

CALIFORNIA COASTAL COMMISSION

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RECORD PACKET COPY

February 13, 2002

TO: Commissioners and Interested Persons

FROM: Chuck Damm, Deputy Director
John Ainsworth, Supervisor *ja*
James Johnson, Coastal Program Analyst

RE: **Staff Recommendation Port of Hueneme, Oxnard Harbor District, Port Master Plan Amendment No. 6, (Add Former Sunkist Property into Port District).** For Commission consideration and possible action at the Meeting of March 5 - 8, 2002.

SUMMARY OF AMENDMENT DESCRIPTION AND STAFF RECOMMENDATION:

Staff is recommending that the Commission certify the proposed amendment to expand the Port of Hueneme, Oxnard Harbor District boundaries by 13.67 acres to include a portion of the former Sunkist Warehouse property located to the southeast of the existing Harbor District Boundary. In addition, the Harbor District and the City of Port Hueneme propose to exchange small portions of land in this area to facilitate efficient use by the District while providing beach front lands for City visitor serving uses and public access. This results in providing 11.5 acres of land (Parcel No. 12) for the District to designate for harbor related uses and 2.17 acres of land (Parcel No. 13) for waterfront access along an existing seawall. The City of Port Hueneme will receive a 1.3 acre parcel of land that will continue to be designated for future visitor serving uses and a 2.53 acre beach parcel to add to Hueneme Beach Park (Exhibits 4 and 5). The staff recommends that the Commission find that the proposed amendment conforms with and carries out the applicable port development, marine resources, water quality, and public access policies of Chapters 3 and 8 of the Coastal Act. The recommended motion and resolution are provided on Page 3.

I. PORT MASTER PLAN AMENDMENT PROCEDURE

Section 30716(a) and California Code of Regulations, Title 14 Section 13636 call for port master plan amendments to be certified in the same manner as provided in Section 30714 of the Coastal Act for certification of port master plans. Section 13628 of the regulations states that upon the determination of the Executive Director that the master plan amendment and accompanying materials required by Section 13628(a) are sufficient, the master plan amendment shall be deemed submitted to the Commission for purposes of Section 30714 of the Coastal Act. The subject amendment was deemed submitted on December 20, 2001. Within 90 days of this submittal date, the

Commission, after public hearing, shall certify or reject the amendment, in whole or in part. The Commission may not modify the amendment as a condition of certification. If the Commission fails to take action on the amendment submittal within the 90-day period, without a waiver of the time period by the applicant, the proposed amendment is deemed certified. The date by which the Commission must take action, absent a waiver by the Harbor District, is March 19, 2002.

Section 30714 also states that the Commission shall certify the amendment if the Commission finds both that:

1. The certified portions of the amendment conform with and carry out the policies of Chapter 8 of the Coastal Act.
2. Where the amendment provides for development listed as appealable in Section 30715, such development is in conformity with all the policies of Chapter 3 of the Act.

The proposed amendment provides for expanding the Oxnard Harbor District boundaries to include the former Sunkist Warehouse property, a 14.1 acre parcel, and a portion of Hueneme Street road right-of-way, 1.2 acres, for port related and public access land uses as noted in Table 1 on Page 6 below and Exhibits 5 and 7. Two new parcels are proposed to be added to the District boundaries as proposed Parcel Nos. 12 and 13 designated for existing District land uses. Most of these port related and the access related land uses are not appealable development under Section 30715. However, one of these land uses is an appealable development, commercial fishing facilities, under Section 30715. The proposed amendment allows for non-appealable development on Parcel No.12 for "General Cargo, Containers, Offshore Oil, Vehicles, Neo-Bulk, Dry Bulk, Liquid Bulk, and for Maritime Support Services" as land uses. The remaining land use proposed for Parcel No. 12 is "Fishing" which is an appealable development because this land use is a commercial fishing facility under Section 30715. On Parcel No. 13, the land uses are non-appealable development including "Buffer Zone, Seawall Maintenance, Navigation and Waterfront Access". In addition, the Harbor District and the City of Port Hueneme propose to exchange small sections of land to facilitate its efficient use by the District while providing beach front lands along an existing seawall for a future accessway and land for the City of Port Hueneme to develop for future visitor serving uses. This results in providing 11.5 acres of land (Parcel No. 12) for the District to designate for harbor related uses and 2.17 acres of land (Parcel No. 13) for waterfront access along an existing seawall, a total of 13.67 acres. The City of Port Hueneme will receive a 1.3 acre parcel of land that will continue to be designated for future visitor serving uses and a 2.53 acre beach parcel to add to Hueneme Beach Park (Exhibits 4 and 5). Therefore, the proposed amendment does include appealable development under Section 30715. Thus, the standard of review would be the policies of Chapter 8 and 3 of the Coastal Act.

II. STAFF RECOMMENDATION

The staff recommends the Commission adopt the following resolution:

MOTION: *I move that the Commission certify the Port of Hueneme, Oxnard Harbor, District Port Master Plan Amendment No. 6.*

STAFF RECOMMENDATION OF CERTIFICATION:

Staff recommends a **YES** vote. Passage of this motion will result in certification of the Port Master Plan Amendment and adoption of the following resolution and findings. The motion to certify passes only upon an affirmative vote of a majority of the Commissioners present.

RESOLUTION TO CERTIFY PORT MASTER PLAN AMENDMENT:

The Commission hereby certifies the Port of Hueneme, Oxnard Harbor District, Port Master Plan Amendment No. 6 and adopts the findings set forth below on grounds that the amendment is consistent with Chapter 3 and 8 of the Coastal Act. Certification of the 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 amendment on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment that will result from certification of the port master plan amendment.

III. FINDINGS AND DECLARATIONS

The Commission finds and declares as follows:

A. Previous Commission Action. The Commission certified the Port of Hueneme, Oxnard Harbor District, Port Master Plan on May 15, 1979. The Commission has reviewed five amendments to the master plan since that date, most recently in September 1996.

B. Contents of Port Master Plan Amendments. Section 30716(a) of the Coastal Act and California Code of Regulations Title 14, Section 13656 call for Port Master Plan Amendments to be certified in the same manner as port master plans. Section 30711 of the Coastal Act provides, in part, that a port master plan shall include all the following:

1. *The proposed uses of land and water areas, where known.*
2. *The proposed design and location of port land areas, water areas, berthing, and navigation ways and systems intended to serve commercial traffic within the area of jurisdiction of the port governing body.*
3. *An estimate of the effect of development on habitat areas and the marine environment, a review of existing water quality, habitat areas, and quantitative and qualitative biological inventories, and proposals to minimize and mitigate any substantial adverse impact.*
4. *Proposed projects listed as appealable in Section 30715 in sufficient detail to determine their consistency with the policies of Chapter 3 (commencing with Section 30200) of this division.*
5. *Provisions for adequate public hearings and public participation in port planning and development decisions.*

The Commission finds that the proposed Port Master Plan Amendment conforms with the provisions of Section 30711 of the Coastal Act. There are adequate details in the Port Master Plan Amendment submittal and associated materials for the Commission to make a determination of the proposed amendment's consistency with Chapter 3 and 8 policies of the Coastal Act for the reasons stated in the following findings.

A Mitigated Negative Declaration was adopted by the Oxnard Harbor District on March 26, 2001 after public review since February 14, 2001 and the receipt of two comment letters from the City of Port Hueneme. On April 9, 2001, the Oxnard Harbor District held a hearing and approved the Draft Port Master Plan Amendment No. 6 and held a hearing and adopted the Final Port Master Plan Amendment No. 6 on May 14, 2001 for submittal to the Coastal Commission. As suggested by Commission Staff, on December 10, 2001, the Oxnard Harbor District held a hearing and adopted three new water quality policies for the Port Master Plan to be included into Amendment No. 6 for submittal to the Coastal Commission (Exhibit 11: Exhibit A).

C. Appealable Development In determining the standard of review for the proposed master plan amendment, Section 30714 of the Coastal Act provides guidance and states in part that:

- ... The Commission shall certify the plan, or portion of the plan, if the Commission finds both of the following:*
- (a) *The master plan, or certified portions thereof, conforms with and carries out the policies of this chapter.*

(b) Where a master plan, or certified portions thereof, provide for any of the developments listed as appealable in Section 30715, the development or developments are in conformity with all policies of Chapter 3 (commencing with Section 30200).

Section 30715(a) of the Coastal Act provides, in part, that:

(a) ... After a port master plan or any portion thereof has been certified, ... approvals of any of the following categories of development by the port governing body may be appealed to the commission:

(1) Developments for the storage, transmission, and processing of liquefied natural gas and crude oil in such quantities as would have a significant impact upon the oil and gas supply of the state or nation or both the state and nation. A development which has a significant impact shall be defined in the master plans.

(2) Waste water treatment facilities, except for those facilities which process waste water discharged incidental to normal port activities or by vessels.

(3) Roads or highways which are not principally for internal circulation within the port boundaries.

*(4) Office and residential buildings not principally devoted to the administration of activities within the port; hotels, motels, and shopping facilities not principally devoted to the sale of commercial goods utilized for water-oriented purposes; **commercial fishing facilities**; and recreational small craft marina related facilities. (Emphasis added)*

(5) Oil refineries.

(6) Petrochemical production plants

The Port of Hueneme proposes to divide the subject site into three parcels, two to be located within the Harbor District boundaries as identified on Exhibits 5 and 7. Presently, the Port Master Plan includes eleven parcels each with identified land uses. District. The two subject parcels, number 12 and 13, will be added to two existing land uses as noted in Table 1 below.

Two portions of the subject property are proposed to be divided into two parcels, Nos. 12 and 13 for inclusion within the District boundaries as noted in Table 1 below and Exhibit 7 on the Port Layout and Land Use Plan. Parcel No. 12 is proposed for port related land uses, including general cargo, containers, offshore oil, vehicles, neo-bulk, dry bulk, liquid bulk, fishing, and maritime support services. Parcel No. 13 is proposed for a buffer zone, seawall maintenance, navigation, and waterfront access along an existing rock seawall.

Table 1

<u>PARCEL NO.</u>	<u>PRIMARY LAND USE</u>
1	Petroleum Products
2	Autos / General Cargo
3	Warehousing
4	Autos / General Cargo
5	General Cargo / Bunkering
6	General Cargo / Offshore Oil
7	Kelp / Offshore Oil
8	General Cargo / Bunkering / Offshore Oil
9 & 12*	General Cargo / Containers / Offshore Oil / Vehicles / Neo-Bulk / Dry Bulk / Liquid-Bulk / Fishing / Maritime Support Services
10	Aquaculture / Fisheries / Navigation / Marine Research & Education / Mixed Use Waterfront Complexes
11 & 13*	Buffer Zone / Seawall Maintenance / Navigation / Waterfront Access

*** Denotes subject parcels proposed to be included within the Harbor District boundaries.**

As listed in the proposed amendment to the certified Port Master Plan, the land uses on proposed Parcel Nos. 12 and 13, except for "Fishing" on Parcel 12, do not include any of the appealable developments listed above in Section 30715. Therefore, the Commission determines that the policies of Chapter 8 of the Coastal Act are the standard of review for these proposed land uses on Parcel Nos. 12 and 13. These land uses are discussed below in Section E. 2.

Regarding the appealable land use, "Fishing" on Parcel 12, this land use is considered a commercial fishing facility in Section 30715 (4) of the Coastal Act. Therefore, the policies of Chapter 3 and 8 of the Coastal Act are the standards of review for the

commercial fishing facilities in the proposed amendment located on Parcel 12. This land use is discussed below in Section E. 1.

D. Summary of Proposed Plan Amendment and History

The Port of Hueneme, the only deep water port between Los Angeles and San Francisco, is shared between the Oxnard Harbor District and the Navy. Designated as an international port of entry, many major commodities move through the port including automobiles, bananas, citrus, fruit, lumber, meat, livestock, fish, offshore oil supplies, woodpulp, vessel fuel, and other general cargo. Over a million (1,157,892) revenue tons (which includes a metric ton, 1000 cubic meters, or one automobile) of cargo was transferred through the Port of Hueneme, Oxnard Harbor District in fiscal year 2000/2001.

The proposed Port Master Plan Amendment would result in an expansion of the Oxnard Harbor District's boundary to the southeast. In 1997, the District proposed to purchase the subject property, a 14.1 acre parcel known as the Sunkist site, concluding its purchase in September 2000. Historically, the site was developed as a citrus terminal, warehouse and packing house by the Oxnard Citrus Association, a member of the Sunkist Growers. The structure was destroyed by fire in 1977, remaining vacant since then. Occasionally, the site has been leased for short duration port-related uses such as storage of offshore oil equipment in the 1980's. In addition, the District has deeded a portion of the Sunkist property, a beach parcel consisting of 2.57 acres, to the City of Port Hueneme to add to the City's Hueneme Beach Park.

According to the District, the California Harbors and Navigation Code, Section 6075, requires the consent of the City of Port Hueneme for the purchase of this property. As a result, the Oxnard Harbor District and the City of Port Hueneme signed a Memorandum of Understanding (MOU) which included certain provisions relevant to this Port Master Plan Amendment. This MOU was provided by the District for information purposes only and is not a specific submitted component of Amendment No. 6. Pursuant to the MOU the following agreements and property transfers were made between the District and the City (see Exhibits 5, 7 and 8):

- a) The City vacated the 80 foot road right-of-way (approximately 1.2 acres) along the northern boundary of the Sunkist Site allowing the District to acquire ownership of this right-of-way.
- b) The District in turn conveyed to the City ownership of a portion of the Sunkist site which included a 1.3 acre triangular parcel of land immediately north of the 50 foot wide waterfront access parcel (Parcel No. 13) for future visitor serving uses. Since this parcel is now owned and will be developed by the City, it is not included within the proposed boundaries of the Oxnard Harbor District.
- c) The District also granted fee ownership to the City of two beach parcels (approximately 2.57 acres) which were also formerly a part of the 14.1 acre Sunkist parcel (Exhibit 5).

- d) The District further granted to the City an easement to waterfront access on Parcel No. 13, however, the District proposes to include Parcel No. 13 within the boundaries of the District.
- e) The City agreed to make changes in the City's Zoning Ordinance for Parcel No. 12 to allow the uses identified on the District Land Use Plan (Table 1 and Exhibit 7). (Staff note: The City will be submitting a separate Local Coastal Plan amendment at a later date to complete this agreement according to a discussion with City Staff.)

The Oxnard Harbor District adopted a proposed Mitigated Negative Declaration on February 12, 2001 to redevelop the former Sunkist site to increase cargo handling ability by expanding the South Terminal-East Section of the Port of Hueneme and continue the waterfront access development west of Surfside Drive. The District held a public hearing on March 26, 2001 to adopt the proposed Mitigated Negative Declaration. The District considered and addressed two comment letters received from the City of Port Hueneme addressing issues in the draft Mitigated Negative Declaration. The draft Port Master Plan was accepted and approved April 9, 2001 by the Board of Harbor Commissioners, Oxnard Harbor District (Exhibit 10, Resolution No. 870) to annex 10.3 acres of the 14.1 acre former Sunkist site and 1.2 acres of the adjacent former Port Hueneme Street (total 11.5 acres) to the Port of Hueneme, Oxnard Harbor District. The District held a public hearing on May 14, 2001 and approved Amendment No. 6 to the Port Master Plan (Exhibit 9, Resolution No. 874). Although no public comments were made, a letter was received from the City of Port Hueneme commenting on the proposed Amendment No. 6. The letter from the City dated April 20, 2001 requested clarifications regarding the proposed pedestrian and vehicle accessway along the seawall from Surfside Drive on the east to District Parcel No. 10 and 11, a lighthouse is located on Parcel No. 10. The District responded by modifying the descriptive language in the Narrative Description of Port Master Plan Amendment No. 6. (Exhibit 9 includes the final Narrative Description.) At the request of Commission Staff, on December 10, 2001, the District considered and adopted three water quality policies into Amendment No. 6 to address polluted runoff pursuant to the requirements of Section 30231 of the Coastal Act. This issue is discussed further below in Section E. 2.

Regarding future site development, the District proposes to develop Parcel Nos. 12 and 13 in a manner similar to adjoining properties now within the current District boundaries. Parcel No. 12 is proposed to be developed as an extension of the eastern half of Parcel No. 9 (approved under Amendment No. 5 to the Port of Hueneme, Port Master Plan). The entire area will be graded, paved, drained and lighted, with additional fire hydrants as required. No new buildings are anticipated at this time. This site will be surrounded by a ten-foot high chain link fence on the south side and a 10 foot high concrete, combination security/sound wall on the east side along Surfside Drive. Appropriate security gates will be provided through the east wall for rail and fire fighting/emergency equipment access. An existing rail track extends through this parcel to the south dock area (Exhibit 7).

Parcel No. 13 will be developed as a continuation of Parcel No. 11 (also previously approved as part of Amendment No. 5 to the Port of Hueneme Port Master Plan). This parcel will include a pedestrian walkway/accessway along the length of the existing seawall. This parcel will connect Surfside Drive with a continuation of this accessway to the west to the existing lighthouse at the entrance to the Harbor.

In addition, the MOU between the District and the City provides for mitigation improvements on-site and off-site of the proposed District boundaries. These include improvements are generally identified on the drawing titled: Orientation Map for Offsite (and onsite) Projects in Exhibit 10 and described as follows:

- 1) Waterfront access improvements within the 50 foot width of proposed Parcel No. 13 (onsite);
- 2) A theme pedestrian plaza at the westerly end of Surfside Drive or terminus plaza encompassing a low wall and thematic flag poles/lighting to match existing (offsite);
- 3) A two-block pedestrian parkway connection, along the east side of West Port Hueneme Road and Surfside Drive, with related landscape, hardscape, and thematic lighting improvements together with new public promenade and secondary theme plazas (offsite);
- 4) A right turn acceleration lane on Port Hueneme Road from West Port Hueneme Road, heading east (offsite);
- 5) Continuation of the Oxnard Harbor District's perimeter screen wall and landscaping improvements along west side of Surfside Drive (onsite and offsite).

Regarding the waterfront access improvements noted above on proposed Parcel No. 13, the City of Port Hueneme's Local Coastal Program identifies a Hueneme Beach Master Plan which includes the development of a promenade access to the eastern jetty entrance to the Harbor and a lighthouse. There is an existing seawall extending east about 3,000 feet from the eastern end of the Harbor entrance jetty to Surfside Drive that protects the harbor entrance. The seawall was built in 1940 to protect the property from ocean wave erosion and is located in part on existing Parcel No. 11 and proposed Parcel No. 13. As a result of this Amendment No. 6, about 1.4 acres or 12% of the area added within the Harbor District boundaries will be reserved for waterfront access purposes.

E. Conformance with the Coastal Act. In order for the Commission to certify the proposed amendment, the Commission must determine that the amendment conforms to Chapters 3 and 8 for appealable development and Chapter 8 policies of the Coastal Act for allowable development. The following sections discuss the proposed development and its conformance with the applicable Chapter 3 and 8 policies.

1. Appealable Development

The Commission must determine whether or not the amendment conforms to the following applicable Chapter 3 and 8 policies of the Act for appealable development which are commercial fishing facilities. The following are the applicable Coastal Act Policies:

Section 30234 Facilities serving the commercial fishing and recreational boating industries shall be protected and, where feasible, upgraded. Existing commercial fishing and recreational boating harbor space shall not be reduced unless the demand for those facilities no longer exists or adequate substitute space has been provided. Proposed recreational boating facilities shall, where feasible, be designed and located in such a fashion as not to interfere with the needs of the commercial fishing industry.

Section 30255 Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support.

Section 30703 The California commercial fishing industry is important to the State of California; therefore, ports shall not eliminate or reduce existing commercial fishing harbor space, unless the demand for commercial fishing facilities no longer exists or adequate alternative space has been provided. Proposed recreational boating facilities within port areas shall, to the extent feasible to do so, be designed and located in such a fashion as not to interfere with the needs of the commercial fishing industry.

Section 30708 All port-related developments shall be located, designed, and constructed so as to:

- (a) Minimize substantial adverse environmental impacts.
- (b) Minimize potential traffic conflicts between vessels.
- (c) Give highest priority to the use of existing land space within harbors for port purposes, including, but not limited to, navigational facilities, shipping industries, and necessary support and access facilities.
- (d) Provide for other beneficial uses consistent with the public trust, including, but not limited to, recreation and wildlife habitat uses, to the extent feasible.
- (e) Encourage rail service to port areas and multi-company use of facilities.

The Coastal Act generally states as noted in the above Chapter 3 and 8 policies, that existing commercial fishing facilities shall be protected unless demand for such facilities no longer exists or unless replacement facilities are provided. Specifically, Section 30234 of the Coastal Act provides for the protection, and where feasible, the upgrading of commercial fishing industries. On Parcel 4, the Oxnard Harbor District now provides eleven slips shared by about 49 commercial fishing vessels, and slips for five stationed commercial fishing vessels and four sport fishing vessels. In addition, a parking lot adjacent to the slips is provided for fishing vessel users. There are six commercial fishing companies working out of the Port of Hueneme. In fiscal year 2000/2001, the Port received 54,290 metric tons of fish from these vessels. The existing land uses for Parcels 7, 9 and 10 allow for the development of future facilities such as fish processing, storage, repairs and other facilities needed by the commercial and recreational fishing. The proposed land use for Parcel No. 12 allows for "fishing" land uses. Further, the District notes in the narrative description of Port Master Plan Amendment No. 6 (Exhibit 9) and in a recent notice received from the District on February 4, 2002 that a new commercial fisheries support facility (Oxnard Unloading Services, LLC proposes to construct a 16,500 sq. ft. for unloading fish, squid and other marine products into trucks) is now under consideration by the District on Parcels 7 and 9. As fisheries operations increase, it is anticipated that parts of proposed Parcel No. 12 may be used for fisheries support functions, especially for off-season storage of fisheries support equipment.

As noted above, such future commercial fishing facilities are considered development appealable to the Commission. Portions of proposed Parcel No. 12 provide potential facilities for expansion of use by the commercial fishing industries, and thus, comply with Sections 30234, 30255, and 30703 of the Coastal Act.

2. Allowable Development

Coastal Act Section 30708 generally states that all port related developments be designed to minimize significant impacts and conflicts between vessels, give high priority to port purposes, provide for beneficial uses, and encourage rail service. The primary land use proposed for Parcel No. 12 (11.5 acres) is proposed to be general cargo, containers, offshore bulk, vehicles, neo-bulk, dry-bulk, liquid-bulk, fishing, and maritime support services. Examples of neo-bulk include construction materials that do not fit in a container; dry bulk include cement and grains; liquid bulk include petroleum products and fertilizers; and waterfront complexes include marine boat travel lifts, repair, storage and construction facilities. The primary land use on proposed Parcel No. 13 (1.4 acres) is proposed to be buffer zone, seawall maintenance, navigation, and waterfront access.

Regarding Section 30708 (a), of the Coastal Act, the District adopted a mitigated Negative Declaration for future development of the site, discussed in the document as the South Terminal – East Expansion Project. The improvements reviewed included paving, fencing and lighting of Parcel No. 12 for the placement, handling and storage of

cargo, including automobiles together with (1) a 10 foot high perimeter wall or fence along the easterly boundary and a 10 foot high chain link fence along the southerly boundary, both meeting United States Customs requirements, (2) in conjunction with the City of Port Hueneme, public recreational waterfront access along a 50 foot wide easement held by the City on District property, (3) a pedestrian plaza at the easterly end of the easement, (4) the West Hueneme Road pedestrian parkway as described in the MOU agreement between the City and the District, and (5) a right turn accelerator land on Port Hueneme Road from West Port Hueneme Road. In effect, Parcel No.12 is proposed to be paved as an open area primarily used for a handling site for loading and offloading cargo within the Harbor District. About 90 % of the cargo to be handled at this site would be automobiles. The site will continue to be transected by a railroad spur that runs in an east to west direction into the Port of Hueneme within the Oxnard Harbor District boundaries.

The Mitigated Negative Declaration concluded that there were no significant environmental impacts as a result of this proposed development. All other identified impacts that were determined to be less than significant with mitigation incorporated included increases in stormwater runoff and erosion control, as an example. Staff reviewed the issues of how surface water drainage will be addressed by the District during the District's review and approval of any future development projects on the site. In a June 6, 2001 letter, staff suggested that the District consider including water quality policy in this Plan Amendment to clarify and carry out a proposal to address non-point source pollution on the site as there were no policies in the certified Port Master Plan addressing this issue and carrying out Section 30231 of the Coastal Act. Future development of Parcel No. 13 has the potential to create water quality related erosion, sedimentation, and various types of other non-point source pollution that will drain from the site ultimately into the ocean. Although the adopted Mitigated Negative Declaration provided some information addressing this non-point source pollution issue, specific policies with requirements or standards for mitigation are needed in this Amendment for the District to apply as the standard of review when approving future development projects, such as the proposed paving of Parcel No. 12.

In a letter dated September 28, 2001, staff suggested specific policy language for the District to consider to bring this Amendment into compliance with and carry out Section 30231 and other applicable Sections of the Coastal Act. In response, Harbor District Staff provided a copy of the District's adopted Storm Water Pollution and Prevention Plan and the District's Storm Water Monitoring and Reporting Plan, both dated October 2001, for review by the Commission's water quality Staff. Based upon Staff's review and discussion with District Staff, the Commission Staff suggested water quality policies were revised. The Board of Harbor Commissioners adopted these revised water quality policies into Amendment No. 6 at their December 10, 2001 meeting as Resolution No. 878 (Exhibit 11). These policies address water quality issues for future development including utilizing Best Management Practices for runoff events including the 85 percentile 24 hour runoff event and implementing the adopted Storm Water Pollution Prevention Plan and Storm Water Monitoring and Reporting Plan, as updated (Exhibit 11, Exhibit A).

It's important to note that through the District's permitting process the District will apply these polices which require control measures, such as Best Management Practices, to prevent water runoff from adversely affecting the water quality within the Harbor and offshore during construction and operation of future development on these District Parcels. These water quality control measures are included in the District's Storm Water Pollution Prevention Plan (updated October 2001) and the Storm Water Monitoring and Reporting Plan (updated October 2001) including any further updated or amendment to these plans. These plans have been prepared in accordance with the District's General Industrial Storm Water Discharge Permit No. 4A56S301817 as required by the State Water Resources Control Board. In addition, through these water quality policies, the District in approving future development such as the proposed parking lot on Parcel No. 12, will require that drainage from areas susceptible to runoff that are used for motor vehicle parking be directed through systems using BMPs designed to treat, infiltrate or filter stormwater runoff from each runoff event up to and including the 85th percentile, 24-hour event for volume based BMPs and maintained throughout the life of the approved development. Therefore, the Commission finds that with these additional three water quality policies adopted by the District, as required by the State and Federal permitting process and in compliance with those standards, substantial adverse effects on marine resources or water quality will be minimized.

As noted above, the site once included a warehouse and citrus processing facility. Although the site is now undeveloped, it has been regularly disked for fire prevention purposes, and therefore, there were no environmentally sensitive habitats on the site, as confirmed by the Mitigated Negative Declaration. Therefore, there will be no substantial adverse environmental effects on environmentally sensitive habitats on site.

Regarding Section 30708 (b), the proposed amendment does not deal with new land along the dock area.

Regarding Section 30708 (c), the amendment provides for giving the priority for the use of land within harbors for port related purposes, such as land uses on Parcel No. 12 providing necessary support and access facilities for general cargo, containers, offshore oil, vehicles, neo-bulk, dry bulk, liquid bulk, fishing, and maritime support services, all located immediately adjacent to the existing general cargo designated area at the port. Parcel No. 13, located the farthest from the Port docks, provides a buffer zone for waterfront access and the maintenance of the existing seawall.

Regarding Section 30708 (d), access to the public trust is proposed along the length of Parcel No. 13 along the length of an existing rock seawall. Therefore, the Harbor Districts' proposed land uses for the site will provide for port related use, port facility protection and public access uses.

Regarding Section 30708 (e), the Oxnard Harbor District is now served by the Ventura County Railroad. Railroad tracks currently cross the subject site on proposed Parcel No. 12 providing rail access to Parcels 6, 9 and 12 within the District boundaries as proposed.

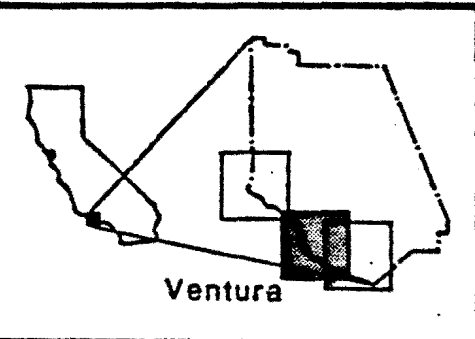
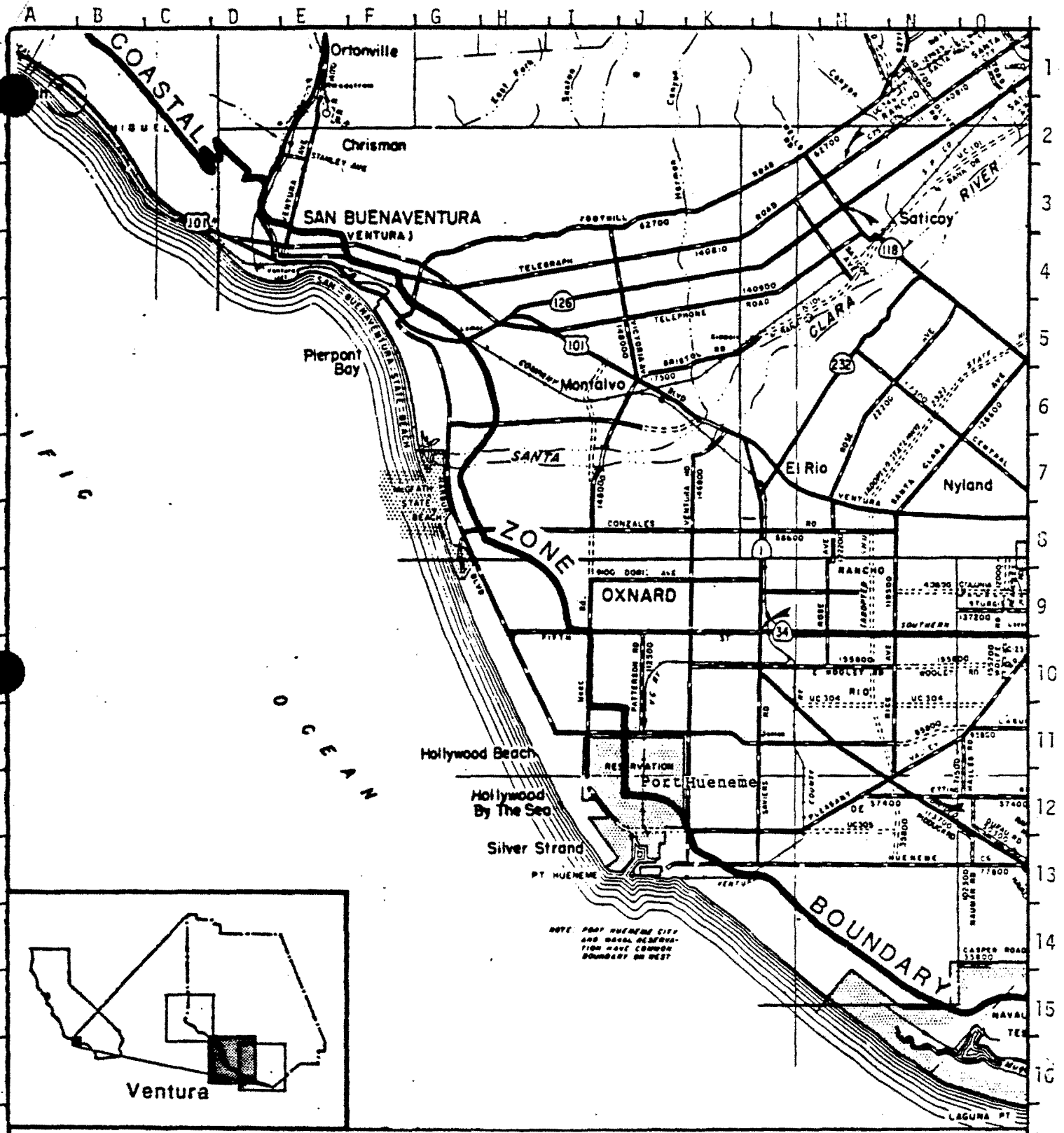
Thus, all of the land uses noted on proposed Parcel Nos. 12 and 13 allow for the location, design and construction of port related developments consistent with Section 30708 of the Coastal Act. As listed in Table 1 above and Exhibit 7, all of the land uses meet the definition of coastal dependent or related developments and provide for public access to and along the coast. Therefore, the Commission finds that the amendment as submitted is consistent with policies noted in Chapters 3 and 8 of the Coastal Act.

F. Summary

In summary, the Commission finds that the proposed Port Master Plan Amendment No. 6 will allow the Oxnard Harbor District to construct port related support land uses and facilities and all significant effects of future development will be adequately mitigated. As proposed, the Port Master Plan Amendment is consistent with all applicable procedural provisions and policies of the Coastal Act.

G. Consistency with the California Environmental Quality Act (CEQA)

The California Environmental Quality Act requires less environmentally damaging alternatives to be considered and the imposition of mitigation measures to lessen significant adverse effects that may result from this proposal. The Commission finds that for the reasons discussed in this report, all adverse effects have been mitigated to a level of insignificance, thus, there are no additional feasible alternatives or feasible mitigation measures available that could substantially reduce any adverse environmental impacts. The Oxnard Harbor District adopted a Mitigated Negative Declaration to comply with CEQA. The MND found that the proposed future development of the site would not have any significant adverse effects on the environment. Therefore, the Commission finds that the proposed Port Master Plan Amendment No. 6 will not result in significant adverse environmental effects within the meaning of CEQA.



California Coastal Commission

LOCATION MAP



County of Ventura

EXHIBIT NO.	1
APPLICATION NO.	EHMP #6
Coastal Zone	
Location	

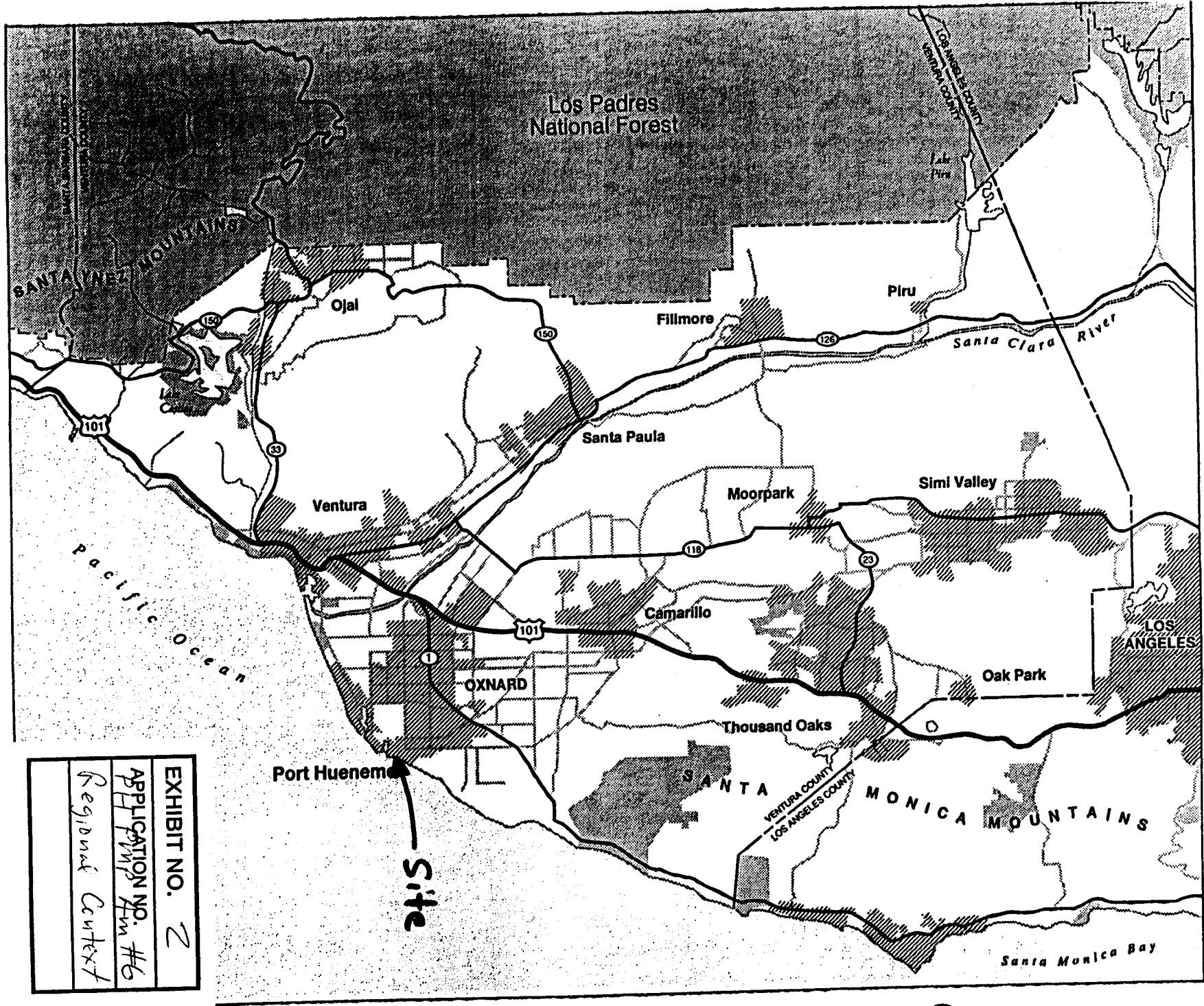
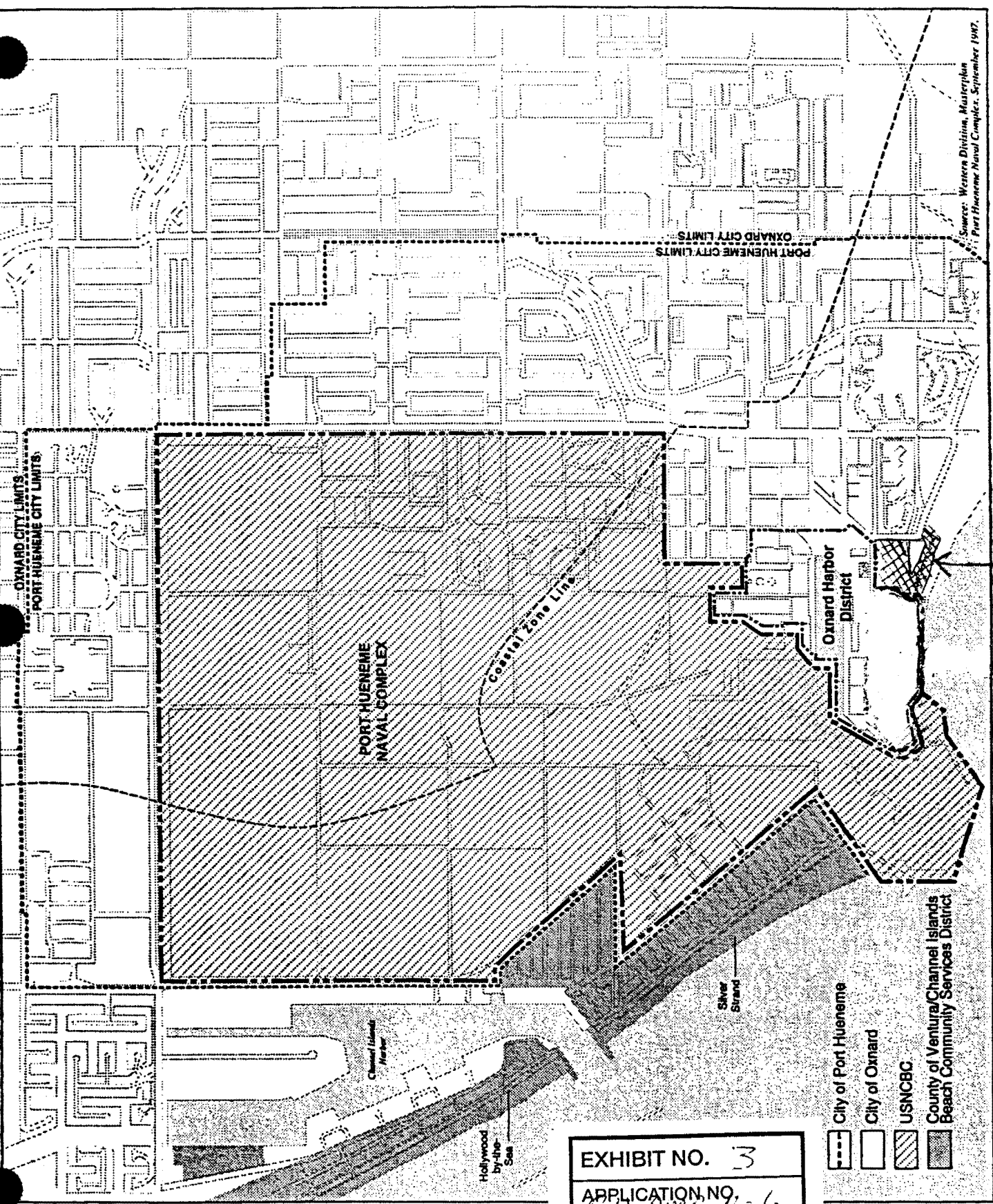


EXHIBIT NO. 2
APPLICATION NO. #6
Regional Context

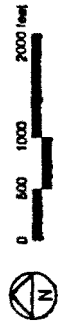
Figure 1
REGIONAL CONTEXT



DR-5770 (part) has amended jurisdictional map 1/1/89



Source: Western Division, Mastertipken
Port Huenehme Naval Complex, September 1987.

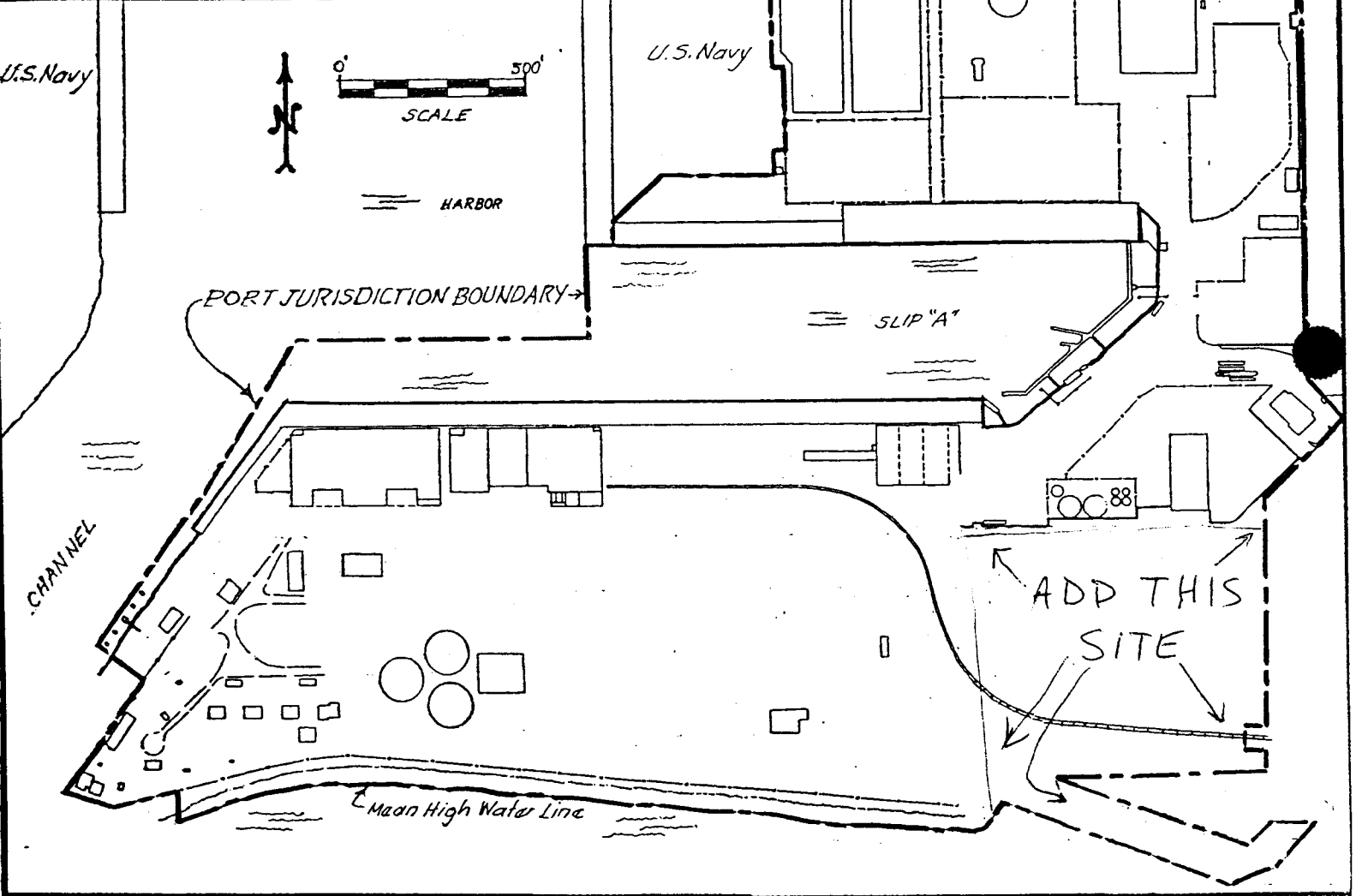
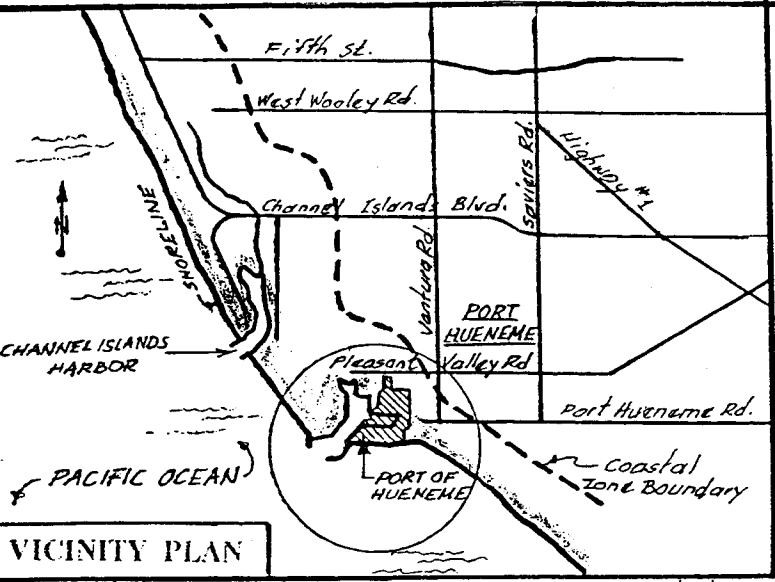


Site

EXHIBIT NO. 3
 APPLICATION NO. 4
 H.P.M.F. No. 6
 Local Jurisdiction
 Map

- City of Port Huenehme
- City of Oxnard
- USNCBC
- County of Ventura/Channel Islands Beach Community Services District

Figure 3
LOCAL JURISDICTIONS



**PORT OF HUENEME
OXNARD HARBOR DISTRICT**

PORT BOUNDARY MAP

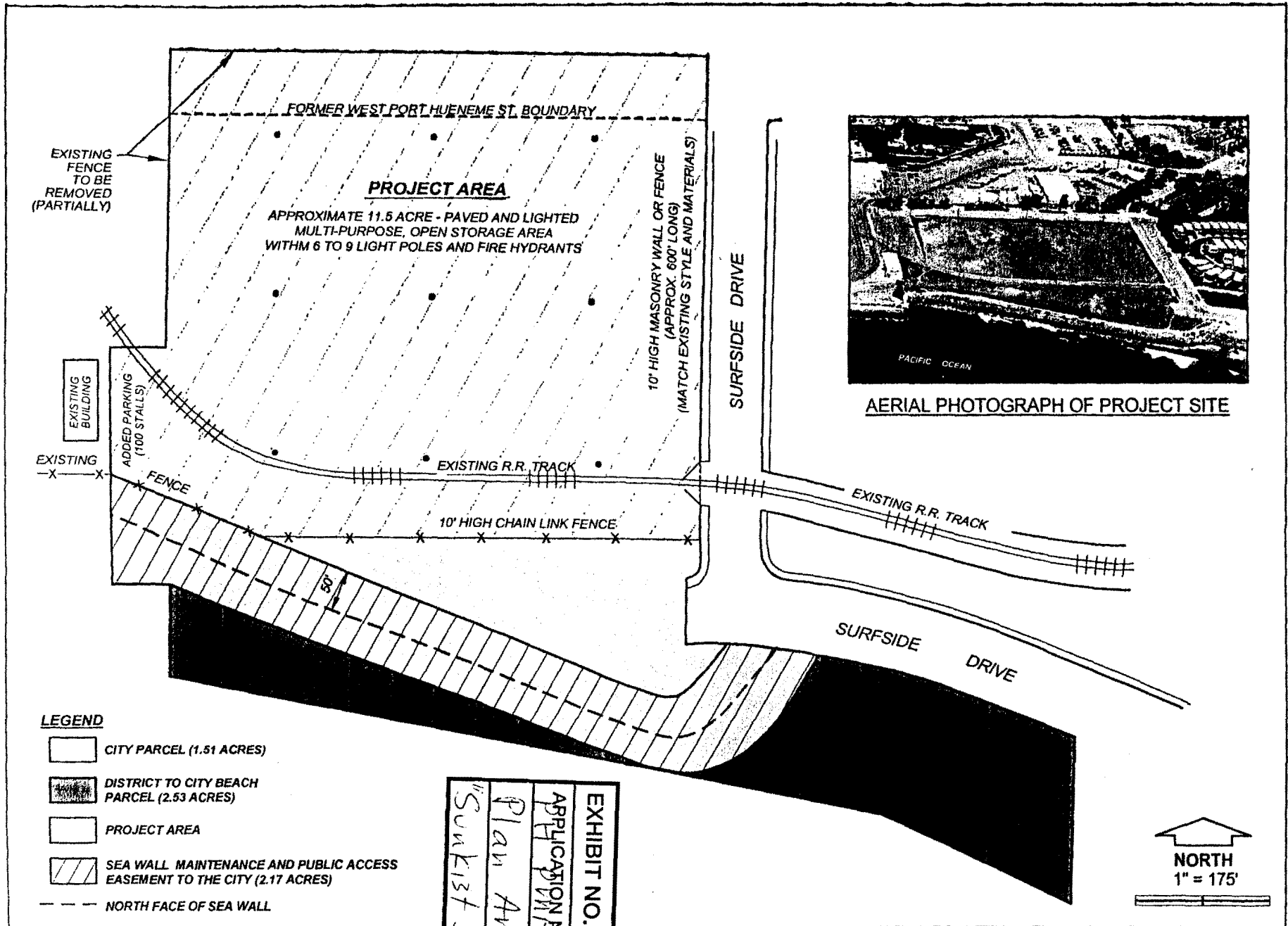
DATE: _____

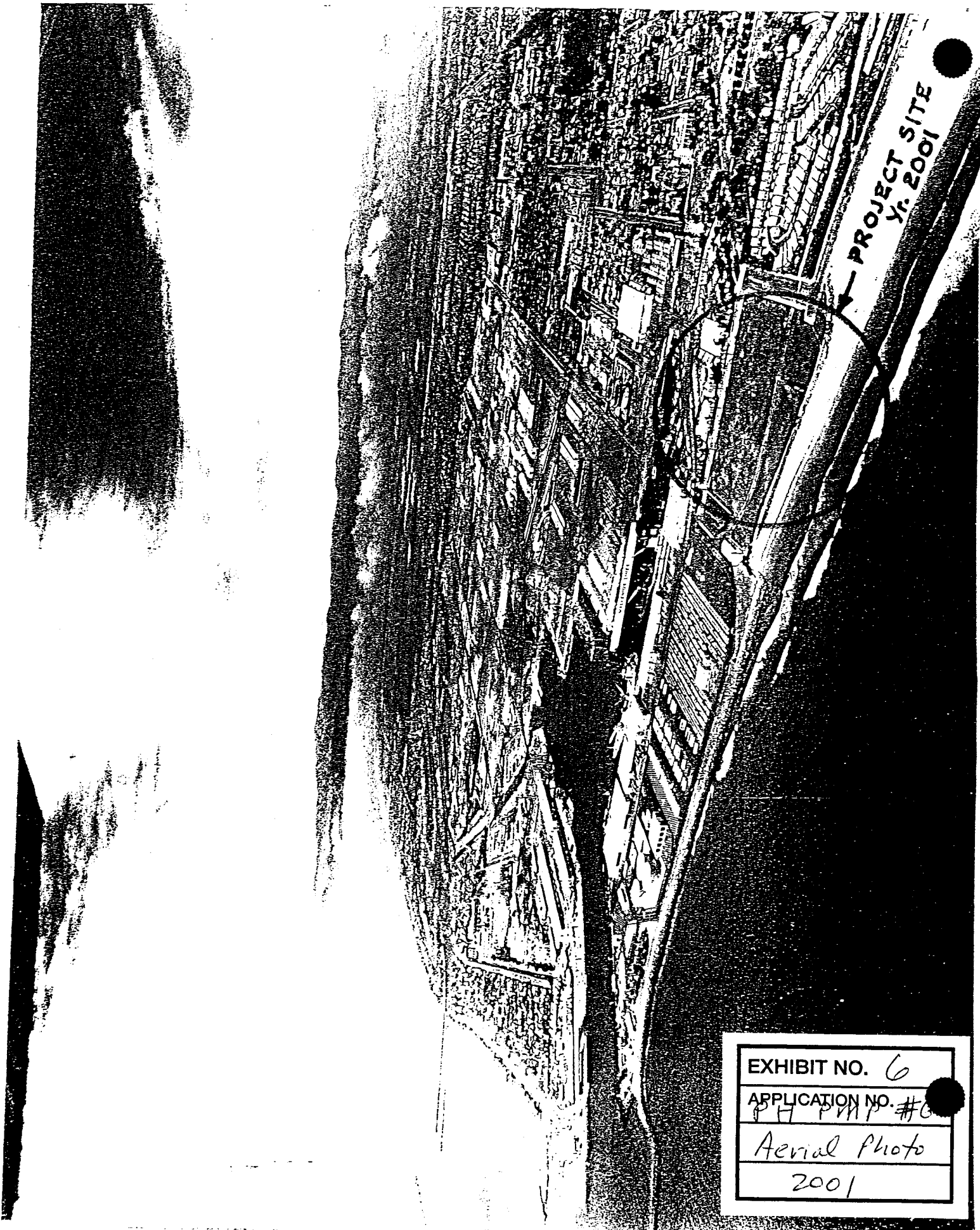
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MAY 22 2001

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

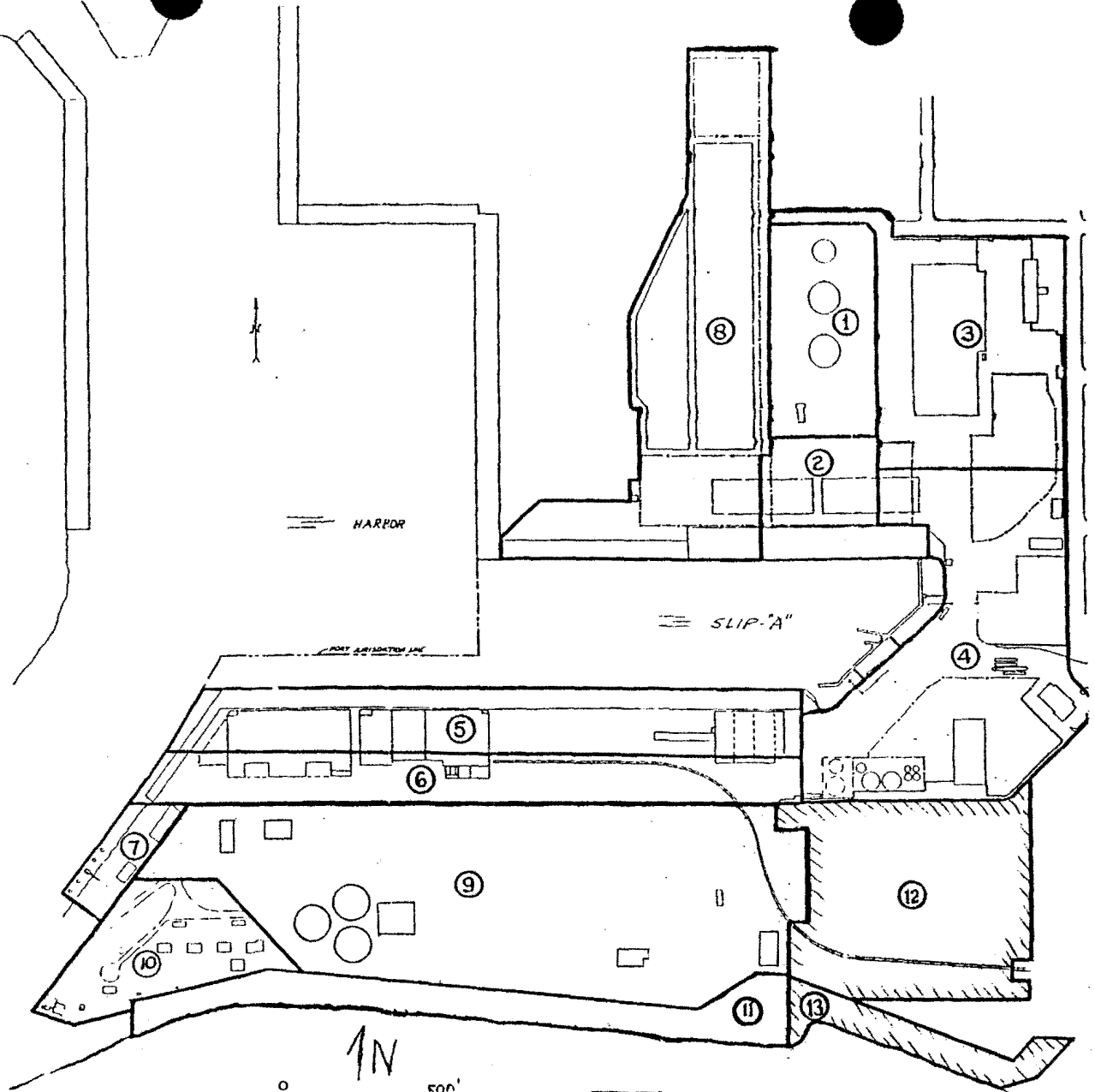
EXHIBIT NO. 4
APPLICATION NO. PH PMP #6
Port Boundary Map





PROJECT SITE
Yr. 2001

EXHIBIT NO. 6
APPLICATION NO. PH PMP #6
Aerial Photo
2001



PARCEL NO.	PRIMARY LAND USE
1	PETROLEUM PRODUCTS
2	AUTOS / GENERAL CARGO
3	WAREHOUSING
4	AUTOS / GENERAL CARGO
5	GENERAL CARGO / BUNKERING
6	GENERAL CARGO / OFFSHORE OIL
7	KELP / OFFSHORE OIL
8	GENERAL CARGO / BUNKERING / OFFSHORE OIL
9 & 12	GENERAL CARGO / CONTAINERS / OFFSHORE OIL / VEHICLES / NEO-BULK / DRY-BULK / LIQUID-BULK / FISHING / MARITIME SUPPORT SERVICES
10	AQUACULTURE / FISHERIES / NAVIGATION / MARINE RESEARCH & EDUCATION / MIXED USE WATERFRONT COMPLEXES
11 & 13	BUFFER ZONE / SEAWALL MAINTENANCE / NAVIGATION / WATERFRONT ACCESS

**PORT OF HUENEME
OXNARD HARBOR DISTRICT**

**PORT LAYOUT
AND LAND USE PLAN**

AMENDMENT # 6 DATE: _____

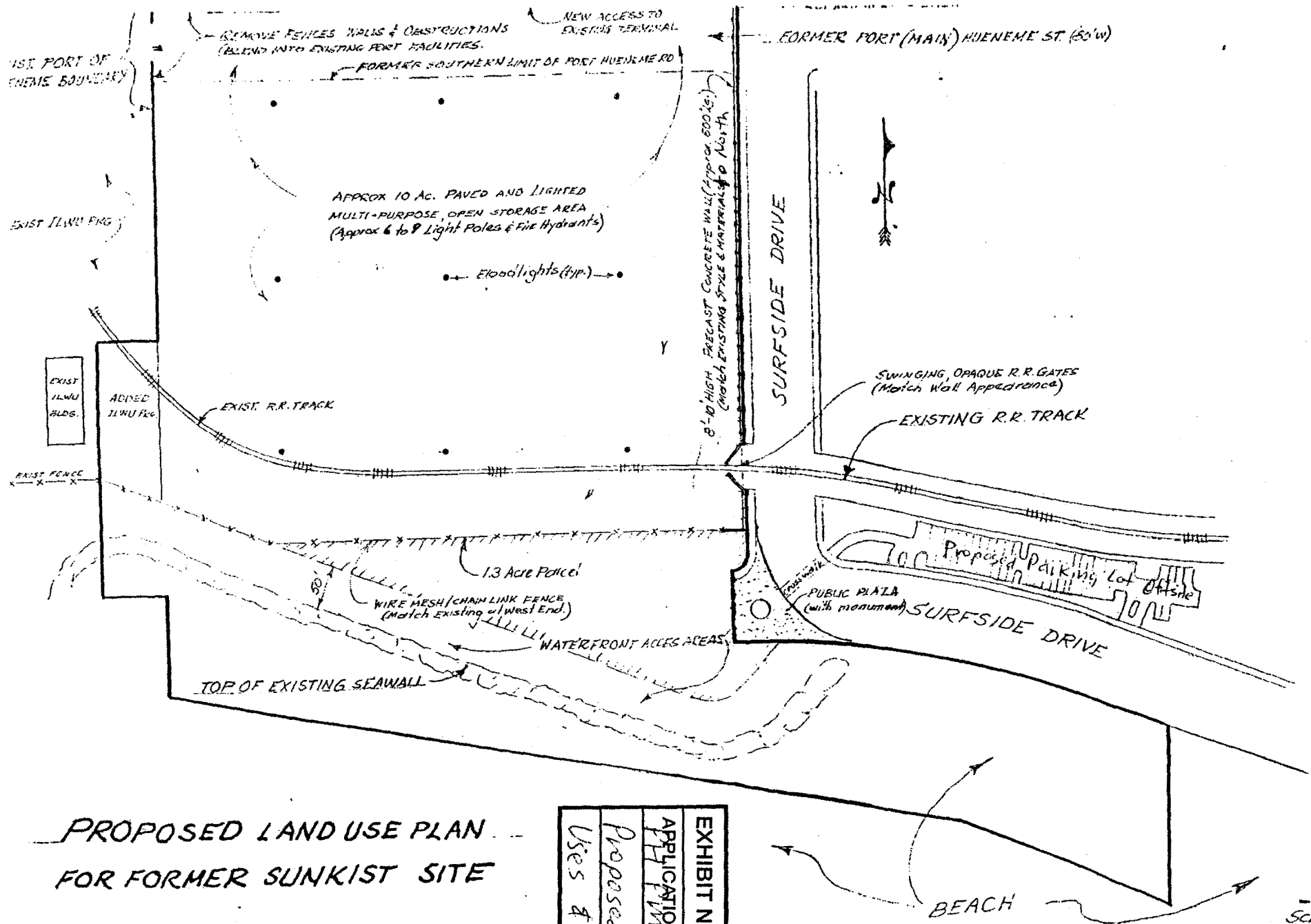
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COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

EXHIBIT NO. 7
 APPLICATION NO. #6
 Port Layout &
 Land Use Plan

*20X
01/01*



PROPOSED LAND USE PLAN
FOR FORMER SUNKIST SITE

EXHIBIT NO.	8
APPLICATION NO.	# 7
Proposed Land Uses & Projects	

SCALE: 1" = 100'
Rev. 5/2/00

RESOLUTION NO. 874

RESOLUTION OF THE BOARD OF HARBOR COMMISSIONERS OF THE OXNARD HARBOR DISTRICT APPROVING PORT MASTER PLAN AMENDMENT NO. 6 TO THE ORIGINAL PORT MASTER PLAN, CERTIFIED BY THE CALIFORNIA COASTAL COMMISSION ON MAY 15, 1979, AND ADOPTED BY THE OXNARD HARBOR DISTRICT BOARD OF HARBOR COMMISSIONERS ON JULY 9, 1979

WHEREAS, the Oxnard Harbor District has obtained title to the former 14.1 acre Sunkist Site and is annexing approximately 10.3 acres of said site, plus 1.2 acres of adjacent former Port Hueneme Street (total 11.5 acres) to the land area presently under Port jurisdiction, and

WHEREAS, the Oxnard Harbor District has approved a Draft Port Master Plan Amendment No. 6, which specifies the proposed uses of this property, and

WHEREAS, the Oxnard Harbor District has adopted a Mitigated Negative Declaration for the South Terminal - East Expansion Project on March 26, 2001,

WHEREAS, the Oxnard Harbor District has given Public Notice as required by Public Resources Code Section 30712 and 30716 and has held a public hearing pursuant to Section 30712, and


WHEREAS, the Oxnard Harbor District has considered all public comments and testimony, and

WHEREAS, a Port Master Plan Amendment requires certification by the California Coastal Commission, upon prior acceptance and approval by the Board of Harbor Commissioners,

NOW THEREFORE, BE IT RESOLVED, that the Board of Harbor Commissioners of the Oxnard Harbor District hereby accepts and approves Port Master Plan Amendment No. 6, a copy of which is attached hereto, and

BE IT FURTHER RESOLVED, that the Board of Harbor Commissioners directs the Executive Director to submit the Port Master Plan Amendment No. 6 to the California Coastal Commission for certification together with all public comments received during the comment period.

APPROVED, ADOPTED AND SIGNED this 14th day of May, 2001.


RAYMOND E. FOSSE, President
Board of Harbor Commissioners
Oxnard Harbor District

ATTEST:



JESS HERRERA, Secretary
Board of Harbor Commissioners
Oxnard Harbor District

EXHIBIT NO. 9
APPLICATION NO. PH PMP #6
Resolution No. 874

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MAY 22 2001

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

NARRATIVE DESCRIPTION OF PORT MASTER PLAN AMENDMENT NO. 6 TO THE OXNARD HARBOR DISTRICT, PORT OF HUENEME, PORT MASTER PLAN. THE AMENDMENT CONCERNS THE ANNEXATION OF APPROXIMATELY 11.5 ACRES OF LAND, ALONG THE SOUTH EAST BOUNDARY OF THE PORT OF HUENEME TO THE AREA PRESENTLY UNDER PORT JURISDICTION.

1. BACKGROUND

The Oxnard Harbor District recently concluded the purchase of a vacant 14.1 acre parcel, known as the Sunkist site, along the southeast border of the existing Port, (see attached District's Land Use Plan For Former Sunkist Site). Historically, the site was developed as a terminal/warehouse/packing house by the Oxnard Citrus Association, a Sunkist Growers, Inc. member, (see years 1945, 1971, 1976 and 2001 site pictures attached). This structure was destroyed by fire in 1977, and the area has been essentially vacant since that time. Occasionally, the site has been leased for short duration port-related uses such as storage of offshore oil equipment.

Since the California Harbors and Navigation Code, Section 6075, requires the consent of the City of Port Hueneme of such purchase, the City of Port Hueneme (the "City"), and the Oxnard Harbor District (the "District") have signed a Memorandum of Understanding (MOU) which contains certain provisions relevant to the Port Master Plan amendment request. Pursuant to the MOU:

- a) The City has vacated the 80 foot road right-of-way (approx. 1.2 acres) along the northern boundary of the Sunkist Site, as a result of which, the District has acquired ownership of said parcel. The City has also granted fee ownership to the District of a small triangular right-of-way parcel (approx. 0.1 acres) in the central part of the Sunkist Site.
- b) The District has in turn conveyed to the City ownership of a 1.3 acre triangular parcel of land; abutting the 50 foot wide waterfront access band for future visitor serving uses. Since this parcel is owned and will be developed by the City, it is not included within the revised boundaries of Port jurisdictional area.
- c) The District has also granted, at no cost, fee ownership to the City of two beach parcels (approx. 2.5 acres), which were also formerly part of the 14.1 acre Sunkist Site.
- d) The District has further granted to the City an easement to waterfront access Parcel #13. (See attached Port Layout and Land Use Plan.) This area is included within the revised boundaries of the Port jurisdictional area.
- e) The City will also cause changes in the City's existing Zoning Ordinance for Parcel No. 12 to allow uses as depicted on the above referenced Land Use Plan.

2. SITE DEVELOPMENT PLAN:

- a) PARCEL NO. 12: This parcel will be developed essentially as an extension of the eastern half of Parcel #9 (approved under Amendment No. 5 to the Port of Hueneme, Port Master Plan). The entire area will be graded, paved, drained and lighted, with additional fire hydrants as required. No new buildings are anticipated at this time. The area will be surrounded by a 10 foot high chain link fence on the south side and a 10 foot high concrete, combination security/sound wall on the east side. Appropriate security gates will be provided in the east wall for rail and fire fighting/emergency equipment access.
- b) PARCEL NO. 13: This parcel will be developed as a continuation of Parcel No. 11 (also previously approved as part of Amendment No. 5 to the Port of Hueneme, Port Master Plan). It will include a pedestrian walkway along the seawall. The District and the City will share the cost of this development at a ratio of 82% by the District and 18% by the City.

c) **MITIGATION PROJECTS:** The following on and offsite development and urban design improvements are generally depicted on the orientation map for offsite projects (attached). These are in addition to the waterfront access improvements in the 50 foot shoreline band.

- 1) A theme pedestrian plaza at the westerly end of Surfside Drive or terminus plaza encompassing a low wall and thematic flag poles/lighting to match existing. (offsite)
- 2) A two-block pedestrian parkway connection, along the east side of West Port Hueneme Road and Surfside Drive, with related landscape, hardscape, and thematic lighting improvements together with new public promenade and secondary theme plazas. (offsite)
- 3) A right turn acceleration lane on Port Hueneme Road from West Port Hueneme Road, heading east. (offsite)
- 4) Continuation of the Oxnard Harbor District's perimeter screen wall and landscaping improvements along west side of Surfside Drive. (onsite and offsite)

3. LAND USE PLAN

There are no changes in the permitted land uses under the original Port Master Plan and subsequent approved amendments. Parcel No. 12 will be used primarily for badly needed expansion of automobile, containerized and general cargo staging and storage operations, similar to those on the eastern half of Parcel No. 9.

Parcel No. 13 will provide authorized pedestrian and vehicle access to previously approved waterfront access Parcel No. 11. It will provide pedestrian access to hikers, joggers, shore fishermen, and to the historic, yet active, lighthouse on Parcel No. 10. The 50 foot wide shoreline band behind the seawall will also provide access for construction equipment and materials, as required for periodic maintenance and repairs to the seawall.

4. COMPLIANCE WITH CALIFORNIA COASTAL ACT

This Amendment No. 6 conforms with the provisions and policies of the California Coastal Act of 1976 for the following reasons:

- a) No dredging, diking or filling is proposed as part of this amendment.
- b) No new or expanded oil tanker terminals are planned on the Port expansion site.
- c) Adequate rail access and service already exists to the site.
- d) No traffic conflicts between vessels are anticipated since no additional ship's berths are proposed.
- e) Approximately 1.4 acres (12%) of the proposed Port annexation area will be reserved for waterfront access purposes. In addition, 1.3 acres of the Sunkist Site, adjacent to the waterfront access area, has been deeded to the City for future visitor serving purposes.
- f) Fisheries support facilities are presently being expanded on Parcels No. 7 and No. 9. As fisheries operations increase, it is anticipated that parts of Parcel No. 12 will be used for fisheries support functions, especially for off-season storage of fisheries support equipment.

RESOLUTION NO. 870

**RESOLUTION OF THE BOARD OF HARBOR COMMISSIONERS OF THE
OXNARD HARBOR DISTRICT APPROVING DRAFT PORT MASTER PLAN
AMENDMENT NO. 6 TO THE ORIGINAL PORT MASTER PLAN, CERTIFIED
BY THE CALIFORNIA COASTAL COMMISSION ON MAY 15, 1979, AND
ADOPTED BY THE OXNARD HARBOR DISTRICT BOARD OF HARBOR
COMMISSIONERS ON JULY 9, 1979**

WHEREAS, the Oxnard Harbor District has obtained title to the former 14.1 acre Sunkist Site and is annexing approximately 10.3 acres of said site, plus 1.2 acres of adjacent former Port Hueneme Street (total 11.5 acres) to the land area presently under Port jurisdiction, and

WHEREAS, the Oxnard Harbor District has prepared a Draft Port Master Plan Amendment No. 6, which specifies the proposed uses of this property, and

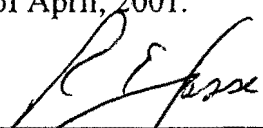
WHEREAS, a Port Master Plan Amendment requires certification by the California Coastal Commission, upon prior acceptance and approval by the Board of Harbor Commissioners, and

WHEREAS, the Oxnard Harbor District has adopted a Mitigated Negative Declaration for the South Terminal - East Expansion Project on March 26, 2001,

NOW THEREFORE, BE IT RESOLVED, that the Board of Harbor Commissioners of the Oxnard Harbor District hereby accepts and approves the Draft Port Master Plan Amendment No. 6, and

BE IT FURTHER RESOLVED, that the Board of Harbor Commissioners authorizes the Executive Director to issue and publish a "Notice of Completion" and schedule a public hearing for the purpose of receiving comments and testimony on the Draft Port Master Plan Amendment No. 6.

APPROVED, ADOPTED AND SIGNED this 9th day of April, 2001.


RAYMOND E. FOSSE, President
Board of Harbor Commissioners
Oxnard Harbor District

ATTEST:



JESS HERRERA, Secretary
Board of Harbor Commissioners
Oxnard Harbor District

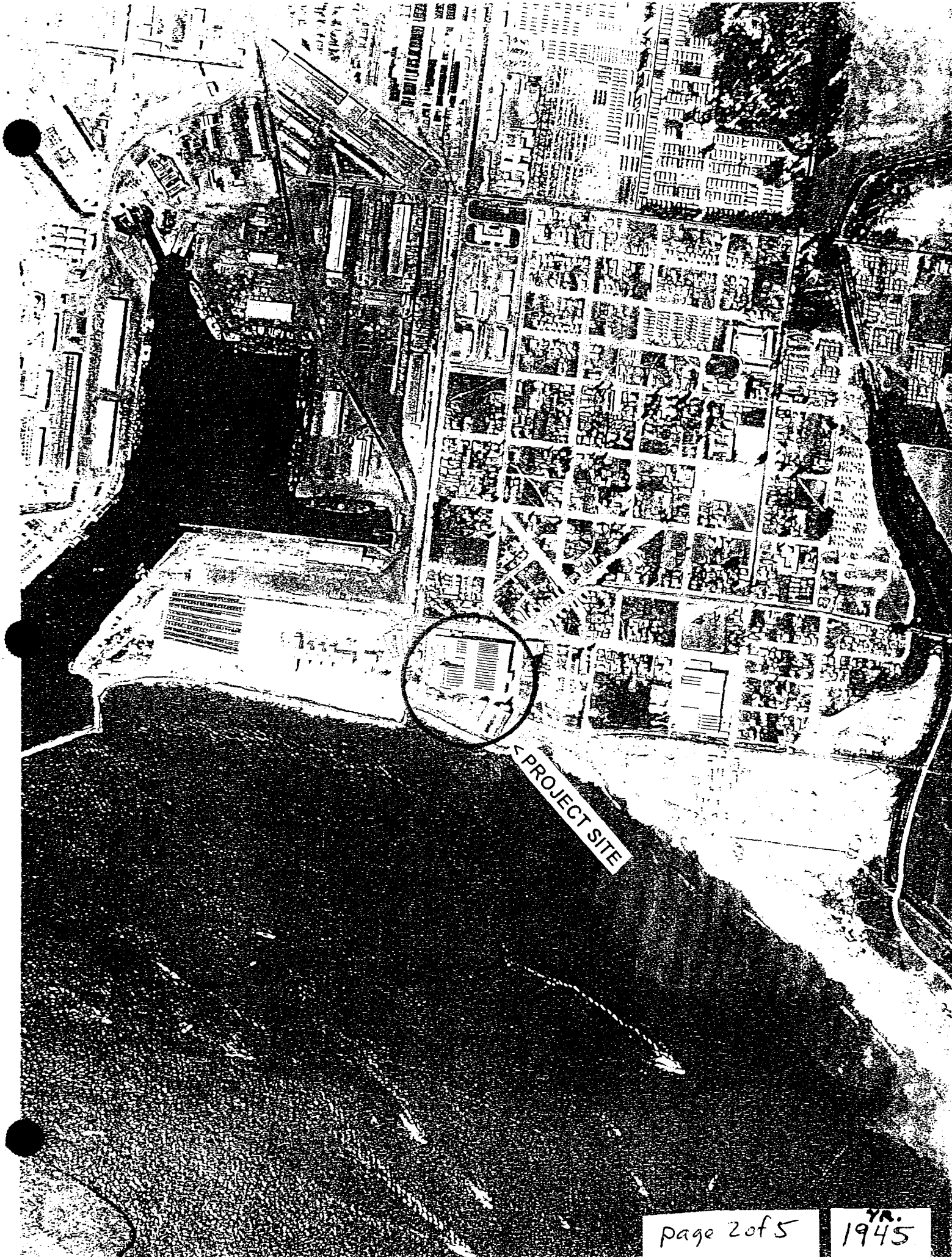
EXHIBIT NO. 10
APPLICATION NO. #6 PH 1017
Resolution No 870
Photos & Future Projects

page 1 of 5

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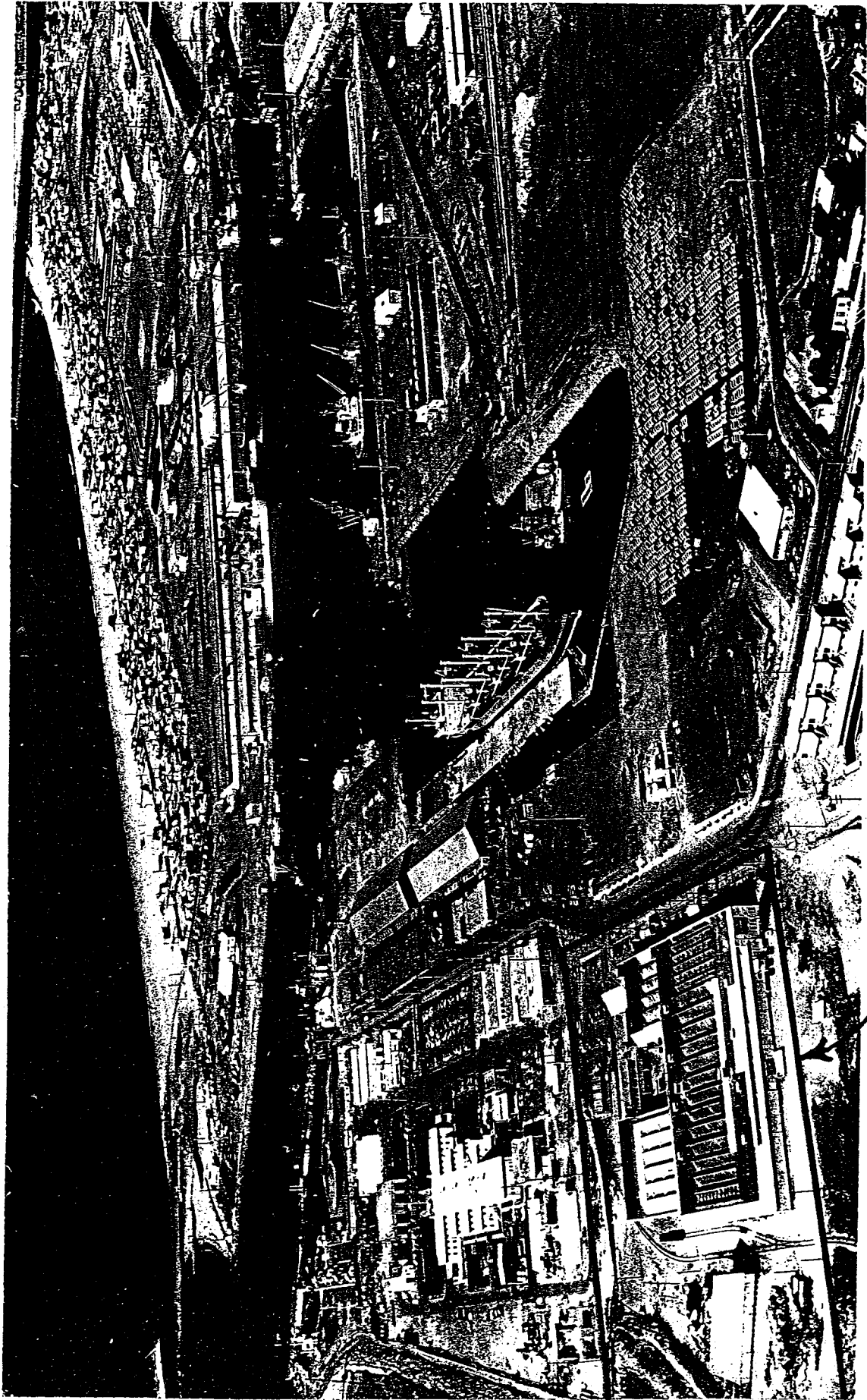
MAY 22 2001

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT



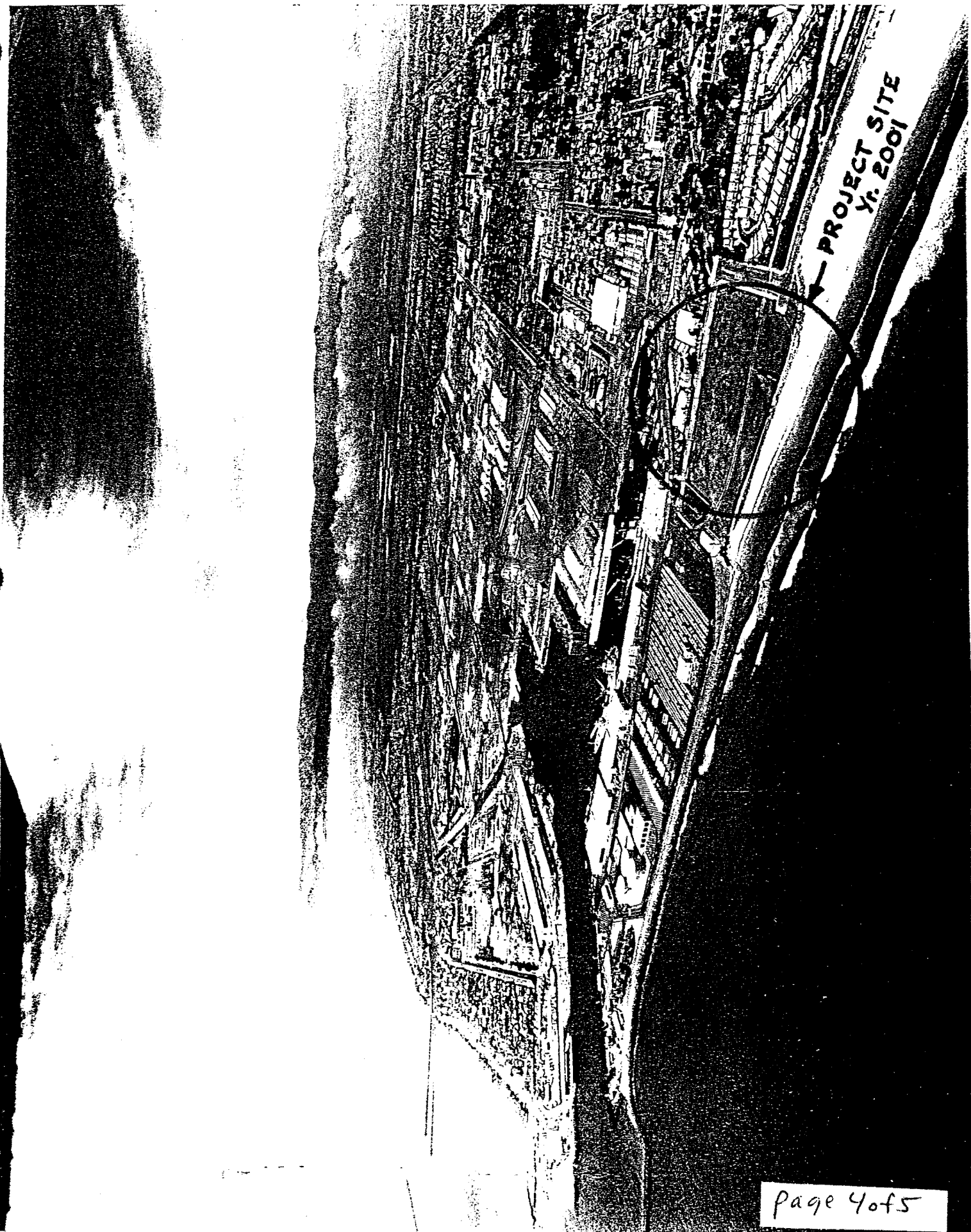
THE UNIVERSITY OF CHICAGO
DIVISION OF PHYSICS
BUILDING 2100
55 EAST CAMPUS DRIVE
CHICAGO, ILLINOIS 60637

PROJECT SITE



PROJECT SITE

YR 971

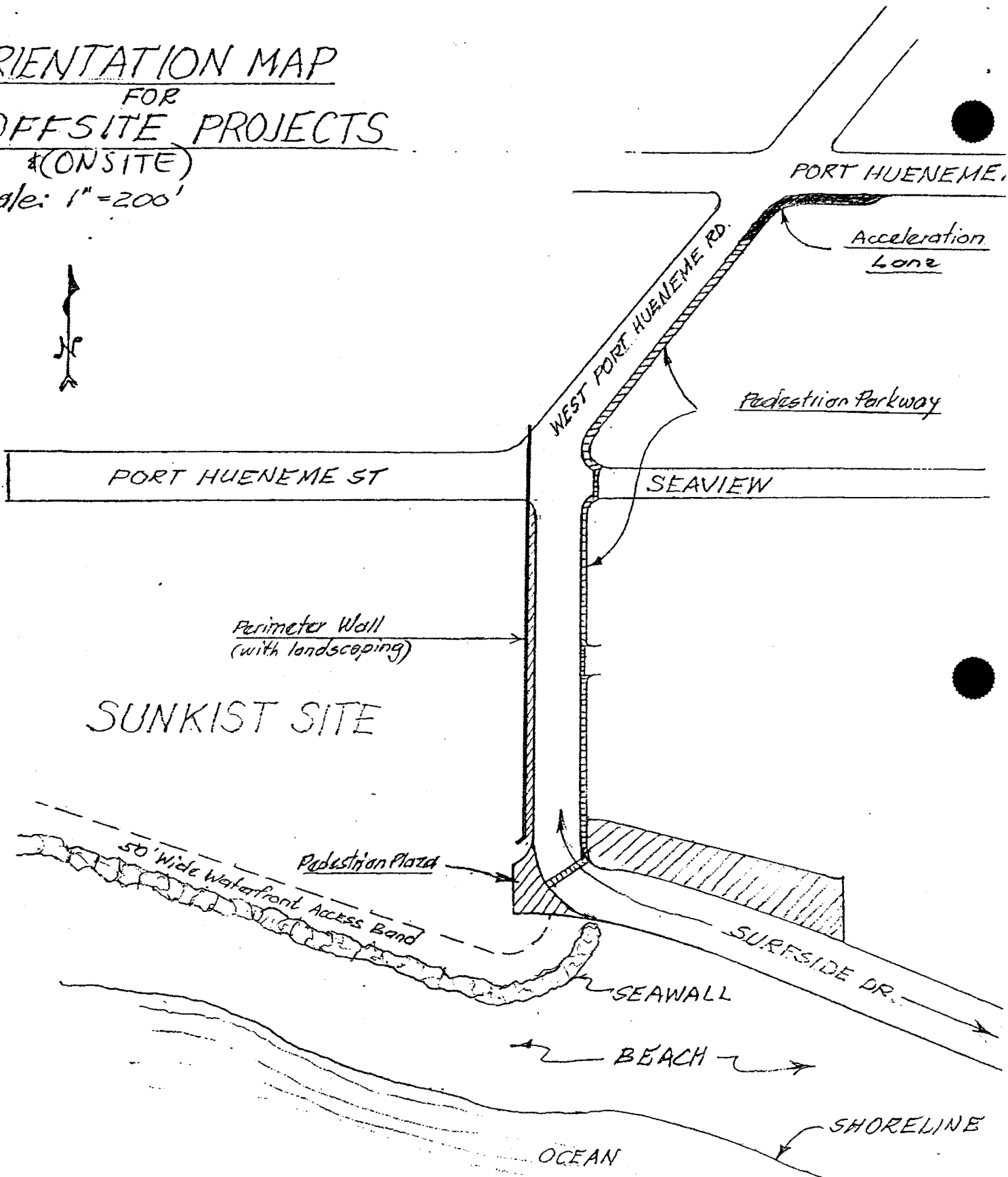


PROJECT SITE
Yr. 2001

ORIENTATION MAP
FOR
OFFSITE PROJECTS

(ONSITE)

Scale: 1" = 200'



SUNKIST SITE

Tel 805.488.3677 Fax 805.488.2620



Port of Hueneme

OXNARD HARBOR DISTRICT

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DEC 11 2001

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

December 11, 2001

Mr. James Johnson
Coastal Program Analyst
California Coastal Commission
South Central Coast Area
89 South California Street, Suite 200
Ventura, California 93001

RE: Port Master Plan Amendment No. 6, South Terminal - East Expansion Project

Dear Mr. Johnson:

During a meeting with our legal counsel on November 29, 2001, you requested a letter from me indicating the position of the Oxnard Harbor District with regard to its adopted Storm Water Monitoring and Reporting Plan and Storm Water Pollution Prevention Plan dated October, 2001. It is my understanding that Mr. Kahn presented those plans to you and discussed with you a proposed Water Quality Policies statement prepared by your office for Amendment No. 6 of the Oxnard Harbor District Port Master Plan.

As you requested, a form of those policies that was modified by Ms. Duffey at the request of the District was adopted by the Board of Harbor Commissioners, by Resolution No. 878 at its meeting of December 10, 2001. It is the position of the Oxnard Harbor District that those policies will be implemented. In that regard, the two plans provided for you have been prepared and adopted by the District for implementing those policies. Therefore, it is expected that the policies and the plans would be incorporated into Amendment No. 6 of the Port Master Plan.

Of course, if you have any questions or concerns regarding this or any other matter relating to our application, please feel free to communicate with me or with our legal counsel. We are looking forward to a positive staff report and a hearing on the matter in January 2002, if at all possible. We will be prepared to respond to any questions or issues that member of the Commission may have.

Thank you for the time and attention you and Ms. Duffey have given to this matter.

Very truly yours,

William J. Buenger
Executive Director

Enclosures

cc: Board of Harbor Commissioners
Mitchel B. Kahn, Esq.

BOARD OF HARBOR COMMISSIONERS

Raymond E. Fosse
President

Michael A. Plisky
Vice President

Jess Herrera
Secretary

Jesse J. Ramirez
Harbor Commissioner

Nao Takasugi
Commissioner

PORT MANAGEMENT

William J. Buenger
Executive Director

EXHIBIT NO. 11
APPLICATION NO. #6
Resolution No. 878
Water Quality Policies

RESOLUTION NO. 878

RESOLUTION OF THE BOARD OF HARBOR COMMISSIONERS OF THE OXNARD HARBOR DISTRICT ADOPTING CERTAIN WATER QUALITY POLICIES FOR AMENDMENT 6 OXNARD HARBOR DISTRICT PORT MASTER PLAN.

WHEREAS, the Oxnard Harbor District has obtained title to the former Sunkist Site and has annexed approximately 10.3 acres of said site, plus 1.2 acres of adjacent former Port Hueneme Road (total 11.5 acres) to the land area presently under Port jurisdiction, and

WHEREAS, the Oxnard Harbor District approved Port Master Plan Amendment No. 6 on May 14, 2001, and

WHEREAS, a Port Master Plan Amendment requires certification by the California Coastal Commission, upon prior acceptance and approval by the Board of Harbor Commissioners, and

WHEREAS, the Oxnard Harbor District submitted Port Master Plan Amendment No. 6 to the California Coastal Commission on May 22, 2001, and

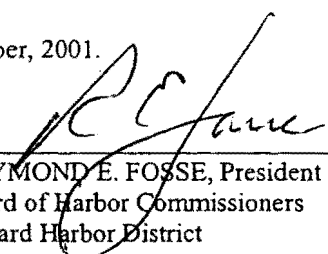
WHEREAS, impacts to water quality from non-point source (NPS) pollution, or polluted runoff, has become an increasing concern of the California Coastal Commission (CCC). Impervious areas are particularly susceptible to polluted runoff due to the lack of infiltration over impermeable surfaces and, therefore, the retention of pollutants in the stormwater runoff. The CCC is focusing on this issue in its review of Coastal Development Permits (CDPs), Local Coastal Plans (LCPs) and Port Master Plans and requiring the implementation of policies to address polluted runoff pursuant to requirements of Section 30231 of the Coastal Act, and

WHEREAS, the California Coastal Commission has requested that the Board of Harbor Commissioners approve and adopt certain Water Quality Policies for Amendment 6 Oxnard Harbor District Port Master Plan,


NOW THEREFORE, BE IT RESOLVED, that the Board of Harbor Commissioners of the Oxnard Harbor District hereby approves and adopts those certain Water Quality Policies for Amendment 6 Oxnard Harbor District Port Master Plan, a copy of which is attached hereto as Exhibit A, and

BE IT FURTHER RESOLVED, that the Board of Harbor Commissioners directs the Executive Director to submit the adopted Water Quality Policies for Amendment 6 Oxnard Harbor District Port Master Plan to the California Coastal Commission for inclusion with the previously submitted Port Master Plan Amendment No. 6.

APPROVED, ADOPTED AND SIGNED this 10th day of December, 2001.


RAYMOND E. FOSSE, President
Board of Harbor Commissioners
Oxnard Harbor District

ATTEST:


JESS HERRERA, Secretary
Board of Harbor Commissioners
Oxnard Harbor District

**WATER QUALITY POLICIES FOR AMENDMENT 6
OXNARD HARBOR DISTRICT PORT MASTER PLAN**

Policy 1

The Oxnard Harbor District, in approving future development such as a parking lot or other impervious surface for the subject parcels of this amendment, shall require the development to comply with all local, regional, state and federal water quality and stormwater runoff regulations, including the State Water Resources Control Board and Regional Water Quality Control Board NPDES permit requirements.

Policy 2

The Oxnard Harbor District will implement its Storm Water Pollution Prevention Plan of October, 2001 and its Storm Water Monitoring and Reporting Plan of October, 2001, and any future updates or amendments of the above plans. Both Plans have been prepared in accordance with the District's General Industrial Storm Water Discharge Permit No. 4A56S301817 as required by the State Water Resources Control Board.

Policy 3

The Oxnard Harbor District, in approving future development such as a parking lot or other impervious surface for the subject parcels of this amendment, shall require that drainage from all areas susceptible to runoff that are used for motor vehicle parking be directed through systems utilizing Best Management Practices (BMPs) or suites of BMPs (such as biofilters or media filter devices) effective at removing and/or mitigating pollutants of concern including oil, grease, petroleum hydrocarbons, heavy metals, and particulates. Selected BMPs (or suites of BMPs) shall be designed to treat, infiltrate or filter the stormwater runoff from each runoff event up to and including the 85th percentile, 24-hour runoff event for volume based BMPs and/or the 85th percentile, 1 hour event, with an appropriate safety factor, for flow-based BMPs. Selected BMPs (or suites of BMPs) shall be maintained in a functional condition throughout the life of the approved development.

