CALENDAR ITEM

C21

A	67	06/28/10
		W 26419
S	35	J. Brown

GENERAL PERMIT - SAND REMOVAL USE

APPLICANT:

Aera Energy LLC
Corbin Weed
20101 Goldenwest Street
Huntington Beach, CA 92648

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in the Bolsa Chica tidal inlet, near the intersection of Pacific Coast Highway and Seapoint Avenue, Orange County.

AUTHORIZED USE:

Removal of up to a maximum of 10 cubic yards of sand annually from an existing sand bar in the Bolsa Chica tidal inlet.

PERMIT TERM:

Five years, beginning June 28, 2010.

CONSIDERATION:

The public health and safety; 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.

SPECIFIC PERMIT PROVISIONS:

Insurance:

Public liability insurance in an amount not less than $1,000,000.

Other:

Annual removal of sand will be subject to Commission staff review and approval.

Annual placement of a temporary stair accessway across the bank protection to the sand bar location in the Bolsa Chica tidal inlet will be allowed.

OTHER PERTINENT INFORMATION:

1. Applicant has permission to access the uplands adjoining the permit area.

2. The Applicant has applied to the Commission to place a portable stairway and to remove up to 10 cubic yards of sand material annually, to use in support of routine pipeline maintenance at a nearby location.

3. Sand accumulates annually within the Bolsa Chica full tidal basin and forms a sand bar within a short distance of the inlet. The sand bar is subject to periodic removal to maintain a full tidal regime in the Bolsa Chica wetlands. In order for a small work crew to access the sand bar safely, Aera proposes to place a portable stairway over an existing concrete cap covering the riprap down to the sand bar. A small work crew will use hand shovels to place sand in geotextile bags that will be temporarily placed on a pallet on the sand bar. A boom truck will be used to place the portable stairway and later to remove the pallet containing filled sandbags from the sandbar onto the bed of the boom truck and to remove the stairway. The annual sand removal will be performed during low tide and is expected to be accomplished in a single day.

4. Sand bags will be small, non-toxic, high strength, woven geotextile material and when filled each will hold approximately 50 pounds of sand material. Geotextile bags have been successfully used throughout the United States for pipeline supports and other applications.

5. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of CEQA as a categorically exempt project. The project is exempt under Class 4, Minor Alterations to Land, Title 14, California Code of Regulations, section 15304. Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300.

6. The Bolsa Chica tidal inlet area was included in the 1997 purchase of lands acquired for the specific purpose of restoration as tidal wetlands as mitigation for development at the Ports of Los Angeles and Long Beach. Although the Commission considers all lands "significant" by nature of their public ownership, use classifications, specifically designed to protect the significant environmental values of the area designated, are not assigned unless such lands have been identified as possessing significant environmental values pursuant to Public Resources Code sections 6370-6377. The Bolsa Chica lowlands have been subjected historically to

intensive modifications that eliminated its wetlands function, including, but not limited to, oil and gas production and elimination of its access to the ocean. Accordingly, the area was neither identified pursuant to Public Resources Code sections 6370-6377 nor assigned a use classification; therefore, the finding of the project's consistency with the use classification as required by Title 2, California Code of Regulations, section 2954 is not applicable.

APPROVALS OBTAINED:

None

FURTHER APPROVALS REQUIRED:

California Coastal Commission, California Regional Water Quality Control Board, U.S. Army Corp of Engineers

EXHIBITS:

A. Site and Location Map

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

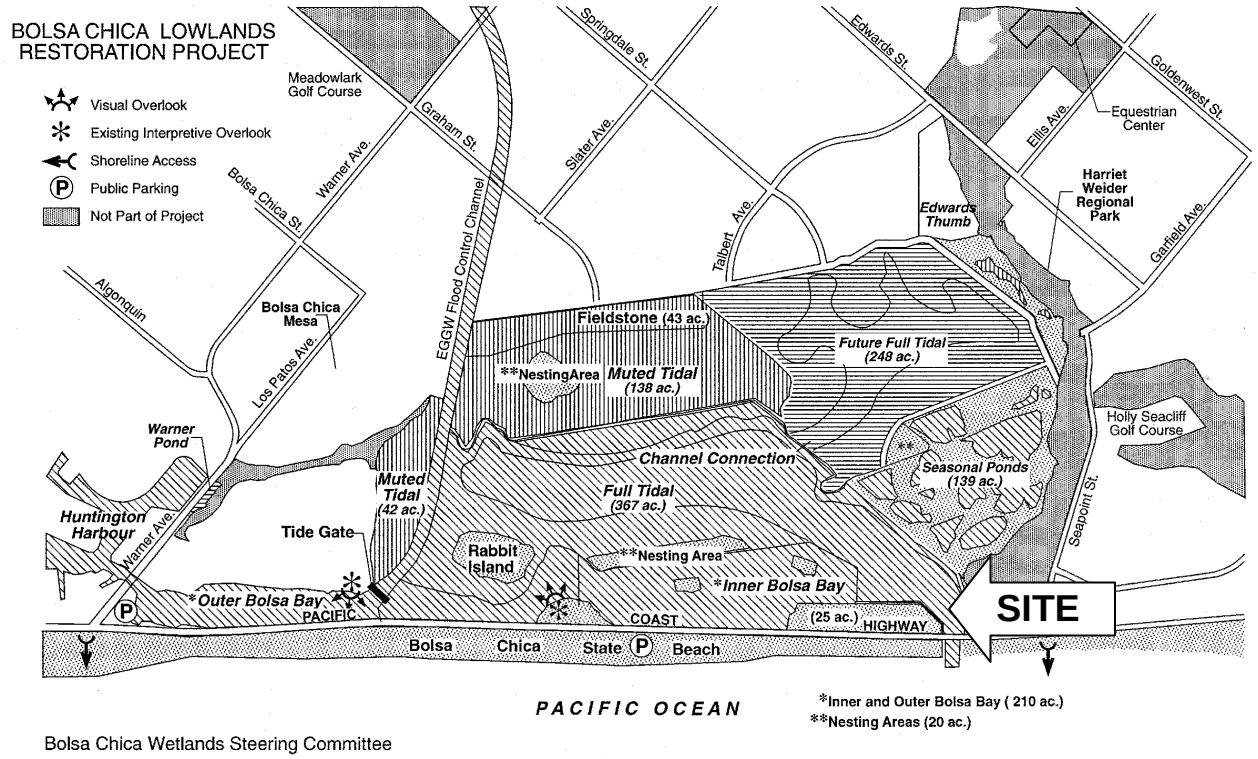
Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of CEQA as a categorically exempt project. The project is exempt under Class 4, Minor Alterations to Land, Title 14, California Code of Regulations, section 15304. Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300.

AUTHORIZATION:

Authorize Issuance of a General Permit – Sand Removal Use to Aera Energy LLC beginning June 28, 2010, for a term of five years, for placement of a temporary, portable stairway access and collection of a maximum of 10 cubic yards of sand annually for routine pipeline maintenance purposes as shown on Exhibit A attached (for reference purposes only) and by this reference made a part hereof; consideration being the public health and safety 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; public liability insurance not less than $1,000,000; annual removal of sand will be subject to review and approval by Commission staff.

NO SCALE

SITE

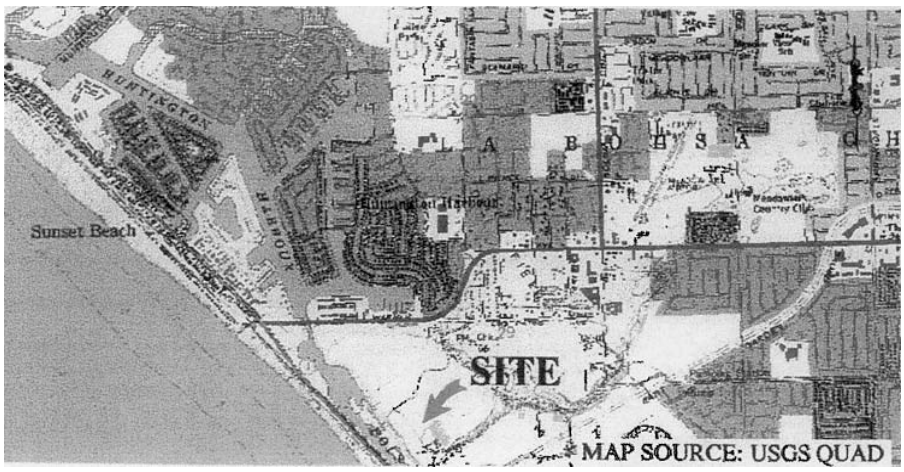


Bolsa Chica Wetlands Steering Committee

BOLSA CHICA LOWLANDS RESTORATION PROJECT

NO SCALE

LOCATION



This exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties, and is not intended to be, nor shall it be construed as a waiver or limitation of any State interest in the subject or any other property.

Exhibit A

W 26149

Aera Energy LLC

BOLSA CHICA

ORANGE COUNTY

JB 8/06