

Geary Steffen Resident

W. F. Keller Resident

Jackie Carr Homeowner

Stève Spina Résident

James Irsfeld Homeowner

Kelly Wimberly Homeowner

After considerable discussion, Calendar Item 34 was approved. The Commission voted 2-0 to approve the item as presented.

Attachment: Calendar Item 34

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MINUTE ITEM This Calendar frem No. <u>34</u> was approved as Minute Item No. <u>34</u> by the State Lands Omission by a vote of <u>3</u> to <u>0</u> at its <u>10139100</u> meeting.

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10/29/90 W 20527 W 24429 PRC 7412 W 503.1268 Grimmett Collins Hager

CERTIFICATION OF FINAL EIR AND APPROVAL OF A 49-YEAR GENERAL LEASE - PROTECTIVE STRUCTURE USE FOR UP TO EIGHT PARCELS OF TIDE AND SUBMERGED LAND AT LAS TUNAS BEACH, MALIBU, LOS ANGELES COUNT

APPLICANT:

The Owner Parties to the Las Tunas Beach Settlement Agreement No. 2 through their agent Craig S. Dummit c/o Dummit, Faber & Brown 11755 Wilshire Boulevard, 15th Floor Los Angeles, California 90025

BACKGROUL):

In 1929, prior to the advent of the State Lands Commission in 1938, and its requirements for leases for the use of State tide and submerged lands, a series of eight steel and concrete groins were constructed along Las Tunas Beach in Malibu. Litigation over the placement of and responsibility for these groins was resolved in 1931 by legislation that provided a permitting process for these and similar groins. Pursuant to this permitting process, permits for the Las Tunàs groins were issued by the State to Title Insurance and Trust Company, the owner of tracts along the beach. Although the permits required the groins be maintained and repaired, the groins were allowed to deteriorate. The groins have deteriorated to such an extent that all that remains are pieces of the steel structure in the form of short, jagged protrusions from the sand. These remnants constitute a very serious hazard to users of the beach.

(ADDED pgs. 142-142.51) -1-

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Realizing the objective of the litigation was to have the hazardous remnants of the groins removed and that haggling over responsibility was not going to accomplish this objective, the Court directed a settlement of this massive litigation. The first settlement agreement was entered into by the State, Ticor, and some of the affected property owners. The settlement failed because many of its numerous conditions were not met during the prescribed escrow period. However, the Court continued to direct the negotiations of the parties. These negotiations led to the present Las juras Beach Settlement Agreement No. 2 (Agreement). One of the Agreement's contingencies forms the basis of the Commission's consideration of this item.

The Agreement, which was approved by the Commission, became effective August 2, 1989. The Agreement is by and among the State, Ticor, and about 75 percent of the Las Tunas Beach homeowners (referred to in the Agreement as the Owner Parties). The remaining 25 percent of the beachfront homeowners, for various reasons of their own, did not sign the Agreement. Unanimity is not required, however, for the Agreement to be effective and for escrow to close.

If escrow is to close and the terms of the Agreement to be implemented, the Commission is required, by the Agreement, to consider a lease to the Owner Parties for the construction of as many as eight new groins similar to those described in the report prepared for the Owner Parties by Moffatt & Nichol Engineers entitled "On the Feasibility of Replacing the Las Tunas Beach Groins", dated February 28, 1955 (Report). This contingency, the consideration and issuance of the lease, must be met within one year from the effective date of the Agreement unless extended by the Court for an additional 90 days upon a showing of good cause. In August, the Court granted the parties' request for an extension. The last day of this extension is October 31, 1990.

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THE PROPOSED PROJECT:

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The Owner Parties, pursuant to the terms of the Agreement, have applied to the Commission for a 49-year general lease of eight separate parcels of tide and submerged lands at Las Tunas Beach in Malibu for the purpose of constructing eight rock groins. This application was made pursuant to the terms of the Agreement. Under the Agreement, the Commission is not bound to issue a lease for this particular project or for any project. However, in order for the contingency for close of escrow to be satisfied, and the remaining provisions of the Agreement to take effect, the Commission must approve "a lease of tidelands areas to the Owner Parties...for purposes of constructing as many as eight new groins similar to those described in the Moffatt & Nichol Report". Each of the proposed groins would be coproximately 200 feet long, in the shape of a truncated pyramid 25 to 30 feet wide at the base and 8 to 12 feet wide at the top and from +12 to +7 feet above Mean Lower Low Water. The new groins, as proposed, would be constructed on or near

The eight groins that comprise the proposed project would be built of rock to insure their permanence and to avoid the repetition of the hazards currently presented by the old concrete and steel groins. The areas between each of the groins would be filled with sand from an inland site in order to reduce, to the maximum extent feasible, downcoast erosion. The installation of the groins will provide protection to the homes along the beach and result in a larger beach area for lateral public access to the beach from existing State park properties at either end of the affected area.

ENVIRONMENTAL REVIEW:

The Commission's consideration of a lease for the proposed groin construction is a project that must be preceded by compliance with the provisions of the California Environmental Quality Act (CEQA). As Lead Agency, the Commission, acting through its staff, determined that an Environmental Impact Report (EIR) was required for the project. A draft EIR (SCH 90010296) was prepared by the consulting firm of Dames & Moore and copies were circulated for review and comment to Responsible and Trustee Agencies, and the public. this public review process, the Commission's staff held a As part of public hearing on August 13, 1990, in Santa Monica, for the sole purpose of receiving comments on the draft EIR. This meeting was attended by parties to the Agreement and many of the non-settling homeowners. A finalizing addendum, responding to all comments received on the draft EIR, was prepared and

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constitutes, in conjunction with the draft, the Final EIR for the Las Yunas Beach groin replacement project. The Final EIR was mailed to over 100 recipents on October 10, 1990.

The environmental review process has revealed several potentially adverse environmental impacts of the project, as proposed by the Owner Parties, that cannot be reduced to a level of insignificance by the application of feasible mitigation measures. Among such impacts are loss of existing surf grass and cobble ocean bottom as a consequence of the expansion of the beach area, noise during the expected twenty (20) weeks of construction, and the visual impact of the completed groins themselves. There are however, substantial public and private benefits from the project as proposed that, staff believes, outweigh the unavoidable adverse environmental effects. These benefits, discussed in the attached Statement of Overriding Considerations (Exhibit "D"), include the removal of the hazards presented by the old groins, an enlarged beach which will provide greater public access, and the protection of the property of the beachfront homeowners. The environmental review process has also révealed a number of adverse environmental effects that can feasibly be mitigated to insignificance, and these mitigation measures, set forth in the attached Findings, will be required as conditions of any lease issued to the Owner Parcies.

AB 884: N/A.

OTHER PERTINENT INFORMATION:

This project involves lands identified as possessing significant environmental values pursuant to P.R.C. 0370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification

FURTHER APPROVALS REQUIRED:

The Owner Parties will need additional permits from the Coastal Commission and the United States Army Corps of Engineers. The Owner Parties will also petition the County of Los Angeles for the formation of a geologic hazard abatement district pursuant to Section 26500 et seq. of the P.R.C. This special district is required to provide a means for the continuing repair and maintenance of the groins by the Owner Parties.

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EXHIBITS:

- A. Land Description.
- B. Location Map.

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- C. CEQA Findings.
- D. Statement of Overriding Considerations. E. Mitigation Monitoria
- E. Mitigation Monitoring and Reporting Plan

IT IS RECOMMENDED THAT THE COMMISSION:

- 1. CERTIFY THAT AN EIR, STATE CLEARINGHOUSE NO. 90010296, WAS PREPARED FOR THE LAS TUNAS GROIN RESTORATION PROJECT PURSUANT TO THE PROVISIONS OF THE CEQA AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
- 2. ADOPT THE FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS REQUIRED BY CEQA AND THE CEQA GUIDELINES WHICH FINDINGS AND STATEMENT ARE ATTACHED AS EXHIBITS "C" AND "D", RESPECTIVELY.
- 3. FIND THAT THE PROPOSED PROJECT WILL HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT, THAT SUCH SIGNIFICANT EFFECTS ON THE ENVIRONMENT ARE REDUCED TO THE MAXIMUM EXTENT FEASIBLE AND THAT THE BENEFITS OF THE PROJECT OUTWEIGH ITS RESIDUAL SIGNIFICANT ENVIRONMENTAL EFFECTS.
- 4. ADOPT, PURSUANT TO SECTION 21081.6 OF THE P.R.C., THE MONITORING PROGRAM CONTAINED IN EXHIBIT "E", FOR THE PROJECT TO INSURE COMPLIANCE WITH THE REQUIRED MITIGATION MEASURES.
- 5. FIND THAT THIS PROJECT IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.
- 6. AUTHORIZE THE ISSUANCE TO THE OWNER PARTIES TO THE LAS TUNAS BEACH SETTLEMENT AGREEMENT NO. 2 THROUGH THEIR AGENT CRAIG S. DUMMIT, C/O DUMMIT, FABER & BROWN, OF A 49-YEAR GENERAL LEASE - PROTECTIVE STRUCTURE, TO BE EFFECTIVE OCTOBER 31, 1990, FOR EIGHT PARCELS OF TIDE AND SUBMERGED LANDS AT LAS TUNAS BEACH IN MALIBU FOR THE PURPOSE OF CONSTRUCTING AS MANY AS EIGHT ROCK GROINS SIMILAR TO THOSE DESCRIBED IN THE MOFFATT & NICHOL REPORN AND DESCRIBED AS THE PROPOSED PROJECT IN THE EIR FOR THE LAS TUNAS BEACH GROIN RESTORATION PROJECT. THE CONSIDERATION FOR THE LEASE SHALL BE \$10 PER YSAR. THE LEASE SHALL INCORPORATE THE FEASIBLE MITIGATION MEASURES AS SET FORTH IN THE MONITORING PLAN ATTACHED AS EXHIBIT "E".

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7. THE OWNER PARTIES SHALL OBTAIN ALL OTHER NECESSARY GOVERNMENTAL APPROVALS, INCLUDING THOSE OF THE COASTAL COMMISSION AND THE UNITED STATES ARMY CORPS OF ENGINEERS.

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EXHIBIT "A"

LAND DESCRIPTION

W 24429

Eight parcels of tide and submerged land in Santa Monica Bay, Los Angeles County, California, adjacent to Lots 3 through 89 as shown on map filed March 25, 1929, in Book 26, pages 43 and 44, of Record of Surveys in the County Recorders Office of said County and adjacent to another parcel of land bounded on the east by a line parallel with and 50 feet easterly of the westerly line of Rancho Boca De Santa Monica, on the north by West Topanga Beach Road, on the west by the east line Lot 89 of said Record of Survey and on the south by said Bay, all groins are described as shown on the the Preliminary Map of "Las Tunas Beach Geological Hazard Abatement District, Groins and Beachfill", Dated 10/2/90. Job No 2800, by Moffatt and Nichol, Engineers on file in file W 24429 in the California State Lands Commission office in Sacramento, California, said parcels are more particularly described as follows:

PARCEL 1 - Groin #1

A strip of tide and submerged land 68 feet wide located waterward of Lots 9, 10, 11 & 12 as shown on said Record of Survey Map and lying 34 feet on each side of the following

COMMENCING at the northeast corner of said Lot 11; thence southerly along the east line of said Lot 11, 15 feet more or less; thence S 3° 10' E. 10 feet to the POINT OF BEGINNING; thence continuing S 3° 10' E, 215 feet to the end of the herein described

PARCEL 2 - Groin #2

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A strip of tide and submerged land 86 feet wide located waterward of Lots 25, 26, 27 & 28 as shown on last said map and lying 43 feet on each side of the following described centerline: COMMENCING at a point on the northerly line of Lot 26, 1 foot westerly of the northeast corner of said Lot 26; thence S 8° 20' W, 28 feet more or less to the POINT OF BEGINNING; thence continuing S 8° 20' W, 260 to the end of the herein described

PARCEL 3 - Groin #3

A strip of tide and submerged land 76 feet wide located waterward of Lots 39, 40 & 41 as shown on last said map and lying 38 feet on each side of the following described centerline: COMMENCING at a point on the northerly line of said Lot 40, 1 foot westerly of the northeast corner of said Lot 40; thence S 00° 50' E, 67 feet more or less to the POINT OF BEGINNING; thence continuing S 60° 50' E, 227 feet to the end of the herein

PARCEL 4 - Groin #4

A strip of tide and submerged land 94 feet wide located waterward of Lots 46, 47, 48 & 49 as shown on last said map and lying 47 feet on each side of the following described centerline: COMMENCING at ? point on the east line of Lot 47, south 44 feet from the northeast corner of said Lot 47; inence § 10° W, 15 feet more or less to the POINT OF BEGINNING; thence continuing \$ 10° W, 240 feet to the end of the herein described

PARCEL 5 - Groin #5

A strip of tide and submerged land 82 feet wide located waterward of Lots 62, 63, & 64 as shown on last said map and lying 41 feet on each side of the following described centerline: COMMENCING at the northeast corner of said Lot 63; thence S 17° 30' W. 10 feet more or less to the POINT OF BEGINNING; thence continuing S 17° 30' W. 290 feet to

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PARCEL 6 - Groin #6

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A strip of tide and submerged land 80 feet wide located waterward of Lots 74, 75, 76 & 77 as shown on last said map and lying 40 feet on each side of the following described centerline: BEGINNING at a point on the east line of said Lot 75, southerly 78 feet from the northeast corner of said Lot; thence continuing southerly along said line and its prolongation, 300 feet to the end of the herein described centerline.

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PARCEL 7 - Groin #7

A strip of tide and submerged land 74 feet wide located near the east line of Lot 89 as shown on last said map and lying 36 feet, westerly and 38 feet easterly of the following described line: BEGINNING AT A POINT on the easterly line of said Lot 89, southerly 88 feet from the northeasterly comer of Lot 89; thence continuing southerly along said easterly line and its prolongation, 265 feet to the end of the herein described line.

PARCEL 8 - Groin #8

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A strip of tide and submerged land 70 feet wide in the vicinity of the westerly line of said Rancho and lying 35 feet on each side of the following described centerline: BEGINNING AT A POINT on the westerly line of said Rancho, southerly 227 feet from its intersection with the southerly right of way line of Pacific Coast Highway; thence continuing southerly along said westerly line and its prolongation 120 feet; thence S 14 30 W, 160 feet to the end of the herein described line.

EXCEPTING from said parcels numbered 1 through 8 any portion lying landward of the ordinary high water mark.

END OF DESCRIPTION

PREPARED OCTOBER 22, 1990 BY LLB.





EXHIBIT "C" CEQA FINDINGS

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FINDING 1.

IMPACT: Potential movement of fill material at the west staging area and ramp

MITIGATION MEASURES: To determine the stability of the ground, a geotechnical analysis of the capacity of the soils must be completed. The ramp will then be constructed so that it is capable of supporting the weight of the vehicles.

FINDING: CHANGES OR ALTERATIONS HAVE BEEN REQUIRED IN, OR INCORPORATED INTO, THE PROJECT WHICH AVOID OR SUBSTANTIALLY LESSEN THE SIGNIFICANT ENVIRONMENTAL EFFECT AS IDENTIFIED IN THE EIR.

FACTS SUPPORTING THE FINDING:

The eastern and western staging areas will be located on shelf deposits derived from naturally and artificially compacted soils from the adjacent cliffs. Since the engineering properties of these fill materials are unknown, the use of these staging areas and the construction of the temporary ramp to the beach may result in significant mass movement of these materials due to the loads imposed on them by the construction equipment and the storage of rock and sand.

The design of the staging areas and the temporary ramp will be engineered to account for the properties of the soils. This process will substantially reduce the possibility of mass movement of the fill materials. The engineering design for the temporary ramp and fills will be reviewed and approved by the engineering staff of the Commission prior to the start of construction.

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FINDING 2.

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IMPACT: Potential erosion of downcoast beaches as a consequence of the effectiveness of the proposed groins.

MITIGATION MEASURES:

The mitigation measures listed below have been identified to reduce or eliminate this impact. These are:

- Following the construction of the groins, each of the resulting groin cells will 1. be filled with material from Hansen Dam which is compatible with the sand
- The design of the seaward portion of the groins will be semipermeable so that 2 littoral sand movement can continue downcoast;
- 3. The designed length of the groins will allow littoral sand movement to continue around the end of the groins and thence downcoast;
- 4. A monitoring program will be established downcoast of groin 8 at Topanga State Beach to determine whether or the beach area diminishes after groin construction. Any erosion of sand from this area will be replenished as
- 5. Beach sand will be added at the foreshore of Topanga State Beach during groin construction to reduce sand loss.

FINDING: CHANGES OR ALTERATIONS HAVE BEEN REQUIRED IN, OR INCORPORATED INTO, THE PROJECT WHICH AVOID OR SUBSTANTIALLY LESSEN THE SIGNIFICANT ENVIRONMENTAL EFFECT AS IDENTIFIED IN THE EIR.

FACTS SUPPORTING THE FINDING:

The proposed project will significantly reduce any erosion of the Las Tunas shoreline due to placement of groins along this beach. The beach at Las Tunas is located in the Santa Monica littoral cell. Controversy exists as to whether the shoreline at Las Tunas Beach is presently eroding. The EIR contains a worst-case estimate that 4,000 to 6,000 cubic yards of sand per year may need to be placed downcoast of Las Tunas Beach to replace that sand which would have been croded naturally from the Las Tunas shoreline and transported downcoast. The EIR also contains an estimate by Dr. Warren Thompson, the

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State's coastal expert that erosion is not occurring at Las Tunas Beach.

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The implementation of each of the mitigation measures described above will eliminate this potential impact by: 1) monitoring, over time, the baseline beach profile of Topanga State Beach; and 2) requiring replenishment of sand at the Park by the State should the monitoring program indicate any adverse effects of the construction of the groins.

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FINDING 3.

IMPACT: Loss of surfigrass and cobble habitat as a result of sandfill within the groin cells to the 4 foot water depth.

MITIGATION MEASURES: constructed rock groins.

Incroduction of new substrate in the form of the

FINDING: CHANGES OR ALTERATIONS HAVE BEEN REQUIRED IN, OR INCORPORATED INTO, THE PROJECT WHICH AVOID OR SUESTANTIALLY LESSEN THE SIGNIFICANT ENVIRONMENTAL EFFECT AS IDENTIFIED IN THE EIR.

> SPECIFIC ECONOMIC, SOCIAL, OR OTHER CONSIDERATIONS MAKE INFEASIBLE THE MITIGATION MEASURES OR PROJECT ALTERNATIVES IDENTIFIED IN THE FINAL EIR.

FACTS SUPPORTING THE FINDING: The applicant has proposed to construct the new groins with rock. The use of rock is identified as a potential mitigation measure for the impacts to surf grass caused by the covering of the existing habitat by the new groins and the sand fill between the groins. The new rock will offer potential substrate to which surf grass may attach. There is, however, insufficient evidence to support any conclusion that this new rock will be colonized by surfgrass. The new rocks in the groins will provide vertical surfaces rather than the horizontal surfaces which will be covered by the project. As such, the potential exists for residual significant impacts to surfgrass after the application,

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FINDING 4.

IMPACT: Loss of surfgrass and cobble habitat as a result of sandfill to the -4 foot water depth.

MITIGATION MEASURES:

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Additional mitigation measures have been identified to reduce or further eliminate this impact. These measures are:

- Placement of additional cobble rock substrate to encourage the natural 1. attachment of surfgrass and to replace nearshore biotic habitat;
- 2: Artificial attachment of surfgrass to rocks and subsequent placement in water depths which support surfgrass; and
- 3. Elimination of groins 1 and 8 and the western-most sand fill. This action would reduce the loss of surfgrass on existing rocky substrate by approximately fifty percent (50%).

FINDING: CHANGES OR ALTERATIONS HAVE BEEN REQUIRED IN, OR INCORPORATED INTO, THE PROJECT WHICH AVOID OR SUBSTANTIALLY LESSEN THE SIGNIFICANT ENVIRONMENTAL EFFECT AS IDENTIFIED IN THE EIR.

> SPECIFIC ECONOMIC, SOCIAL, OR OTHER CONSIDERATIONS MAKE INFEASIBLE THE MITIGATION MEASURES OR PROJECT ALTERNATIVES IDENTIFIED IN THE FINAL EIR.

FACTS SUPPORTING THE FINDINGS:

The placement of cobble rock substrate in the filled area to encourage the natural attachment of surfgrass and nearshore biota may eventually replace the habitat lost as a result of this project. However, the information on the effectiveness of this as mitigation is inconclusive. The exact area where this replacement habitat could be secured is unknown. The area around the groin may be inappropriate for such habitat since the groin cells will be filled with sand and the groins will continue to trap sand; thus, any replacement habitat could again be destroyed by subsequent burial.

The attachment of surfgrass artificially in the field is an experimental methodology which has not been proven to be universally effective.

The removal of groins 1 and 8 from the project is infeasible as cited in the attached Statement of Overriding Considerations.







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Alternatives, including the environmentally preferred alternative, have been shown to reduce substantially or eliminate this impact. The adoption of these alternatives is infeasible as cited in the Statement of Overriding Considerations.

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FINDING 5.

IMPACT: Noise levels will temporarily increase at staging areas and within the construction zone due to the presence and operation of construction vehicles during the twenty week construction period.

MITIGATION MEASURES: Mitigation measures have been designed to reduce this impact: 1) idling time for trucks will be limited to ten minutes at staging areas; 2) the number of trucks at the construction site will be limited to one and the number of trucks traversing the beach from each staging area will be limited to no more than two at any one time; 3) work will be limited to the hours of 7:00 A.M. to 5:C3 P.M.; 4) residents will be notified of the construction and advised that closing their windows and doors will reduce staging areas and construction site; and, 6) high-performance mufflers will be used on all vchicles.

FINDING: SPECIFIC ECONOMIC, SOCIAL, OR OTHER CONSIDERATIONS MAKE INFEASIBLE THE MITIGATION MEASURES OR PROJECT ALTERNATIVES IDENTIFIED IN THE FINAL EIR.

FACTS SUPPORTING THE FINDING:

The specified mitigation measures will not reduce the noise impacts of the project to issignificance. The noise from this construction project will exceed noise limits established by local ordinance.

Specifically, Los Angeles County Ordinance No. 11778 strictly prohibits noise producing equipment in residential areas before 7:00 A.M. and after 7:00 P.M. This ordinance also stipulates a maximum sound level of 60 dB in a single family residence area for a construction project of 10 or more days. The noise level associated with the project will violate the ordinance even with all mitigation measures applied.

Several alternatives substantially reduce or eliminate this impact. These are the no project alternative, the construction of breakwaters, and the removal of the existing groins without replacement. These alternatives are infeasible for the reasons cited in the Statement of Overriding Considerations.

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FINDING 6.

IMPACT: Damage to the Topanga Beach State Park parking and picnic facilities at the castern staging and access areas.

MITIGATION MEASURES: Repair or replace any damaged or destroyed facilities within the park area.

FINDING: CHANGES OR ALTERATIONS HAVE BEEN REQUIRED IN, OR INCORPORATED INTO, THE PROJECT WHICH AVOID OR SUBSTANTIALLY LESSEN THE SIGNIFICANT ENVIRONMENTAL EFFECT AS IDENTIFIED IN THE EIR.

> SUCH CHANGES OR ALTERATIONS ARE WITHIN THE RESPONSIBILITY AND JURISDICTION OF THE STATE DEPARTMENT OF PARKS AND RECREATION AND NOT THE AGENCY MAKING THE FINDING. SUCH CHANGES CAN AND SHOULD BE ADOPTED BY THE STATE DEPARTMENT OF PARKS AND RECREATION.

FACTS SUPPORTENG THE FINDING:

The State Department of Parks and Recreation has jurisdiction over the Topanga Beach State Park including the eastern staging and access area. This mitigation measure completely eliminates project impacts to recreation since any damaged facilities will be repaired or replaced by the applicant or their agent.

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FINDING 7.

IMPACT: Reduced and obstructed views of beach areas from Las Tunas Beach during the construction of the groins due to the presence of equipment.

MITIGATION MEASURES: None

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FINDING: SPECIFIC ECONOMIC, SOCIAL, OR OTHER CONSIDERATIONS MAKE INFEASIBLE THE MITIGATION MEASURES OR PROJECT ALTERNATIVES IDENTIFIED IN THE FINAL EIR.

FACTS SUPPORTING THE FINDING:

This is a short-term visual impact caused by the presence of construction equipment on the beach. There are no mitigation measures which will reduce or eliminate this impact; however, the no project alternative would eliminate this impact since no construction would occur. This alternative is infeasible as cited in the Statement of Overriding Considerations.

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FINDING 8.



IMPACT:

Interrupted views of the beach caused by exposed portions of the rock groins.

MITIGATION MEASURES: None

FINDING: SPECIFIC ECONOMIC, SOCIAL, OR OTHER CONSIDERATIONS MAKE INFEASIBLE THE MITIGATION MEASURES OR PROJECT ALTERNATIVES IDENTIFIED IN THE FINAL EIR.

FACTS SUPPORTING THE FINDING:

The proposed project entails the construction of groins 200 feet in length. The cells created by the groins will be filled with sand. However, portions of the groins, especially in the east, will remain exposed and visible at all times. Additional portions of the groins may also become exposed if waves erode the sand covering them. This exposure of the rock

No mitigation measures eliminate or reduce this impact to a level of insignificance. Alternatives which would eliminate or substantially reduce the impact have been identified. These are the no project alternative, the construction of a revetment or seawail underneath the houses, beach nourishment without groins, low profile groins, and removal of the existing groins without replacing them. None of these alternatives is feasible for reasons cited in the Statement of Overriding Considerations.

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FINDING 9.

IMPACT: Increased traffic from trucks transporting rock along State Route 150

MITIGATION MEASURES:

Trucks transporting rock from Ojai should travel along State Route 33, to Highway 101, then to Las Posas Road, and then to the Pacific Coast Highway (PCH) to get to the site. Trucks from Camarillo should travel along Pleasant Valley Road to Las Fosas Road, and then to PCH to get to the site.

FINDING: CHANGES OR ALTERATIONS HAVE BEEN REQUIRED IN, OR INCORPORATED INTO, THE PROJECT WHICH AVOID OR SUBSTANTIALLY LESSEN THE SIGNIFICANT ENVIRONMENTAL EFFECT AS IDENTIFIED IN THE EIR.

SUCH CHANGES OR ALTERATIONS ARE RESPONSIBILITY AND JURISDICTION OF CALTRANS AND NOT THE AGENCY MAKING THE FINDING. SUCH CHANGES CAN AND SHOULD BE ADOPTED BY CALTRANS.

FACTS SUPPORTING THE FINDING:

The truck route from the rock quarry in Ojai could utilize State Route 150. This route is a two-lane undivided highway with traffic volumes approaching 25,000 vehicles per day and peak traffic of 2800 vehicles per hour. The addition of 25 trucks per day, each carrying 20 tons of rock, poses a potential highway safety risk.

The alternate route described in the mitigation measure would remove trucks from State Route 150 and eliminate the potential impact. The impact on the alternate route

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FINDING 10.

IMPACT: Increased traffic volume along westbound PCH from trucks delivering sand.

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MITIGATION MEASURES: Reduce the number of trucks along PCH during peak hours. Route trucks from Hangen Dam along State Route 118 to Mailera Road, to Olsen Road, to State Route 23, to Las Posas Road and then to eastbound PCH during morning and evening peak hours.

FINDING: CHANGES OR ALTERATIONS HAVE BEEN REQUIRED IN, OR INCORPORATED INTO, THE PROJECT WHICH AVOID OR SUBSTANTIALLY LESSEN THE SIGNIFICANT ENVIRONMENTAL EFFECT AS IDENTIFIED IN THE EIR.

> SUCH CHANGES OR ALTERATIONS ARE WITHIN THE RESPONSIBILITY AND JURISDICTION OF CALTRANS AND NOT THE AGENCY MAKING THE FINDING. SUCH CHANGES CAN AND SHOULD BE ADOPTED BY CALTRANS.

FACTS SUPPORTING THE FINDING:

The truck route from Hansen Dain to the construction site could significantly impact traffic on westbound PCH during peak hours. This impact is eliminated entirely by using the route described in the mitigation measure because it removes traffic from westbound PCH to eastbound PCH during peak hours.

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FINDING 11.

FMPACT: Increased congestion /queuing at ingress and egress points at staging areas due to trucks delivering sand and rock.

MITIGATION MEASURES: Decrease queuing by allowing four (4) trucks at one time into the staging areas. Provide dual ingress and egress points at each staging area. Provide traffic control at ingress/egress points at each staging area.

FINDING: CHANGES OR ALTERATIONS HAVE BEEN REQUIRED IN, OR INCORPORATED INTO, THE PROJECT WHICH AVOID OR SUBSTANTIALLY LESSEN THE SIGNIFICANT ENVIRONMENTAL EFFECT AS IDENTIFIED IN THE EIR.

> SUCH CHANGES OR ALTERATIONS ARE WITHIN THE RESPONSIBILITY AND JURISDICTION OF CALTRANS AND THE COUNTY OF LOS ANGELES AND NOT THE AGENCY MAKING THE FINDING. SUCH CHANGES CAN AND SHOULD BE ADOPTED BY CALTRANS AND THE COUNTY OF LOS ANGELES.

FACTS SUPPORTING THE FINDING:

Truck traffic entering and exiting the construction site could be a significant impact. This impact occurs because up to 100 trucks carrying sand and 25 trucks carrying roch will enter and exit the staging area daily. The time required to discharge loads will result in up to 4 twenty foot long trucks waiting in the center median lane of Pacific Coast Highway. This circumstance could have a significant deleterious effect on normal traffic patterns as approximately one truck every three minutes crosses the traffic lanes.

This impact is eliminated if four trucks at one time can enter and exit the staging area with traffic control established during the ingress and egress of the trucks.

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FINDING 12.

IMPACT:

Short-term degradation of the perceived quality of lifestyle in the v-inity of the beach homes due to not e and air emissions from construction vehicles.

MITIGATION MEASURES: In additi a to the mitigation measures for noise identified in Finding 5 above, the following measures have been identified to reduce air emissions from diesel vehicles near homes: 1) engines should be maintained in proper tune; 2) low sulfur fuel should be used; 3) no construction activity should occur during second stage smog alerts; 4) construction and staging areas should be wet to reduce dust; 5) reduce idling time of trucks to 10 minutes or less; 6) use pre-chamber combustion engines whenever possible; and 7) inform residents of construction and advise them to close their windows during working hours.

FINDING: SPECIFIC ECONOMIC, SOCIAL, OR OTHER CONSIDERATIONS MAKE INFEASIBLE THE MITIGATION MEASURES OR PROJECT ALTERNATIVES IDENTIFIED IN THE FINAL EIR.

FACTS SUPPORTING THE FINDING:

Each of the mitigation measures listed above will be implemented to reduce the impact to area residents during the twenty week construction period. The impacts are still potentially significant after all feasible mitigation measures are applied.

Alternatives have been identified which would substantially reduce or eliminate this impact. These alternatives are the no project alternative and the removal of the existing groins without replacement. These alternatives are infeasible for reasons cited in the Statement of Overriding Considerations.

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EXHIBIT D

STATEMENT OF OVERRIDING CONSIDERATIONS

STATEMENT

The Environmental Impact Report (EIR) has identified several significant adverse environmental impacts of the proposed Las Tunas Groin Restoration Project. Some impacts can not be reduced to a level of insignificance after the adoption of available, feasible mitigation. While some of the identified alternatives to the project would eliminate a number of such impacts, such alternatives are deemed infeasible on the basis of considerations specified in this statement (Section 15091(a)(3), State EIR Guidelines). The Commission has balanced the benefits of the proposed project against its unavoidable environmental risks and hereby determines that: its benefits outweigh the unavoidable adverse environmental effects; and 2) such effects are considered acceptable (Section 15093, State EIR Guidelines).

JUSTIFICATION

The proposed project arises from the Las Tura. Beach Settlement Agreement No. 2. This Agreement was entered into by and among the State of California acting by and through its State Lands Commission and the Attorney General, Ticor Title and approximately 75% of the homeowners at Las Tunas Beach (referred to in the Agreement as the Owner Parties). This Agreement settles litigation that was filed by the State in 1982 against Ticor seeking removal of the remnants of eight groins at Las Tunas Beach. These steel groins have deteriorated to such an extent that all that remain are sharp points of rusted steel protruding from the sand. These groin remnants pose a very grave havard to the vers of the beach. The litigation expanded into many suits and count r suits inv. ving Tic.r, the homeowners, their insurance carriers and the State, which were consolidated into the original action brought by the State.

Realizing that this massive litigation among many parties each claiming someone else was responsible for the deteriorated groins would not quickly result in the removal of a significant public hazard, the Court directed the parties toward a settlement. The Agreement, the terms of which the Court and the State have already approved, provides the best, if not the only, means to a relatively prompt realization of the State's objective when it commenced the litigation, the removal of the groins.

When the State entered into the Agreement, it did/not contract away its discretion regarding the leasing of tide and submerged lands. It specifically disavowed any commitment to issue a lease with any particular terms or to issue any lease at all. (See

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Agree nent, paragraph 1.18.) By doing so, it insured that its consideration of the proposed project would be preceded by full compliance with the California Environmental Quality Act (CEQA) and that the decision would be made only after full consideration of the environmental effects of the proposed project.

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However, to realize the major benefits of the Agreement, among which is the removal of the groins, the State must approve "a lease of tideland areas to the Owner Parties., for purposes of constructing as many as eight new groins similar to those described in the Moffart & Nichol Report [the engineering report prepared for the Owner Parties on the reconstruction of the groins]." (Agreement, Paragraph 2.3.) The Agreement further provides that..."the terms and conditions of any such State Lease may be added to by the State; Without the consent of the other Parties hereto, during the permit and lease application process, but only to the extent such additional terms or conditions are consistent with and do not conflict with the specific terms of this Agreement and the State Lease as set forth above and in Exhibit D." (Agreement, Paragraph 2.4)

This Agreement was the product of negotiation and compromise. In order to obtain removal of the groins by Ticor and the owner Parties at no expense to the State, the State agreed to permit a groin restoration project that full adequately protect the shorezone from erosion. This project before the Commission meets the criteria specified in the Agreement. The Agreement does not prohibit the State from requiring the Owner Parties to adopt mitigation measures into the project that are reasonable and feasible. The proposed action of the Commission incorporates all reasonable and feasible mitigation measures identified in the EIR. Project alternatives discussed in the EIR that mitigate adverse impacts, however, such as no project, reduction in the number of groins and low profile groins, do not meet the terms of the Agreement (see reference to Agreement, paragraph 2.3 supra) and are therefore infeasible.

CONCLUSION

The issuance of a lease for the project, which incorporates specified mitigation, will secure removal of the dangerous deteriorated groins and relieve the State from future liability with respect to these groins. It will also provide the homeowners at Las Tunas Beach with the ability to take appropriate action to protect their homes by the installation of new groins for which the State will not be responsible. In addition, the installation of the groins will provide a larger beach area to which the public will have access from State parks at each end of the affected area. The protection of public safety, the protection of private property and the enhancement of the public recreational polential of the beach are significant beneficial considerations which support the approval of the project as amended.

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EXHIBIT "E"

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LAS TUNAS GROIN RECONSTRUCTION PROJECT

MITIGATION MONITORING AND REPORTING PLAN (Section 21081.6, PRC)

Section 1

INTRODUCTION

This plan has been developed in conformance with the requirements of Section 21081.6 of the Public Resources Code and shall be known as the Mitigation Monitoring Plan (the Plan) for the Las Tunas Beach Groin Reconstruction Project (Project). The Project entails the construction of eight rock rubble groins 200 feet in length and the placement of 80,000 to 100,000 cubic yards (cy) of sand along a 3,900 ft stretch of Las Tunas Beach.

Section 2 contai - a brief summary/checklist matrix. Section 3 is organized to: 1) present each mitigation measure; 2) describe the impact to be mitigated, the monitoring requirements and implementation schedule (timing); and 3) specify standards of compliance. Section 4 of the Plan contains forms that could be used to verify compliance or to report non-compliance.

IMPLEMENTATION

Responsibilities

Except as specifically noted herein, the Owner Parties of the Las Tunas Beach Settleinent Agreement No. 2. (LTOP), its representative(s), or successors-in-interest, hereinafter referred to as Applicant, shall be responsible for implementing all mitigation measures.

The California State Lands Commission (SLC), as CEQA Lead Agency, shall be responsible for the administration of all provisions of this Plan. The SLC may, however, delegate monitoring activities to other agencies, consultants, or contractors. The SLC will also ensure that complete monitoring reports are received in a timely manner and that violations are promptly corrected.

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Reporting

Verification of Compliance and Non-Compliance Reports shall be prepared by the site monitor using SLC-approved forms (example forms for this procedure are provided in Section 4). A copy of each report will be mailed to the Applicant. Progress toward completion of the required mitigation program, or violations thereof, shall be reported at intervals prescribed by the SLC to the Applicant. An additional copy of each report shall be mailed to appropriate Trustee Agencies.

COMPLIANCE

An SLC or SLC-designated site monitor should be present at the site on a continuous basis throughout construction to ensure compliance with this Plan. Verification of monitoring-in-progress and verification of completed mitigations shall be reviewed by the SLC. The SLC shall notify the Applicant in writing of the successful completion of a mitigation measure within 3 working days of its receipt of a report verifying completion.

VIOLATIONS

If a report identifies a violation of the mitigation program, the SLC, within one working day of its receipt of the report, shall:

- 1. notify the Applicant by telephone and order immediate compliance;
- 2. prepare written notification to the Applicant of the violation and order to comply; and
- 3. determine whether a follow-up field inspection is required.

Work shall cease upon notice by the SLC until the issue of compliance is resolved. The SLC shall notify the Applicant when work may begin.

If a dispute concerning the implementation or success of a mitigation measure arises, the dispute shall be referred to the Los Angeles County Superior Court as provided in the Settlement Agreement. In such a case, work on the project will be stopped until the dispute is resolved, unless the LTOP and SLC agree or the court orders otherwise.

EEES

Al costs for the administration and implementation of the Plan shall be paid by the LTOP, excluding legal costs and fees in the event of a dispute.

ENFORCEMENT AND PENALTIES

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A determination of non-implementation or non-compliance will result in immediate notification by the SLC as described above to the Applicant. If the project is not brought into immediate compliance, as determined by the site monitor, the Applicant or their contractor shall stop work. Violations of any approved mitigation measure which are discovered after Project Completion will result in one or more of the following actions:

- 1. written notification and demand of compliance by the SLC;
- 2. issuance of a citation;
- 3. an applicable remedy for breach of contract as provided in the Settlement Agreement; and
- 4. other appropriate legal remedies as determined by the SLC.



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Section 3

THE PROGRAM

- I. <u>GEOLOGY</u>
 - A. <u>Mitigation</u> <u>Measure</u>:

Impact to be Mitigated:

Monitoring Requirements:

Timing:

Use compacted materials capable of supporting the weight of construction vehicles and stockpiled rock in the construction of the temporary ramp at the western staging area to the beach.

Potential for significant mass movement of the fill material due to loads imposed by rock storage and truck traffic.

A geotechnical analysis including a field investigation, laboratory testing program, and engineering analysis shall be performed to determine the stability of the proposed staging area under the anticipated traffic and loading conditions.

The ramp shall be tested by SLC or an SLC designated monitor after completion, prior to the start of construction activities to ensure that the ramp can support anticipated loading weights.

Initial geotechnical investigation of the western staging area shall be performed before final approval of engineering designs for the western staging area and ramp.

All required tests and investigations including postcompletion tests of ramp construction shall be completed and fully analyzed prior to start of construction.

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Compliance The geotechnical analysis shall be performed before Standards: final approval of ramp design for the western staging area and before construction of the ramp begins. Neither the ramp nor the staging area may be used until all required analyses have been completed. A final geotechnical and engineering study design shall be submitted to the SLC or SLC designated monitor for review and approval at least 45 days prior to commencement of construction. The study plan, field investigation shall include, at a minimum, the drilling of borings, performance of Standard Penetration Tests, and the retrieval of relatively undisturbed samples for laboratory testing. The study plan, laboratory program shall include, at a minimum, direct shear or triaxial testing (as appropriate) to develop strength parameters, consolidation testing to evaluate compressibility characteristics, testing to evaluate index properties (moisture, density, grain size distribution, etc.), and compaction testing to evaluate roadway properties. The study plan, engineering analyses shall focus on bearing capacity and settlement, slope stability, liquefaction potential (if needed) and pavement/roadway characteristics of the materials. No vehicles exceeding the determined loading capacity of the ramp will be allowed to enter the western staging area. В. Mitization Temporary placement of armor rock, or other Measure: impervious material along the base of the seaward portion of the ramp at the western staging area. Impact to be Increase in sedimentation and turbidity in nearshore Mitigated: waters due to wave erosion of temporary ramp at west staging, area during high tide. Timing: Impervious material shall be in place prior to the start of project construction.

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Compliance Standards: The base of the temporary ramp shall be covered by an impervious material to at least 2 ft above the high water mark before construction from the western staging area is started.



II. COASTAL PROCESSES

Α.	Mitigation Messure:	Sand shall be added to the foreshore area of Topanga State Beach (estimated 4,000 - 6,000 cy per year) in the event downcoast erosion is exacerbated by the emplacement of the proposed groin field. Replenishment would be repeated as necessary. Replenishment of sand at Topanga State Beach shall be the responsibility of the State and not the Applicant.
	Impact to be Mitigated:	Potential crosion at downcoast beaches.
	Monitoring Requirements:	A beach profiling program shall be implemented to monitor the effect of the proposed groin field on other downcoast beaches in the Santa Monica littoral cell. The applitant shall submit a beach monitoring plan for the review and approval of the SLC at least 60 days prior to the commencement of construction. Such a plan shall incorporate the following:
		 Beach profiles shall be measured perpendicular to the shoreline from a permanent baseline, located on the backshore out to a specified water depth; profile data shall be surveyed at multiple times each year for five years. Multiple inter- annual and intra-actual surveys will be necessary to permit the separation of project effects from (1) normal seasonal variability in beach width, and (2) longer-term phenomenon (particularly El Nino-Southern Oscillation events) that recur with relatively low frequency.
		2. In addition to the survey lines downcoast of the groin project, several beach profiles shall be surveyed upcoast of the groin field (to the west) to ascertain whether changes observed at Las Tunas Beach and to the east are coincident with regional changes that might be caused by factors other than interruption of littoral transport by the groin field.

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Timing:	3. The spacing, length, depth, timing, and frequency, of profiles, and total duration of the monitoring program, as well as the analysis and reporting requirements, shall be established after careful consideration of the scientific and engineering goals of the program. These goals shall be determined in conjunction with appropriate regulatory agencies, and approved by the SLC prior to commencement of the monitoring.
	4. The monitoring program shall be continued for a specified period of time (5 years minimum), after completion of project construction, during which time interim reports describing measured changes in beach width shall be prepared; at the end of the initial multi-year study period, all data would be compiled and reviewed, and the monitoring program curtailed, modified, or continued as necessary. The monitoring program shall be continued if it is determined by the SLC that the downcoast beaches have eroded as a consequence of this project.
Compliance Standards:	5. If beach profiling data reveal the presence of any downcoast erosion as a result of the installation of the groin field at Las Tunas Beach, replenishment with compatible sand, proportional to volume 'ost, shall occur upcoast of the location(s) where loss of sand has occurred. Such replenishment at Topanga State Beach shall be done at the expense of the State.
B. <u>Mitigation</u> <u>Measure</u> :	An artificial beach fill fillet of approximatel, 2,000 - 3,000 cubic yards (cy) shall be placed immediately east of the eastern-most groin prior to construction.

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Impact to be Mitigated:	Downcoast crosson during the construction period.
Monitoring Requirements:	A site visit shall be made at the start of project construction by an SLC or SLC-designated monitor to ensure that the beach fill has been placed at the designated location. Measurements shall verify that the approved volume of material has been added.
Timing:	The approved volume of beach fill material shall be in place prior to the start of project construction.
Compliance itanciards:	2,000 - 3,000 cy of compatible material, per ACOE guidelines, shall be placed at the designated location before construction is started.

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III. BIOLOGICAL RESOURCES

A	<u>Mitigation</u> <u>Measure</u> :	Avoid or replace rocky habitat or surfgrass by replacement of existing rocky habitats and/or surfgrass, depending on extent and location of surfgrass and rocky habitat within the project area and the extent lost from groin installation.		
	Impact to be Mitigated:	The significant loss of nearshore surfgrass and rocky substrate.		
	Monitoring Requirements:	A surfgrass surveying program shall be developed to verify the extent of surfgrass and rocky habitat within the project area prior to construction and the degree of surfgrass and rocky habitat loss resulting from installation of the proposed groin field. The Applicant shall submit such program to the SLC for review and approval at least 60 days prior to the commencement of construction.		
		The survey program shall include at minimum: a) one pre-construction areal extent survey to verify the total are, and location of surfgrass in the project area, and b) a post-construction survey to determine the actual extent of surfgrass lost as a result of the project. Surveyed areas shall include the area offshore the project in order to determine the extent of surfgrass in		

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water deeper than groin/sand placement. Recovery of surfgrass to 50% of pre-construction conditions 2 years after construction shall be the criterion for determining whether additional habitat replacement is required.

Pre-construction surveys shall be conducted just prior to initiation of construction.

The post-construction survey shall begin immediately following completion of construction.

The Applicant shall also submit to the SLC, for review and approval, at least 60 days prior to commencement of construction, a plan for rocky habitat and/or surfgrass replacement. Such plan shall specify how rocky habitat and surfgrass will be replaced onsite or offsite if no suitable location for replacement habitat onsite can be found. Such plan shall also propose and discuss the methods which will be used to restore the habitats and alternatives for restoring habitats if the proposed methods are not successful. The restoration plan shall be implemented immediately upon completion of the analysis of post-construction surveys and after the two year period allowed for recovery. The cost of habitat restoration, exclusive of surveys and plans, shall not exceed \$50,000.

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Compliance Both surveys shall be conducted within the designated Standards: Both surveys shall be conducted within the designated time frame. Replacement of rocky habitat and/or surfgrass, if required as a result of post-construction survey results, shall be implemented as approved or recommended by the SLC.

IV. NOISE

Timing:

ł.	Mitigation Measure:	The idling of vehicles during periods of inactivity shall be limited to a maximum of 10 minutes.		
	Impaci to be Mitigated:	Noise emissions associated with construction activities.		

	Monitoring Requirements:	An SLC or SLC-designated site monitor shall time the duration of idling by construction vehicles at least twice daily throughout the construction period to ensure that excessive idling does not occur.		
	Compliance Standards:	Construction vehicles shall not remain idling for a period longer than 10 minutes.		
B.	<u>Mitigation</u> Measūre:	Make certain that construction vehicles stay as far seaward as possible when traversing the beach.		
	Impact to be Proximity of construction activity to sensitive receptor Mitigated:			
	Monitoring Requirements:	An SLC or SLC-designated site monitor shall observe the daily movement of construction vehicles along the beach to ensure that trucks traverse the beach as far from residences as possible.		
	Timing:	At all times throughout the construction phase.		
	Compliance Standards:	Trucks shall traverse the beach just above the water line.	Ŵ	
C.	Mitigation Measure:	Minimize the number of trucks on the beach itself by holding trucks in upper access area until space is available to unload material at the beach.		
	Impact to be Mitigated:	Proximity of idling trucks to sensitive receptors.		
	Monitoring Requirements:	An SLC or SLC-designated site monitor shall observe truck activity at the beach to document the absence of idling trucks on the beach.		

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Timing:	At all times throughout construction
Compliance Standards:	Trucks shall not proceed down to the waterfront from the access area until adequate space for immediate unloading is available at the beach. At no time shall a truck be idling on the beach unless it is engaged in the unloading of material.
D. <u>Mitigation</u> <u>Measure</u> :	High performance mufflers shall be used on all vehicles entering the project site.
Impact to be Mitigated:	The level of noise emission during project construction.
Monitoring Requirements:	An SLC or SLC-designated site monitor shall inspect arriving trucks to verify utilization of high performance mufflers on all vehicles extering the project site
Timing:	At all times throughout construction
Compliance Standards:	No vehicle which is not equipped with a high performance muffler shall enter the project site.
E. <u>Mitigation</u> <u>Measure</u> :	The eastern staging area shall be located as far to the east as possible.
Impact to be Mitigated:	Proximity of construction activity to sensitive receptors.
Monitoring Requirements:	The eastern staging area shall be inspected just prior to the start of construction by an SLC or SLC- designated site monitor to ensure that the staging area is located as far east as possible and that the area is fenced off or otherwise clearly marked. Subsequent werification of continued compliance shall occur during monthly site visits during the 20 weeks of construction
Timing:	During project construction.



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The area required for the eastern staging area shall be a fenced-off area located in the easternmost portion of Compliance Standards: the available area. IV. RECREATION Schedule project construction for "off-season", i.e. after Mitigation Α. October 1. Measure: Interference with recreational opportanities. Impact to be Mitigated: An SLC co SLC designated monitor shall visit the site Monitoring on the Fist day of construction. Requirements: The start of project construction. Timing: Construction shall not be started prior to October 1, of Compliance any year. Standards: Utilize minimal portions of available state beaches for Mitigation **E**., staging areas Measure: Reduction in beach area available for recreational Impact to be usage and damage to recreational facilities. Mitigated: A site visit shall be conducted by an SLC or SLCdesignated monitor on the first day of construction to Monitoring ensure that usable areas are fenced or clearly marked Requirements: and that all equipment is stored within these boundaries. Follow-up site visits, conducted monthly, shall verify continued compliance. A final site visit shall be conducted upon completion of construction to investigate areas used for, or damaged by, construction activities and ensure their return to pre-construction condition

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Timing:	Throughout project construction.
Compliance Standards:	Allowable staging areas shall be marked or fenced off and clearly visible to all construction personnel. Equipment and materials shall not be stored outside the designated staging area. All areas used for, or damaged by construction activity shall be returned to their pre-construction condition.
VI. <u>VISUAL</u> RESOURCES	
A. <u>Mitigation</u> <u>Measure</u> :	Decrease truck arrivals and move vehicles quickly into staging areas from access areas (see Traffic Mitigation Méasures).
Impact to be Mitigated:	Preclusion of viewsheds from the highway during construction.
Monitoring Requirements:	An SLC or SLC-designated site monitor shall observe truck arrivals at staging areas to verify that no more than 4 vehicles are present in staging areas at any time.
Timing:	Throughout project construction
Compliance Standards:	Not more than 4 trucks shall be visible at either staging area at any one time.

VII. HEALTH AND SAFETY

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4.	Mitigation Measure:	Staging areas shall be fenced off to preclude public access.
	Impact to be Mitigated:	Exposure of public to potential injury at staging area

with stockpiled material and equipment.

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Monitoring Requirements:	A site visit will be made by SLC or its designated monitor at the start of project construction. Monthly follow-up visits should verify continued compliance.
Timi97:	Throughout construction period.
Compliance Standards:	Fencing must preclude public access to all areas containing construction materials and equipment.
Mitigation Measure:	A warning sign will be posted at each groin in an area that is clearly visible to beach users and where damage to such sign from surf is minimized.
Impact to be Monitored:	Public exposure to potential rip current and submerged rock hazards associated with the presence of the groins.
Monitoring Requirements:	The State upon completion of construction and prior to reinstatement of public access to the project area shall place a sign at each groin which warn the public of the hazards.
Timing:	Prior to completion of project construction.
Compliance Standards:	Signs shall be installed as specified.

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AIR QUALITY A. Mitigation Watering or paving of construction roads. Measure: Impact to be

Control of fugitive dust as required by SCAQMD Rule Mitigated: 403.

Monitoring SCAQMD rules are subject to verification by an Requirements: SCAQMD representative who has the authority to conduct site inspections.

Timing: During clearing, grading, earth moving, or excavation activities throughout the construction period.

Compliance All roads being used for project construction should be Standards: either paved or watered regularly.

B. Mitigation Maintain equipment engines in proper tune. Measure:

Impact to be Increased effissions from construction and delivery vehicles.

SCAQMD rules are subject to verification by an Requirements: SCAQMD representative who has the authority to conduct site inspections.

Timing: Throughout project construction.

> No truck shall give off unusually high visible exhaust plumes or odors. Truck maintenance records shall show that tune-ups/maintenance has been performed per manufacturers specifications.

C. Mitigation Measure:

Mitigated:

Monitoring

Compliance

Standards:

VIII.

Construction areas shall be wetted down during the late morning and after working hours during the day as needed to prevent raised dust from leaving the site.

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Impact to be Generation of increased dust at the site from vehicular Mitigated: movement and deposition of rock/sand at the staging areas and onsite. An SLC or SLC-designated site monitor shall inspect Monitoring construction areas daily to ensure that water trucks are Requirements: operating at designated times and that construction areas are wetted adequately. Timing: Throughout the construction period after any clearing, grading, earthmoving or excavating activities. Appropriate areas shall be wetted down enough to Compliance Standards: form a crust on the surface with repeated soakings and prevent dust pick up by the wind. Water trucks shall operate as need. D. Mitigation Street sweeping shall be completed when silt has been Measure: carried over to adjacent thoroughfares. Impact to be Spread of silty material into adjacent public areas. Mitigated: An SLC or SLC-designated monitor shall examine Monitoring adjacent public areas daily for the presence of **Requirements:** construction-derived dust. 'Timing: As needed throughout the construction period, Compliance Silt generated as a result of project construction shall Standards: not be allowed accumulate in adjacent public thoroughfares. E. Mitigation Low sulfur fuel (0.05% or less by weight) will be used Measure: for all construction equipment. The level of sulfur emissions during construction. impact to be Mitigated: Monitoring During daily site activities an SLC or SLC-designated **Requirements:** monitor shall examine trucks in operation for high sulfuric odors and records of fuel purchase. Applicant

Calendar pag Minuté page _ contractor shall carry records of fuel purchases in trucks showing time of purchase, vehicle fueled, and sulfur content of fuel.

All onsite diesel construction equipment shall use

Construction activity will be discontinued during

Increases in emissions from construction and delivery

The SLC or SLC-designated monitor shall verify any

No construction activity shall occur during a second.

Caterpillar design equipment will be used whenever

Level of NOx emissions during project construction.

An SCAQMD monitor should contact the truck sub-

contractor to verify usage of caterpillar design

If the necessary Caterpillar design construction

equipment is available, it should be used.

issuance of a second stage smog alert and stop

diesel fuel with a sulfur content of 0.05% or less by

Throughout project construction:

second stage sizog alerts.

construction activities.

stage smcg alert.

vehicles

possible.

weight as verified by contractor records.

Timing:

Compliance Standards:

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F. Mitigation Méasure:

> Impact to be Mitigated:

Monitoring Requirements:

Compliance Standards:

G. Mitigation Measure:

> Impact to be Mitigated:

Monitoring Requirements:

Compliance Standards:

IX. TRAFFIC

> A. Four sand delivery trucks shall enter and exit the Mitigation Measure: staging areas at a time.

equipment as available.

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	Impact to be Mitigated:	Potential conflicts between self-spring trucks and easthannd PCH traffic.	
	Monitoring Requirements:	An SLC or SLC-designated site monitor shall observe the ingress or egress of trucks at the staging/access areas to ensure that there i traffic control to ensure truck movement occurs in groups of four.	
	Timing:	Throughout project construction:	
	Compliance Standards:	Trucks shall be entering and exiting staging areas in groups of four.	3
3.	Mitigation Measure:	Truck traffic shall be prohibited from entering the staging areas from westbound PCH during the a.m. and p.m. peak traffic hours.	
	Impact to be Mitigated:	Potential conflicts between left turning trucks and PCH traffic during peak traffic periods.	
	Monitoring Requirements:	An SLC or SLC-designated site monitor shall observe trucks entering the site during peak hours on a daily basis to verify approach from the eastbound side of PCH only during peak hours.	0
	Timing:	During designated hours throughout the construction period.	
	Compliance Standards:	Trucks shall not enter staging areas between 7:00 a.m. and 8:00 a.m. & 4:00 p m. and 5:00 p.m. from the westbound side of PCH.	
C.	Mitigation Measure:	Truck traffic carrying armor rock from Ojai shall be rerouted to S.R. 33, Highway 101 and Los Posai Road. Truck traffic carrying armor rock from Camarillo shall use Pleasant Valley Road and Los Posas Road to access PCH.	
	Impact to be Mitigated:	Potential congestion within the central business districts of Santa Paula and Oxnard.	
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	Monitoring Requirements:	The contractor's final route selection shall be submitted to SLC for verification that the designated routes are to be followed.
	Timing:	Selection and approval of final routes shall occur prior to the start of construction.
	Compliance Standards:	The routes as specified shall be selected by the contractor.
D.	Mitigation Measure:	Truck traffic carrying sand from either Hansen Dam or Irwindale shall use the S.R. 118 freeway, Madera Road, Olsen Road the Moorpark freeway (S.R. 23), Los Posas Road, and ecobound PCH during the para. peak hours.
	Impact to be Mitigated:	Exacerbation of increased traffic volumes along westbound PCH during the p.m. peak hour by sand delivery trucks.
	Monitoring Requirements:	Final route selection shall be submitted by the contractor to SLC for verification that the designated routes are to be followed.
	Timing:	Final route selections shall be made and approved by SLC prior to the start of construction.
	Compliance Standards:	No truck shall arrive from the westbound side of PCH between 3:20 and 5:00 p.m.
E.	Mitigation Measure:	Two ingress and egress points shall be used at each staging area.
	Impact to be Mitigated:	Increased congestion on PCH due to queuing of trucks at ingress and egress points of staging areas.
	Monitoring Requirements:	The site visit made by an SLC or SLC-designated monitor prior to the start of construction shall verify the existence of two access points at each staging area.
	Timing:	Access points shall be delineated prior to the start of construction and utilized throughout construction.

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Compliance Standards:

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Each staging area shall have 2 ingress/egress points which shall remain operational throughout construction.

