

MINUTE ITEM

This Calendar Item No. 26
was approved as Minute Item
No. 26 by the Santa Lucia
Commission by a vote of 3
to 0 at its 8/31/78
meeting.

MINUTE ITEM

8/78
Ginn
PKC 5945

26. PROPOSED DEMOLITION AND LEASE AGREEMENT - ELLWOOD PIER
W 9525

During consideration of Calendar Item 26 attached, Commission-Alternate Betty Jo Smith questioned whether the Commission was bound by the previous stipulated judgment in U.S. v. California. Mr. Robert C. Hight, Chief Counsel, stated since this is a matter under litigation, it would have to be discussed during an Executive Session, whereupon the Commission adjourned into Executive Session for approximately five minutes. When the regular meeting reconvened, the Commission approved the item as presented in Calendar Item 26 by a vote of 3-0.

Attachment: Calendar Item 26 (30 pages)

CALENDAR ITEM

26.

PROPOSED DEMOLITION AND
LEASE AGREEMENT - ELLWOOD PIER

8/78
W 9525
Ginn

PRC 428.1
PRC 5515

On January 26, 1978, the State Lands Commission authorized the issuance of a demand notice to Aminoil U.S.A., Inc. to remove the existing Ellwood Pier constructed under State Oil and Gas lease No. 98, extended and renewed as PRC 428.1, Santa Barbara County. It was noted, however, at that meeting that should an alternative proposal be developed in the interim the Commission would be willing to reconsider the matter.

Negotiations between the State Lands Commission staff, Aminoil USA, Inc. (Aminoil), Atlantic Richfield Company (ARCO) and Exxon Corporation (Exxon) have resulted in a proposed agreement whereby Aminoil would remove the seaward approximately 790 feet of the Ellwood Pier. The remainder of the pier plus a use area would be leased by ARCO and Exxon for the purpose of personnel transfer and light cargo loading. ARCO and Exxon are currently in negotiations with the adjacent landowner to obtain access to and from Ellwood Pier and a public road. If ARCO and Exxon are unsuccessful in obtaining said access by December 1, 1978, the agreement provides that the lease to ARCO and Exxon will not take effect and that Aminoil will, upon further approval by the Commission, remove the entire pier. Under the terms and conditions of lease PRC 428.1, Aminoil is required to remove all improvements from the area of said lease. In the event the Commission does not release Aminoil of its obligations under PRC 428.1 by December 31, 1982, the lease to Exxon and ARCO will not take effect.

In the event the County of Santa Barbara or its successor in interest desires at some subsequent date to use the pier for recreational or other public use, the new lease provides that the State Lands Commission may, by lease or permit, authorize said county or its successor, to so use the pier so long as the same is consistent with the rights of ARCO and Exxon under the new lease.

The proposed Agreement provides that Aminoil will:
(1) perform all work in accordance with all applicable Federal, State and local laws, codes and regulations; (2) at the completion of its work, leave all ocean waters and beaches free and clean of all debris except for rubble

CALENDAR ITEM NO. 26. (CONTD)

reef at well locations; (3) obtain all necessary permits and approvals for the proposed work; and (4) provide the State with a report of underwater inspection at the completion of its work.

In consideration for the proposed lease, Exxon and ARCO have agreed to pay an annual rental of \$24,000 with the State reserving the right to fix a different rental on each fifth anniversary of the lease. The lease provides that Exxon and ARCO shall report to the Commission within 120 days of the date its lease becomes effective that all existing structures and improvements in the leased land are in good sound repair. The lease to Exxon and ARCO will become effective simultaneously with the State's acceptance of a quitclaim deed from Aminoil of Aminoil's interest under PRC 428.1.

The staff's opinion is that the removal of the seaward approximately 790 feet of the Ellwood Pier would be a prudent exercise of the Commission's trust responsibilities. ARCO and EXXON, the prospective new lessees, desire to lease only the remaining part of the pier. Their use for loading and unloading of personnel and light cargo is consistent with the valid trust purposes of commerce and navigation. The removal of the aforesaid 790 feet is therefore consistent with and may actually assist ARCO and EXXON in their use of the remaining pier for those valid and important purposes, as well as enhance the piers utility as a harborwork.

One possible unfavorable result caused by the removal of the seaward 790 feet of the pier would be the loss of a claimed 81-acre parcel of submerged lands. This crescent shaped parcel is located 3 miles offshore from the pier. California is currently engaged in litigation against the United States, where the issue is whether or not the 3-mile offshore boundary is measured from the outer end of piers (including the Ellwood pier), or if the piers are to be ignored in the determination of the offshore boundary. The case is presently before the United States Supreme Court, and a Special Master has been appointed by that body to study and make recommendations back to the court on this issue. At present, California contends it owns a 113-acre parcel created by measuring the 3-mile offshore boundary from the end of the Ellwood pier. If the pier is shortened as proposed, the area claimed could possibly be reduced to approximately 32 acres, a net loss of 81 acres. The unfortunate aspect of this situation is that the State is in a "heads you win - tails we lose" position with the federal government. Working through the Corps of Engineers' permit process, the United States has in the past forced the State to waive territorial gains it

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might otherwise be entitled to as a result of construction extending seaward from the coast. This is what would occur if the pier were proposed to be lengthened instead of shortened. No reciprocal mechanism exists, however, which would bring about a federal waiver for possible lossess of State territory if existing harbor facilities are removed.

This project is situated on land identified as possessing significant environmental values pursuant to Public Resources Code 6370.1 and is classified in a Class B use category, which authorizes limited uses. Staff review indicates that there will be no significant effect upon identified environmental values.

Exhibits: A. Land Description. B. Location Map.
 C. Negative Declaration.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN EIR HAS NOT BEEN PREPARED FOR THIS PROJECT, BUT THAT A NEGATIVE DECLARATION HAS BEEN PREPARED BY THE COMMISSION STAFF FOLLOWING EVALUATION OF COMMENTS AND CONSULTATION WITH PUBLIC AGENCIES WHICH WILL ISSUE APPROVALS FOR THE PROJECT.
2. CERTIFY THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED IN THE NEGATIVE DECLARATION.
3. DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. FIND THAT THE SUBJECT AGREEMENT AND LEASE WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1 OF THE PUBLIC RESOURCES CODE.
5. DETERMINE THAT THIS PROJECT IS CONSISTENT WITH THE PROVISIONS OF ARTICLE 6.5 OF TITLE 2 OF THE CALIFORNIA ADMINISTRATIVE CODE.
6. AUTHORIZE APPROVAL BY THE EXECUTIVE OFFICER OF A FOUR-PARTY AGREEMENT, ON FILE IN THE OFFICE OF THE COMMISSION AND HEREBY MADE A PART HEREOF, AMONG AMINOIL USA, INC., EXXON CORPORATION, ATLANTIC RICHFIELD COMPANY AND THE STATE LANDS COMMISSION WHICH PROVIDES THAT AMINOIL USA, INC. WILL REMOVE ALL IMPROVEMENTS LOCATED ON PRC 428.1 AND NOT LOCATED ON THE AREA TO BE LEASED TO ARCO AND EXXON, INCLUDING THE SEAWARD APPROXIMATELY 790 FEET OF THAT STRUCTURE KNOWN AS ELLWOOD PIER, SANTA BARBARA COUNTY, AND ANY APPURTENANCES THERETO, BY DECEMBER 31, 1979.

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7. AUTHORIZE APPROVAL BY THE EXECUTIVE OFFICER OF A LEASE, OF THE LANDWARD APPROXIMATELY 1,450 FEET OF ELLWOOD PIER AND ADJACENT USE AREA, LOCATED ON TIDE AND SUBMERGED LANDS DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF, TO ARCO AND EXXON FOR THE PURPOSE OF PERSONNEL TRANSFER AND LIGHT CARGO LOADING. ALL OPERATIONS ARE TO BE CONDUCTED IN ACCORDANCE WITH THE PROVISIONS OF THE LEASE, THE FOUR-PARTY AGREEMENT AUTHORIZED UNDER ITEM NO. 4 ABOVE AND THE RULES AND REGULATIONS OF THE COMMISSION.
8. AUTHORIZE THE EXECUTIVE OFFICER OR HIS DESIGNEE TO ACCEPT ON BEHALF OF THE STATE LANDS COMMISSION A QUITCLAIM DEED FROM AMINOIL UNDER STATE OIL AND GAS LEASE PRC 428.1 AS PROVIDED IN THE SUBJECT FOUR-PARTY AGREEMENT.
9. AUTHORIZE THE EXECUTIVE OFFICER OR HIS DESIGNEE TO, ON BEHALF OF THE STATE LANDS COMMISSION, MAKE WRITTEN AGREEMENTS WHICH MODIFY THE TIME RESTRAINTS AND DEADLINES SPECIFIED IN THE FOUR-PARTY AGREEMENT TO A MAXIMUM TOTAL MODIFICATION OF 6 MONTHS OF EACH TIME RESTRAINT OR DEADLINE.

EXHIBIT "A"
LAND DESCRIPTION

A parcel of tide and submerged land in the Santa Barbara Channel adjacent to Rancho Los Dos Pueblos, in the vicinity of Ellwood, Santa Barbara County, State of California, more particularly described as follows:

BEGINNING at a point which bears N 70° 20' 00" W 366.06 feet from Monument Number 4, said monument being a 6-inch pipe as shown on Record of Survey Map Book 35, page 89, filed in the Office of the County Recorder of Santa Barbara County, May 17, 1955, said monument having coordinates of X = 1,420,819.40 feet, Y = 345,145.75 feet; thence continuing from the point of beginning the following eleven courses:

1. S 20° 08' W 86.65 feet;
2. S 05° 21' 21" W 12.21 feet;
3. S 02° 11' 18" W 197.23 feet;
4. S 27° 22' W 1184.11 feet;
5. S 62° 38' E 100 feet;
6. N 27° 22' E 100 feet;
7. N 62° 38' 00" W 44 feet;
8. N 27° 22' E 1090.36 feet;
9. N 16° 04' 37" E 348.47 feet;
10. N 70° 15' 50" W 95.76 feet;
11. S 20° 08' W 60.00 feet to the point of beginning.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of the Santa Barbara Channel.

This description is based on the California Coordinate System, Zone 5.

END OF DESCRIPTION

EXHIBIT "B"

W 9525

Proposed Demolition and
Lease Agreement

Ellwood Pier

PROPOSED
LEASE
AREA

Ellwood
Pier

PORTION
TO BE
REMOVED

SANTA BARBARA
CHANNEL

STATE OIL & GAS
LEASE 428.1

1459

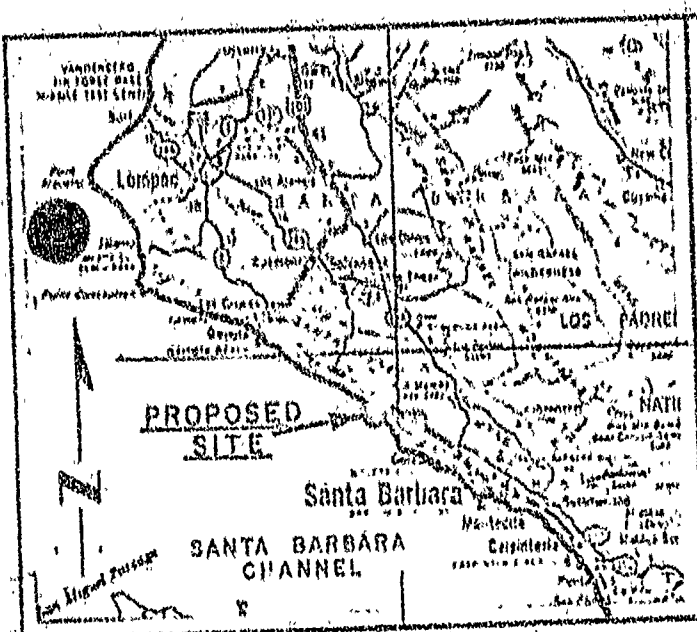


EXHIBIT "C"

RIR ND 223

NEGATIVE DECLARATION

AMINOIL USA, INC.

ELLWOOD PIER - SANTA BARBARA COUNTY

W 9525

This Negative Declaration has been prepared by the State Lands Commission pursuant to Section 15083 of the State EIR Guidelines and is based upon a Initial Study to Sections 15080 and 15066 thereof.

Description

The State Lands Commission proposes to remove an unsightly and potentially dangerous portion of the existing Ellwood Pier located in the Santa Barbara Channel approximately 14 miles west of the City of Santa Barbara and to rehabilitate and lease the remaining portion for the movement of men and light equipment involved in oil and gas exploration and development on State and Federal lands.

The project consists of removal and dismantling of two steel oil derricks, removal of decking and support timbers, steel cross bracing, and pilings. Decking and support timbers will be removed by crane; cross bracing by cutting torch; and pilings removed to the mud line by pulling and cutting with underwater cutting torch or, as a last resort, by explosives. Concrete oil well and derrick support caissons will be demolished by use of explosives with all concrete and rubble to be spread to allow minimum clearance of 15 feet at mean lower low water.

Determination

An initial study has been prepared and it has been determined through consultation with all appropriate Responsible Agencies that the proposed project will not have a significant effect on the environment.

1. There will be no significant growth inducing impact, inefficient energy consumption, air, water, or noise pollution, or solid waste problems created as a result of the implementation of this project.
2. There will be minimal impacts upon fish and wildlife.

3. No park lands, recreational areas, or historic and archeological sites will be affected by the proposal.
4. No public services or utilities will be significantly affected by the proposal.
5. The implementation of this project will not narrow the range of beneficial uses of the environment or pose long-term risks to public health or safety.

This Negative Declaration has been prepared by the staff of the State Lands Commission. Additional copies of this document may be obtained from Ted T. Fukushima, State Lands Commission, 1807 - 13th Street, Sacramento, California 95814, Telephone number: (916) 322-7813.

STATE OF CALIFORNIA
STATE LANDS COMMISSION

INITIAL STUDY

PROPOSED REMOVAL BY AMINOIL USA, INC.
OF APPROXIMATELY 780 FEET OF ELLWOOD PIER,
SANTA BARBARA, SANTA BARBARA COUNTY
AND THE LEASING OF THE SHOREWARD 1400 FEET
TO ATLANTIC RICHFIELD COMPANY AND EXXON COMPANY USA

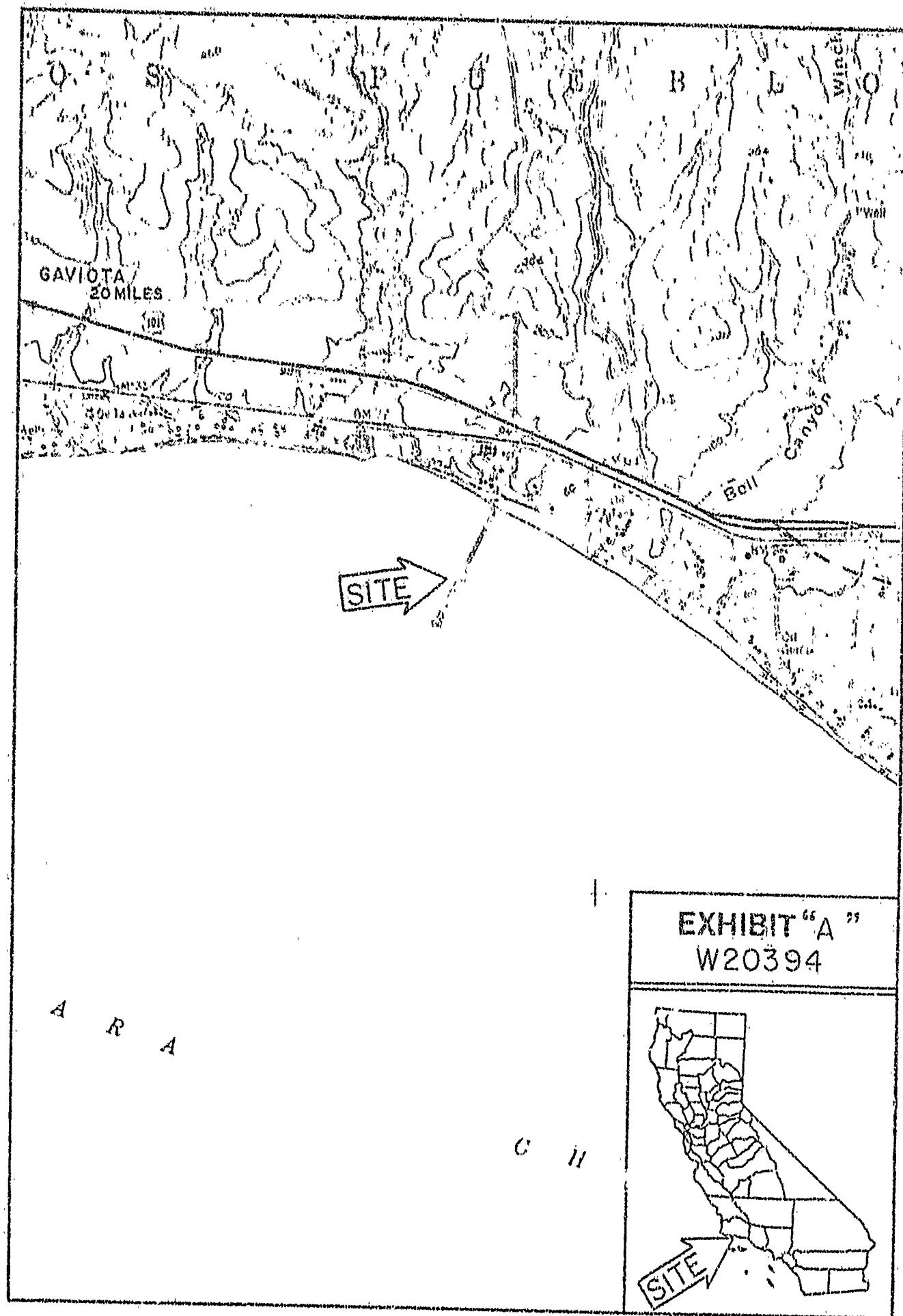
1. PROJECT AND LOCATION

The Ellwood Pier was constructed in 1935 to support oil drilling operations on State Oil and Gas Lease PRC 428 in the Santa Barbara Channel (see attached Exhibit "A"). The lease provided that when the pier was no longer used for those purposes the lessee would remove the structure and restore the area. For some time the pier has not been used for its original purposes but has served as a staging and supply loading area for crews working on nearby offshore oil platforms. During that period, the condition of the structure has continued to deteriorate.

The State Lands Commission in 1972 first indicated its intention to issue the demand notice requiring removal of the pier. The County of Santa Barbara then indicated interest in acquiring the pier and renovating it for recreational purposes. Negotiations between the State, County and the lessee continued for six years before the Commission determined further negotiations to try to renovate the pier would be nonproductive and on January 26, 1978 authorized issuance of the demand notice. At that time, the Commission indicated that should an alternate proposal be developed in the interim they would be willing to reconsider the matter.

Subsequent negotiations between the Commission, Aminoil, Atlantic Richfield (ARCO) and Exxon resulted in an agreement whereby Aminoil would remove the seaward 780 feet of the pier. The remainder, after restoration at an estimated cost of \$75,000, would be leased by ARCO and Exxon for the purposes of personnel transfer and light cargo loading.

The lease will provide that should the County resolve existing financial and environmental problems related to recreational use of the pier, ARCO and Exxon, subject to prior approval of the State Lands Commission, would release the pier to the County, but would retain their rights to use the pier for transportation of men and light equipment.



The purpose of this project is the removal of approximately 800 feet of the seaward portion of the pier and the leasing of the remainder to ARCO and Exxon.

2. OBJECTIVES OF THE PROPOSED PROJECT

The objective of the proposed operation is the removal of an unsightly and potentially dangerous portion of the pier from State waters while retaining and making beneficial use through lease and rehabilitation of the remaining portion. The beneficial use is to make available a facility for movement of men and light equipment involved in oil and gas exploration and development on State and Federal lands.

3. GENERAL DESCRIPTION OF THE PROJECT

The project consists of removal and dismantling of two steel oil derricks, removal of decking and support timbers, steel cross bracing and pilings. Decking and support timbers will be removed by crane; cross bracing will be removed by cutting torch; pilings will be removed to the mud line by pulling and cutting with underwater cutting torch or as a last resort, removal with explosives. Concrete oil well and derrick support caissons will be demolished by use of explosives. All concrete and rubble will be spread to allow minimum clearance of 15 feet at mean lower low water (MLLW). Timbers, piling and steel will be restored in a temporary storage yard located on a 1.9 acre parcel directly north and west of the pier and adjacent to the highway (see attached Exhibit B). This material will be stored for sale or disposal at the nearest authorized dump site.

It is proposed to do the work during the months of September, October and November, 1978.

4. DESCRIPTION OF THE ENVIRONMENTAL SETTING

Present Environment

The present environment consists of a long pier of approximately 2180 feet. The pier also contains two oil derricks. The pier is connected to a road which leads to the State Highway.

5. THE ENVIRONMENTAL IMPACT OF THE PROPOSED ACTION

The environmental impacts will be slight and of a short-term nature. These include the potential for an increase in turbidity caused by pulling of pilings from the ocean floor, potential for damage to nearby aquatic life from underwater explosive detonations to remove concrete caissons and steel supports, a slight increase in particulate matter in the immediate vicinity of the project caused by the movement of equipment and material from the project to the temporary storage site, a slight increase in air pollutants from motor vehicle and equipment exhausts, and a slight increase in noise levels from vehicular traffic and operation of equipment.

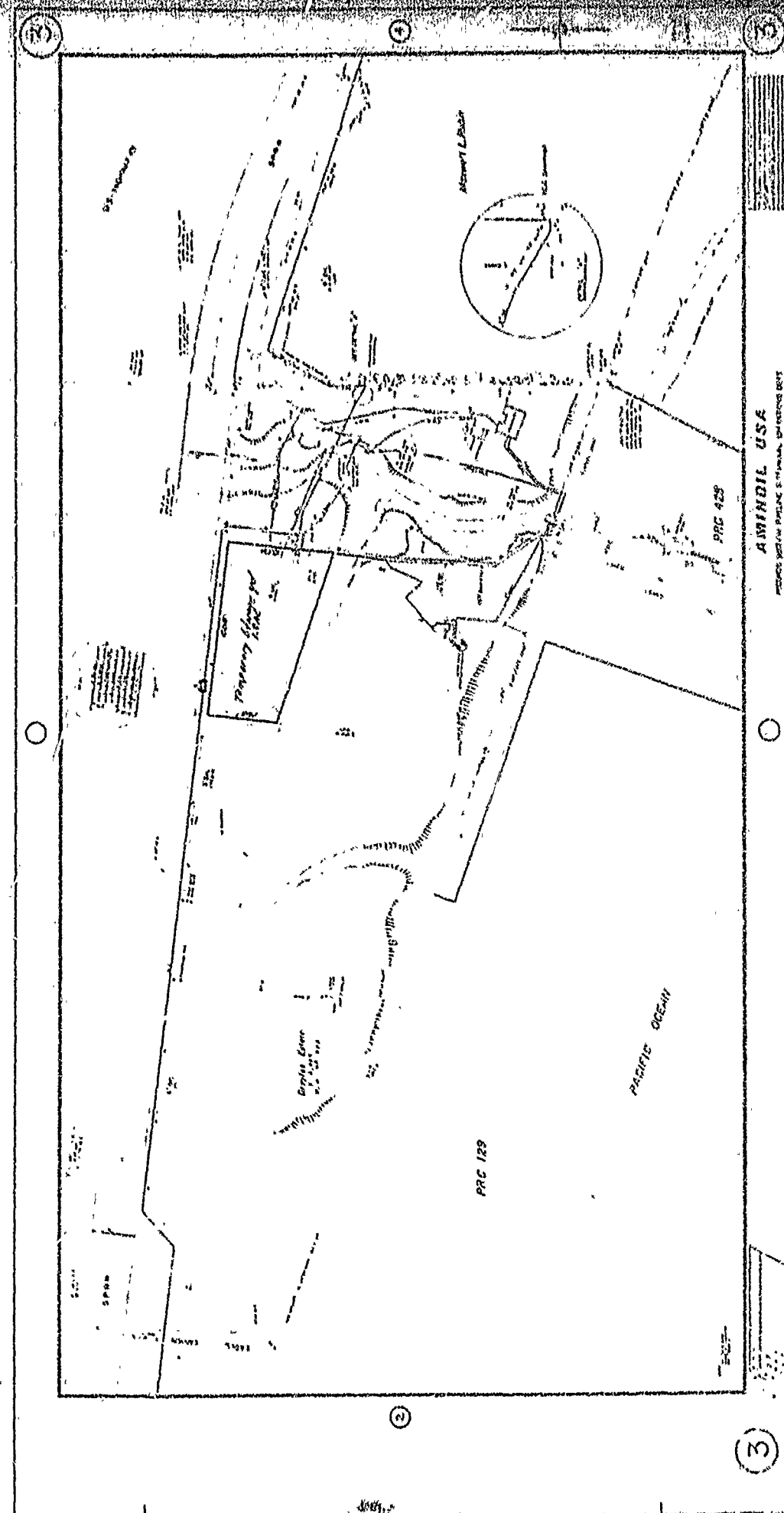


EXHIBIT B

6. ADVERSE ENVIRONMENTAL EFFECTS

The only adverse impacts from the proposed project have already been described and will be minor and of short duration.

7. MITIGATION MEASURES PROPOSED TO MINIMIZE THE IMPACT

Major mitigation measures are not needed to minimize the impact on the environment because the impacts will be minor and of short duration and most of the needed mitigation measures have been implemented in the design of the project.

The minor and relatively inconsequential adverse effects of noise and incremental air pollution from power equipment will be minimized to the fullest extent through use of noise suppression and emission control devices. Applicant will be required to obtain permits from and abide by the rules and regulations of the County of Santa Barbara, the Air Pollution Control District, Department of Fish and Game, South Central Regional Coastal Commission, Regional Water Quality Control Board, U. S. Army Corps of Engineers and U. S. Coast Guard.

8. ENERGY MITIGATION

The project in itself is a mitigation measure for it will permit removal of a dangerous and unused portion of the pier, but will also provide for renovation and continued use of the remainder by crews involved in the production of oil and gas. Continued use of this location for those purposes will probably also result in a long-term fuel savings by allowing crew and equipment embarkation from this location rather than from some other more distant site.

9. ALTERNATIVES TO THE PROPOSED ACTION

The alternative to the proposed action to remove part of the pier and restore the remainder is to remove the entire structure. This would preclude the use by oil crews and would foreclose any future recreational use by the County.

The specific alternative of "No Project" is precluded not only by the terms of the lease which requires removal when the structure is no longer needed, but also by the concepts of good planning. Removal of the old, hazardous portion and renovation of the remainder of the pier will be an improvement to the environment.

The proposed project could be postponed to some future date. The impacts of this alternative are essentially the same as those of the proposed project, except that the impacts will occur at a later date. The State has already deferred action for a substantial period to provide the County of Santa Barbara with time to develop its proposal for rehabilitation of the pier for recreational purposes. In addition to the estimated cost of rehabilitating the pier for recreational use (\$3 million), there were several

contingencies which precluded the County from developing viable plans. Such contingencies included the need for a new frontage access road, purchase of onshore supporting acreage and preparation of appropriate environmental documents, none of which was funded.

However, under the proposed project the lease to ARCO and Exxon will provide for assignment, transfer or release of the pier to the County (with ARCO and Exxon retaining rights to use the pier) if they resolve their problems.

10. THE RELATIONSHIP BETWEEN LOCAL SHORT-TERM USES OF MAN'S ENVIRONMENT AND THE MAINTENANCE AND ENHANCEMENT OF LONG-TERM PRODUCTIVITY

The cumulative and long-term effect of the proposed project will benefit the environment. No beneficial use other than that described already is presently made of the area under consideration as no limitations will be imposed. Initiation of the proposed project is justified because removal of the seaward portion of the pier and restoration of the seabed to near normal conditions will be an improvement to the environment.

11. ANY IRREVERSIBLE ENVIRONMENTAL CHANGES WHICH WOULD BE INVOLVED IN THE PROPOSED ACTION SHOULD IT BE IMPLEMENTED

There are no irreversible environmental changes which would result from the implementation of the proposed project. Use of the restored shoreward portion of the pier for transfer of men and light equipment will be a continuation of an existing use.

12. GROWTH INDUCING IMPACT OF THE PROPOSED ACTION

There will be a short-term increase in the local work force during the pier removal and restoration phase, but no increase in permanent employees. There will be no new demand on existing wastewater treatment plants, sewage disposal or further burden on existing community services.

13. ECONOMIC AND SOCIAL FACTORS

In previous paragraphs the full range of potential effects have been discussed. The conclusion has been reached that because there are no significant short-term or long term adverse effects, the proposed pier removal and restoration will have a positive long-term effect on the environment and will permit continuation of operations which are an adjunct to production of badly needed oil and gas in the area.

Attachments: Exhibit "A"
Exhibit "B"

OFFICERS

Stephen Doyle, President
Mary Lou Kason, First Vice President
William Gejner, Second Vice President
Kalon Kelley, Secretary
Richard B. Fortuna, Treasurer
Ellen Sidenburg, Executive Vice President

Out Inc. P.O. Box 1513 924 Anacapa Street

Santa Barbara

California 93160

Phone (805) 965-1510

April 11, 1978

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D. J. Everitts
Manager, Energy and Mineral
Resources Development
State Lands Division
100 Oceangate Suite 300
Long Beach, CA 90802

Dear Mr. Everitts:

Thank you for this opportunity to comment on the proposed project relative to removal of 780 feet of Ellwood Pier and the application to restore and lease the remaining 1400 feet for personnel and light cargo transfer.

It is our belief that if ARCO and EXXON are leasing the Ellwood Pier for personnel and light cargo transfer, that EXXON's proposed contract to use Gaviota Pier for a similar purpose should not be granted; that in effect, use of Ellwood pier would be substituted for that of Gaviota pier.

Gaviota pier intended usage is recreational and we do not believe that both of these piers should be used by the oil companies.

In addition to the above we would like to make the following comments:

(1) The use of explosives in the removal of pilings of the Ellwood pier would probably reactivate old seeps or create new ones in this already seep prone area.

(2) GOC suggests that all abandoned wells in this area be re-entered and tested for leaks.

(3) As a condition for approval of the project, Bird Island shall be removed at the same time.

(4) The \$75,000 estimate for restoration is inadequate and would leave the pier in an unsafe condition.

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4-11-78

(5) In Section 3, under General Description of the Project, it states

"Concrete oil well derrick support caissons will be demolished by use of explosives. All concrete and rubble will be spread to allow minimum clearance of 15 feet at Mean Lower Low Water."

In Section 11, it says,

"Removal of the seaward portion will be a restoration of the natural marine environment."

These two statements are in direct contradiction. Which is true?

Again, thank you for permitting us to make these statements.

Sincerely,

Ellen Sidenberg
Ellen Sidenberg

ES:cs

Copy to D. J. Everitts
RDM 4/14/78

File Ref.: W 9525

April 21, 1978

Mrs. Ellen Sidenberg
Get Oil Out Inc.
P. O. Box 1513
Santa Barbara, CA 93102

Dear Mrs. Sidenberg:

This is in response to your letter dated April 11, 1978, regarding the proposal to remove the outer 780 feet of Ellwood Pier and lease the remaining 1400 feet for industrial uses.

It is understood that if Exxon and ARCO are successful in obtaining a lease for the use of Ellwood Pier for personnel and light cargo transfer, Exxon would withdraw their application for use of Gaviota Pier. However, in any event before the subject of multiple use of Gaviota Pier is presented to the State Lands Commission, a full public hearing will be held in Santa Barbara County.

The use of explosives in the abandonment and removal of the outer 780 feet of the pier will be very limited. Specifically, demolition of the cement oil well derrick support caissons will require explosives; however, removal of the pilings will be attempted by pulling, cutting at the mud line with underwater cutting torch or, as a last resort, removal with explosives.

All wells which were drilled from Ellwood Pier have been abandoned in accordance with the requirements of the Division of Oil and Gas and the rules and regulations of the Commission. Further, upon completion of removal of the outer portion of the pier, an underwater inspection will be made to assure the effectiveness of the abandonments.

The removal of the remnants of a pier located on State Oil and Gas Lease PRC 421, commonly referred to as "Bird Island", is actively being discussed with the lessee. As you are aware, such structures must be delivered to the State in an acceptable condition or satisfactorily removed upon termination of the lease. The feasibility of using this abandoned structure as an artificial reef is currently being investigated. The Department of Fish and Game has

Mrs. Ellen Sidenberg
Get Oil Out Inc.

-2-

April 21, 1978

had considerable success in establishing artificial reefs in certain areas along the Southern California coast. The "toppling" or demolition of this structure "in place" may provide beneficial ecological effects.

Following removal of the outer 780 feet of the pier, the remaining 1400 feet will be restored for use in personnel and light cargo transfer. The lessees will be liable for maintaining the pier in a safe condition and for its removal upon termination of the lease. The structural integrity of the restored pier will be reviewed by a licensed structural engineer.

The last sentence of Section 11 is incorrect and will be deleted from the Initial Study.

Your critical review of this study is appreciated, and should further information be desired, please feel free to contact my office.

Sincerely,

ORIGINAL SIGNED BY
D. J. EVERITTS

D. J. EVERITTS, Manager
Energy and Mineral Resources
Development

ADW:rbm

bcc: Wm. F. Northrop

Memorandum

Mr. D. J. Everitts, Manager
Energy and Mineral Resources Development
State Lands Division
100 OceanGate, Suite 300
Long Beach, CA 90802

Date: 10 April 1978

DATE: APR 11 1978

L. DJE

GFR

Z. ADW

Enc.

FILE: 61 932-5

From : Department of Fish and Game - MRR - LB

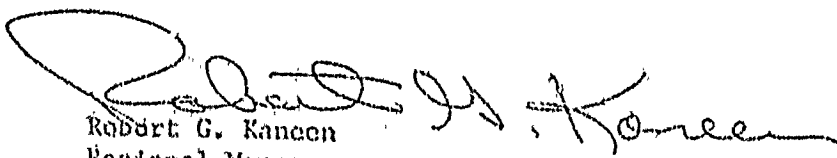
Subject: Removal of Approximately 780 Feet of the Willwood Pier

We have reviewed the initial study for the subject project and could concur with a Negative Declaration provided the following recommendations are included.

1. The removal of pilings be accomplished by the use of underwater cutting torches, if necessary, rather than by the use of explosives. This would reduce impacts to marine organisms which would result from the repeated use of explosive charges to remove 47 sets of support pilings.
2. The use of explosives to remove the existing concrete oil well and derrick support caissons is appropriate. We recommend that the minimum charge necessary to accomplish the removal be used and that all blasting and rubble spreading, if necessary, be accomplished during the same day.

A permit to use explosives in State waters will be required from the California Fish and Game Commission.

If you have any questions, please contact Mr. Rolf E. Mall, Environmental Services Supervisor. His phone number is 590-5140.


Robert G. Kaneen
Regional Manager

Copy to D. J. Everitts

Roy McClymonds, Aminoil

STATE OF CALIFORNIA

California Coastal Commission
SOUTH CENTRAL COAST REGIONAL COMMISSION
1725 COAST VILLAGE CIRCLE, SUITE 300
SANTA BARBARA, CALIFORNIA 93108
(805) 969-5828

EDMUND G. BROWN JR., Governor



May 10th, 1978

D.J. Everitts, Manager
Energy & Mineral Resources Development
State Lands Division
100 OceanGate, Suite 300
Long Beach, CA 90802

Re: Negative Declaration for Ellwood Pier

Dear Mr. Everitts:

Thank you for the additional time permitted to comment on the Negative Declaration for Ellwood Pier. We have several concerns which were not specifically addressed in the Negative Declaration. In our permit review of this project we will also require that the applicant address these same concerns relative to Coastal Act Policies. The concerns are as follows:

- 1) More information is needed on the 1.9 acre temporary storage yard.
 - a) Actual site location is not clear.
 - b) How long will it be used as a storage site?
 - c) Is it visible to Highway 101?
 - d) Most importantly the Santa Barbara County Local Coastal Program (LCP) Planning Staff has identified an area west of Ellwood Pier as native grasslands in their Draft Environmentally Sensitive Habitat Area Report of November 1977. This is not discussed in the Negative Declaration.
 - e) The temporary storage site is not discussed in any detail.
- 2) A lease arrangement providing for Santa Barbara County's Use of the pier for recreation is mentioned. However, there is no discussion of potential of future recreational impacts on Naples Reef, the tide pools or of other environmental concerns. Both Naples Reef and rocky intertidal areas have been identified and proposed recommendations made in the LCP's Draft Environmentally Sensitive Habitat Areas Report of November 1977.
- 3) We are concerned with the demolition's effects on Naples Reef, an important and sensitive marine habitat area.
- 4) The immediate use of the pier is proposed for personnel transfer and light cargo loading. How is light cargo loading defined? Are there limitations placed on type, size, or amount of cargo to be taken over the pier?

We would like to suggest a possible additional use of Ellwood Pier. As you may be aware, Clean Seas, Inc. is looking for potential locations to place

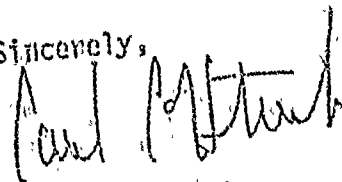
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their oil clean-up booms. Since this is an off-shore oil related activity and Ellwood Pier presently serves off-shore oil facilities, we feel that this is a very good possible location for the boom.

We further suggest that Clean Seas, Inc. operation be provided for in the lease agreement and be considered and evaluated in this environmental review.

A final reminder that a Coastal Permit is required for this proposed project. Again thank you for extending the deadline for comments. Enclosed is a copy of the LCP Draft Environmentally Sensitive Habitat Report.

Sincerely,



Carl C. Hetrick
Executive Director

Encl:

CCH/PGB/jd

Copy to D. J. Everitts (w/o attachment)
Roy McClymonds (w/attachment)
Scott Atkins " "

*Phil's letter
Staff Hammer - (instruct mainly w/ S.C.C.)*

Phil Berry

Memorandum

To : South Central Coast Regional Commission
1224 Coast Village Circle, Suite 36
Santa Barbara, CA 93108

Date : June 16, 1978

File No.: W 9525

Attention: Mr. Carl C. Hetrick
Executive Director

From : D. J. EVERITTS
STATE LANDS DIVISION
100 Oceangate, Suite 300 - Long Beach, CA 90802

Subject: Negative Declaration for Ellwood Pier

This is in reply to your letter of May 10, 1978, in which you refer to several concerns that were not specifically addressed in the Initial Study for Ellwood Pier. The concerns relative to Coastal Act Policies and replies to your queries are as follows:

(1) Re: 1.9-acre temporary storage yard.

a) Actual site location is not clear.

Ans. Please see attached map.

b) How long will it be used as a storage site?

Ans. From 30 to 60 days.

c) Is it visible to Highway 101?

Ans. If storage material is stacked to a height not exceeding 5 feet, it will not be visible from Highway 101. However, due to economics of storage and the limited time use of storage site (30 to 60 days), the visual impact is expected to be minimal. In no event will material be stacked higher than 10 feet.

d) Most importantly, the Santa Barbara County Local Coastal Program (LCP) Planning Staff has identified an area west of Ellwood Pier as native grasslands in their Draft Environmentally Sensitive Habitat Area Report of November 1977. This is not discussed in the Negative Declaration.

Ans. "Native grasslands" are not involved in this site in any way. The area is an abandoned tank-farm site.

e) The temporary storage site is not discussed in any detail.

Ans. The site, as previously mentioned, is an abandoned tank-farm site with local patches of weeds. It covers

Mr. Carl G. Hetrick

-2-

June 16, 1978

approximately 1.9 acres and will be used from 30 to 60 days for selectively stacked portions of the dismantled pier. Stacking heights will be arranged to minimize visibility from nearby U. S. Highway 101. Stacking heights will not exceed 10 feet.

- (2) A lease arrangement providing the Santa Barbara County's use of the pier for recreation is mentioned. However, there is no discussion of potential of future recreational impacts on Naples Reef, the tide pools or of other environmental concerns. Both Naples Reef and rocky intertidal areas have been identified and proposed recommendations made in the LCP's Draft Environmentally Sensitive Habitat Areas Report of November 1977.

Ans. An additional environmental impact report will be required in the event the County of Santa Barbara elects to exercise their option to use the pier for recreational purposes. In such instance, both Naples Reef and the rocky intertidal areas to which you refer would be identified and thoroughly discussed. Naples Reef lies approximately 7800 feet westerly from the pier.

- (3) We are concerned with the demolition's effects on Naples Reef, an important and sensitive marine habitat area.

Ans. Any demolition or removal program proposed will be performed only after approval of all pertinent Federal, State and local agencies. The operations will be fully observed and monitored by such agencies, including the State Department of Fish and Game, with complete regard for any and all sensitive habitat areas including the Naples Reef. However, it is not anticipated that the proposed demolition operations would have any impact on the Reef located approximately 1-1/2 miles away.

- (4) The immediate use of the pier is proposed for personnel transfer and light cargo loading. How is light cargo loading defined? Are there limitations placed on type, size, or amount of cargo to be taken over the pier?

Ans. Use of the pier will not involve any loads greater than 500 lbs. A one-half ton pickup truck will be the only vehicle used for work on or in connection with the pier.

We are aware of the present concern regarding the storage location of Clean Seas Incorporated's oil cleanup boom and of your suggestion as to use of the remainder of the Ellwood Pier for such purpose. However, we realize that considerable time may be required to finalize a decision in its regard.

Mr. Carl C. Hetrick

-3-

June 16, 1978

The decision to dismantle a portion and rehabilitate the remainder of the pier, we feel, would not preclude modification at a later date of any lease or agreement to accommodate storage of the boom.

Thank you for the Draft Report, "Environmentally Sensitive Habitat Areas", included with your letter.

ORIGINAL SIGNED BY

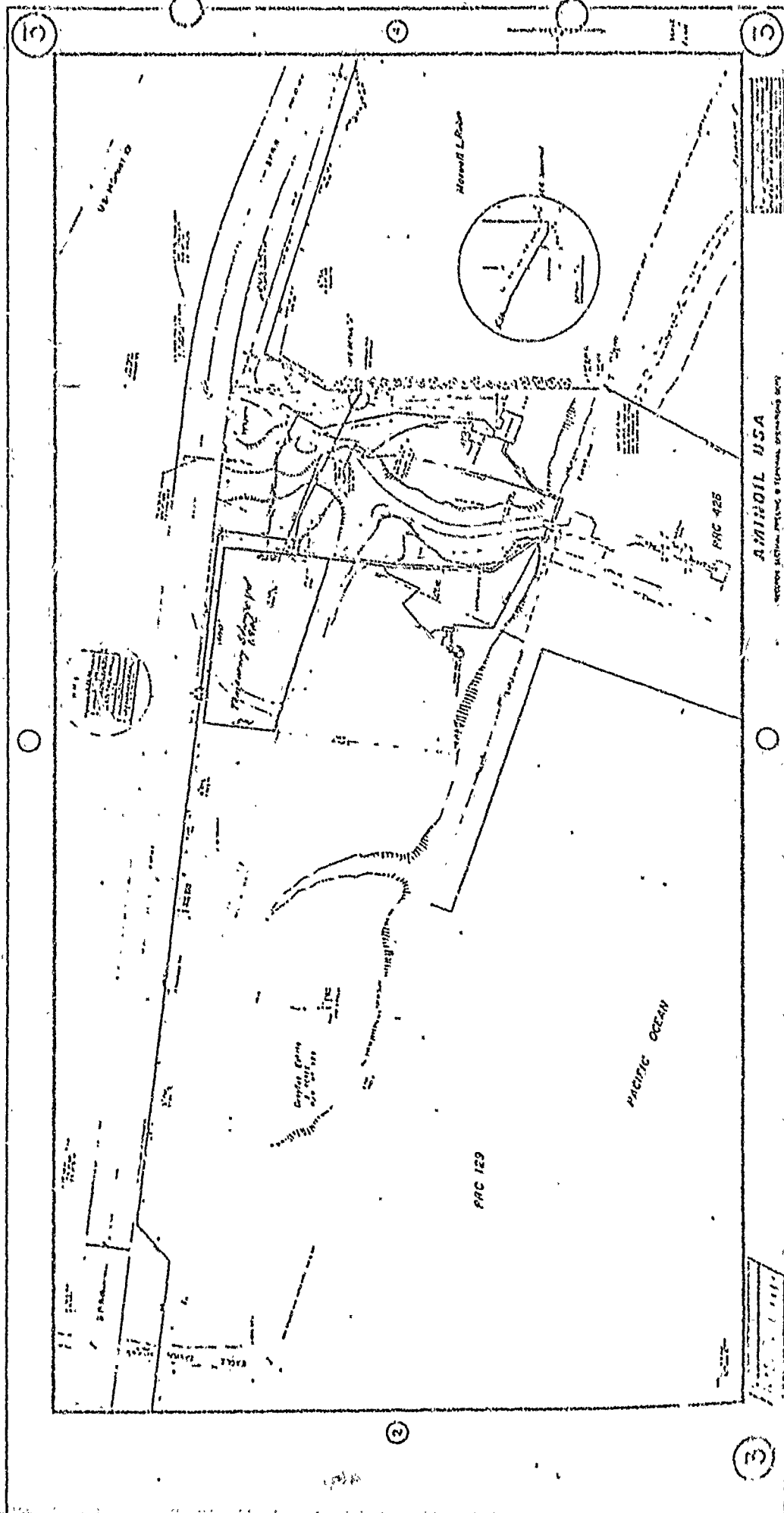
D. J. EVERITTS

D. J. EVERITTS, Chief
Division of Energy & Mineral Resources

GWG/ADW:lp

✓ Attachment

RKT



Memorandum

Date : April 11, 1978

To : D. J. Everitts
State Lands Division
100 Ocean Gate, Suite 300
Long Beach, California 90802

Subject: Elwood Pier Removal

From : Department of Conservation -- Division of Oil and Gas
Sacramento

We have reviewed the Commission's proposal to prepare a Negative Declaration covering the removal operations and issuance of a lease for continued use of Elwood pier and are in agreement with the conclusions reached in the initial study.

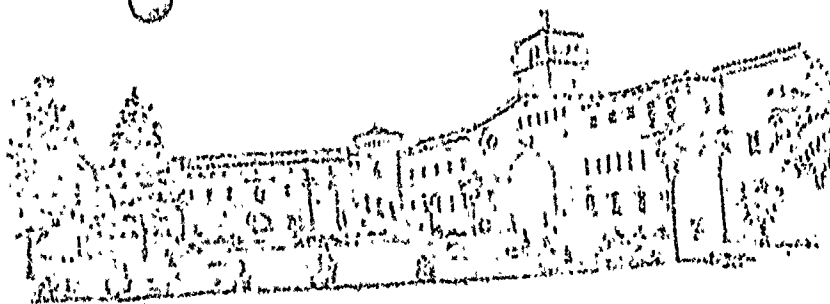
M. G. Mefferd
by J. A. Martin

M. G. Mefferd
State Oil and Gas Supervisor

Copy to D. J. Everitts-RBW
4/12/78

DATE	APR 12 1978
1 DJR	✓
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2 ADW	✓
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FILE:	W 9525

ROBERT E. KALLMAN
Chairman
Second District
DAVID YAGER
Chairman
District
WILLIAM B. WALLACE
Third District
ROBERT L. HEDLUND
Fourth District
HARRELL FLETCHER
Fifth District



HOWARD C. MINZEL
County Civil Recorder
and Ex-Officio
Clerk of the
Board of Supervisors

Telephone (805) 965-1611
Ext. 771

COUNTY OF SANTA BARBARA

BOARD OF SUPERVISORS
105 East Anapamu Street
Santa Barbara, California 93101

April 11, 1978

DATE	APR 21 1978
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CFR	<input checked="" type="checkbox"/>
200W	<input checked="" type="checkbox"/>
Enc.	
FILE	119525

D. J. Everitts, Manager
Energy and Mineral Resources Development
State Lands Division
100 Oceangate, Suite 300
Long Beach, CA 90802

Dear Mr. Everitts:

At its regular meeting of April 11, 1978, the Board of Supervisors considered your letter of March 31, 1978, regarding preparation of a Negative Declaration on the application from Atlantic Richfield Company and Exxon Company to remove the seaward 780 feet of Ellwood Pier and to restore and lease the remaining shoreward 1,400 feet for personnel and light cargo transfer.

Our comments regarding the proposed Negative Declaration for this project are:

1. Include comments from the State Department of Fish and Game on the advisability and desirability of massing rubble, instead of spreading it on the ocean bottom, to serve as a fish habitat.
2. Include comments from the State Department of Fish and Game and the scientific community on methods of minimizing and disposing of fish kills resulting from explosives used in pier demolition, as well as methods of minimizing damage to the marine environment generally in the vicinity of the pier.
3. Include assurances that no toxic substances will be introduced into the ocean either from the pier structure or demolition process and that such assurances be cleared by the State Regional Water Quality Control Board.

Robert E. Kallman
ROBERT E. KALLMAN, Chairman
Board of Supervisors

File Ref. W 9525

June 14, 1978

County of Santa Barbara
Board of Supervisors
105 East Anapamu Street
Santa Barbara, California 93101

Attention: Robert L. Kallman, Chairman
Board of Supervisors

Gentlemen:

This is in reference to your letter of April 11, 1978, which includes comments and recommendations to the Negative Declaration regarding removal of a portion and restoration of the remainder of the Hillwood Pier.

You will find attached copies of the Department of Fish and Game's letters of April 10 and May 15, 1978 which discuss to some extent, that Department's position regarding the ocean floor mapping of rubble and use of explosives. Also attached is a copy of a letter reply from the Regional Water Quality Control Board expressing their position regarding the Negative Declaration.

The Department of Fish and Game will issue a permit authorizing the proposed work and in addition to the State Lands Commission's monitoring, will have its own representative observer during the demolition and removal operation.

Yours very truly,

ORIGINAL SIGNED ~~ORIGINAL SIGNED BY~~

A. D. WILLARD

~~A. D. WILLARD~~

for D. J. INVERETT, Chief
Division of Energy and
Mineral Resources

10001bf

Encls.: / Copies F & G letters of 4/10/78 and 5/15/78
/ Copy WQCB letter of 4/13/78

Ric

Memorandum

Date: 10 April 1978

Mr. D. J. Everitts, Manager
Energy and Mineral Resources Development
State Lands Division
300 Ocean Gate, Suite 300
Long Beach, CA 90802

DATE	APR 11 1978
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From: Department of Fish and Game - PRR - LB

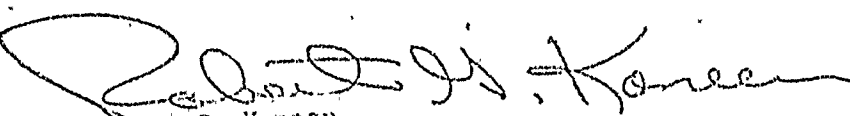
Subject: Removal of Approximately 780 Feet of the Ellwood Pier

We have reviewed the initial study for the subject project and could concur with a Negative Declaration provided the following recommendations are included.

1. The removal of pilings be accomplished by the use of underwater cutting torches, if necessary, rather than by the use of explosives. This would reduce impacts to marine organisms which would result from the repeated use of explosive charges to remove 47 sets of support pilings.
2. The use of explosives to remove the existing concrete oil well and derrick support cassions is appropriate. We recommend that the minimum charge necessary to accomplish the removal be used and that all blasting and rubble spreading, if necessary, be accomplished during the same day.

A permit to use explosives in State waters will be required from the California Fish and Game Commission.

If you have any questions, please contact Mr. Rolf E. Mall, Environmental Services Supervisor. His phone number is 590-5140.


Robert G. Kaneen
Regional Manager

Copy to D. J. Everitts.
Roy McClymonds, Aminoil

RBW
4/11/78

MARINE RESOURCES REGION
350 Golden Shore
Long Beach, CA 90802
(213) 590-5140

15 May 1978

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Mr. R. McClymonds
Aminoil USA Inc.
20101 Goldenwest
Huntington Beach, CA 92648

Dear Mr. McClymonds:

In regard to a telephone conversation with my staff on May 3, 1978, you requested clarification of our comments on the removal of the outer 780 feet of the Ellwood pier, specifically the retention of the concrete rubble within the marine environment. In regards to the retention of this material from the demolition of the concrete oil well and derrick support caissons, we offer the following observation and comment.

As stated in the environmental assessment, the concrete rubble resulting from the demolition of these structures would not be removed from the ocean floor but would be spread, if necessary, to provide an unobstructed water column of 15 feet below mean lower low water. The Department would not object to the retention of the concrete rubble within this area and we could concur with a statement that this action could provide some beneficial habitat for marine resources.

I trust this information will satisfactorily clarify our position regarding the retention of the concrete rubble.

Sincerely,

Robert G. Kancan
Regional Manager

RR:par

cc: State Lands Division, Long Beach

Copy to D. J. Everitts - RBK
5/16/78