COASTAL REGIONAL SEDIMENT MANAGEMENT PLAN

Central Coast from Point Conception to Point Mugu

FINAL Focused Programmatic Environmental Impact Report

Beach Erosion Authority for Clean Oceans and Nourishment (BEACON)

March 2011

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FINAL FOCUSED PROGRAMMATIC ENVIRONMENTAL IMPACT REPORT
COASTAL REGIONAL SEDIMENT MANAGEMENT PLAN
CENTRAL COAST FROM POINT CONCEPTION TO POINT MUGU

SCH: 2010031019

Prepared for:

BEACON

Contact:

Gerald Comati
Phone - (805) 962-0488
email - gerald@com3consulting.com

Prepared by:

Padre Associates, Inc.

March 2011

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PLEASE NOTE THAT THE DRAFT PEIR IS A COMPONENT OF THIS FINAL PEIR BUT IS PROVIDED AS A SEPERATE DOCUMENT.

1.0 INTRODUCTION

1.1 PURPOSE

A Final Programmatic Environmental Impact Report (Final PEIR) has been prepared for the components of the Beach Erosion Authority for Clean Oceans and Nourishment's (BEACON's) Coastal Regional Sediment Management Plan (CRSMP) described herein as the project. The project proponent is BEACON. The Final EIR consists of the June 2010 Draft PEIR, comments received during the 64-day public review period (note that only a 45-day public comment period is required by law), responses to those comments, and changes to the text of the Draft PEIR, as detailed further below. The Final PEIR references and incorporates the Draft EIR. The Draft PEIR may be viewed electronically, in Adobe Acrobat format, on the BEACON internet website at http://www.beacon.ca.gov/.

The Final PEIR has been prepared pursuant to the California Environmental Quality Act (the CEQA) (section 21000 et seq., California Public Resources Code) and in accordance with the Guidelines for the Implementation of the California Environmental Quality Act (CEQA Guidelines) (section 15000 et seq., California Code of Regulations, Title 14). The CEQA Guidelines stipulate that an EIR must be prepared for any project that may have a significant impact on the environment. The CRSMP components described herein are a "project" as defined by the State CEQA Guidelines. Upon preliminary review, BEACON determined that the project may have a significant adverse impact on the environment and, therefore, an EIR is required. A programmatic level of EIR was determined appropriate because of the preliminary level of descriptive detail currently available for each of the project components. BEACON selected an environmental contractor to prepare the EIR to ensure that the document reflects an independent, objective analysis of the proposed project.

BEACON, as the Lead Agency under CEQA, is required by to prepare a Final EIR (section 15089 of the CEQA Guidelines). The Final PEIR will be used by BEACON and other responsible agencies as part of their review and approval processes for future project implementation as described below.

1.2 CONTENTS OF THE FINAL PEIR

As required by section 15132 of the CEQA Guidelines, this Final PEIR consists of the following elements:

- The Draft PEIR;
- A list of persons, organizations, and public agencies commenting on the Draft PEIR (see Section 3.0);
- Comments and recommendations received on the Draft PEIR (see Section 3.0);
- Responses to significant environmental points raised in the review and consultation process (see Section 3.0); and

- Revisions to the text of the Draft PEIR promulgated by the comments and recommendations (see Section 4).

1.3 DECISION-MAKING PROCESS

BEACON is the CEQA lead agency for this Final PEIR because it developed the CRSMP and will be in-part responsible for the implementation of the individual projects that comprise the CRSMP. As indicated above, BEACON will use the Final PEIR in its decision-making processes to help determine whether to proceed with any of the project components addressed herein. Additionally, other responsible agencies involved with the approval and/or implementation of project components may also use this Final PEIR.

BEACON must certify that:

- The Final PEIR has been completed in compliance with the CEQA;
- The Final PEIR was presented to BEACON in a public meeting and the BEACON Board of Directors reviewed and considered the information contained in the Final PEIR prior to certification of the Final PEIR; and
- The Final PEIR reflects BEACON's independent judgment and analysis (*CEQA Guidelines* section 15090).

In conjunction with certification of the Final PEIR, BEACON must prepare one or more written findings of fact for each significant environmental impact identified in the document. These findings must either state that:

- The project has been changed (including adoption of mitigation measures) to avoid or substantially reduce the magnitude of the impact;
- Changes to the project are within another agency's jurisdiction and have been or should be adopted; or
- Specific considerations make mitigation measures or alternatives infeasible.

If any of the impacts identified in the PEIR cannot be reduced to a level that is less than significant, BEACON may issue a Statement of Overriding Considerations for approval of the project if specific social, economic, or other factors justify a project's unavoidable adverse environmental effects. If BEACON decides to approve a project for which a Final PEIR has been prepared, BEACON will issue a Notice of Determination.

2.0 SUMMARY OF PUBLIC REVIEW PROCESS

2.1 NOTICE OF PREPARATION / INTENT AND SCOPING

The PEIR process for the CRSMP project began with distribution of a Notice of Preparation (NOP) by BEACON, which was electronically mailed and posted to the BEACON web site on March 1, 2010. BEACON provided an NOP for the proposed project to responsible and trustee agencies and to other interested parties. The NOP was sent to the California Office of Planning and Research State Clearinghouse for circulation to State agencies, and it was also published in the Santa Barbara News Press and Ventura County Star on March 3, 2010. The NOP solicited both written and verbal comments on the PEIR's scope during a 30-day comment period and provided information on a forthcoming public scoping meeting. BEACON held a public scoping meeting in Carpinteria, California on March 12, 2010, in conjunction with its normally scheduled Board meeting, to solicit comments on the scope of the EIR. Written comments were received in response to the NOP from the following:

- California Department of Parks and Recreation;
- California Department of Transportation;
- City of Santa Barbara Community Development Department;
- Environmental Defense Center;
- Santa Barbara County Air Pollution Control District; and
- Native American Heritage Commission.

2.2 DRAFT PEIR PUBLIC REVIEW

On September 3, 2010, a Notice of Completion/Notice of Availability (NOC/NOA) announcing the release of the Draft PEIR was distributed. The distribution list included the California Office of Planning and Research State Clearinghouse, responsible and trustee agencies and other interested parties. The NOC/NOA summarized the conclusions of the Draft PEIR and included information on how to access the Draft PEIR. It also presented the date, time, and location of the Public Hearing on the Draft PEIR.

The Draft PEIR was released for public review on September 3, 2010, and consisted of approximately 230 pages plus appendices. The document was available on the BEACON web site and hard copies were made available at numerous repository locations for public review.

A summary of public involvement opportunities during the Draft PEIR review period is presented below. A list of persons, organizations, and public agencies commenting on the Draft PEIR, the comments received on the Draft PEIR, and responses to the comments are provided in Section 3.0 of this Final PEIR.

2.2.1 Public Review Period

In compliance with the CEQA-mandated procedures, BEACON provided a public review period of 64 days for the Draft PEIR (45 days are required). The public review period extended from September 3, 2008, to November 5, 2009. (The original NOA indicated that the public review period extended from September 3, 2008, to October 5, 2009; however, on October 1, an NOA Public Comment Period Time Extension that extended the comment period to November 5, 2010 was filed and circulated.) The lead agency allowed written and oral comments on the Draft PEIR to be presented at the Public Hearing, or to be sent to the designated BEACON project manager. The comments received by BEACON during the public review period are reproduced in this Final PEIR along with responses to comments (see Section 3.0).

2.2.2 Public Hearings

A public hearing on the Draft PEIR was held by BEACON on September 17, 2010 at 9:00 a.m., at the City of Carpinteria Council Chambers, 5775 Carpinteria Avenue, Carpinteria. At this hearing an overview of the proposed project was provided, as well as a brief summary of Draft PEIR findings. The decision-making process of BEACON was explained and the public was then given the opportunity to present oral and/or written testimony on the Draft PEIR and its contents. However, no substantive comments on the adequacy of the Draft PEIR were received at that time.

2.2.3 PEIR Information and Repository Sites

Placing the CEQA document in “repository” sites can be an effective way of providing ongoing information about the project to a large number of people. Therefore, eight repository sites in the vicinity of the proposed project area were established. PEIR-related documents including the Draft and Final PEIR have been made available upon their release to the public at the locations listed below.

County of Santa Barbara, Administration Building, Clerk of the Board, 4th Floor 105 East Anapamu Street Santa Barbara, CA 93101 Phone: (805) 568-2247	City of Ventura, Engineering Division, First Floor 501 Poli Street Ventura CA, 93001 Phone: (805) 654-7870
Ray D. Prueter Library 510 Park Avenue Port Hueneme, CA 93041 Phone: (805) 486-5460	Oxnard Public Library 251 South 'A' Street Oxnard, CA 93030 Phone: (805) 385-7500
EP Foster Library 651 East Main Street San Buenaventura (Ventura), CA 93001 Phone: (805) 648-2715	Carpinteria Public Library 5141 Carpinteria Avenue Carpinteria, CA 93013-2048 Phone: (805) 684-4314
Santa Barbara Central Library 40 East Anapamu Street Santa Barbara, CA 93101 Phone: (805) 962-7653	Goleta Valley Branch Public Library 500 North Fairview Avenue Goleta, CA 93117 Phone: (805) 964-7878

In addition to the printed copies, electronic copies of the both the Draft PEIR and the Final PEIR were made available at the BEACON website (www.beacon.ca.gov).

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3.0 RESPONSE TO COMMENTS

Copies of the written comments that were submitted on the Draft PEIR are provided in this section. Each numbered Comment Set is immediately followed by the corresponding responses. Comment letters are presented chronologically, in the order dated or that BEACON received the comment. Errata and minor text clarifications within the text of the Draft PEIR arising from the comments and responses are presented in Section 4.0.

Individual comments are numbered in the margins of each comment letter and correspondingly numbered responses follow each letter. Table 3-1 lists all comments and shows the comment set identification number for each letter.

Table 3-1. Commenter's and Comment Set Number

DEIR Comment Set #	Agency/Affiliation	Name of Commenter	Date of Documentation or CSLC Receipt
1	Santa Barbara County Fire Department	Jay Richard Todd, Division Chief/Fire Marshal	09/24/10
2	Santa Barbara County Planning and Development	Glenn Russell, Ph. D., Director of Planning and Development	09/28/10
3	County of Santa Barbara	Michael Brown, County Executive Officer	09/28/10
4	Ventura Kiteboarding Association	Joe McDermott, President	10/05/10
5	California Department of Transportation, District 7	Dianna Watson, IGR/CEQA Program Manager, Office of Regional Planning	10/14/10
6	California Department of Fish and Game	Edmund Pert, Regional Manager, South Coast Region	10/20/10
7	California State Lands Commission	Cy Oggins, Chief Division of Environmental Planning and Management	11/01/10
8	Surfrider Foundation	Unsigned	11/01/10
9	California State Lands Commission	Kenneth Foster, Public Lands Management Specialist	11/03/10

Table 3-1. (Continued)

DEIR Comment Set #	Agency/Affiliation	Name of Commenter	Date of Documentation or CSLC Receipt
10	U.S. Army Corps of Engineers	Aaron Allen, Ph.D. Chief, North Coast Branch, Regulatory Division	11/04/10
11	Ventura Air Pollution Control District	Alicia Stratton	11/02/10
12	Ventura County Watershed Protection District	Tom Wolfington, P.E. - Permit Section	11/03/10
13	County of Ventura Resources Management Agency	Tricia Maier, Manager, Program Administration Section	11/04/10
14	Department of the Navy, Naval Base Ventura County	J. J. McHugh, Capitan, U.S. Navy, Commanding Officer	11/04/10
15	Coastal Sediment Management Working Group	Brian Bard, Assistant Secretary for Ocean and Coastal Policy, California Natural Resources Agency; and George Domurat, Chief, Programs Support Division, South Pacific Division, U. S. Army Corps of Engineers	11/05/10
16	California State Water Board	George Nichol	11/05/10
17	County of Ventura Public Works Agency, Transportation Department	Behnam Emmami, Engineering Manager II	11/09/10

Comment Letter 1 Santa Barbara County Fire Department

Fire Department
"Serving the community since 1926"

HEADQUARTERS

4410 Cathedral Oaks Road
Santa Barbara, CA 93110-1042
(805) 681-5500 FAX: (805) 681-5563

Michael W. Dryer
Fire Chief
County Fire Warden

Christian J. Hahn
Deputy Fire Chief

September 24, 2010

Ms. Susan Curtis
Senior Planner
County of Santa Barbara
Office of Long Range Planning
123 East Anapamu Street
Santa Barbara, CA 93101

Dear Ms. Curtis:

SUBJECT: BEACON Coastal Regional Sediment Management Plan - DPEIR

The above project is located within the jurisdiction of the Santa Barbara County Fire Department. To comply with the established standards, we submit the following information.

1. FPD/SMU concurs with the Impact No. MBIO-4 and the recommended Mitigation Measures. If Measures HAZ-2 through HAZ-8 are implemented, FPD/SMU will have no concerns with the potential impacts of this aspect of the project.

2. Section 2.3.12, WTR-1, if the project proposes to take sediment from the Santa Barbara City Harbor, it must be noted that there has been documented sediment contamination in the soil column within the harbor. If that soil is taken from the harbor and transported to a location where it is available to be dispersed by the wind, or comes in contact with receptors, there may be an exposure issue associated with this action that has not been considered in the DPEIR. A review of existing data would be prudent prior to dredging in the harbor. 1-1

3. A similar concern as with comment #2 exists for sediment/sand if taken from areas of known oil seeps and placed on the beaches whereby a nuisance condition can be caused. For known seep areas and for unknown oil seeps that are encountered during the implementation of the plan, there should be a mechanism in place to handle the notifications and assessment and mitigation of these locations in order to allow the project to continue in a timely manner. 1-2

Please notify the Fire Prevention Division of any changes to the project proposal. Further intensification of use or change in the project description may require additional review.

Serving the cities of Buellton, Goleta and Solvang and the Communities of Casmalia, Cuyama, Gaviota, Hope Ranch, Los Alamos, Los Olivos, Mission Canyon, Mission Hills, Orcutt, Santa Maria, Sisquoc, Vandenberg Village

2

As always, if you have any questions or require further information, please call 805-681-5523 or 805-681-5500.

In the interest of life and fire safety,

Richard Todd
Division Chief/Fire Marshal

RJ: mkb

RESPONSE TO COMMENT LETTER 1: SANTA BARBARA COUNTY FIRE DEPARTMENT

1-1 BEACON appreciates the comment and is aware of historical contamination within Santa Barbara Harbor. No sand supply sites have been selected and irrespective of the locations used, chemical and physical parameters specified in conditions for project-specific regulatory permits (i.e. Corps of Engineers, RWQCB) will be adhered to. The method of transport will determine mitigations and BEACON will consider operational methods to include covering and wetting of material to reduce wind dispersal during each project-specific subsequent/supplemental environmental document. However, measure HAZ-2 has been modified in response to this comment to address oil spill prevention and response during implementation of the Sampling and Analysis Plan. Please see Section 4.0 of this Final PEIR.

1-2 See response to comment 1-1 above.

Comment Letter 2: Santa Barbara County Planning and Development

County of Santa Barbara
Planning and Development
Glenn S. Russell, Ph.D., Director
Dianne Black, Director of Development Services
Jeffrey Hunt, Director of Long Range Planning

September 28, 2010

Gerald Comati, Program Manager, BEACON
C/O COM3 Consulting
206 East Victoria St.
Santa Barbara, CA 93101

Email: comati@beacon.ca.gov
Fax: 805-962-5209

RE: Draft Programmatic Environmental Impact Report-BEACON Coastal Regional Sediment Management Plan

Dear Mr. Comati:

Thank you for the opportunity to comment on the Draft Programmatic Environmental Impact Report for the Coastal Regional Sediment Management Plan (CRSMP) for Santa Barbara and Ventura Counties. At this time, the Planning and Development Department submits the following comments for your consideration:

2.1 Project Location and Policy Consistency
Please be aware that any construction staging, stockpiling, beach nourishment, sediment removal and other activities that may occur within the County's jurisdiction must be consistent with the policies of the County Comprehensive Plan (including the Coastal Land Use Plan (CLUP) and the Community Plans). In particular, such activities must be consistent with policies protecting environmentally sensitive habitats, visual resources and coastal public access and recreation, as well as those addressing geologic stability, hazards, and shoreline armoring. Development undertaken as part of this program must obtain all required permits, including Coastal Development Permits. 2-1

5.1 Cumulative Impacts
Table 5.1-1. County of Santa Barbara Cumulative Projects should be corrected to read:

> **Project Name:** The Santa Clause Lane Streetscape ~~Improvement~~ Project.
> **Project Type:** The improvements will provide for increased parking opportunities for visitors to the ~~Carpinteria~~ beach, new sidewalks, street lights, and landscaping to connect the beach and businesses ~~district finally a roundabout to improve circulation~~ along Santa Claus Lane. 2-2

123 E. Anapamu Street
Santa Barbara, CA 93101
Phone: (805) 568-2000

624 W. Foster Road
Santa Maria, CA 93455
Phone: (805) 934-6250

1

Notice of Availability, Draft Programmatic Environmental Impact Report-BEACON Coastal Regional Sediment Management Plan
September 28, 2010
Page 2

The County looks forward to continued dialogue on the CRSMP. If you should have further questions, please do not hesitate to contact my office directly, or Peter Imhof, Supervising Planner in the Long Range Planning Division at (805) 568-3543.

Sincerely,

Glenn Russell, Ph.D.
Director of Planning and Development

RESPONSE TO COMMENT LETTER 2: SANTA BARBARA COUNTY PLANNING AND DEVELOPMENT

2-1 Comment noted. Because the design and location for each proposed project have not been finalized, the assessment provided in the PEIR is general. Project-specific environmental documentation will include a detailed assessment of consistency with applicable plans and will tier impact analysis onto those provided in the PEIR. BEACON will obtain all required permits, including a CDP, from the appropriate regulatory agencies based on location of each project.

2-2 Comment noted. The revisions have been included in Section 4.0 of this document.

Comment Letter 3: County of Santa Barbara

COUNTY OF SANTA BARBARA

Michael F. Brown
County Executive Officer

105 East Anapamu Street, Suite 406
Santa Barbara, California 93101
805/568-3400 • Fax 805/568-3414
www.co.santa-barbara.ca.us

EXECUTIVE OFFICE

September 28, 2010

Gerald Comati, Program Manager, BEACON
C/O COM3 Consulting
206 East Victoria St.
Santa Barbara, CA 93101

Email: comati@beacon.ca.gov
Fax: 805-962-5209

RE: Draft Programmatic Environmental Impact Report-BEACON Coastal Regional Sediment Management Plan

Dear Mr. Comati:

Thank you for the opportunity to comment on the Draft Programmatic Environmental Impact Report for the BEACON Coastal Regional Sediment Management Plan (CRSMP) for Santa Barbara and Ventura Counties. At this time, the County submits comments from the Planning and Development Department and the County Fire Department.

The County is supportive of the efforts undertaken by BEACON to restore, preserve and maintain coastal beaches and other critical areas. BEACON facilitates beach nourishment and protection projects that are beneficial to the County in its operation of parks and maintenance of creeks and debris basins.

The County looks forward to continued dialogue on the CRSMP. If you should have further questions, please do not hesitate to contact my office directly, or Peter Imhof, Supervising Planner in the Long Range Planning Division at (805) 568-3543.

Sincerely,

Michael F. Brown
County Executive Officer

cc: Glenn Russell, Director, Planning and Development Department
Rick Todd, Division Chief/Fire Marshall, County Fire Department
Scott McGolpin, Public Works Director
Tom Fayram, Interim Parks Director

Enclosures: Planning and Development Department-letter dated September 28, 2010
County Fire Department-letter dated September 24, 2010

John Baker, *Assistant County Executive Officer*
Terri-Maus-Nisich, *Assistant County Executive Officer*
Susan Paul, *Assistant County Executive Officer*
Jason Stilwell, *Assistant County Executive Officer*

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RESPONSE TO COMMENT LETTER 3: COUNTY OF SANTA BARBARA

This letter transmitted other comment letters. Support of projects is noted and no response is required.

Comment Letter 4: Ventura Kiteboarding Association

Ventura Kiteboarding Association - 468 Cornell Place, Ventura CA 93003 - (805) 218-8996
E-mail: venturakiteboarding@roadrunner.com

October 5, 2010

Gerald Comati
206 East Victoria St.
Santa Barbara, CA 93101
e-mail: Comati@Beacon@ca.gov

Re: COMMENTS FOR DRAFT FOCUSED PROGRAMMATIC ENVIRONMENTAL IMPACT REPORT – COASTAL REGIONAL SEDIMENT MANAGEMENT PLAN

Dear Mr. Comati,

The Ventura Kiteboarding Association (VKA) has reviewed the subject Draft EIR and is sending this letter to convey our comments.

VKA's mission is to maintain access for kiteboarding at Ventura County Beaches. Our organization is comprised of approximately 30 active members and is growing. Kiteboarding, also commonly referred to as kitesurfing, is one of the fastest growing sports in the world. BEACON is an important ally in achieving our mission. Surfer's Point and the beaches adjacent to Emma Wood State Park provide some of the best conditions for the sport on the west coast of the United States. Wide sandy beaches are critical to the survival of our sport as it can be extremely unsafe to land and launch kites on rocky beach terrain.

We wish to convey our gratitude towards BEACON's efforts in protecting and rebuilding beaches, in particular for the recreational benefits that beaches provide. With a growing population and a limited number of beaches, it will become increasingly important to protect and provide for additional beach space for the enjoyment of both the general public and the kitesufing community.

It is our understanding that subsequent project specific EIRs will be conducted for individual beach nourishment projects at a later time. We would like for subsequent EIRs to address the needs of this sport in conjunction with other recreational activities where the sport is currently practiced (Hueneme, Silver Strand, 5th Avenue in Oxnard, Surfer's Point, and Emma Wood). We would like for the utilization of sand dunes to take into consideration the need to also provide adequate "flat" unvegetated sand areas for safe launching and landing of kites. Any subsequent EIR for beach nourishment at Rincon should specifically analyze down-current impacts (in this case, impacts to the beaches along Emma Wood State Park), to insure that there is no additional loss of sandy shoreline due to up-current modifications. 4-1

Should you have any questions or need additional information from VKA, please do not hesitate to contact me at the address or e-mail listed above.

Sincerely,

Joe McDermott

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RESPONSE TO COMMENT LETTER 4: VENTURA KITEBOARDING ASSOCIATION

4-1 The comment is noted and consideration of not vegetating sand areas will be given during the final design of beach restoration projects. Likewise, as part of project-specific environmental analyses, downcoast erosion will be assessed.

Comment Letter 5: California Department of Transportation, District 7

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 7, OFFICE OF PUBLIC
TRANSPORTATION AND REGIONAL PLANNING
IGR/CEQA BRANCH
100 SOUTH MAIN STREET
LOS ANGELES, CA 90012
PHONE (213) 897-1726
FAX (213) 897-1337

Flex your power!
Be energy efficient!

October 14, 2010

IGR/CEQA DEIR CS/100919
Santa Barbara/Ventura Counties
BEACON Coastal Regional Sediment
Management Plan
Vic. VEN-1/101-VAR, SCH# 2010031019

Mr. Gerald Comali
Beach Erosion Authority for Clean Oceans and Nourishment
206 East Victoria Street
Santa Barbara, CA 93101

Dear Mr. Comali:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Draft Environmental Impact Report for the BEACON Coastal Regional Sediment Management Plan. Based on the information received, we have the following comments:

If on-shore transport of sand, equipment or other materials will be necessary, then impacts associated with on-shore construction traffic would be increased due to the additional road-based trips from construction traffic. In order to minimize impacts to commuter related traffic, we recommend that construction related truck trips on State Highways be limited to off-peak commute periods. Transport of over-size or over-weight vehicles on State Highways will need a Caltrans Transportation Permit. The contractor should avoid platooning of truck trips on conventional State Highways, on mainline freeways, on freeway on/off-ramps and at freeway ramp intersections. Also, impacts to recreational traffic should be avoided whenever possible. 5-1

If you have any questions regarding our comments, contact Carl Shiigi, Project Coordinator, at (213) 897-1726 and please refer to record number 100919/CS.

Sincerely,

DIANNA WATSON
IGR/CEQA Program Manager
Office of Regional Planning

cc: Scott Morgan, State Clearinghouse

"Caltrans improves mobility across California"

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RESPONSE TO COMMENT LETTER 5: CALIFORNIA DEPARTMENT OF TRANSPORTATION, DISTRICT 7

5-1 BEACON acknowledges and appreciates CalTrans' comment. The DPEIR includes the following relevant measures TRA-1 addressing traffic impacts.

TRA-1 Unless it can be demonstrated through the results of an approved project-specific traffic study that a project will not result in significant impacts to the street system, or that less stringent mitigation (e.g., reduced timing restrictions as appropriate be geographical area, timing restriction for only specific intersections and streets, etc.) would be effective, project trips will be scheduled to occur outside of peak hours (6:30 to 9:30 a.m. and 3:30 to 6:30 p.m. on weekdays).

TRA-2 Each project proponent will be responsible for coordinating with the respective Transportation Department(s) of jurisdictions that would be affected by project trips to ensure that impacts are avoided or mitigated. This may result in the payment of any applicable transportation mitigation fees, rerouting of trips to avoid impacted roadway segments and intersection, or other standard traffic mitigation.

Further, the final source(s) of sand have not been selected and each project will undergo additional environmental analyses when the design and sand source location(s) are finalized. Should truck transport be proposed for any project, a traffic analysis will be included in the subsequent/supplemental environmental document and mitigations, including those suggested in the above letter, will be considered to reduce potential impacts. Likewise, once the specific number and type of construction-related equipment is known, the assessment will include analysis of potential effects of those movements along public streets and BEACON will acquire transportation-related authorizations as required.

Comment Letter 6: California Department of Fish and Game

California Natural Resources Agency
DEPARTMENT OF FISH AND GAME

ARNOLD SCHWARZENEGGER, Governor
JOHN McCAMMAN, Director

South Coast Region
4949 Viewridge Avenue
San Diego, CA 92123
(858) 467-4201
http://www.dfg.ca.gov

October 20, 2010

Mr. Gerald Comati
BEACON
206 East Victoria Street
Santa Barbara, Ca 93101
Fax #: (805) 962-5209

Subject: Notice of Completion of a draft Programmatic Environmental Impact Report (PEIR) for the Proposed BEACON- Coastal Regional Sediment Management Plan SCH #2010031019

Dear Mr. Comati:

The Department of Fish and Game (Department) reviewed the draft Programmatic Environmental Impact Report (PEIR) for the Proposed BEACON- Coastal Regional Sediment Management Plan (project) relative to impacts to biological resources.

The project evaluated in the PEIR includes 13 capital project components and an opportunistic sand management ordinance as identified in the CRSMP. The capital projects comprise onshore and offshore developments and consist of sand-management, sand handling, renourishment, or sand retention activities. These project components are identified and briefly described below.

- Oxnard Shores Sand Management Project - consists of onshore sand management through the use of sand fencing and vegetation.
- Regional Sediment Management Stockpile and Processing Center - consists of an onshore facility for the processing, storage, and distribution of sand.
- Sand Retention Pilot Projects - consist of sand management at seven individual beaches (Arroyo Burro County Beach, Butterfly Beach, Summerland Beach, Claus Beach, La Conchita Beach, North Rincon Parkway and South Rincon Parkway) through pre-filling of the beaches with sand and the use of an offshore underwater structure to reduce beach erosion.
- West Hueneme Beach Renourishment Longevity Improvement - similar in design and function to sand retention pilot projects but larger in scope.
- Rincon Parkway Shoreline Restoration - similar in design and function to sand retention pilot projects but larger in scope.
- Sand Capture at Mugu Submarine Canyon - consists of retention and reusing sand normally lost into the Mugu Submarine Canyon through the use of offshore submerged structures, pre-filling of the beach with sand and recovery of accumulated offshore sand for beneficial use elsewhere.

Conserving California's Wildlife Since 1870

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Mr. Gerald Comati
October 20, 2010
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The project has the potential to affect: California Rare Plant Rank 1 black-flowered figwort (*Scrophularia atrata*), Coulter's saltbush (*Atriplex coulteri*), estuary seablite (*Suaeda esteroa*), southern tarplant (*Centromadia parryi australis*), Coulter's goldfields (*Lasthenia glabrata ssp. coulteri*), aphanisma (*Aphanisma blitoides*), Davidson's saltscale (*Atriplex serenana var. davidsonii*), mesa horkelia (*Horkelia cuneata ssp. puberula*), Santa Barbara honeysuckle (*Lonicera subspicata var. subspicata*); California Species of Concern (CSC) American badger (*Taxidea taxus*), arroyo chub (*Gila orcuttii*), black storm petrel (*Oceanodroma melania*), coast range newt (*Taricha torosa*), southwestern pond turtle (*Emmys marmorata*), two-striped garter snake (*Thamnophis hammondii*), yellow warbler (*Dendroica petechia brewsteri*), yellow-breasted chat (*Icteria virens*), silvery legless lizard (*Anniella pulchra*), northern harrier (*Circus cyaneus*), tricolored blackbird (*Agelaius tricolor*), southern California salt marsh shrew (*Sorex ornatus salicornicus*), southern coast marsh vole (*Microtus californicus stephensi*), Pismo clams, (*Tivela stultorum*), coast horned lizard (*Phrynosoma coronatum frontale*), San Diego desert woodrat (*Neotoma lepida intermedia*); Federal Endangered Species Act (FESA) endangered white abalone (*Haliotis sorenseni*), black abalone (*Haliotis cracherodii*), southern steelhead (*Oncorhynchus mykiss*), Pacific ridley turtle (*Lepidochelys olivacea*), green turtle (*Chelonia mydas*), leatherback turtle (*Dermochelys coriacea*), California least tern (*Sterna antillarum browni*); Federal protected marine mammals California gray whale (*Eschrichtius robustus*), Minke whale (*Balaenoptera acutorostrata*), short-finned pilot whale (*Globicephala macrorhynchus*), common dolphin (*Delphinus ssp.*), pacific white-sided dolphin (*Lagenorhynchus obliquidens*) bottlenose dolphin (*Tursiops truncatus*), Pacific harbor seal (*Phoca vitulina*), northern fur seal (*Callorhinus ursinus*), northern elephant seal (*Mirounga angustirostris*), California sea lion (*Zalophus californianus*); FESA endangered and CSC tidewater goby (*Eucyclogobius newberryi*), southern steelhead (*Oncorhynchus mykiss irideus*); FESA threatened and CSC California red-legged frog (*Rana draytonii*), western snowy plover (*Charadrius alexandrinus nivosus*); FESA threatened green sturgeon (*Acipenser medirostris*), loggerhead turtle (*Caretta*), southern sea otter (*Enhydra lutris nereis*); FESA threatened and California Endangered Species Act (CESA) endangered marbled murrelet (*Brachyramphus marmoratus*), least Bell's vireo (*Vireo belli pusillus*), FESA and CESA threatened Guadalupe fur seal (*Arctocephalus townsendi*); FESA endangered stellar sea lion (*Eumetopias jubatus*); FESA and CESA endangered California least tern (*Sternula antillarum browni*), salt marsh bird's beak (*Cordylanthus maritimus*), Ventura marsh milk vetch (*Astragalus pycnostachyus var. lanosissimus*), light-footed clapper rail (*Rallus longirostris levipes*), Gaviota tarplant (*Deinandra increscens villosa*); CESA endangered Xantus's murrelet (*Synthliboramphus hypoleucus),* Belding's savannah sparrow (*Passerculus sandwichensis beldingi*); State special animal Point Conception Jerusalem cricket (*Ammopelmatus muwu*), globose dune beetle (*Coelus globosus*), sandy beach tiger beetle (*Cicindela hirticollis gravida*), California brackish water snail (*Tryonia imitator*), senile tiger beetle (*Cicindela senilis*), wandering skipper (*Panoquina errans*), American bittern (*Botaurus lentiginosus*); State fully protected white-tailed kite (*Elanus caeruleus*); and California grunion, (*Leuresthes tenuis*) and California spiny lobster (*Panulirus interruptus*).

Proposed mitigation for the impacts includes pre-construction surveys for both onshore and offshore sensitive and special status plant and animal species; delineating sensitive onshore habitats and providing buffers around trees; locating pipeline or anchor line corridors to minimize the effects on rocky substrate and kelp beds or surf grass areas; delaying beach restoration activities for three weeks where grunion spawning has occurred; and developing an oil spill prevention and contingency plan.

The Department prepared the following statements and comments pursuant to authority as Trustee Agency with jurisdiction over natural resources affected by the project under the

California Environmental Quality Act (CEQA Section 15386) and Responsible Agency (Section 15381) over those aspects of the proposed project that come under the purview of the California Endangered Species Act (Fish and Game Code Section 2050 *et seq.*) and Fish and Game Code Section 1600 *et seq*. regarding impacts to streams and lakes.

Project Introduction

The PEIR states that once individual project components reach final design and are considered for implementation, "the project proponent . . . and the CEQA Lead Agency will be responsible for determining if the project component has been adequately evaluated under CEQA" (pg. 1-8). The information on biological resources in the PEIR is limited, general in nature, and may be outdated by the time a project component is ready for implementation. The Department anticipates that additional, site-specific biological surveys would be performed to more accurately assess potential for impacts to sensitive and special-status biological resources by implementation of individual project components. The Department looks forward to reviewing the results of surveys and proposed mitigation measures for each project component within additional 'tiered' CEQA documents in accordance with CEQA Guidelines §15152, §15162, and §15163. 6-1

Lead, Responsible, and Trustee Agencies

Several state-listed species have the potential to occur at some of the project sites. The Final PEIR should include a statement indicating that the Department acts as a Responsible Agency when it issues authorization for incidental take of listed species pursuant to the California Endangered Species Act (Fish and Game Code Section 2050 *et seq.*). 6-2

Project Description:

Section 2.2.1 describes the use of dune grasses to stabilize sand at the Oxnard Shores Sand Management Area. The Department was unable to locate any other reference to this activity in the document. A non-native grass, European beach grass (*Ammophila arenaria*), has been introduced in some locations and is considered an undesirable, invasive species that is damaging dune ecosystems and displacing native plants and associated wildlife species. The Department discourages the use of non-native plant species for sand stabilization and erosion control practices. The Department recommends the Final PEIR stipulate that non-native plant species will not be used or introduced to stabilize beach sand. 6-3

Use of Quarry Rock:

The Department is concerned about potential impacts to quarry sites from proposals to use quarry rock. Source(s) of quarry rock should be disclosed, and the impacts of quarry rock removal at the quarry sites should be addressed within additional CEQA documents for the applicable project components. 6-4

Locally rare plants in coastal habitats:

Coastal terrestrial onshore habitats along the southern Santa Barbara and Ventura County coasts support populations of plants which are locally rare, declining or unique in the local and regional area. Sensitive plant survey assessments and avoidance measures should address locally and regionally uncommon species. Examples of locally rare species that should also be addressed include, but are not limited to: *Abronia maritima, Aster subulatus ligulatus*, *Petunia* 6-5

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parviflora, *Suaeda taxifolia, Dithyrea maritima, and Atriplex pacifica*. Floristic assessments should address these and other locally rare species. Sources of information include the California Native Plant Society Locally Rare Plant List for Ventura County and Santa Barbara Botanic Garden Rare Plants of Santa Barbara County.

Impacts to Marine Biological Resources and Proposed Mitigation

Marine Plants

The Department stresses the importance that the project be designed carefully in order to avoid adverse biological impacts to sensitive marine species and habitats to the maximum extent possible. The Department is concerned about impacts to sensitive marine plants, their substrates, such as rocky reefs, sandy areas conducive to kelp attachment and underwater sand ledges, and their associated biological communities. Seagrasses, such as *Zostera marina, Z. pacifica*, *Phyllospadix* spp., and giant kelp, *Macrocystis pyrifera,* could occur within the proposed project areas and provide critical habitat for marine algae, birds, fish and invertebrate communities. These plant habitats and biological communities are difficult to re-establish once damaged. Therefore, pre-construction surveys should be conducted and Department-approved mitigation measures developed to avoid and/or minimize impacts. 6-6

Nearshore Fisheries Management Plan and Other Fishery Species

Nearshore marine fish as well as marine algae, birds and invertebrate communities utilize the proposed area for their critical habitat needs. Many marine species, such as rockfish, *Sebastes* spp, and other fish species managed under the Department's Nearshore Fishery Management Plan (NFMP), use these areas for breeding, shelter, spawning, foraging and resting. The NFMP species are vulnerable to overfishing and habitat changes. They are found primarily in rocky reef or kelp habitat in nearshore waters and should be addressed in the Final PEIR. A list and description of NFMP fish species can be found on the Department's website at www.dfg.ca.gov/marine/nfmp/pdfs/section1_chap2.pdf. 6-7

The impacts and mitigation for the California grunion, *Leuresthes tenuis*, were not fully addressed in the PEIR. California grunion is a sensitive species and vulnerable to human disturbances and pollution due to its limited abundance and range in southern California, and its unique beach spawning requirements. This species is recreationally and culturally important and an important part of southern California nearshore and beach ecology. The Department manages California grunion for recreational fishing with seasons and restrictions on the type of fishing methods. Some human uses include education, research, public viewing, food and bait. Historically, grunion fish were a part of southern California coastal life amongst the American Indians. Today they remain important to southern Californians educationally and culturally as evidenced by the special programs, research and published documents and literature that can be found on the Department 's website and at www.grunion.org. The placement of beach sand and other construction activities during the grunion spawning season could result in significant impacts since grunion are likely to be present at or near the proposed project areas. The Department recommends grunion season monitoring and impact avoidance and minimization strategies to include, but not limited to, the following: 6-8

a. Pre-project grunion spawning runs should be monitored by a qualified, independent biologist to identify significant spawning activity at least two weeks prior to the start of the project.

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b. When grunion monitoring surveys indicate grunion habitat exists on site, avoid sand deposition, driving and grading activities during the grunion spawning season. The grunion spawning season typically begins later in central California regions, approximately April 1st through August 31st. The grunion spawning season is variable from one year to the next. Additionally, spawning dates and times vary from one region to another; therefore, the spawning predictions on the Department website should be used as a general guide along with monitoring to confirm the spawning activity for each California location.

c. If avoiding the grunion spawning season window is not feasible, then the Department recommends development of a Department-approved spawning and egg nest mitigation and monitoring plan.

6-8 Con't

Marine Invertebrates

Invertebrates are an important part of near shore and beach ecology. In particular, Pismo clams, *Tivela stultorum*, a state managed and sensitive species, tend to develop high concentrations on flat beaches and at the mouths of bays, rivers and estuaries. This makes them more susceptible to dredging, turbidity and burial impacts that may occur from dredging and beach nourishment activities. Established Pismo clam beds are currently known to exist on many southern California beaches in the intertidal and subtidal zones. Potential impacts to Pismo clams, as well as other sensitive or locally unique species such as local concentrations of invertebrate communities and their potential habitats, should be identified by examining historical site-specific surveys and conducting a pre-project survey. If invertebrate beds are found, any impacts to them should be avoided, minimized or compensated if necessary.

6-9

The FESA endangered black abalone, as well as other southern California abalone species, is a state managed sensitive species that requires kelp, sand ledges or rocky reef intertidal and subtidal habitats and could be in or near the proposed project areas. Abalone and their habitats should be included in all baseline and pre-project surveys. If abalone or their critical habitats are found in the project area, the Department should be consulted and they should be fully addressed in the Final PEIR. Please see the Abalone Recovery Management Plan at the Department's website, www.dfg.ca.gov/marine/armp/index.asp, for additional information.

6-10

The California spiny lobster, a recreationally and commercially important species also inhabits the proposed project areas. Lobsters rely upon sand ledges, reefs, kelp and seagrasses in the area for spawning, foraging and shelter. This species should be addressed in the Final PEIR.

6-11

Artificial Reefs and Other Beach Stabilization Options

The PEIR proposes artificial reef pilot projects in several locations in Santa Barbara and Ventura County in order to reduce beach erosion over time. The Department and National Marine Fisheries Service (NMFS) have guidance documents on reef placement and construction as well as other recommendations to stabilize beaches. The BEACON project manager should consult with Department staff for future reef design development and other beach stabilization techniques. The Final PEIR should include detailed biological monitoring plans for all beach stabilization projects. The Department also suggests that BEACON conduct a demonstration study before moving forward on the reef option.

6-12

The Final PEIR should explain the artificial reef success criteria, modeling and biostatistical methods, if known, as they were not discussed in the PEIR. Mitigations for adverse biological

6-13

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impacts from artificial reefs were not fully addressed in the PEIR. The Final PEIR should also explain how the artificial reefs will be handled if they are found to be unsuccessful in accomplishing the beach stabilization purpose. Additionally, the final locations and criteria used for selecting the potential locations for the reef pilot projects at Arroyo Burro County Beach, Butterfly Beach, Summerland Beach, Santa Claus Beach, La Conchita Beach, and North and South Rincon Parkway and other candidate sites should be approved by the Department and the other resource agencies.

6-13 Con't

Impacts to Terrestrial Biological Resources and Proposed Mitigation

Impact TBIO-1 foraging western snowy plover

The PEIR claims that temporary loss of up to 7,000 linear feet of western snowy plover foraging habitat would be considered a less than significant impact. The Department is concerned that western snowy plover could be harmed if they are present and foraging during use of heavy equipment within coastal strand habitats. The western snowy plover is listed as threatened under FESA. The Department recommends adding measures to avoid foraging western snowy plover to mitigation measure BIO-1 along with pre-construction surveys. If harm or harassment of western snowy plover were to occur, take authorization may be required from the United States Fish and Wildlife Service.

6-14

Mitigation BIO-1 pre-construction surveys and restoration of habitat

Pre-construction sensitive plant surveys in terrestrial onshore habitats should be conducted at least one full year prior to project construction, should be floristic in nature, should be appropriately timed to correspond with the blooming season to ensure species can be appropriately identified, and otherwise should be consistent with the Department's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities found at: http://www.dfg.ca.gov/wildlife/nongame/survey_monitor.html

6-15

This measure also addresses mitigation for impacts to special status species "following consultation with federal and state resource agencies" (pg. 3.2-41). The Department requests that this measure also stipulate obtaining the appropriate state and federal take authorization for species listed under the state and federal endangered species acts should listed plants or animals be located within project areas.

An Incidental Take Permit (ITP) from the Department may be required if the project, project construction, or any project-related activity during the life of the project will result in "take" as defined by the Fish and Game Code of any species protected by CESA. (Fish & G. Code, §§86, 2080, 2081, subd. (b), (c).) Early consultation with the Department regarding potential permitting obligations under CESA with respect to the project is encouraged. (Cal. Code Regs., tit. 14, § 783.2, subd. (b).)

6-16

It is imperative with these potential permitting obligations that the tiered environmental documents include a thorough and robust analysis of the potentially significant impacts to endangered, rare, and threatened species, and their habitat, that may occur as a result of the proposed project components. For any such potentially significant impacts the Lead Agencies should also analyze and describe specific, potentially feasible mitigation measures to avoid or substantially lessen any such impacts as required by CEQA and, if an ITP is necessary, as required by the relevant permitting criteria prescribed by Fish and Game Code section 2081, subdivisions (b) and (c). The failure to include this analysis in the tiered environmental documents could preclude the Department from relying on the Lead Agency's analysis to issue an ITP without the Department first conducting its own, separate Lead Agency subsequent or

6-17

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supplemental analysis for the Project. (See, e.g., Cal. Code Regs., tit. 14, § 15096, subd. (f); Pub. Resources Code, § 21166.) For these reasons, the Department requests the following information within further tiered environmental documents for projects that may result in take:

a. Biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for a CESA Permit.
b. A Department-approved Mitigation Agreement and Mitigation Plan are required for plants listed as rare under the Native Plant Protection Act.

6-18

Impact TBIO-4 nesting California least tern and nesting western snowy plover

The PEIR states that some project components may result in take of these listed species, including direct mortality, disturbance of breeding behavior and disturbance of foraging behavior. Mitigation measures may include pre-construction surveys and scheduling project activities to avoid the breeding season. It should be noted that, even if work occurs outside of California least tern and western snowy plover breeding season, any modification of their preferred nesting habitat could potentially result in a reduction in future nesting opportunities for these species. The Final PEIR should disclose any temporary or permanent impacts to nesting habitat, whether birds are present or not, and provide proportional restoration of habitat. The Department recommends consulting with the U.S. Fish and Wildlife Service as well.

6-19

Environmentally Sensitive Habitat Areas:

The PEIR Section 4.1 is intended to address environmentally sensitive habitat areas. We were unable to locate any list of terrestrial environmentally sensitive habitat areas or maps showing specific locations for such habitats. The proposed mitigation measures BIO1 through BIO6 do not specifically describe how such habitats would be identified and avoided. BIO1 indicates that sensitive plants would be avoided only if feasible. The Department recommends that the Final PEIR and any additional (tiered) CEQA documents identify all environmentally sensitive habitat areas, provide measures for identifying and delineating these areas onsite, and include proportional mitigation if the areas cannot be avoided.

6-20

Thank you for this opportunity to provide comment. Please address the above concerns and comments in the Final PEIR for the subject project. Please contact Mr. Sean Carlson, Staff Environmental Scientist at (909) 596-9120 for any questions and further coordination.

Sincerely,

Edmund Pert
Regional Manager
South Coast Region

cc: Martin Potter, CDFG, Ojai
Mary Meyer, CDFG, Ojai
Loni Adams, CDFG, San Diego
Vicki Frey, CDFG, Eureka
Helen Birss, CDFG, Los Alamitos
Betty Courtney, CDFG, Santa Clarita
Chris Dellith, USFWS, Ventura
Scott Morgan, State Clearinghouse, Sacramento See next page for signed signature page

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Thank you for this opportunity to provide comment. Please address the above concerns and comments in the Final PEIR for the subject project. Please contact Mr. Sean Carlson, Staff Environmental Scientist at (909) 596-9120 for any questions and further coordination.

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Chris Dellith, USFWS, Ventura
Scott Morgan, State Clearinghouse, Sacramento

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RESPONSE TO COMMENT LETTER 6: CALIFORNIA DEPT. OF FISH AND GAME (CDFG)

6-1 BEACON acknowledges that the information provided in the existing conditions sections is limited and will update those descriptions when the individual project sites are selected. Literature data will be augmented with site-specific survey data where needed and field survey methods and species-specific protocols will be developed in consultation with California Department of Fish and Game (CDFG) prior to the initiation of those surveys.

6-2 BEACON concurs with CDFG's statement and hereby incorporates the following additional text into Section 3.2.2.2 b of the Draft PFEIR as provided in Section 4.0 of this Final PEIR:

"CDFG acts as a Responsible Agency when it issues authorization for incidental take of listed species pursuant to the California ESA (Fish and Game Codes Section 2050, et seq.)."

6-3 BEACON here by incorporates the following mitigation measure into Section 3.2.3.2 of the Draft PFEIR as provided in Section 4.0 of this Final PEIR:

"BIO-9 Where ever vegetation is proposed for stabilization, no non-native plant species will be used or introduced to stabilize beach sand."

6-4 Because the design of the subsea structures has not been finalized, the type of material and the source(s) cannot be identified. In subsequent environmental documents, BEACON will include potential effects of operations at material supply locations, including quarries, as appropriate.

6-5 BEACON acknowledges the need to identify the onshore and offshore biological resources, including the presence or possible presence of locally rare plant species. Prior to field data collection efforts, BEACON will consult with CDFG on sampling methods, protocols, and special status species within the survey area.

6-6 As discussed in 6-5 above, BEACON will consult with CDFG prior to field data collection efforts be they "existing conditions" surveys or pre-construction surveys in the marine and terrestrial habitats. CDFG will be provided with copies of subsequent/supplemental project-specific environmental documents and will have the opportunity to review proposed mitigations.

6-7 BEACON understands that the 19 species currently listed in the NFMP could occur within the area of the potential projects. However the information provided in the PEIR will be augmented with site- and project-specific data once the individual sites are selected and the designs finalized. BEACON will include species included in the current NFMP in subsequent/supplemental environmental analyses and will also consider those species, and their respective required habitats, when conducting project-specific field data collection efforts.

6-8 BEACON is fully-aware of the potential effects of beach disturbance on the California grunion and will consult with CDFG during subsequent/supplemental environmental analyses for projects that include beach operations. CDFG will have the opportunity to review those environmental documents and the recommended mitigations.

While BEACON concurs with the monitoring of beach use by grunion during the anticipated spawning period, further discussions on the preclusion of sand deposition within "grunion habitat" are suggested. Virtually all sandy beaches in southern California could support grunion spawning, however if no spawning has occurred within the two-week period prior to planned sand placement, BEACON questions the need to preclude that beach's use merely because it is "grunion habitat". Likewise, complete avoidance of grunion spawning season seems too restrictive; preclusion of sand beaches where grunion spawning has been documented two weeks or less prior to sand placement has precedence and protects the organisms from potential effects.

6-9 As discussed in the responses to comments 6-1 and 6-5 above, CDFG will be consulted prior to field data collection efforts. Nearshore surveys will, following that consultation, include the Pismo clam if CDFG indicates there is a possibility of that species being present within the project-specific site.

6-10 See response to comment 6-9 above. All abalone species will be included in species of interest during field data collection efforts if recommended by CDFG.

6-11 See response to comment 6-9 above. The California spiny lobster will be included in the species of interest during field data collection efforts if recommended by CDFG.

6-12 The potential effects (negative and beneficial) of the placement of the offshore structures are identified in impact MBIO-5 (Section 3.2, Biological Resources of the Draft PEIR). BEACON is aware of CDFG's and NOAA Fisheries' specifications for artificial reef material, however the structures described in the Project Description are not designed to enhance biological resources. The success criteria of the structures and the beach fill operations in enhancing or maintaining the beach and protecting sensitive environmental resources will be identified in subsequent/supplemental environmental documents. However BEACON feels that success criteria for enhancement of biological resources associated with the structures is not warranted as it is not a project objective. Site selection/existing conditions field surveys will be completed prior to finalizing subsurface structure design and those structures will be placed onto sedimentary seafloor whenever possible. Minimizing impacts to natural rocky substrate has been discussed in the PEIR. As is stated in MBIO-5 impact in the PEIR, a potential beneficial aspect is that the high-relief, solid substrate will provide habitat for epibiota, however if biological success criteria are established and are not met, the benefits of the structure to enhance the inshore sand beach could be precluded if the structure was removed for having not met the aforementioned biological criteria. The design of the structures will be based on pilot programs that are currently being planned and/or constructed elsewhere and material used will necessarily be sufficient to remain in-place in the active wave zone area in which they will be placed.

6-13 See response to comment 6-12 above. BEACON will include a beach monitoring program for each project that will be used to ascertain the success or failure of the proposed project. In addition, subsequent/supplemental environmental documents will include a discussion on the decommissioning and removal methods that would be used should the beach-related success criteria not be met and should permit conditions or other conditions of approval require removal of the structure. Because the design and material for the structures have not been finalized, decommissioning and removal methods are not discussed in the PEIR.

6-14 BEACON understands the significance of impacts to special status species such as the snowy plover. As worded (see below), mitigation BIO-1 includes all special status species and when the design of each project is finalized, subsequent/supplemental environmental analyses will be project-specific. Snowy plovers and other listed species are included in this PEIR and will be included in the list of species to be included in field data collection efforts as needed. Mitigations will be developed based upon results of the project-specific field data and consultation and will include seasonal and habitat-specific preclusions as required to reduce or eliminate potential effects to special status species.

BIO-1 Complete appropriate pre-construction sensitive plant and animal surveys of all onshore and offshore sites and locate ground or seafloor activities to those areas devoid of sensitive plant and animal taxa. If impacts to special status species cannot be avoided, design a plan for the replacement or transplanting of the affected flora and translocation or new habitat creation for fauna following consultation with federal and state resources agencies.

6-15 Consistent with the response to comment 6-5 above, BEACON will consult with CDFG in a timely manner and sufficiently in advance of any site selection field data collection efforts. Floral surveys will be scheduled in accordance with blooming season(s) and in accordance with appropriate state and federal protocols.

6-16 BEACON has previously agreed to consult with CDFG early in the project-specific planning and design process and also acknowledges the potential for incidental take permits. In response to this comment, BEACON hereby incorporates the following sentence in mitigation BIO-1 of the PEIR (see Section 4.0, Revised Pages to the Draft PEIR and Appendix A, Mitigation Monitoring and Reporting Program):

"As required, BEACON shall obtain appropriate state and federal take authorizations, including, but not limited to, Incidental Take Permit(s) for species listed in the Federal and/or State ESAs."

6-17 Comment acknowledged and as is stated above, BEACON will complete siting surveys, project-specific environmental documentation, and will consult with CDFG and other resource agencies in the development of mitigation measures to reduce or eliminate potential impacts to special status species and their essential habitats.

6-18 Comment acknowledged. CDFG will have an opportunity to review the mitigation monitoring plan that is included with each project-specific tiered environmental document. In addition, CDFG will have opportunities to comment on that plan during the permitting phase of each project.

6-19 The PEIR was designed to identify the "types" of impacts that could occur from the proposed actions, however because the final sites have not yet been selected and the designs not finalized, project-specific effects cannot be assessed. As is stated above, BEACON has committed to completing additional project-specific environmental analyses and documentation when siting and design are completed. BEACON understands that impacts to habitat utilized by special status species, as well as to individual organisms, could result in the need for an Incidental Take Authorization from CDFG and/or the federal resource agency that administers the species. BEACON once again commits to facilitating early involvement of state and federal resource agencies as individual capital projects progress.

6-20 Comment acknowledged. Please see responses to comments 6-1, 6-5, and 6-19 above. The descriptions in Section 3.2.1.2 of the PEIR provide information on the special status species within the area of each site from existing literature data, including the CNDDB and previous environmental documents. These data will be augmented with site-specific field data collection efforts prior to final siting and design of each capital project that BEACON chooses to develop.

Comment Letter 7: California State Lands Commission

STATE OF CALIFORNIA — ARNOLD SCHWARZENEGGER, Gov

CALIFORNIA STATE LANDS COMMISSION
100 Howe Avenue, Suite 100-South
Sacramento, CA 95825-8202

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from Voice Phone **1-800-735**

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Contact FAX: **(916) 574-1**

November 1, 2010

File Ref: SCH# 2010031019

Gerald Comati, Project Manager
Beach Erosion Authority for Clean Oceans and Nourishment
c/o COM3 Consulting
206 East Victoria Street
Santa Barbara, CA 93101

Subject: Draft Programmatic Environmental Impact Report (PEIR) for the BEACON Coastal Regional Sediment Management Plan for Santa Barbara and Ventura Counties

Dear Mr. Comati:

Staff of the California State Lands Commission (CSLC) has reviewed the subject document. Under the California Environmental Quality Act (CEQA), Beach Erosion Authority for Clean Oceans and Nourishment (BEACON) is the Lead Agency and the CSLC is a Responsible and/or Trustee Agency for any and all projects that could directly or indirectly affect sovereign lands, their accompanying Public Trust resources or uses, and the public easement in navigable waters.

As background, the State acquired sovereign ownership of tidelands and submerged lands and beds of navigable waterways upon its admission to the United States in 1850. The State holds these lands for the benefit of all the people of the State for Public Trust purposes which include waterborne commerce, navigation, fisheries, water-related recreation, habitat preservation, and open space. The landward boundaries of the State's sovereign interests in areas that are subject to tidal action are generally based upon the ordinary high water marks of these waterways as they last existed prior to fill or artificially-induced accretions. In non-tidal navigable waterways the State holds a fee ownership in the bed of the waterway between the two ordinary low water marks. The entire non-tidal navigable waterway between the ordinary high water marks is subject to the Public Trust. The State's sovereign interests are under the jurisdiction of the CSLC.

The facts pertaining to BEACON's Coastal Regional Sediment Management Plan (CRSMP), as we understand them, are these:

- The CRSMP covers the coastal region between Point Conception in Santa Barbara County and Point Mugu in Ventura County

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- Individual projects considered within the CRSMP are located in Santa Barbara and Ventura Counties, and within the cities of Santa Barbara, Oxnard, and Port Hueneme. The projects as described in the Draft Focused PEIR are as follows:
  1. Oxnard Shores Sand Management
  2. Regional Sediment Management Stockpile and Processing Center
  3. Sand Retention Pilot Projects at Arroyo Burro County Beach, Butterfly Beach, Summerland Beach, Santa Clause Beach, La Conchita Beach, North Rincon Parkway, and South Rincon Parkway
  4. West Hueneme Beach Renourishment Longevity Improvement
  5. North and South Rincon Parkway Shoreline Restoration
  6. Sand Capture at Mugu Submarine Canyon

- The Regional Sediment Management Stockpile and Processing Center site was determined to be unavailable for use and no other potential sites have been identified at this time. However, other sites may be considered in the future.

- Three alternatives were analyzed in the Draft Focused PEIR, as follows:
  1. No Project alternative;
  2. Reduced Size alternative; and
  3. Onshore Sediment Supply alternative.

- The Onshore Sediment Supply alternative was determined to be the environmentally superior alternative.

- Final design of each of the individual projects has not been determined, and additional environmental analysis may be required prior to commencement of any construction activities.

Please be advised that each of the projects identified in the Draft Focused PEIR appear to involve sovereign lands and as such will be subject to CSLC jurisdiction and leasing authority and will require Commission approval prior to the commencement of any construction activities. Also, several of the projects may require individual considerations, as follows: 7-1

- The Oxnard Shores Sand Management project includes sovereign lands the State acquired through a boundary line agreement and leased to the city of Oxnard under Lease No. PRC 7223.9 for 'public access and public recreational beach use'. Any changes or additions to these authorized uses, including those proposed for the Oxnard Shores sand management project, will require an amendment to this Lease. 7-2

- The Arroyo Burro Beach and Butterfly Beach projects may involve sovereign lands currently leased to the county of Santa Barbara under Lease No. PRC 7082.9 for seasonal swim and channel marker buoys. Additionally, the Butterfly Beach project may involve sovereign lands subject to Lease No. PRC 2689.9 to the Montecito Sanitary District for a sewer outfall. The outfall pipeline location 7-3

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should be considered prior to selecting the final location of the offshore reef component of this project.

- The Santa Claus Beach project may involve sovereign lands subject to Lease No. PRC 3150.1 to Venoco for oil and gas production. 7-4
- The La Conchita Beach project may involve sovereign lands subject to Lease No. PRC 1466.1 to the Rincon Island Limited Partnership for oil and gas production and a right-of-way. 7-5
- The West Hueneme Beach Renourishment Longevity Improvement Project may involve sovereign lands subject to Lease No. PRC 8775.9 to the Calleguas Municipal Water District for outfall pipelines. Also, the project may involve sovereign lands subject to Lease No. PRC 6403.9 to the California Department of Fish and Game for an artificial fishing reef. The pipeline and artificial fishing reef locations should be considered prior to selecting the final locations for the offshore reefs component of this project. 7-6

General Comments

CEQA Guidelines §15168(c)(5) states that a program EIR will be most helpful in dealing with subsequent activities if it deals with the effects of the program as specifically and comprehensively as possible.

Some of the mitigation measures identified in the Draft PEIR require preparation of plans, reports and/or studies at a future point in time (e.g. Fisheries Contingency Plan, Cultural Resources Assessment Report, drainage plan) to ensure that impacts are reduced to a less-than-significant level but they don't provide specific performance standards to be used to accomplish the mitigation. In order to meet CEQA requirements, the CSLC recommends that any mitigation measures relying on future plans, reports and/or studies include specific performance standards. 7-7

Also, to ensure that the mitigation measures identified in the Draft PEIR are implemented, the lead agency should adopt a program for monitoring the measures it has incorporated into the project to mitigate or avoid significant environmental effects (see CEQA Guidelines §15097). The monitoring program should be designed to ensure compliance during project implementation. The Draft PEIR does not provide a mitigation monitoring program (MMP). The CSLC recommends that an MMP be prepared and included in the document. 7-8

Specific Comments

Page 3.3-24, Impact FISH-3, states: *"multiple vessels and trips will be required to complete the offshore portions of the proposed project. Most of the project vessels will be slow-moving and relatively large and are expected to be operating during daylight hours only. Irrespective, the increased vessel activity within the nearshore areas could result in an increase in opportunities for vessel interactions."*

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The Draft PEIR further states that the impact will be mitigated to a less-than-significant level by requiring preparation and implementation of a "Fisheries Contingency Plan" that will specify actions to be taken to reduce potential interactions between project vessels and commercial/recreational fishing vessels for all projects that have offshore operations.

The CSLC recommends the additional requirement of a Marine Mammal and Turtle Contingency Plan to reduce potential interactions (e.g. noise, collisions, entanglement) between project vessels and protected marine species for all projects that have offshore operations. BEACON should ensure that vessel operators develop and implement a contingency plan that focuses on recognition and avoidance procedures when marine mammals and turtles are encountered at sea. A sample Marine Mammal and Turtle Contingency Plan containing specific performance standards is attached for your reference. 7-9

Page 2-9, Section 2.3.4 Cultural Resources, includes Mitigation Measure CR-1 which requires preparation of a Phase 1 Cultural Resources Assessment "*for any project that requires ground disturbance that may impact previously undisturbed soils.*" Based on the findings of the Cultural Resources Assessment, mitigation measures shall be incorporated into the project to ensure that impacts to cultural resources are less-than-significant.

Please be aware that any submerged archaeological site or submerged historic resource remaining in state waters for more than 50 years is presumed to be significant. The title to all abandoned shipwrecks and all archaeological sites and historic or cultural resources on or in the tide and submerged lands of California is vested in the state and under the jurisdiction of the Commission. The Commission maintains a shipwrecks database of known and potential vessels located on the state's tide and submerged lands; however, the location of many shipwrecks remains unknown. The recovery of objects from any submerged archaeological site or shipwreck requires a salvage permit under Public Resources Code (PRC) section 6309. On statutorily granted tide and submerged lands, a permit may be issued only after consultation with the local grantee and a determination by the Commission that the proposed salvage operation is not inconsistent with the purposes of the legislative grant. 7-10 7-11

As a Responsible and Trustee Agency, the CSLC will need to rely on this document for the issuance of any new leases and/or amendments to any existing leases as specified above. We request that you consider our comments and implement these recommendations prior to adoption of the Final PEIR.

For questions and comments related to the environmental review, please contact Joan Walter, Environmental Scientist, at (916) 574-1310 or by e-mail at joan.walter@slc.ca.gov. For questions involving the Shipwreck and Historic Maritime Resources Program please contact Staff Counsel Pam Griggs at (916) 574-1854 or by email at pamela.griggs@slc.ca.gov. Please contact Kenneth Foster, Public Land

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Management Specialist, at (916) 574-2555 or by e-mail at kenneth.foster@slc.ca.gov for more information about the Commission's sovereign lands leasing jurisdiction.

Sincerely,

Cy R. Oggins, Chief
Division of Environmental Planning
and Management

Attachment:

1. Sample Marine Mammal and Turtle Contingency Plan

cc: Office of Planning and Research
Kenneth Foster, LMD, CSLC
Joan Walter, DEPM, CSLC

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Sample Marine Mammal and Turtle Contingency Plan

1. Vessel operators shall be trained by a marine mammal expert to recognize and avoid marine mammals prior to project-related activities. Training sessions shall focus on the identification of marine mammal species, the specific behaviors of species common to the project area and transport routes, and awareness of seasonal concentrations of marine mammal and turtle species. The operators shall be re-trained annually throughout the life of the project.

2. A marine mammal observer shall be placed on all project vessels during the spring and fall gray whale migration periods (generally December through May), and during periods/seasons when other marine mammals, such as migrating fin, blue, and humpback whales (generally June through November), are known to be in the Project area in relatively large numbers. Observers can include the vessel operator and/or crew members, as well as any Project worker that has received proper training. Vessel operators and crews shall maintain a vigilant watch for marine mammals and sea turtles to avoid striking sighted protected species.

3. Vessel operators will make every effort to maintain a distance of 1,000 feet (305 m) from sighted whales, and 150 feet (45.7) or greater from sea turtles or smaller cetaceans whenever possible.

4. When small cetaceans are sighted while a vessel is underway (e.g., bow-riding), vessel operators shall attempt to remain parallel to the animal's course. When paralleling whales, project vessels will operate at a constant speed that is not faster than the whales' and shall avoid excessive speed or abrupt changes in direction until the cetacean has left the area.

5. Per NOAA recommendations, vessel speeds shall not exceed 11.5 mph (10 knots) when mother/calf pairs, groups, or large assemblages of cetaceans are observed near an underway vessel, when safety permits (i.e. excluding during poor sea and weather conditions, thereby ensuring safe vessel maneuverability under those special conditions). A single cetacean at the surface may indicate the presence of submerged animals in the vicinity; therefore, prudent precautionary measures should always be exercised. The vessel should attempt to route around the animals, maintaining a minimum distance of 300 feet (91.4 m) whenever possible.
6. Whales may surface in unpredictable locations or approach slowly moving vessels. When an animal is sighted in the vessel's path or in close proximity to a moving vessel and when safety permits, operators will reduce speed and shift the engine to neutral. Vessel operators will not engage the engines until the animals are clear of the area.

7. Project vessels shall not cross directly in front of migrating whales, other threatened or endangered marine mammals, or marine turtles.

8. Project vessels shall not separate female whales from their calves.

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9. Project vessel operators will not herd or drive whales.

10. If a whale engages in evasive or defensive action, project vessels will drop back until the animal moves out of the area.

11. Collisions with marine wildlife will be reported promptly to the Federal and state agencies listed below pursuant to each agency's reporting procedures.

Stranding Coordinator, Southwest Region
National Marine Fisheries Service
Long Beach, CA 90802-4213
(562) 980-4017

Enforcement Dispatch Desk
California Department of Fish and Game
Long Beach, CA 90802
(562) 590-5132 or (562) 590-5133

California State Lands Commission
Environmental Planning and Management Division
Sacramento, CA 95825-8202
(916) 574-1900

RESPONSE TO COMMENT LETTER 7: CALIFORNIA STATE LANDS COMMISSION

7-1 Section 1.5. Lead, Responsible and Trustee Agencies; and Discretionary Approvals, of the Draft PEIR identifies the CSLC as an agency with jurisdiction over the project. Additionally, BEACON will research leases and ownership of all properties during the preparation of project-specific environmental documentation following the finalization of site selection and design.

7-2 BEACON appreciates the information which will be considered during subsequent decision-making processes relative to the proposed Oxnard Shores Sand Management project. Additionally, as is provided in Section 4.0 of this Final PEIR, Table 1.5-1 of the Draft PEIR has been modified to indicate the CSLC jurisdiction over the proposed Oxnard Shores Sand Management project.

7-3 BEACON appreciates the information which will be considered during subsequent decision-making processes relative to the proposed Arroyo Burro Beach and Butterfly Beach projects.

7-4 BEACON appreciates the information which will be considered during subsequent decision-making processes relative to the proposed Santa Claus Beach project.

7-5 BEACON appreciates the information which will be considered during subsequent decision-making processes relative to the proposed La Conchita Beach project.

7-6 BEACON appreciates the information which will be considered during subsequent decision-making processes relative to the proposed West Hueneme Beach Renourishment Longevity Improvement project.

7-7 The mitigations presented in the Draft PEIR are necessarily general as the site(s) and design(s) for each of the capital projects have not been finalized. BEACON will complete subsequent/supplemental environmental analyses on each of the projects which include project-specific descriptions of existing conditions, impact assessment based on the detailed construction and operation methods, and mitigations to reduce or eliminate potentially significant effects. Likewise, each subsequent/supplemental document will include a Mitigation Monitoring and Reporting Program and supporting mitigation plans with performance standards and reporting procedures in accordance with CEQA requirements.

7-8 A programmatic level Mitigation Monitoring and Reporting Program is presented as Appendix A to this Final PEIR. As stated in the response to comment 7-7 above, additional project-specific impacts and mitigations will be detailed in the subsequent/supplemental environmental document for each project following finalization of siting and design studies. That document will also include a project-specific Mitigation Monitoring and Reporting Program in accordance with CEQA requirements.

7-9 Measure BIO-10 requiring a Marine Wildlife Contingency Plan for projects with offshore operations has been added to the Project Description. Please see Section 4.0 of this Final PEIR.

7-10 Comment acknowledged. Please note that Section 4.5 of the Project Initial Study which is incorporated as Appendix A of the Draft PEIR addresses submerged archaeological sites and historic resources. A review of the California State Lands Commission's online Shipwreck Database for the Counties of Ventura and Santa Barbara was conducted during the Initial Study and yielded 31 and 69 shipwreck records, respectively. Based on a comparison of reported shipwreck locations (latitude and longitude) and general project site locations, it appears that three of the reported shipwrecks are in proximity to specific project site locations as detailed in Section 4.5 of the Initial Study.

The following measure is incorporated into the project to address the potential for the project to impact offshore cultural resources.

CR-4 Prior to development of final plans, side scan sonar, magnetometer, and bathymetric surveys shall be conducted within the areas of potential seafloor disturbance. If any targets are identified within the potential area of impact, the survey(s) results shall be reviewed by a qualified marine archaeologist. If necessary, a follow-up dive survey will be conducted to determine the nature of any targets identified from the seafloor surveys described above. The marine

archaeologist will determine the potential cultural or historic significance of any targets, and measures to avoid or reduce potential impacts to any significant underwater cultural resources shall be developed by the marine archaeologist and incorporated into the project. The referenced surveys and archaeological evaluation shall be conducted prior to development of final project plans. BEACON and/or the project sponsor shall retain all survey results and ensure that any necessary mitigation measures are identified on project plans and implemented in the field.

7-11 Additional discussion of submerged archaeological sites and other historic resources will be included in the project-specific environmental analysis documents as warranted. BEACON is aware of the various literature and database resources that can be used to develop a detailed existing conditions section for cultural and archaeological resources. Once siting and design studies are completed, subsequent/supplemental environmental documentation will include detailed descriptions of the resources and appropriate mitigation measures to reduce impacts. The CSLC will be consulted in reference to the possible need for a salvage permit during as projects with offshore components move forward.

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Comment Letter 8: Surfrider Foundation

Surfrider Foundation
Ventura County Chapter
PO Box 1028, Ventura, CA 93002 (805) 667-2222

Gerald Comati, Project Manager
BEACON
c/o COM3 Consulting
206 East Victoria Street
Santa Barbara, California 93101

Date: November 1, 2010

RE: Comments on the DRAFT PROGRAMMATIC ENVIRONMENTAL IMPACT REPORT (DPEIR) FOR BEACON'S ADOPTED COASTAL REGIONAL SEDIMENT MANAGEMENT PLAN (CRSMP) FOR SANTA BARBARA AND VENTURA COUNTIES

PROJECT DESCRIPTION: *Of the 18 identified capital projects in the adopted CRSMP, 13 are included in the proposed project that were evaluated in the Draft Programmatic EIR (PEIR). The project comprises onshore and offshore developments and consists of sand management, dredging, sand deposition and grading, and the placement of offshore sand retention structures. The individual projects are identified below. A more detailed description of the project components is provided in the Draft PEIR.*

1) Oxnard Shores Sand Management.
2) Regional Sediment Management Stockpile and Processing Center.
3) Sand Retention Pilot Projects at: Arroyo Burro County Beach, Butterfly Beach, Summerland Beach, Santa Claus Beach, La Conchita Beach, North Rincon Parkway, and South Rincon Parkway.
4) West Hueneme Beach Re-nourishment Longevity Improvement.
5) North and South Rincon Parkway Shoreline Restoration.
6) Sand Capture at Mugu Submarine Canyon

GENERAL COMMENTS:

The basic premise that we need 'wider beaches' is flawed – many of the beaches in the region are naturally narrow, bluff-backed, beaches. "Beach erosion" is a result of poor land use planning, and in areas where coastal development has encroached into the coastal zone, damage to property and infrastructure are a predictable inevitability.

The proposed CRSMP capital projects mainly consist of expensive structural engineering and beach nourishment projects. To date, BEACON has not been able to attract the huge federal appropriations that it would take to implement the large-scale beach replenishment and sand retention projects described. 'Recycling' sand before it goes into Mugu Canyon, while in theory may make sense, is cost prohibitive and likely has environmental consequences to ocean ecosystems that may not be immediately evident.

Additional analysis is required for individual projects:

The EIR states that specific environmental analysis shall be required for future implementation of the proposed projects. The current descriptions are very general in nature, and more site-specific analysis will be required when a specific project is being considered.

EIR COMMENTS:

The EIR fails to consider alternative projects:

Although the EIR mentions other projects in the BEACON area, it only analyzes the proposed capital concepts without considering alternative management strategies. It is in the public interest to consider solving the root causes of coastal erosion, rather than attempting to engineer the shoreline with hard structures. 8-1
Such strategies should include:

1. **Managed Retreat:** A regional strategy should be developed to prioritize coastal infrastructure that will require future modification or protection and that which should be removed or relocated inland. Such a plan should consider the future impacts of sea level rise up to 1.4m in next 100 years and plan for the movement of critical infrastructure and utilities away from the shoreline.
2. **Flood Control and Land Use:** Traditional flood control activities impact coastal sediment supply as well as hydrology and water quality on a watershed scale. BEACON should engage in pro-active flood control reform measures such as those recently implemented in Santa Barbara County. Modification of debris basins and concrete channels will not only restore natural sand delivery to the coast, but can also improve habitat and water quality. Likewise, land use decisions can have a significant impact on coastal resources, including sediment supply. New development should be steered away from floodplains, and existing floodplain development should be phased out through incentive programs. Coastal development should have adequate setback to account for future erosion and rising sea levels.
3. **Reduced Scale Alternative:** the 'reduced scale' described in the EIR only considers smaller structures, not reduced spatial distribution of such structures. Reduced scale of an individual project may only serve to diminish the effectiveness of that project, and not reduce or eliminate negative consequences.

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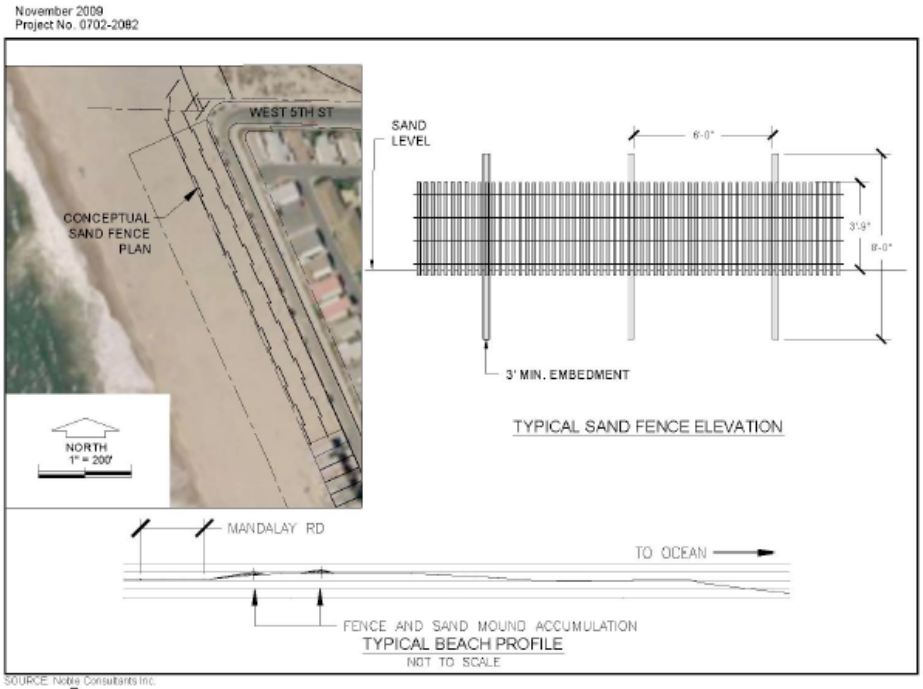
1) Oxnard Shores Sand Management.
This project is a road maintenance program to mitigate accumulation of blowing sand on the public street. The plan includes placement of sand fences that will trap sand, which will be periodically bulldozed back onto the beach.



Comment: The sand fences should be aligned perpendicular to prevailing winds, rather than parallel to the road. 8-2
Alignment of sand fences shown in the EIR does not provide optimal sand capture and retention. Prevailing winds are from the West-Northwest, and taking advantage of this would reduce the number of fence panels and maintenance, as well as provide better beach access from the road.

Comment: The Sand Management Plan should consider using the sand fences to build permanent dunes. 8-3
This would be accomplished through establishing vegetation on the accumulated sand, and incrementally raising the sand fences to trap more sand over time. This would reduce ongoing maintenance, associated costs and impacts.

Comment: A comprehensive shoreline management plan is needed for Oxnard Shores.
In 1987 the City of Oxnard lifted a moratorium on beachfront construction that had been in effect since 1974 in response to damage to beachfront homes 1971. This was in

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response to legal action from the Oxnard Shores Development Company, who owned 93 beachfront parcels. The resulting development, totaling many millions of dollars in real estate, will inevitably be threatened as sea levels rise and sand supplies become diminished by further urbanization along the Santa Clara River. Sand replenishment will not be technically or economically feasible to protect these new properties, and the public should not bear the cost of coastal structures nor the burden of the loss of public beach in favor of protecting private property. 8-4
See: http://articles.latimes.com/1987-12-31/news/ve-7916_1_oxnard-shores

Comment: Policy consistency of this management plan should be examined. 8-5
The Coastal Commission has applied stringent restrictions on the use of mechanized equipment at Pierpont Beach, in Ventura. This proposed plan for Oxnard Shores is inconsistent with that interpretation of the California Coastal Act.

2) Regional Sediment Management Stockpile and Processing Center.

(Note: This project component has been removed from consideration since CALTRANS claimed the site for their freeway-widening project.)

The stockpile center is part of the opportunistic beach fill program, which depends upon sources of beach compatible sand. The concept is to make use of public works (primarily flood control debris basin cleanout) or construction projects that generate sediment sources. Sediment would be delivered to this site for storage and sorting, in preparation for future beach deposition.

Comment: The 'opportunistic beach fill' program has potential negative consequences for water quality, while having limited potential for depositing a useful quantity of sand on the beach.
To date, BEACON has had difficulty finding upland sources of sand that meet the grain size criteria for beach replenishment. Upland sources typically have a high percentage of fine sediments. Relaxing these constraints to make such 'poor quality' material qualify for beach replenishment will have negative consequences for the beach. Dumping relatively small amounts of sediment with high percentage of fines will do nothing for the beaches except exacerbate turbidity, smothering nearshore habitat and degrading the recreational experience. 8-6

3) Sand Retention Pilot Projects and Structural Shoreline Management

The EIR identifies at least 11 potential offshore reefs:

3) Sand Retention Pilot Projects at: Arroyo Burro County Beach, Butterfly Beach, Summerland Beach, Santa Claus Beach, La Conchita Beach, North Rincon Parkway, and South Rincon Parkway
4) West Hueneme Beach Re-nourishment Longevity Improvement.
5) North and South Rincon Parkway Shoreline Restoration.
6) Sand Capture at Mugu Submarine Canyon

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This figure shows a typical 'Multi-purpose Offshore Reef' design from the BEACON CSMP.

Comment: More site-specific information is needed for complete environmental review.

Each of the proposed locations have specific biological and recreational resources that are not fully identified in this Programmatic EIR. Further analysis is required for the site-specific designs and impacts. 8-7

Comment: Offshore reefs are experimental measures that have yet to demonstrate effectiveness. It is premature to plan large-scale regional implementation of such measures.

The EIR does include a description of the proposed pilot project at Oil Piers. Until this project is implemented and monitored, it is impossible to adequately assess the potential impacts of large-scale deployment of similar structures. Recent experience on both the West Coast (i.e. Pratts Reef) and elsewhere around the world has demonstrated the difficulty associated with placing artificial reefs in the surf zone, and expenses associated with removal if they fail to perform or otherwise become a problem. Although 8-8

Page 5 Surfrider Foundation Comments on BEACON DPEIR CRSMP November 1, 2010

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Oil Piers may be a good location to experiment with artificial reefs, it is premature to plan for regionwide deployment of similar structures.

Comment: Offshore reefs may be infeasible in sandy, high-wave climate beaches such as Hueneme beach and Point Mugu.

Southern Ventura County experiences high wave energy along a sandy shoreline. Experience with existing offshore breakwaters (i.e. Ventura Harbor) and experimental artificial reefs (i.e. Pratts Reef) has shown that such structures subside in soft sand and require considerable ongoing maintenance to maintain their design profile. Coupled with rising seas, this will likely become an expensive and marginally effective approach to increasing beach width. 8-9

Comment: EIR does not consider climate change impacts:

Recent studies and policy point to the need for addressing climate change. Specific to this document, sea level rise will have major implications for any of the measures described. For instance, the profile of an offshore reef is designed for sea level elevations, but this is a moving target. As sea levels rise, these offshore reefs will become less effective, requiring expensive maintenance and modifications. 8-10

Conclusion: The Surfrider Foundation is concerned that the capital projects proposed in the BEACON Coastal Regional Sediment Management Plan are expensive structural coastal engineering projects that are likely to provide marginal benefits while potentially further degrading our coastal resources.

Each of these projects should undergo more comprehensive environmental review for site-specific impacts. 8-11

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RESPONSE TO COMMENT LETTER 8: SURFRIDER FOUNDATION

8-1 A separate part of BEACON's policies and initiatives focuses on regional solutions to beach erosion and preservation. The PEIR is designed to satisfy CEQA at a programmatic level for specific proposed projects, each of which will undergo further environmental analyses in subsequent/supplementary documents. BEACON appreciates the comment and is working on developing regional management strategies in addition to, but separate from, the specific capital projects addressed in this PEIR.

8-2 This comment is appreciated and BEACON acknowledges the need to align the fences to maximize capture of sand from the prevailing wind direction. Final design of the Oxnard Shores Sand Management project will consider this alignment.

8-3 Similar to the response to comment 8-2 above, BEACON will consider the use of vegetation and operational aspects such as raising the fence height during final design development.

8-4 Comment noted, no response required.

8-5 Section 4.0 of the Draft PEIR, 4.0 Consistency with Adopted Plans and Policies, provides a programmatic level evaluation of project consistency with coastal policies. Please see response to comment 2-1 above. During final design and in project-specific subsequent/supplementary environmental documents, consistency determination with applicable plans and policies will be completed. Should there be limitations or restrictions of equipment or other actions within the proposed project site, construction methods that will allow compliance with those limitations will be incorporated into the proposed actions. The ultimate determination of project consistency with applicable plans and policies for any given project will be made by the appropriate permitting jurisdiction. At that time, additional permit conditions may be placed on specific projects.

8-6 BEACON will complete subsequent/supplemental environmental analyses on each project based on the final design and will obtain all necessary authorizations prior to depositing any material onto the beach. Beach deposits will necessarily comply with physical and chemical parameters set by regulatory agencies (i.e. Corps of Engineers and RWQCB). The percent fines specified in project-specific permits for beach deposits will be adhered to for all BEACON projects.

8-7 Please see the responses to comment letter 6 from California Department of Fish and Game and comment letter 4 from Ventura Kiteboarding Association. BEACON acknowledges that due to the programmatic nature of the document and the lack of final design for each project that the biological and recreational assessment in the PEIR is generic. BEACON further acknowledges and has committed to detailed, project-specific environmental analysis of relevant technical issues, including biological resources and recreation, in subsequent/supplemental CEQA documentation. Pre-siting surveys are expected to be completed in order to identify project locations that will minimize the

effects on sensitive resources, including onshore and offshore biological resources and existing recreational use.

8-8 As previously mentioned, the design of offshore structures has not been finalized and will incorporate "lessons learned" from other similar structures, including Pratte's Reef and the Oil Piers' pilot reef. In project-specific subsequent/supplemental environmental documentation, BEACON will be required to describe method(s) of removal of the structures should they not function as proposed (see response to comment 13 in comment letter 6 above).

Please note that Draft PEIR Section 2.2.3, Sand Retention Pilot Projects, states the following. The actual size, shape, and construction method of the submerged feature at any of the candidate sites will incorporate the results of the USACOE's pending Section 227 Oil Piers offshore reef demonstration project located in Ventura County (emphasis added) and will necessarily consider site-specific seafloor and oceanographic conditions. The submerged structure would be built primarily using marine equipment including an anchored derrick barge to set and position the material. The cross section of the submerged structure would be established through successive placements of rock material or by first placing then filling geotextile containers with sand. The transport and placement of the submerged structure materials would be by barge and a barge-mounted crane, respectively.

8-9 BEACON acknowledges that geotechnical issues are key to the success of offshore structures and will, as discussed above, complete pre-siting studies designed to collect data on the physical and biological characteristics each site. Final design of offshore structures will consider surficial geotechnical issues and subsequent/supplemental environmental documentation will include an assessment of potential impacts of the project on the environment as well as potential effects of the environment on the structures.

8-10 Comment noted. Sea level rise will be addressed in subsequent/supplemental environmental documents which will be based on more detailed design and siting criteria than is provided in the PEIR. Please note that the Draft PEIR Section 3.1, Air Quality, evaluates the project's potential contribution of greenhouse gases.

8-11 See response to comments above; BEACON has committed to the preparation of project-specific subsequent/supplemental environmental documents based on final designs.

Comment Letter 9: California State Lands Commission

STATE OF CALIFORNIA — ARNOLD SCHWARZENEGGER, *Governor*

CALIFORNIA STATE LANDS COMMISSION
100 Howe Avenue, Suite 100-South
Sacramento, CA 95825-8202

PAUL D. THAYER, *Executive Officer*
(916) 574-1800 FAX (916) 574-1810
Relay Service From TDD Phone **1-800-735-2929**
from Voice Phone **1-800-735-2922**

Contact Phone: **(916) 574-2555**
Contact FAX: **(916) 574-1925**

November 3, 2010

File Ref: SD2010-10-04.3
(SCH2010031019)

Gerald Comati
c/o BEACON
206 East Victoria Street
Santa Barbara, CA 93101

Dear Mr. Comati:

SUBJECT: Beach Erosion Authority for Clean Oceans and Nourishment (BEACON) Draft Beach Nourishment Ordinance, Santa Barbara and Ventura Counties

Staff of the California State Lands Commission (CSLC) has reviewed the subject document, and offers the following information and comments:

As background, the State acquired sovereign ownership of tidelands and submerged lands, and the beds of navigable waterways upon its admission to the United States in 1850. The State holds these lands for the benefit of all the people of the State for Public Trust purposes which include waterborne commerce, navigation, fisheries, water-related recreation, habitat preservation, and open space. The landward boundaries of the State's sovereign interests in areas that are subject to tidal action are generally based upon the ordinary high water marks of these waterways as they last existed prior to fill or artificially-induced accretions. The State's sovereign interests are under the jurisdiction of the CSLC.

Staff is concerned that the language included in the Ordinance may result in some confusion as to the nature and extent of BEACON's authority to approve the placement of beach replenishment materials, particularly with respect to placement on sovereign lands. The CSLC has authorized and issued leases to BEACON for beach replenishment activities along the Santa Barbara and Ventura County coastlines, including expired Lease No. PRC 8459.9 for a beach nourishment demonstration project at Goleta Beach County Park, and current Lease No. PRC 8600.9 for beach replenishment at four sites under the South Central Coast Beach Enhancement Program. However, provisions contained in these leases require BEACON to submit project information to the CSLC for review and approval prior to any placement.

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BEACON Draft Ordinance SD20101004.3 (SCH 2010031019)
Page 2

To clarify the authority required for the approval of sand replenishment projects involving sovereign lands, CSLC staff recommends the inclusion of the following language in the draft Ordinance, immediately following subparagraph F:

G. Notwithstanding any of the provisions of this Ordinance, any placement of qualifying beach replenishment materials upon sovereign lands of the State of California shall require prior review and approval by the State, acting by and through the California State Lands Commission (CSLC), unless the administration of such lands has previously been legislatively granted to a trustee agency such as a County, City, or Harbor District. Such review and approval shall require the submission of an application to the CSLC to request a lease of ungranted sovereign lands for any site not subject to a valid CSLC lease, and shall require the submission to the CSLC of a pre-placement mean high tide line survey for any site that has not been used previously as a receiver site. 9-1

Should you have any questions about any of the above information, please contact me by email at Kenneth.Foster@slc.ca.gov, or by telephone at (916) 574-2555.

Sincerely,

Kenneth Foster
Public Land Management Specialist

Cc: Colin Connor - CSLC

RESPONSE TO COMMENT LETTER 9: CALIFORNIA STATE LANDS COMMISSION

9-1 BEACON acknowledges and understands the lease requirements for sand deposition. The Ordinance will require additional CEQA analysis by each jurisdiction and the use of an accepted Ordinance will necessarily require the acquisition of all appropriate permits, approvals, and leases prior to institution for any sand deposition. However, the comment has been considered in a modification to the prototype Opportunistic Sand Ordinance which is provided as Appendix B to this Final PEIR.

Comment Letter 10: U.S. Army Corps of Engineers

DEPARTMENT OF THE ARMY
LOS ANGELES DISTRICT, CORPS OF ENGINEERS
VENTURA FIELD OFFICE
2151 ALESSANDRO DRIVE, SUITE 110
VENTURA, CALIFORNIA 93001

November 4, 2010

REPLY TO
ATTENTION OF:
Regulatory Division

Beach Erosion Authority for Clean Oceans and Nourishment (BEACON)
Attn: Gerald Comati
c/o COM-3 Consulting
206 East Victoria Street
Santa Barbara, California 93101

Dear Mr. Comati:

This letter concerns BEACONs' proposed Ordinance to require local planning and public works agencies to evaluate project impacts on sediment delivery to the coast and coordinate with BEACON on the permitting and evaluation of all public works capital improvement projects and all other projects which involve land use or grading permits to determine suitability of excess sediment or earthen material for beach nourishment in Santa Barbara County and Ventura County, California.

The Corps has reviewed the proposed Ordinance and has the following comments. While not discussed in the Ordinance, local governments and planning agencies should be aware the U.S. Army Corps of Engineers Regulatory Division (Corps) and U.S. Environmental Protection Agency regulations (33 CFR 324 and 40 CFR 230 et seq.) require bulk chemical and sediment grain size testing in accordance with the Inland Testing Manual, of any material that would be placed on the beach. Testing may also be required by the California Coastal Commission and the Regional Water Quality Control Boards. In addition, Corps policy usually requires testing be repeated every 3 years if conditions have not changed. Planning agencies and BEACON member entities should also be aware that depending on the Tier II (bulk chemistry and grain size analysis) results, Tier III testing may also be required in accordance with existing testing policies, manuals, and regulations. 10-1

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If you have any questions, please contact Theresa Stevens of my staff at 805-585-2146 or via e-mail at theresa.stevens@usace.army.mil.

Sincerely,

Aaron O. Allen, Ph.D.
Chief, North Coast Branch
Regulatory Division

RESPONSE TO COMMENT LETTER 10: U.S. ARMY CORPS OF ENGINEERS

10-1 Please see response to comment 9-1 above. Each municipality that approves and utilizes the Ordinance will necessarily consult with federal and state agencies to ascertain all testing requirements prior to deposition of any material onto beaches.

Comment Letter 11: Ventura County Air Pollution Control District

VENTURA COUNTY
AIR POLLUTION CONTROL DISTRICT
Memorandum

TO: Laura Hocking/Dawnyelle Addison, Planning

DATE: November 2, 2010

FROM: Alicia Stratton

SUBJECT: Request for Review of Draft Programmatic Environmental Impact Report (DPEIR) for the BEACON (Beach Erosion Authority for Clean Oceans and Nourishment Adopted Coastal Regional Sediment Management Plan (CRSMP) for Santa Barbara and Ventura Counties (Reference No. 10-036)

Air Pollution Control District staff has reviewed the subject DPEIR, which is a proposal for a Coastal Regional Sediment Management Plan, which is intended to formulate regionally relevant consensus-driven sediment management policy and guidance in order to restore, preserve and maintain coastal beaches and other critical areas of sediment deficit, sustain recreation and tourism, enhance public safety and access, and restore coastal sandy habitats. The project includes sand management, dredging, sand deposition and grading, and the placement of offshore sand retention structures. Individual projects include the Oxnard Shores Sand Management, Regional Sediment Management Stockpile and Processing Center, Sand Retention Pilot Projects at various locations, including La Conchita Beach, North Rincon Parkway and South Rincon Parkway in Ventura County, the West Hueneme Beach Renourishment Longevity Improvement, North and South Rincon Parkway Shoreline Restoration and San Capture at Mugu Submarine Canyon.
The project location is the portion of BEACON's shoreline area between the 100 foot isobath and 100 feet inshore of the mean high tide line extending from Pt. Conception in Santa Barbara County to Pt. Mugu in Ventura County. Individual projects are located within Ventura and Santa Barbara Counties, and within the Cities of Oxnard, Port Hueneme and Santa Barbara.

We wish to submit the following comments on the DPEIR:

1. Section 3.1.2, Regulatory Setting, Page 3.1-5 states that the VCAPCD does not consider construction emissions to be significant for the purposes of CEQA review, as these emissions have already been considered in the ozone attainment

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planning process. We recommend this be revised to state that these emissions are temporary. 11-1

2. Section 3.1.2.1, Federal Regulations, (Page 3.1-5) states that the sections of the CAA that would affect the development of the proposed project include Title I (Nonattainment Provisions) and Title II (Mobile-Source Provisions). We do not believe these sections have any direct effect, as vehicles would have to meet the emissions standards regardless of if they are moving sand or not. We recommend this discussion be revised to add an explanation of how they would affect the project. 11-2

3. Section 3.1.2.1, Federal Regulations, (Page 3.1-5) states also that the proposed level for the 8-hour primary ozone standard and the seasonal "secondary" standard will be announced in August 2010. As of the date of this memo, EPA has not finalized new ozone standards. New standards have not been adopted and are still pending. 11-3

4. Section 3.1.3.3, Project Impacts, (Page 3.1-9) describes short-term construction and long-term operational emissions from the project. Peak day emissions from construction and operation are presented in Tables 3.1-2, Table 3.1-4, Table 3.1-3 and 3.1-5. Estimated Peak Day Operational Emissions, Table 3.1-3, indicates that 1190.7 lbs/day NOx would be generated in a peak day at the Sand Capture at Mugu Submarine Canyon site. For the purposes of estimating emissions, it was assumed captured sand would be excavated and transported to the beach every two years (worst-case). We recommend this discussion be expanded to include a discussion of each operation of these long-term, operational projects to clarify if operational emissions in the accompanying tables are ongoing or would be intermittent, and give an estimate of frequency. The discussion should give an indication of how frequently the sand distribution would occur, if it is intermittent, and if so, how often it would occur. 11-4

If you have any questions, please call me at (805) 645-1426.

RESPONSE TO COMMENT LETTER 11: VENTURA COUNTY AIR POLLUTION CONTROL DISTRICT

11-1 The text has been revised to note that temporary construction emissions are not considered significant (see Section 4.0).

11-2 The text has been revised to note that Title I of the Clean Air Act may apply to the project (see Section 4.0).

11-3 We understand development of a revised ozone standard has been delayed. The text has been revised accordingly (see Section 4.0).

11-4 The emission data provided in the Draft PEIR are based on preliminary design and operational concepts available at the time of document preparation. Additional construction and operational details will be developed for each of the projects described in the PEIR, and subsequent/supplemental environmental documentation will be prepared in compliance with CEQA. Details regarding construction periods and frequency of sand collection and distribution will be included in project development, and the impact analysis refined accordingly.

Comment Letter 12: Ventura County Watershed Protection District

Ventura County
Watershed Protection District
Planning and Regulatory Division
Permit Section

MEMORANDUM

DATE: November 3, 2010

TO: Laura Hocking, RMA/Planning Technician Planner
Resource Management Agency, Planning Division

FROM: Tom Wolfington, P.E. – Permit Section JW

SUBJECT: RMA 10-036 – Coastal Regional Sediment Plan for
Santa Barbara and Ventura Counties

Pursuant to your request, this office has reviewed the subject Draft PEIR

PROJECT LOCATION

The project region is the portion of BEACON's shoreline area between the 100 foot (MLLW) isobaths and 100 feet inshore of the mean high tide line (MHTL) extending from Point Conception in Santa Barbara County to Point Mugu in Ventura County. Individual projects are located within Ventura and Santa Barbara Counties, and within the Cities of Oxnard, Port Hueneme and Santa Barbara.

PROJECT DESCRIPTION

Sand management, dredging, sand deposition and grading, and the placement of offshore sand retention structures. A more detailed description of the project components is provided in the Draft PEIR.

- Oxnard Shores Sand Management.
- Regional Sediment Management Stockpile and Processing Center.
- Sand Retention Pilot Projects at: Arroyo Burro County Beach, Butterfly Beach, Summerland Beach, Santa Claus Beach, La Conchita Beach, North Rincon Parkway and South Rincon Parkway.
- West Hueneme Beach Re-nourishment Longevity Improvement.
- North and South Rincon Parkway Shoreline Restoration.
- Sand Capture at Mugu Submarine Canyon.

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WATERSHED PROTECTION DISTRICT PROJECT COMMENTS:

The identified project locations do not appear to directly conflict with District jurisdictional red line channels. It is noted that since the issuance of the Notice of Preparation for the Focused PEIR the location identified for the Regional Sediment Management Stockpile and Processing Center has been determined not to be feasible. However, an assessment of this project component has been retained to the extent that it may assist in the evaluation of these facilities at a different location in the future. The construction effects described for the identified projects appear to be limited to the near vicinity of shorelines. Based on the information presented for the planned projects as described, the District offers no comments with respect to the Draft PEIR.

In the event that project components or activities not identified in detail in the Draft PEIR occur that affect District facilities or channels, the following paragraph would apply. 12-1

Any activity in, on, over, under or across any jurisdictional red line channel will require a permit from the District. In addition, a project can not impair, divert, impede or alter the characteristics of the flow of water running in any jurisdictional red line channel.

END OF TEXT

RESPONSE TO COMMENT LETTER 12: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

12-1 BEACON acknowledges the comment and will consider that requirement in finalizing the design of each project and will include that regulatory requirement in subsequent / supplemental environmental documentation where applicable.

Comment Letter 13: County of Ventura Resource Management Agency

RESOURCE MANAGEMENT AGENCY

county of ventura

Planning Division
Kimberly L. Prillhart
Director

November 4, 2010

BEACON
Attn: Gerald Comatti
c/o COM3 Consulting
206 East Victoria Street
Santa Barbara, CA 93101

E-mail: comati@beacon.ca.gov

Subject: Comments on the Draft PEIR for Adopted Coastal Regional Sediment Management Plan for Santa Barbara and Ventura Counties

Dear Mr. Comatti:

Thank you for the opportunity to review and comment on the subject document. Attached are the comments that we have received resulting from intra-county review of the subject document. Additional comments may have been sent directly to you by other County agencies.

Your proposed responses to these comments should be sent directly to the commenter, with a copy to Laura Hocking, Ventura County Planning Division, L#1740, 800 S. Victoria Avenue, Ventura, CA 93009.

If you have any questions regarding any of the comments, please contact the appropriate respondent. Overall questions may be directed to Laura Hocking at (805) 654-2443.

Sincerely,

Tricia Maier, Manager
Program Administration Section

Attachment

County RMA Reference Number 10-036

800 South Victoria Avenue, L# 1740, Ventura, CA 93009 (805) 654-2481 Fax (805) 654-2509

Printed on Recycled Paper

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RESPONSE TO COMMENT LETTER 13: COUNTY OF VENTURA RESOURCE MANAGEMENT AGENCY

13-1 Transmittal letter only. No response required.

Comment Letter 14: Department of the Navy, Naval Base Ventura Co.

DEPARTMENT OF THE NAVY
NAVAL BASE VENTURA COUNTY
311 MAIN ROAD, SUITE 1
POINT MUGU, CA 93042-5033

IN REPLY REFER TO:
5090
Ser N46VS/0751
4 Nov 10

Mr. Gerald Comati
Beach Erosion Authority for
Clean Oceans and Nourishment
COM3 Consulting
206 East Victoria Street
Santa Barbara, CA 93101

Dear Mr. Comati:

We appreciate the opportunity to review the Draft Focused Programmatic Environmental Impact Report (DFPEIR) for the Beach Erosion Authority for Clean Oceans and Nourishment (BEACON) Coastal Regional Sediment Management Plan (CRSMP) of August 2010. Please see our comments in enclosure (1).

We would like to take this opportunity to highlight our chief concerns regarding the DFPEIR, the most significant of which is that the Sand Capture at Mugu Submarine Canyon project, discussed in Section 2.2.6 of the DFPEIR, is within the Naval Base Ventura County (NBVC) Restricted Shoreline Area. The 1/4-mile restricted access corridor off the coast of NBVC Point Mugu is fully described in 33 C.F.R. § 334.1126, by this regulation, is in the direct access control of NBVC. We have provided the regulation and map that graphically depicts the Restricted Shoreline Area as enclosures (2) and (3). 14-1

In addition to this encroachment into the restricted shoreline area, the Mugu Submarine Canyon project would have an impact on the on-going erosion of the Point Mugu beach and we would be in favor of efforts to replenish sand in this area to protect existing shorefront structures and habitat. The description of this project on page 2-6 of the DFPEIR mentions retaining sand offshore of Point Mugu and transporting it north to replenish other beaches north of Point Mugu within BEACON's jurisdiction. Regarding this project, we would like to ensure that any sand captured and harvested offshore be first used to replenish and maintain the Point Mugu shoreline and to protect shorefront structures from further damage. If additional sand beyond this requirement is harvested during the Sand Capture project, we would strongly consider allowing BEACON to redistribute this sand, as needed. 14-2

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5090
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4 Nov 10

Understanding the preliminary nature of the projects addressed in the DFPEIR, we would recommend that BEACON conduct comprehensive studies or sediment transfer modeling within the Sand Capture project area depicted in figure 2.2-15 of the DFPEIR. In order to make appropriate decisions regarding the siting and sizing of the proposed off-shore submerged structures, we would need to fully understand the impact of attempting to alter and dissipate sediment transfer along shore and cross-shore, such studies and comprehensive modeling would provide us this information. Additionally, a comprehensive model would address a number of important decision factors, such as the projected positive and negative impacts to the coastline surf breaks and beach profiles from proposed offshore structures and the impacts if no offshore structures were constructed.

We would certainly be available for additional consultation regarding our concerns and in BEACON's development of the necessary, comprehensive studies and modeling in support of the proposed solutions, especially as they relate to projects impacting NBVC Point Mugu.

We look forward to working with BEACON and further developing our on-going working relationship. If you have any questions or would like additional information, please contact Mr. Salim Rahemtulla, Community Planner and Liaison Officer, at (805) 989-9752, email at salim.rahemtulla@navy.mil.

Sincerely,

D. J. McHUGH
Captain, U.S. Navy
Commanding Officer

Enclosures: 1. Draft Focused Programmatic Environmental Impact Report Comment/Response Matrix
2. 33 C.F.R. § 334.1126 (pages 20546 and 20547 of the Federal Register of 16 Apr 04)
3. Restricted Shoreline Area Map

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Coastal Regional Sediment Management Plan
Draft Focused Programmatic Environmental Impact Report
Comment/Response Matrix

#	Page	Line #	Reviewer	Comment	Response
1.	2-6	2.2.6	Adams	Describe the Army Corps of Engineer's Sand Nourishment Project. The sand from Channel Island Harbor is carried across Silver Strand, across NBVC and across the harbor entrance bottom, over the east jetty and onto Hueneme Beach into the ocean.	
2.	2-6	2.2.6	M. Ruane	Detailed study required to determine potential reduction in wrack (kelp) deposition on beach due to structure, as removal of wrack would reduce food availability for listed species (snowy plovers) that inhabit that beach habitat year round.	
3.	2-6	2.2.6	M. Ruane	Listed species (snowy plovers and least terns) nest on that beach. No sand recovery or operations can be done from March 1 through Sept 15.	
4.	2-6	2.2.6	M. Ruane	Any sand harvesting outside of the nesting season would likely require a certified biologist, as the beach where sand is to be harvested is an important wintering ground for the Federally Threatened snowy plover.	
5.	2-6	2.2.6	M. Ruane	Due to lack of sand build-up along the coast, the beach has gotten narrower at the proposed site and has damaged infrastructure and is putting additional infrastructure at risk. The likelihood is very high that the proposed plan will remove additional sand from that beach and will put Navy infrastructure in more danger of being lost.	14-3
6.	2-6	2.2.6	M. Ruane	Sand harvesting must be minimized from the current site as the Navy requires a wide beach (larger than current state) to maintain protection of launch pads and other infrastructure. If project is authorized, footprint of sand harvested needs to be reduced to protect Navy mission.	
7.	2-6	2.2.6	M. Ruane	Sand harvesting must be minimized from the current site, as the current footprint of removal reduces available nesting habitat for the snowy plover and least tern, with its habitats protected under the Navy's Integrated Natural Resource Management Plan.	
8.	2-6	2.2.6	M. Ruane	Detailed study required on how these projects may reduce sand deposition on other beaches occupied by listed species, such as the beach on NBVC property, just southeast of Ormond Beach. This wide beach is the most important nesting grounds for California least terns in San Luis Obispo, Santa Barbara, and Ventura Counties. If that beach narrows due to sand capture further north, this puts the colony at risk and may have significant impacts to listed species.	
9.	2-6	2.2.6	V. Vartanian	How will structure off shore impact/affect currents/wave action on shore? Please demonstrate that the structure will capture sand AND build sand along the coastline. Such a structure could create an eddy that might erode more of	

Enclosure (1)

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#	Page	Line #	Reviewer	Comment	Response
				the coastline.	
10.	2-6	2.2.6	V. Vartanian	How much is the "…minimum amount of sand necessary to maintain the beach…"? The beach is already eroding, not replenishing, so if sand is diverted wouldn't that increase the erosion?	
11.	2-6	2.2.6	Adams	1.4.6 Sand Capture at Mugu Submarine Canyon. State/show where the onshore storage and staging area and related equipment would be located.	
12.	6-3 and 6-7	6.2.3 and 6.3.3	H. Jafar	Please prepare Record of Non-Applicability (RONA) documentation for the portion of work involving use of mobile equipment such as dozers. Nitrogen oxides (NOx) and reactive organic gases (ROG) emissions resulting from the use of mobile equipment must be computed for the portion of the beach associated with NBVC and compared with de minimis emission levels for NOx and ROGs in Ventura County to determine applicability of Federal Conformity requirements.	
13.		2.3.3 Biological	V. Vartanian	The biological impacts can be significant. The Navy is responsible to monitor and maintain habitat for Threatened/Endangered (T/E) species. The mitigants offered do not acknowledge the ongoing habitat protection, enhancement, and monitoring already being done on base. It also does not recognize the land use (military mission) requirements when making suggestion like "BIO-2 Fence or otherwise delineate…and provide buffer..."	14-3
14.		5.1.2.5 Cultural Resources	C. Girod	The culture history of the region described in the document is rather sparse for 9,000 years of occupation.	
15.		5.1.2.5 Cultural Resources	Adams	Include CA-VEN-1239H, Mugu Fish Camp. The NR eligible site could be further damaged as a result of erosion due to sediment capture at Laguna Point.	
16.		5.1.2.5 Cultural Resources	C. Girod	Since most of the coastal area is archaeologically sensitive, is there going to be a provision for a qualified archaeologist to monitor any earth disturbing activities? History tells us that contractors can't be trusted to stop or divert work if they encounter archaeological deposits.	
17.		General comments	V. Vartanian	One of our concerns is that the actions along the coast will alter the sand deposition even more and this base will continue to lose shoreline. There appears to be nothing in this report to show that extensive studies were done or other similar projects have resulted in the outcomes described here.	
18.		General comments	Steve Granade	The area in and around the sand retention structure at Point Mugu has both historically been and is currently used for various types of ordnance ranges. Types of ordnance used include small arms up to .50 caliber, anti-aircraft artillery shells up to 40 mm, missiles, and rocket motors. Consequently, there is a small but finite chance that ordnance may be encountered during any dredging activities in the vicinity of Point Mugu. Please add a mitigation measure to address military ordnance encounters during dredging activities and subsequent beach replenishment activities. Please note that NBVC Point Mugu has an Explosive Ordnance Disposal Unit stationed at Point Mugu that	

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#	Page	Line #	Reviewer	Comment	Response
				cooperates with the Ventura County Sheriffs bomb disposal unit.	
19.	81-82		Adams	The summer surf at Laguna Point at NBVC Point Mugu is considered in the top ten in Southern California. Explain how the Point Mugu sand capture structure would avoid impacts and or enhance surfing opportunities	
20.	2-6	Section 2.2.6	Bisgard	What comprehensive modeling of sediment transfer was conducted? Modeling and comprehensive studies must be conducted to ensure the positive impacts of any offshore structures would offset any negative impacts (lost offshore surf break).	
21.	2-6	Section 2.2.6	Steve Granade	Any sand retention project at Point Mugu would have to maintain the landward rate of advance of the head wall of the submarine canyon at the current rate of approximately 1.5 ft/yr. This would ensure the protection of Navy structural and natural resource assets. In the proposed project, the sand retention structure would be approximately 1,500 feet long and would be designed to retain at least 500,000 CY of sand annually. This is roughly 50% of the annual net sand transport currently lost into Mugu canyon. Moffatt & Nichol (Feb 2009)[1] indicated that the head wall structure of the Mugu canyon is composed of horizontal layers of fine to very fine sand and silt with weak bonds between grains it is highly susceptible to scour by the oscillatory action of waves alone. Moffatt & Nichol (1995)[2] estimated recent retreat rate at about 1.7 feet/year when it was covered with a layer of littoral sand over 95 percent of the rim. Artificially preventing sand from entering the canyon thereby uncovering its headwall would do away with that protection. With the headwall exposed to wave forces most of the time Moffatt & Nichol concluded it would withdraw toward land at 10-15 feet/year with 100% of the substrate exposed. The headwall is very near a narrow sandy barrier spit that protects Mugu Lagoon, one of the few coastal wetlands remaining in southern California. An almost 10-fold increase in its retreat rate described above would soon put that valuable environment at risk. Many Navy structures and facilities would also be at risk if the landward movement of the canyon increased 10 fold. Moffatt & Nichol recommend that no more than 200,000 CY of sand be harvested initially along with continued study and monitoring of the landward rate of progress of the head wall. The rate of sand removal would then be adjusted depending on the monitoring results. Moffatt & Nichol also recommended that the recovered sand be bypassed down coast rather than backpassed up coast. This is because if all of the captured sand were artificially placed and retained in the littoral zone (by also	14-3

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#	Page	Line #	Reviewer	Comment	Response
				bypassing Dume Canyon) it could add, on a yearly basis, about 15 acres of new recreational and protective beach to the coast as far to the east as Marina del Rey, a distance of about 35 miles. Four Beach Erosion Concern Areas exist down coast of Point Mugu and up coast of Point Dume, with eight more located throughout Santa Monica Bay. Sand bypassing around Mugu Canyon could potentially benefit all of these Sites. Moffatt & Nichol (2009) presented two (2) concepts for consideration: 1. Creating a sand trap behind a breakwater that is hydraulically dredged; and 2. Hopper dredging a near shore area and maintaining it as a perpetual shoaling basin. In both concepts, the rate of sand bypassing should be below the threshold that could cause a depletion or reduction of the protective sand cover at the canyon rim. Ultimately, Moffatt & Nichol recommended concept 2, hopper dredging near shore because: This option requires no new infrastructure and would not be difficult to abandon if it were determined that the project caused adverse impacts to the site. Also, the volume of material to be dredged could readily be modified to reflect conditions identified through monitoring. For instance, if negative impacts to the canyon rim were identified that threatened Mugu Lagoon, the dredge volume could be reduced to a smaller amount that would cause less impact. If no impacts were identified anywhere from the operation, then the dredge quantity could be increased with minimal effort (other than the increased dredging operation). [1]Moffatt & Nichol, February 2009, REGIONAL SEDIMENT MANAGEMENT – OFFSHORE, CANYON SAND CAPTURE FINAL POSITION PAPER REPORT (100%). [2]Moffatt & Nichol, 1995, Final Report, Sand Loss Monitoring Program Of Point Mugu Shoreline, U.S. Naval Air Weapons Station, Point Mugu, Unpublished Report Submitted To Fugro Mcclelland, Ventura, California, February, 41 P Plus 3 Appendices.	14-3
22.		General comments	Steve Granade, US Navy	When referring to the Navy at Point Mugu as an administrative entity, please use Naval Base Ventura County. When referring to the physical location at Point Mugu, please use Naval Base Ventura County Point Mugu. When referring to missile operations at Point Mugu, the correct entity to refer to is the Naval Air Warfare Center Weapons Division.	

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#	Page	Line #	Reviewer	Comment	Response
23.		General comments	Adams	Delete Mugu Naval Air Station and insert Naval Base Ventura County (NBVC) Point Mugu.	
24.		General comments	V. Vartanian	The Naval Base Ventura County Port Hueneme and Point Mugu sites are not generally open to the public.	
25.		General comments	Adams	Delete Base (e.g.,Navy and Naval Air Warfare Center Weapons Division Point Mugu) insert NBVC Point Mugu.	14-3
26.		General comments	Adams	Delete U.S. Naval Construction Battalion Center and insert NBVC Port Hueneme.	
27.		General comments	Adams	NBVC consists of a number of individual facilities. Please rewrite so that NBVC is not identified as only being at Point Mugu.	
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RESPONSE TO COMMENT LETTER 14: DEPARTMENT OF THE NAVY, NAVAL BASE VENTURA COUNTY

14-1 BEACON appreciates the information and understands that any activities within the Restricted Shoreline Area will require prior approval from the Naval Base Ventura County (NBVC). BEACON will consult with NBVC during final design of the Mugu Submarine Canyon project and will obtain all required permits and authorizations prior to initiating any construction activities.

14-2 Design, including operational aspects, of each of the projects described in the Draft PEIR has not been finalized. Should BEACON decide to formally pursue the Mugu Submarine Canyon project, the NBVC will be consulted on construction and operational aspects and alternative sand deposition sites will be considered during that process.

14-3 (1) Subsequent/supplemental environmental documentation will be required for the Mugu Submarine Canyon project. That document will provide a detailed description of the then-current Sand Nourishment Project.

14-3 (2) Subsequent/supplemental environmental documentation will be required for the Mugu Submarine Canyon project. Consultation with the NVBC and the U.S. Fish and Wildlife Service (USFWS) will be completed during that process. It is expected that wrack monitoring, and other requirements, will be incorporated into the project-specific mitigation monitoring plan as required by CEQA and in accordance with permit conditions.

14-3 (3) Comment noted. Consultation with the NVBC and USFWS during the preparation of project-specific subsequent/supplemental environmental documentation will identify seasonal restrictions for construction and operational activities. Please note the following measure is incorporated into the project as identified in Section 2.0, Project Description of the Draft PEIR.

BIO-6: Schedule activities in accordance with resource agency requirements that preclude interference with migration, breeding, or nesting seasons of special status species.

14-3 (4) Comment noted. See response to comment 14-3 (3) above.

14-3 (5) BEACON is aware of the ongoing erosion and the Mugu Submarine Canyon project is designed to reduce that problem. Sand harvesting volumes and frequency will be detailed in the final design and will be assessed in the project-specific subsequent/supplemental environmental document.

14-3 (6) Comment noted. See response to comment 14-3 (5) above.

14-3 (7) Comment noted. See response to comments 14-3 (5), 14-3 (3) and 14-3 (2) above.

14-3 (8) Comment noted. See response to comment 14-3 (7) above.

14-3 (9) As mentioned previously, the design of the offshore structure has not been finalized and will be based on "lessons learned" from other similar structures used in southern California. A project-specific mitigation monitoring plan will necessarily be included in the subsequent/supplemental environmental document and the success criteria of the proposed project will determine the efficacy of the structure and harvesting. The subsequent/supplemental environmental document will also include a description of removal procedures should the structure not meet the aforementioned success criteria.

14-3 (10) The final design will include a proposed sand harvesting schedule and volume that will be based on detailed, site-specific information on erosion rates.

14-3 (11) Similar to the response to comment 14-3 (1), during final design and when the number and type of equipment are known and if NBVC property is required, BEACON will consult with NBVC to identify available onshore mobilization sites within its boundaries.

14-3 (12) BEACON appreciates the information and, if required and when construction and operational equipment is known, will prepare and include a RONA in project-specific subsequent/supplemental environmental documentation.

14-3 (13) The existing conditions descriptions necessarily generic as site selection and design have not been finalized. Likewise, impacts, and mitigations are based on preliminary designs only. BEACON acknowledges that subsequent/supplemental environmental documentation, which will be based on final, detailed design, will be required. That document will update the information in the Draft PEIR and will utilize all available applicable literature and field data, as needed. Mitigations listed in the Draft PEIR will be augmented with project-specific measures that focus on eliminating or reducing potential impacts from the proposed actions.

14-3 (14) Comment noted. See response to comment 14-3 (13) above.

14-3 (15) Comment noted. See response to comment 14-3 (13) above.

14-3 (16) As discussed previously, a project-specific mitigation monitoring plan will be included in the subsequent/supplemental environmental document. Should potential impacts to cultural and/or archaeological resources be identified, mitigations could include onsite monitoring by a qualified archaeologist if required.

14-3 (17) Comment noted. See response to comments above.

14-3 (18) Comment noted. BEACON appreciates this important information and during final design, the NBVC will be consulted and if the proposed site is within an historical ordnance area, construction and operational activities will be designed to eliminate

potential effects. If needed, an additional mitigation will be added to the project-specific subsequent/supplemental environmental document. Please note that the following mitigation measure as presented in Section 2.0 of the Draft PEIR is incorporated into the project.

HAZ-9: The scheduling of construction and operational aspects of the Sand Capture at Mugu Submarine Canyon Project shall be coordinated closely with all military divisions operating at the Naval Base Ventura County at Point Mugu (Base). No project construction or operational task that would result in personnel to be on or in the vicinity of the Base shall be conducted without previous clearance from the commanders of all operating military divisions at the Base.

14-3 (19) As discussed previously, once the design and location of the subsurface structure is finalized, the subsequent/supplemental environmental document will include an evaluation of potential impacts, including those on existing recreational uses such as surfing. If required, monitoring of the wave climate following construction will be included in the mitigation monitoring plan.

14-3 (20) The design of each of the projects described in the Draft PEIR is preliminary and no modeling has been completed during this process. As required, final design will utilize the results of applicable modeling data and/or will be based on previously-completed modeling of similar structures. If required by permit conditions or other authorizations, monitoring of actual sediment movements will be included in the project-specific mitigation monitoring plan.

14-3 (21) BEACON is aware of the referenced study and will utilize data presented in that and other relevant literature sources during final design of the Mugu Submarine Canyon project.

14-3 (22) Comment noted and appreciated. BEACON has made the appropriate text revisions which are provided in Section 4.0 of this document.

14-3 (23 to 27) Comments noted. BEACON has made the appropriate text revisions which are provided in Section 4.0 of this document.

Comment Letter 15: Coastal Sediment Management Workgroup

November 5, 2010

Gerald Comati, Project Manager
BEACON
C/o COM3 Consulting
206 East Victoria Street
Santa Barbara, CA 93101

Re: Draft Programmatic Environmental Impact Report (DPEIR) for BEACON's Adopted Coastal Regional Sediment Management Plan for Santa Barbara and Ventura Counties

Dear Mr. Comati:

We are providing the following comments as co-chairs of the California Coastal Sediment Management Workgroup (CSMW) on BEACON's DPEIR for a Regional Sediment Management Plan for Santa Barbara and Ventura Counties. Please note that our comments focus specifically on the draft "Ordinance Requiring Consideration and Mitigation of Loss of Sand Resources for Beach Nourishment in Public and Private Projects" provided in the DPEIR.

The CSMW is a collaborative taskforce, co-chaired by the US Army Corps of Engineers and the California Natural Resources Agency, consisting of federal, state, and local agencies and non-governmental organizations working to address California's coastal sediment management needs on a regional and system-wide basis. The goal of the CSMW is to reduce shoreline erosion and coastal storm damages, restore and protect beaches and other coastal environments by re-establishing natural sediment supply from rivers, impoundments and other sources to the coast, and optimizing the use of sediment from ports, harbors, and other opportunistic sources.

We also would like to take this opportunity to congratulate BEACON for successfully developing a Coastal Regional Sediment Management Plan (CRSMP) for Santa Barbara and Ventura Counties. As you are probably aware, CRSMPs, such as BEACON's, are the cornerstone of the Sediment Master Plan currently under development by the CSMW.

Comments

For several years, the CSMW has been conducting outreach to educate and explain how activities in coastal watersheds that remove or block downstream transport of coarse sediment are reducing the natural replenishment of coastal beaches, leading to significant reductions in beach width which in turn causes loss of habitat, recreational opportunities, coastal access and protection of infrastructure during storms. Restoring and/or augmenting natural processes through such mitigation are the primary goals of regional sediment management. Therefore, BEACON's draft ordinance, if implemented would directly support the CSMW's mission to "facilitate regional approaches to protecting, enhancing and restoring California's coastal beaches and watersheds through federal, state and local cooperative efforts."

Further, we requested that CSMW member agencies review the ordinance and consider providing comments directly to BEACON and/or CSMW. Below is a synthesis of the comments we received from CSMW members:

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Mr. Gerald Comati
November 5, 2010
Page two

- A definition that defines "sand, gravel and cobble" as material having a specific grain size would help address the water quality concerns that surround fine sediment. This definition would also preclude a developer from having to mitigate for a material that is deemed a pollutant by state regulatory agencies. BEACON may also want to include a proviso for watersheds where sediment of any size is proving to be a problem and the reduction of sand, gravel and cobble will actually lead to improved water quality within the watershed. Obviously, the ordinance cannot command a county agency or developer to disobey existing state law with respect to the release of sediments that are deemed a hazard to water quality. 15-1

  If delivery of project material to the coast is deemed infeasible or the delivery of the sand, gravel, or cobble material to another location is the explicit project purpose, proponents should analyze alternative measures to mitigate the project's impact to the littoral region. 15-2

- It would be helpful if the ordinance included a provision for consideration of sand, gravel, and cobble sources and migration processes as they relate to any sediment regulatory requirements that might be in the area; e.g., sediment TMDLs, Sediment Best Management Practices, and any sediment provisions of storm water permits. If it is determined that a project will impact, or be impacted by, any such regulatory requirements, then discussions with the appropriate regulatory agency should focus on how best to meet the regulatory requirements while simultaneously achieving the necessary beach nourishment. 15-3

- Adoption of the ordinance by a local jurisdiction would likely necessitate an amendment to the local jurisdiction's Local Coastal Plan. 15-4

In addition to the above, a few CSMW member agencies plan to submit comments on the DPEIR, including the draft ordinance, directly to BEACON.

Thank you for the opportunity to provide input on BEACON's DPEIR and your organizations leadership in implemeting regional sediment management along the Santa Barbara County and Ventura County coast.

Any questions regarding these comments should be directed to either Clif Davenport of the California Geological Survey or Chris Potter of the California Natural Resources Agency. They can be reached by email at Clif.Davenport@conservation.ca.gov or Chris.Potter@resources.ca.gov and by phone at (916) 801-4069 or (916) 654-0536, respectively.

Sincerely,

Brian Baird,
Assistant Secretary for Ocean and Coastal Policy,
California Natural Resources Agency

George Domurat
Chief, Programs Support Division, South Pacific Division,
U.S. Army Corps of Engineers

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RESPONSE TO COMMENT LETTER 15: COASTAL SEDIMENT MANAGEMENT WORKGROUP

15-1 BEACON appreciates the comment and has considered it in the revised Ordinance text. The revised text is discussed in Section 4.0 and provided as Appendix B of this document.

15-2 Comment noted. The final Ordinance will necessarily be approved by each jurisdiction. The revised Ordinance provided in Appendix B of this document is BEACON's recommended text; however the final wording is expected to be developed by each jurisdiction and will include restrictions or analytical requirements based on existing regulations. In addition, BEACON expects that the process of adopting the Ordinance, will include the completion of necessary environmental analysis and local plan revisions.

15-3 Comment noted. See the revised Ordinance text provided in Appendix B of this document. As currently worded, the Ordinance is designed to facilitate consideration of alternative uses of sediment and if adopted by a lead agency and included in a project-specific environmental analysis, all applicable regulations will necessarily be considered in that assessment.

15-4 Comment noted. See response to comment 15-2 above.

Comment Letter (e-mail) 16: George Nichol, State Water Board

Comments to BEACON from George Nichol of State Water Board. 11-5-10.

Hello all. I haven't heard back from anybody yet, so hope that I did not confound the issue of coarse sediments. Here is what I think that the problem is, and let me know if I am wrong.
1. When one goes out to a local potential upland sediment source one does not find locations of pure sand, or pure gravel, or a mix or just sand and gravel. Instead, one normally finds a site that contains a mix of sand, gravel, silt, and clay. Then the question is whether that local site will be a good source of sand and gravel to the stream that it will enter.
2. The Unified Soil Classification System (USCS) describes coarse-grained sediments as those sediments retained on a No. 200 sieve (0.075 mm). If this retained material (sand and gravel) amounts to greater than 50% of the total original sediment weight, then the original sediment is called a coarse grained sediment.
3. So, if the original amount of sediments contains 51% by weight coarse grained material and 49% by weight fine-grained material (silt and clay), then the original sediment can be classified as coarse grained material.
4. Similarly, if the original sediment instead contains 60%, 70%, 80%, 90%, or 100% of sand and gravel (and conversely 40%, 30%, 20%, 10%, and 0% silt and clay), it is called a coarse-grained sediment.
5. So, one can see that a coarse-grained sediment can contain anywhere from 49% to 0% silt and clay.
6. Thus, in the Sand Ordinance, if it really means coarse grained sediment (which I think that it does), what are you going to define the coarse-grained sediment as?
7. Some possibilities are:
   - coarse-grained sediment with no more than 10% fine sediment
   - coarse-grained sediment with no more than 20% fine sediment
   -coarse-grained sediment with no more than 30% fine sediment
   -etc., up to 49% fine sediment
7. The description selected in item (6) will be of interest to regulators in knowing how much silt and clay will be allowed to enter the stream from a protected sediment source. It may also reduce any difference in opinion between the cities/counties and the developers in what constitutes a protected sediment source.
8. I guess none of the above would apply if what you are trying to protect are pre-known upland sites where it is obvious by visual inspection almost all mounds of pure sand or pure gravel that has been winnowed by natural processes to be in that state already. If this is the case, then by the USCS system definitions you could use such terms as clean sand (sand with LT 12% fines), clean gravel, etc.
9. The one final item is where to sample within the local sediment source to classify it worthy of protection as a coarse-grained sediment source or not. A gridded map of the potential site with locations selected by a random number generator is one possibility. An insertion such as this might help the cities/counties in removing potential difficulties with the developers.

RESPONSE TO COMMENT LETTER 16: GEORGE NICHOL, STATE WATER BOARD

BEACON appreciates the information and analyses provided in the e-mail. Substantial revisions to the proposed Ordinance have been made and the text is provided Appendix B of this document.

Comment Letter 17: County of Ventura Public Works Agency, Transportation Department

PUBLIC WORKS AGENCY
TRANSPORTATION DEPARTMENT
Traffic, Advance Planning & Permits Division
MEMORANDUM

DATE: November 9, 2010

TO: RMA – Planning Division
Attention: Laura Hocking

FROM: Behnam Emami, Engineering Manager II

SUBJECT: **REVIEW OF DOCUMENT** 10-036 Draft Programmatic Environmental Impact Report (DPEIR)
Coastal Regional Sediment Management Plan (CRSMP)
Sand management, dredging, sand deposition and grading, and placement of offshore sand retention structures.
Counties of Santa Barbara and Ventura Coastal Areas
(RIN, CAS, VTA, OXW, OXB, OXP).
Lead Agency: **Beach Erosion Authority for Clean Oceans and Nourishment (BEACON)**

Pursuant to your request, the Public Works Agency - Transportation Department has completed the review of the DPEIR from the BEACON Coastal Regional Sediment Management Plan (CRSMP) for the coastal areas of Santa Barbara and Ventura Counties.

There are 18 capital projects recommended in the CRSMP, five of which are not included in the Focused PEIR because they have been permitted or are undergoing a separate CEQA analysis. The remaining 13 capital projects (the "project") comprise of onshore and offshore projects consisting of sand management, sand handling, beach nourishment, or sand retention. All the projects are included in the cumulative analysis. The overall purpose of projects within the BEACON jurisdiction in Santa Barbara and Ventura Counties are to preserve, restore, or enhance sand beaches. The 18 capital projects are:

PROJECT NAME	PROBABLE SPONSOR
1. Goleta County Beach*	County of Santa Barbara
2. Carpinteria City Beach*	City of Carpinteria
3. Oil Piers Section 227*	BEACON
4. Surfers Point Managed Retreat*	City of Ventura
5. Pierpont Beach Sand Management*	City of Ventura
6. Oxnard Shores Sand Management**	City of Oxnard
7. Regional Sed. Management Stockpile and Processing Center**	
8. Sand Retention Pilot Projects (listed below)**	
9. Arroyo Burro County Beach	County of Santa Barbara
10. Butterfly Beach	City of Santa Barbara
11. Summerland Beach	County of Santa Barbara

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12. Santa Claus Beach	County of Santa Barbara
PROJECT NAME	**PROBABLE SPONSOR**
13. La Conchita Beach	County of Ventura
14. North Rincon Parkway	County of Ventura
15. South Rincon Parkway	California State Parks
16. West Hueneme Beach Renourishment Longevity Improvement**	City of Port Hueneme
17. North and South Rincon Parkway Shoreline Restoration**	County of Ventura
18. Sand Capture at Mugu Submarine Canyon**	BEACON

* Not included in FPEIR, but included in cumulative analysis.
**Included in FPEIR

We offer the following comments:

1. We generally concur with the Transportation/Circulation Mitigation Measures TRA-1 to TRA-9 as explained in the Focused PEIR on P. 2-16 for those areas under the purview of the Transportation Department. Mitigation Measures TRA-1, TRA-2, TRA-3, TRA-8, and TRA-9 are repeated here below:

   TRA-1 Unless it can be demonstrated through the results of an approved project specific Traffic Study that a project will not result in significant impacts to the street system, or that less stringent mitigation (e.g., reduced timing restrictions as appropriate be geographical area, timing restriction for only specific intersections and streets, etc.) would be effective, project trips will be scheduled to occur outside of peak hours (6:30 to 9:30 a.m. and 3:30 to 6:30 p.m. on weekdays).

   TRA-2 Each project proponent will be responsible for coordinating with the respective Transportation Department(s) of jurisdictions that would be affected by project trips to ensure that impacts are avoided or mitigated. This may result in the payment of any applicable transportation mitigation fees, rerouting of trips to avoid impacted roadway segments and intersection, or other standard traffic mitigation.

   TRA-3 During hauling operations, proper precautions shall be taken to protect all pavements, curbs and gutters, sidewalks, and drainage structures from damage. Any traffic-related damage associated with the project's construction or operation, shall be replaced in accordance with current Standard Construction Details and/or in a manner acceptable to the impacted jurisdiction (e.g. county or city transportation department or Caltrans).

   TRA-8 The Regional Sediment Management Stockpile and Processing Center site design shall include measures (e.g., fencing and signage) that will ensure project operations do not encroach into adjacent rights-of-way at the selected site.

   TRA-9 A project-specific Traffic Study shall be prepared for the Regional Sediment Management Stockpile and Processing Center by a qualified Transportation Engineer prior to project approval. The project site shall not be approved, unless it can be demonstrated by the Study that adequate ingress/egress exists or can be developed (e.g., road widening, striping, etc.) for the project and that all traffic-related impacts are less than significant or can be reduced to

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less than significant through measures such as by placing restrictions on timing or routing of trips.

2. Page 87 of the Initial Study under Impact Discussion "c" provides that the Regional Sediment Management Stockpile and Processing Center Project located off of the Rincon Parkway will generate substantial truck traffic during periods of sediment delivery or transport from the site. Mitigation Measure TRA-9 states that a Traffic Study will be prepared prior to project approval. Please send the Traffic Study for this project for our review and comment as part of the next phase of the environmental review process. 17-1

3. Page 6-10 of the Focused PEIR under the Transportation/Circulation 6.3.14 discussion of the Onshore Sand Source Project Alternative provides that this alternative would result in significantly increased traffic impacts. Smaller retention sites would require approximately 10,000 truckloads of sand with 15 cubic yards of capacity. West Hueneme Beach would require approximately 13,000 truckloads of sand. North and South Rincon would require approximately 20,000 to 33,000 truckloads of sand. Furthermore, the discussion states that a detailed Traffic Study and project-specific mitigation measures would be required for all projects using an onshore source of sand. Should this alternative be chosen, please send the Traffic Study for these projects for our review and comment as part of the next phase of the environmental review process. 17-2

4. The capital improvement projects in the County of Ventura may have site-specific impacts on the County's Regional Road Network. The Final PEIR or the individual EIRs for each project should show if traffic generated by these projects would have a significant impact on the County's transportation system and roadway network and intersections in the unincorporated area. If these projects will have a significant impact on the County's Regional Road Network, the Transportation Department will require the applicant to mitigate the impacts to less than significant levels. 17-3

5. The cumulative impacts of each project, when considered with the cumulative impact of all other approved (or anticipated) projects in the County, will be potentially significant. To address the cumulative adverse impacts of traffic on the County Regional Road Network, the appropriate Traffic Impact Mitigation fees (TIMF) should be paid to the County when the project occurs. With payment of the TIMF, the level of service and safety of the existing roads would remain consistent with the County's General Plan. 17-4

6. Please provide us a copy of subsequent environmental documents as they become available.

Our review is limited to the impacts this project may have on the County's Regional Road Network.

Please contact me at 654-2087 if you have questions.

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RESPONSE TO COMMENT LETTER 17: COUNTY OF VENTURA PUBLIC WORKS AGENCY, TRANSPORTATION DEPARTMENT

17-1 BEACON anticipates that a supplemental/subsequent environmental document will be prepared for each project following completion of final siting and design. The County will receive a copy of those documents for projects within its jurisdiction for review and comment. If required, project-specific traffic studies will be included in those documents.

17-2 See response to comment 17-1 above.

17-3 See response to comment 17-1 above. Construction and operational traffic issues will be discussed in project-specific environmental documents following the completion of detailed design and siting.

17-4 Measure TRA-2 presented in Section 2.0, Project Description of the Draft PEIR addresses TIMFs.

TRA-2 Each project proponent will be responsible for coordinating with the respective Transportation Department(s) of jurisdictions that would be affected by project trips to ensure that impacts are avoided or mitigated. This may result in the payment of any applicable transportation mitigation fees, rerouting of trips to avoid impacted roadway segments and intersection, or other standard traffic mitigation.

4.0 REVISED PAGES TO THE DRAFT PEIR

In accordance with section 15132 of the *CEQA Guidelines*, this section presents the insignificant modifications that are made to the Draft PEIR to clarify or amplify its text in response to comments. Such changes are therefore consistent with the provisions of section 15088.5(b) of the *CEQA Guidelines*. Deletions to text are shown by strike-through and additions to text are shown by underline.

INTRODUCTION

Table 1.5-1 on page 1-10 of the Draft PEIR has been modified as follows indicating that the State Lands Commission has jurisdiction over the Oxnard Shores Sand Management Project.

Table 1.5-1. Jurisdictional Land Use Authority for the BEACON Project Sites

Project	Jurisdiction						
	Santa Barbara Co.	City of Santa Barbara	Ventura Co.	City of Oxnard	City of Port Hueneme	CCC	CSLC
1) Oxnard Shores Sand Management Project				X		X	X
2) Regional Sediment Management Stockpile and Processing Center)[1]	To be determined						
3A) Sand Retention - Arroyo Burro Beach		X				X	X
3B) Sand Retention - Butterfly Beach	X					X	X
3C) Sand Retention - Summerland Beach	X					X	X
3D) Sand Retention - Santa Claus Beach	X					X	X
3E) Sand Retention - La Conchita Beach			X			X	X
3F) Sand Retention - North Rincon Parkway			X			X	X
3G) Sand Retention - South Rincon Parkway			X			X	X
4) Re-Nourishment at West Hueneme Beach (Assumes some construction aspect may be land based within the City.)					X	X	X

[1] This site proposed as shown of Figure 2.1-1 has been determined to be infeasible. This document includes an analysis of this project component to the extent that it will be of use when a new site is selected at some future date.

Table 1.5-1. (Continued)

Project	Jurisdiction						
	Santa Barbara Co.	City of Santa Barbara	Ventura Co.	City of Oxnard	City of Port Hueneme	CCC	CSLC
5) North Rincon Parkway Shoreline Restoration			X			X	X
6) South Rincon Parkway Shoreline Restoration			X		X	X	X
7) Retain and Collect Sand at the Mugu Submarine Canyon						X	X

Page 1-1 of the Draft PEIR has been modified as follows in response to comment letter 14.

There are also federal agencies that would have discretionary approval over project elements. These include:

- Naval Base Ventura County as a property owner for approval of the Retain and Collect Sand at the Mugu Submarine Canyon Project;
- United States Army Corps of Engineers (USACOE) Section 404 permit for all projects that discharge dredged or fill material into the waters of the United States (a corresponding California Regional Water Quality Control Board Section 401 Water Quality Certification for any activity that might result in a discharge of dredge or fill material into water or non-isolated wetlands or excavation in water or non-isolated wetlands is also required);
- USACOE Section 10 permit for all projects with work in, over, or under navigable waters of the United States; and
- United States Coast Guard Private Aides to Navigation Permit for Installation of a fixed structure or floating object within the waters of the United States.

PROJECT DESCRIPTION

The following revision to the text on page 2-6 of the Draft PEIR has been made in response to comment letter 14.

An onshore staging and storage area, capable of supporting a 10-foot by 20-foot office trailer for personnel and a 10-foot by 40-foot supplies trailer to store project-related expendables would be required. Fueling of the onshore equipment would occur within this facility and would be completed in compliance with a project-specific refueling and spill prevention plan. Access to the beach is expected to be through the ~~Mugu Naval Air Station~~ Naval Base Ventura County Point Mugu.

The following revision to the text on page 2-9 of the Draft PEIR has been made to address CDFG comment No. 16.

BIO-1 Complete appropriate pre-construction sensitive plant and animal surveys of all onshore and offshore sites and locate ground or seafloor activities to those areas devoid of sensitive plant and animal taxa. If impacts to special status species cannot be avoided, design a plan for the replacement or transplanting of the affected flora and translocation or new habitat creation for fauna following consultation with federal and state resources agencies. As required, BEACON shall obtain appropriate state and federal take authorizations, including, but not limited to, Incidental Take Permit(s) for species listed in the Federal and/or State ESAs.

The following revision to the text on page 2-9 of the Draft PEIR has been made to address the use of only native plants in beach revegetation. This measure is also included in the Mitigation Monitoring and Reporting Program for the Project (see Appendix A). (Note that measures presented in Section 2.0, Project Description of the Draft PEIR, were generated during the Initial Study phase. Additional measures were developed as part of the Draft PEIR. Measures BIO-1 through BIO-6 appeared in Section 2.0 of the EIR whereas measures BIO-7 and BIO-8 were generated during the Draft PEIR phase and are presented in Section 3.2 of the Draft PEIR. The newly added measure is numbered sequentially to the overall biological measures series.)

BIO-9 Where ever vegetation is proposed for stabilization, no non-native plant species will be used or introduced to stabilize beach sand.

The following revision to the text on page 2-9 of the Draft PEIR has been made to address project compliance with existing regulations for the protection of marine mammals (as required under the Marine Mammal Protection Act) and turtles (most sea turtles are protected species under the Federal and California Endangered Species Acts).

BIO-10 All projects requiring marine operations shall have a Marine Wildlife Contingency Plan prepared and implemented to avoid conflicts with marine mammals and turtles and to appropriately respond in the case of an accidental strike. The plan shall include specifications such as:

- Training of vessel operators by a marine wildlife expert;
- Use of a marine wildlife observer(s);
- Required minimum distance between vessels and marine wildlife;
- Detailed vessel operation procedures, including speed limitations, for when marine wildlife are sited; and
- Collision response/notification procedures.

The following revision to the text on page 2-12 of the Draft PEIR has been made to address oil spill prevention and response associated with potential disturbance of contaminated sediment/sand sources. This revision is also applicable to page 44 of the Revised Initial Study provided as Appendix A of the DPEIR.

HAZ-2 A Sampling and Analysis Plan (SAP) protocol will be developed in coordination with permitting authorities including the U.S. Army Corps of Engineers (USACOE), Regional Water Quality Control Board (RWQCB), Ventura County Environmental Health or Santa Barbara County Fire Department as appropriate. The SAP shall define constituents of concern, threshold criteria, sampling and analytical methodology, and reporting requirements. Sampling of sediment/sand shall be conducted prior to use and no material shall be placed on beaches or in the ocean that has not been determined to be suitable for such use based upon the criteria listed in the SAP. The SAP will also include an oil spill prevention and response component to address any unintentional disturbance of contaminated sediment/sand and the potential associated environmental contamination issues. This element of the SAP shall include notification and assessment protocol.

ENVIRONMENTAL IMPACT ANALYSIS AND MITIGATION MEASURES

Air Quality

The following revisions to the text of Draft PEIR page 3.1-5 have been made to address Ventura County Air Pollution Control District comments (comment letter 11).

Ventura County is presently in attainment of most ambient air quality standards, but does not attain the Federal 8-hour ozone standard, State standards for ozone (1-hour and 8-hour), and the State standards for PM ($PM_{2.5}$ and PM_{10} standards). The VCAPCD does not consider construction emissions to be significant for the purposes of CEQA review, as these emissions are temporary ~~have already been considered in the ozone attainment planning process~~.

Santa Barbara County is currently in attainment of the Federal 8-hour ozone standard as well as the State 1-hour ozone standard. However, Santa Barbara County is designated as a non-attainment for State 8-hour ozone standard and State PM_{10} standard.

Federal Regulations

The Clean Air Act (CAA) was first enacted in 1955 and has been amended numerous times in subsequent years (1963, 1965, 1967, 1970, 1977, and 1990). The CAA establishes Federal air quality standards, known as National Ambient Air Quality Standards (NAAQS), and specifies future dates for achieving compliance. The CAA also mandates that each state submit and implement a State Implementation Plan (SIP) for local areas not meeting those standards. The plans must include pollution control measures that demonstrate how the standards will be met.

The 1990 amendments to the CAA identify specific emission-reduction goals for areas not meeting the NAAQS. These amendments require both a demonstration of reasonable further progress toward attainment and incorporation of additional sanctions for failure to attain or meet interim milestones. The sections of the CAA that apply to ~~would affect the development of~~ the proposed project include Title I (Nonattainment Provisions) ~~and Title II (Mobile-Source Provisions)~~ since project emissions have the potential to affect attainment of air quality standards.

Title I provisions were established with the goal of attaining the NAAQS for criteria pollutants. The NAAQS were amended in July 1997 to include an 8-hour standard for O3 and adopt a NAAQS for fine particulate matter ($PM_{2.5}$). Refer to Table 3.1-1 for a summary of Federal air quality standards.

In January 2010, the EPA proposed strengthening the 8-hour "primary" ozone standard, designed to protect public health, to a level within the range of 0.06 to 0.07 parts per million (ppm). The EPA is also proposing to establish a distinct cumulative, seasonal "secondary" standard, designed to protect sensitive vegetation and ecosystems. The proposed level for this secondary standard is between 7 and 15 ppm-hours. The revised ~~final~~ standards ~~will be announced in~~ were to be finalized by August 2010. However, the revised ozone standards have not been finalized to date

Biological Resources

The following revision to the text of Draft PEIR page 3.2-34 is in response to comment letter 14.

2. Terrestrial Biology. This project would be located at Laguna Point and would include an onshore staging and storage area, and a sand spreading area (see Figure 2.2-12). The ~~Point Mugu Naval Base~~ Naval Base Ventura County Point Mugu is located immediately to the north, including Mugu Lagoon. Dune habitat is located between the project site and the Lagoon. The beach area has been designated critical habitat for western snowy plover and supports breeding colonies of both California least tern and western snowy plover. Sandy beach tiger beetle and globose dune beetle have also been reported from the coastal strand and dunes in the area (CNDDB, 2010). Mugu Lagoon supports numerous special-status species including saltmarsh bird's beak, Coulter's goldfields, estuary sea-blite, wandering skipper, senile tiger beetle, saltmarsh shrew, marsh vole, light-footed clapper rail and Belding's savannah sparrow.

The following revision to the text of Draft PEIR page 3.2-37 has been made to address CDFG's role as a responsible agency (comment letter 6).

b. Endangered Species Act. Similar to the federal ESA, the State of California has established an ESA that lists plant and animal species that are either endangered, threatened, or of special concern. Many of these species are included in the federal ESA listing; however others are unique to the State and require similar consideration as those in the federal listings. Care to avoid impacting those species and/or the

identified critical habitat is required and California Department of Fish and Game (CDFG) needs to be consulted to develop survey protocol and mitigation/restoration planning for any project that could affect a State-listed species. CDFG acts as a Responsible Agency when it issues authorization for incidental take of listed species pursuant to the California ESA (Fish and Game Codes Section 2050, et seq.)

The following revision to Table 5.1-1 of Draft PEIR page 5-4 has been made to address the County of Santa Barbara comment on the Draft PEIR (comment letter 2).

Table 5.1-1. County of Santa Barbara Cumulative Projects

Beach Neighborhood	Project Name	Project Location	Project Type	Status
Arroyo Burro	Restroom Project	Arroyo Burro Beach	Facilities improvement project - Construct new ladies restroom at beach.	Planned
Rincon	Sewer Lift Station		Sanitary Sewer Project	Planned
Santa Claus Lane Beach	The Santa Claus Lane Streetscape ~~Improvement~~ project.	Santa Claus Lane	Construct approximately 3,000 feet of pedestrian and parking improvements to Santa Claus Lane adjacent to Santa Claus Beach. The improvements will provide for increased parking opportunities for visitor's to the ~~Carpinteria~~ Beach, new sidewalks, street lights, and landscaping to connect the beach and the businesses ~~district, and finally a roundabout to improve circulation~~ along Santa Claus Lane.	Planned
Santa Claus Lane Beach	The Santa Claus Lane At-Grade Crossing and Beach Access Project.	Santa Claus Lane Beach	Construct at grade crossing of UPRR immediately adjacent to Santa Claus Beach and provide beach access from the at-grade crossing through the existing rock revetment at back of beach.	Planned

INITIAL STUDY

A prototype ordinance titled: "An Ordinance Requiring Consideration and Mitigation of Loss of Sand Resources for Beach Nourishment and Private Projects" was prepared by BEACON and presented in Section 10.0 as Attachment A to the project Initial Study which is provided in Appendix A of the Draft PEIR. The ordinance has been revised to address comments received during the public review period on the Draft PEIR and is presented as Appendix B of this Final PEIR.

APPENDIX A
MITIGATION MONITORING AND REPORTING PROGRAM

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BEACON
COASTAL REGIONAL SEDIMENT MANAGEMENT PLAN (CRSMP)
CENTRAL COAST FROM POINT CONCEPTION TO POINT MUGU
MITIGATION MONITORING AND REPORTING PROGRAM

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A.1 PROJECT DESCRIPTION SYNOPSIS

The BEACON CRSMP recommended 18 capital projects that were designed for the purposes of:

- conserving and restoring the sediment resources along BEACON's jurisdictional coastline,
- reducing shoreline erosion and coastal storm damages,
- protecting sensitive environmental resources,
- increasing natural sediment supply to the coast,
- preserving and enhance beaches,
- improving water quality along the shoreline, and
- optimizing the beneficial use of sediment dredged from ports, harbors, and other opportunistic sources.

Of the 18 recommended capital projects, 13 are included in the proposed project as defined for the purposes of this document. The project comprises onshore and offshore developments and consists of sand management, dredging, sand deposition and grading, and the placement of offshore sand retention structures. The individual projects are identified below.

1. Oxnard Shores Sand Management.
2. Regional Sediment Management Stockpile and Processing Center.
3. Sand Retention Pilot Projects at: Arroyo Burro County Beach, Butterfly Beach, Summerland Beach, Santa Claus Beach, La Conchita Beach, North Rincon Parkway, and South Rincon Parkway.
4. West Hueneme Beach Re-nourishment Longevity Improvement.

5. North and South Rincon Parkway Shoreline Restoration.
6. Sand Capture at Mugu Submarine Canyon.

In addition to the capital projects, the project includes a proposed ordinance that will facilitate the evaluation of public and private projects in consultation with BEACON for their potential impacts on sand beaches. The ordinance would also require mitigation of such impacts, as well as mandate the use of suitable excess earth material from project sites for beach nourishment where feasible.

A.2 OVERVIEW AND PURPOSE

Pursuant to Section 15097 of Title 14 of the California Code of Regulations, in order to ensure that the mitigation measures and project revisions identified in the adopted EIR or mitigated negative declaration are implemented, the public agency in making findings related to significant impacts (pursuant to Sections 15091 and 15093 of Title 14 of the California Code of Regulations), shall adopt a program for monitoring and/or reporting on the revisions which it has required in the project to mitigate or avoid significant impacts. The program is to address adopted or required changes made to a project or imposed as conditions of approval to mitigate the significant environmental impacts of the project. This legislation is included as Section 21081.6 in the State Public Resources Code. As such, a mitigation monitoring and/or reporting program is required to be adopted by BEACON concurrent with the adoption of findings for the Coastal Regional Sediment Management Plan (CRSMP) Project.

The requirement outlined above applies to “public agencies” not just to “lead agencies”. Thus where a “responsible agency” approves findings pursuant to Public Resources Code section 21081, such an agency must adopt a reporting and/or monitoring program for any mitigation measures imposed pursuant to its regulatory authority.

A.2.1 CEQA Guidelines

For further reference on the topic of mitigation monitoring and/or reporting programs, below is the text of CEQA Guidelines section 15097. This section explains the requirements of Public Resources Code section 21081.6(a).

> ***15097. Mitigation Monitoring or Reporting.***
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> *(a) This section applies when a public agency has made the findings required under paragraph (1) of subdivision (a) of Section 15091 relative to an EIR or adopted a mitigated negative declaration in conjunction with approving a project. [Note: Section 15091(a)(1) refers to those mitigation measures that are being adopted in conjunction with approval of the project.] In order to ensure that the mitigation measures and project revisions identified in the EIR or negative declaration are implemented, the public agency shall adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant*

environmental effects. A public agency may delegate reporting or monitoring responsibilities to another public agency or to a private entity which accepts the delegation; however, until mitigation measures have been completed the lead agency remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with the program.

(b) Where the project at issue is the adoption of a general plan, specific plan, community plan or other plan-level document (zoning, ordinance, regulation, policy), the monitoring plan shall apply to policies and any other portion of the plan that is a mitigation measure or adopted alternative. The monitoring plan may consist of policies included in plan-level documents. The annual report on general plan status required pursuant to the Government Code is one example of a reporting program for adoption of a city or county general plan.

(c) The public agency may choose whether its program will monitor mitigation, report on mitigation, or both. "Reporting" generally consists of a written compliance review that is presented to the decision making body or authorized staff person. A report may be required at various stages during project implementation or upon completion of the mitigation measure. "Monitoring" is generally an ongoing or periodic process of project oversight. There is often no clear distinction between monitoring and reporting and the program best suited to ensuring compliance in any given instance will usually involve elements of both. The choice of program may be guided by the following:

(1) Reporting is suited to projects which have readily measurable or quantitative mitigation measures or which already involve regular review. For example, a report may be required upon issuance of final occupancy to a project whose mitigation measures were confirmed by building inspection.

(2) Monitoring is suited to projects with complex mitigation measures, such as wetlands restoration or archeological protection, which may exceed the expertise of the local agency to oversee, are expected to be implemented over a period of time, or require careful implementation to assure compliance.

(3) Reporting and monitoring are suited to all but the most simple projects. Monitoring ensures that project compliance is checked on a regular basis during and, if necessary after, implementation. Reporting ensures that the approving agency is informed of compliance with mitigation requirements.

(d) Lead and responsible agencies should coordinate their mitigation monitoring or reporting programs where possible. Generally, lead and responsible agencies for a given project will adopt separate and different monitoring or reporting programs. This occurs because of any of the following reasons: the agencies have adopted and are responsible for reporting on or monitoring different mitigation measures; the agencies are deciding on the project at different times; each agency has the discretion to choose its own approach to monitoring or reporting; and each agency has its own special expertise.

(e) At its discretion, an agency may adopt standardized policies and requirements to guide individually adopted monitoring or reporting programs. Standardized policies and requirements may describe, but are not limited to:

(1) The relative responsibilities of various departments within the agency for various aspects of monitoring or reporting, including lead responsibility for administering typical programs and support responsibilities.

(2) The responsibilities of the project proponent.

(3) Agency guidelines for preparing monitoring or reporting programs.

(4) General standards for determining project compliance with the mitigation measures or revisions and related conditions of approval.

(5) Enforcement procedures for noncompliance, including provisions for administrative appeal.

(6) Process for informing staff and decision makers of the relative success of mitigation measures and using those results to improve future mitigation measures.

(f) Where a trustee agency, in timely commenting upon a draft EIR or a proposed mitigated negative declaration, proposes mitigation measures or project revisions for incorporation into a project, that agency, at the same time, shall prepare and submit to the lead or responsible agency a draft monitoring or reporting program for those measures or revisions. The lead or responsible agency may use this information in preparing its monitoring or reporting program.

(g) When a project is of statewide, regional, or areawide importance, any transportation information generated by a required monitoring or reporting program shall be submitted to the transportation planning agency in the region where the project is located and to the California Department of Transportation. Each transportation planning agency and the California

Department of Transportation shall adopt guidelines for the submittal of such information.

A.2.2 Approach

As a programmatic-level document, the Final PEIR does not necessarily analyze all of the potential impacts that could be associated with the component's final design projects and based upon the ultimate selected locations. Therefore, it cannot predict with certainty which impacts will occur and what site-specific measures are appropriate for second-tier level of actions. Consequently, the Final PEIR describes mitigation strategies that are tailored to address the types of impacts anticipated as a result of construction of the CRSMP capital projects. In some cases these measures may be implemented "as is" in other cases, these measures may serve as strategies to which more project- and site-specific measures are added when more detailed information on the individual projects and associated impacts are available at the second-tier environmental review phase.

While BEACON is the CEQA lead agency and project proponent for the overall project in its conceptual form, BEACON may not be the agency to ultimately serve as the proponent/implementing entity for any specific project component. However for the purposes of this document it is assumed that BEACON would have responsibility for all of the project components. This Mitigation Monitoring and Reporting Program (MMRP) can serve a base for the development of subsequent MMRPs as required under CEQA.

A.3 MITIGATION MONITORING CHECKLIST

The following lists environmental mitigation measures that are incorporated into the project description. The table also indicates when and how often the mitigation measures shall be monitored, who is responsible for monitoring compliance, and what verification documentation shall be retained. The checklist serves as a reporting mechanism to ensure compliance with all mitigation measures. The date of project compliance with each measure, initials of the person responsible for monitoring and any comments of the monitor shall be noted on the checklist. The checklist constitutes BEACON's MMRP, and will be placed in the project file. The MMRP is a public document and is available for review with the exception of any proprietary information covered by an appropriate claim of confidentiality or otherwise found to qualify for an exemption from the Public Records Act (Government Code Section 6250 et. seq.).

Table A-1. Mitigation Monitoring Required by BEACON for the CRSMP Project – Implementation Table

Mitigation Number	Mitigation Measure	Party Responsible for Monitoring	Implementation Timing and or Construction Verification Frequency	Documentation Required	Compliance Verification (Signature and Date to be Completed as well as relevant notes)
MITIGATION MEASURES INCORPORATED INTO THE PROJECT					
Aesthetics					
AES-1	The contractor for the construction phase of the Regional Sediment Management Stockpile and Processing Center shall prepare and submit a "construction good-housekeeping plan" to BEACON. The plan will include at a minimum: designation of specific areas for materials and equipment storage during construction, proper disposal of construction debris and screening of materials and equipment from public view to the extent feasible. The plan shall be submitted to BEACON for approval prior to construction and the approved plan shall be implemented by the contractor during construction.	BEACON/project proponent or desig-nated representative.	Plan submittal prior to construction. Periodic site visits during construction.	Retain copy of Plan and field notes.	
AES-2	Unless this measure conflicts with the protection of sensitive biological resources at a specific project site, construction shall be scheduled to avoid the peak recreational season (June 1 - September 1) and holidays when the greatest number people will potentially be viewing the project sites. This measure shall be included in the construction requests for bids and will be applicable to the construction phase of all	BEACON/project proponent or desig-nated representative.	Periodic field visit.	Note to file.	

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	projects and the periodic use of equipment during the operational phase of the projects.				
AES-3	The Regional Sediment Management Stockpile and Processing Center shall include appropriate onsite screening with vegetation (native species to the extent feasible) to minimize views of the facilities from U.S. Highway 101. Additionally, the exterior color of project structures shall be compatible with surrounding terrain (earth tones and non-reflective paints) and any light fixtures shall be oriented downward to minimize off-site light. Landscaping, exterior structure color and lighting requirements shall be shown on site / building / landscape plans as may be developed by BEACON. Plans shall be developed prior to construction and implemented during the construction phase. Landscape and color requirements are to be maintained throughout the life of the project.	BEACON/project proponent or desig-nated representative.	Plan development prior to construction. Field verification after construction.	Retain project plans and post-installation photos.	
AES-4	Fencing to be used for the Oxnard Shores Sand Management Project or other similar sand management projects shall be constructed of or treated with materials that are resistant to graffiti, as feasible. Fencing shall be maintained in good condition such that it does not create an aesthetic blight. Fence material requirements shall be identified on the construction invitation to bid and approved by BEACON prior to construction. BEACON shall be responsible	BEACON/project proponent or desig-nated representative.	Review construction plans prior to installation. Field verification after installation.	Retain plans and post-installation photos.	

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	for insuring that proper materials are used for fencing and that fencing is adequately maintained.				
Air Quality					
AQ-1	Prior to and during project activity, equipment will be maintained in proper tune according to manufacturer's specifications.	BEACON/project proponent or desig-nated representative and contractor.	Periodic field verification.	Retain field notes.	
AQ-2	Minimize idling time of heavy duty trucks.	BEACON/project proponent or desig-nated representative and contractor.	Periodic field verification.	Retain field notes.	
AQ-3	Low-sulfur diesel fuel shall be used in all diesel-powered vessels and all construction equipment as feasible.	BEACON/project proponent or desig-nated representative and contractor.	Periodic field verification.	Retain field notes.	
AQ-4	Watering the sand with sprinklers, especially during high wind events.	BEACON/project proponent or desig-nated representative and contractor.	Periodic field verification.	Retain field notes.	
Biological Resources					
BIO-1	Complete appropriate pre-construction sensitive plant and animal surveys of all onshore and offshore sites and locate ground or seafloor activities to those areas devoid of sensitive plant and animal taxa. If impacts to special status species cannot be avoided, design a plan for the replacement or transplanting of the affected flora and translocation or new habitat creation for	BEACON/project proponent or desig-nated representative.	Prior to construction.	Retain biological survey reports and any necessary permits. Copies of reports to resource agencies as required.	

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	fauna following consultation with federal and state resources agencies. As required, BEACON shall obtain appropriate state and federal take authorizations, including, but not limited to, Incidental Take Permit(s) for species listed in the Federal and/or State ESAs.				
BIO-2	Fence or otherwise delineate sensitive onshore habitats, vegetation, or individual trees and provide a buffer area around the drip line as appropriate. Locate pipeline or anchor line corridors to minimize the effects on rocky substrate and kelp beds or surf grass areas.	BEACON/project proponent or designated representative.	Prior to construction. Conduct periodic field verification to ensure buffers are maintained.	Retain field notes and photos.	
BIO-3	Institute a zero-discharge policy for ballast water and other project-associated vessel discharges throughout offshore operations.	BEACON/project proponent or designated representative	Periodic field verification during offshore operations	Retain field notes.	
BIO-4	In accordance with NOAA Fisheries' and CDFG's *Caulerpa* Protocol (2008), complete a pre-construction *Caulerpa* survey of seafloor disturbance areas in accordance with sampling and reporting requirements.	BEACON/project proponent or designated representative.	Prior to offshore operations.	Retain survey report and send copy to NOAA Fisheries and CDFG.	
BIO-5	Coordinate nearshore activities with the Santa Barbara Fisheries Liaison Officer, local harbor masters, and commercial and recreational fishing personnel to identify and avoid critical fishing areas. Designate specific vessel transit corridors and anchoring areas to preclude affecting commercially-important species and habitats.	BEACON/project proponent or designated representative.	Coordination and designation of protocol prior to offshore operations. Periodic field verification to ensure compliance throughout offshore operations.	Retain copy of relevant communications and filed verification notes.	

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BIO-6	Schedule activities in accordance with resource agency requirements that preclude interference with migration, breeding, or nesting seasons of special status species.	BEACON/project proponent or desig-nated representative.	Determine schedule prior to construction. Periodic field verification throughout project operations.	Retain information on relevant species-related project schedule restrictions and filed verification notes.	
BIO-7	Without substantially reducing the efficiency of the onboard water pumps, and thus increasing the amount of time needed to slurry the sand, place a 0.5 inch mesh screen over the seawater intakes and pump seawater at a rate that results in the intake velocity being at or below 0.5 fps.	BEACON/project proponent or desig-nated representative.	Field verification during sand-slurrying operations.	Retain field notes.	
BIO-8	During grunion spawning season (February through August) consult the CDFG website for possible dates for spawning activities to occur. If any "predicted" spawning periods occur within two weeks of proposed on-beach activities, have an observer on-site for each of the days when spawning is possible to document the use of the beach by grunion. If spawning at the project beach has occurred, delay all beach restoration activities for at least three weeks.	BEACON/project proponent or desig-nated representative.	Prior to beach operations.	Retain a copy of grunion spawning data and beach-observer reports.	
BIO-9	Where ever vegetation is proposed for stabilization, no non-native plant species will be used or introduced to stabilize beach sand.	BEACON/project proponent or desig-nated representative.	Planning prior to beach stabilization. Field verification after installation of vegetation.	Retain a copy of proposed plant palette, field notes and photos.	
BIO-10	All projects requiring marine operations shall have a Marine Wildlife Contingency	BEACON/project proponent or desig-	Plan development prior to marine opera-	Retain copy of approved plan, com-	

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	Plan prepared and implemented to avoid conflicts with marine mammals and turtles and to appropriately respond in the case of an accidental strike. The plan shall include specifications such as: • Training of vessel operators by a marine wildlife expert; • Use of a marine wildlife observer(s); • Required minimum distance between vessels and marine wildlife; • Detailed vessel operation procedures, including speed limitations, for when marine wildlife are sited; and • Collision response / notification procedures.	nated representative.	tions. Onboard monitoring (if required) or periodic field visit to ensure compliance with approved plan.	pliance verification materials from marine wildlife expert and observer and field notes from site visits. Copy of MWCP to be sent to CDFG and NOAA Fisheries prior to in-water work.	
Cultural Resources					
CR-1	A qualified archaeologist shall be retained by BEACON and/or the project sponsor to prepare a Phase I Cultural Resources Assessment for any project that requires ground disturbance that may impact previously undisturbed soils. Based upon the findings of the Phase I Cultural Resources Assessment Report necessary mitigating measures shall be incorporated into the project to ensure that impacts to cultural resources are less than significant. Such measures may include avoidance of identified cultural resource sites, capping of identified cultural resource sites, monitoring	BEACON/project proponent or desig-nated representative.	Phase I and Phase II work to be conducted prior to projects potentially resulting in disturbance of native soil. Other measures developed through the Assessment process may require actions warranting monitoring during and after construction.	Retain all cultural resources reports and monitoring reports prepared by consulting archaeo-logists and Native American represen-tatives. Retain field notes from spot check verifications. Send report to State Historic Preservation Office (SHPO) as required.	

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	of excavations by qualified archaeologists and Native American representatives, additional Phase II assessment and/or Phase III Data Recovery Program. This measure shall be implemented prior to completion of final project plans. BEACON and/or the project sponsor shall retain a copy of all relevant archaeological reports and shall be responsible to ensure that any necessary mitigating measures are incorporated into project designs.				
CR-2	In the event archaeological remains are encountered during grading or other earth disturbance, work shall be stopped or redirected immediately until a qualified archaeologist and Native American representative are retained by BEACON and/or the project sponsor to evaluate the significance of the find pursuant to Phase 2 investigations of the County Archaeological Guidelines. If remains are found to be significant, they shall be subject to a Phase 3 mitigation program consistent with County Archaeological Guidelines and funded by the applicant. This condition shall be printed on all building and grading plans. BEACON and/or the project sponsor shall be responsible to ensure this measure is on all appropriate plans and shall spot check in the field.	BEACON/project proponent or desig-nated representative and contractor.	During earth disturbing activities. As necessary.	If the circumstance arises, retain reports generated by consulting archaeo-logist and Native American represen-tative and/or send reports to SHPO as required.	

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CR-3	If human remains are unearthed, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner as made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission (NAHC). This condition shall be printed on all building and grading plans. BEACON and/or the project sponsor shall be responsible to ensure this measure is on all appropriate plans and shall complete spot checks in the field.	BEACON/project proponent or desig-nated representative and contractor.	During earth disturbing activities. As necessary.	If the circumstance arises, retain reports generated by County Coroner.	
CR-4	Prior to development of final plans, side scan sonar, magnetometer, and bathymetric surveys shall be conducted within the areas of potential seafloor disturbance. If any targets are identified within the potential area of impact, the survey(s) results shall be reviewed by a qualified marine archaeologist. If necessary, a follow-up dive survey will be conducted to determine the nature of any targets identified from the seafloor surveys described above. The marine archaeologist will determine the potential cultural or historic significance of any targets, and measures to avoid or reduce potential impacts to any significant underwater cultural resources shall be	BEACON/project proponent or desig-nated representative.	Surveys prior to development of final plans for offshore projects. If sub-sequent mitigating measures are developed, these may require monitoring before, during and/or after offshore operations.	Retain survey results and any subsequent reports generated by the marine archeologist for the project. Provide copies to SHPO as required.	

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	developed by the marine archaeologist and incorporated into the project. The referenced surveys and archaeological evaluation shall be conducted prior to development of final project plans. BEACON and/or the project sponsor shall retain all survey results and ensure that any necessary mitigation measures are identified on project plans and implemented in the field.				
Fire Protection					
F-1	The Regional Sediment Management Stockpile and Processing Center site design shall incorporate necessary water infrastructure, fire prevention and access as required by appropriate jurisdictional fire regulations in place at the time of development. These fire protection measures shall be in place prior to occupancy.	BEACON/project proponent or desig-nated representative.	Design prior to construction. Implementation during construction. Field verification at least once during and at completion of construction.	Retain a copy of communication with service providers, final plans, and site inspection notes.	
Geologic Processes					
GEO-1	A Geotechnical Engineer shall be retained to complete an analysis of potential geological and geotechnical hazards at the selected Regional Sediment Management Stockpile and Processing Center site and recommend appropriate measures to minimize potential adverse effects of geologic hazards such as mudflows or landslides. If warranted, protective measures shall be included in the project	BEACON/project proponent or desig-nated representative and contractor.	Analysis prior to design. Incorporation of any needed mitigating design measures during design. Implementa-tion of any necessary construction-related measures during construction. Review	Retain geotechnical engineers report, project plans and field notes.	

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	design.		geotechnical engineers report and project plans. Conduct periodic site inspection.		
GEO-2	Select construction laydown sites and access routes to minimize vegetation removal and erosion from stormwater runoff and prepare a grading and drainage plan, and a Stormwater Protection Plan (SWPP) prior to initiating construction. Assure drainage from the sites is away from existing streams and waterways and restore each site to pre-use condition, including replanting if needed, following completion of construction activities. Complete a drainage plan for the Regional Sand Management site and incorporate appropriate measures to assure proper site drainage and erosion control during facility operation.	BEACON/project proponent or desig-nated representative and contractor.	Designate routes and develop plans prior to construction. Imple-ment plans during construction. Monitoring once prior to construction, periodically during construction and once at completion of construction.	Retain copy of plans and field notes from site inspections.	
Hazardous Materials/Risk of Upset					
HAZ-1	Any future site selected for use in the BEACON Coastal Regional Sediment Management Plan shall be evaluated by a qualified environmental professional for the likelihood of past or present uses, storage or discharge of hazardous material that could potentially cause harm to humans or degrade general environmental health. If upon initial review of the site, it appears that	BEACON/project proponent or designated representative.	Assessment prior to construction and remedial efforts before of during construction as needed. Monitoring prior to construction and during construction	Retain all documenta-tion from qualified environmental pro-fessional and field notes as appropriate, as well as any com-munications with regulatory entities (e.g., County Health	

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	such uses may have occurred, a registered environmental assessor shall conduct a Phase I Site Assessment for the subject site. The recommendations of the Phase I shall be implemented, which may require a Phase II Assessment and possibly Phase III remediation, if the selected site is to be used. Remedial activities, if necessary, may include in-situ treatment of soil to reduce levels of contaminant to within regulatory levels, removal and appropriate disposal of contaminated soil, etc.		periodically if needed.	Department).	
HAZ-2	A Sampling and Analysis Plan (SAP) protocol will be developed in coordination with permitting authorities including the U.S. Army Corps of Engineers (USACOE), Regional Water Quality Control Board (RWQCB), Ventura County Environmental Health or Santa Barbara County Fire Department as appropriate. The SAP shall define constituents of concern, threshold criteria, sampling and analytical methodology, and reporting requirements. Sampling of sediment/sand shall be conducted prior to use and no material shall be placed on beaches or in the ocean that has not been determined to be suitable for such use based upon the criteria listed in the SAP. The SAP will also include an oil spill prevention and response component to address any unintentional disturbance of contaminated sediment/sand and the	BEACON/project proponent or desig-nated representative.	SAP development and implementation prior to commence-ment of projects that would involve collection, transport and deposition of sand/sediments to the beach/marine environment. Review SAP and field check implementation.	Retain a copy of the approved SAP and analytical results.	

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	potential associated environmental contamination issues. This element of the SAP shall include notification and assessment protocol.				
HAZ-3	Prior to each offshore operation, appropriate agencies including the State Lands Commission, Minerals Management Service and Santa Barbara County Energy Department shall be consulted to identify the location of any pipelines within the potential area of impact for the project construction. Anchoring plans, depicting the location of underwater facilities, geophysical features, the proposed structure placement, and proposed anchor locations shall be prepared. The Anchor Plans shall be designed to avoid hazardous or environmentally sensitive resources and shall be reviewed and approved by the permitting agencies including but not limited to the State Lands Commission and shall be implemented in the field by the project contractor.	BEACON/project proponent or desig-nated representative.	Communications and development of Anchor Plans prior to commencement of offshore operations. Implement Anchor Plan during operations. Monitor periodically in the field.	Retain copies of communications with regulatory agencies, Anchoring Plan and field notes.	
HAZ-4	Prior to each offshore operation, a Marine Safety Plan (MSP) will be developed specifically to support the marine operations that will take place for each sand / sediment nourishment project component with offshore operations. The purpose of this plan is to provide a precise set of procedures and protocols that will be used when executing the marine operations. The	BEACON/project proponent or desig-nated representative and vessel captain.	Develop MSP prior to offshore operations and implement during onshore operations. Monitor periodically in the field.	Retain a copy of MSP and field notes.	

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	primary concerns to be addressed by the MSP are personal safety, environmental safety and vessel safety. The MSP should include a description of at least the following elements: • Training and Implementation, • Marine Project Location, • Marine Operations Protocols, • Critical Operations and Curtailment Plan, • Marine Communications Plan, • Marine Transportation Plan, and • Navigational Marking and Lighting Plan The MSP will be distributed to all appropriate regulatory agencies, construction managers, environmental monitors, and support vessel operators and radio operators. In addition, a copy of the MSP will be placed on each vessel utilized in the project.				
HAZ-5	Prior to each offshore operation, the marine contractor shall have an approved project-specific oil spill prevention and contingency plan (OSPCP) addressing spill prevention and spill response measures for any accidental release of hydrocarbons. The plan shall identify key points of contact, vessels and equipment to be used in the project, contractors, schedules, and procedures. The plan shall be prepared	BEACON/project proponent or designated representative and marine contractor.	OSPCP developed prior to offshore operations and implemented during offshore operations. Monitor prior to operations and periodically in the field.	Retain OSPCP, any associated incident reports and field notes.	

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	and submitted to the appropriate regulatory agencies for approval.				
HAZ-6	Prior to each onshore operation, the contractor shall have a project-specific oil spill prevention and contingency plan (OPSCP) addressing spill prevention and spill response measures for any accidental release of hydrocarbons. The plan shall include the provision that all fueling and maintenance of project equipment shall take place in a designated area off the beach. The designated area should have a non-porous surface for the easy clean-up of spills. The plan shall be submitted to the applicable regulatory agencies and implemented during onshore operations.	BEACON/project proponent or desig-nated representative and onshore contractor.	OSPCP developed prior to onshore operations and implemented during onshore operations. Monitor prior to operations and periodically in the field.	Retain OSPCP, any associated incident reports and field notes.	
HAZ-7	All locations that require the use of vehicles or equipment on the beach will be posted at least one week in advance. Postings shall be in conspicuous locations and shall include the term "WARNING" in large letters, a brief description of proposed operations and the anticipated dates of operation of equipment on the beach. Upon completion of beach operations the signs shall be removed.	BEACON/project proponent or desig-nated representative and onshore contractor.	Post prior to beach operations and monitor periodically throughout beach operations.	Retain photos and documentation of postings and field notes.	
HAZ-8	All operators of vehicles and equipment working on public beaches shall operate such vehicles and equipment in a safe manner appropriate to the setting. This requirement shall be included in all requests	BEACON/project proponent or desig-nated representative and onshore contractor.	Periodic site visits.	Retain filed notes and documentation of any complaints and remedial actions.	

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	for bids for beach work associated with the project.				
HAZ-9	The scheduling of construction and operational aspects of the Sand Capture at Mugu Submarine Canyon Project shall be coordinated closely with all military divisions operating at the Naval Base Ventura County at Point Mugu (Base). No project construction or operational task that would result in personnel to be on or in the vicinity of the Base shall be conducted without previous clearance from the commanders of all operating military divisions at the Base.	BEACON/project proponent or desig-nated representative.	Coordination prior to construction.	Retain a copy of communication with Base Divisions and approved project schedule.	
Noise					
NOI-1	Projects will comply with the Noise Ordinance requirements (e.g., day and hour limitations for construction operations) for the jurisdiction within which the project is located.	BEACON/project proponent or desig-nated representative and contractors.	Periodic field verification.	Retain copy of applicable noise ordinance / regulations, field notes including documentation of any complaints and corrective measures taken.	
NOI-2	All industry-standard noise abatement measures for noise producing equipment shall be in place.	BEACON/project proponent or desig-nated representative and contractors.	Once prior to project operations and periodical field verification.	Retain copy of documentation regarding equipment specifications including noise abatement features and field notes.	

Mitigation Number	Mitigation Measure	Party Responsible for Monitoring	Implementation Timing and or Construction Verification Frequency	Documentation Required	Compliance Verification (Signature and Date to be Completed as well as relevant notes)
Noise measures NOI-3 through NOI-6 are required only for the Sand Retention Projects at Arroyo Burrro Beach, Butterfly Beach and Santa Claus Beach; South Rincon Parkway Shoreline Restoration Project.					
NOI-3	Conduct truck loading, unloading, and hauling operations so noise and vibration are kept to a minimum.	BEACON/project proponent or desig-nated representative and contractor.	Periodic field verification.	Retain a copy of field notes including documentation of any complaints and corrective measures taken.	
NOI-4	Route construction equipment and vehicles carrying sand, or other materials over streets and routes that will cause the least disturbance to residents in the vicinity of construction sites and haul roads.	BEACON/project proponent or desig-nated representative and contractor.	Designate route prior to construction. Periodic field verification.	Retain a copy of vehicle/equipment routing plan and field notes.	
NOI-5	Construction noise (when it is in proximity to sensitive receptors) monitoring shall be conducted. (For projects in Ventura County, monitoring shall be in accordance with Appendix C and D of the County of Ventura Construction Noise Threshold Criteria and Noise Control Measures [prepared by Advanced Engineering Acoustics] as adopted by the Ventura County Board of Supervisors [November 2005] which is available for review at the Ventura County Public Works Agency and Ventura County Planning Division. Appropriate threshold criteria to be applied to each specific sensitive receptor location shall be determined based upon the field conditions [ambient noise, duration of construction, time of day of construction, etc.])	BEACON/project proponent or desig-nated representative and contracted acoustical consultant.	During construction when in proximity to sensitive receptors.	Retain report on noise monitoring results.	

Mitigation Number	Mitigation Measure	Party Responsible for Monitoring	Implementation Timing and or Construction Verification Frequency	Documentation Required	Compliance Verification (Signature and Date to be Completed as well as relevant notes)
NOI-6	If construction noise threshold criteria for the applicable jurisdiction are or are expected to be exceeded (based upon monitoring results) at sensitive receptor locations, noise abatement measures are to be implemented and adequate noise reduction achieved to bring the construction activities into compliance with the construction noise threshold criteria. Construction noise mitigation may be achieved by using any combination of equipment source noise reduction, propagation path noise reduction and sensitive receptor noise reduction methods.	BEACON/project proponent or desig-nated representative and contracted acoustical consultant.	During construction as necessary.	Retain notes pertaining to noise reduction measures implemented and their effectiveness.	
NOI-7	All adjacent residents shall be given notice of the construction schedule including beginning and end dates and, days and hours of construction at least two weeks prior to project construction.	BEACON/project proponent or desig-nated representative	Prior to construction.	Retain a copy of notice and mailing list.	
Public Facilities					
PUB-1	If permanent sanitary sewer service is to be provided to the Regional Sediment Management Stockpile and Processing Center, the project proponent shall coordinate with the appropriate sanitation district to determine if such service can feasibly be provided to the site. Assuming such service can be feasibly provided, the necessary improvements shall be constructed prior to operation of the Regional Sediment Management Stockpile	BEACON/project proponent or desig-nated representative.	Coordination and development of plans prior to construction. Construction of infra-structure prior to operation of the Regional Sediment Management Stock-pile and Processing Center.	Retain documentation of communications with sanitary district, wastewater infra-structure plans, any proof of service and field notes.	

Mitigation Number	Mitigation Measure	Party Responsible for Monitoring	Implementation Timing and or Construction Verification Frequency	Documentation Required	Compliance Verification (Signature and Date to be Completed as well as relevant notes)
	and Processing Center. An assessment of the environmental impacts associated with any upgrade of the Septic Tank Effluent Pump (STEP) system will be required prior to construction.				
PUB-2	If domestic water is to be provided to the Regional Sediment Management Stockpile and Processing Center, the project proponent shall coordinate with the appropriate water supplier to establish a new water connection at and service to the site. The necessary improvements shall be constructed prior to operation of the Regional Sediment Management Stockpile and Processing Center. An assessment of the environmental impacts associated with any upgrade of the STEP system will be required in compliance with CEQA prior to construction.	BEACON/project proponent or desig-nated representative.	Coordination and development of plans prior to construction. Construction of infra-structure prior to operation of the Regional Sediment Management Stockpile and Processing Center.	Retain documentation of communications with water district, wastewater infra-structure plans, any proof of service and field notes.	
Recreation and Commercial Fishing					
REC-1	Project construction requiring the use of heavy equipment on the beach should not be conducted during the summer (June 1 through September 1) when recreational use is at its highest, or on any weekends, federal and state holidays throughout the year.	BEACON/project proponent or designated representative.	Throughout construction on the beach.	Retain a copy of project schedule.	
REC-2	All project operations that would be located on recreational beaches shall include temporary exclusionary fencing or flagging and signage for public safety and to provide	BEACON/project proponent or designated represen-tative and onshore	Prior to and during construction on beach / Periodic field verification.	Retain photos of exclusionary measures, signage and field notes.	

Mitigation Number	Mitigation Measure	Party Responsible for Monitoring	Implementation Timing and or Construction Verification Frequency	Documentation Required	Compliance Verification (Signature and Date to be Completed as well as relevant notes)
	information about the project activities including timing and duration. In no case shall project activities completely preclude access to a recreational beach. Temporary, onshore signage shall also be provided to inform the public of the offshore submarine structure construction. All signage shall be installed at least two weeks prior to commencement of work activities, shall be properly maintained throughout the construction period and shall be removed upon completion of work.	contractor.			
REC-3	All proposed submarine structures shall be designed such that local surf conditions are either unaffected or enhanced.	BEACON/project proponent or desig-nated representative.	Prior to construction of submarine structures.	Retain copy of surf evaluation analysis report.	
REC-4	A Fisheries Contingency Plan that specifies actions that will be taken to reduce the effects to commercial and recreational fishing activities shall be prepared for all projects that have offshore operations.	BEACON/project proponent or desig-nated representative and offshore contractor.	Plan development prior to offshore operations. Imple-mentation during offshore operations. Periodic field verification.	Retain a copy of the Plan, field notes, any fisheries-related complaints and remedial measures if such measures are required.	
REC-5	Offshore operations will be noticed to local fisheries representatives, harbormasters and liaison officers, and project-related vessels will utilize pre-determined vessel traffic corridors to reduce fishing gear/construction vessel interactions. Compensation for lost or damaged fishing gear will be negotiated between BEACON and the affected fisher.	BEACON/project proponent or desig-nated representative and offshore contractor.	Notifications prior to offshore operations. Use of designated corridors during offshore operations. Periodic field verification.	Retain copy of notice, field notes, any fisheries-related complaints and remedial measures / compensation if required.	

Mitigation Number	Mitigation Measure	Party Responsible for Monitoring	Implementation Timing and or Construction Verification Frequency	Documentation Required	Compliance Verification (Signature and Date to be Completed as well as relevant notes)
REC-6	The proponent/developer of the Regional Sediment Management Stockpile and Processing Center shall coordinate with representatives of the appropriate agencies in the design of the proposed facility to ensure that existing recreational uses are considered the project design. Appropriate location of proposed project facilities and the use of signage, striping and railing to designate the trail are potential measures that could be implemented.	BEACON/project proponent or designated representative.	Prior to design of the Regional Sediment Management Stock-pile and Processing Center.	Retain documentation of communications with recreation and planning agencies and final plans demonstrating consideration of existing or planned recreational facilities / programs as appro-priate.	
Transportation/Circulation					
TRA-1	Unless it can be demonstrated through the results of an approved project-specific traffic study that a project will not result in significant impacts to the street system, or that less stringent mitigation (e.g., reduced timing restrictions as appropriate be geographical area, timing restriction for only specific intersections and streets, etc.) would be effective, project trips will be scheduled to occur outside of peak hours (6:30 to 9:30 a.m. and 3:30 to 6:30 p.m. on weekdays).	BEACON/project proponent or desig-nated representative and contractor.	Study prior to project implementation. Implementation of restrictions throughout project if required. Monitor periodically in the field.	Retain copy of traffic analysis and field notes.	
TRA-2	Each project proponent will be responsible for coordinating with the respective Transportation Department(s) of jurisdictions that would be affected by project trips to ensure that impacts are avoided or mitigated. This may result in the payment of any applicable transportation	BEACON/project proponent or desig-nated representative.	Prior to project implementation.	Retain documentation of communication with transportation agencies and pay-ment of any neces-sary fees or other measures.	

Mitigation Number	Mitigation Measure	Party Responsible for Monitoring	Implementation Timing and or Construction Verification Frequency	Documentation Required	Compliance Verification (Signature and Date to be Completed as well as relevant notes)
	mitigation fees, rerouting of trips to avoid impacted roadway segments and intersection, or other standard traffic mitigation.				
TRA-3	During hauling operations, proper precautions shall be taken to protect all pavements, curbs and gutters, sidewalks, and drainage structures from damage. Any traffic-related damage associated with the project's construction or operation, shall be replaced in accordance with current Standard Construction Details and/or in a manner acceptable to the impacted jurisdiction (e.g. county or city transportation department or Caltrans).	BEACON/project proponent or designated representative and contractor.	Throughout duration of hauling operations. Monitoring inspection pre- and post-hauling.	Retain photos and field notes documenting conditions of street features for areas susceptible to damage.	
TRA-4	The National Oceanic and Atmospheric Administration (NOAA), U.S. Coast Guard, and local harbormasters shall be notified regarding the installation of structures onto the ocean floor for inclusion on all future nautical charts, for inclusion in the Local Notice to Mariners, and to notice local boaters of pending offshore activities.	BEACON/project proponent or designated representative.	Prior to installation of structure(s).	Retain documentation of noticing including maps and descriptions of structure(s).	
TRA-5	A Local Notice to Mariners shall be filed with the U.S. Coast Guard and posted in the harbormaster's office of local harbors no less than 15 days prior to the start of work each project component with offshore operations. This notice will inform local boaters of the potential navigational hazards at the marine work site temporarily created by the	BEACON/project proponent or designated representative.	Prior to installation of structure(s).	Retain documentation of noticing including maps and descriptions of structure(s).	

Mitigation Number	Mitigation Measure	Party Responsible for Monitoring	Implementation Timing and or Construction Verification Frequency	Documentation Required	Compliance Verification (Signature and Date to be Completed as well as relevant notes)
	construction operations at the marine work site.				
TRA-6	Offshore project equipment (e.g., derrick barge, support vessels, and buoys) will be marked in accordance with the U. S. Code of Federal Regulations, Title 33, Chapter 34, Subchapter I, Part C and the publication titled Private Aids to Navigation.	BEACON/project proponent or designated representative and offshore contractor.	Prior to and during offshore operations. Field verification.	Retain notes documenting compliance by visual inspection.	
TRA-7	When under tow at nighttime, the derrick barge or support vessel will be marked with sidelights and a sternlight in accordance with U.S. Coast Guard requirements.	BEACON/project proponent or designated representative and offshore contractor.	During offshore operations at night. Field verification.	Retain notes documenting compliance by visual inspection.	
TRA-8	The Regional Sediment Management Stockpile and Processing Center site design shall include measures (e.g., fencing and signage) that will ensure project operations do not encroach into adjacent rights-of-way at the selected site.	BEACON/project proponent or designated representative.	Prior to and during operation of Regional Sediment Management Stockpile and Processing Center if necessary. Field verification.	Retain site plans showing implementing measures and field verification notes.	
TRA-9	A project-specific traffic study shall be prepared for the Regional Sediment Management Stockpile and Processing Center by a qualified Transportation Engineer prior to project approval. The project site shall not be approved, unless it can be demonstrated by the study that adequate ingress/egress exists or can be developed (e.g., road widening, striping, etc.) for the project and that all traffic-related impacts are less than significant or can be	BEACON/project proponent or designated representative.	Traffic study prior to implementation of the Regional Sediment Management Stockpile Center Project. Implementation of mitigating measures, if necessary, as designated in the traffic study. Monitoring may be required	Retain a copy of the traffic study and documentation of implementation of mitigating measures, if necessary (e.g., site plan, photos of mitigation installations, etc.	

Mitigation Number	Mitigation Measure	Party Responsible for Monitoring	Implementation Timing and or Construction Verification Frequency	Documentation Required	Compliance Verification (Signature and Date to be Completed as well as relevant notes)
	reduced to less than significant through measures such as by placing restrictions on timing or routing of trips.		through the life of the project.		
Water Resources/Flooding					
WTR-1	Prior to excavation of onshore or offshore sand sources, test the sediment for grain size and contaminant levels in accordance with EPA and RWQCB requirements. Do not utilize sediment that is not compatible with existing sand beach grain size or that will result in the introduction of contaminants that exceed the Ocean Plan or other applicable water quality criteria.	BEACON/project proponent or desig-nated representative.	Prior to excavation of sand sources.	Retain copy of analytical results.	
WTR-2	Determine the potential flood hazard for the Regional Sediment Management Stockpile and Processing Center site and institute design specifications for the hazard level.	BEACON/project proponent or desig-nated representative.	Conduct flood assessment prior to design of the Regional Sediment Management Stock-pile and Processing Center. Incorporate mitigating measures into plans and imple-ment in the field. Review assessment report and plans. Field verification periodically during construction and post construction.	Retain copies of flood assessment report, site plans and field verification documents (e.g., notes and photos).	

APPENDIX B
REVISED OPPORTUNISTIC SAND USE ORDINANCE

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ORDINANCE NO. _____.

AN ORDINANCE REQUIRING CONSIDERATION AND MITIGATION OF LOSS OF COARSE-GRAINED SEDIMENT RESOURCES FOR COASTAL BEACH NOURISHMENT IN PUBLIC AND PRIVATE PROJECTS IN THE BEACH EROSION AUTHORITY FOR CLEAN OCEANS AND NOURISHMENT (BEACON) GEOGRAPHICAL AREA

The Board of Supervisors of the County of _____ [City Council of the City of _____] finds that public and private projects which impact or remove coarse-grained sediment (herein defined using the Unified Soil Classification System for coarse-grained sediments as that sand, gravel, and cobble material retained on a No. 200 sieve (0.075 mm) and further containing no more than 20% fine-grained sediment) resources from coastal watersheds have the effect of diminishing such resources for our coastal beaches and that failure to provide for mitigation of this loss will severely impact our beach and coastal resources and ordains as follows:

SECTION 1.

Sections ___ and ____ of the County/City Code is/are hereby adopted as follows:

Section 1.1. Public Projects Involving Coarse-Grained Sediment Resources or Projects Impacting Supply or Beach Nourishment

Every capital improvement or public works project undertaken by or for the County/City shall comply with the following:

A. The project planning documents and environmental impact consideration therefore for every such project shall include a consideration of whether the project will remove coarse-grained sediment from its present location so as to make it unavailable to natural sediment erosion, transport, and depositional processes, or alter the ability of existing coarse-grained sediment to migrate through the watershed and provide these resources for nourishment to the beach ecosystem and littoral region.

B. If a project is determined to impact beach nourishment in the littoral region, a further determination shall be made as to what provisions should be included in the project to mitigate the impact to beach nourishment or provide alternative nourishment to the beaches in the littoral region served by the watershed. Such project shall be conditioned appropriately to achieve this purpose.

C. Any project involving the removal or moving of coarse-grained sediment from the project site shall have a priority requirement for delivery of that sediment to a beach replenishment site established by BEACON's South Central Coast Beach Enhancement Program (SCCBEP). There shall be a specific determination by BEACON of whether the material is appropriate for beach replenishment purposes and whether such delivery is feasible for the project. Should delivery of the sediment be deemed infeasible or should the delivery to another location be the

purpose of the project, there shall be an analysis of what alternative beach nourishment measures should be taken to mitigate the project's impact to the littoral region. Such project shall be conditioned appropriately to achieve this purpose. Projects involving less than 100 cubic yards of material are exempt from this subsection.

D. County/City staff shall consult with the staff of BEACON in making their determinations under subparagraphs A, B, and C above.

E. In determining whether a project site contains coarse-grained sediment as defined above a visual inspection shall first be done. If it is then suspected that the site contains coarse-grained sediment as defined above, a BEACON/city/county approved sampling methodology shall be conducted at selected sites within the project area.

F. There shall be a report of the compliance of a project with the provisions of this section in every staff report for final consideration by the Board of Supervisors/City Council for every capital improvement or public works project proposed for approval. Any placement of qualifying course-grained materials onto a beach must be permitted by all appropriate Federal, State, Regional and Local entities such as, but not necessarily limited to, the California Coastal Commission, the California State Lands Commission and United States Army Corps of Engineers.

Section 1.2. Private Projects Involving Coarse-Grained Sediment Resources or Projects Impacting Supply or Beach Nourishment

Every land use permit, grading permit, building permit, or other development permit or project for which application is made to or for which approval is needed from the County/City shall comply with the following:

A. The permit or project planning documents and environmental impact consideration therefore for every such permit or project shall include a consideration of whether the project will remove coarse-grained sediment from its present location so as to make it unavailable to natural sediment erosion, transport, and depositional processes, or alter the ability of existing coarse-grained sediment to migrate through the watershed and provide these resources for nourishment to the beach ecosystem and littoral region.

B. If a permit or project is determined to impact beach nourishment in the littoral region, a further determination shall be made as to what provisions should be included in the project to mitigate the impact to beach nourishment or provide alternative nourishment to the beaches in the littoral region served by the watershed. Such permit or project shall be conditioned appropriately to achieve this purpose.

C. Any permit or project involving the removal or moving of coarse-grained sediment from the project site shall have a priority requirement for delivery of that material to a beach

replenishment site established by BEACON's SCCBEP. There shall be a specific determination by BEACON of whether the material is appropriate for beach replenishment purposes and whether such delivery is feasible for the project. Should delivery of the project material be deemed infeasible or should the delivery of the coarse-grained sediment to another location be the purpose of the permit or project, there shall be an analysis of what alternative beach nourishment measures should be taken to mitigate the project's impact to the littoral region. Such permit or project shall be conditioned appropriately to achieve this purpose. Projects involving less than 100 cubic yards of material are exempt from this subsection.

D. County/City staff and applicants shall consult with the staff of BEACON in making the determinations and project plans under subparagraphs A, B, and C above.

E. In determining whether a project site contains coarse-grained sediment as defined above a visual inspection shall first be done. If it is then suspected that the site contains coarse-grained sediment, a BEACON/city/county approved sampling methodology shall be conducted at selected sites within the project area.

F. There shall be a report of the compliance of a permitted activity or project with the provisions of this section in every staff report for final consideration by the Board of Supervisors/City Council for every such permit or project proposed for approval. Permits which do not require the approval of the Board of Supervisors/City Council shall note the compliance with this section in the project file. Any placement of qualifying course-grained materials onto a beach must be permitted by all appropriate Federal, State, Regional and Local entities such as, but not necessarily limited to, the California Coastal Commission, the California State Lands Commission and United States Army Corps of Engineers.

G. Permits for projects involving a total cost of less than $_____ shall be exempted from the requirements of this section.

SECTION 2.

This ordinance shall take effect and be in force thirty (30) days from the date of its passage and before the expiration of fifteen (15) days after its passage it, or a summary of it, shall be published once, together with the names of the members of the Board of Supervisors [City Council] voting for and against the same in the _____, a newspaper of general circulation published in the County of _____.

PASSED AND ADOPTED by the Board of Supervisors/City Council of the County/City of _____, State of California, this ____ day of _____, 20xx, by the following vote:
AYES:
NOES:
ABSENT:
ABSTAIN:
ATTEST: