

CALIFORNIA COASTAL COMMISSION

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 Hearing Date: 11/16/06
 Commission Action:



STAFF REPORT: PERMIT AMENDMENT

APPLICATION NO.: 4-02-251-A2

APPLICANT: Santa Barbara County, Parks and Recreation Department

PROJECT LOCATION: 5986 Sandspit Road, Goleta Beach County Park, Goleta

DESCRIPTION OF PROJECT PREVIOUSLY APPROVED: Revise Special Condition One of Coastal Development Permit 4-02-251, as amended by 4-02-251-A1, to Retain 600 lineal feet of rock riprap placed at Goleta Beach County Park under Emergency Permit No. 4-02-251-G, for a 30-month temporary term.

PREVIOUSLY AMENDED FOR: Retain an additional 350 lineal feet of rock riprap placed under Emergency Permit No. 4-05-005-G for a one-year temporary term. The expiration of the temporary term shall coincide with the expiration of the temporary term for the originally permitted 600-foot long revetment.

DESCRIPTION OF AMENDMENT: Retain 950 lineal feet of rock rip rap placed at Goleta Beach County Park under Emergency Permit Nos. 4-02-251-G and 4-05-005-G for an additional term of 18 months, thereby in effect until January 14, 2008.

LOCAL APPROVALS RECEIVED: Santa Barbara County Planning and Development.

SUBSTANTIVE FILE DOCUMENTS: Coastal Development Permit 4-02-251 (Santa Barbara County); Material Amendment 4-02-251-A1 (Santa Barbara County).

MOTION & RESOLUTION: Page 5

SUMMARY OF STAFF RECOMMENDATION: Staff recommends **APPROVAL** of the proposed amendment to Coastal Development Permit (CDP) 4-02-251 (as previously amended by 4-02-251-A1) with revision to Special Condition One (1), *Term of Permit; Subsequent Removal of Revetment*, to authorize the temporary retention of 950 lineal feet of rock revetment at Goleta Beach for an additional 18 months. The term of the amended permit, as described in Special Condition One, will expire January 14, 2008.

The proposed project is located within the County of Santa Barbara, an area where the Commission has certified a Local Coastal Program. However, this specific project falls within the Commission's retained jurisdiction because it is located on lands that are periodically seaward of the mean high tideline. Therefore, the standard of review for the proposed amendment application is the Chapter Three policies of the Coastal Act.

In approving CDP 4-02-251 and 4-02-251-A1, the Commission found that insufficient information existed to fully analyze the potential impacts that the permanent retention of the revetment may

have on shoreline processes and biological resources at Goleta Beach and long-term alternatives that may be available. The County, therefore, proposed, and the Commission approved, retention of the revetment for a temporary 30-month term in order to allow for protection of the park facilities while technical studies were conducted to address coastal erosion at Goleta Beach. Prior to the 30-month term ending July 14, 2006, Special Condition One of the permit required the applicant to submit either: 1) a complete application to retain the subject revetments permanently, 2) a complete application for an alternative project to address erosion at Goleta Beach, and/or 3) a complete application to remove the subject revetments.

In order to file a complete application consistent with Special Condition One, Special Condition Two of CDP 4-02-251 required the applicant to provide detailed studies of the impacts of the revetments at Goleta Beach, and of alternatives to these revetments within the 30-month term of the permit. Specifically, Special Condition Two requires the applicant to undertake the studies under the following general topics: Intertidal and Sand Beach Ecosystem Study, Sediment Transport Study, and Kelp Studies. The information underlying such studies would include beach and nearshore profiles, sediment budgets, long-term nourishment programs, and kelp identification and mapping. The studies must further include information to assess *beach nourishment* and *managed retreat* alternatives. The studies must also include measures to addresses individual and cumulative impacts of each potential alternative on the intertidal and sandy beach ecosystems.

The subject amendment is for the temporary retention of the 950-ft long revetment because the temporary term of the CDP 4-02-251 expired on July 14, 2006, and the applicant did not provide a complete application as required by Special Condition 1. Instead, the County submitted an amendment request June 16, 2006 (prior to expiration of the term) to extend the timeframe for an additional 18 months in order to complete the studies required in Special Condition 2.

Within the designated 30-month timeframe, the County has undertaken a public visioning process for Goleta Beach County Park to address long-term solutions to the erosion problem at Goleta Beach, and is presently in the process of preparing an Environmental Impact Report that will provide comprehensive impact and alternatives analyses, and allow for finalization of the technical studies required pursuant to Special Condition 2. The County has informed Commission staff that the Goleta Beach Master Plan process, and thus preparation of the Environmental Impact Report, has been significantly delayed in relation to the scheduled contemplated in CDP 4-02-251, as approved by the Coastal Commission on January 14, 2004. In December 2005, the Santa Barbara County Board of Supervisors heard staff presentations on the two-year working group process whereby park and shoreline protection alternatives were developed. The Board approved moving forward with the environmental review with two project alternatives to be reviewed on a co-equal basis to be developed consistent with the Coastal Commission's permit condition requirements for data, studies, and impact evaluation. The EIR scoping document was developed and circulated for public review and a scoping hearing was held on May 11, 2006. The draft EIR preparation commenced at the end of June 2006 and is currently in progress.

The extension of the term of the permit for an additional 18 months is for the express purpose of allowing the County to fold the study requirement together with the Environmental Impact Report (EIR) studies and analysis that will provide data pursuant to Special Condition Two. The County and the Commission concur that undertaking and completing the studies required by Special Condition 2 will better enable all concerned parties to evaluate relevant information that is presently unavailable and thereby arrive at better informed decisions concerning the long term solution to management of Goleta Beach.

Given the extent of community involvement through the Master Planning process and local hearings, the applicants have not completed the studies in the required 30-month timeframe. As a

result, sufficient information has not been generated that would allow staff to make a comprehensive recommendation on shoreline protection at this time. In its 2004 approval, the Commission concurred with County staff that given the lack of information concerning coastal erosion and alternative solutions at Goleta Beach County Park, and the County's desire to clarify objectives for the park's future, that a period of study and analysis would be the best option to allow decision makers to address a long term solution for erosion management at Goleta Beach. The Commission also found that protection of the park facilities during this limited term was necessary as the unplanned destruction of the park and its facilities could significantly impact coastal resources and any plan for retreat or removal of facilities would require significant funds, planning, and approvals from local, State, and Federal authorities that could not immediately be provided.

Additionally, a lack of information currently exists to make temporary erosion control options feasible for protection of Goleta Beach County Park for the additional 18-month temporary term of permit 4-02-251. The County has stated that without the revetments, existing structures at the park are in danger of serious damage or destruction due to further wave attacked and associated beach erosion. The temporary retention of the revetment will ensure that public facilities at Goleta Beach County Park, including parking and public restrooms, are not further damaged while studies evaluate the best long-term solution to erosion of the adjacent beach area.

As a shoreline protective device, the temporary retention of the revetments raise issues with respect to protection of marine resources, areas of special biological significance, coastal aquatic resources, recreation, public access, and/or visual resources. The Commission previously found that the retention of the 950-ft long rock revetment for a temporary period of 30 months was consistent with the Coastal Act. The subject amendment request represents an additional extension of time to maintain the temporary revetment. The Commission has previously found that protection of the park facilities is necessary during the limited term allowed to complete studies of Goleta Beach. The proposed extension of time is necessary to further protect the park for the remainder of the study and planning period. The proposed amendment for an additional time extension will not significantly impact recreational opportunities, public access, visual resources, sensitive habitat, biological resources, or water quality during the temporary term of the permit, and the project is consistent with all applicable Chapter Three policies of the Coastal Act.

PROCEDURAL NOTE: The Commission's regulations provide for referral of permit amendment requests to the Commission if:

- 1) *The Executive Director determines that the proposed amendment is a material change,*
- 2) *Objection is made to the Executive Director's determination of immateriality, or*
- 3) *The proposed amendment affects conditions required for the purpose of protecting a coastal resource or coastal access.*

In this case, the proposed amendment will affect a permit condition required for the purpose of protecting coastal resources. I4 Cal. Admin. Code 13166.

TABLE OF CONTENTS

I. STAFF RECOMMENDATION.....	5
II. SPECIAL CONDITIONS	5
1. <i>Term of Permit; Subsequent Removal of Revetment (Revised).....</i>	<i>5</i>
III. FINDINGS AND DECLARATIONS.....	6
A. AMENDMENT DESCRIPTION	6
B. PROJECT LOCATION	8
C. PAST COMMISSION ACTION	9
1. <i>Emergency Permit 4-02-251-G.....</i>	<i>9</i>
2. <i>Emergency Permit 4-05-005-G.....</i>	<i>10</i>
3. <i>Other Shoreline Protection Activities.....</i>	<i>10</i>
D. STATUS OF COASTAL DEVELOPMENT PERMIT 4-02-251	12
E. STATUS OF THE GOLETA BEACH MASTER PLANNING PROCESS	13
F. CHAPTER 3 COASTAL RESOURCES	14
G. LOCAL COASTAL PROGRAM.....	20
H. CALIFORNIA ENVIRONMENTAL QUALITY ACT.....	20

EXHIBITS

- Exhibit 1. CDP 4-02-251 Approved Special Conditions (Notice of Intent)**
Exhibit 2. Vicinity Map
Exhibit 3. Revetment Locations
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I. STAFF RECOMMENDATION

MOTION: *I move that the Commission approve the proposed amendment to Coastal Development Permit No. 4-02-251 pursuant to the staff recommendation.*

STAFF RECOMMENDATION OF APPROVAL:

Staff recommends a **YES** vote. Passage of this motion will result in approval of the amendment as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

RESOLUTION TO APPROVE A PERMIT AMENDMENT:

The Commission hereby approves the coastal development permit amendment on the ground that the development as amended and subject to conditions, will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit amendment complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the amended development on the environment, or 2) there are no feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the amended development on the environment.

II. SPECIAL CONDITIONS

NOTE: *All standard and special conditions attached to the previously approved permits remain in effect to the extent not otherwise modified herein. Underlined text indicates new content; strikethrough text indicates deleted text.*

1. **Term of Permit; Subsequent Removal of Revetment (Revised)**

- (A) This permit approval is valid for a total term of ~~thirty (30)~~ forty-eight (48) months, commencing upon the date of Commission approval of Coastal Development Permit 4-02-251.
- (B) The County shall complete the final study required by Special Condition 2 and submit the results thereof to the Executive Director, within the ~~thirty-month~~ forty-eight (48)-month term of the permit. Prior to the expiration of Coastal Development Permit 4-02-251, the County shall submit to the Commission: 1) a complete application to retain the subject revetment permanently, or 2) a complete application for an alternative project to address erosion at Goleta Beach; and/or 3) a complete application to remove the subject revetment.
- (C) If the Commission does not approve the permanent retention of the subject revetment pursuant to a coastal development permit application submitted by the County in accordance with the requirements of subparagraph (B) above, the County shall remove the subject revetment and restore the affected portion of Goleta Beach. Removal of the subject revetment requires a coastal development

permit. Within thirty (30) days of Commission denial of an application to retain the revetment, the County shall submit a complete application to remove the revetment and shall remove the revetment in accordance with the applicable timelines established by the Commission in approving a coastal development permit for such removal. If, however, a complete application for a coastal development permit for retention or removal of the revetment is pending, and delay for the purpose of Commission consideration of the application is therefore beyond the applicant's control, the applicable timelines shall be extended until the Commission acts on the relevant pending application.

(D) Failure by the County to: a) submit draft and final study plans acceptable to the Executive Director and in accordance with other applicable requirements of Special Condition 2, including relevant timelines, or b) failure to timely submit applicable complete coastal development permit applications pursuant to Subparagraphs (B) and (C) (above) in this special condition, may lead to further action by the Commission's Enforcement Unit.

All standard and special conditions not changed by the subject amendment are attached as Exhibit 1.

III. FINDINGS AND DECLARATIONS

The Commission hereby finds and declares:

A. AMENDMENT DESCRIPTION

The applicant is requesting modification of Special Condition One of Coastal Development Permit 4-02-251, as amended by 4-02-251-A1, to retain 950 lineal feet of rock rip rap placed at Goleta Beach County Park under Emergency Permit Nos. 4-02-251-G and 4-05-005-G for an additional term of 18 months, thereby expiring January 14, 2008.

The underlying permit CDP 4-02-251 was approved by the Commission on January 14, 2004, for the retention of 600 lineal feet of rock riprap placed at Goleta Beach County Park under Emergency Permit No. 4-02-251-G, for a 30-month temporary term, with five (5) special conditions regarding: Term of Permit and Subsequent Removal of Revetment; Technical Study of Goleta Beach Erosion & Effects of Shoreline Protection Structures; Interim Beach Management and Nourishment; State Lands Lease; and Assumption of Risk, Waiver of Liability and Indemnity Agreement.

Additionally on July 13, 2005, CDP 4-02-251 was amended under CDP Amendment Application 4-02-251-A1 to allow for the temporary retention of an additional adjacent 350-foot long rock revetment to protect park facilities from winter storm tides. All five special conditions were applied to the additional 350-ft of revetment, including the term of the permit expiring July 14, 2006.

In approving CDP 4-02-251 and 4-02-251-A1, the Commission found that insufficient information existed to fully analyze the potential impacts that the permanent retention of the revetment may have on shoreline processes and biological resources at Goleta Beach and long-term alternatives that may be available. The County, therefore, proposed,

and the Commission approved, retention of the revetment for a temporary 30-month term in order to allow for protection of the park facilities while technical studies were conducted to address coastal erosion at Goleta Beach. Prior to the 30-month term ending July 14, 2006, Special Condition One of the permit required the applicant to submit either: 1) a complete application to retain the subject revetments permanently, 2) a complete application for an alternative project to address erosion at Goleta Beach, and/or 3) a complete application to remove the subject revetments.

In order to file a complete application consistent with Special Condition One, Special Condition Two of CDP 4-02-251 required the applicant to provide detailed studies of the impacts of the revetments at Goleta Beach, and of alternatives to these revetments within the 30-month term of the permit. Specifically, Special Condition Two requires the applicant to undertake the studies under the following general topics: Intertidal and Sand Beach Ecosystem Study, Sediment Transport Study, and Kelp Studies. The information underlying such studies would include beach and nearshore profiles, sediment budgets, long-term nourishment programs, and kelp identification and mapping. The studies must further include information to assess *beach nourishment* and *managed retreat* alternatives. The studies must also include measures to addresses individual and cumulative impacts of each potential alternative on the intertidal and sandy beach ecosystems.

The subject amendment is for the temporary retention of the 950-ft long revetment because the temporary term of the CDP 4-02-251 expired on July 14, 2006, and the applicant did not provide a complete application as required by Special Condition 1. Instead, the County submitted an amendment request June 16, 2006 (prior to expiration of the term) to extend the timeframe for an additional 18 months in order to complete the studies required in Special Condition 2.

Within the designated 30-month timeframe, the County has undertaken a public visioning process for Goleta Beach County Park to address long-term solutions to the erosion problem at Goleta Beach, and is presently in the process of preparing an Environmental Impact Report that will provide comprehensive impact and alternatives analyses, and allow for finalization of the technical studies required pursuant to Special Condition 2. The County has informed Commission staff that the Goleta Beach Master Plan process, and thus preparation of the Environmental Impact Report, has been significantly delayed in relation to the scheduled contemplated in CDP 4-02-251, as approved by the Coastal Commission on January 14, 2004. In December 2005, the Santa Barbara County Board of Supervisors heard staff presentations on the two-year working group process whereby park and shoreline protection alternatives were developed. The Board approved moving forward with the environmental review with two project alternatives to be reviewed on a co-equal basis to be developed consistent with the Coastal Commission's permit condition requirements for data, studies, and impact evaluation. The EIR scoping document was developed and circulated for public review and a scoping hearing was held on May 11, 2006. The draft EIR preparation commenced at the end of June 2006 and is currently in progress.

The extension of the term of the permit for an additional 18 months is for the express purpose of allowing the County to fold the study requirement together with the

Environmental Impact Report (EIR) studies and analysis that will provide data pursuant to Special Condition Two. The County and the Commission concur that undertaking and completing the studies required by Special Condition 2 will better enable all concerned parties to evaluate relevant information that is presently unavailable and thereby arrive at better informed decisions concerning the long term solution to management of Goleta Beach.

B. PROJECT LOCATION

The project site is located at Goleta Beach County Park, which occupies approximately 29 acres with 4,200 feet of beach frontage in Santa Barbara County (Exhibit 2). Goleta Beach County Park is bounded on the west by the University of California at Santa Barbara, and to the north and east by private natural gas generation and storage facilities owned by Southern California Gas Company. An easement containing various utility and sewage lines traverses the park. To the northwest, Clarence Ward Memorial Boulevard separates the Park from the greater area of Goleta Slough and the Santa Barbara Municipal Airport.

Goleta Beach County Park is situated at the mouth of the Goleta Slough, which is fed by five major drainages, Tecolotito, Carneros, San Pedro/Las Vegas, San Jose, and Atascadero Creeks. The outflow channel of Goleta Slough wraps around Goleta Beach County Park along the park's northern boundary, outletting through Goleta Beach County Park property, east of the developed facilities. Public access is available along the entire length of the park (approximately one mile in length) that is contiguous to the beach.

All portions of Goleta Beach County Park situated landward of the sandy beach are located on top of a clay-rich fill base placed after World War II by the federal government. Prior to placement of the fill after World War II, the subject site was a sandspit extending across the mouth of Goleta Slough subject to wave action and periodic erosion. By 1977 a pier, restrooms/bath house, parking lots, a snack bar, lawn, and a portion of the revetment on the east end of the beach had been constructed at the park. In the 1980's the pier was extended, a restaurant was built to replace the snack shop, the parking area was upgraded, and various other improvements occurred at the park.

Currently, development on site consists of a restaurant, two public restrooms, showers, parking lots, recreation lawn area, picnic facilities, numerous utility lines, and a pier. In recent years, and most notably during the 1999 winter storm season, erosion of the clay-rich fill underlying the park has occurred due to wave action. This erosion has formed steep undercut slopes approximately four to five feet in height between the improved areas onsite and the sandy beach. During the winter seasons, erosion has become so severe as to wash out portions of the parking lots and threaten facilities at the park including restrooms, picnic tables, trees, lawn area, utility lines, and parking areas.

In response to this erosion, the County has placed several revetments on Goleta Beach to protect the County Park and the facilities associated with it. A 250-foot long rock revetment currently protects the westernmost portion of the park and, according to County staff, was installed in 1986 without approval or permit from the Commission.

Adjacent to this revetment is a 600-foot long rock revetment installed in December 2002 under Emergency Permit 4-02-251-G to protect the western parking lot and restroom (Exhibit 3). This revetment was permitted to be retained for a 30-month temporary term under Coastal Development Permit (CDP) 4-02-251 approved January 14, 2004. Directly east of this revetment, is an additional 350 feet of rock revetment that was installed in January 2005 under Emergency Permit 4-05-005-G (Exhibit 3) and approved for a concurrent 30-month temporary term under Coastal Development Permit Amendment 4-02-251-A1.

On the east side of the park, 650 feet of rock revetment protects the Beachside restaurant and runs along the main tidal channel of Goleta Slough. According to the County, this revetment was partially constructed in 1961 and later expanded in 1983 and 1986 without approval or permit from the Commission. In order to resolve these violations, Santa Barbara County Department of Parks and Recreation submitted CDP Application 4-02-223 for after the fact approval and repairs to these revetments. This application is currently incomplete and has not yet been filed. The County has indicated that they intend to complete the studies required pursuant to Special Condition Two of CDP 4-02-251 and a long term planning process for Goleta Beach in order to provide the additional information necessary to file CDP application 4-02-223 as a complete application.

C. PAST COMMISSION ACTION

The project site has been subject to a number of past Commission actions with regard to various shoreline protection measures, including placement of rock rip rap and construction of seasonal sand berms. The emergency permits issued for the rock revetments that precipitated the subject coastal development permit and amendments are described below, followed by descriptions of other shoreline nourishment and sand berm activities previously approved by the Commission.

1. Emergency Permit 4-02-251-G

The Executive Director authorized Emergency Coastal Development Permit 4-02-251-G on December 19, 2002. The permit authorized the County's request to place 600 linear feet of rock riprap revetment, approximately 6-8 feet in height, placed at a 1:1 to 1:1.5 slope, 15 ft. wide at base, and covering an approximately 9,000 sq. ft. area of Goleta Beach along the base of the existing lawn and parking lots at Goleta Beach County Park.

The County stated that the revetment was necessary to prevent further loss of park facilities due to tidal action and severe beach erosion, in the face of potential continuing winter storms.

Prior to placement of the revetment, the County Parks Department stated that approximately 16,000 sq. ft. of developed park lawn was lost in the month previous to the request, and that picnic sites and some portions of the public parking lot were closed. The County noted that the erosion line was then within twenty-five feet of an existing public restroom, water main and sewer lines, and gas and irrigation lines. In addition, the County stated that 32 parking spaces (of approximately 550 existing spaces) had been lost to coastal erosion.

The County Parks Department determined that the edge of the eroded parking lot now protected with the most recent placement of riprap, is within ten feet of the pressure sewer main servicing Goleta Beach County Park's three public restrooms, the privately operated Beachside Bar and Café, and two ranger residences. The County stated that without the rock revetment, and in the absence of a reliable alternative, any significant storm event could breach the utility easement and cause the failure of the sewer and other utility lines. A spill of untreated sewage into the marine environment could result, as would the significant disruption of other utility services.

2. Emergency Permit 4-05-005-G

On January 24, 2005 the Executive Director authorized Emergency Permit 4-05-005-G for construction of a 350-foot long rock revetment at Goleta Beach County Park following heavy winter storms and severe erosion at the park. The permit authorized the placement of 1,000 tons of rock riprap at a 1:1 to 1:1.5 slope at the base of the lawn and parking area at the park. The rock was placed at a height of 8 feet in a trench approximately 2-3 feet deep to establish a foundation from which to construct the upper portion of the rock revetment. The permit also authorized construction of a temporary 650-foot long sand berm at the base of the park's lawn, east of the rock structure.

The County stated that the revetment is necessary to prevent further loss of park and facilities due to tidal action and severe beach erosion, in the face of potential continuing winter storms. Prior to placement of the revetment and 650-foot long sand berm, the County Parks Department stated that a significant amount of sandy beach area and lawn had been washed away, despite the construction of a protective sand berm permitted under CDP 4-02-128. The County noted that in addition to the loss of beach and lawn area, an existing parking area, restroom, picnic tables, and cypress trees have been threatened by the encroaching loss of land during winter months.

3. Other Shoreline Protection Activities

The project site has been subject to past Commission action with regard to "soft" solutions for protection of the Goleta Beach facilities. Most recently, the Commission approved Coastal Development Permit 4-05-139 to implement an annual desilting program for portions of Goleta Slough for a period of five years. The program allows the removal of sediment (using a combination of hydraulic dredging and dragline desilting methods as appropriate) from the lower reaches of Atascadero Creek, San Jose Creek, San Pedro Creek, and the main channel of the slough on a periodic basis and up to 200,000 cu. yds. of sediment/year. The program also includes breaching the mouth of Goleta Slough approximately 1-3 times/year and placement of all suitable excavated material in the surfzone at Goleta Beach County Park for beach replenishment purposes.

On March 16, 2005, the Commission approved Coastal Development Permit application 4-02-074 for a five-year opportunistic beach replenishment program that would allow up to 100,000 cu. yds. of sediment to be placed at Goleta Beach each year, along a 2,200-ft. stretch of beach, with winter placement (September 15 through March 15), and up to 25% fine-grained material. Depending of the quality and compatibility of the source material,

sediment may be placed below the mean high tideline, or constructed in the form of a beach berm or sand dike.

Additionally, CDP 4-02-074 was amended to allow periodic repair and maintenance of an approximately 1,150 ft. long, 8 ft. high, sand berm at Goleta Beach (using beach material immediately seaward of the berm) as necessary during the winter storm season. Repair and maintenance of the berm shall only occur between November 1 through March 31 on an annual basis and the berm shall be removed prior to Memorial Day each year that it is constructed. CDP 4-02-074 has not been issued and specific opportunistic projects at Goleta Beach have not yet been proposed. Once the coastal development permit issued, this program may be utilized at the Goleta Beach site until March 2010.

The Commission approved Coastal Development Permit 4-02-054 on July 10, 2003 for a one-time beach nourishment project, seaward of the rock revetment. The Goleta Beach Nourishment Project, a temporary erosion solution, consisted of dredging beach compatible sand from a borrow site located in the West Beach area of Santa Barbara Harbor, with sand transport to Goleta Beach. The nourishment project included authorization for the placement of approximately 9,000 cubic yards of sand per day from West Beach in the City of Santa Barbara (4-00-167, City of Santa Barbara Waterfront Department) over 16 days.

Coastal Development Permit 4-02-128 approved October 8, 2002 approved construction of an annual winter sand berm at the base of the present-day rip rap footprint, through Memorial Day 2005. Coastal Development Permit (CDP) 4-01-136 (Santa Barbara County Parks) approved construction of a temporary sand berm for the winter season from 2001-2002. Coastal Development Permit (CDP) 4-00-193 (Santa Barbara County Parks) approved the construction of a temporary sand berm for the winter season from 2000 to 2001, similar to the 2001-2002 project.

Further, prior to the construction of a temporary sand berm under CDP 4-00-193, an approximately 1,000-foot long rock revetment was placed on the site by Santa Barbara County Department of Parks & Recreation in February 2000 as an emergency measure to prevent further erosion of the improved areas of the park pursuant to Emergency Permit 00-EMP-002, which was issued by Santa Barbara County. This action by the County was appealed by two members of the Commission. Prior to the Commission's determination of whether a substantial issue was raised by the appeal, the County submitted CDP Application 4-00-118 for removal of the previously constructed rock revetment. CDP 4-00-118 was approved by the Commission on June 13, 2000, subject to a special condition which required the rock revetment be removed prior to August 31, 2000. Pursuant to a request by Santa Barbara County Department of Parks & Recreation, the time allowed for removal of the rock revetment was extended by the Executive Director until November 30, 2000, in order to allow the County to avoid interference with the grunion spawning cycle and to secure the necessary permits from other State and Federal agencies. That rock revetment was subsequently removed, as was required pursuant to the special condition.

D. STATUS OF COASTAL DEVELOPMENT PERMIT 4-02-251

On January 14, 2004 the Commission approved CDP 4-02-251 with five special conditions. This permit allowed for the retention of 600 lineal feet of rock riprap, placed at Goleta Beach County Park under Emergency Permit 4-02-251-G, for a limited term of thirty (30) months from the date of Commission approval, which ended July 14, 2006. On July 13, 2005, CDP 4-02-251 was amended under CDP Amendment Application 4-02-251-A1 to allow for the temporary retention of an additional adjacent 350-foot long rock revetment that was placed pursuant to Emergency Permit 4-05-005-G. All of the underlying permit conditions were applied to the amended project, including the 30-month permit term ending July 14, 2006.

The applicant submitted the subject amendment application on June 16, 2006 to request an additional 18 months to complete the applicable studies.

In approving the permit, the Commission found that substantial studies were necessary to determine the best alternative for permanent management of erosion at Goleta Beach consistent with the requirements of Chapter 3 of the Coastal Act. Special Condition Two of the permit requires the applicant to conduct studies within the thirty-month term of the permit of kelp environmentally sensitive habitat areas offshore, intertidal and sand beach ecosystems, and sediment transport at Goleta Beach. The Commission also required, under Special Condition One of the permit, the applicant to submit, prior to expiration of the permit, either 1) a complete application to retain the subject revetments permanently, 2) a complete application for an alternative project to address erosion at Goleta Beach, and/or 3) a complete application to remove the subject revetments. Other special conditions of the permit address: measures to enhance beach and intertidal habitats as necessary for the duration of the permit (Special Condition Three), California State Lands Commission (CLSC) jurisdiction and approval over the revetment (Special Condition Four), and assumption of risk for the project (Special Condition Five). The Commission's findings on permit 4-02-251 are herein incorporated by reference into these findings.

Following issuance of the Notice of Intent to Issue CDP 4-02-251, the County submitted a plan for beach management and nourishment of the revetment area pursuant to Special Condition Three of the permit. The County also initiated consultation with the California State Lands Commission to obtain a determination of the extent of CSLC's leasing jurisdiction. CSLC's June 28, 2006 letter to the County of Santa Barbara indicates that the proposed revetment, or other proposed long-term solutions, will require a lease with CLSC. Special Condition Four of the permit requires the County to obtain all relevant California State Land Commission leases for the project prior to issuance of the permit.

County Parks has also submitted plans pursuant to Special Condition Two of the permit which requires technical studies of erosion and biological resources at Goleta beach. The submitted study plan includes the entire Goleta Beach County Park area, including the 950 ft. of revetment approved pursuant to 4-02-251 and 4-02-251-A1. The County's consultants began monitoring according to the submitted plan in spring 2004 and have submitted monitoring reports pursuant to the timeline requirements of CDP 4-02-251.

E. STATUS OF THE GOLETA BEACH MASTER PLANNING PROCESS

In the summer of 2003, the Santa Barbara County Parks and Recreation Department, in conjunction with County Supervisor Susan Rose, formed the Goleta Beach Master Plan Working Group. This group is a collaboration of local agencies, non-profit groups, the University of California Santa Barbara, the County of Santa Barbara Board of Supervisors, and County Parks to evaluate the issues relevant to Goleta Beach Park including coastal processes; beach erosion; natural resources; possible solutions to the erosion problem; recreational needs and priorities; and local, state, and federal regulations affecting future options for the park and beach. This group planned to provide recommendations to the County Parks Department for a preferred plan and alternatives for Goleta Beach Park that will be forwarded to the Parks Commission and Board of Supervisors at public meetings and then evaluated in an environmental impact report (EIR) pursuant to the California Environmental Quality Act.

In approving permit 4-02-251, the Commission allowed a 30-month temporary term for the purpose of allowing the County to complete the study requirements of Special Condition Two, a technical study of erosion and shoreline protection at Goleta Beach, while at the same time giving the Goleta Beach Working Group time to develop recommendations for long term management at Goleta Beach County Park. This timeline, the Commission found, would help the County secure a comprehensive package of studies and analyses in anticipation of submitting a new application to the Commission pursuant to Special Condition One of CDP 4-02-251.

The timelines of Special Condition 2 address the County's request to track the EIR process to the extent possible. However, the County has informed Commission staff that the Goleta Beach Master Plan process, and thus preparation of the Environmental Impact Report, has been significantly delayed in relation to the schedule contemplated in CDP 4-02-251, as approved by the Coastal Commission on January 14, 2004. In December 2005, the Santa Barbara County Board of Supervisors heard staff presentations on the two-year working group process whereby park and shoreline protection alternatives were developed. The Board approved moving forward with the environmental review with two project alternatives to be reviewed on a co-equal basis to be developed consistent with the Coastal Commission's permit condition requirements for data, studies, and impact evaluation.

The EIR scoping document was developed and circulated for public review and a scoping hearing was held on May 11, 2006. The scoping document indicated that the Master Plan for improvements to Goleta Beach County Park and the DEIR will include a co-equal analysis of two alternatives to shoreline protection – Beach Stabilization (alternative 1) and Managed Retreat (alternative 2). Alternative 1 would include repair and retention of a rock revetment (including unpermitted and temporarily permitted revetment portions), a sheet pile groin under the pier, rubble mound breakwater at the west end of the park (on UCSB property), rubble mound east of pier and *possible* rubble mound mid-park, and sand in-fill. Alternative 2 would include a 50 ft. buffer with buried "backstop" revetment, if needed, removal of 1,000 ft. of revetment at west end, and repair and extension of eastern revetment. Alternative 2 would also include eventual relocation of portions of buried sewer and water lines landward, and relocation of 2 restrooms to accommodate shoreline retreat. Both alternatives would include

ongoing beach nourishment subject to funding availability. The draft EIR preparation commenced at the end of June 2006 and is currently in progress.

F. CHAPTER 3 COASTAL RESOURCES

Section 30210 of the Coastal Act states:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30211 of the Coastal Act further states:

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Section 30213 of the Coastal Act states in part:

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

Section 30230 of the Coastal Act states:

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30231 of the Coastal Act states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Section 30235 of the Coastal Act states that:

Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall

be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion, and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Existing marine structures causing water stagnation contributing to pollution problems and fish kills should be phased out or upgraded where feasible.

Section 30240 of the Coastal Act states:

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

Section 30251 of the Coastal Act further states:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alternation of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

The provisions of the Coastal Act require the protection of coastal resources, including public access, sensitive habitat, marine resources and water quality, biological productivity, coastal-dependent uses, and visual resources. Coastal Act Sections 30210, 30211, and 30213 mandate that maximum public access and recreational opportunities and facilities be provided and protected and that development not interfere with the public's right to access the coast. Sections 30230 and 30231 of the Coastal Act mandate that marine resources and coastal water quality shall be maintained and where feasible restored; protection shall be given to areas and species of special significance; and uses of the marine environment shall be carried out in a manner that will sustain biological productivity of coastal waters. Section 30240 of the Coastal Act requires that environmentally sensitive habitat areas (ESHA) be protected and that development be sited and designed to prevent impacts to such areas. Additionally, Section 30235 of the Coastal Act allows for the construction of a shoreline protective device when necessary to protect existing development or to protect a coastal dependent use. Finally, Coastal Act Section 30251 provides that scenic and visual qualities of coastal areas be protected as a resource of public importance. Section 30251 further requires that development be sited and designed to protect views to and along the ocean and scenic coastal areas and, where feasible, restore and enhance visual quality in visually degraded areas.

Coastal Development Permit 4-02-251, as amended by 4-02-251-A1, allows for the temporary retention of the 950-foot long rock revetment to protect park facilities from winter storm tides until July 14, 2006. The applicant is currently requesting modification of Special Condition One of Coastal Development Permit 4-02-251 to retain 950 lineal feet of rock rip rap placed at Goleta Beach County Park under Emergency Permit Nos. 4-02-251-G and 4-05-005-G for an additional term of 18 months, thereby expiring January 14, 2008.

The County's request for temporary retention of 950 feet of rock revetment at Goleta Beach for an additional 18 months constitutes a proposal for a shoreline protective device to protect existing development or public beaches in danger from erosion, pursuant to Coastal Act Section 30235 set forth above. Shoreline armoring projects, though, must be designed to eliminate or mitigate adverse impacts on shoreline sand supply. Additionally, shoreline protective devices may raise issues with respect to other sections of the Coastal Act concerning protection of marine resources, areas of special biological significance, coastal aquatic resources, recreation, public access, and visual resources, among others.

Interference by shoreline protective devices can result in a number of adverse effects on the dynamic shoreline system and the public's beach ownership interests. First, changes in the shoreline profile, particularly changes in the slope of the profile which results from a reduced beach berm width, alter the usable area under public ownership. A beach that rests either temporarily or permanently at a steeper angle than under natural conditions will have less horizontal distance between the mean low water and mean high water lines. This reduces the actual area in which the public can pass on their own property. The second effect on access is through a progressive loss of sand as shore material is not available to nourish the bar. The lack of an effective bar can allow such high wave energy on the shoreline that materials may be lost far offshore where it is no longer available to nourish the beach. This affects public access again through a loss of area between the mean high water line and the actual water. Third, shoreline protective devices such as revetments and bulkheads cumulatively affect shoreline sand supply and public access by causing accelerated and increased erosion on adjacent public beaches. This effect may not become clear until such devices are constructed individually along a shoreline and they reach a public beach. In addition, if a seasonal eroded beach condition occurs with greater frequency due to the placement of a shoreline protective device on the subject site, then the subject beach would also accrete at a slower rate. Fourth, if not sited landward in a location that ensures that the seawall is only acted upon during severe storm events, beach scour during the winter season will be accelerated because there is less beach area to dissipate the wave's energy.

In general, the more frequently that shoreline protective devices are subject to wave action, the greater the impacts of the shoreline protective devices. In order to minimize impacts from shoreline protective devices that are demonstrably necessary to protect existing development, such structures should be located as far landward as is feasible.

As a result of the potential impacts arising from shoreline armoring projects, it is critical to have an alternatives analysis based upon the technical and resource data specific to the site. The Coastal Act requires such projects to be sited and designed to protect views to and along the ocean and scenic coastal areas; to eliminate or mitigate adverse impacts

on local shoreline sand supply; to avoid impediments to public access; to be compatible with the continuance of sensitive habitat and recreation areas; and to prevent impacts which would degrade sensitive habitats, parks, and recreation areas.

In order to address the potential issues, Special Condition Two of the coastal development permit 4-02-251, as amended, requires the applicant to undertake the studies under the following general topics: Intertidal and Sand Beach Ecosystem Study, Sediment Transport Study, and Kelp Studies. The information underlying such studies will include beach and nearshore profiles, sediment budgets, long-term nourishment programs, and kelp identification and mapping. The studies must further include information to assess *nourishment* and *managed retreat* alternatives to the rock revetment. The studies must also include measures to addresses individual and cumulative impacts of each potential alternative on the intertidal and sandy beach ecosystems.

In short, Special Condition 2 requires detailed information to determine the optimal alternative for protecting the Goleta Beach facilities while minimizing or eliminating impacts to coastal resources.

In approving CDP 4-02-251, the Commission found that insufficient information existed to fully analyze the potential impacts that the permanent retention of the revetment may have on shoreline processes and biological resources at Goleta Beach and long-term alternatives that may be available. The County, therefore, proposed, and the Commission approved, retention of the revetment for a temporary 30-month term in order to allow for protection of the park facilities, while technical studies were conducted to address coastal erosion at Goleta Beach. Within the 30-month term of the permit, the Commission required Special Condition Two of CDP 4-02-251, which provides for technical studies of kelp habitat, shoreline processes, and intertidal and subtidal habitats at Goleta Beach. The Commission also specified Special Condition One of the permit, which requires the applicant to submit, prior to expiration of the permit, either 1) a complete application to retain the subject revetments permanently, 2) a complete application for an alternative project to address erosion at Goleta Beach, and/or 3) a complete application to remove the subject revetments.

Concurrent with the approval of CDP 4-02-251, the County had undertaken a public visioning process for Goleta Beach County Park to address long-term solutions to the erosion problem at Goleta Beach. In the January 2004 findings for CDP 4-02-251, the Commission concurred with County staff that given the lack of information concerning coastal erosion and alternative solutions at Goleta Beach County Park, and the County's desire to clarify objectives for the park's future, that a period of study and analysis would be the best option to allow decision makers to address a long term solution for erosion management at Goleta Beach. The Commission also found that protection of the park facilities during this limited term was necessary as the unplanned destruction of the park and its facilities could significantly impact coastal resources and any plan for retreat or removal of facilities would require significant funds, planning, and approvals from local, State, and Federal authorities that could not immediately be provided.

The requirements of Coastal Development Permit 4-02-251 stand alone, with the County's public facilitation and environmental review processes as separate actions. The obligations of the coastal development permit, including timely compliance with all permit conditions, are still the County's responsibility. As contemplated in the 2004 approval of CDP 4-02-251, the timelines of Special Condition 2 address the County's request to track the EIR process to the extent possible. However, the County has informed Commission staff that the Goleta Beach Master Plan process, and thus preparation of the Environmental Impact Report, has been significantly delayed in relation to the scheduled contemplated in CDP 4-02-251, as approved by the Coastal Commission on January 14, 2004. In December 2005, the Santa Barbara County Board of Supervisors heard staff presentations on the two-year working group process whereby park and shoreline protection alternatives were developed. The Board approved moving forward with the environmental review with two project alternatives to be reviewed on a co-equal basis to be developed consistent with the Coastal Commission's permit condition requirements for data, studies, and impact evaluation. The EIR scoping document was developed and circulated for public review and a scoping hearing was held on May 11, 2006. The draft EIR preparation commenced at the end of June 2006 and is currently in progress.

As noted previously, County and Commission staff have agreed that the information that will be generated by the special studies required by Condition 2 will be crucial to analyzing the question of shoreline protection at Goleta Beach. Given the extent of community involvement through the Master Planning process and local hearings, the applicants have not completed the studies in the required 30-month timeframe. As a result, sufficient information has not been generated that would allow staff to make a comprehensive recommendation on shoreline protection at this time.

The County's amendment application is for the temporary retention of the 950-ft long revetment. The extension of the term of the permit for an additional 18 months is for the express purpose of allowing the County to fold the study requirement together with the Environmental Impact Report (EIR) alternatives. The County believes that this timeline, and the joining of the EIR scoping process with the prior-to-issuance study development requirements, will help the County secure comprehensive package of studies and analyses.

The County provided the following timeline in developing the necessary information pursuant to Special Condition Two:

June 2006 – December 2006	Draft Environmental Impact Report will be prepared and heard at local hearings
February 2007	Final EIR prepared
February 2007- April 2007	Hearings and Meetings on Final EIR
April 2007 – May 2007	EIR Certification Hearing(s) held by County Board of Supervisors – Staff will receive direction on which project alternative will be selected

June 2007 – July 15, 2007	County will solicit and award a contract for the preparation of technical documents, plans, reports, and applications for permits to the Coastal Commission, Army Corps of Engineers, Regional Water Quality Control Board, State Lands Commission, and County Planning and Development
July 15, 2007 – January 15, 2008	Consultant will prepare project applications, technical reports, and plans for regulatory agency permits. This length of time is anticipated due to the complexity of the project and the existing permit conditions that require specific information to be provided with the applications.

As with the underlying coastal development permit, the question is how to protect the park during the limited 18-month term of the permit in a way that would minimize or avoid impacts to local shoreline sand supply, biological resources, recreation, public access, and visual resources. Several options were explored in the 4-02-251 review, including use of geotubes or sandbags, beach nourishment, managed retreat, or a combination of these alternatives. The Commission found that none of these alternatives were feasible at the time for the temporary protection of the park for the following reasons:

- i. There was insufficient information to evaluate the relative impacts of these alternatives in comparison to the retention of the revetment;
- ii. Removal of the revetment as required by these alternatives would cause significant disruption to the beach in and of itself;
- iii. Uncertainty existed as to the success of these alternatives at protecting the park from severe wave attack in the short term; and
- iv. Failure of any of these alternatives could have lead to construction of another rock revetment under an emergency permit.

Unfortunately, the 600-feet of revetment permitted temporarily under CDP 4-02-251, did not successfully protect the entire park during the 2004/2005 winter storms. In January, 2005, heavy storms and severe erosion threatened the lawn, parking areas, restroom, picnic tables, and a cypress tree at the park. During this time the County installed 350-feet of rock revetment under Emergency Permit 4-05-005-G to protect these facilities, and subsequently amended CDP 4-02-251 to fold this 350-ft revetment into the underlying CDP subject to all of the same conditions.

The Commission finds that a lack of information still currently exists to make any of the abovementioned temporary erosion control options feasible for protection of Goleta Beach County Park for the additional 18-month temporary term of permit 4-02-251. The County has stated that without the revetments, existing structures at the park are in danger of serious damage or destruction due to further wave attacked and associated beach erosion. The temporary retention of the revetment will ensure that public facilities at Goleta Beach County Park, including parking and public restrooms, are not further damaged while studies evaluate the best long-term solution to erosion of the adjacent beach area.

The Commission has previously found that protection of the park facilities is necessary during the limited term allowed to complete studies of Goleta Beach. The proposed extension of time is necessary to further protect the park for the remainder of the study and planning period. Therefore, **Special Condition One (1)** of CDP 4-02-251 is revised to extend the term of the permit an additional 18 months, translating to a total of 48 months from the date of the Commission's original approval. The County and the Commission concur that undertaking and completing the studies required by Special Condition Two (2) will better enable all concerned parties to evaluate relevant information that is presently unavailable and thereby arrive at better informed decisions concerning the long term solution to management of Goleta Beach. All other standard and special conditions attached to the previously approved permit will remain in effect during the extended term of the permit.

The Commission finds that the proposed amendment will not significantly impact recreational opportunities, public access, visual resources, sensitive habitat, biological resources, or water quality during the temporary term of the permit, and therefore, the project is consistent with Section 30210, 30211, 30213, 30230, 30231, 30235, 30240, and 30251 of the Coastal Act.

G. LOCAL COASTAL PROGRAM

The proposed project area lies within the unincorporated area of County of Santa Barbara, but falls within the Commission's area of retained original permit jurisdiction because it is located on state tidelands or is below the mean high-tide. The Commission has certified the Local Coastal Program for the County of Santa Barbara (Land Use Plan and Implementation Ordinances) which contains policies for regulating development and protection of coastal resources, including the protection of environmentally sensitive habitats, recreational and visitor serving facilities, coastal hazards, and public access.

H. CALIFORNIA ENVIRONMENTAL QUALITY ACT

Section 13096(a) of the Commission's administrative regulations requires Commission approval of Coastal Development Permit application to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect, which the activity may have on the environment.

The Commission finds that there is presently insufficient information to adequately evaluate the full range of potential impacts that the proposed project (an additional eighteen-month retention of the subject revetment at Goleta Beach) – or any feasible alternatives to it – may have on coastal resources, that identification of feasible mitigation measures for approval of any permanent project to control erosion at Goleta Beach is thus necessarily incomplete as well. Some measures to mitigate the potential impacts of an exposed revetment (sand nourishment), and the occupation of sandy beach combined

with other County-sponsored beach management practices may have impacts to shoreline and intertidal organisms that while not fully understood absent better studies that would be completed by applicable Special Condition 2, it is reasonable to conclude that there may be cumulative impacts to these resources that can be feasibly mitigated through implementation of Special Condition 3. Therefore, the Commission finds that approval of the project with the required Special Conditions, including the retention of the subject revetment for a total study term of forty-eight (48) months, is consistent with the California Environmental Quality Act and with the applicable policies of the Coastal Act.

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
89 SOUTH CALIFORNIA ST., SUITE 200
VENTURA, CA 93001
(805) 585-1800



Page 1 of 8

Date: July 28, 2005

Permit Application No. 4-02-251-A1

NOTICE OF INTENT TO ISSUE AMENDMENT TO PERMIT
(Upon satisfaction of special conditions)

THIS IS NOT A COASTAL DEVELOPMENT PERMIT

THE SOLE PURPOSE OF THIS NOTICE IS TO INFORM THE APPLICANT OF THE STEPS NECESSARY TO OBTAIN A VALID AND EFFECTIVE COASTAL DEVELOPMENT PERMIT ("CDP"). A Coastal Development Permit for the development described below has been approved but is not yet effective. Development on the site cannot commence until the CDP is effective. In order for the CDP to be effective, Commission staff must issue the CDP to the applicant, and the applicant must sign and return the CDP. **Commission staff cannot issue the CDP until the applicant has fulfilled each of the "prior to issuance" Special Conditions.** A list of all of the Special Conditions for this permit is attached.

The Commission's approval of the CDP is valid for two years from the date of approval. To prevent expiration of the CDP, you must fulfill the "prior to issuance" Special Conditions, obtain and sign the CDP, and commence development within two years of the approval date specified on the next page. You may apply for an extension of the permit pursuant to the Commission's regulations at Cal Code Regs. title 14, section 13169.

Exhibit 1**CDP 4-02-251-A2****Approved Special
Conditions 4-02-251
and 4-02-251-A1**

NOTICE OF INTENT TO ISSUE AMENDMENT TO COASTAL PERMIT
(Upon satisfaction of special conditions)

On July 13, 2005, the California Coastal Commission granted to Santa Barbara County Parks and Recreation Department, an amendment to Permit No. 4-03-029, subject to the conditions attached, for changes to the development or conditions imposed on the existing permit. The development originally approved by the permit consisted of: Retain 600 lineal feet of rock riprap placed at Goleta Beach County Park under Emergency Permit No. 4-02-251-G, for a two-year temporary term.

at: 5986 Sandspit Road, Goleta Beach County Park, Goleta.

Changes approved by this amendment consist of: Retain an additional 350 lineal feet of rock riprap placed under Emergency Permit No. 4-05-005-G for a one-year temporary term. The expiration of the temporary term shall coincide with the expiration of the temporary term for the originally permitted 600-foot long revetment. This permit is more specifically described in the application filed in the Commission office.

Unless changed by the amendment, all conditions attached to the existing permit remain in effect.

The amendment is being held in the Commission office until fulfillment of all Special Conditions imposed by the Commission. Once these conditions have been fulfilled, the amendment will be issued. For your information, all the imposed conditions are attached.

Issued on behalf of the California Coastal Commission by,

PETER M. DOUGLAS
Executive Director

By: Melissa Hetrick
Coastal Program Analyst

Please sign and return a copy of this form to the Commission office.

ACKNOWLEDGMENT

I have read and understood the above Notice of Intent and agree to be bound by its conditions and the remaining conditions of Permit Amendment No: _____

Date: _____

Signature: _____

STANDARD AND SPECIAL CONDITIONS

All standard and special conditions previously applied to Coastal Development Permit 4-02-251 continue to apply.

NOTICE OF INTENT TO ISSUE AMENDMENT TO COASTAL PERMIT
(Upon satisfaction of special conditions)

NOTE: All standard and special conditions attached to the previously approved permit remain in effect. All conditions apply to the entire 950-foot long revetment approved pursuant to CDP 4-02-251 and 4-02-251-A1.

1. Term of Permit; Subsequent Removal of Revetment (Revised)

- (A) This permit approval is valid until July 14, 2006, for a total term of thirty (30) months, commencing January 14, 2004, the date of Commission approval of Coastal Development Permit 4-02-251.
- (B) The County shall complete the final study required by Special Condition 2 and submit the results thereof to the Executive Director, within the thirty-month term of the original permit approval. Prior to the expiration of Coastal Development Permit (CDP) 4-02-251 as amended by Amendment 4-02-251-A1, the County shall submit to the Commission: 1) a complete application to retain the subject revetments permanently, or 2) a complete application for an alternative project to address erosion at Goleta Beach; and/or 3) a complete application to remove the subject revetments.
- (C) If the Commission does not approve the permanent retention of the subject revetments pursuant to a coastal development permit application submitted by the County in accordance with the requirements of subparagraph (B) above, the County shall remove the subject revetments and restore the affected portion of Goleta Beach. Removal of the subject revetments requires a coastal development permit. Within thirty (30) days of Commission denial of an application to retain the revetments, the County shall submit a complete application to remove the revetments and shall remove the revetments in accordance with the applicable timelines established by the Commission in approving a coastal development permit for such removal. If, however, a complete application for a coastal development permit for retention or removal of the revetments is pending, and delay for the purpose of Commission consideration of the application is therefore beyond the applicant's control, the applicable timelines shall be extended until the Commission acts on the relevant pending application.
- (D) Failure by the County to: a) submit draft and final study plans acceptable to the Executive Director and in accordance with other applicable requirements of Special Condition 2, including relevant timelines, or b) failure to timely submit applicable complete coastal development permit applications pursuant to Subparagraphs (B) and (C) (above) in this special condition, may lead to further action by the Commission's Enforcement Unit.

2. Technical Study of Goleta Beach Erosion & Effects of Shoreline Protection Structures (Revised)

Prior to the issuance of Coastal Development Permit 4-02-251 and Amendment 4-02-251-A1, the County shall submit a draft study plan for the review and approval of the Executive Director that incorporates at a minimum the elements set forth below. The study shall be revised by the

NOTICE OF INTENT TO ISSUE AMENDMENT TO COASTAL PERMIT
(Upon satisfaction of special conditions)

County to incorporate the comments of the Executive Director, and submitted to the Executive Director for final approval. Coastal Development Permit 4-02-251 as amended shall not be issued until the Executive Director approves the final study plan. The approved study shall be undertaken and completed by qualified coastal engineers, geologists, and marine biologists/ecologists, as appropriate, with demonstrated substantial relevant experience in their respective areas of expertise. Asterisks or other symbols included below as placeholders mean data collection/study design parameters to be finalized by the Commission technical services staff in consultation with the applicant's consultants during the preparation and review of the draft study plan. The final approved parameters of the study plan shall incorporate milestones and interim and final reporting requirements. Reporting requirements shall be quarterly, at a minimum, during the first study year. The final comprehensive report of the results of the study required herein shall be prepared and submitted for the review of the Executive Director prior to the expiration of Coastal Development Permit 4-02-251 as amended by CDP Amendment 4-02-251-A1. The scope of the required studies set forth below shall ensure that both the revetments subject to application 4-02-251, Amendment 4-02-251-A1, and the previously placed revetments at Goleta Beach that are presently subject to a pending (incomplete) coastal development permit application (CDP Application 4-02-223), are fully evaluated. Long-term alternatives analyses shall consider and address sand nourishment and managed retreat options in lieu of placement of hard protective structures.

(A) Kelp Study

(1) Kelp Control Areas: Establish kelp study plots that can be used to study the interactions of kelp with changing sediment inputs. At least one study plot shall be established in the shallowest limits of the kelp, since this is the area most likely to experience seasonal shifts in sediment. Each plot shall be identified by coordinates that will allow a diver to return to each plot and regularly record data on sediment levels, kelp viability, plant density and other variables.

(2) Kelp Study: A qualified biologist shall make at least bi-monthly dive surveys of the kelp plots, measuring sediment levels and plant density and shall continue these surveys for at least two years (additional length of study may be required by Commission technical services staff upon review of applicant's draft study proposal). The viability and health of the kelp in each plot shall be assessed for each survey and each plot shall be photographed as part of each survey.

(3) Kelp Map: Within 6 months, prepare a detailed map of the tunicate casing areas and kelp areas offshore of Goleta Beach in the area bounded by Point A and Point B, and from the shoreline offshore to a depth of 60 feet. Within 12 months, add onto the map those areas that have the physical attributes to support kelp in the future.

(4) Reporting: Within two months after each complete year of kelp surveys, the biologist shall provide the executive director with a written report on the survey results, on the kelp viability, plant densities, the range of sediment levels and any information that can relate kelp viability and health with changes in sediment levels.

(5) Literature Review: The first Kelp report shall be augmented with a report on the known habitat requirements for this type of kelp – water temperature, clarity, sediment input, water

NOTICE OF INTENT TO ISSUE AMENDMENT TO COASTAL PERMIT
(Upon satisfaction of special conditions)

depth, and any other factors identified in the literature. A complete bibliography shall be provided with this literature review.

(B) Intertidal and Sand Beach Ecosystem Study

- (1) In consultation with Commission staff, develop study parameters including sampling design, location, protocols, and reference sites, to evaluate the impacts of the subject revetment and of potential alternatives to the revetments, including beach nourishment or “managed retreat” alternatives, on the biota of the sandy beach and intertidal areas at Goleta Beach, including invertebrate populations. The study shall include species that intermittently utilize the habitat, such as grunion, as well as shorebirds that use this area. The study shall identify the extent of sandy beach and intertidal habitats present at Goleta Beach, in relation to the footprint of the revetments in place, and such surveys shall be updated on approximately April 15, and October 15, annually, and after any significant storm event, for the life of this permit. The design of the study should seek to differentiate fluctuations in species diversity and abundance due to natural seasonal changes from those attributable to the revetments that have been constructed at Goleta Beach, and to extrapolate how other potential alternatives might impact the intertidal and sandy beach ecosystem. The design of the study shall incorporate identification of, and sufficient sampling at, sites up and down coast from the Goleta Beach revetment suitable for controls. In addition, the study shall also generate recommendations on potential mitigation measures to address individual and cumulative impacts of each potential alternative on the intertidal and sandy beach ecosystems.

(C) Sediment Transport Study

(1) Beach and Nearshore Profiles: Establish at least 6 profile locations to measure onshore-offshore transport of sediment at Goleta Beach. Work with the kelp biologist and known information on kelp recruitment locations to establish profiles that will both support the kelp study and minimize overall disturbance to the existing kelp. Profiles shall be approximately equally spaced and span the entire length of Goleta Beach. Profiles shall be undertaken in conformance with the protocols established in “Monitoring Plan of Offshore, Nearshore and Intertidal Resources for the Goleta Beach Nourishment Demonstration Project” (pages 3 and 4).

(2) Bathymetric Surveys/Profile Measurements: Profiles shall be surveyed bi-monthly, timed to coincide to the extent possible with the biological kelp surveys and shall be measured from the revetment to -40' MLLW (closure depth).

(3) Sediment Budget Study: Develop a study to determine a sediment budget for Goleta Beach and the area offshore to the closure depth. This study should include:

- (a) Determination of the closure depth from the beach profile data described above, and an estimate of sand loss to deep water.
- (b) Estimates of the eastward flux of sand into the Goleta Beach area.

NOTICE OF INTENT TO ISSUE AMENDMENT TO COASTAL PERMIT
(Upon satisfaction of special conditions)

- (c) Estimates of the westward flux of sand out of the Goleta Beach area
 - (d) Estimate of sand contributions to the Goleta Beach area from Atascadero Creek
 - (e) Estimate of current and pre-revetment contributions of sand to the Goleta Beach area resulting from erosion of the bluff at Goleta Beach.
 - (f) Any other sources or losses of sand to the Goleta Beach area
- (4) This study should be reported on in the final monitoring report.
- (5) Reporting: Within two months after each complete year of bathymetric surveys, the engineer or surveyor shall provide the executive director with a written report on the survey results, on the extent of onshore/offshore transport, the seasonal and/or storm influenced changes in sediment volume and depth throughout the profiles.
- (6) Literature Review: The first bathymetric survey report shall be augmented with a report on the known sediment transport characteristics of the area, longshore transport, sediment inputs, the sediment budget for the cell and, if possible, the sub-cell area, and any other factors identified in the literature. A complete bibliography shall be provided with this literature review.
- (7) Long-term Nourishment Programs: Within 18 months, develop the parameters for a long-term beach restoration program adequate to protect the park and access road. This program shall account for longshore sediment transport, ongoing beach and bluff erosion, sea level rise and other foreseeable factors that will affect the viability of a beach nourishment program. The program shall identify nourished profiles, adjusted profiles, nourishment frequency, and nourishment volumes for a program that could be successful for the next 50 to 75 years. The long-term nourishment program shall estimate changes to sea level, nourished profiles and adjusted profiles for the following time periods: 10, 15, 25, 50, and 75 years from the present.
- (8) Analysis of Long-term Shoreline Treatment Options: Within 18 months, estimate long-term changes to the shoreline profile for the options where the revetments are kept in place and for the managed retreat (no protection, but removal of facilities as they are threatened) alternative over the same time periods. Considering sea level rise and other foreseeable factors that will affect the shoreline, estimate shoreline profiles for these options for the following time periods: 10, 15, 25, 50, and 75 years from the present. Prepare these profiles in a manner that profiles for all future projections can be compared against each other.
- (9) Long-term Impacts to Kelp: Based on the anticipated long-term profiles for the nourishment option, the revetment option and the managed retreat option, provide an analysis of the long-term impacts and viability of the kelp areas under each option. Provide a report on this analysis in July 2006.
- (D) The final interim and final reports generated through compliance with this Special Condition shall also fully reference, append, and incorporate any and all other applicable studies undertaken by the County and others, such as the beach profile and other studies required by the special conditions of Coastal Development Permit 4-02-128 (Santa Barbara County Department of Parks and Recreation).

NOTICE OF INTENT TO ISSUE AMENDMENT TO COASTAL PERMIT
(Upon satisfaction of special conditions)

(E) Prior to issuance of Amendment 4-02-251-A1, the County shall submit a revised draft study plan that takes into consideration the additional 350 lineal feet of rock rip-rap approved pursuant to this amendment.

3. Interim Beach Management and Nourishment (Revised)

- (A) Prior to the issuance of Coastal Development Permit 4-02-251 and 4-02-251-A1, the County shall submit a plan, for the review and approval of the Executive Director, to nourish any area of the subject revetments that may remain exposed as determined by a survey of the revetment on or before April 1 of each year. The Executive Director shall determine if an amendment or a new CDP is required. The plan shall incorporate measures developed by a qualified biologist to nourish the affected beach area in a manner protective of grunion spawning activities and of other species that may utilize the affected area. If beach nourishment is deemed necessary by the Executive Director, based on the extent of exposed rock noted in the required survey, then sufficient beach nourishment to adequately cover the exposed area, with appropriate sand (i.e., of suitable grain size, color, and free of contaminants or debris), from a placement location inland of the revetment location and limited to the area of exposed rock, shall be implemented by the County not later than May 15 of each year, or as otherwise authorized or required pursuant to an approved coastal development permit. If the Executive Director determines that the revetments are adequately covered by sand at the time of the requisite survey, no nourishment shall be required.
- (B) Prior to the issuance of Coastal Development Permit 4-02-251 and 4-02-251-A1, the County shall submit a plan prepared by a qualified biologist to address the combined effects of beach and erosion management activities at Goleta Beach, for the duration of the term of Coastal Development Permit 4-02-251 as amended by 4-02-251-A1, for the review and approval of the Executive Director. The plan shall include feasible measures to enhance beach and intertidal habitat values to mitigate cumulative impacts on these habitats that may result from the combined effects of this project and other activities undertaken by the County on Goleta Beach (such as sand berm construction, beach grooming, etc.). Responsive mitigation measures may include, but not be limited to, retaining kelp detritus in some beach areas, limiting beach scraping in sensitive areas, limiting disturbance at the mouth of the Goleta Slough, or other measures the County deems feasible to improve habitat for invertebrate populations and foraging shorebirds dependant upon invertebrate food sources. The affects of any mitigation measures implemented by the County shall be considered in the studies required pursuant to Special Condition 2. The requirements of this condition shall not be interpreted in a manner that conflicts with or invalidates any active coastal development permit previously approved by the Commission. In addition, associated mitigation measures and applicable permit conditions for other active permit approvals secured by the County or others (i.e., BEACON) shall be reviewed and incorporated in the plan required by this special condition to the maximum extent feasible.

NOTICE OF INTENT TO ISSUE AMENDMENT TO COASTAL PERMIT
(Upon satisfaction of special conditions)

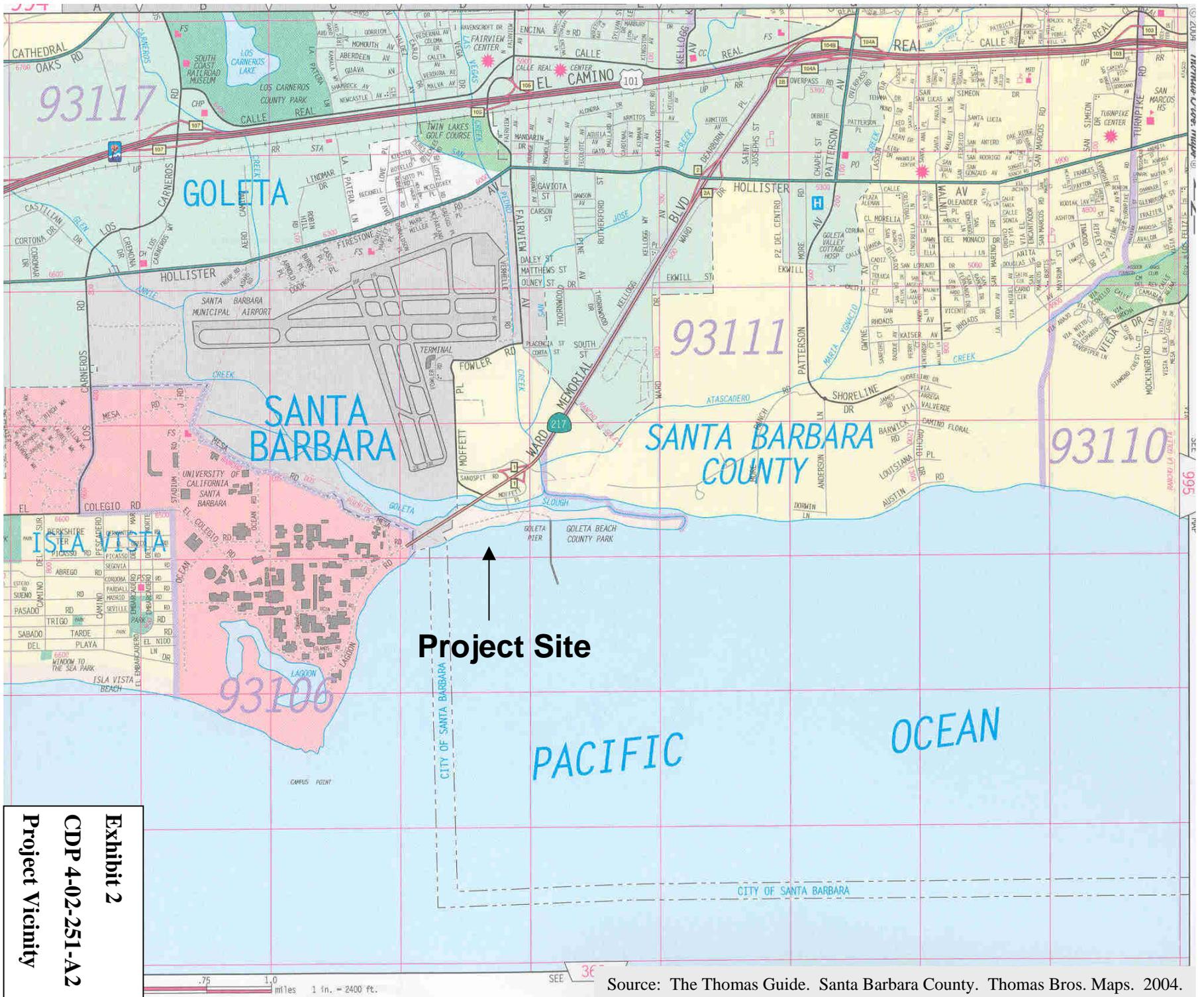
4. State Lands Lease (Revised)

Prior to the issuance of Coastal Development Permit 4-02-251 and 4-02-251-A1, the County shall provide evidence that a lease for the site of the subject revetments have been obtained from the California State Lands Commission, or provide written evidence from the State Lands Commission that no lease is required for the term authorized for temporary retention of the revetments pursuant to Special Condition One (1).

5. Assumption of Risk, Waiver of Liability and Indemnity Agreement (Revised)

By acceptance of this permit, the applicant acknowledges and agrees (i) that the site may be subject to hazards from storm waves, surges, erosion, and flooding; (ii) to assume the risks to the applicant and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

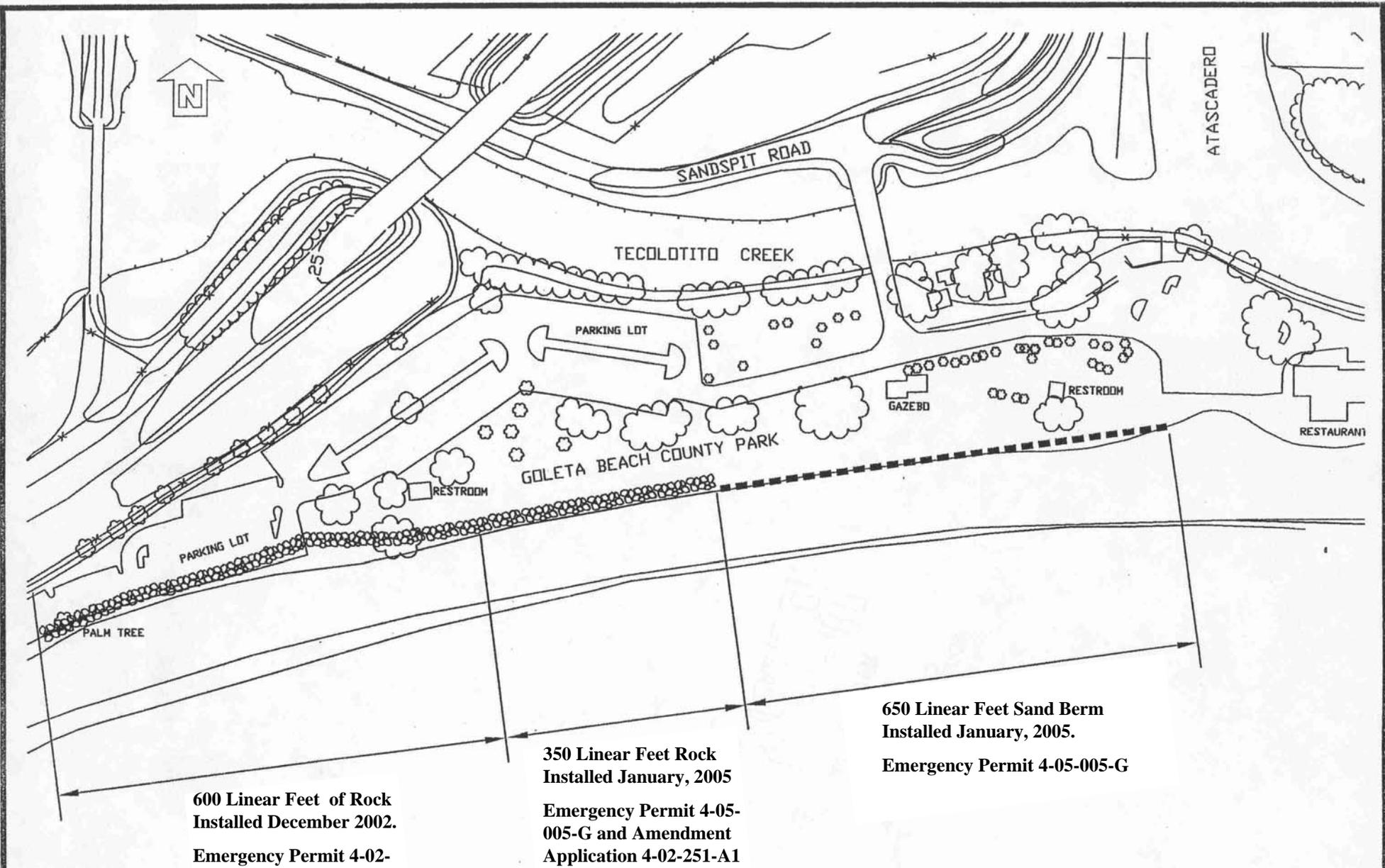
Prior to issuance of the coastal development permit, the applicant shall submit a written agreement, in a form and content acceptable to the Executive Director, incorporating all of the above terms of this condition.



Project Site

Exhibit 2
CDP 4-02-251-A2
Project Vicinity

Source: The Thomas Guide. Santa Barbara County. Thomas Bros. Maps. 2004.



600 Linear Feet of Rock
Installed December 2002.

Emergency Permit 4-02-251-G and CDP 4-02-251

350 Linear Feet Rock
Installed January, 2005

Emergency Permit 4-05-005-G and Amendment
Application 4-02-251-A1

650 Linear Feet Sand Berm
Installed January, 2005.

Emergency Permit 4-05-005-G

GOLETA BEACH PARK

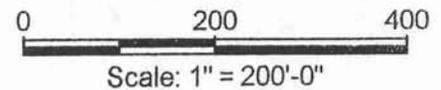


Exhibit 3
CDP 4-02-251-A2
Location of
Revetments