

MINUTE ITEM

This Calendar Item No. 57 was approved as
Minute Item No. 57 by the California State Lands
Commission by a vote of 2 to 0 at its 06/07/04
meeting.

Minute Item
58

06/07/04
W40802, PRC 421
J. Hemphill
S. Curran
J. Smith
E. Gillies

ATLANTIC RICHFIELD COMPANY AND CALIFORNIA DEPARTMENT
OF FISH AND GAME
(APPLICANTS)

**Regular Item 58: Commissioners listened to staff report on
certification of an EIR and revised removal project called Bird Island.**

The item was approved as presented with a 2-0 vote.

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A 35

PRC 8527.9

06/07/04

W 40802

PRC 421.1

J. Hemphill

S. Curran

J. Smith

E. Gillies

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CONSIDER CERTIFICATION OF
A FINAL ENVIRONMENTAL IMPACT REPORT,
CONSIDER APPROVAL OF THE REVISED PRC 421 PIER REMOVAL
PROJECT BY ATLANTIC RICHFIELD COMPANY, AND CONSIDER
ISSUANCE OF A GENERAL LEASE -- PUBLIC AGENCY USE
TO THE CALIFORNIA DEPARTMENT OF FISH AND GAME,
COAL OIL POINT, SANTA BARBARA CHANNEL,
SANTA BARBARA COUNTY

APPLICANTS:

Atlantic Richfield Company (ARCO)
Attn: Mr. Tony Brown
6 Centerpointe Drive, Room 6-172
La Palma, CA 90623

California Department of Fish and Game
Attn.: Mr. Eric Larson
Belmont Marine Resources Laboratory
350 Harbor Blvd.
Belmont, CA 94002

AREA, LAND TYPE, AND LOCATION:

In accordance with the March 1, 1993, South Ellwood Transfer Agreement, Atlantic Richfield Company (ARCO) retained responsibility to remove the remnant of a PRC-421 oil drilling and production pier. ARCO revised its original proposal, as subsequently described, to now provide for the removal of the pier remnant, installation of four steel pilings on which bird roosting/nesting platforms will be attached, and installation of quarry rock to protect the bases of the pilings

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and to provide additional hard bottom substrate on the sea floor. The California Department of Fish and Game (CDFG) agreed to lease submerged lands within the PRC-421 oil and gas lease for the maintenance of the four pilings and associated bird roosting/nesting platforms and the artificial hard bottom substrate. The PRC-421 lease is located about two miles west of Coal Oil Point in the Santa Barbara Channel off the coast of Goleta, Santa Barbara County (see Exhibits A and B, attached hereto).

BACKGROUND:

The remnant of a pier built in the early 1930s on PRC-421 was substantially destroyed during a 1980 storm and is in a state of severe deterioration. During the 1950s, the wells drilled from the pier were permanently plugged and abandoned and portions of the pier were removed. Underwater inspections, completed in May 1999, revealed that the remnant structure would suffer a catastrophic collapse in the near term. One of the remaining eight concrete caissons of the pier collapsed in a March 2001 storm.

As part of the 1993 assignment of its interest in PRC-421 to Mobil Oil Corporation (Mobil), ARCO executed the South Elwood Transfer Agreement that required it to remain responsible for the removal of the remaining pier structure. Mobil subsequently assigned its interest in PRC-421 to Venoco, LLC (Venoco) in July 1997.

In 2001, ARCO proposed the complete removal of the remaining pier structure and associated subsea debris (see Exhibit C, attached hereto). As the lead agency under the California Environmental Quality Act (CEQA), the California State Lands Commission (Commission) prepared a Notice of Preparation (NOP) and Draft Environmental Impact Report (DEIR). The DEIR was completed and submitted to the State Clearinghouse for distribution to State and local agencies and made available to the public for comment in February of 2002 (SCH #2001021119). Among the project impacts identified in the original DEIR was the loss of the remaining pier structure as a roosting/nesting site for California Brown Pelicans and Brandt's Cormorants. The CDFG expressed its concern that local seabirds, including the California Brown Pelican, a Federal and State endangered species, and Brandt's Cormorant, would lose an established roosting/nesting location along this portion of the coast. The CDFG ranks the PRC-421 remnant structure 12th out of 60 mainland roosts sites for Brown Pelicans between Point Conception and the Mexican border and the only nocturnal site along the 120 kilometers of the southern California coastline.

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In response to the CDFG's concern, staffs of the Commission and the CDFG, ARCO, and environmental consultants collaborated to develop possible solutions to the marine bird impact issue. A revised project, a multi-pile arrangement that would support individual roosting/nesting platforms, was subsequently designed, which would incorporate the eight concrete caissons, the remaining seven of which would be toppled in place and covered with quarry rock. The quarry rock would provide secondary benefits of providing hard bottom substrate in the area for marine organisms and additional structural protection for the bases of the platform piles. Other portions of the original project, such as inshore debris removal, would be conducted as previously planned. ARCO submitted the redesigned project, and the CDFG agreed to be responsible for maintenance of the roosting/nesting platforms and the hard bottom substrate pursuant to a long-term lease incorporating a funding arrangement described in Paragraph 2, in "Other Pertinent Information".

On October 9, 2003, the Commission issued a NOP on the revised Proposed Project to Responsible Agencies and interested parties. A new DEIR, dated January 2004, but assigned the same Clearinghouse number as the original DEIR, was submitted to the State Clearinghouse and circulated to federal, State and local agencies and the public for review and comment during a 45-day comment period. Public hearings were held on February 18, 2004, in the City of Goleta, to receive comments on the DEIR.

The revised Proposed Project components include:

1. Removal of the wooden and steel deck structure, toppling of the seven remnant concrete caissons, modifying the existing well conductors, and removing other pier-associated seafloor debris;
2. Installation of four piles and installation of the bird roosting/nesting platforms, installation of quarry rock to form additional hard bottom substrate;
3. Transportation and recycling of debris; and
4. Completion of a final underwater survey to ensure removal of all debris from the Project site.

ARCO proposes to remove the visible remains of the remnant structures and incorporate specific components, i.e., the concrete caissons in the underwater artificial hard bottom substrate that will also protect the base of the four piles. The area provided for roosting/nesting will be approximately equal to the currently available area of 800 square feet.

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The demolition and removal of the main deck of the pier will consist of systematically cutting and removing manageable pieces with conventional mechanical and oxy-acetylene cutting and rigging. All salvaged material will be placed into bins on/or fastened to the deck of the Load Line Barge for transport to shore for recycling/disposal. The well conductor pipe will be cut and removed from one foot below the mudline, and the H-beams of the structure will be exposed below the mudline in preparation for toppling the caissons with explosives. The toppled concrete caissons will form the core of the proposed hard substrate area. Once the caissons are in place on the ocean floor, the steel piles will be driven into the substrate to support the bird roosting/nesting platforms (see Exhibit D, attached hereto). The Diamond plate will provide the roosting/nesting surface (see Exhibit E, attached hereto). The platforms are designed to be above the predicted crest elevation of the 100-year wave. Quarry rock brought in on barges from Catalina Island will be placed around the base of the pilings and the caissons to provide the additional hard bottom substrate (see Exhibit F, attached hereto).

A final underwater survey will be conducted throughout the entire site to ensure removal of all debris.

PROPOSED AUTHORIZED USE:

Removal/Installation Project:

Removal of the PRC-421 pier remnant, installation of four pilings and attached roosting/nesting platforms, and installation of additional hard bottom substrate shall be in accordance with the Proposed Project as described in the Final EIR.

New Lease:

A forty-nine (49) year Lease to the CDFG for the maintenance of four pilings, attached bird roosting/nesting platforms, and hard bottom substrate, beginning December 1, 2004, or upon completion of construction of all facilities, including the roosting/nesting platforms and quarry rock hard bottom substrate; consideration being the public use and benefit with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interest.

STATUTORY AND OTHER REFERENCES:

- A. Public Resources Code Section 6501.1; Title 2, California Code of Regulations, Section 2003(a)(4)(A); Public Resources Code Section 6819, and Title 2, California Code of Regulations, Section 2124.

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OTHER PERTINENT INFORMATION:

1. Venoco remains responsible for any future well work, including the abandonment and reabandonment of any wells located on PRC-421.
2. The projected cost of maintenance of the structures over the life of the proposed lease (49 years) has been established by Fairweather Pacific, LLC, Arco's engineering consultant. The projected cost, considering an inflation rate of four percent (4%), is \$210,000. Maintenance activities are not continuous, but occur at set points in the life of the structures, the first occurring in year eight after installation.

Funding for such costs would be provided by ARCO to an interest bearing account designated and controlled by the CDFG in consideration of a sharing, between the CDFG and ARCO, of the construction costs of the hard bottom substrate proposed as a component of the Proposed Project.

The configuration of such substrate may be slightly modified to meet the CDFG's criteria for the design of artificial reefs; based on initial consultations with California Coastal Commission (CCC) staff, the reef would be eligible for funding from the Hard Bottom Fund (Fund) established by the CCC. The staff of the CCC indicates that the Fund's current balance is \$726,500, of which approximately \$210,000 could be allocated to the construction of the new reef.

The provisions of a Memorandum of Understanding (MOU), an amendment to which is currently being processed by the CDFG and the CCC, govern the allocation of Fund monies from the CCC to the CDFG. Under the MOU, the CDFG submits a conceptual plan for a proposed reef to the CCC. Monies are made available to the CDFG if the Executive Director of the CCC approves the conceptual design of the reef.

The Commission has received, during the public comment period for the DEIR for the revised Project, letters of support for a reef in this area from both NOAA Fisheries and United Anglers.

CEQA INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15025), the staff has prepared an EIR identified as CSLC EIR No. 724, State Clearinghouse No. 2001021119. Such EIR was prepared and circulated

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for public review pursuant to the provisions of the CEQA. A Mitigation Monitoring Program has been prepared in conformance with the provisions of the CEQA (Public Resources Code section 21081.6) and is contained in Exhibit H, attached hereto.

2. Findings made in conformance with the State CEQA Guidelines (Title 14, California Code of Regulations, section 15091) are contained in Exhibit G, attached hereto.

SIGNIFICANT LANDS INFORMATION:

1. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, the staff believes that the project, as proposed, is consistent with its use classification.

EXHIBITS:

- A. Location Map
- B. Aerial Photo of Project Area
- C. Existing Structure
- D. Bird Roosting/Nesting Platform (side view)
- E. Bird Roosting/Nesting Platform Detail
- F. Hard Bottom Substrate Diagram
- G. CEQA Findings
- H. Mitigation Monitoring Program

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDINGS AND ACTIONS:

1. CERTIFY THAT AN EIR, NO. 724, STATE CLEARINGHOUSE NO. 2001021119, WAS PREPARED FOR THIS PROJECT PURSUANT TO THE PROVISIONS OF THE CEQA, THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN, AND THAT THE EIR REFLECTS THE COMMISSION'S INDEPENDENT JUDGMENT AND ANALYSIS.

CALENDAR ITEM NO. 58 (CONT'D)

2. ADOPT THE FINDINGS, MADE IN CONFORMANCE WITH TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15091, AS CONTAINED IN EXHIBIT G, ATTACHED HERETO.
3. ADOPT THE MITIGATION MONITORING PROGRAM, AS CONTAINED IN EXHIBIT H, ATTACHED HERETO.

OTHER FINDINGS:

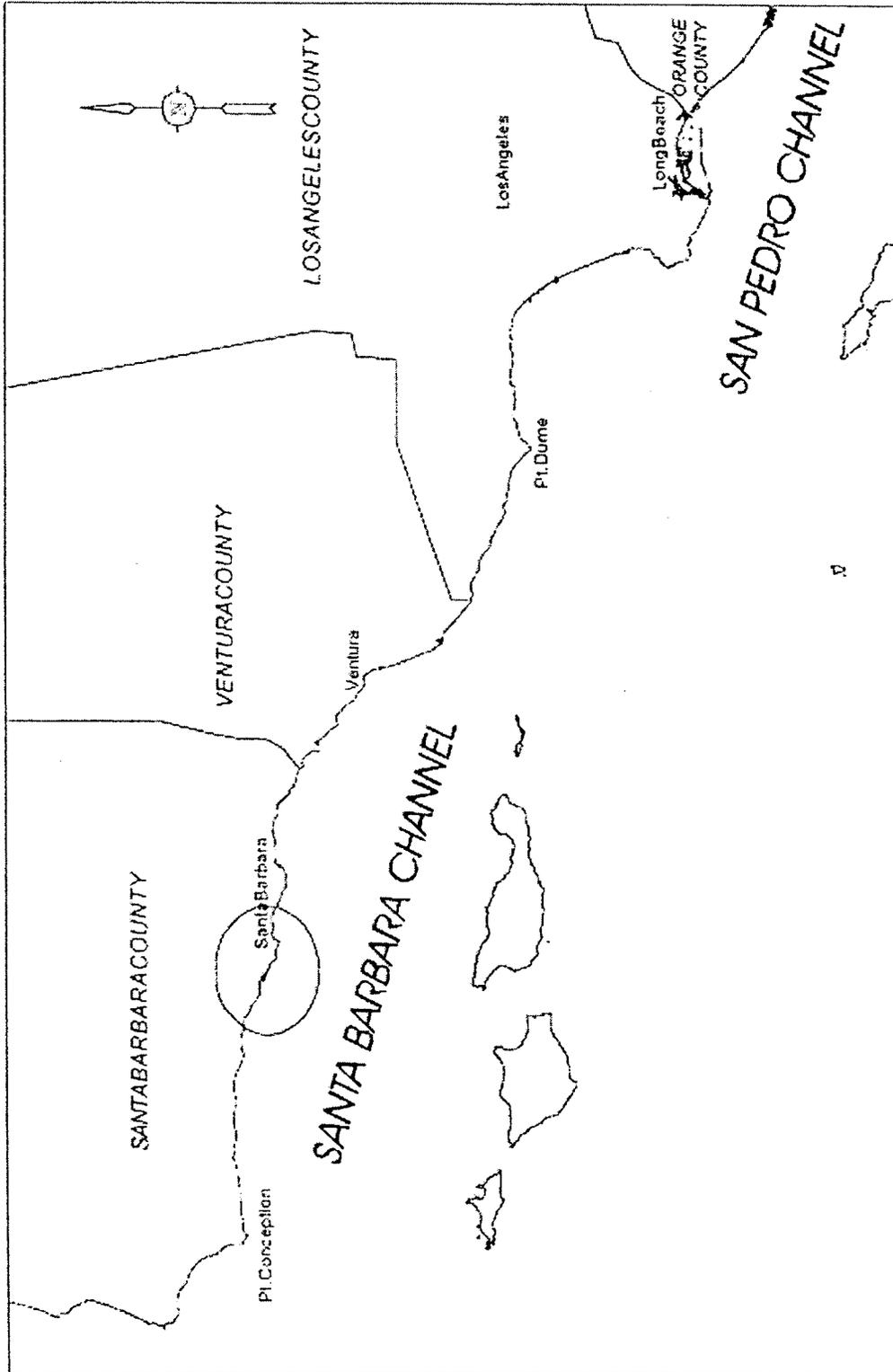
FIND THAT ISSUANCE OF A RENT-FREE LEASE TO THE DEPARTMENT OF FISH AND GAME FOR THE PURPOSES OUTLINED IN THIS CALENDAR ITEM WILL RESULT IN A STATEWIDE PUBLIC BENEFIT

SIGNIFICANT LANDS INVENTORY FINDING:

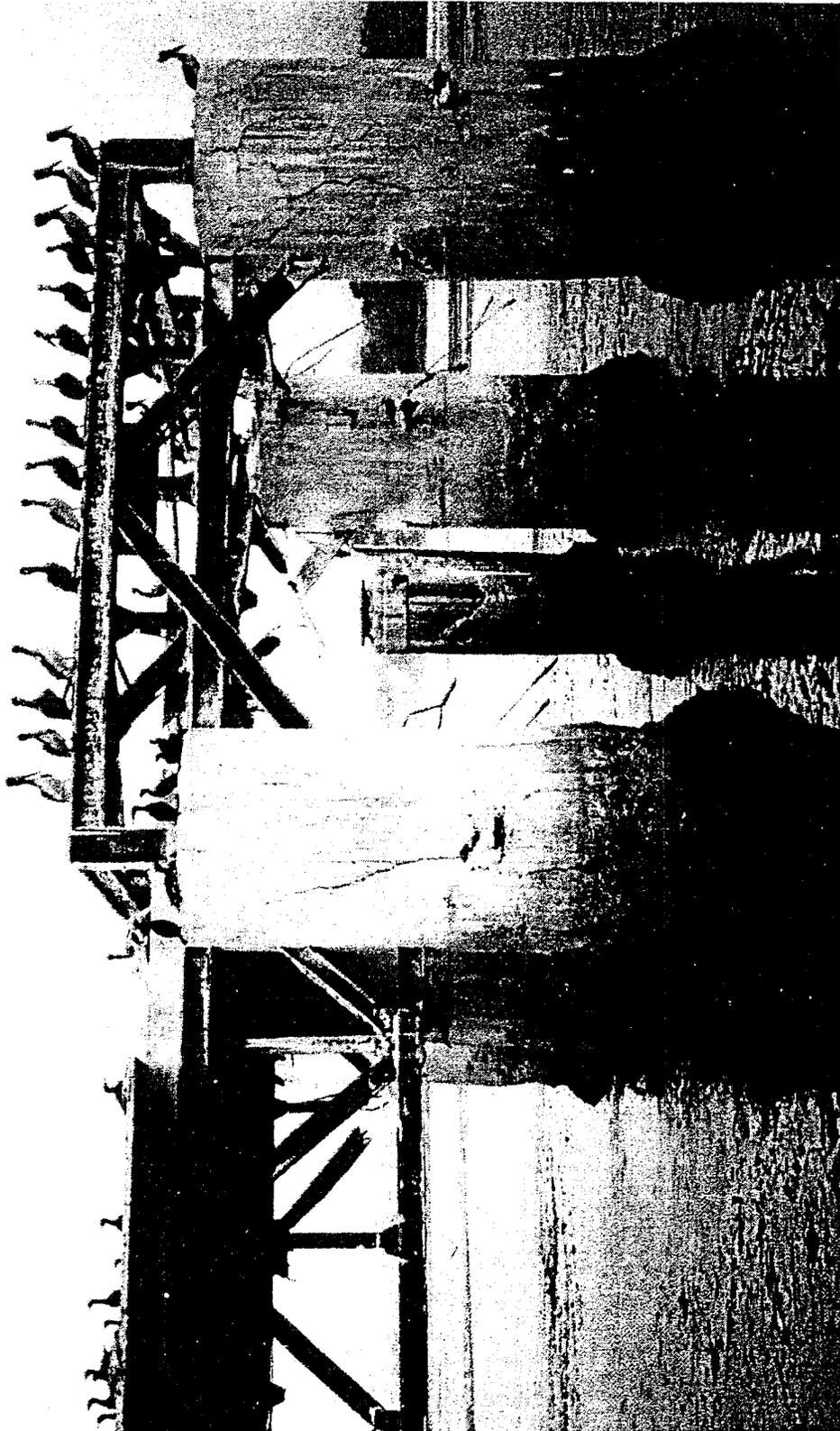
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

1. AUTHORIZE REMOVAL OF THE PRC-421 PIER REMNANT, INSTALLATION OF FOUR PILINGS AND ATTACHED ROOSTING/NESTING PLATFORMS, AND ARTIFICIAL HARD BOTTOM SUBSTRATE IN ACCORDANCE WITH THE FINAL EIR.
2. AUTHORIZE A GENERAL LEASE – PUBLIC AGENCY USE - TO THE CALIFORNIA DEPARTMENT OF FISH AND GAME FOR A TERM OF FORTY-NINE (49) YEARS, COMMENCING THE LATER OF DECEMBER 1, 2004, OR UPON COMPLETION OF CONSTRUCTION OF THE PROJECT, FOR THE MAINTENANCE OF FOUR PILINGS AND ATTACHED BIRD ROOSTING/NESTING PLATFORMS AND ARTIFICIAL HARD BOTTOM SUBSTRATE; CONSIDERATION BEING THE PUBLIC USE AND BENEFIT WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENT IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST.
3. AUTHORIZE THE EXECUTIVE OFFICER OR HIS DESIGNEE TO EXECUTE ANY DOCUMENT NECESSARY OR CONVENIENT TO IMPLEMENT THE COMMISSION'S ACTION.







Wave Conditions & Relative Elevations

(Only One Platform Shown For Clarity)

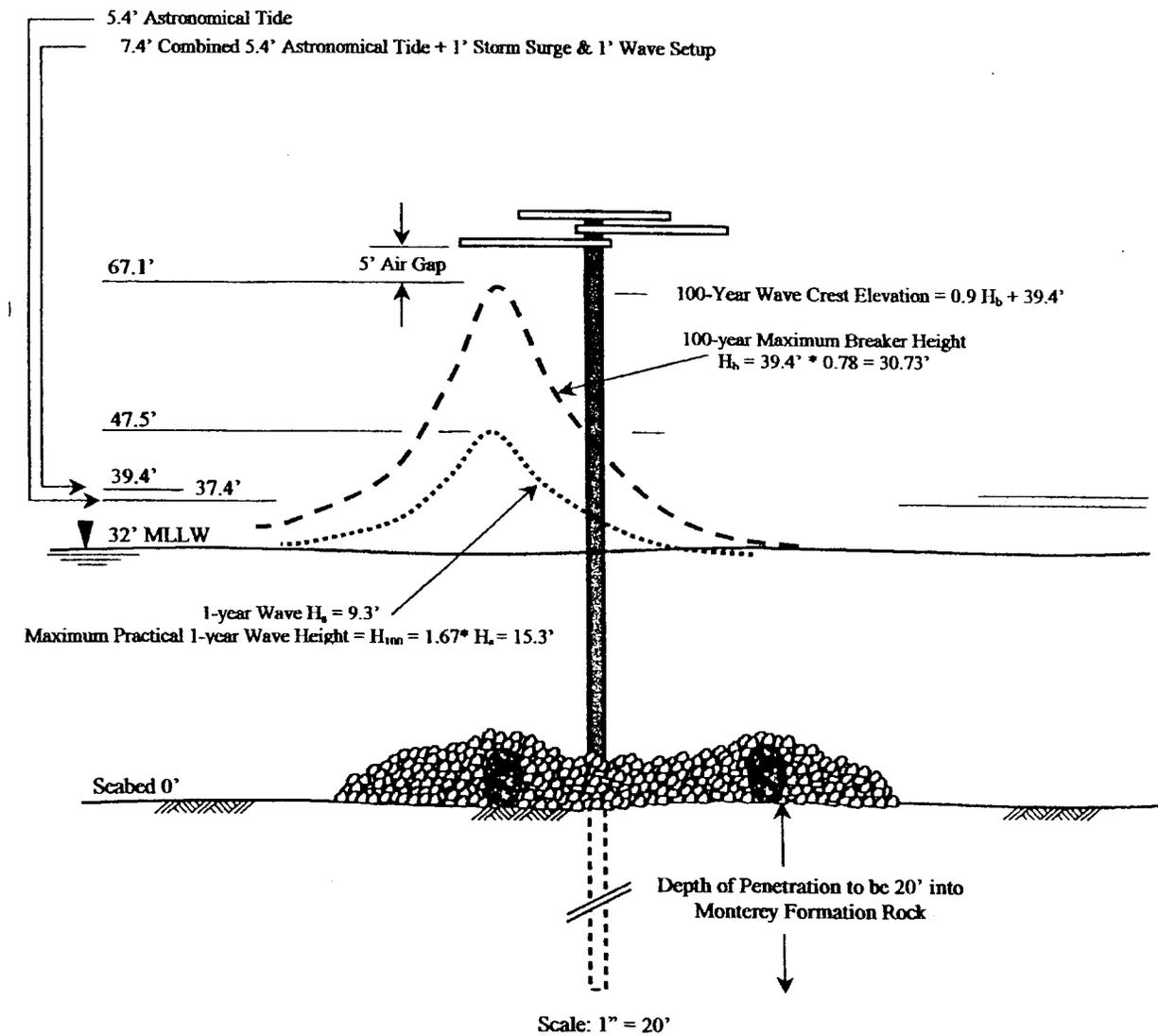
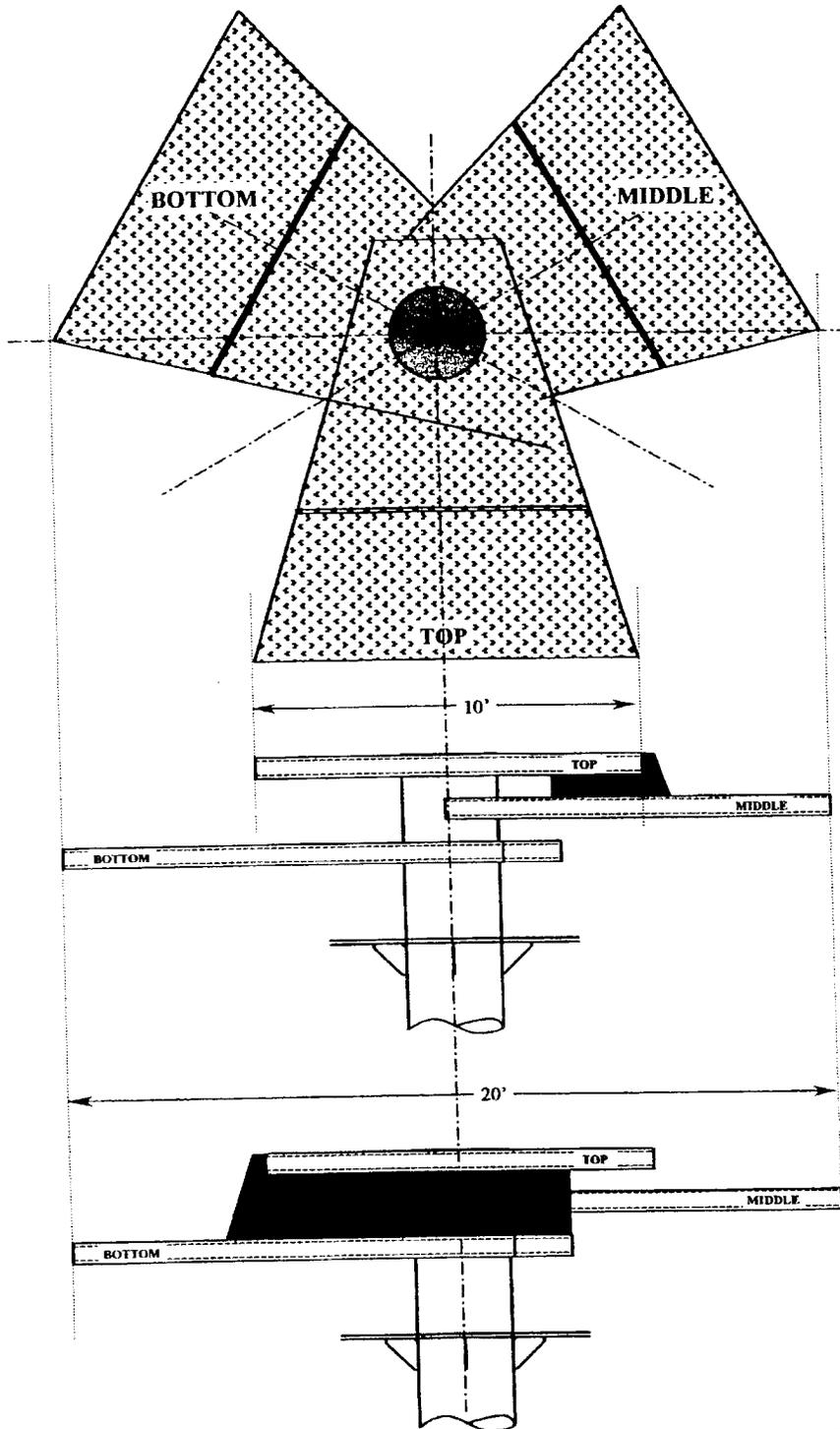


EXHIBIT E

W 40802
PRC 421.1



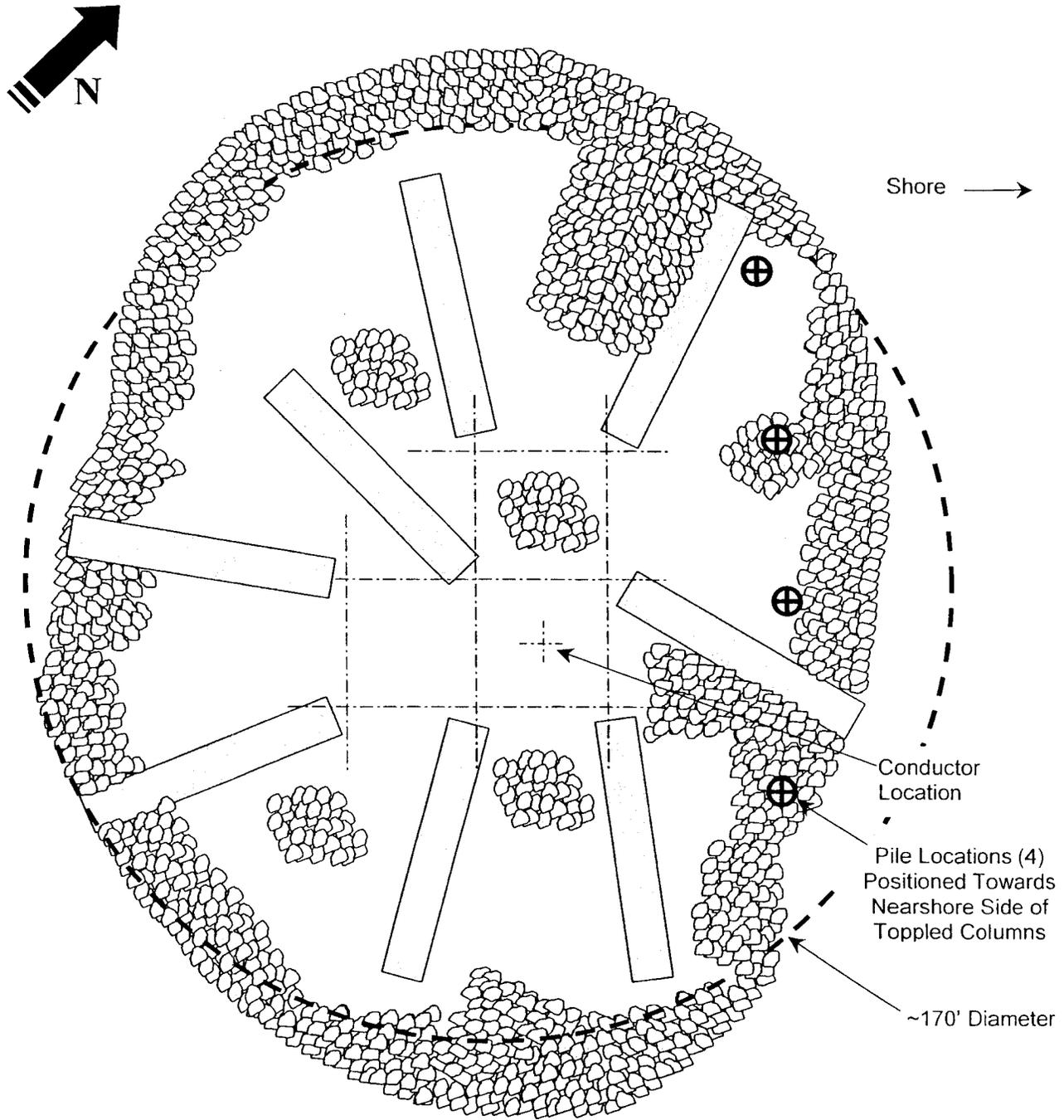
"Wind Breaks" Between TOP & MIDDLE and TOP & BOTTOM Platforms Shown In [REDACTED]
SCALE 1/2" = 1' 0"

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EXHIBIT F

W 40802
PRC 421.1



NOTE
A-500 ROCK COVER NOT SHOWN OVER ENTIRE AEA FOR CLARITY.
ROCK COVER EXTENDS BEYOND NOMINAL PERIMETER TO NW AND S.

POSSIBLE RANDOM CONFIGURATION OF
TOPPLED COLUMNS & ROCK PLACEMENT
FIGURE 3-11

EXHIBIT G. CEQA FINDINGS

Revised PRC-421 Pier Removal Project

These findings on the Revised PRC-421 Pier Removal Project (Proposed Project) proposed by Atlantic Richfield Company (ARCO) (“the Applicant”) are made by the California State Lands Commission (CSLC), pursuant to the *State CEQA Guidelines* (California Code of Regulations, Title 14, Section 15091). All significant adverse impacts of the project identified in the Final Environmental Impact Report (Final EIR) are included herein and organized according to the resource affected.

The CEQA Findings are numbered in accordance with the impact and mitigation numbers identified in the Mitigation Monitoring Program table of the Final EIR (see Appendix P of the Draft EIR, with revisions in Section 4 of the Final EIR). The CEQA Finding numbers are not numbered sequentially because some of the impacts were less than significant before mitigation (Class III) or a beneficial impact (Class IV).

For discussion of impacts, significance is classified according to the following definitions:

- **Class I** (significant adverse impact that remains significant after mitigation);
- **Class II** (significant adverse impact that can be eliminated or reduced below an issue’s significance criteria);
- **Class III** (adverse impact that does not meet or exceed an issue’s significance criteria); or
- **Class IV** (beneficial impact).

Class III and Class IV impacts require neither mitigation nor findings.

For each significant impact (i.e., Class I or II) a finding has been made as to one or more of the following, as appropriate:

- a) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.
- b) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

- c) Specific economic, legal, social, technological or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

A discussion of the facts supporting such finding(s) follows each finding.

Whenever Finding (b) occurs, the agencies with jurisdiction have been specified. These agencies, within their respective spheres of influence, have the ultimate responsibility to adopt, implement, and enforce the mitigation discussed within each type of impact which could result from project implementation. However, under the CEQA (Public Resources Code Section 21081.6), the CSLC, as the CEQA Lead Agency, has the responsibility to ensure that the mitigation measures contained are effectively implemented. Other specified State, local, regional, and federal public agencies include, but are not necessarily limited to the following:

California Coastal Commission (CCC)

California Department of Fish and Game (CDFG);

California Department of Transportation (Caltrans);

California Regional Water Quality Control Board (RWQCB);

National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NOAA Fisheries);

U.S. Army Corps of Engineers (ACOE); and

U.S. Fish and Wildlife Service (FWS).

Whenever Finding (c) is made, the CSLC has determined that sufficient mitigation is not feasible to reduce the impact to a less than significant level and, even after implementation of all feasible mitigation measures, there will or could be an unavoidable significant adverse impact due to the project. The Statement of Overriding Considerations, as required by the *State CEQA Guidelines* Sections 15092 and 15093, applies to all such unavoidable impacts.

CEQA FINDING NO. TRF-4

TRANSPORTATION

Impact: **TRF-4: The Proposed Project, like the structure it replaces, will be a hazard to navigation.**

Class: II

Finding(s): a) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

FACTS SUPPORTING THE FINDING(S)

The structural remnants at PRC-421 are a navigational hazard which is indicated on current navigation charts issued by the National Oceanic and Atmospheric Administration (NOAA). The Proposed Project, like the structure it replaces, will also constitute a hazard to navigation.

Mitigation Measure TRF-4 (NOAA Notification) requires that NOAA be notified regarding the precise location of the proposed hardbottom substrate and bird roosting/nesting platforms so that they may be indicated on all future nautical charts.

There are no recorded incidents of vessel conflicts with the existing structure. This measure will maintain the same level of information to and protection of marine vessel operators as presently exists. In addition, the existing seven, eight-foot diameter caissons will be replaced with four, 30-inch diameter pilings and installed on the nearshore side of the existing structure.

CEQA FINDING NO. HAZ-5

HAZARDS

Impact: **S-2: Potential Health hazards from use of explosives.**

Class: II

Finding(s): a) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

FACTS SUPPORTING THE FINDING(S)

The Proposed Project includes the use of explosives to topple the caissons. Use of these materials can result in a hazard to persons within the work area. An Explosives Transportation and Operations Plan is included as part of the Proposed Project. In addition, the following measure is required:

Mitigation Measure HAZ-5 (Explosives Transportation and Operation Plan Briefing) Prior to the initiation of explosive use, all personnel involved in operations around/with explosive use, i.e. work crew, marine mammal monitors, environmental compliance monitors, and State representatives, will be briefed on the procedures and requirements outlined in the Explosives Transportation and Operation Plan.

This additional measure will reduce potential health hazards associated with use of explosive materials for toppling of the caissons by ensuring that personnel in the work area in pursuit of their responsibilities regarding the implementation of the Proposed Project would be located a minimum of 150 feet from the existing structure prior to the detonation of any explosives.

CEQA FINDING NO. NOI-1**NOISE**

Impact: **NOI-1: Mobilization, demolition, recovery, and de-mobilization activities will result in increased daytime noise levels.**

Class: II

Finding(s): a) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

FACTS SUPPORTING THE FINDING(S)

The Proposed Project includes the use of a pile driver to install the piles for the bird roosting/nesting platform. This activity would generate levels in excess of noise significance thresholds at sensitive receptor locations such as the Bacara Resort and Sandpiper Golf Course. The following mitigation measure is required:

Mitigation Measure NOI-1 (Timing Restriction on Pile Driving) Consistent with County of Santa Barbara thresholds, actual pile driving shall be confined to the period between 8:00 a.m. and 5:00 p.m. on weekdays.

This measure will reduce the significance of any pile driving construction noise impacts to a level that is less than significant by requiring operations to be conducted consistent with County operational restrictions.

CEQA FINDING NO. WAT-2

WATER QUALITY

Impact: **WAT-2: The Proposed Project has the potential to increase turbidity during demolition.**

Class: II

Finding(s): a) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

FACTS SUPPORTING THE FINDING(S)

Proposed Project activities such as jetting of sediments, and toppling of the caissons would disturb ocean floor sediments and create increased, localized turbidity. The following mitigation measure is required:

Mitigation Measure WAT-2 (Minimize Jetting) Jetting of ocean floor sediments will be minimized to the furthest extent feasible. The jetted material will be placed immediately adjacent to the work area.

The amount of localized turbidity is influenced by a number of factors, including the type of sediment disturbed, e.g., fine sands and silts, the amount of sediment disturbed, and the distance sediment is transported. Sediment at the site consists of fine sands and silts that may vary in depth from zero to an estimated four feet. The amount of material disturbed will depend on its depth at the time of project implementation and the area of actual disturbance.

The application of WAT-2 will reduce water quality impacts associated sediment disturbance by minimizing both the amount of sediment that will be moved and the distance such sediments will be moved.

CEQA FINDING NO. CUM-1**CUMULATIVE IMPACTS**

Impact: **CUM-1: The Proposed Project would contribute to cumulatively significant impacts in the areas of noise and water quality.**

Class: II

Finding(s): a) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

FACTS SUPPORTING THE FINDING(S)

Should other projects in the vicinity occur at the same time as the Proposed Project, higher noise levels than predicted for the Proposed Project alone could occur. However, due to the nature of noise, and the physical distance between the identified project activities, cumulative noise levels at any given sensitive receptor are not expected to be substantially higher than the levels predicted under the Proposed Project plus ambient conditions scenario.

The Proposed Project would not contribute to a cumulative water quality impact (turbidity) as none of the other identified projects would disturb sea floor sediments.

Mitigation proposed for the reduction of Project-specific noise impacts (NOI-1) would also serve to reduce the Proposed Project's contribution to cumulative impacts. Please refer to the specific CEQA Finding NOI-1 herein.

EXHIBIT H. MITIGATION MONITORING PROGRAM

Revised PRC-421 Pier Removal Project

OVERVIEW

This Mitigation Monitoring Program (MMP) was developed to ensure that mitigation measures included in the Environmental Impact Report (EIR) are fully implemented to reduce environmental impacts to less than significant levels. The MMP complies with the requirements of Public Resources Code 21081.6, which requires the lead agency to adopt a reporting or monitoring program.

The core of this MMP is the attached Implementation Table (Table P-1) listing mitigation measures from the project's EIR, implementation timing, documentation required, and the agency responsible for monitoring. Atlantic Richfield Company of Los Angeles, CA (ARCO) will coordinate all pier removal activities directly through Fairweather Pacific and supporting contractors. ARCO will also utilize engineering and environmental consultants to assist in supervising project construction. All mitigation measures are required by the California State Lands Commission (CSLC). This program is based on the following compliance actions:

- Oversight of construction activities
- Biological (marine mammal) monitoring

BIOLOGICAL MONITOR

A biological monitor will be designated to oversee all project activities and clear the area of wildlife prior to detonation of the explosives during project operation. The biological monitor shall be approved by CSLC, and whose duties will include, but not be limited to:

1. Become familiar with the intent to each mitigation measure of the EIR.
2. Become familiar with this MMP.
3. Become familiar with the intent of each measure in the following documents that have been incorporated into the Proposed Project:
 - Anchor Mitigation and Hardbottom Avoidance Plan (Appendix C of the EIR)
 - Wildlife Protection Plan (Appendix J of the EIR)
 - Marine Mammal Contingency Plan (Appendix L of the EIR)
4. Survey PRC-421 for nesting birds, especially brown pelicans and double-crested cormorants, prior to initiation of project activities.
5. Clear the project area of wildlife, especially marine mammals, prior to detonation of the explosives.

6. Contact the construction superintendent each day to determine the work schedule.
7. Observe all work activities on a daily basis.
8. Ensure non-compliance remedies are fully implemented.
9. Alert ARCO/Fairweather Pacific staff to situations requiring temporary shut-downs or the project due to sensitive species sightings.
10. Prepare daily reports.
11. Prepare draft and final reports for submittal to CSLC.

Table P-1. Mitigation Monitoring Required by California State Lands Commission for PRC-421 Pier Removal Project - Implementation Table

Mitigation Number	Mitigation Measure	Implementation Timing	Documentation Required	Agency Responsible
Geology				
GEO-1	No mitigation required.			
GEO-2	No mitigation required.			
GEO-3	No mitigation required.			
GEO-4	No mitigation required.			
GEO-5	No mitigation required.			
GEO-6	No mitigation required.			
GEO-7	No mitigation required.			
Air Quality				
AIR-1	No mitigation required.			
Traffic				
TRF-1	No mitigation required.			
TRF-2	No mitigation required.			
TRF-3	No mitigation required.			
TRF-4	Notify NOAA regarding hardbottom substrate and bird roosting/nesting platforms for inclusion on all future nautical charts.	Prior to project construction	Record of communication with NOAA	CSLC
Biological Resources				
BIO-1	Implementation of the <i>Wildlife Protection Plan</i> (Appendix J of the EIR).	Throughout the duration of the project	<i>Wildlife Protection Plan</i> (Appendix J of the EIR) & Biological Monitoring Sheet	CSLC
	The principal investigator should not be allowed to waive the need for aerial surveying and monitoring as stated in the <i>Wildlife Protection Plan</i> in the event that a low ceiling or other factor precludes aerial monitoring. Should weather conditions or other factors prevent aerial surveying and monitoring, then no detonations should occur until such conditions subside and aerial surveying and monitoring can be conducted.	During detonation procedure	Biological Monitoring Sheet	CSLC

Mitigation Number	Mitigation Measure	Implementation Timing	Documentation Required	Agency Responsible
	Prior to each detonation of the charges, a "bubble curtain" shall be placed around the caisson area. The bubble curtain will create a continuous stream of bubbles around the perimeter of the caissons reducing the effects of the explosion on fish. It is also anticipated that the bubble curtain itself will produce enough underwater noise and visual activity to reduce the number of fish within the area surrounding the caissons prior to detonation. This will deter fish from swimming too close to the caisson during the detonation procedure.	During detonation procedure	Biological Monitoring Sheet	CSLC
BIO-2	No mitigation required. However, the following are recommended by NOAA Fisheries and shall be incorporated into the project. An underwater survey aimed at identifying white, pink and green abalone within the project area shall be conducted no more than 30 days prior to the start of the project. Searches should focus on areas within a 40-foot radius of anchoring and pile driving locations and should pay special attention to those sites that contain low and high relief rocky outcroppings.	Prior to project activities.	Survey report	CSLC
	ARCO shall contact NOAA Fisheries immediately if white, pink or green abalone are identified during the underwater dive survey. If white abalone are detected within a 40-foot radius of anchor or pile driving locations, project activities should halt until the animals have been relocated or another appropriate alternative has been identified.	Prior to project activities.	Survey report	CSLC
	ARCO shall advise NOAA Fisheries of survey results immediately following completion and submit copies of its underwater survey results to NOAA Fisheries within 90 days of completion.	Prior to project activities.	Survey report	CSLC
BIO-3	No mitigation required. Assuming implementation of the <i>Oil Spill Contingency Plan</i> (Appendix M of the EIR)	Throughout the project duration	<i>Oil Spill Contingency Plan</i> (Appendix M of the EIR) & Periodic notes to the file after site visitation.	CSLC
BIO-4	No mitigation required.			
BIO-5	Determination of presence or absence of nesting birds on the structure shall be conducted by a State-approved biological monitor. If it is determined that at the scheduled time of Project implementation	Prior to project implementation	Biological Monitoring Sheet	CSLC

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Mitigation Number	Mitigation Measure	Implementation Timing	Documentation Required	Agency Responsible
	immature birds still occupy their nests at the structure, the Project shall be postponed until all the birds have left.			
BIO-6	The <i>Anchor Mitigation & Hardbottom Avoidance Plan</i> shall be implemented (Appendix C of the EIR).	During project implementation	<i>Anchor Mitigation & Hardbottom Avoidance Plan</i> shall be implemented (Appendix C of the EIR) & Periodic notes to the file after site visitation	CSLC
	A State-approved construction or biological monitor shall confirm that the areas to which the anchors are flown are located at the pre-determined anchor placement locations.	Prior to project implementation	Biological Monitoring Sheet	CSLC
	The anchor locations shall be ground-truthed by a diver immediately prior to Project operations in order to determine whether anchor site revisions could reduce kelp and hardbottom habitat impacts.	Prior to any anchor placement activity throughout the duration of the project	Diver report	CSLC
	Prior to installing the temporary mooring buoys, a diver-biologist survey will be conducted to ensure that kelp and hard bottom substrate is avoided.	Prior to project implementation	Diver-biologist report	CSLC
BIO-7	Within two weeks prior to anchoring vessels, cut kelp to a depth of 1.2 m (4 ft) below the sea surface, along the inshore anchor corridors.	Two weeks (or less) prior to any anchor placement activity throughout the duration of the project	Biological Monitoring Sheet	CSLC
	Pre-position the inshore anchors and secure the anchors to the vessels via "soft line" (wire rope is acceptable) from a pennant buoy attached to the anchor.	Prior to any anchor placement activity throughout the duration of the project	Biological Monitoring Sheet	CSLC
	Any kelp habitat lost due to project activities will be reported to the NMFS pursuant to Section 305(b) of the Marine Fishery Conservation and Management Act (MFCMA).	Throughout duration of the project	Biological Monitoring Sheet	CSLC/NMFS
	The imported rock fill around well no. 4, which has kelp attached to it, will not be removed.	Upon project completion	Biological Monitoring Sheet	NMFS

Mitigation Number	Mitigation Measure	Implementation Timing	Documentation Required	Agency Responsible
	<p>A mitigation program will be implemented for significant kelp lost from natural substrates. Mitigation for kelp lost on man-made substrate will not be required because these kelp beds would not have occurred naturally. The program will include:</p> <ul style="list-style-type: none"> - A pre- and post-Project underwater biological survey will be conducted to determine the number of kelp plants (growing on natural substrate) that was lost during Project activities. The results of the post-Project survey and the comparison with pre-Project conditions will be used to establish the need for a kelp restoration plan. Maps of hardbottom and kelp features prior to project implementation have been provided in Figures 4.1-1 and 4.4-3 and will be updated no more than 30 days prior to initiation of project removal activities. Maps of these features subsequent to the project will be provided in the Project Completion Report (to be completed within three months following completion of removal of the PRC-421 pier remnants). - The need for any kelp replacement will be based upon a methodology and significance criteria to be pre-approved by the applicable permitting and regulatory agencies (e.g., CSLC, CCC, NMFS). <p>If determined necessary, kelp replacement may be accomplished through artificial attachment of juveniles or subadult plants to substrate within the affected area or other method approved by the permitting and resources agencies. (The University of California Santa Barbara and Kelco have developed methods and successfully completed transplants by attaching recruit, juvenile, and adult plants to rock substrate.)</p>	<p>Before project implementation, during the project and after project implementation</p>	<p>Biological Monitoring Sheet</p>	<p>CSLC</p>
Hazards				
<p>HAZ-1</p>	<p>No mitigation required, assuming implementation of the <i>Explosive Transportation and Operations Plan</i>.</p>	<p>During the caisson toppling phase of the Proposed Project.</p>	<p><i>Explosive Transportation and Operations Plan</i> (Appendix E).</p>	<p>CSLC</p>

Mitigation Number	Mitigation Measure	Implementation Timing	Documentation Required	Agency Responsible
HAZ-2	No mitigation required, assuming implementation of the <i>Explosive Transportation and Operations Plan</i> .	During the caisson toppling phase of the Proposed Project.	<i>Explosive Transportation and Operations Plan</i> (Appendix E)	CSLC
HAZ-3	No mitigation required, assuming <i>Oil Spill Contingency Plans</i> are in place.	Throughout duration of the project	<i>Oil Contingency Plan</i> (Appendix M)	CSLC
HAZ-4	No mitigation required.			
HAZ-5	Prior to the initiation of explosive use, all personnel involved in operations around/with explosive use will be briefed on the procedures and requirements outlined in the <i>Explosives Transportation and Operation Plan</i> . Briefing includes but is not limited to work crew, marine mammal monitors, environmental compliance monitors, and state representatives.	Prior to explosive use	<i>Explosive Transportation and Operations Plan</i> (Appendix E)	CSLC
HAZ-6	No mitigation required.			
HAZ-7	No mitigation required.			
HAZ-8	No mitigation required.			
Noise				
NOI-1	Consistent with County thresholds, pile driving shall be confined to the period between 8:00 a.m. and 5:00 p.m. on weekdays.	During pile driving activities	Daily Site Monitoring Reports	CSLC
NOI-2	Notify the affected public in advance of the detonations in order to reduce potential disturbance/annoyance. Notification shall include placing warning signs at ingress points to Haskell's Beach, at the Sand Piper Pro Shop, at the Bacara Resort, and in the County Parks. The signs shall indicate that a total of eight detonations will occur, the construction window, and the estimated intensity/loudness of the detonations. The signs will not that explosions will be preceded by a warning siren from the workboat at the pier.	Prior to initiation of project activities	Copy of notices will be kept in file	CSLC
NOI-3	No mitigation required.			
Aesthetics				
VIS-1	The project proponent shall conduct an educational outreach program to inform the public about the project and the construction activities. This would include notifying the media, commercial facilities, and residents in the area about the type and duration of construction activities a month prior to beginning pier removal	One month prior to initiation of project activities	Copy of notices will be kept in file	CSLC

Mitigation Number	Mitigation Measure	Implementation Timing	Documentation Required	Agency Responsible
	activities. Temporary notices would also be posted along the shore at all nearby beach accesses.			
VIS-2	No mitigation required.			
Cultural Resources				
CUL-1	No mitigation required.			
CUL-2	No mitigation required.			
Recreation				
REC-1	No mitigation required.			
REC-2	No mitigation required.			
REC-3	No mitigation required.			
REC-4	No mitigation required.			
REC-5	After completion of the Proposed Project, the U.S. Coast Guard will be contacted so that boaters may be advised, through the Local Notice to Mariners, that the construction hazard is no longer present, but a new permanent nearshore object is present.	After completion of the Proposed Project.	A copy of the Notice will be kept in the file	CSLC
REC-6	No mitigation required.			
REC-7	No mitigation required.			
Water Quality				
WAT-1	No mitigation required.			
WAT-2	Jetting of ocean floor sediments will be minimized to the furthest extent feasible. The jetted material will be placed immediately adjacent to the work area.	During project implementation	Periodic notes to the file after site visitation	CSLC
WAT-3	No mitigation required.			
WAT-4	No mitigation required.			
Environmental Justice				
	No mitigation required.			