

**MINUTES OF THE MEETING  
OF THE CITY OF SAN CLEMENTE  
COASTAL ADVISORY COMMITTEE**

**Thursday, September 11, 2003**

**@ 7:00 p.m.**

**Community Center, Ole Hanson Fireside Room  
100 N. Seville  
San Clemente, CA 92672**

**1. PLEDGE OF ALLEGIANCE**

Committee Member Ken Nielsen led the Pledge of Allegiance.

**2. ROLL CALL**

Present: Ken Nielsen, Nesa Ortega, Dennis Hannan, Michael Barnes, James Burror, William Hart, Garrett Waters

Staff present: Bill Cameron, City Engineer  
Bill Humphreys, Marine Safety Chief  
Mary Colletti, Recording Secretary

**3. APPROVAL OF MINUTES**

Chairman Barnes thanked Committee Member Hart for his three years of excellent service as Chairman of the CAC Committee. Mr. Hart thanked him and congratulated both him and Committee Member Nielsen on their new positions of Chairman and Chairman Pro Tem, respectively.

CAC Minutes of August 14, 2003

MOTION BY CHAIRMAN BARNES, SECONDED BY COMMITTEE MEMBER WATERS, CARRIED (6-0-1), to approve the minutes of August 14, 2003 as amended (abstained: Hart).

**4. PUBLIC INPUT**

None.

**5. OLD BUSINESS**

#### A. Draft Beach Sand Opportunistic Nourishment Policy

Chairman Barnes stated that recently, this committee had slightly changed the scope and direction of the Policy and therefore he'd like to discuss it and get a perspective on how it originated and what direction it is going in now. He said he's been "thinking twice" lately about the policy in view of the committee's most recent discussions of it. He stated that in the second meeting of this committee, on December 13, 2000, the committee was asked to review the Marblehead Final Mitigated Negative Declaration, and that this was the beginning of the Sand Replenishment Project. He said this program was to be funded by the Marblehead Coastal Development by Lusk Corporation. Marblehead had 30,000 cubic yards of material stockpiled from the bluff stabilization work they'd done above the railroad tracks in 1991. In the year 2000, Lusk agreed to donate this material, fund the permits both for replenishment and opportunistic permits, and truck the sand to the beach. The sand had 22% fines, and there were other issues that made this committee want to study the program before having it implemented. Marblehead's representative, Chris Webb, Moffatt & Nichols, attended the January and May 2001 CAC meetings. Chairman Barnes, reading from his notes for that meeting, said that Mr. Webb basically said that Lusk agreed to fund this program and in turn would be able to obtain expedited development permits from the City of San Clemente.

Chairman Barnes went on to say that after the Marblehead project fell apart, the CAC was left with this opportunistic sand program, which was written by Chris Webb. Chris Webb at that time recommended 25% fines to be written in the permit, to allow for more flexibility to negotiate a better percentage. Mr. Barnes said the committee at that time agreed to 25% fines, with the understanding that when City Council approved a policy, the fine percentage would be lower, according to stricter City standards. Committee Member Barnes now feels that the committee should have had a more extensive discussion at that time as to the viability of such a project. He's not sure whose idea the policy was at the time. Committee Member Ortega said that the Beach Ad Hoc Committee had been discussing this idea at that time. Committee Member Hart said that there were two tiers of the program envisioned at that time; 1) the USACE project, and 2) having a permit in place for opportunistic sand placement, to avoid any delay in the case that opportunistic sand became available. He said the Lusk/Marblehead sand one-time placement proposal was in addition to that, and that the CAC's discussion of an ongoing opportunistic sand placement policy was a separate issue from that proposal, and even when the Lusk/Marblehead one-time sand placement project fell through, the CAC decided that it was worthwhile to continue the discussion of a sand placement project. He said they decided that by placing smaller quantities of sand on the beach at the beginning, valuable lessons could be learned in regard to placing larger quantities of sand in the future.

Committee Member Hart said that the concept of writing an ordinance or policy was agreed upon at that time, as a way of having more local control over the quality of sand placed.

Chairman Barnes said the more we discuss it, the more he believes that the idea of receiving opportunistic sand is unrealistic—he said that good quality sand would be kept by a development company, rather than given away; we don't have a lot of sand in Orange County; we can't stockpile small amounts of sand as City Engineer Cameron has said there is no place in the City to do so. He said that the process would be so lengthy and involved that he thinks contractors would be more likely to get rid of any material the fastest, cheapest way possible (i.e., to a landfill), and with the railroad tracks, we have no way of getting sand to the beach. Therefore, he would like to take the word "opportunistic" out of the CAC's draft policy, to make the policy broader in scope, and to match the wording in the Mitigated Negative Declaration.

Committee Member Hannan said that any kind of sand dumping in the Oceanside cell should be coordinated with the whole region (i.e., Orange County, San Diego county, regional agencies, all the neighboring cities, the USACE, etc.) since it affects a large part of the coast. With a joint, regional effort, we would have more opportunities for funding and finding sand for placement.

Committee Member Ortega pointed out that the idea for this policy was to have an approved permit in place with a lifespan of five years, enabling us to immediately receive sand from a source outside of the USACE (i.e. from a developer or other source like Arizona) should the opportunity arise. She feels that "opportunistic" means any opportunity that would provide us sand; not just one that provides free sand. The committee generally agreed that the word "opportunistic" was a matter of semantics. Committee Member Barnes wanted to strike the word "opportunistic", but wondered if doing so would be interpreted by the USACE as the City taking on their own project, causing us to lose the USACE opportunity. The committee discussed this issue, and generally decided that it would not affect what the USACE is doing; they will continue with their project either way.

San Clemente resident Chuck Hauswirth suggested the Mission Viejo Company may offer sand to us during the development of Rancho Mission Viejo as a way of gaining favor with the City of San Clemente. Committee Member Hart added that they have two sand and gravel operations: 1. traditional sand and gravel, and 2. basilica sand and that they are possible sources of sand for our beaches. He also mentioned L.A. and Arizona as possible sources of sand for affordable prices, and he said he didn't feel strongly for or against dropping the word "opportunistic" from the policy.

Chairman Barnes and Committee Member Burror felt that "opportunistic" means "at no charge to the City". Mr. Burror said that if the City purchased sand, their permit process would be different than if a donor contributed sand. Committee

Member Ortega said that in her view, the policy would cover all opportunities for sand placement, whether it is at a cost to the City, or donated, so she does not understand the need to strike the word "opportunistic" from the policy. Marine Safety Chief Humphreys clarified that the policy would not include the Feasibility Study, and therefore, would it only include items covered in the Mitigated Negative Declaration. The committee agreed that their policy would only cover the items stated in the Mitigated Negative Declaration.

**MOTION BY CHAIRMAN BARNES, SECONDED BY COMMITTEE MEMBER HANNAN, CARRIED (6-0-1), to change the title of the draft policy from "Opportunistic Beach Sand Nourishment" to "Beach Sand Nourishment" (abstained: Ortega).**

The committee then went on to discuss and revise the draft policy in keeping with the required City of San Clemente Policy and Procedure template. Refer to the "San Clemente Beach Sand Nourishment" policy, revised September 27, 2003 for details.

The committee moved ahead to New Business and Items from Staff in order to receive City Engineer Cameron's input. They then returned to Old Business and continued to make revisions to the Beach Sand Nourishment Policy. At the close of Old Business, Chairman Barnes thanked Committee Member Burror for his version of the draft policy, adding that much of his verbiage was incorporated in the policy revised tonight.

**6. NEW BUSINESS**

None.

**7. COMMUNICATIONS**

A. Parks and Recreation Commission Minutes, July 8, 2003

Received and filed.

B. Bacteriological Monitoring Report

Received and filed.

C. July 2003 Program Update

Received and filed. Chairman Barnes and the entire committee thanked City Engineer Bill Cameron for his excellent report.

In regard to the complaints mentioned in the report, Mr. Cameron said while City staff have issued citations in response to complaints, the City's intent is to focus

on public education rather than citations, unless there are repeat offenders. He said that staff knows who the biggest offenders are. He said that the City would be filling the second staff position opening in for water quality/urban runoff enforcement shortly. He said staff will continue to submit these water quality program update reports monthly.

## **8. ITEMS FROM STAFF**

City Engineer Cameron said the Poche Beach meeting would be held at the RIO center at 6 pm on September 18, 2003.

Committee Member Hart said that two Algodon residents (who had attended a previous CAC meeting on street sweeping) came to him regarding street sweeping, and said they were very happy with the new street sweeping program.

Committee Member Nielsen asked if public streets with excessive trash would be handled by Mr. Cameron's department. He said there were areas that were not being cleaned. Mr. Cameron said that street sweeping is being done twice monthly, but that there are still people who don't move their cars. He said the schedule is posted on the internet. Committee Member Nielsen said he addressed the City Council about the problem of certain areas that are still extremely dirtier than others—he said you could walk 50 feet and fill up a trashcan. He asked Mr. Cameron what he could do about it, and Mr. Cameron responded that more frequent cleaning is the only solution he can think of. He said City staff plans to work more closely educating City residents about cleanup, and if that isn't effective, the City will review their available funds in order to possibly increase the street sweeping effort. Mr. Nielsen asked if they would start sweeping alleys, and Mr. Cameron said he'd check on this.

In response to Chairman Barnes's question about Mr. Cameron providing verbiage for the "Certificate of Completion" section of the draft "Beach Sand Nourishment" policy, Mr. Cameron said he had provided the information by email in the past. Since it had apparently not been received, the committee asked him to re-send his email to Chief Humphreys.

Chief Humphreys said that Chris Webb of Moffatt & Nichols will be at the October 7, 2003 meeting of the City Council, and that the following items will be on their agenda: 1. reapproval of the entire sand nourishment policy project, 2. approval of the Mitigated Negative Declaration, 3. certification of the report regarding mitigation measures and 4. a request for authorization to hire Moffatt & Nichols to complete this project (Lusk funded the first \$75,000 of this project; these funds have been entirely expended). Chief Humphreys said it is estimated that it will cost another \$30,000 to process the application plus \$5000 for application fees. Chief Humphreys said he's 95% confident that the Department of Boating and Waterways will give us a \$35,000 grant to cover this. He said we received a \$150,000 grant last week for the feasibility study that he applied for

two years ago, and that the state is very supportive of this project and is very interested in seeing San Clemente receive the sand nourishment permit.

Chief Humphreys also stated that the Coastal Frontier Monitoring report for Spring 2003 was received this week, and he will officially distribute it at the next CAC meeting, but asked committee members Nielsen and Hannan to review this report in advance to help interpret the technical data contained in this report. Chief Humphreys made an appointment to meet with Mr. Nielsen and Mr. Hannan at 11:00 am on September 24, 2003 to do this review.

## 9. ITEMS FROM COMMITTEE MEMBERS

Committee Member Nielsen said that Surfrider has been distributing information packets about Poche Beach and our City's URMP, and were holding a meeting at the Wheel Building on September 18, 2003, and he distributed samples of the information packets to the committee members. He asked that the committee members attend the meeting to show their support. He said that Shorecliffs has a big parking lot that they don't fully utilize, and perhaps this parking could be shared with Poche beach, and that Poche beach residents could perhaps use it free, while other people would pay to park there. Committee Member Hannan suggested that the HOA charge people \$5-\$10 for parking.

Mr. Nielsen also said that Kelly Sarber, (the woman who proposed providing Arizona sand to San Clemente) was not able to attend this meeting, but wanted more time to put together a proposal to present at a future CAC meeting, and wanted to invite her Scripps expert to attend as well. Mr. Nielsen and Mr. Burror felt that despite her delaying her attendance, she was legitimate in her proposal. Mr. Nielsen also mentioned sand at Camp Pendleton. Committee Member Hannan said he would bring a color-coded map of Camp Pendleton indicating the sand resources there. He felt that we should talk to state and federal staff in conjunction with Camp Pendleton's resource manager, in regard to the possibilities of getting sand from Camp Pendleton.

Committee Member Hart asked if the recent shark sightings had affected tourist usage of the beach. Chief Humphreys said it had not affected usage at the city beach, but he heard that the beach at Trail 1 was affected with lower attendance.

Committee Member Burror stated that September 20, 2003 was Coastal Cleanup Day. He asked that the committee members attend the meeting to show their support.

Committee Member Waters said that the Parks and Recreation Commission formed a subcommittee to give children community service points for beach cleanup. The points earned would provide for letters of recommendation (to colleges, etc.) stating the hours of community service contributed by the child.

Chairman Barnes informed the committee that Chief Humphreys would be speaking about "Cost Effective Shoreline Monitoring in a Small California Coastal Community" at a meeting on October 23, 2003 for the Headwaters to Ocean 2003 Conference in Long Beach, sponsored partially by CalCoast. He asked Chief Humphreys if he'd like to make a practice presentation at the next CAC meeting. Chief Humphreys said the presentation may not be ready by the next CAC meeting.

**10. ADJOURNMENT**

MOTION BY COMMITTEE MEMBER ORTEGA, SECONDED BY COMMITTEE MEMBER WATERS CARRIED (7-0-0) to adjourn at 9:55 pm to a regular meeting to be held on Thursday, October 9, 2003, at 7:00 pm, in the Fireside Room, at the Community Center, 100 N. Seville, San Clemente, California.

Respectfully submitted,

  
Michael Barnes, Chair

Attest:

  
Bill Humphreys, Marine Safety Chief