

CALIFORNIA COASTAL COMMISSION

ENERGY, OCEAN RESOURCES AND FEDERAL CONSISTENCY DIVISION
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**EMERGENCY PERMIT**

Issue Date: February 20, 2019
Emergency Permit No. G-9-19-0009

APPLICANT:

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

LOCATION OF EMERGENCY:

HASKELL'S BEACH, CITY OF GOLETA, SANTA BARBARA COUNTY

EMERGENCY WORK:

Placement of a total of up to 200 tons of rock within eight sites from which rock has been displaced along an approximately 1500 foot long rip-rap seawall on the seaward side of the access road for the two oil well piers on State Oil and Gas Lease PRC 421. Removal of soil and debris from landward side of access road and selective placement of gravel within existing roadbed.

This letter constitutes approval of the emergency work you or your representative has requested to be done at the location listed above. I understand from your information that an unexpected occurrence in the form of significant storm-induced scouring of the beach in the project area resulted in the loss and/or displacement of rock from several sections of the existing rock slope protection that separates the pier access road from the ocean. The absence of rock from these sections is leading to increased erosion and slumping of the roadbed and poses a threat to the road and its continued use. Unless the rock slope protection is repaired and replaced immediately, the road will suffer significant damage and the ongoing plugging and abandonment of the wells on the PRC 421 piers will be discontinued and delayed. Therefore, immediate action is required to prevent or mitigate loss or damage to life, health, property or essential public services pursuant to 14 Cal. Admin. Code Section 13009. The Executive Director of the California Coastal Commission hereby finds that:

- (a) An emergency exists that requires action more quickly than permitted by the procedures for administrative or ordinary coastal development permits (CDPs), and that the development can and will be completed within 30 days unless otherwise specified by the terms of this Emergency Permit; and
- (b) Public comment on the proposed emergency development has been reviewed if time allows.

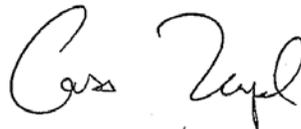
The emergency work is hereby approved, subject to the conditions listed on the attached pages.

Sincerely,

February 20, 2019

Emergency Permit No.: G-9-19-0009

John Ainsworth
Executive Director

A handwritten signature in black ink, appearing to read "Cassidy Teufel". The signature is written in a cursive style with a large initial "C" and a long, sweeping tail.

By: Cassidy Teufel, Senior Environmental Scientist

cc: City of Goleta Planning Department

Enclosures: 1) Acceptance Form
2) Regular Permit Application Form

CONDITIONS OF APPROVAL:

1. The enclosed Emergency Permit Acceptance form must be signed by the PROPERTY OWNER and returned to our office within 15 days.
2. Only that work specifically described in this permit and for the specific property listed above is authorized. Any additional work requires separate authorization from the Executive Director.
3. All work shall take place in a time and manner to minimize any potential damages to any resources, including intertidal species, and to minimize impacts to public access.
4. The work authorized by this permit must be completed within 30 days of the date of this permit, which shall become null and void unless extended by the Executive Director for good cause.
5. The applicant recognizes that the emergency work is considered temporary and subject to removal unless and until a regular coastal development permit permanently authorizing the work is approved. A regular permit would be subject to all of the provisions of the California Coastal Act and may be conditioned accordingly. These conditions may include provisions for public access (such as offers to dedicate, easements, in-lieu fees, etc.) and/or a requirement that a deed restriction be placed on the property assuming liability for damages incurred from storm waves.
6. In exercising this permit, the applicant agrees to hold the California Coastal Commission harmless from any liabilities for damage to public or private properties or personal injury that may result from the project.
7. This permit does not obviate the need to obtain necessary authorizations and/or permits from other agencies, including but not limited to the California Department of Fish & Wildlife, U.S. Fish & Wildlife, U.S. Army Corps of Engineers, and the California State Lands Commission.
8. Within 30 days of issuance of this Emergency Permit, or as extended by the Executive Director through correspondence, for good cause, the applicant shall either: (a) remove all of the materials placed or installed in connection with the emergency development authorized in this Permit and restore all affected areas to their prior condition after consultation with California Coastal Commission staff, and consistent with the Coastal Act. In some instances, a permit may be needed for removal; or (b) submit a complete follow-up Coastal Development Permit (CDP) that satisfies the requirements of Section 13056 of Title 14 of the California Code of Regulations. If the Executive Director determines that the follow-up CDP application is incomplete and requests additional information, the applicant shall submit this

additional information by a certain date, as established by the Executive Director. If such a follow-up CDP application is withdrawn by the applicant or is denied by the Commission, or if the follow-up CDP application remains incomplete for a period of 120 days after the Executive Director informs the applicant that the application is incomplete, the emergency-permitted development shall be removed and all affected areas restored to their prior condition, after consultation with CCC staff and consistent with the Coastal Act, within 30 days, subject to any regulatory approvals necessary for such removal. In some instances, a permit may be needed for removal.

9. Failure to a) submit a complete follow-up CDP Application that complies with Condition 8 above, or b) remove the emergency development and restore all affected areas to their prior condition after consultation with CCC staff, and consistent with the Coastal Act (if required by this Emergency Permit) by the date specified in this Emergency Permit¹, or c) comply with all terms and conditions of the required follow-up CDP, including any deadlines identified therein, or d) remove the emergency-permitted development and restore all affected areas to their prior condition after consultation with CCC staff and consistent with the Coastal Act immediately upon denial of the required follow-up CDP² will constitute a knowing and intentional violation of the Coastal Act³ and may result in formal enforcement action by the Commission or the Executive Director. This formal action could include a recordation of a Notice of Violation on the applicant's property; the issuance of a Cease and Desist Order and/or a Restoration Order; imposition of administrative penalties for violations involving public access; and/or a civil lawsuit, which may result in the imposition of monetary penalties, including daily penalties of up to \$15,000 per violation per day, and other applicable penalties and other relief pursuant to Chapter 9 of the Coastal Act. Further, failure to follow all the terms and conditions of this Emergency Permit will constitute a knowing and intentional Coastal Act violation.
10. The permittee shall limit the amount of rock slope protection (RSP) to be placed at the site to the minimum amount necessary to address the immediate threat to the adjacent access road. To the maximum extent feasible, new RSP shall be placed within the footprint of the existing rip-rap structure.
11. To the maximum extent feasible, existing RSP elements that have been displaced seaward shall be recovered and used in place of new RSP.

¹ In some instances, a permit may also be required for removal.

² As noted above, in some instances, a permit may also be required for removal.

³ The Coastal Act is codified in sections 30000 to 30900 of the California Public Resources Code. All further section references are to that code, and thus, to the Coastal Act, unless otherwise indicated.

12. The permittee shall perform work from land and avoid use of heavy equipment in tidal areas to the maximum extent feasible.
13. The permittee shall perform work during low tides and dry weather to the maximum extent feasible.
14. During construction, all trash shall be properly contained, removed from the work site, and disposed of on a regular basis to avoid contamination of habitat during emergency activities. Following construction, all trash and construction debris shall be removed and disposed of in an upland location outside of the coastal zone or at a disposal facility authorized to accept such debris and any contaminants contained within the debris.
15. Any fueling and maintenance of construction equipment shall occur within upland areas only and outside of environmentally sensitive habitat areas.
16. The permittee shall use relevant best management practices (BMPs) to protect the marine environment from water quality impacts during construction as detailed in the California Stormwater Quality Association's Stormwater Best Management Practice Handbooks.
17. Fuels, lubricants, and solvents shall not be allowed to enter marine waters. Hazardous materials management equipment including oil containment booms and absorbent pads shall be available immediately on-hand at the project site, and a registered first-response, professional hazardous materials clean-up/remediation service shall be locally available on call. Any accidental spill shall be rapidly contained and cleaned.