

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
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VENTURA, CA 93001
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Filed: 10/20/08
180th Day: 4/18/09
Staff: D. Christensen
Staff Report: 12/18/08
Hearing Date: 1/7/09
Commission Action:



STAFF REPORT: REGULAR CALENDAR

APPLICATION NO.: 4-08-067

APPLICANT: City of Ventura

PROJECT LOCATION: Ventura Pier, California Street/Harbor Boulevard, City of Ventura, (Ventura County)

PROJECT DESCRIPTION: Conduct pier repair and maintenance activities within a five-year period (2009-2013). Proposed activities include replacing damaged polyethylene-wrapped timber piles in-kind, replacing polyethylene wrap on several existing timber piles, removing corrosion and spot-painting steel piles, and repairing/replacing damaged braces, bolts, collars, handrails, and decking. Maintenance and repairs will not expand existing development past its existing permitted configuration and specifications. The maintenance work will not necessitate closure of public access to the pier.

SUBSTANTIVE FILE DOCUMENTS: "Ventura Pier Inspection Report," by John S. Meek Company Inc., dated March 12, 2007; "Ventura Pier Inspection Report," by Divecon Services LP, dated May 2005; California State Lands Commission letter, dated February 11, 2005, stating CSLC authorization is not required; "Caulerpa taxifolia, Eelgrass, Surfgrass, and Rocky Habitat Survey Report," by Aquatic Bioassay & Consulting Laboratories Inc., dated September 7, 2005; Coastal Development Permit (CDP) No. 4-04-126; CDP No. 4-02-212; CDP No. 4-98-293; CDP No. 4-01-198; CDP No. 4-01-134.

LOCAL APPROVALS RECEIVED: Approval-in-Concept, City of San Buenaventura Planning Department, dated October 13, 2008.

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends **approval** of the proposed project with **seven (7) special conditions** regarding Best Management Practices, Disposal of Construction Debris, Required Approvals, Assumption of Risk, Permit Expiration, Additional Pier Improvements, and Project Timing. Even though there is a certified local coastal program in place for the City of Ventura, the proposed repair and maintenance activities are located within areas subject to tidal action and therefore within the Coastal Commission's permit jurisdiction. Thus, the standard of review is the Chapter 3 policies of the California Coastal Act.

I. STAFF RECOMMENDATION

The staff recommends that the Commission adopt the following resolution:

MOTION: *I move that the Commission approve Coastal Development Permit No. 4-08-067 pursuant to the staff recommendation.*

STAFF RECOMMENDATION OF APPROVAL:

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

RESOLUTION TO APPROVE THE PERMIT:

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit 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 development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. STANDARD CONDITIONS

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.

4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.

5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS

1. **Implementation of Best Management Practices (BMPs)**

By acceptance of this permit, the applicant agrees to implement all BMPs contained in the Ventura Pier Repair Scope of Work, dated 9/2/08, and that the proposed five-year pier repair and maintenance program will be managed in a manner that protects water quality pursuant to implementation of the proposed BMPs.

2. **Disposal of Construction Debris**

Prior to issuance of the coastal development permit, the applicant shall provide evidence to the Executive Director of the location of the disposal site for all debris/excavated material from the site. Should the dumpsite be located in the coastal zone, a coastal development permit shall be required.

3. **Required Approvals**

Prior to commencement of construction, the applicant agrees to obtain, and provide evidence to the Executive Director of, all other State or Federal permits that may be necessary for construction of the proposed development (including permits from California Department of Fish & Game, California Regional Water Quality Control Board, and the United States Army Corps of Engineers) and/or evidence that notice has been provided to such agencies and no permit is required. No changes to the Coastal Commission approved plans that may be required by the above-stated resource agencies shall occur without an amendment to the coastal development permit, unless the Executive Director determines that no amendment is legally required.

4. **Assumption of Risk**

By acceptance of this permit, the applicant acknowledges and agrees (i) that the site may be subject to hazards from waves, storm waves, flooding and erosion; (ii) to assume the risks to the applicant and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with

respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

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

5. Permit Expiration

This permit shall be valid for 5 years from the date of Commission approval (until December 31, 2013).

6. Additional Pier Improvements

No additional pier improvement activities beyond those specified in this approval ("Ventura Pier Repair Scope of Work" (9/2/08) and the "Ventura Pier 5-year Maintenance Plan Overview") that may be required shall occur without an amendment to the coastal development permit, unless the Executive Director determines that no amendment is legally required.

7. Project Timing

By acceptance of this permit, the applicant agrees that construction activities shall be undertaken during weekdays between Labor Day and Memorial Day. In no case may project activities be undertaken during weekend days or public holidays. The Executive Director may extend the time allowed to complete authorized activities upon a showing of good cause.

IV. FINDINGS AND DECLARATIONS

The Commission hereby finds and declares as follows:

A. Project Description and Background

The City of Ventura proposes to conduct routine repair and maintenance activities within a five-year period (2009-2013) on the Ventura Pier. The Ventura Pier is a historic structure (originally constructed in 1872) that is used by the public for fishing and other recreational purposes. The pier is owned by the City and is located at the western edge of San Buenaventura State Beach. The landward-most portion of the pier contains visitor-serving commercial uses including a restaurant, snack and bait shop, and public restrooms (**Exhibits 1-3**). These facilities will remain open throughout the proposed construction periods. The Ventura Pier is comprised of 274 timber piles and 70 steel

piles. The steel piles are located at the most seaward end of the pier, between bent 18 and bent 38. The remainder of the pier is timber (**Exhibit 2**).

The proposed repair and maintenance activities include replacing several damaged creosote-treated, polyethylene-wrapped timber piles in-kind, replacing polyethylene wrap on several existing timber piles, removing corrosion and spot-painting steel piles, and repairing/replacing damaged braces, bolts, collars, handrails, and decking. The activities proposed for Year 1 (2009) of the City's proposed five-year maintenance plan were recommended for implementation in the City's 2007 Pier Inspection Report. The proposed Year 1 activities include replacing two damaged timber piles (located at Bent 45-B and 51-B) in-kind, replacing polyethylene wrap on two existing timber piles, replacing seven horizontal timber braces, nine pipe braces, and several bolts, and remove corrosion/spot paint the steel portions of pier (**Exhibit 5**). The remainder of the five-year maintenance plan includes similar, general items that the City anticipates will be in need of repair or replacement. The proposed five-year maintenance plan is attached as **Exhibit 4**. Proposed maintenance and repairs will not expand existing development past its existing permitted configuration and specifications. A survey conducted beneath the Ventura Pier on August 24, 2005 by Aquatic Bioassay and Consulting Laboratories found an absence of noxious algae (*Caulerpa taxifolia*), eelgrass, surfgrass, or rocky habitat around the pier pilings targeted for replacement.

The proposed maintenance work will not necessitate closure of public access to the pier. The replacement of piles will be conducted from the pier with a Dalmag 822 crane with a 50-ton capacity pole driving attachment. When the piles are being driven, the area around the equipment will be fenced off for approximately 3 weekdays and in such a way that pedestrians will be able to pass by the work area and continue to the end of the pier. There is a vacant area between a bike path and a parking lot east (inland) of the pier for the contractors' operations preparation and storage of materials within a chain link enclosure (**Exhibit 3**).

B. Public Access

Section 30210 of the Coastal Act states:

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

Section 30211 of the Coastal Act states:

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

Section 30212 of the Coastal Act states (in part):

(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects...

Section 30220 of the Coastal Act states:

Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.

Section 30221 of the Coastal Act states:

Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

Coastal Act Sections 30210, 30211, and 30212 mandate that maximum access and recreational opportunities shall be provided, consistent with public safety and the protection of coastal resources. Specifically, Sections 30210 and 30212 of the Coastal Act provides that development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, and that maximum access shall be provided for all people consistent with public safety needs, the need to protect public rights, the rights of private property owners, and the need to protect natural resource areas from overuse. Sections 30220 and 30221 of the Coastal Act requires that coastal areas suited for coastal recreational activities, that cannot be provided at inland water areas, be protected.

The historic Ventura Pier, located adjacent to San Buenaventura State Beach, is a popular recreational facility for residents and visitors to the City of Ventura. The landward most portion of the pier contains visitor-serving commercial uses including a restaurant, snack and bait shop, and public restrooms. These facilities will remain open throughout proposed construction periods. The replacement of piles will be conducted from the pier with a Dalmag 822 crane with a 50-ton capacity pole driving attachment. When the piles are being driven, the area around the equipment will be fenced off for approximately 3 weekdays and in such a way that pedestrians will be able to pass by the work area and continue to the end of the pier. All other proposed repair and maintenance activities will occur in small sections of the pier during weekdays and never require complete closure of public access. Thus impacts to public access during peak use hours will be avoided, and impacts to public access during non-peak use hours will be minimal.

In order to ensure that impacts to public access and recreation are minimized to the maximum extent possible, **Special Condition Seven (7)** requires the applicant to agree, by acceptance of the permit, to undertake construction activities only during weekdays between Labor Day and Memorial Day. Special Condition 7 is necessary to

ensure that public access to the pier is only impacted in the non-summer months, when the pier receives fewer visitors, and to weekdays as proposed by the applicant.

As all work on the pier will be conducted from the existing decking, or by divers using hand-held equipment, the construction activities will not require permanent or temporary use or occupation of the sandy beach. The project does include use of a small vacant area between a bike path and parking lot east (inland) of the pier for temporary storage construction materials. This proposed staging area is not maintained for recreational use and is not suitable for parking. Therefore, use of this area for temporary storage will not adversely impact public access or coastal recreation. The Commission notes that the proposed project is intended to support the type of coastal dependent recreation facility that is permitted in open coastal waters.

The Commission finds that, as conditioned, the proposed project will minimize adverse effects to public access and recreation during construction phases. Therefore, the Commission finds that the proposed development, as conditioned, is consistent with Sections 30210, 30211, 30212, 30220, and 30221 of the Coastal Act.

C. Coastal and Marine Resources

Section 30230 of the Coastal Act states:

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

Section 30231 of the Coastal Act states:

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

Section 30233(a) of the Coastal Act states in part:

The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:

...

- (4) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities.**

Section 30240 of the Coastal Act states:

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

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

Section 30230 requires that uses of the marine environment be carried out in a manner that will sustain the biological productivity of coastal waters for long-term commercial, recreational, scientific, and educational purposes. In addition, Section 30231 requires that the biological productivity and quality of coastal waters be maintained. Section 30233 limits development in open coastal waters to boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities. Finally, Section 30240 states that only development that is resource dependent may be allowed within environmentally sensitive habitat areas and requires development to be sited and designed to prevent impacts on environmentally sensitive habitat areas, parks, and recreation areas.

The proposed 5-year pier repair and maintenance project includes replacing several damaged polyethylene-wrapped timber piles in-kind, replacing polyethylene wrap to several existing timber piles, removing corrosion and spot-painting steel piles, and repairing/replacing damaged braces, bolts, collars, handrails, and decking. Maintenance and repairs will not expand existing development past its existing permitted configuration and specifications. As all work on the pier will be conducted from the existing decking, or by divers using hand-held equipment, the construction activities will not require permanent or temporary use or occupation of the sandy beach. The project does include use of a small vacant area between the bike path and parking lot east of the pier for temporary storage of pilings and equipment. This proposed staging area contains sparse ruderal vegetation and is not maintained for recreational use. Use of this area for temporary storage will not degrade the habitat or recreational values of the park.

The proposed pile replacement portion of the project does constitute "fill" within the meaning of Section 30233 of the Coastal Act. However, the replacement is "in-kind" in that the new piles will be comprised of the same material as the existing piles and will occupy the same area as the existing piles. Furthermore, the Commission notes that the

proposed fill (replacement of existing pilings) is specified as an allowable use under Coastal Act Section 30233(a)(4) (i.e., recreational piers providing public access and recreational activities) when adverse effects to the marine environment are minimized.

The applicant is proposing to replace timber pilings in-kind, with pilings that have been treated with creosote and wrapped with polyethylene matting to prevent transfer of the creosote into the marine environment. The California Department of Fish and Game (CDFG) has reviewed similar proposals to use creosote treated and wrapped pilings and has found them consistent with the department's position on the use of creosote treated wood pilings for the repair of existing structures in marine waters. The Commission has also allowed the use of such pilings in replacement projects (CDP No. 4-01-134, CDP No. 4-02-212, CDP No. 4-04-126). The "plastic-wrapped" design of the proposed creosote pilings will prevent creosote leakage into the aquatic environment. In addition, in order to ensure that the proposed project is consistent with all CDFG and other agency regulations, **Special Condition Three (3)** requires the applicant to agree to obtain and provide evidence to the Executive Director of all necessary approvals from the CDFG, United States Army Corps of Engineers, and/or the Regional Water Quality Control Board prior to commencement of construction, or evidence that notice has been provided to such agencies and no permit is required.

The proposed project has been designed in a manner to minimize adverse effects to the coastal and marine resources on and adjacent to the subject site. However, the proposed project may result in potential adverse effects to surrounding habitat due to unintentional disturbance from construction equipment, materials, and/or debris. Construction activities associated with the proposed project could result in the generation of debris and/or presence of equipment, materials and hazardous substances that could be subject to run-off and wind dispersion into the marine environment. The presence of construction equipment, building materials, and debris on the subject site could pose hazards to sensitive marine organisms if construction site materials were discharged into the marine environment or left inappropriately on the project site. In addition, such potential discharges and disturbances to the marine environment could result in adverse effects to offshore habitat from increased turbidity and pollutants of coastal waters.

To protect marine resources and coastal water quality and to ensure that construction related adverse effects to the marine environment are minimized, **Special Condition One (1)** of the subject permit requires the applicant to implement Best Management Practices (BMPs) throughout the duration of the proposed development. Special Condition 1 requires the applicant to implement proposed BMPs designed to prevent spillage and/or run-off of construction related materials, sediment, or contaminants associated with the construction activities and to prevent the accumulation and/or unintended transport of such pollutants and debris by wind, rain, or tracking that may result in discharge into the marine environment. The applicant shall be required to implement the proposed BMPs prior to the onset of the proposed construction activities and maintain the BMPs in a functional condition throughout the duration of the project.

To further minimize the potential for unintended transport of debris or hazardous substances into coastal waters, **Special Condition Two (2)** of the subject permit requires that all construction debris be disposed of at an appropriate debris disposal site, and requires the applicant to provide evidence to the Executive Director of the disposal site prior to issuance of the CDP. The proposed development, as designed and conditioned, will serve to minimize potential adverse impacts to marine resources and coastal waters.

Therefore, the Commission finds that the proposed project, as conditioned, is consistent with Sections 30230, 30231, 30233, and 30240 of the Coastal Act.

D. Hazards and Shoreline Processes

Section 30253 of the Coastal Act states, in part, that new development shall:

- (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.***
- (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.***

Section 30253 of the Coastal Act mandates that new development provide for geologic stability and integrity and minimize risks to life and property. The Ventura Pier, like all wood piers along the California coast, is subject to a variety of hazardous conditions, including high waves and periodic fires.

The applicant has submitted a report entitled "Ventura Pier Inspection Report," by John S. Meek Company Inc., dated March 12, 2007 that confirms the need to replace two deteriorated pilings, shim gaps in piles and caps, re-wrap piles, repair/replace bracing, straps, and bolts, and paint rust spots.

In addition, based on the information submitted by the City, the proposed development is located in an area of the Coastal Zone that has been identified as subject to potential hazards from wave action during the winter storm season. The pier has previously been subject to substantial damage as the result of storm occurrences in 1986 and 1995.

Although the proposed project will increase the stability of the developed portions of the subject site in relation to wave caused erosion, there remains some inherent risk to development on such sites. The Coastal Act recognizes that certain types of development, such as the proposed project to replace damaged pilings and cross braces on the pier, may involve the taking of some risk. Coastal Act policies require the Commission to establish the appropriate degree of risk acceptable for the proposed development and to determine who should assume the risk. When development in

areas of identified hazards is proposed, the Commission considers the hazard associated with the project site and the potential cost to the public, as well as the owner's property rights. As such, the Commission finds that due to the unforeseen possibility of liquefaction, storm waves, surges, erosion, fire, and flooding, the applicant shall assume these risks as a condition of approval.

Therefore, **Special Condition Four (4)** requires the applicant to waive any claim of liability against the Commission for damage to life or property that may occur as a result of the permitted development. The applicant's assumption of risk will demonstrate that the applicant is aware of and appreciates the nature of the hazards which exist on the site and which may adversely affect the stability or safety of the proposed development.

As the project site is located in an area which is periodically subject to waves, storm surge, and flooding, which has the potential to cause damage to structures or injury to those frequenting the area, it is necessary to indemnify the Commission or any of its agents or representatives against any claims of liability arising from the permitted development. **Special Condition Four (4)** requires that the applicant submit a signed document which shall indemnify and hold harmless the California Coastal Commission, its officers, agents, and employees against any and all claims, demands, damages, costs, and expenses of liability arising out of the acquisition, design, construction operation, maintenance, existence, or failure of the permitted project.

As noted above, the proposed 5-year pier repair and maintenance project will involve the use of heavy equipment on the pier for replacing damaged polyethylene-wrapped timber piles. Although the applicant has stated that no equipment, debris, or materials will be stored or disposed of on the beach or in the coastal waters, the proposed project has the potential to generate debris and the presence of equipment and materials that could be subject to tidal action on the beach. The presence of construction equipment, building materials, and debris on the subject site could pose hazards to beachgoers or swimmers if construction site materials were discharged into the marine environment or left inappropriately or unsafely exposed on the project site. Therefore, in order to ensure that potential hazards are minimized, **Special Condition One (1)** requires implementation of proposed BMPs to ensure that no stockpiling of debris or construction materials shall occur on the sandy beach or coastal waters and that any and all debris resulting from the construction period shall be immediately removed from the project site. In addition, for the same reasons, **Special Condition Two (2)** requires the applicant to dispose of all debris at an appropriate location.

Therefore, the Commission finds that the proposed project, as conditioned, is consistent with Coastal Act Section 30253.

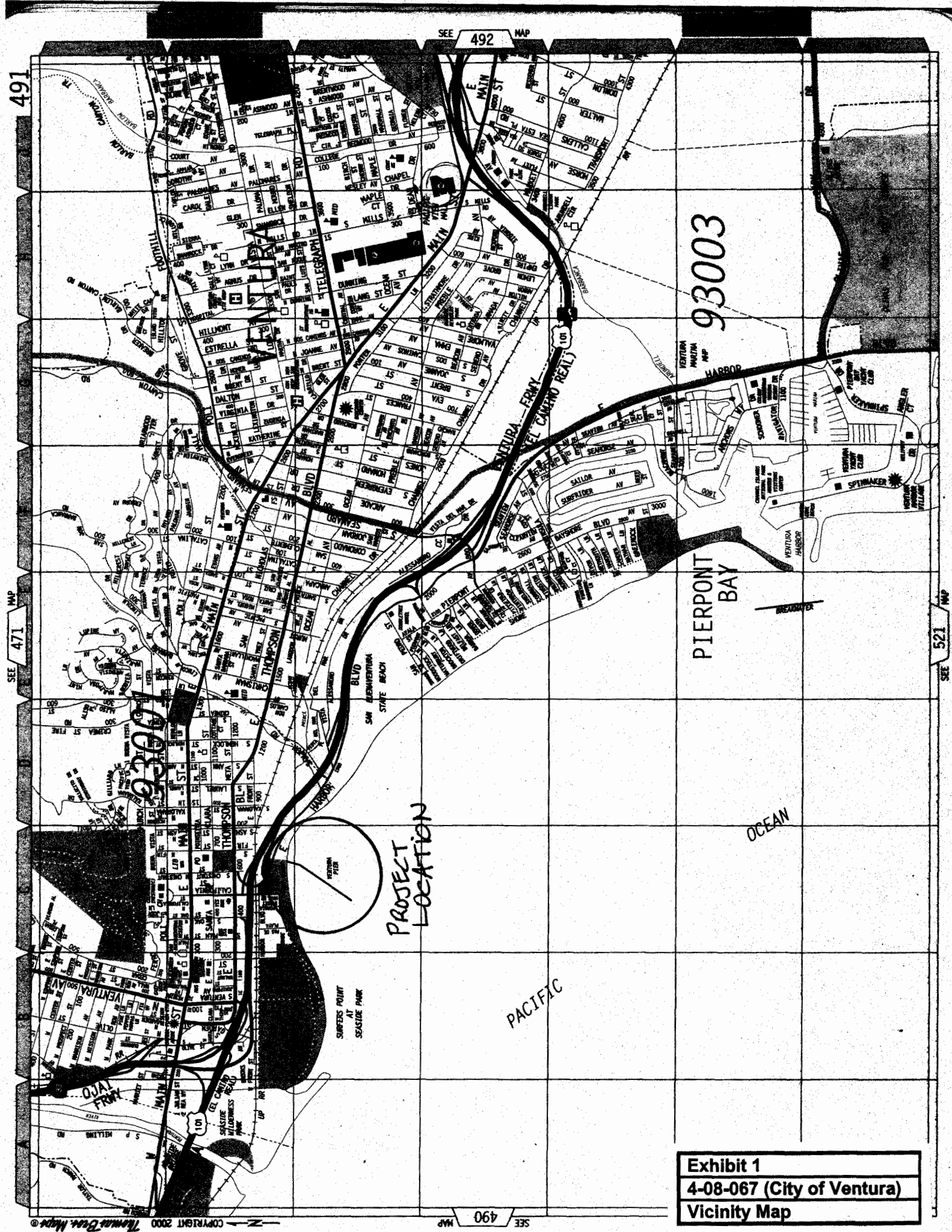
F. California Environmental Quality Act

Section 13096(a) of the Commission's administrative regulations requires Commission approval of a Coastal Development Permit application to be supported by a finding

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

The Commission incorporates its findings on Coastal Act consistency at this point as if set forth in full. These findings address and respond to all public comments regarding potential significant adverse environmental effects of the project that were received prior to preparation of the staff report. As discussed above, the proposed development, as conditioned, is consistent with the policies of the Coastal Act. Feasible mitigation measures, which will minimize all adverse environmental effects, have been required as special conditions.

As conditioned, there are no feasible alternatives or feasible mitigation measures available, beyond those required, which would substantially lessen any significant adverse impact that the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, can be found to be consistent with the requirements of the Coastal Act to conform to CEQA.



491

SEE 492 MAP

93003

SEE 471 MAP

93001

PROJECT LOCATION

PIERPOINT BAY

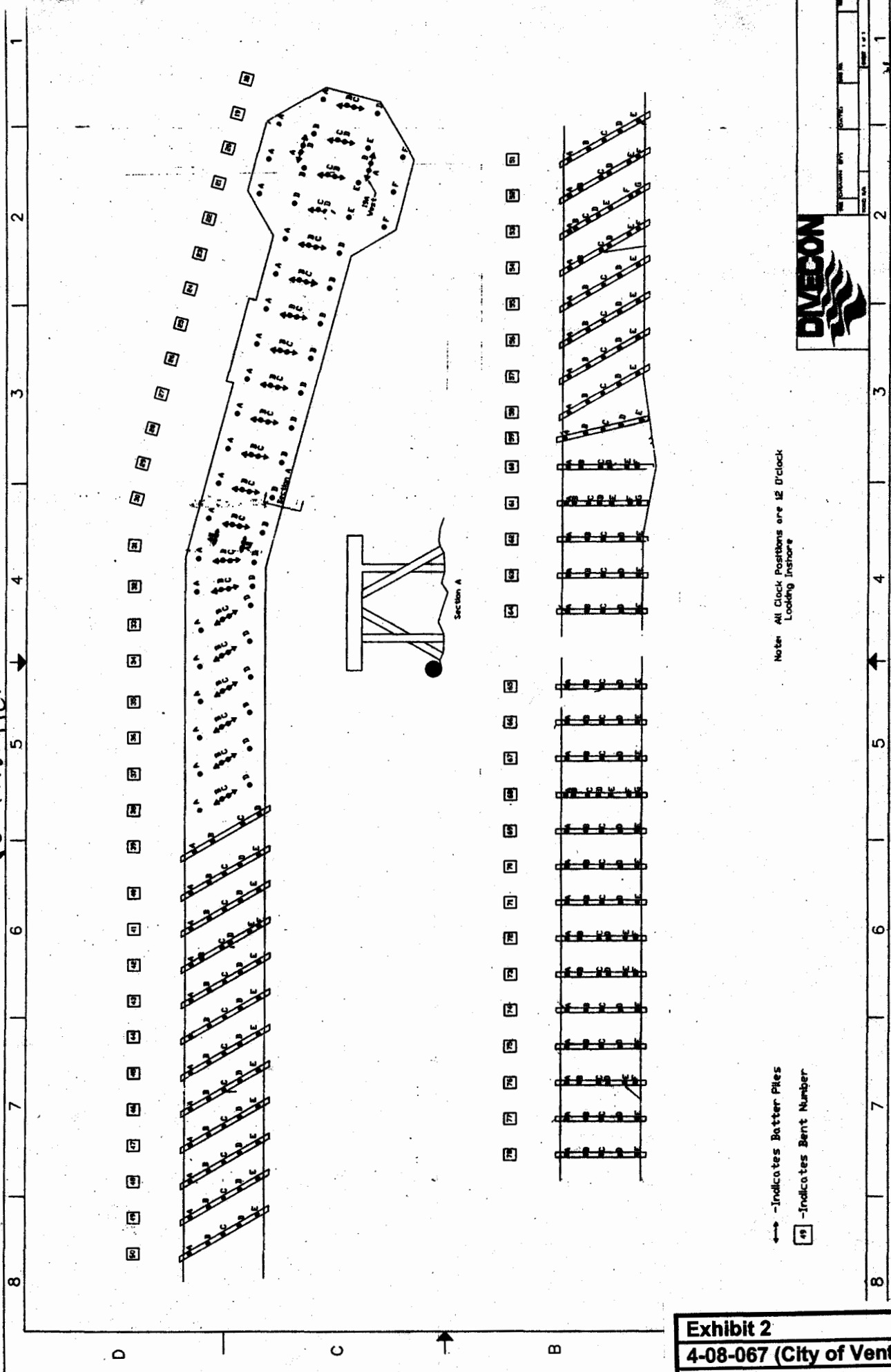
OCEAN

PACIFIC

SEE 521 MAP

Exhibit 1
 4-08-067 (City of Ventura)
 Vicinity Map

Ventura Pier



Note All Clock Positions are 12 D'clock Looking Inshore

↔ - Indicates Batter Piles
 [A] - Indicates Bent Number

Exhibit 2
4-08-067 (City of Ventura)
Pier Plan



Ventura Pier

Copyright (C) 2002 Kenneth Adelman, California Coastal Records Project, www.californiacoastline.org

Exhibit 3
4-08-067 (City of Ventura)
Aerial Views (1 of 2)



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Exhibit 3
4-08-067 (City of Ventura)
Aerial Views (2 of 2)



CITY OF SAN BUENAVENTURA
Ventura Pier Five Year Maintenance Plan Overview

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2008 / 2009

Drive 2 New Timber Piles to Replace missing
Replace Wrap on 2 Existing Piles
Repair / Replace 9 Pipe Bracings
Tighten / Replace Loose or Missing Strap Bolts
Replace Damaged Horizontal Timber Braces
Remove Corrosion and Paint Steel Portions of Pier

2009 / 2010

Replace Damaged Stringer
Replace Damaged / Missing Timber Braces
Install 2 Corbels
Install 3 Pile Collars
Marine Growth Removal
Replace 30 Linear Feet of Decking
Repair Seasonal Storm Damage

2010 / 2011


Drive 2 New Timber Piles to Replace Damaged Piles
Replace Damaged / Missing Timber Braces
Install 10 Pile Straps
Shim 7 Piles
Replace 25% Existing Hand Rails
Replace 30 Linear Feet of Decking
Remove Corrosion and Paint Steel Portions of Pier
Repair Seasonal Storm Damage

2011 / 2012

Shim 7 Piles
Replace 25% Existing Hand Rails
Replace 30 Linear Feet of Decking
Remove Corrosion and Paint Steel Portions of Pier
Repair Seasonal Storm Damage

2012 / 2013

Drive 2 New Timber Piles to Replace Damaged Piles
Replace 25% Existing Hand Rails
Replace 30 Linear Feet of Decking
Remove Corrosion and Paint Steel Portions of Pier
Repair Seasonal Storm Damage


Keith Fowler
Public Works Supervisor


Mary Joy
Fleet & Facilities

Exhibit 4
4-08-067 (City of Ventura)
Five-year Maintenance Plan Overview

4

Repair of the Ventura Pier
City Of Ventura

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1. **Scope of Work**

The work to be performed shall consist of furnishing all materials, labor, hardware, and all other necessary equipment and supplies to:

- A. Drive 2 New Timber Piles.
- B. Wrap 2 Existing Piles.
- C. Repair or Replace 9 Pipe Braces.
- D. Replace 1 Pile Strap Bolt.
- E. Tighten 3 Loose Bracing Bolts.
- F. Replace 7 Horizontal Timber Braces.
- G. Remove Corrosion and Paint Steel Piles and Pile Caps from Bents 18-22.
- H. Remove Corrosion and Spot Paint Steel Pile and Pile Caps from Bents 23 to 38.

Add Alternate

- I. Install 3 Pile Collars.
- J. Install 1 New Corbel.
- K. Install 1 New #9 Stringer.

2. **Environmental and Safety Requirements**

- A. Contractor shall provide materials that comply with all current requirements of the Environmental Protection Agency (EPA), California State Water Resource Control Board BMP's #. TC-1, TC-2, NS-11, NS-14, NS-15, WM-2, WM-3, WM-4, WM-5 as well as all other local, State, and Federal agencies.
- B. Warning and identification signs shall be posted to clearly identify hazards on job site.
- C. Reasonable caution should guide the preparation, repair, and cleanup phases of any repair activities involving potentially hazardous and toxic chemical substances. Manufacturer's recommendations to protect occupational health and environmental quality shall be carefully followed. In instances where the effects of a chemical substance and occupational health or environmental quality are unknown, chemical substances shall be treated as potentially hazardous and toxic materials.

3. **Warranty**

- A. One-year warranty for labor and manufacturer's standard warranty for materials shall be provided.

4. **PIER ACCESS**

- A. The Contractor shall assume all responsibility for transit of equipment and materials on the pier at all times and any damages that may occur to the pier as a result of his means and methods used to convey same to the various work areas. The pier is designed and built with a "H" Bridge Load Rating.

Repair of the Ventura Pier

City Of Ventura

- B. The Contractor shall be solely and completely responsible for conditions of the job site, including safety of all persons and property during performance of the work. The Contractor shall fully comply with all State, Federal, and other laws, rules, regulations and orders relating to the safety of the public and workers.
- C. The Contractor shall not block the public promenade at any time.
- D. The Contractor shall submit a pier access and closure plan at the Pre-Construction meeting to Keith Fowler, City of Ventura, Facilities or his designee, for approval.
- E. The Contractor shall provide as much access as possible to the pier. If it is deemed necessary for the safety of the public to close the pier during the work, the Contractor shall make all due effort to minimize the closure time.
- F. The Contractor shall not transport equipment and materials past the Pier Restaurant between the hours of 11:00 a.m. and 2:00 p.m. on any day.

5. BEACH TOPOGRAPHY

- A. The Contractor is advised that the sands at the project site are constantly shifting and may exhibit seasonal changes in overall dry beach width and depth offshore. The Contractor shall place in charge a proficient employee with experience in working in these conditions.

6. OCEANOGRAPHICAL CONDITIONS

- A. The Contractor is advised that the project site is located within a coastal zone that experiences variable changes in wind, waves, water level, current and weather. The Contractor is further advised that the project site is located within a coastal zone that experiences higher wave heights due to offshore wave refraction effects. The work may be exposed to fall and winter storm wave attack. Portions of the work specified herein may require that the Contractor schedule his activities during times of most favorable tides. Lowest tides generally occur during the winter months when storm occurrence probability is highest. Low tides do not always occur during daylight hours.
- b. The Contractor shall satisfy himself as to the hazards, risks and work conditions likely to arise from weather variations and/or tidal variations and is advised to subscribe to a marine weather and wave forecast service and consult tide tables published by the National Oceanic and Atmospheric Administration. Actual daily water levels may vary from predicted tide elevations due to wind, atmospheric and other effects.
- c. The Contractor agrees by execution of the contract that the Contractor neither has nor shall have any claim, demand, action, or cause of action against the City of San Buenaventura, or any officer or employee thereof, on account of or in respect to any actual oceanographical conditions that are in variance with predicted events.

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7. Specific Requirements and Materials

A. Timber pile work shall consist of furnishing, transportation, supervision, labor, equipment and materials for installation of two (2) timber piles located at Bent 45-B and 51-B. (Piles in each bent are designated by letters from east to west)

1. Timber Piles

Piles shall be in conformance with section 205-1 of the SSPWC except as noted below:

- a. Piles butt diameter shall be not less than 16 inches and not greater than 18 inches to fit between existing gap spacing between stringers.
- b. Minimum pile tip diameter shall be 10 inches.
- c. Piles shall be treated with preservatives in conformance with Section 204-2 of the SSPWC with the exception that the timber piles shall be treated with Creosote to a retention of twenty 20 pounds per cubic foot in conformance with AWWA C-3.

2. Pile Wrap

Piles shall be protected with outer pile wrap of polyethylene sheeting formulated to provide maximum resistance to long-term exposure to marine organisms, rot and decay of timber piles. The sheeting shall be black in color, smooth and free of wrinkles, pinholes and other irregularities. The polyethylene sheeting shall conform to the following requirements:

a. Polyethylene Wrap:

One hundred-fifty (150) mil extra high molecular weight polyethylene extruded cylinder shaped sheets, flat sheet polyethylene is not acceptable, fourteen (14) feet in length as manufactured by Marine Environmental Solutions or similar meeting the following criteria:

Property	Value	ASTM Test Method
Density	0.954 gm/cc	D 1505
Tensile Strength at Yield, 73°F	3,300 psi	D 638
Secant Fleuxual Modulus, 73°F	5,000 psi	D 3350
Ultimate Elongation, 73°F'	>700%	D 638
Environmental Stress Crack Resist.	>1,000 hrs	D 1693
Impact Brittleness Temperature	<-180°F	D 746
Melt Flow, Condition °F	< 9 gm/10 min.	D 1238
Thermal Expansion Coefficient (in/in °F Temperature Range, °F		D 696

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15 to 85	7.2 x 10 ⁵	
85 to 150	8.3 x 10 ⁵	
150 to 200	9.5 x 10 ⁵	
Cell Classification	335434C	D 3350

b. Nails for Pile Wrap

Nails for wrap shall be four (4)-inch aluminum nails as per manufactures reconditions.

c. Foam Seals:

Foam seals shall be foam, 1/2" x 1 1/2". Foam seals shall be manufactured with an adhesive backing strip on one side only. Foam seals shall be a type accepted by the California Department of Fish and Game as being able to seal creosote within the piling cover.

3. Equipment

Conform to Section 305-1.2 of the SSPWC except as modified below:

a. Pile Driving Hammer

The pile driving hammer shall have a minimum ram weight of 4,000 pounds.

4. Pile Installation

Pile installation shall conform to Section 305-1.4 of the SSPWC except as modified below:

a. Handle piles in conformance with Section 204-2.5 of the SSPWC so that piles and pile wrap are not damaged. Wrapped piles shall be handled only with nylon slings to prevent damage to the pile wrap. No sharp objects or tools shall be used during pile handling or installation.

b. Strap pile butts with a minimum of two 1-1/4 inch wide stainless steel bands using an approved banding machine. Bands shall have a minimum thickness of 0.044 inches. Locate bands approximately two feet and four feet from the pile butt to protect the head during driving.

c. Piles shall be wrapped before driving with an inner and outer layer of specified materials before driving between Elevations +8.0 feet, MLLW and a bottom elevation determined by the City Representative to insure that the pile is covered at all times two feet below an extreme mudline elevation. The longitudinal joint of the outer pile wrap shall face shoreward when driven.

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1. Wraps shall be uniform and continuous throughout the length of pile, resulting in a smooth, wrinkle-free, airtight fit. All joints shall be overlapped a minimum of four (4) inches and a maximum of eight (8) inches to provide a continuous seal.
 2. The specified nails shall be used to secure the longitudinal joint. Fasteners shall be spaced a minimum of four (4) inches on center and a maximum of one (1) inch from all edges. If deformations, buckles, or wrinkles occur between fasteners, additional fasteners shall be used to produce a flush joint.
 3. The specified nails shall be spaced at transverse joints and pile wrap ends in two rows. Nails shall be spaced at four (8) inches on center staggered. The rows shall be located one (1) inch and two (2) inches from all edges.
 4. The top and bottom of the outer pile wrap and all transverse joints shall be banded circumferentially four (4) inches above the edge. Circumferential banding shall also be applied over the full length of the outer wrap at a center spacing of six feet.
 5. The wearing surface shall be wrapped uniformly around the pile in a single piece lengthwise resulting in a smooth, wrinkle-free fit. The maximum gap between wearing surface and pile shall be 1/8 inch.
- d. Piles shall be installed to an embedment depth specified by the City Representative or minimum practical refusal as determined by the City Representative.
 - e. Piles shall be driven only in the presence of the designated City representative. Piles shall be marked the entire length prior to driving in order to facilitate the determination of penetration elevations. Except for the pile head under the driving cap, the top five (5) feet of each pile shall be marked in tenths of a foot. The Contractor shall provide facilities for the inspection and the recording of the pile data. The City Representative will observe the data recording.
 - f. After the piles are driven and accepted by the City Representative, they shall be cut off to true planes to receive and provide uniform bearing for the timber caps. Once piles are cut off, the cut surface shall be thoroughly treated per AWWA C18. Replace all pile to cap connecting hardware.
 - g. Contractor shall submit a comprehensive pile driving plan showing proposed equipment, means and methods for installing the piles. Contractor shall only be allowed to employ "swinging" leads if he can satisfactorily demonstrate to the City Representative that he is able to

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maintain the tolerances specified and to maintain the pile and pile driving in true and proper alignment throughout driving operations.

- B. Pile Wrap work shall consist of furnishing, transportation, supervision, labor, equipment and materials to replace existing wrapping on two (2) existing piles at bent 57-A and 47-D.

1. Remove and dispose of existing wrap material.
2. Install new pile wrap as per section 7A2 above.

- C. Replace nine (9) pipe braces and mounting hardware located at Bent 64-E, Bent 62-E, Bent 61-E, Bent 60-E, Bent 58-F, Bent 57-E, Bent 51, Bent 44, and Bent 42-F to 43-E.

1. Metal fabrication shall consist of furnishing transportation, supervision, labor, equipment and materials for the fabrication and installation nine (9) pipe bracing, fabricated steel connections and associated hardware in accordance with San Buenaventura Plans and Specification number 96-27 and 96-16.
2. The City Representative reserves the right to inspect the fabrication at any time during the work to assure that the materials and workmanship are in accordance with the Specification. The City Representative inspection of the work shall not relieve the Contractor from responsibility for work errors or faults, which are discovered during fabrication. Such work errors and faults shall be corrected by the contractor at the Contractor's expense.

3. MATERIALS

- a. Steel plates, shapes, rods, shim plates and bars shall conform to the requirements of ASTM A36 except as noted otherwise on the Plans.
- b. Steel pipe shall be extra strong conforming to ASTM A53, Grade B.
- c. Structural steel tube shall conform to ASTM A500, Grade B.
- d. Anchor bolts, bolts and washers shall conform to ASTM A307 and RS Section 206-1.4 unless noted otherwise on the Plans. Furnish washers for all bolts. Provide square or hexagonal head regular type bolts.
- e. Nuts shall conform to ASTM A563, Grade shall match that of the bolt or rod to which the nut is attached. Furnish nuts for all bolts and threaded rod.
- f. Malleable iron washers shall conform to ASTM A47.

4. Paint

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- a. Surface Preparation: Abrasive blast per SSPC SP 10 with a surface blast profile of 1.0 to 1.5 mils.
 - b. Primer: Use "Dimetcote 9 HS Primer" as manufactured by Ameron Protective Coatings Group, Brea, CA or approved equal at minimum four (4.0) mils dry film thickness (dft) in accordance with manufacturer's instructions.
 - c. Top Coat: Apply two (2) coats of top coat at 6.0 mils minimum dry film thickness per coat of "Amercoat 385" as manufactured by Ameron Protective Coatings Group, Brea, CA or approved equal. Contractor shall submit color samples to the City Representative for his selection.
 - d. Galvanized items shall be liberally coated in the field after assembly with "Bitumastic" Super Service Black as manufactured by Kop-Coat, St. Louis, MO or approved equal.
- D. Replace one (1) missing 7/8" Stainless Steel bolt in bracing and pile strap at Bent 51-E.
- E. Tighten three (3) loose bracing bolts at Bent 39-B Horizontal off-shore brace, Bent 41 Horizontal in-shore brace and Bent 43-D Horizontal brace, off-shore.
- F. Replace seven (7) horizontal timber braces with new like kind timber braces at the following locations:
1. Bent 40 between C&D.
 2. Bent 41 off-shore brace with rotted end.
 3. Bent 44 in-shore between piles A&B.
 4. Bent 44 in-shore with split on north end.
 5. Bent 45 horizontal and diagonal braces both off-shore and in-shore.
 6. Bent 46 off-shore brace with 8' rotted end.
 7. Bent 47 off-shore brace with 4' rotted end.
- G. Paint Steel Piles and Caps from Bents 18-22.
1. Remove rust and paint steel piles, cap beam, batter pile connections and stiffener plates from bent 18 to 22.
 - a. Surface Preparation: Remove rust by abrasive blast per SSPC SP 10 with a surface blast profile of 1.0 to 1.5 mils.
 - b. Primer: On freshly exposed bare metal use PPG "Dimetcote 9 HS Primer" or approved equal at minimum four (4.0) mils dry film thickness (dft) in accordance with manufacturer's instructions.

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- c. First Top Coat: Apply one coat of topcoat at 6.0 mils minimum dry film thickness of PPG "Amercoat 355" or approved equal to match existing color over freshly primed areas.
- d. Second Top Coat: Apply one coat of topcoat at 6.0 mils minimum dry film thickness of PPG "Amercoat 355" or approved equal to match existing color at all piles, cap beams, batter pile connections and stiffener plates.

I. Spot Paint Steel Piles and caps from Bents 23 to 38.

- 1. Remove rust and spot paint piles, cap beam, batter pile connections and stiffener plates from bent 23 to 38.
 - a. Surface Preparation: Remove rust by abrasive blast per SSPC SP 10 with a surface blast profile of 1.0 to 1.5 mils.
 - b. Primer: On freshly exposed bare metal use PPG "Dimatcote 9 HS Primer" or approved equal at minimum four (4.0) mils dry film thickness (DFT) in accordance with manufacturer's instructions.
 - c. Top Coat: Apply two (2) coats of topcoat at 6.0 mils minimum dry film thickness of PPG "Amercoat 355" or approved equal to match existing color over freshly primed areas.

ADD ALTERNATE

J. Install Pile Collars to match existing like kind.

- 1. Bent 43-B, install pile collar.
- 2. Bent 54-B, install pile collar.
- 3. Bent 55-C, install pile collar.

K. Install new corbel to relieve bearing Bent 61-E.

L. Install new #9 stringer between bent 50 and 51.

8. Storage

- A. The contractor's preparation for operations and storage of materials shall be in the area between the bike path and the parking lot on the east side of the pier. This space shall be kept clean and orderly at all times.
- B. The contractor's construction equipment and one day use of materials may be stored in the affected area of the pier and enclosed with a chain link fence.

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- C. Contractor shall have full responsibility for any materials and equipment stored at the site.

9. Installation

- A. All work shall be erected plumb, square and level, free of defects and per industry standard practices.
- B. All work shall be performed by experienced, skilled craftsmen in accordance with the industries best standard practices.
- C. Contractor's employees shall comply with all Federal, State and local safety procedures at all times while on City property.

10. Inspections

- A. Prior to the start of work, contractor shall review shop drawings and coordinate with Keith Fowler, City of Ventura, Facilities or his designee at (805) 797-2697.
- B. Upon completion of the project contractor shall contact Keith Fowler, Facilities or his designee at (805) 797-2697 for final review of project before leaving site.

11. Cleaning

- A. During progress of work, maintain premises free of unnecessary accumulation of tools, equipment, surplus materials and debris.
- B. At completion of the workday, the work site shall be cleaned and free from debris and all waste shall be properly disposed or recycled.
- C. The contractor shall make all efforts possible to keep construction debris from entering the ocean. Should any debris enter the ocean, the Contractor shall immediately remove the debris that has fallen into the ocean. The Contractor shall comply will all applicable sections of the "**Ventura Pier Pile Replacement Project storm water pollution prevention plan**" to prevent activities that have the potential to pollute Oceans Waters. Contractor shall clean the job site, staging areas and storage areas used by them after the contract is completed.
- D. Contractor shall prevent all fluid leaks from equipment. Any leaking equipment shall be promptly repaired, leaks contained, or equipment removed from Ventura pier site. Contractor shall report all leaks to the City Representative and clean all leaks to the satisfaction of the City Representative.

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12. Miscellaneous

- A. Contractor shall be licensed to perform the work within this specification.
- B. All work shall comply with all Federal, State, and local codes and regulations.
- C. Temporary fencing must be used to route foot traffic around construction site and remain in place until after final job site inspection.
- D. Work shall be performed with the least amount of interruption to the public.
- E. Contractor shall provide a work schedule detailing the tasks and time schedule to perform this work. The City Representative shall approve the work schedule.
- F. The City prohibits ANY products containing asbestos.
- G. Contractor shall be responsible for all field measurements.