

This Calendar Item No. C40 was approved as Minute Item No. 40 by the California State Lands Commission by a vote of 3 to 0 at its 6-2-03 meeting.

CALENDAR ITEM
C40

- A) 41 06/02/03
W 40867
M. Ahuja
- S) 23 E. Gillies
D. Brown

**REQUEST AUTHORITY FOR THE EXECUTIVE OFFICER TO
OBTAIN ALL NECESSARY PERMITS AND ISSUE A WORK ORDER FOR THE
GROIN REMOVAL AND REPAIR PROJECT AT LAS TUNAS BEACH,
LOS ANGELES COUNTY**

PARTY:

California State Lands Commission
100 Howe Avenue, Suite 100-South
Sacramento, California 95825

BACKGROUND:

The Buddwood Groins (Nos. 1, 2, 3, 4, and 5) and the Call Groin are six steel sheet pile structures located along Las Tunas Beach in the City of Malibu, Los Angeles County. The groins were constructed in 1934 for the purpose of stabilizing the beach. However, during the nearly 70 years since construction, the groins have significantly deteriorated due to corrosion and wave forces and pose a significant safety hazard to the public. Review of historical reports, shoreline data, and recent beach profile survey data, along with site observations, indicates that, with the exception of Buddwood Groin No. 2, the groins are no longer effective for beach stabilization. Therefore, Commission staff recommends removing the remnants of Buddwood Groins Nos. 1, 3, 4, and 5, and the Call Groin, and repairing Buddwood Groin No. 2.

On January 8, 1992, the Commission authorized the Executive Officer to solicit bids and award a contract for Groin Removal Work for Buddwood Groins Nos. 1, 3, 4, and 5 to abate potential hazards along the coastline at Las Tunas Beach.

The Commission has since attempted, on three separate occasions, to remove Buddwood Groins Nos. 1, 3, 4, and 5: March through May 1994, April through June 1995, and September 1996. All attempts to remove these groins were permitted by the California Coastal Commission and the US Army Corps of

CALENDAR ITEM NO. C40 (CONT'D)

Engineers. These permits authorized the Commission to remove Buddwood Groins Nos. 1, 3, 4, and 5 using shore based equipment deployed on the beach using a crane positioned on the adjacent bluff. Limited funds, bad weather, and restricted site access resulted in only partial success. The area has been monitored over the years for any groin exposure. The groin remnants have largely remained covered by sand. Recently, portions of these groins have been re-exposed by tidal forces and again represent a public hazard.

The Call Groin, located approximately 1,000 feet east of Buddwood Groin No. 1, projects about six inches to three feet above the existing sand level. All parts of this Groin were not in the Commission's jurisdiction during previous removal efforts. However, since all the upland property is now owned by the State, the Commission staff recommends inclusion of removal of the Call Groin hazard in the current scope of work.

In October 2002, the Commission contracted with Moffatt and Nichol Engineers (MNE) to verify whether the Buddwood Groins and Call Groin were providing any beach stabilization and to evaluate other methods that would increase the probability of complete removal of the groins without adversely affecting the adjoining bluffs or Pacific Coast Highway running adjacent to the project site. MNE determined that only Buddwood Groin No. 2 provided any beach stabilization, and that it should be repaired to eliminate any exposed hazards. MNE also recommended using larger excavation equipment, which would require beach access, to remove Buddwood Groins Nos. 1, 3, 4, and 5 and the Call Groin.

Funds have been deposited in the Kapiloff Land Bank from prior litigation for the purpose of groin removal and maintenance at this location.

APPROVALS REQUIRED:

California Coastal Commission
US Army Corps of Engineers
Regional Water Quality Control Board
California Department of Transportation
Los Angeles County Beaches and Harbors
City of Malibu

OTHER PERTINENT INFORMATION:

1. The removal of these groins was previously approved by the Commission on January 8, 1992, and pursuant to the Commission's delegation of authority and the State CEQA Guidelines at that time, Commission staff

-2-

000181

CALENDAR PAGE

000901

MINUTE PAGE

CALENDAR ITEM NO. C40 (CONT'D)

determined that the activity was exempt from the requirements of the CEQA as a categorically exempt project under class 4, Minor Alteration to Land, Removal of derelict or hazardous structures on State waterways or school land, Title 2, California Code of Regulations, section 2905 (d)(3); Authority: Public Resources Code section 21084, Title 14, California Code of Regulations, sections 15061 and 15304, and California Code of Regulations, section 2905.

CEQA INFORMATION:

1. 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 the removal of Buddwood Groins Nos. 1, 3, 4 and 5 is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 4, Minor Alteration to Land, Removal of derelict or hazardous structures on State waterways or school lands; Title 2, California Code of Regulations, Section 2905 (d)(3).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

2. 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 the removal of the Call Groin is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 4, Minor Alteration 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.

3. 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 the repair of the Buddwood Groin No. 2 is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 1, Restoration or rehabilitation of deteriorated or damaged structures to meet current standards of public safety; Title 14, California Code of Regulations, section 153301 (d).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15301.

CALENDAR ITEM NO. C40 (CONT'D)

4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. Based upon the staff's consultation with persons nominating such lands and through the CEQA review process, staff believes that the project, as proposed, is consistent with its use classification and that significant environmental values that were originally identified are either no longer there, that such values are not within the project site, or will not be affected by the proposed project.

EXHIBIT:

- A. Location Map

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDINGS:

1. FIND THAT THE REMOVAL OF BUDDWOOD GROINS NOS. 1, 3, 4 AND 5 IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 4, MINOR ALTERATION TO LAND, REMOVAL OF DERELICT OR HAZARDOUS STRUCTURES ON STATE WATERWAYS OR SCHOOL LANDS; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (d) (3).
2. FIND THAT THE REMOVAL OF THE CALL GROIN IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 4, MINOR ALTERATION TO LAND; TITLE 14, CALIFORNIA CODE OF REGULATION, SECTION 15304.
3. FIND THAT THE REPAIR OF THE BUDDWOOD GROIN NO. 2 IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY

CALENDAR ITEM NO. C40 (CONT'D)

EXEMPT PROJECT, CLASS 1, RESTORATION OR REHABILITATION OF DETERIORATED OR DAMAGED STRUCTURES TO MEET CURRENT STANDARDS OF PUBLIC SAFETY; TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15301 (d).

4. FIND THAT THIS ACTIVITY WILL INVOLVE LANDS IDENTIFIED AS POSSESSING SIGNIFICANT ENVIRONMENTAL VALUES PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ., BUT THAT SUCH ACTIVITY WILL HAVE NO DIRECT OR INDIRECT EFFECT ON THOSE RESOURCES FOR WHICH SUCH LANDS ARE IDENTIFIED.
5. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

1. AUTHORIZE THE EXECUTIVE OFFICER TO OBTAIN ALL NECESSARY PERMITS AND ISSUE A WORK ORDER FOR THE GROIN REMOVAL AND REPAIR AT LAS TUNAS BEACH, LOS ANGELES COUNTY.
2. AS TRUSTEE, AUTHORIZE USE OF KAPILOFF LAND BANK FUNDS DEPOSITED FOR THIS PURPOSE TO BE USED FOR THIS EFFORT.

