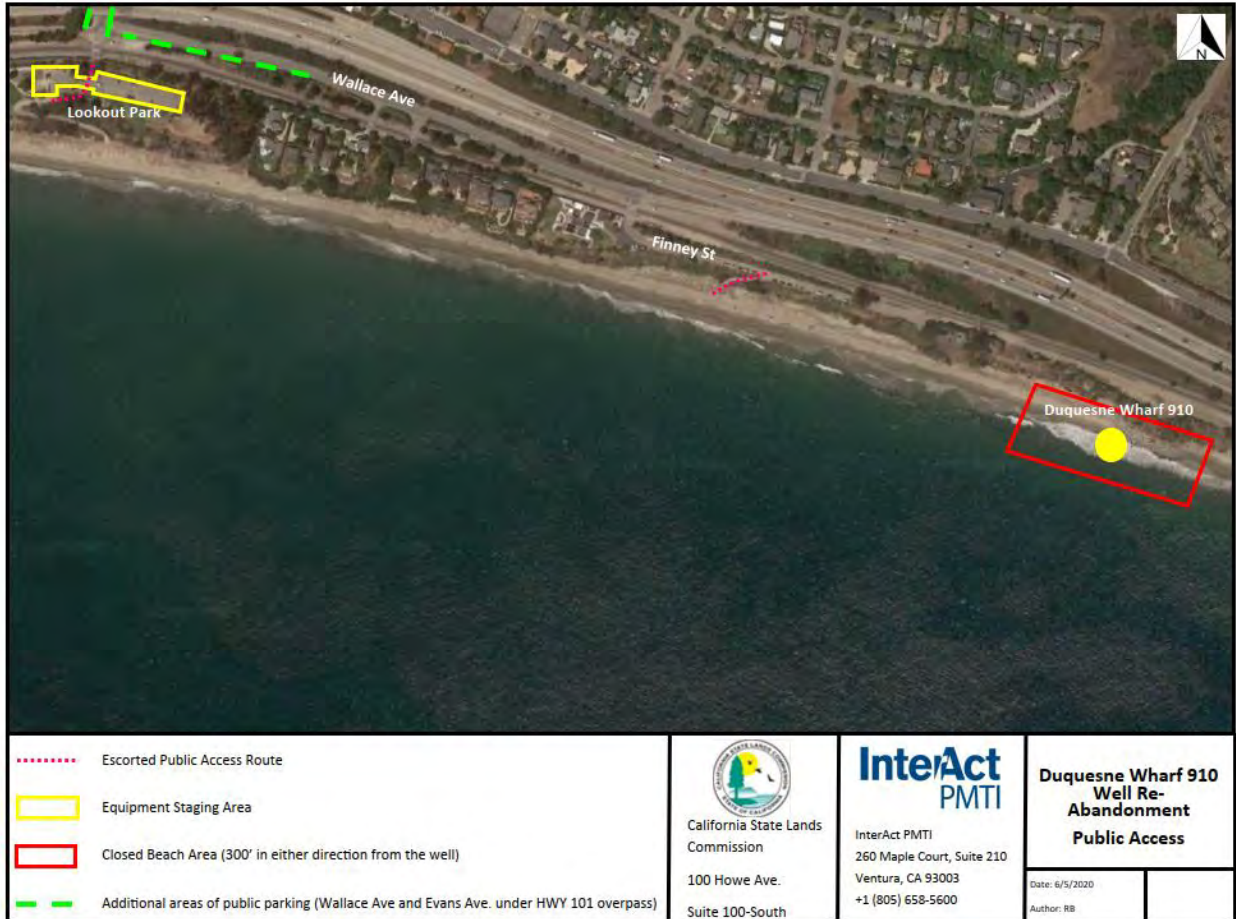







Peak sound levels resulting from impact pile driving activities without a Cofferdam would **not** surpass the thresholds for marine mammals outside of the established 150 m exclusion zone.





- Escorted Public Access Route
- Equipment Staging Area
- Closed Beach Area (300' in either direction from the well)
- - - - - Additional areas of public parking (Wallace Ave and Evans Ave. under HWY 101 overpass)


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Duquesne Wharf 910
 Well Re-
 Abandonment
 Public Access

Date: 6/5/2020	
Author: RB	

Relevant Mitigation Measures from the July 2017 *Final Environmental Impact Report for the Becker and Legacy Wells Abandonment and Remediation Project* and the January 2020 *Addendum to Environmental Impact Report Becker and Legacy Wells Abandonment and Remediation Project*

MM HAZ-1. Construction Zone Restricted Area.

Before commencement of construction or abandonment activities, the construction contractor shall ensure that all areas within 300 feet of the construction and abandonment activities are marked as closed to the public with appropriate fencing or “no entry” barrier tape or equivalent. Personnel shall be stationed to prevent entrance by members of the public into the restricted area. The CSLC staff shall provide noticing to Summerland residences at least 2 weeks prior to the beginning of beach closure. The notice shall indicate the location of the beach closure, the estimated timeline of Project activities and the estimated dates of beach closure, as well as contact information for the public to request additional information. Posting of beach closures shall also be installed at least 2 weeks prior to activities at major beach access point locations, including Lookout Park, Wallace Avenue and Loon Point. A notice shall also be provided in a local newspaper, such as the Coastal View, describing the beach access interruptions, closures, safety concerns and Project duration.

MM HAZ-2a. Removal of Contaminated Sands.

All contaminated sands and/or soils encountered during the excavation around the well shall be removed from the site and disposed of at an appropriate facility.

MM HAZ-2b. Water Handling.

All contaminated water encountered during the construction and abandonment shall be removed from the site and disposed of at an appropriate facility. Either tanks shall be used, which could be hauled away by supply boats or stored on the barge, or, if larger volumes of contaminated water are anticipated, the use of oil-water separation equipment, such as separation tanks or skimmers, or equivalent, shall be used before discharging the water to the marine environment. Use of a sheet pile sealant system such as Decaseal, as approved by the California State Lands Commission (CSLC), shall be utilized during the installation of the cofferdam walls to minimize the water intrusion and/or contaminated water releases to the marine environment.

MM BIO-4a. Marine Resources Noise Reduction.

Installation of sheet pile shall utilize Htype, or equivalent, and smaller sized sheet piles to the extent feasible, and shall be scheduled to concur with the ocean-facing sheet piles installed at the lowest tides feasible during the construction phase to reduce the potential for behavioral impacts on marine mammals, sea turtles, and nearshore fish species.

MM BIO-4b. Soft Start. A “soft start” procedure shall be used during vibratory all pile driving activities to give marine mammals, sea turtles, birds and nearshore fish species

an opportunity to move out of the area away from the sound source. Soft starts would be implemented at the start of each day's pile driving and at any time following the cessation of pile driving for a period of 30 minutes or longer. For vibratory pile drivers In addition, the sound shall be initiated for 15 seconds at reduced energy followed by a 30-second waiting period; this procedure shall then be repeated two additional times prior to full pile driving.

MM BIO-4c. Marine Mammal/Sea Turtle Monitoring.

To ensure that no harassment occurs during vibratory pile driving activities, site- specific marine mammal/sea turtle observations shall be conducted using qualified marine wildlife monitors (MWMs) stationed on the existing response boats (no additional boats should be used for marine observers) and approved by California State Lands Commission (CSLC) staff, in consultation with National Marine Fisheries Service (NMFS) and California Department of Fish and Wildlife (CDFW) staffs. Such monitoring shall include at least the following elements.

- The MWMs shall monitor an area within 150 meters (exclusion/shutdown zone) of the construction area for the presence of marine mammal species.
- Prior to the start of pile driving operations, if a marine mammal or sea turtle is sighted within or approaching the exclusion/shutdown zone, MWMs shall notify the on-site construction lead (or other authorized individual) to delay pile driving until the animal has moved out of the exclusion/shutdown zone or the animal has not been re-sighted within 15 minutes (for pinnipeds and small cetaceans) or 30 minutes (for large cetaceans).
- If a marine mammal or sea turtle is sighted within or on a path toward the exclusion/shutdown zone during pile driving activities, pile driving shall cease until that animal has moved out of the exclusion/shutdown zone or 15 minutes (pinnipeds and small cetaceans)/30 minutes (for large cetaceans) has lapsed since the last sighting.
- MWMs shall have authority to temporarily halt in-water project activities if those activities pose a threat to individuals of a special-status species, and to suspend project activities until the animals have left the area. If due to fog, rain, or other periods of limited visibility the exclusion/shutdown zone cannot be monitored, MWMs have the authority to direct cessation (or continuation) of construction activities based on observed abundance of marine mammals and sea turtles and their ability to view the exclusion/shutdown zone. Periodic reevaluation of weather conditions and reassessment of the continuation/cessation recommendation shall be completed by the MWMs.
- MWMs shall record sightings and animal behavior within the zone during pile driving activities. At a minimum, MWMs shall collect the following information daily: (1) general location(s) of MWMs and marine wildlife observations; (2) date/time monitoring begins/ends; (3) activities occurring during each observation period; (4) weather parameters (e.g., percent cover, visibility) and conditions (e.g., sea state); (5) species observed and number of individuals; (6) description of any marine wildlife behavior patterns, including bearing and direction of travel and distance from pile driving activities; (7) other human activity in the area. MWMs shall keep a log book of notes about sightings of marine mammals,

special-status birds or sea turtles. Entries in the log shall be made at least hourly, even if the entry is "None observed." Reports shall be emailed to CSLC staff daily.

- Within 30 days of completion of pile driving, the MWMs shall submit to CSLC staff for approval a Final Marine Wildlife Monitoring Report and copies of log books prepared by the qualified MWMs that include at a minimum:
 - an evaluation of the effectiveness of monitoring protocols/procedures
 - reporting of all marine mammal, sea turtle, and other wildlife sightings (including species and numbers)
 - any wildlife behavioral changes that may be attributed to project construction or operations
 - all project changes (e.g., delays, work stoppages, etc.) due to the presence in the area of marine wildlife species.

MM CR-3: Appropriate Treatment of Human Remains.

In accordance with Health and Safety Code section 7050.5 and Public Resources Code section 5097.98, if human remains are found, all ground disturbing activities shall halt within 165 feet (50 meters) of the discovery. The County Coroner will be notified within 24 hours of the discovery. No further excavation or disturbance of the discovery or any nearby area reasonably suspected to overlie potential remains shall occur until the County Coroner has determined whether the remains are subject to his or her authority. The County Coroner must make this determination within 2 working days of notification of the discovery pursuant to Health and Safety Code section 7050.5 subdivision (b). If the County Coroner determines that the remains do not require an assessment of cause of death and that the remains are, or are believed to be Native American, the Coroner must notify the Native American Heritage Commission (NAHC) by telephone within 24 hours. In accordance with Public Resources Code section 5097.98, the NAHC must immediately notify those persons it believes to be the Most Likely Descendant (MLD) of the deceased Native American. The MLD shall complete their inspection and make recommendations within 48 hours of being granted access to the site. The MLD may recommend means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. CSLC staff will discuss and confer with the MLD regarding their recommendations pursuant to Public Resources Code section 5097.98 subdivisions (b) and (c).