

CALIFORNIA COASTAL COMMISSION

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September 23, 1999

TO: Coastal Commissioners and Interested Parties

FROM: Jaime Kooser, Deputy Director
Alison Dettmer, Manager, Energy & Ocean Resources Unit
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Steve Monowitz, Analyst, Central Coast District Office

SUBJECT: Unocal Avila Beach Remediation Status Report

Staff Notes:

In a report dated April 22, 1999, (prepared for the May, 1999, Commission meeting), Coastal Commission staff provided a brief history of the Unocal Avila Beach oil spill; past Coastal Commission involvement, including permits issued for spill characterization, containment or remediation; current ongoing remediation activities; and future remediation activities and permitting requirements. This status report provides updates on the most recent activities.

Please note that the section of this report addressing the Front Street Enhancement Plan identifies some important issues relative to the reconstruction of Front Street; the County is currently processing a permit for the described development along the shorefront. Staff welcomes any feedback that the Commission may have with respect to the proposed design for the Front Street reconstruction at the October meeting.

ONGOING SITE ACTIVITIES, SEPTEMBER, 1999

1.0 Summary of major cleanup activities at Avila this past month

Town Areas:

- Cell 3 (eastern town): Sheet pile installation is in progress.

Beach Areas:

- Cells A and B (the western and middle beach): Grading and seawall construction has reached the edge of Cell 2C.

- Cell 2C (the easternmost beach): Unocal is driving "scour pile" along the line of the seawall for additional erosion control. Approx. 2.5 feet is being left above ground level. Preparation for the concrete seawall is moving forward with grading along the north side of the scour pile. Grading of the backfill continues in other parts of the cell. CCC staff worked with Unocal, the County, and Port San Luis Harbor District on use of an appropriate backfill material.
- Cell 2D (San Antonia Street plume (about one block east of Cell 2C)): The entire cell was dug up and removed in one day.
- Cell 2E (former west end excavation): Dredging is completed (down to eight feet below the surface in some areas), confirmation samples are being sent to the lab, and backfill has commenced. A small hot spot remains, but will be addressed.

Although the project is proceeding fairly smoothly, some issues have arisen:

- Although Unocal conducted a tidewater goby survey in nearby San Luis Obispo creek,¹ Unocal failed to notify CCC, ACOE and USFWS staff immediately after completing said survey and wait for agency direction, as it should have per its coastal and ACOE permits. Unocal instead commenced driving of sheet pile. Agency staff are now assessing the situation, which could constitute a violation of the Endangered Species Act, after-the-fact. In the meantime, Unocal will suspend sheet pile removal activities.

2.0 Front Street Enhancement Plan

The Front Street Enhancement Plan as incorporated in the Local Coastal Program provides guidelines for improvements along Front Street. As cleanup activities are completed along Front Street, the street will be reconstructed in accordance with the Front Street Plan and the developing Specific Plan.

2.1 Front Street Enhancement Plan – Phase I

As reported at the July and August, 1999, Commission meetings, the San Luis Obispo County Planning Commission approved and staff has processed a permit for Phase I of the Front Street reconstruction. Development approved under the Phase I permit includes replacing the public bathrooms at the base of the pier and the beach access stairs east (downcoast) of the pier; rebuilding the base of the pier; constructing a new access ramp at the west (upcoast) side of the restroom building; and establishing an observation deck on the seaward side of Front Street at the end of San Miguel. The set of bathrooms that previously existed at this location have been consolidated with the bathrooms at the base of the pier. As suggested by Commission staff, the County required, as a condition of approval of the Phase I permit, that the final engineering plans

¹ Vibrations from driving or removing sheet pile in the west end of the beach could affect tidewater gobies or their habitat.

for all development seaward of the seawall (i.e., the overlook, pier bulkhead, and the access stairs and ramp) be reviewed and approved by the Commission's engineer before being constructed.

2.2 Front Street Enhancement Plan – Phase II

The County is currently processing a permit for Phase II of the Front Street reconstruction, which will be acted upon by the San Luis Obispo County Planning Commission at a public hearing on October 14, 1999. The Phase II application submitted by Unocal (represented by RRM Design Group) includes the following developments:

- ◆ Rebuilding Front Street, and the portions of San Juan, San Francisco, San Miguel and San Luis Streets between First Street and Front Street. The rebuilt streets include wider sidewalks along Front Street, street trees and lights, and a guardrail along the seawall. Increased public parking will be provided along the side streets (San Juan, San Francisco, San Miguel and San Luis Streets). However, some public parking will be removed from the portions of Front Street proposed as a plaza and a park, described in more detail below.
- ◆ Creating a public plaza for a one-block portion of Front Street between San Miguel and San Francisco Streets, at the base of the pier. As illustrated in the attached exhibits, the plaza area will have a unique design that includes a mixture of paving materials, planters, shade trees, seating areas, and a water feature. Although the Phase II project does not include the closure of Front street to vehicular traffic (two travel lanes will be provided), it does allow for such closures with the installation of bollards. Two passenger drop off areas will be established at the seaward ends of San Francisco and San Miguel Streets.
- ◆ Developing a stepped seating area on the east (down coast) side of the pier and the seaward side of the seawall that includes two stairways the beach.
- ◆ Establishing a public park at the eastern (upcoast) end of Front Street, on the triangular piece of property bordered by Avila Beach Drive, San Juan Street, and Front Street currently designated by the LCP for recreation. This involves the closure of Front Street between San Juan Street and Avila Beach Drive. A restroom building and a basketball court will be constructed within the park, and picnic/barbeque areas will be provided. Space for a "community building," currently intended to house a local non-profit group known as the Marine Institute, has been reserved within the park; however, construction of this building will be subject to future permit review and approval.
- ◆ Constructing a drainage outfall structure for storm water runoff from the reconstructed streets, that will also provide an access ramp to the beach, and will be located on the seaward side of the park and the seawall.
- ◆ Providing an emergency and maintenance vehicle access ramp at the seaward end of San Juan Street (a vehicle access ramp was previously located where the drainage outfall structure is currently proposed).
- ◆ Rebuilding three access stairways to the beach between the pier and the park.

2.2.1 Issues raised by the Phase II Front Street reconstruction project

LCP Consistency. The proposed project reflects the improvements to Front Street that are contemplated in the Draft Avila Beach Specific Plan, which is currently undergoing local review and will subsequently be submitted for Coastal Commission review and approval as an amendment to the San Luis Obispo County LCP.

Although the Specific Plan has yet to be formally adopted as part of the LCP, the LCP's Front Street Enhancement Plan (also attached) calls for improvements to Front Street that are generally consistent with the improvements proposed by the Draft Specific Plan and the Phase II application. For example, the Front Street Enhancement Plan calls for widened sidewalks, street trees², and street lighting, all of which will be provided by the Phase II reconstruction. The Front Street Enhancement Plan also calls for an observation deck and performance just east (down coast) of the pier, that is reflected in the Phase II application by the proposed step seating area.

What is not specifically addressed by the LCP's Front Street Enhancement Plan, but contained in the Phase II application, is the plaza design proposed for the one block area between San Francisco and San Miguel streets, and the closure of Front Street between San Juan Street and Avila Beach Drive associated with the proposed park. The unique design for the plaza area has been generated through numerous community meetings, and has been reviewed and approved in concept by the Avila Beach Front Street Enhancement Committee, the Avila Valley Advisory Committee, and the Port San Luis Harbor District.

By virtue of the LCP's silence on the specific design for Front Street improvements, the Phase II application, in staff's opinion, can be considered to be generally consistent with the Front Street Enhancement Plan. Nevertheless, the plaza design potentially raises issues with respect to its affect on Avila's unique community character, an important concern that has consistently been noted by the Commission and its staff. In addition, the plaza (along with the proposed park) will remove some beachfront public parking that existed prior to the clean-up and is an important resource for coastal access and recreation. These issues are addressed in more detail below.

With respect to the closure of the one block western (up coast) end of Front Street for the public park, the LCP currently designates both sides of Front Street in this region for recreation. Thus, the closure of Front Street (a public right-of-way) in order to provide a connection between these two recreation areas, is consistent with the LCP's intent that this area be used for recreation purposes. Furthermore, the park itself will expand recreational opportunities in the area. Moreover, the closure of this section of Front Street will abate a hazardous intersection, and facilitate safer and more convenient access to the beach. Nevertheless, as noted above, the removal of public parking opportunities in this area needs to be addressed.

² The Front Street Enhancement Plan specifies a specific variety of Fan Palms (*Washingtonia Robusta*) for use as street trees; the Phase II application proposes a Hybrid Fan Palm on Front Street, and Queen Palms on side streets.

Parking. The proposed Front Street Plaza will remove approximately 37 parking spaces that existed prior to the clean-up; the closure of the west end of Front Street associated with the public park will remove approximately 40 previously existing parking spaces.

However, public parking opportunities on the side streets just inland of Front Street will be increased by approximately 40 spaces when compared to the parking that was available prior to the clean-up. About 8 additional new public parking spaces will also be obtained by shifting the 45 degree parking angle that previously existed on the seaward side of Front Street to 30 degrees. Passenger drop-off areas will also be provided at the seaward ends of San Juan, San Francisco, and San Miguel Streets.

Under the proposed Specific Plan, the most significant improvement to public parking opportunities will be realized through the reconfiguration of the "Earls' Alley" parking area, which will provide approximately 50 new parking spaces. However, the reconfiguration of this parking lot is not included as part of the Phase II application. To address this issue, County planning staff is in the process of designing a condition in coordination with Commission staff that will ensure that the improvements to the Earl's Alley parking area will be completed in a timely manner by Unocal.

With the entirety of the parking improvements proposed by the Draft Specific Plan, there is expected to be an overall increase in public parking by approximately 17 spaces.³ Nevertheless, there may still be an overall parking deficit during the times of highest beach use.⁴ As a result, it is expected that the final Specific Plan will need to include some innovative parking programs, such as some sort of shuttle system. Other transportation improvements contained in the Draft Specific Plan that may help alleviate parking problems include improved bicycle paths. The Commission staff is working closely with County staff to ensure that adequate parking facilities and transportation improvements necessary to protect and enhance coastal access opportunities will be realized through the Specific Planning process.

Community Character. The town of Avila is a unique coastal community that, because of its special character, is a popular destination for coastal recreation. Ensuring that this character is preserved as the town is rebuilt is a significant concern of the Commission, and required by Coastal Act Section 30253(5). Thus, the impact of the proposed Front Street reconstruction on the overall character of Avila is an important consideration.

Through numerous Community meetings, the goal of preserving the "funky and eclectic" character of Avila Beach has been consistently expressed. At the same time, improving Avila's image, streetscape, and infrastructure has also been identified as a goal of the Specific Plan. In fact, the enhancement of Front Street has been a long-term objective, as reflected by the LCP's Front Street Enhancement Plan.

³ Prior to the clean up, there were approximately 935 public parking spaces; the draft specific plan proposes to provide 952 spaces.

⁴ The Draft Specific Plan estimates that 998 spaces would be needed to meet peak beach demand.

During the Community meetings regarding the Specific Plan attended by Commission staff, staff has observe wide spread community support for a plaza area that would enhance the pedestrian and beach oriented activities that is an important characteristic of the Front Street area. At the same time, there have been concerns expressed by members of the community that some of the proposed improvements, such as the closure of a portion of Front Street to vehicular traffic, are not in keeping with Avila's character, especially during the winter months, when beach use is at its lowest.

In an attempt to balance these concerns and desires, Unocal, in coordination with the County, has designed the Phase II Front Street Reconstruction Plan to include many of the design improvements to the Front Street area that have been developed through the Community planning process. The closure of Front Street to vehicular traffic is not included in the current application. Temporary or permanent closure of the Plaza area can easily be achieved in the future through the installation of bollards, if such closures are determined to be appropriate and acceptable through the Specific Planning process.

Drainage. The rebuilding of Front Street offers a unique opportunity to implement progressive storm water management techniques that will help protect water quality and marine habitats from the adverse impacts of urban runoff (non-point source pollution). Commission staff has consistently requested that redevelopment plans incorporate best management practices for the control of storm water runoff. However, the Phase II proposal does not contain sufficient detail regarding the proposed storm drain infrastructure to adequately respond to this request. For example, it is unclear if there will be any filtration devices installed as part of the storm drain infrastructure in order to reduce the amount of hydrocarbons, heavy metals, and other pollutants that may be contained in storm water runoff. The Commission staff is also concerned that the proposed location of the storm drain outfall, in the same location as an access ramp to the beach, will impede the public ability to utilize this accessway during and following rain events. To address these concerns, the County intends to condition the project in a manner that will require final drainage plans to be reviewed and approved by the staff of the County Engineering Department, the Regional Water Quality Control Board, and the Coastal Commission.

Beach Coverage. Development seaward of the rebuilt seawall proposed as part of the Phase II project includes the drainage outfall/access ramp, the vehicle access ramp, the replacement of three access stairways, and the stepped seating area immediately east (down coast) of the pier. Including the development seaward of the beach approved under Phase I (i.e., replacement restrooms and access stairways, as well as a new access ramp immediately west of the restroom building and a new bulkhead at the base of the pier) beach coverage will be increase from approximately 4,000 square feet under pre clean-up conditions to approximately 8,000 square feet (about 1.5% of the total beach area). Because the facilities that will cover beach areas are intended to enhance beach access and recreation activities for the general public, they are, in the opinion of Commission staff, consistent with the LCP's designation of the beach area for recreation, as well as with Coastal Act access and recreation policies. To ensure that they are designed and constructed in manner that can withstand the forces of storm waves and changing beach profiles, the County will condition the project to require that engineered plans for all

structures seaward of the seawall be reviewed and approved by the Coastal Commission's engineer.

In summary, the Phase II Front Street reconstruction project currently being processed by the County has raised concerns regarding its consistency with the LCP and its relationship to the Specific Planning Process; impacts on public parking and community character; and the adequacy of drainage improvements and engineering designs for structures proposed seaward of the seawall. Commission staff has worked closely with the applicant and County staff to address these issues, and at the same time avoid delays to the reconstruction project that must move forward in a timely manner in order to restore the public's ability to access and enjoy this important beach area by the summer of 2000. As a result of this coordination, Commission staff believe that the Phase II project, with the conditions being developed by the County and described above, is consistent with the character of Avila Beach, the San Luis Obispo County LCP, and the public access and recreation provisions of the Coastal Act.

3.0 Other Issues

- The rebuilt pier design can accommodate the replacement of the Yacht Club building, and the County clean-up permit allows for its replacement at its previous location. The Yacht Club, Port San Luis Harbor District, Army Corps of Engineers, and others signed an agreement that the Yacht Club building would be replaced in its pre-cleanup location in order to protect its historic value. There is, however, local controversy over its replacement location that has not yet been completely resolved. Should agreement be reached on relocation of the Yacht Club, there is space available within the park proposed at the western end of Front Street to accommodate the Yacht Club.

4.0 Specific Planning Process

- The Central Coast District staff reviewed the Public Review Draft of the Specific Plan and the Draft EIR, and provided comments on July 21, 1999, that were attached to the August update. Since that time, Central Coast staff has met with County planning staff and Supervisor Pinard to discuss the various issues raised in the comment letter. The County has prepared a draft response to the comment letter, and a final response is expected in the near future. Staff will continue to work with the County throughout the local review of the Specific Plan in an attempt to ensure that coastal resource and access issues are effectively addressed by the eventual submittal of the Specific Plan for Commission certification.

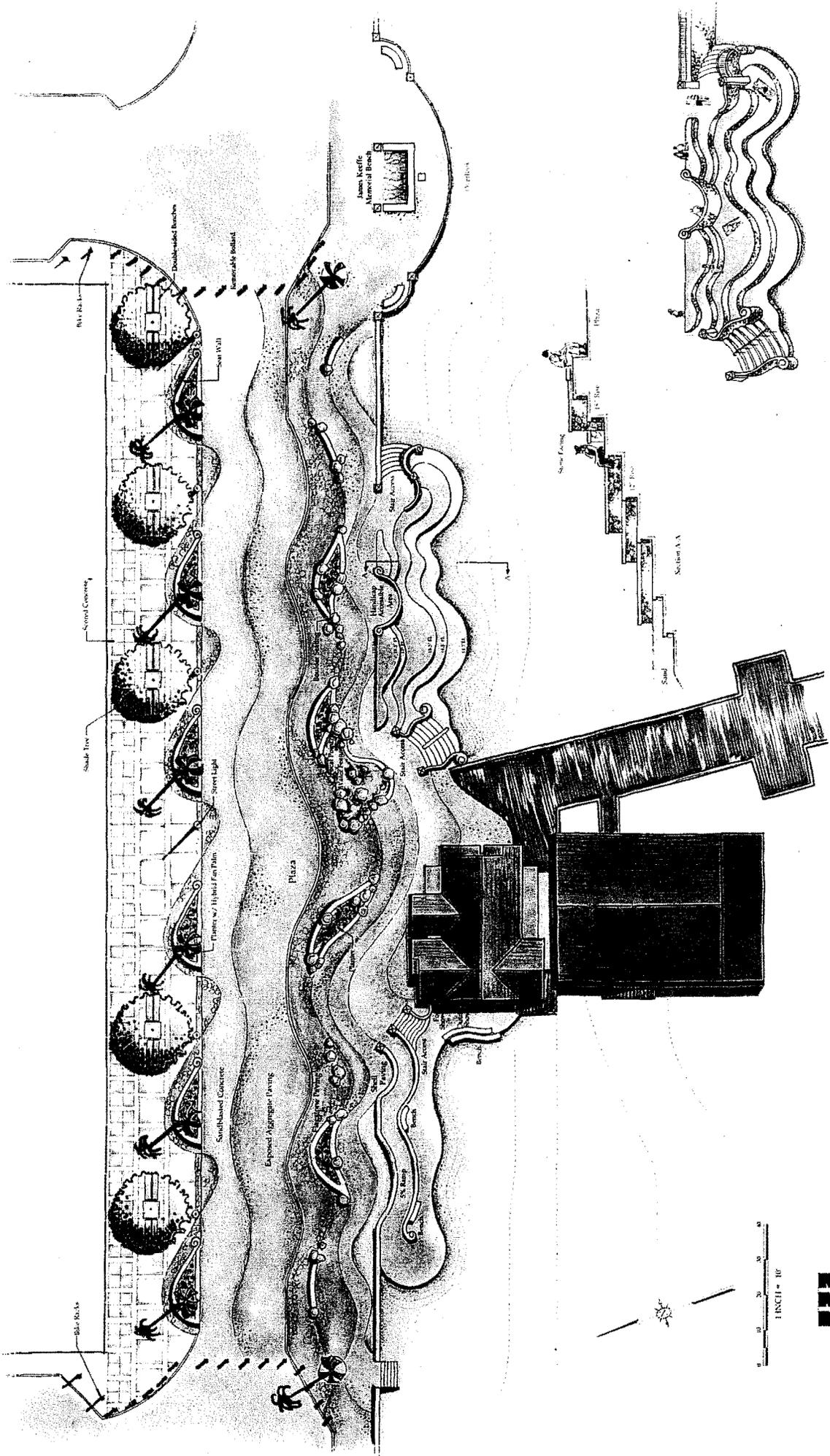
5.0 Disbursement of the Settlement Agreement Monies

- The Commission staff is working with the Department of Fish and Game's Office of Spill Prevention and Response ("OSPR") to disburse settlement monies held in trust by the OSPR per the MOU that was entered into by the CCC and the OSPR on September 16, 1998. Specifically, the staff has been working with the OSPR to develop a process to solicit,

review, and rank specific project proposals. The process is proceeding, and planned, as follows:

- In August and September, 1999, the agencies with jurisdiction over the use of the settlement funds developed one-page summaries of their application and review criteria.
- In early October, 1999, the County will release a public mailer that explains the application and decision process, and includes the summaries;
- On October 14, 1999, a public workshop will be held;
- In mid November, 1999, application packets will be due;
- The Commission staff will inform the Commission of the proposals received for review and comment as part of the monthly updates;
- At a public workshop in February, 2000, agencies will present their initial rankings and draft restoration plan(s);
- In March, 2000, agencies will review the public's reaction to the initial ranking/draft plan(s);
- A subsequent public meeting may follow; and
- Final projects and restoration plan(s) will be chosen.

FRONT STREET DEVELOPMENT PLAN

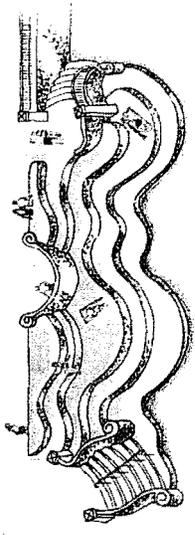


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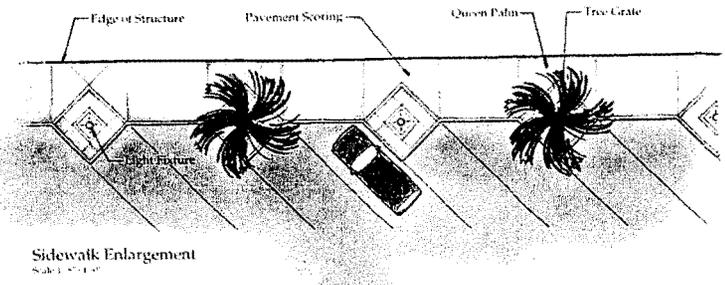
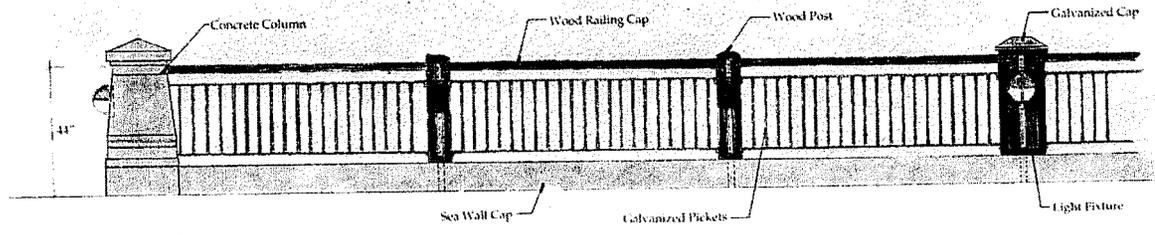
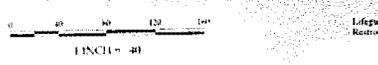
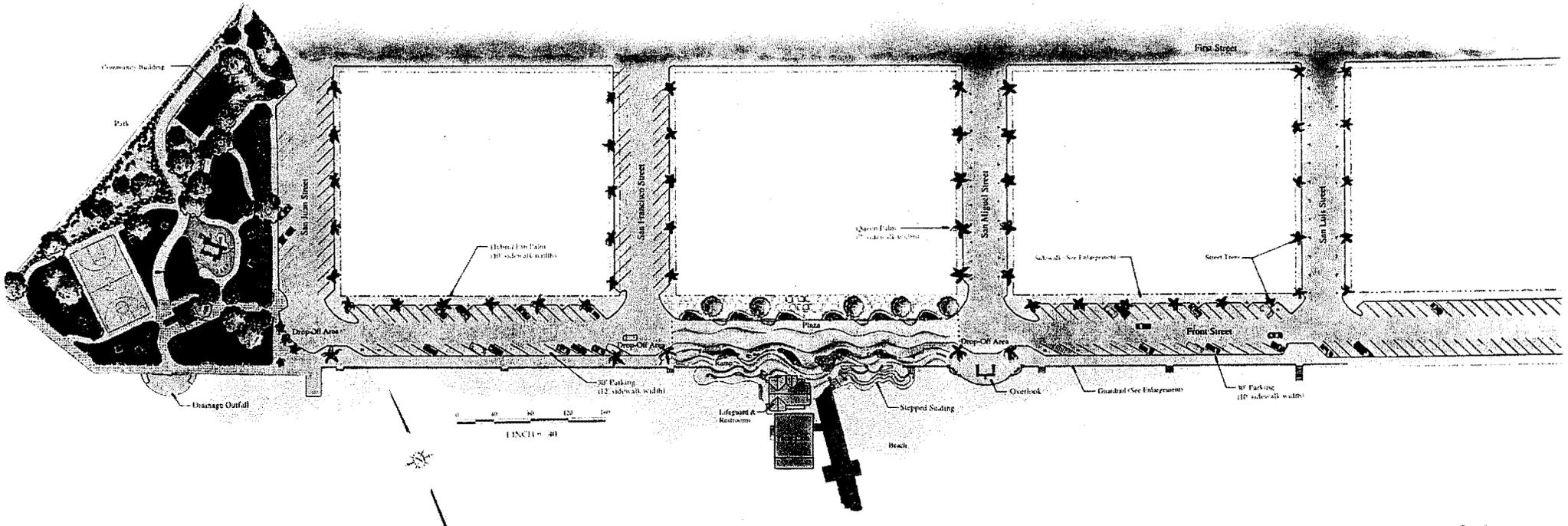
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August 9, 1999

PLAZA, STEPPED SEATING, AND PIER PLAN



FRONT STREET DEVELOPMENT PLAN



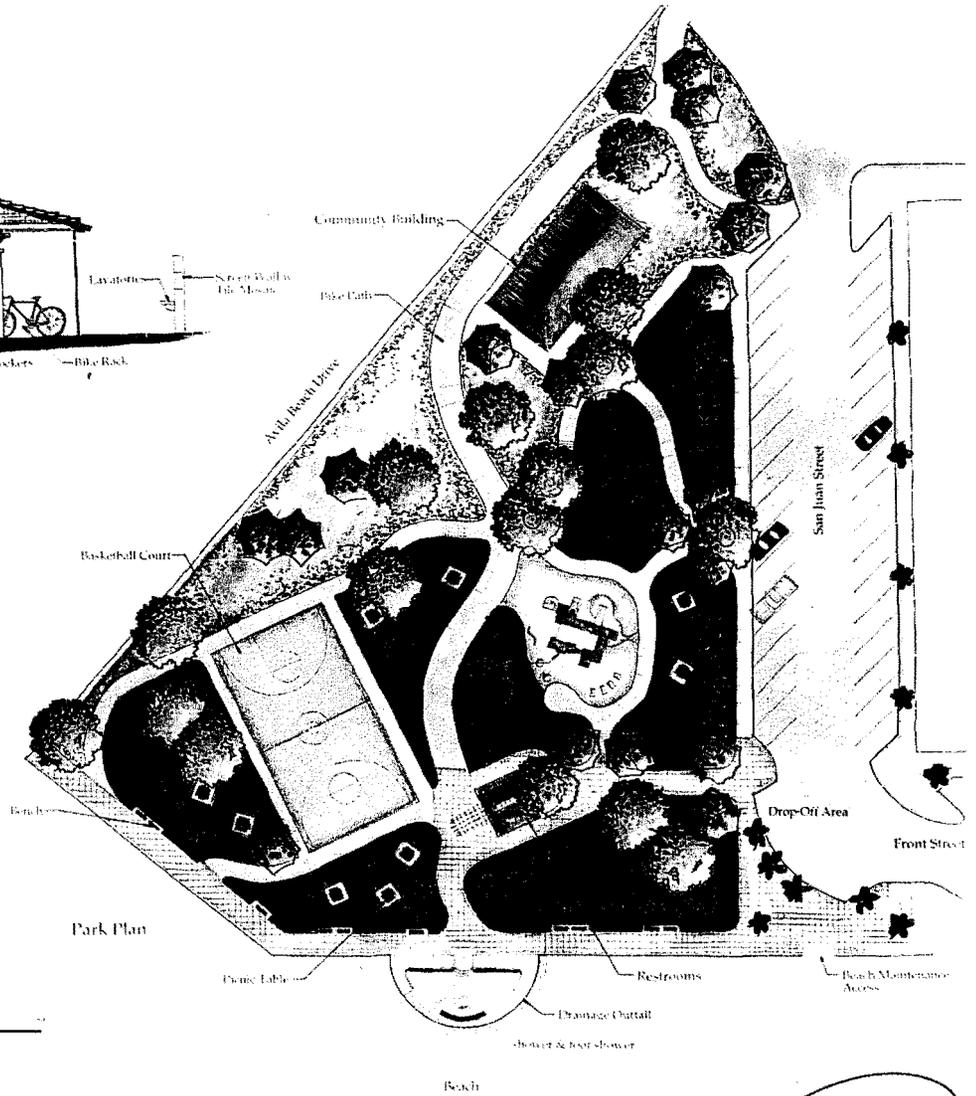
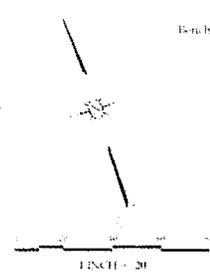
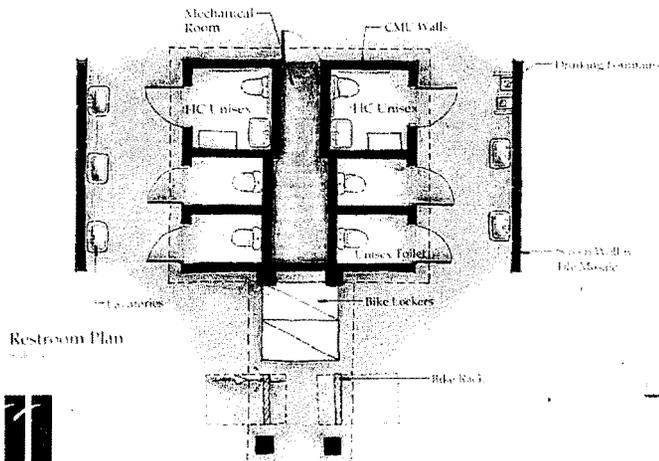
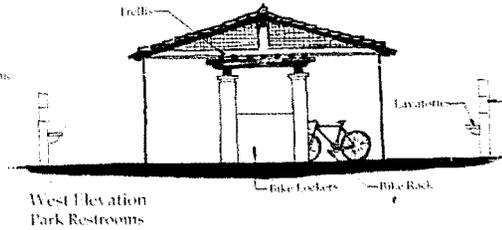
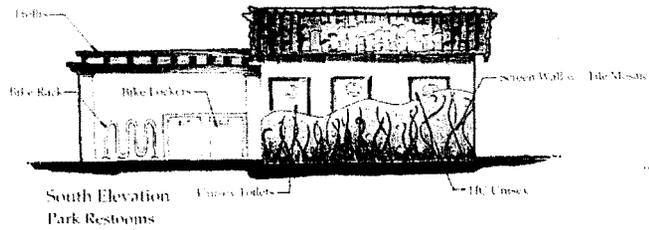
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August 9, 1999

THE BIG PICTURE

FRONT STREET DEVELOPMENT PLAN



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SAN JUAN STREET PARK WITH RESTROOMS

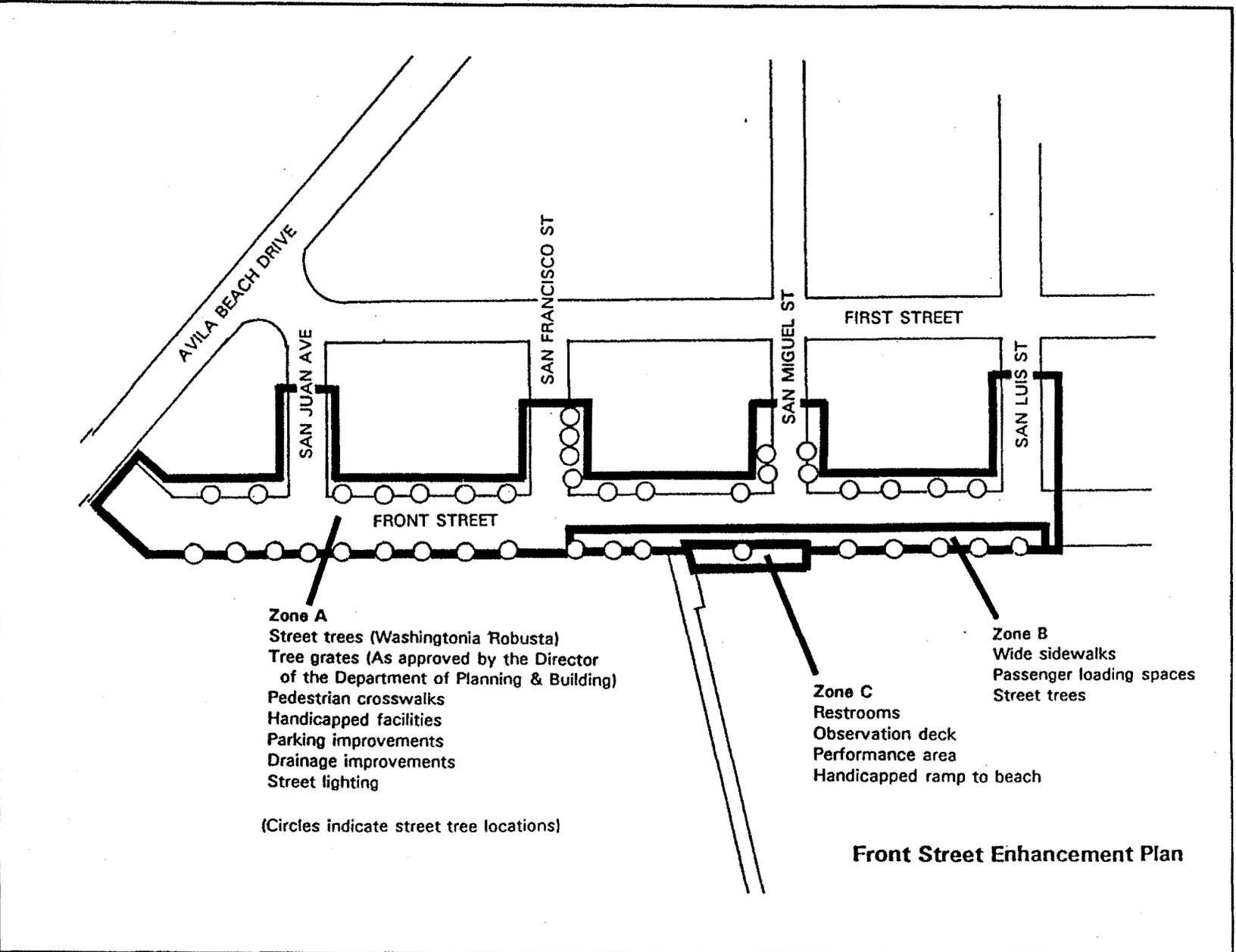


Figure 8-3: Front Street Enhancement Plan