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Arnold Schwarzenegger
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TO: James R. Hemphill, Engineering Manager
Mineral Resources Management Division
California State Lands Commission
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/original signed/

FROM: Celeste Cantú
Executive Director
EXECUTIVE OFFICE

DATE: **October 19, 2005**

SUBJECT: AMENDMENT OF THE FEBRUARY 26, 2003 "ORDER FOR PARTIAL STANDARD WATER QUALITY CERTIFICATION: CALIFORNIA STATE LANDS COMMISSION, SANTA BARBARA CHANNEL COASTAL HAZARDS REMOVAL PROGRAM (CORPS FILE NUMBER: 200201452-JCM)"

This is in response to your September 7, 2005 request to amend the State Water Resources Control Board's (State Water Board) February 26, 2003 Water Quality Certification Order (certification) for the California State Lands Commission's (CSLC) Santa Barbara Channel Coastal Hazards Removal Program (SBHP). The certification of February 26, 2003 authorized discharges from 17 hazardous removal sites in Santa Barbara and Ventura counties, California. This amendment adds "Site 11" to the SBHP.

Site 11 is located below the high tide line on Goleta Beach immediately east of the Goleta Slough Mouth, in southern Santa Barbara County. It consists of four exposed remnants of oil and gas exploratory drilling sites constructed in 1929-1932. This project would remove protruding caissons, associated foundation structures, and miscellaneous lumber, steel, pipe, and concrete debris that pose a hazard to public safety. It was thought that Site 11 was completely removed in 1998 by ExxonMobil; however, significant beach erosion exposed the additional derelict structures in April 2005. Attachment 1 provides further project information.

ExxonMobil has agreed to work with CSLC and remove the exposed hazards from Site 11. Further, CSLC has directed that all project activities comply with the ExxonMobil Mitigation Compliance Program (MCP) that was approved by CSLC for the SBHP (Attachment 2). The MCP includes mitigation measures and conditions imposed by the Army Corps of Engineers

permit 200201452-JCM for the SBHP. These measures include the presence of an onsite biological monitor during construction, use of designated upland fueling and storage areas, native revegetation of disturbed areas, preferential use of rubber-tired vehicles, erosion control measures, and use of safety fencing and monitors to prevent public incursion into work zones.

State Water Board staff concurs with the CSLC that the inclusion of Site 11 in the project constitutes a minor change in the SBHP scope. Our staff has also determined that this minor change of scope will not have a significant effect on the environment if the conditions of both the MCP and the State Water Board's February 26, 2003 certification are fully implemented.

I hereby amend the State Water Board's February 26, 2003 Certification Order of the SBHP to include Site 11. Except for the addition of Site 11, all terms and conditions of the February 26, 2003 Certification Order remain in effect.

If you have any questions regarding this memorandum, please contact Bill Orme, Environmental Scientist, at (916) 341-5464 or by email at borme@waterboards.ca.gov. You may also contact Oscar Balaguer, Chief, Certification and Wetlands Unit, at (916) 341-5485 or by email at obalaguer@waterboards.ca.gov.

Attachments (2)

cc: Jack Malone, Ph.D.
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Attachment 1

Project Information Sheet

1.	Applicant:	**California State Lands Commission**
	Agent:	Madhu P. Ahuja, P.E. Project Manager Santa Barbara Channel Coastal Hazards Removal Program (SBHP) California State Lands Commission (CSLC) 200 Oceangate, 12th Floor Long Beach, CA 90802
2.	Project Name:	**Santa Barbara Channel Coastal Hazards Removal Program Amendment for Inclusion of Site 11**
	Purpose:	Removal of derelict structures in four locations at Site 11, Goleta Beach East, Santa Barbara County that were exposed in April 2005 due to significant beach erosion and pose a hazard to public safety. These sites are in the intertidal zone under the jurisdiction of the CSLS.
	Description:	The project would remove remnant caissons, and miscellaneous steel, pipe, and concrete debris. Excavators and hand crews using torches, cutters, and grinders would be used. Temporary shoring may be required. If necessary, pumps would be used to dewater the excavated worksites during construction. Water pumped from the worksites would be discharged to a temporary pit excavated in the sand adjacent to the site. Equipment would be staged and stored at the eastern end of the Goleta Beach County Parking lot or on Southern California Gas Company's property. Mechanized equipment would access the beach via existing sloped access points and then travel above the high tide line to the hazard sites. Once removed, the debris would be transported to the staging area and then disposed of in upland landfills or recycling centers as appropriate. Because the hazard sites are in the intertidal zone, working dates and times must coincide with low tides. Based on forecast tidal heights, the applicant proposes to work during the following five time periods, totaling 30 days: October 30-November 4, November 12-18, November 28-December 3, and December 12-17. Work may extend into 2006. Work would occur only during daylight hours between 7:00 a.m. and 7:00 p.m. Monday through Friday, and on weekends as necessary. To ensure efficient use of low tides, work may be scheduled at more than one site. All project sites would be returned to pre-construction contours once hazard removal is completed.
3.	Receiving Water(s) Name	Pacific Ocean

4.	Hydrologic Unit(s)	315.00
5.	Latitude/ Longitude	Site 1: N 34 25.033' W 119 49.306' Site 2: N 34 25.030' W 119 49.080' Site 3: N 34 25.031' W 119 48.997' Site 4: N 34 24.993' W 119 48.777'
6.	Water Body Type(s) & Area of Filled / Excavated Waters (Acres)	Ocean: N/A permanent, 0.25 temporary acres
7.	Dredge Volume (CY)	200 CY would be excavated at each of the four sites for a total excavation of 800 CY
8.	Federal Permit	Army Corps of Engineers Permit No. 200201452-JCM
9.	Non-Compensatory Mitigation	N/A
10.	Compensatory Mitigation	N/A
11.	Optional Additional Information	1. The CSLC has developed a Mitigation Compliance Program (MCP) to ensure that environmental impacts are reduced to a less than significant level. The MCP includes mitigation measures and conditions imposed by Army Corps of Engineers permit 200201452-JCM. These measures include the presence of an onsite biological monitor during construction, use of designated upland fueling and storage areas, native revegetation of disturbed areas, preferential use of rubber-tired vehicles, erosion control measures, and use of safety fencing and monitors to prevent public incursion into work zones. 2. The CSLC filed a Notice of Exemption for Site 11 on August 9, 2005, pursuant to Title 14, California Code of Regulations Section 15061(b)(3).

EXXONMOBIL GOLETA BEACH
HAZARDS REMOVAL PROJECT
OPERATIONS COMPLIANCE PROGRAM

OVERVIEW

This Operations Compliance Program (OCP) was developed to ensure that all operations measures incorporated into the ExxonMobil Goleta Beach Hazards Removal Project (Project) to either avoid or reduce potential environmental impacts to a level where no significant effects would occur as a result of the Project and permit conditions are fully implemented.. The core of this OCP is the attached Implementation Table (Table 1) listing measures developed for and incorporated within the State Lands Commission (CSLC) Santa Barbara Channel Coastal Hazards Removal Project (Mitigated Negative Declaration (MND), adopted by the CSLC October 1, 2002), which are applicable to this Project. Table 1 also includes implementation timing, documentation required, and the agency responsible for monitoring. ExxonMobil will coordinate all hazard removal activities through the construction superintendent, supporting contractors, and the environmental compliance monitors. This OCP is based on the following compliance actions:

- Oversight of construction activities
- Biological monitoring

BIOLOGICAL MONITOR

A biological monitor will be designated by ExxonMobil and the CSLC to be onsite within the project site prior to and at all times during project operation. The biological monitor will become thoroughly familiar with this OCP and will have, but not be limited to, the following responsibilities:

1. Become familiar with the intent of each mitigation measure of the MND and associated agency permits.
2. Conduct surveys for sensitive avifauna (western snowy plover and California least tern) prior to the commencement of excavation activities within the onshore work.
3. Conduct the biological sensitivity briefing for construction employees.
4. Contact the construction superintendent each day to determine the work schedule.
5. Observe all work activities on a daily basis.
6. Issue stop work orders, if required, and ensure that non-compliance remedies are fully implemented.

7. Alert ExxonMobil staff to situations requiring temporary shut-downs of the project due to sensitive species sightings.
8. Prepare daily reports.
9. Prepare draft and final reports for submittal to ExxonMobil and CSLC.

Table 1. Compliance Requirements
ExxonMobil Goleta Beach Hazards Removal Project
Implementation Table

Operations Measure	Implementation Timing	Documentation Required	Agency Responsible
Biological Resources			
A qualified biologist shall be on-site to monitor the hazard removal sites. The qualified biologist shall provide the following during project operations: • Pre-construction surveys for special-status plant and wildlife species known or potentially existing within the work sites prior to commencing project activities in the area. • Conduct an employee orientation program for all project personnel; and • Monitor all construction activity within 100 feet of wetlands or other designated sensitive habitat areas.	Throughout the construction period.	Biological Monitoring Sheet	CSLC
Protective fencing shall be installed temporarily around sensitive plant communities and/or other sensitive biological resources that could be impacted during hazard removal activities.	Throughout the construction period	Biological Monitoring Sheet and site photo logs.	CSLC
Work activities shall avoid breeding season (typically April 1-July1) of those sensitive species currently known to exist within or adjacent to the work sites or which are discovered during hazard removal activities. If any sensitive species are detected in the work area, construction activities will not take place until the qualified biologist determines that the animal(s) has moved away from the project area.	Throughout the construction period	Site monitoring sheets.	CSLC

Table 1. (Continued)

Operations Measure	Implementation Timing	Documentation Required	Agency Responsible
Biological Resources (Continued)			
To the extent feasible, the use of heavy equipment and vehicles shall be limited to existing roadways and defined staging areas/access points. The boundaries of each work area and staging area shall be clearly defined and marked with visible flagging or fencing.	Prior to the start of Project Construction Throughout the construction period	Review of Traffic Management and Access Plans. Biological Monitoring Sheet and site photo logs.	CSLC
During transportation of equipment, water trucks shall be used to prevent airborne particles from leaving the project site.	Throughout the construction period	Biological Monitoring Sheet and site photo logs.	CSLC
All project related equipment shall adhere to a 15 mph speed limit on-site.	Throughout the construction period	Biological Monitoring Sheet and site photo logs.	CSLC
To reduce inadvertent release of fuel from construction areas to aquatic habitats, all refueling will occur only within designated refueling areas located at least 100 feet from known wetlands. All nearshore ,*i.e.,* within 100 ft of high tide line or within 100 ft of a coastal drainage, refueling and storage areas will be covered with an impervious material and surrounded by an earthen berm.	Prior to the start of Project Construction Throughout the construction period	Review of Traffic Management and Access Plans. Biological Monitoring Sheet and site photo logs.	CSLC
All areas that previously supported vegetation that are disturbed during work activities shall be replanted or reseeded with appropriate indigenous native or naturalized vegetation within a time period identified by the biologist to ensures greatest survival.	Prior to the start of Project Construction Throughout the construction period	Review of Grading and Erosion Control Plans. Biological Monitoring Sheet and site photo logs.	CSLC

Table 1. (Continued)

Operations Measure	Implementation Timing	Documentation Required	Agency Responsible
Biological Resources (Continued)			
Erosion control measures shall be implemented as necessary to prevent sediment runoff in all disturbed areas. Measures may include installation of jute-netting, erosion control logs, and silt-fencing.	Prior to the start of Project Construction Throughout the construction period	Review of Grading and Erosion Control Plans. Biological Monitoring Sheet and site photo logs.	CSLC
Minimize the use of tracked vehicles; rubber tire vehicles should be used wherever possible.	Prior to the start of Project Construction Throughout the construction period	Review of Grading and Erosion Control Plans. Biological Monitoring Sheet and site photo logs.	CSLC
Keep all vehicles above the highest high tide line and on dry sand wherever possible. At no time during project operations will vehicles be allowed to traverse identified costal foredune habitat areas; traversing ice plant is acceptable, but minimize the area of impact by creating a temporary, minimal-width access route.	Prior to the start of Project Construction Throughout the construction period	Review of Grading and Erosion Control Plans. Biological Monitoring Sheet and site photo logs.	CSLC
Minimize the need to cross rock or boulder areas by planning beach access sites as close to the hazard site as possible and in areas where sand is present along the route from access point to hazard site.	Prior to the start of Project Construction Throughout the construction period	Review of Grading and Erosion Control Plans. Biological Monitoring Sheet and site photo logs.	CSLC
Complete mid- and low-intertidal (from +0.0 to –1.0 ft, MLLW) hazard removal during winter low tide periods and avoid disturbance of surf grass and rock habitat areas by minimizing the width of the work area corridor.	Prior to the start of Project Construction Throughout the construction period.	Review of Grading and Erosion Control Plans. Biological Monitoring Sheet and site photo logs.	CSLC

Table 1. (Continued)

Operations Measure	Implementation Timing	Documentation Required	Agency Responsible
Biological Resources (Continued)			
Access site by traversing the beach in a straight line from the highest high tide line to the lowest; do not "cut across" the beach, particularly in rocky habitat areas.	Prior to the start of Project Construction Throughout the construction period	Review of Grading and Erosion Control Plans. Biological Monitoring Sheet and site photo logs.	CSLC
"Sidecast" and store excavated sand inshore (higher on the beach) and above the highest predicted tide for the day. Refill holes with excavated material and remove all material and vehicles at the end of each day.	Prior to the start of Project Construction Throughout the construction period	Review of Grading and Erosion Control Plans. Biological Monitoring Sheet and site photo logs.	CSLC
Locate access sites away from coastal streams wherever possible and utilize existing bridges to cross. Avoid crossing or damming coastal streams that are flowing across the beach and prevent project-related discharges or trash to enter coastal streams.	Prior to the start of Project Construction Throughout the construction period	Review of Traffic Management and Access Plans. Biological Monitoring Sheet and site photo logs.	CSLC
Avoid conducting work activities within or adjacent to designated marine mammal rookeries and beach-area bird nesting sites during active breeding periods. Schedule removal activities during periods of non-use by these species. To the extent feasible, establish a 500 ft buffer area around work areas in marine mammal haul out areas (removal activities should cease if marine mammals are observed within the buffer area).	Prior to the start of Project Construction Throughout the construction period	Review of Traffic Management and Access Plans. Biological Monitoring Sheet and site photo logs.	CSLC
Complete removal activities on grunion spawning beaches after mid-September and before early March. If activities must occur during the period between March and mid-September, consult with CDFG and prepare a grunion monitoring plan.	Throughout the construction period	Biological Monitoring Sheet and site photo logs.	CSLC
Use crown buoys and near-surface anchor lines if rock substrate, surf grass, eelgrass, or kelp is between the anchor location and vessel.	Throughout offshore work period.	Biological Monitoring sheet and site photo log.	CSLC

Table 1. (Continued)

Operations Measure	Implementation Timing	Documentation Required	Agency Responsible
Geology and Soils			
A grading and erosion control plan shall be prepared for all areas of active cut or fill activities. Recontouring/regarding of all disturbed areas shall match the surrounding terrain, including drainage links. The grading and erosion control plan shall be designed to minimize erosion and include: • Grading schematics with site specific diagrams and erosion control methods. • Graded areas shall be revegetated immediately following completion of hazard removal. Timing of revegetation may vary depending on vegetation areas and weather conditions. • Site specific detailed temporary erosion and sediment control plans shall be developed for all drainages and creeks and excavation areas with steep slopes. • Where appropriate, Geotextile binding fabrics or erosion control netting shall be required to hold slope soils until vegetation is established. • Straw bales, sedimentation fencing, soil compaction, water bars, trench plugs, baffle boards and trench drains shall be used to control erosion and revegetation.. The plan shall include a post-construction inspection plan to inspect all areas of excavation and vegetation removal and, if necessary, repair areas of erosion.	Prior to the start of project work activities	Review of Grading and Erosion Control Plan.	CSLC
All beach excavations shall be backfilled with native materials to the extent feasible	Throughout the construction period	Daily Site Monitoring sheets and photo logs	CSLC

Table 1. (Continued)

Operations Measure	Implementation Timing	Documentation Required	Agency Responsible
Hazards and Hazardous Materials			
Equipment staging areas shall be identified which are located at least 100 feet from any water body or wetlands. All staging, fueling, and maintenance of vehicles shall be conducted in designated staging areas. Equipment shall be provided with drip pans nightly to prevent soil contamination during periods of inactivity. The contractor shall maintain spill containment and clean-up materials on-site during the construction activities. Any soil contaminated by fuels or petroleum-based products shall be immediately removed and placed in DOT-approved drums and properly disposed in accordance with state and federal regulations.	Prior to the start of Project Construction Throughout the construction period	Review of Traffic Management and Access Plans and Grading and Erosions Control Plans. Daily Site Monitoring Sheet and site photo logs.	CSLC
All heavy equipment and supplies shall be removed from the beach each day. When equipment must be left on the beach overnight, it must be stored above the tide and will not block public use of the beach.	Throughout the construction period	Daily Site Monitoring Sheet and site photo logs.	CSLC
Noise			
Use of heavy equipment or other high noise producing tools, e.g., concrete breakers, and concrete saw, at the project site will be limited to the hours of 7:00 am to 5:00 pm. and will be restricted to Monday through Friday unless otherwise agreed to by the affected neighbors (It may be desirable to have longer construction hours if it would reduce the overall construction period duration).	Throughout the construction period	Daily Site Monitoring Sheet and site photo logs.	CSLC
Nearby residents will be given advanced written notification of construction activity scheduling and hours of construction.	Prior to start of project site work.	Copy of notification.	CSLC
Noise producing stationary equipment, e.g., generators, shall be shielded and located as far as possible from residences.	Throughout the construction period	Daily Site Monitoring Report	CSLC
Recreation			
All work areas will be clearly delineated by safety fencing and/or an on-site monitor will be present to direct individuals around the work area. Staging areas shall be located away from major recreation paths and clearly fenced during non-work hours.	Throughout the construction period	Daily Site Monitoring Report and photo logs	CSLC

Table 1. (Continued)

Operations Measure	Implementation Timing	Documentation Required	Agency Responsible
Transportation			
A Traffic Management and Access Plan shall be prepared for each significant access area. These plans shall include, but not limited to, the following items: • A designated access route map and discussion. • A description and map for designed parking and staging areas. • Designation of flagmen and/or traffic control signage or measures. • Railroad crossing procedures including coordination requirements for Union Pacific Railroad permits.	Prior to construction activities, and maintained throughout construction period	Submission of Traffic Management and Access Plan	CSLC