

**CALIFORNIA COASTAL COMMISSION**

SOUTH CENTRAL COAST AREA  
89 SOUTH CALIFORNIA ST., SUITE 200  
VENTURA, CA 93001  
(805) 585-1800



# W 10.3a

## ADDENDUM

**DATE:** May 11, 2010  
**TO:** Commissioners and Interested Parties  
**FROM:** South Central Coast District Staff  
**SUBJECT:** Agenda Item W10.3a, Channel Islands Harbor Notice of Impending Development 1-10 (Reconstruction of Public Boat Launch Facility) Wednesday, May 12, 2010 Commission Meeting in Santa Cruz.

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The purpose of this addendum is to add three exhibits inadvertently omitted from the April 28, 2010 staff report including: the submittal letter for NOID 1-10; the addendum to NOID 1-09; and the email from Lyn Krieger dated April 29, 2010 confirming that Special Condition 6 from the NOID 1-09 addendum is proposed as a condition by the Harbor Department. This addendum will also attach and respond to correspondence from various parties, including The Beacon Foundation, and Ormond Beach Observers. Finally, ex-parte communications received since the staff report was completed are attached.

The Beacon Foundation ("Beacon") and other parties state that the subject NOID has not been properly noticed to the public and should be postponed. In response, Coastal Act Section 30306 govern the Harbor Department's noticing requirements. This section states, in relevant part, that: "Prior to commencement of any development pursuant to Section 30605, the public agency proposing the public works project... shall notify the commission and other interested persons, organizations, and governmental agencies of the impending development and provide data to show that it is consistent with the certified public works plan..." The Harbor department has provided lists of those so notified and has stated that the noticing lists includes all known interested parties, including all individuals who have requested to be noticed regarding development within the Harbor. No evidence has been provided that the Harbor Department has not followed proper notification requirements. Additionally, the Commission must hear the NOID submittal within 30 working days of submittal under the Commission's regulations. Therefore, as stated in the staff report, the NOID submittal must be heard by the Commission at the May 2010 hearing.

Additionally, the Beacon Foundation and other commenter's have stated that the subject NOID is actually a request for reconsideration of the Commission's action on NOID 2-09 and that the Coastal Act requirements for a reconsideration request should be followed. In response, California Code of Regulations Sections 13109.1 through 13109.6 govern the reconsideration process, but only in regard to the terms and conditions of a coastal development permit granted, or the denial of a coastal development permit by the Commission. No provision is made for reconsideration of a NOID. In fact, the Harbor

**NOID 1-10 ( Public Boat Launch)  
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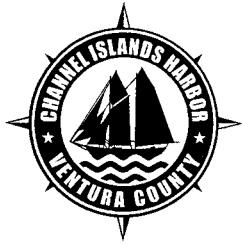
Department has submitted NOID 1-10 as a new notice of impending development, even though it is identical to the boat launch project previously considered by the Commission in NOID 2-09. There is no language in Section 13359 of the California Code of Regulations that prohibits such a new submittal of substantially the same development previously considered by the Commission as a NOID.

Further, several letters raise issue with the Harbor Department's future plans for the northern parking lot on the boat launch parcel. The comments mischaracterize the discussion in the staff report, which explains that no changes to the current public use of the northern lot is currently proposed and that any future change in use of this portion of the parcel from parking would require a PWP amendment. To be clear, any change in use from the approved uses for in the PWP for the site, including use as a parking lot, will need a PWP Amendment to be approved by the Commission. In the subject NOID, the Harbor Department has not proposed to split off the northern parking lot portion of the N-2 parcel and has not proposed to adjust the areas of the leasehold parcels. The Harbor Department is proposing development on the southern approximately 6 acres of the parcel to reconstruct the launch ramp and parking lot area, but has not submitted plans to reconstruct the northern portion of the parcel. No plans for any type of development have been submitted to the Commission for the northern portion of the parcel and there will be no change in use without a PWP Amendment.

Lastly, the Beacon Foundation questions the information provided by the Harbor Department about user numbers of the boat launch site as incomplete or inaccurate. In response, there is no evidence to suggest that this information is inaccurate and no evidence to suggest that the available parking will not be adequate for future boat launch users.

**Attachments:**

- 1) NOID submittal letter from the Channel Islands Harbor Department, received April 22, 2010
- 2) Addendum to the NOID 2-09 staff report (Without Attachments)
- 3) Email from Lyn Krieger to Coastal Commission staff dated April 29, 2010
- 4) Letter to the Commission staff from Oxnard Canoe and Kayak Club dated May 9, 2010
- 5) Email correspondence to the Commission Staff from Dr. Jonathan Ziv dated May 7, 2010
- 6) Email correspondence to Commission Staff from Frank Glaser dated May 9, 2010
- 7) Email correspondence to Commission Staff from Gene Murphy dated May 9, 2010
- 8) Email correspondence to Commission Staff from Bruce Heyman dated May 9, 2010
- 9) Email correspondence to Commission Staff from Jan Suckut dated May 9, 2010
- 10) Email correspondence to Commission Staff from Hadley Hendrick dated May 9, 2010
- 11) Email correspondence to Commission Staff from John Flynn dated May 10, 2010
- 12) Email correspondence to Commission Staff from Peter Poulson dated May 10, 2010
- 13) Email correspondence to Commission Staff from Cleve Hardaker dated May 10, 2010
- 14) Letter to Commission Staff from John Nahhs, The Boating Coalition dated May 10, 2010
- 15) Email correspondence to Commission Staff from Alan Sanders dated May 10, 2010
- 16) Disclosure of Ex Parte Communication from Commissioner Stone, May 5, 2010
- 17) Letter to Commissioners and Staff from The Beacon Foundation, dated May 6, 2010 (7pages)
- 18) Second Letter to Commissioners and Staff from The Beacon Foundation, dated May 6, 2010



**CHANNEL ISLANDS HARBOR**  
Ventura County Harbor Department

**RECEIVED**  
APR 22 2010

Lyn Krieger  
Director

3900 Pelican Way • Oxnard, CA 93035-4367 • (805) 382-3001 • FAX (805) 382-3015

April 13, 2010

Ms. Amber Tysor, Coastal Analyst  
CALIFORNIA COASTAL COMMISSION  
South Central Coast Area Office  
89 So. California Street, Suite 200  
Ventura, CA 93001

**SUBJECT: NOTICE OF IMPENDING DEVELOPMENT –Rehabilitation and Repair  
of the Channel Islands Harbor Public Boat Launching Facility**

Dear Ms. Tysor:

Pursuant to Public Resources Code §30606 and California Coastal Commission Regulations §§ 13358 and 13359, this letter is presented to provide Notice of Impending Development (NOID) for the rehabilitation and repair of the Public Boat Launching Facility at Channel Islands Harbor located on Victoria Ave., Oxnard, California. Such notice must be submitted prior to commencement of development by the public agency proposing a project pursuant to an adopted Public Works Plan. In this case, the certified Channel Islands Harbor Public Works Plan, 3<sup>rd</sup> Amendment, (PWP) is the PWP covering this project. This NOID provides a description of the proposed project as well as a showing of consistency with the PWP.

Background

The existing public launch ramp facility at Channel Islands Harbor was developed and constructed with a grant from the State Department of Boating and Waterways (DBAW) in 1978. After 30 years it has reached the end of its expected useful life. The pavement is cracked and failing, the launch ramp itself is old and outdated and the restroom building is deteriorating. As it is currently constructed, storm water runoff from the large amount of paved area is directed directly into the Harbor, as is the runoff from the boat wash facility. Please refer to the photographs in the attached exhibits that show the existing launch ramp and adjacent areas.

Since the original ramp was constructed, changes have been made along Victoria Avenue to widen the road and accommodate additional traffic. It is now the main entry point for all vehicle and truck traffic to the Port Hueneme Military base, which has

increased the amount of traffic on this section of Victoria Avenue. Further, major sections of the launch ramp have deteriorated to the point where replacement is necessary. The concrete boarding floats have exceeded their expected life span such that repairs to the deteriorated system are no longer effective. Completion of the rehabilitation is required to allow the general public continued safe and convenient recreational boating access to the Harbor and the Ventura County/Southern California region.

### Project Description

Using an additional grant from DBAW, the County of Ventura Harbor Department intends to rehabilitate and repair the public launch ramp and associated boater amenities. The project will include redesigning the site, adjusting the angle of the launch way, repaving the vehicle maneuvering area and ramp apron, improving the slope protection adjacent to the ramp and new "ready lanes" that will reduce vehicle traffic congestion at the water's edge.

Also included in the project is removal of the existing public restroom building and construction of a new public restroom, including accessibility upgrades, to provide barrier-free access for all members of the boating community. A small grassy area, with picnic tables, will be incorporated around the restroom area. Another existing restroom facility, located next to the office building, will remain. This facility serves the public small boat marina tenants.

Proposed drainage improvements will reduce the discharge of pollutants associated with storm water runoff from the launch ramp area. The boat wash down will either use a filter system to remove contaminants before discharge to the Harbor, or will recycle the runoff from the boat wash to reuse. Storm water runoff from the parking area will be directed to two larger biofilter areas and catch basins will direct water through a filter system prior to reaching the Harbor.

Also included in the proposal is realigning and repaving the south parking area, and improving and augmenting the existing landscaping, lighting and the streetscape along Victoria Avenue. A public walkway along the water will be provided consistent with the standards adopted by the Board of Supervisors as a part of the Public Areas Plan and Design Guidelines (see attached exhibit).

Parking dimensions will be similar to those that exist now. All spaces will be at least 10 feet wide. Some will be 45 feet long and others will be 60 feet long to accommodate the larger vehicles with trailers. There are a number of spaces that will be pull through in design, which limits the need for drivers to back up.

Currently there are two entrances into the launch ramp parking lot, one from South Victoria Avenue, at the north edge of the project site and one on Curlew Way at the south end of the site. The project proposes to close the South Victoria Ave. entryway

and expand the Curlew Way to a larger entrance and exit. This redesign will improve the traffic safety in the area by moving slower traveling vehicles with boat trailers closer to the intersection. A new right turn lane from Victoria Ave. onto the existing Curlew Way has been designed and shown on the plan. This right-of-way expansion would allow vehicles towing boats to slow prior to the turn outside the main path of traffic. Construction of the additional turn lane will occur only if it is required by the City of Oxnard. Access to the northern parking area, which will not be improved at this time, will be retained through the southern parking lot.

The new configuration of the launch ramp will accommodate the same amount of boats. Parking will allow for 161 vehicles and boat trailers. The new restroom building will be 700 square feet in area, and 15 feet high.

The proposal will not alter the existing public boat marina or access to the marina from this parcel.

### Site Description

The site is just under 6 acres in size, located on the west side of Victoria Avenue, within the Harbor's east channel, just south of the parcel containing the existing "Fisherman's Wharf" development and public parking lot. The parcel contains a deteriorating parking lot and minimal landscaping, with an aging public restroom, some open lawn, a public promenade and boat wash facilities. There are currently parking spaces for 196 vehicles with trailers and vehicles without trailers. Current access to the site is provided from a driveway on Victoria Avenue and two driveways (an entry and an exit) on Curlew Way. The intersection of Victoria Ave. and Curlew Way is controlled with a traffic light.



The launch ramp itself consists of a concrete ramp that is approximately 110 ft. wide with six 15-foot wide lanes. There are three 100 feet by six feet boarding floats with four concrete piles per float attached to a concrete abutment at the top of the ramp. The launch ramp site has more than adequate depth and does not require dredging. The launch ramp sits at an angle to the revetment, facing the small boat marina. This creates some difficulty because boats are launched in this direction and there is a risk of colliding with other vessels. The relocation at a right angle to the revetment will limit this risk.



Water, sanitary sewers, electric and gas utilities are available to the site. Sewage pumpout service is adjacent to the ramp. There are also four self-service boat wash bays and seven rigging stalls.



## Landscaping

The landscaping on this parcel is sparse and in poor condition. Many of the trees, shrubs and ground covers have been damaged over the years (see photographs provided), have been subject to many years of high winds and salt air and have reached the end of their expected life (they are 40 years old). The County's architectural consultants conducted a tree inventory. They determined that there are approximately 245 trees on the site, including Myoporum, Melaleuca quinquenervia, Melaleuca neseophila, Mexican Fan Palm (*Washingtonia robusta*) and New Zealand Christmas Trees (*Metrosideros excelsus*). The trees range in size from 4" diameter to 36" in diameter, the largest size tree on the site. There are only four trees that are 36" in diameter, and only nine trees that are 30" in diameter or above. Most of the trees are small in size, 76 of them are 10" or less in diameter.

Many of the trees are damaged or dying as can be seen in the photographs included here. Thirty of the trees are Myoporum shrubs that have been trimmed over the years into a tree form. They are not native and are considered invasive. Sixty-two are Mexican Fan Palms and most of these can be replanted on the site. The Melaleuca neseophila is a small tree, growing to a maximum of about 20 feet. All of the approximately 40 trees of this species on this site are very small.

Construction and reconfiguration of the site will require removal and relocation or replacement of most of the trees. Those that can be salvaged will be relocated on the new site. Additional trees will be added. New trees will be a minimum of 24" box in size. The new launch ramp project will add trees, shrubs and groundcovers consistent with the native and regionally appropriate plant palette approved by the Board of Supervisors in the Channel Islands Harbor Public Areas Plan & Design Guidelines (see attached exhibits).

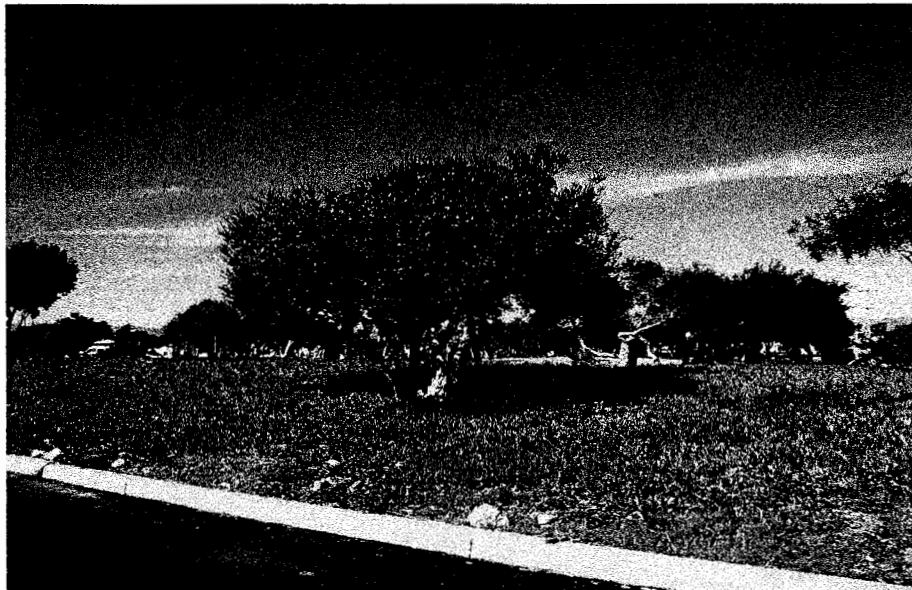
Removal of the trees will conform to the Public Works Plan policies for tree trimming and removal and the NOID issued for the same. Removal will occur outside the breeding and nesting season and only after a thorough survey by a qualified biologist to determine if there are nests present. Please see the conditions attached for specific procedures for tree removal.

During the past seven years of study on the heron population in Channel Islands Harbor, none of the trees on this site have ever been used for nesting by heron.

A preliminary landscape plan has been submitted with this NOID that provided information of the replacement plantings for this project.



*Melaleuca quinquenervia* and *Myoporum* along Victoria Avenue. Invasive species will be replaced with drought tolerant and climate appropriate species.



*Myoporum*, *Melaleuca* and iceplant within landscape planter. New landscaping will provide bioswales with appropriate grasses, shrubs and trees.





*Melaleuca quinquenervia* to be removed and replaced along waterside walkway. These trees have never grown to their full potential due to wind and salt conditions.



Self-seeded (volunteer) *Washingtonia robusta* within planter. These can be relocated after construction takes place.



*Melaleuca* and *Myoporum* to be removed and replaced.

### Lighting

Existing lighting on the site will be replaced with the fixtures approved by the Board of Supervisors in the Channel Islands Harbor Public Areas Plan & Design Guidelines. A lighting plan will be reviewed by Harbor staff prior to building permit issuance and will meet the requirements in the conditions attached. No light will be allowed to spill over onto the water area or adjacent properties.

### Public Access

An existing public walkway along the water links Curlew Way at the cul-de-sac to the Fisherman's Wharf property. The walkway will be replaced with a minimum ten foot wide sidewalk to the standard approved by the Board of Supervisors and shown on the attached exhibit.

### Water Quality

The current site does not contain any water treatment facilities for runoff from the site. Runoff from the parking areas and the existing boat washing facility has limited filtering capability and, for the most part, drains directly into the Harbor. The project will improve water quality in the Harbor by providing biofilter areas for stormwater runoff from the parking lot and filtering of the boat wash runoff water.

### Public Works Plan

The Channel Islands Harbor Public Works Plan designates the land portion of this parcel as "Visitor Serving Harbor Oriented" and the water portion as "Visitor Serving Boating."

The purpose of the Visitor Serving Harbor Oriented designation, according to the PWP, is “to provide for visitor serving uses and amenities which are either directly related to the boating activity within the Harbor, or ancillary to it.” Permitted uses within this area are: “picnicking and other passive recreation, lodging, dining, fast food, and shopping in chandleries, gift shops and boutiques, motels, restaurants, convenience stores, gas stations, fire stations, community centers/meeting places, yacht clubs, park areas, marine museums, marine oriented research facilities....”

The landscaped areas within the launch ramp site are not designated as parks within the PWP and are not generally used as parks. They are currently sparsely landscaped and covered with ice plant and a small amount of grass. These areas will be reconfigured to function as bioswale areas. They are accessible to the public, but are not suitable as parks.

The purpose of the Visitor Serving Boating designation on the water is “to provide access to and the storage of boats, and where launching facilities exist, to provide for the entry or removal of boats from (or to) the waters of the Inner Harbor.” Permitted uses on the water are boat storage, boat and boating equipment rental, sales, display, brokerage and minor repair services.

A public launch facility is appropriate in both the Visitor Serving Harbor Oriented and the Visitor Serving Boating designation.

The Land Use/Access Plan (Figure VI of PWP 3rd amendment) indicates a pedestrian access along the waterside of this parcel. The proposed project will reconstruct an improved public walkway that now exists from Curlew Way to the parcel to the north.

The Land Use Map included as Figure VI in the PWP includes a view corridor to the north of this parcel as well as a view corridor at the end of Curlew Way. The elevation of this parcel, as well as the parcels to the north, limit any view of the water from the public street because of the fact that the street is lower than the site itself. However, the reconstruction of the launch ramp will not alter the elevation of this parcel. The construction of the restroom to the north of the structure will not impact the views across this property from Victoria Ave. Additionally, there is no construction proposed near the Curlew Way cul-de-sac that will impede views from this area.

Table I, Appendix A of the PWP, Third Amendment, lists the inventory of Existing Uses/Intensities by Parcel. Parcel N2 is designated for the launch ramp facility. The proposed project will not alter the number of boat slips, or the size of the transient dock adjacent to this facility. The office use will also remain unchanged.

None of the landscaped areas on this site are designated as Parks in the PWP. New landscaped areas will replace those removed with native or drought tolerant plants.

One of the stated purposes of the PWP is to further the recreational uses of the Harbor by the public. Improvements made to the launch ramp facility as a part of this project further that goal.

Any future development of the north parking lot, that is not a part of this project, with any use other than parking, will require an amendment to the Public Works Plan.

The project conditions require completion of a survey for *Caulerpa taxifolia* consistent with Policy 11 of the PWP, 3<sup>rd</sup> Amendment, and a condition is included to require eelgrass surveys consistent with Policy 12 of the PWP.

Conditions have been added to conform to the Water Quality Policies of the PWP.

Conditions have been added that were recommended by the staff of the California Coastal Commission.

#### City of Oxnard Local Coastal Plan and Coastal Zone

The Channel Islands Harbor land area is owned by the County of Ventura, but is within the city limits of the City of Oxnard. The California Coastal Commission approved the City's Local Coastal Plan in 1986. The City's LCP designates the area as Harbor Channel Islands. Uses appropriate within the HCI designation are visitor serving commercial, recreational and coastal dependent. The public launch ramp is appropriate in this designation.

#### Construction Staging

The construction staging for this project will occur within the site itself and in the parking lot just to the north. The launch ramp will be kept open to the public for part of the construction.

#### Project Scheduling

In order to commence this project the NOID must have been reviewed and approved by the Coastal Commission. From the date of initial submittal to the Commission, it is hoped that a hearing could be held within 90 days.

#### Environmental Review

The project site contains **no** tree that has been used as a nesting site by either the Great Blue Herons or the Black Crowned Night Herons and is not within 300 feet of any such site. Maps and reports from the County's biologist regarding these sites have been provided to Coastal staff with other projects and are not duplicated here. The closest tree occupied by a heron as a nesting side is on the peninsula adjacent to the hotel, approximately 900 feet across the channel and is a Mexican fan palm periodically

used by Great Blue Heron. Nevertheless, a condition has been added to comply with Policy 9 and 10 of the PWP, 3<sup>rd</sup> Amendment.

The Harbor Department has determined that the proposed project qualifies as Categorically Exempt from the California Environmental Quality Act (CEQA) as a Class 1 existing facilities, (CEQA Guidelines Section 15301, and Class 32, in-fill development project (CEQA Guidelines Sec. 15332). A Notice of Exemption has been prepared and will be filed with the County Clerk upon approval of this NOID.

### Notification

Pursuant to Coastal Act §30606, the Harbor Department is notifying, through provision of this letter or a notice of availability of this letter, the Coastal Commission and Ventura County Board of Supervisors as well as other interested persons, organizations, and governmental agencies of the impending development. A list has been provided of all persons and organizations receiving a notice of approval of this NOID. There are no residences within 300 feet of this site. A photograph is included showing the notice has been posted onsite. The NOID has also been posted on the Harbor's website.

### Conditions of Approval

The County of Ventura has applied conditions of approval to the reconstruction project in order to further insure compliance with the Coastal Act, the Public Works Plan, City of Oxnard standards including the Uniform Building Code, and other Channel Islands Harbor policies that may apply. Also added to this NOID are special conditions recommended by the Coastal Commission staff. These conditions are included at the end of this letter.

### Conclusion/Findings

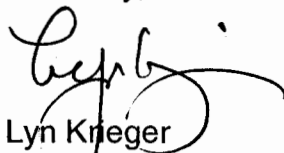
1. Rehabilitation and repair of the launch ramp will improve safety for boaters by improving the condition of the surface of the ramp, modernizing the float system and improving circulation within the parking lot.
2. The project proposed does not include rehabilitating the northern parking lot at this time. Access to that lot from the southern lot will be maintained. The driveway entrance and exit located between the two sections will be closed to improve safety on Victoria Avenue. Currently, vehicles with boats making left turns from that driveway create a traffic hazard for the cars traveling both north and southbound on Victoria. Users of the boat ramp will now access the site through the signalized intersection at Curlew Way, reducing the likelihood of accidents at the non-signalized access point.
3. Closing of the driveway access at the midpoint on Victoria Avenue will improve the safety of the launch ramp area and is not anticipated to create

congestion through the site. Vehicles will circulate through the lot from a north to south direction, and there is ample room for boaters to maneuver their boats around the launch ramp and for drivers to access the egress on the west side. (See attached letter from Gregory P. Mailho, Senior Project Manager, TranSystems, dated April 7, 2010, to Jack Peveler, Harbor Master, Ventura County Channel Islands Harbor.)

4. Construction of the project will improve water quality by filtering all runoff through bioswales or filters before it enters the Harbor. Boat wash water will be filtered as well.
5. No park areas will be removed as a part of this project. The landscaping on site will be reconfigured, with native and climate appropriate plants located in the new planters and a larger planted area adjacent to the ramp. Two bioswales areas will collect runoff during rain events, and act as small recreational spaces for users during dry weather. These areas are not designated as parks within the PWP and are not suitable for such purposes.
6. The project will improve low cost recreational opportunities by improving the launch ramp facilities, upgrading restroom facilities and improving the services available when boaters remove their boats from the water.
7. No trees on this site have been utilized as nest areas by the Harbor's heron population. Trees removed will be replaced or relocated as discussed above. The project will remove invasive species and replace these with native or climate appropriate species.
8. The launch ramp will be reconfigured from an angled to a design to one that is at a right angle to the revetment. Because of this relocation, the area of the new design is slightly smaller. However, the reconfiguration will not impact boat launch operations or limit the number of boats that can be launched in comparison to the old design.

In conclusion, we believe the approved project is in compliance with the certified PWP as well as consistent with the purposes of the Coastal Act by furthering recreational boating opportunities and amenities within the Harbor. Please let us know if any additional information or materials are needed to assist with your review.

Sincerely,



Lyn Krieger  
Director

C: Steve Hudson, Deputy District Director  
Barbara Carey, Manager  
Andi Culbertson  
Board of Supervisors  
Harbor Commission  
Marty Robinson, County Executive Officer  
Noel Kelbaum, County Counsel

Attachments: Demolition Plans  
Site Improvement Plans  
Grading and Drainage Plans  
Cross Sections  
Trash Enclosure Plan  
Miscellaneous Details Plan  
Launch Ramp Detail Plan  
Victoria Avenue/Curlew Way Improvement Plan  
Restroom Plan  
Preliminary Landscape Plans and Tree Inventory  
Aerial Photographs of Site  
Photos of Site  
Sidewalk Standards from Public Areas Plan & Design Guidelines  
Lighting Standards from Public Areas Plan and Design Guidelines  
Plant Palette from Public Areas Plan and Design Guidelines  
Posted Notice of NOID  
Photographs of Posted Notice  
Mailing List of Recipients of Notice  
Letter from TranSystems

**CALIFORNIA COASTAL COMMISSION**

SOUTH CENTRAL COAST AREA  
89 SOUTH CALIFORNIA ST., SUITE 200  
VENTURA, CA 93001  
(805) 585-1800



# W 12c

## ADDENDUM

**DATE:** December 7, 2009  
**TO:** Commissioners and Interested Parties  
**FROM:** South Central Coast District Staff  
**SUBJECT:** Agenda Item W12c, Channel Islands Harbor Notice of Impending Development 2-09 (Reconstruction of Public Boat Launch Facility) Wednesday, December 9, 2009 Commission Meeting in San Francisco.

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The purpose of this addendum is to modify NOID language, attach and respond to correspondence from The Beacon Foundation, the Harbor Department, and other interested parties. This addendum also adds a special condition regarding construction timing. Finally, ex-parte communications received since the staff report was completed are attached.

Note: ~~Strikethrough~~ indicates text to be deleted from the November 19, 2009 staff report and underline indicates text to be added to the November 19, 2009 staff report.

1.) The following special condition shall be added to page 4 the November 19, 2009 staff report, as follows:

### **6. Launch Ramp Construction Timing**

By acceptance of this authorization for development, the Harbor Department agrees that construction of the boat launch shall be prohibited during the peak summer season, from Memorial Day to Labor Day.

Prior to commencement of development on the subject parcel, the Ventura County Harbor Department shall submit, for review and approval of the Executive Director, a plan for alternative boat launching accommodation(s) either on the Public Boat Launch Parcel (N-2) or on another appropriate site within Channel Islands Harbor. Signage shall be posted at all times during construction to notify boaters where boat launch accommodations are available for use.

2.) The Beacon Foundation ("Beacon") submitted two letters to the Commission regarding NOID 2-09, received November 30, 2009 and December 5, 2009, attached hereto. Beacon makes several arguments opposing the staff recommendation for Commission approval of



the NOID. Beacon's main arguments are stated below and a staff response follows each argument:

**a. Beacon asserts that "Forty Percent of the Existing Public Boat Launch Parcel is Taken for Private Commercial and Residential Development" (p.1 of the November 30, 2009 letter)**

The Harbor Department has not proposed to split the N-2 parcel and has not proposed any lot line adjustments. The Harbor Department is proposing development on the southern approximately 6 acres of the parcel to reconstruct the launch ramp and parking lot area, but has not submitted plans to reconstruct the northern portion of the parcel. No plans for any type of development have been submitted to the Commission for the northern portion of the parcel.

**b. Beacon asserts that the NOID will result in the elimination of 25% of parking for vehicles with boat trailers. Beacon asserts that the parcel now has 169 oversize spaces suitable for vehicles with boat trailers and the NOID proposal will reduce that number to 124 spaces.**

The Harbor Department asserts that the total number of existing spaces on the portion of the N-2 parcel to be redeveloped is 196 spaces. The Harbor Department states that 161 spaces will exist under their new plan, as counted by the project engineer. Commission staff counted approximately 155 parking spaces. This discrepancy in the number of spaces is the result of differences in counting methodology. Nevertheless, the loss in approximately 35 to 41 parking spaces is due to the more recent Department of Boating and Waterways requirements for width and length of spaces, and to provide for pull-through spaces 60 feet long and 10 feet wide that do not presently exist. Additionally, the new project will provide 5 ADA accessible stalls. There are currently no ADA accessible stalls. The 129 spaces on the northern parking lot, not proposed for redevelopment, will remain.

**c. Beacon argues that public access is unprotected during construction.**

This addendum has added Special Condition Six to the staff recommendation to provide for protection of public access to the boat launch during construction. This special condition prohibits construction during the peak visitor season and requires phased construction so that at least one launch bay will remain open at all times for public access.

**d. Beacon argues that the existing public parkland is being taken. (December 5, 2009 letter)**

In response, there is no significant public park area on the site. A small grassy area exists along the waterfront. This area will be slightly reconfigured and re-landscaped to allow for the new location of the public launch ramp.

**e. Beacon states that 245 mature trees and their planting areas will be wiped out. Beacon argues that no consideration is given of impacts on public viewsapes or on wildlife of the tree removal except for only that no nesting heron has been observed.**

**Beacon states that nearly all of the trees and their planting areas will be wiped out and that this results in taking habitat (December 5, 2009 letter.)**

In response, the Harbor Department is proposing to remove approximately 140 trees and relocate another 105 trees on the site. These trees have not contained heron nesting trees and there is no evidence to indicate that these mostly non-native trees are sensitive resources. Additionally, an analysis of visual resources has been provided in the staff report. The proposed tree removal will not adversely impact visual resources because the trees will be replaced pursuant to a new detailed landscape plan submitted by the Harbor Department. Therefore, the re-paved parking lot area will be enhanced with vegetation and will not simply wipe out the existing trees, nor remove sensitive habitat.

**f. Beacon asserts that congestion will be increased because the entrance and exit to the boat launch ramp parcel will be reduced from two entrance/exits to one.**

The NOID includes a proposal to close the S. Victoria Avenue entry and expand the entrance point on Curlew Way, a cul-de-sac along the southern portion of the parcel, to allow for a larger entrance and exit. No traffic study of this area has been provided. However, the Harbor Department has explained that traffic safety will be increased by relocating the stacking area for slower vehicles with boat trailers closer to the intersection with Curlew Way. Additionally, the intersection of Curlew Drive and Victoria Avenue is signalized and will allow for safer turning movements.

**g. Beacon asserts that the Harbor Department's determination that the project is categorically exempt is unsupported and cannot satisfy CCC obligations.**

As stated in the November 30, 2009 staff report, Section F. California Environmental Quality Act, for CEQA purposes, the Commission's has separately considered the potential environmental impacts of the project and has determined that, as conditioned, the development is consistent with CEQA and the applicable provisions of the Public Works Plan.

3.) Dr. Jonathan Ziv provided an email to Commission Staff on November 30, 2009 opposing the staff recommendation. Dr. Ziv asserts that this proposed NOID will reduce recreational boating access and that the N-2 parcel is being divided to allow for redevelopment of the Fisherman's Wharf parcel to the north. Dr. Ziv states that the northern parking lot, which is mainly used by larger boats, is being eliminated for boater parking.

In response, as explained above, the Harbor Department has not proposed to adjust the lot lines of the N-2 parcel or split the parcel. Additionally, the northern parking lot use on the north side of the N-2 parcel is not proposed to change. That parking lot, identified as E-5 by the Harbor Department, will remain open for parking.

4.) Two letters from members of the public have been submitted opposing the staff recommendation. Stu Meistner submitted an email to Commission staff on December 5, 2009 opposes reducing access to the launch ramp. As stated above, Special Condition 6 was added to the staff recommendation to assure that the construction is phased to allow ramp access to remain open during construction. A letter was submitted by Leslie Wawrzeniak to

the Commission on December 1, 2009 opposing the staff recommendation. Ms. Wawrzeniak's main concern is the proposed removal of trees and asserts that only three trees need to be removed for the project. As stated above, the Harbor Department has proposed a detailed landscape plan and proposed a significant amount of new plantings on the site. Further, the proposed trees to be removed are not sensitive resources.

**Attachments:**

- 1) November 30, 2009 letter to Commissioners and Staff from The Beacon Foundation (3 pages)
- 2) December 5, 2009 letter to Commissioners and Staff from The Beacon Foundation (2 pages)
- 3) November 30, 2009 email correspondence to the Commission Staff from Jonathan Ziv from the Ventura County Harbor Department (5 pages)
- 4) November 30, 2009 letter to John Ainsworth, Deputy Director, from The Channel Islands Harbor Department (4 pages)
- 5) Email correspondence from Stu Meisner to Commission Staff opposing launch ramp NOID (1 page)
- 6) December 1, 2009 letter to Commissioners and Staff from Leslie Wawrzeniak (1 page)
- 7) December 7, 2009 letter to John Ainsworth, Deputy Director, from The Channel Islands Harbor Department (2 pages)
- 8) December 3, 2009 letter to John Ainsworth from Bob Nahm, Wesco Sales Corporation
- 9) December 7, 2009 letter to John Ainsworth from Brian Dunn, Vintage Marina Partners
- 10) December 4, 2009 letter to John Ainsworth from Randy Short, Channel Islands Harbor Lessees
- 11) December 4, 2009 letter to John Ainsworth from Steven Bunger, Marine Emporium Landing
- 12) December 2, 2009 Disclosure of Ex Parte Communication from Commissioner Neely
- 13) December 2, 2009 Disclosure of Ex Parte Communication from Commissioner Stone
- 14) December 4, 2009 Disclosrue of Ex Parte Communication from Commissioner Krueer

**Barbara Rodriguez**

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**From:** Amber Tysor  
**Sent:** Tuesday, May 11, 2010 5:36 AM  
**To:** Barbara Carey; Barbara Rodriguez  
**Subject:** Attachment 3 to Addendum

Hi Amber -

I spoke with Alex Halperin today regarding the Public Launch Ramp NOID and staff report. He called to my attention two additional conditions in the addendum to the staff report that was evidently prepared for the December 2009 meeting of the Coastal Commission. These conditions were inadvertently omitted, as the County's intention was to include all conditions in the staff reports presented. Please consider this our formal acceptance of these two conditions into the NOID, as additions to what we previously submitted for the upcoming hearing.

As explanation, in spite of requesting a copy of the addendum at the hearing, we never did receive one, and it was not available to the public on the front table.

I hope this answers your request.

Lyn Krieger

May 6, 2010



California Coastal Commission  
South Central Coast Area  
89 South California Street, Suite 200  
Ventura, CA 93001

Dear Commissioners:

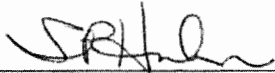
Oxnard Canoe and Kayak is an outrigger racing club located in the Channel Islands Harbor. We use the County Launch Ramp facilities on a regular basis to launch our 400 pound, 45-foot long canoes. Our club was very disappointed last December when the Coastal Commission voted to deny the County the ability to revitalize this very old launch ramp. Everything that was being proposed would only have enhanced our Harbor. The renovation would have made for a much safer boat ramp. Access to the ramp from Victoria Avenue would have been safer. Our environment would be cleaner because rainwater run-off would be treated or diverted from going directly into the harbor, and all new landscaping at the harbor would be native plants that are drought resistant. Best of all, it was being paid for by money collected from us, the boating public.

Our canoe club and all clubs like us respect the ocean environment and our earth. Outrigger canoeing has a deep cultural connection to the ocean. Our Mission Statement reflects this deep-rooted connection: to provide a structured and competitive paddling program for youth and adults while instilling respect for the ocean, paddling history, fellow competitors and club members.

In August, our club will be hosting an outrigger canoe event where up to 20 outrigger clubs from Southern California will come to our harbor to compete in the "Anacapa Classic." The race will take them to Arch Rock, along Anacapa Island and back into the Channel Islands Harbor. This will be a historic event – the first of its kind in Southern California. We are excited to host this event and to contribute to the vitality and economy of the Harbor. We are proud of our Harbor; we only wish it were in better condition.

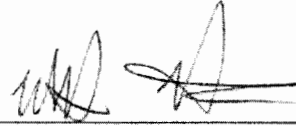
We would respectfully ask to let the County proceed with these much needed improvements. Mahalo. And thank you for your consideration.

Sincerely,



---

Stephanie P. Huhn  
Founder and Treasurer  
Oxnard Canoe and Kayak



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Mike Davis  
Founder and President  
Oxnard Canoe and Kayak

Cc: John Zaragoza, Ventura County Supervisor  
Lyn Krieger, Harbor Department Director

**Barbara Rodriguez**

---

**From:** Amber Tysor  
**Sent:** Tuesday, May 11, 2010 5:48 AM  
**To:** Barbara Carey; Barbara Rodriguez  
**Subject:** Attachment 5

May 6, 2010

Ms. Amber Tysor, Coastal Analyst  
California Coastal Commission  
South Central Coast Office  
89 S. California Street, Ste 200  
Ventura, CA 93001

Re: Item W10.3a, Channel Islands Harbor NOID No. 1-10

Dear Ms. Tysor,

**The Sierra Club opposes the granting of a NOID** for the proposed Channel Islands Harbor Public Boat Launch Reconstruction and suggests that the Commission again deny the project as it did at its previous hearing on this matter in December 2009.

- **Project Requires a PWP Amendment**-The Commissioners in December correctly noted that the County identifies in its NOID submission that **the reconstructed launch facility that is to replace an existing eleven acre public launch including both north and south parking lots** that has been in existence for over thirty years will be much smaller. The County identifies in the NOID that the reconstructed launch facility will be only six acres. **A six acre launch facility is not a part of the present harbor or included in its Public Works Plan and therefore cannot be constructed with a Notice of Impending Development and requires a Public Works Plan Amendment.**

The NOID describes the project as only involving six acres of the present public launch, as the northern five acre parking lot is not included in the proposed reconstruction project. But instead of just defining the present rehabilitation project, the NOID contains language that really redefines the entire launch facility as only six acres, thus memorializing via a NOID process a redefinition and shrinking of the present launch instead of going through the necessary and appropriate Public Works Plan Amendment process to effect such a fundamental reduction in a public access facility.

- **The Project is being Rehabed to Facilitate the Adjacent Residential Development**-As the Commission surmised in December by reviewing a 2007 lease between Ventura County and the lessee and developer of the adjacent Fisherman's Wharf visitor serving parcel, that lessee was given the future option of expanding his parcel and leasing the acreage directly south and adjacent to his parcel. That acreage is the present northern parking lot of the launch facility.
- **New evidence confirms the plan to transfer the five acres of the launch to enable the undisclosed residential development plan**-The County denied at that hearing and continues to deny, most recently by Harbormaster Jack Peveler's testimony in public comments on April 14<sup>th</sup>, that there are any plans to split off the

5/11/2010

northern launch parking lot and transfer it to the Fisherman's Wharf developer. But at the same April 14<sup>th</sup> public comment session, **Derek Jones, representing the Fisherman's Wharf lessee, confirmed the expansion plans into the launch parking lot south of his parcel.** His and Mr. Peveler's testimonies are archived as part of the public comments at the CCC April meeting.

Also, **the Ventura County grant application to the California Department of Boating and Waterways for the funding of the launch ramp design and construction contains a description of the future transfer of the northern launch parking lot to the Fisherman's Wharf developer.**

- The purported traffic hazard of boater traffic turning left out of the launch ramp parcel through a non signalized driveway on Victoria has been offered by the County as the reason for the reconfiguration of the launch ramp angle and the elimination of the northern driveway. Mitigation of that hazard is not a compelling reason for reducing the public boating access as less impacting alternatives exist:

**Mitigation of the left turn traffic onto Victoria with alternative designs that would not necessitate the reorientation of the ramps has not been discussed or analyzed.** Simply placing a traffic signal at the north driveway would mitigate the left turn hazard. Another less expensive option would be to ban left turns out of the Victoria driveway and direct boat trailer traffic to leave the present lots by eliminating the short barriers separating the south launch ramp parking from the small boat marina parking lot that presently exits out via signalized Curlew Way. Thus the County could implement the traffic pattern already okayed by their traffic expert in the NOID and eliminate the need to reorient the ramps or relocate the restrooms or picnic areas by keeping the present ingress via Victoria.

*Of course, the traffic hazard on Victoria is not the real reason the driveway is being eliminated or the ramp being reoriented or the restroom or picnic areas being relocated south. It is the expansion of the future planned Fisherman's Wharf development that is driving the entire Channel Islands Launch Rehabilitation plan.*

And as a last comment on traffic circulation, examination of the traffic expert's report in the NOID and staff report will reveal that his **approval of the County's proposed traffic circulation plan is contingent on retention of the northern parking lot as part of the present and future boat launch parcel. The County's confirmed plans to eliminate that lot when the Fisherman's Wharf lessee decides to exercise their lease option negates the traffic circulation expert approval.** The NOID at the very least needs to have language that retains the northern lot strictly for launch use and not just as a parking lot. **The present Condition 31 language is inadequate to prevent the County from transferring the lot as they can simply say the lot is still being used for parking.** But the fact that the circulation plan adequacy depends on retention of the northern lot compels the Commission to either deny the plan or shore up the language of Condition 31 to prevent a transfer.

- Effects of the Reoriented Launch Ramps on the Paz Mar Apartment Tenants has not been addressed-Not discussed nor analyzed in the NOID nor in the staff report is the possible and probable deleterious environmental effects of reorienting the present launch ramps that are currently pointing south and in the direction of the channel. **The new plans will reorient those ramps perpendicular to the channel and point the boats directly into the Paz Mar Apartments a few yards due west of the launch ramps.** The effects of the increased noise, exhaust, and vibration on the residents of the apartments as the boat exhaust pipes spew directly into their window, decks, and yards could produce unknown health and quality of life negative impacts.

I visited those apartments today and spoke to several residents and management about how they felt about the project. **Not one of the Paz Mar Apartment tenants I spoke to were aware of the launch ramp plans, nor was the management.** They expressed extreme concern about this and I have forwarded them the CCC staff report, County Revised NOID, and background information and encouraged them to comment.



Sierra Club implores the Commission to stand behind its earlier denial of the NOID and again direct the County to bring back the plans to improve the badly launch facility as a public works plan amendment. When they do, they need to engage all stakeholders. The neighboring Paz Mar tenants, the commercial and recreational boaters have all been left out of the process to redesign the public launch facility and this needs to be corrected.

Respectfully submitted,

Jon Ziv  
Chair, Ventura Leadership Team  
Los Padres Sierra Club  
[jzivdds@pacbell.net](mailto:jzivdds@pacbell.net)  
818-421-3988

3365 Ocean Drive, Channel Islands Beach, CA 93035

**Barbara Rodriguez**

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**From:** Amber Tysor  
**Sent:** Tuesday, May 11, 2010 5:51 AM  
**To:** Barbara Rodriguez  
**Subject:** Attachment 6

Dear Ms. Tysor: **Please, please, please** do not allow the reduction in size of the current small craft launch facility and parking area on Victoria Blvd in the Channel Islands Harbor. Having two small crafts I depend on the existing launch ramp and parking facilities. There are many days, even with the current parking areas, that it is difficult to park a vehicle with an attached boat trailer.

Thank you for your consideration by supporting the needs of the boating public. Your efforts on our behalf are very much appreciated.

Sincerely,

Frank Glaser  
3445 Sunset Ln.  
Oxnard, CA 93035  
(818)640-9185

**Barbara Rodriguez**

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**From:** Amber Tysor  
**Sent:** Tuesday, May 11, 2010 5:52 AM  
**To:** Barbara Rodriguez; Barbara Carey  
**Subject:** Attachment 7 FW: W10.3a CHANNEL ISLAND PUBLIC LAUNCH FACILITY.

-----Original Message-----

**From:** Gene Murphy [mailto:[zephyr98@earthlink.net](mailto:zephyr98@earthlink.net)]  
**Sent:** Sun 5/9/2010 2:56 PM  
**To:** Amber Tysor  
**Cc:**  
**Subject:** W10.3a CHANNEL ISLAND PUBLIC LAUNCH FACILITY.

Commissioners: As residents of Hollywood Beach adjacent to the harbor, we are *opposed* to the relocation of the boat launch facility. Respectfully, Gene Murphy, 3340 Ocean Drive, Oxnard, CA 93035

## Barbara Rodriguez

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**From:** Amber Tysor  
**Sent:** Tuesday, May 11, 2010 5:53 AM  
**To:** Barbara Carey; Barbara Rodriguez  
**Subject:** Attachment 8 FW: ITEM W10.3a - Reject

I am writing this letter to request that item W10.3a be REJECTED.

I participated in the hearing in December and believe that the Commission came to the correct conclusion. Recreational boating resources are being systematically eliminated or down sized in preference for residences and commercial development throughout California's coastal zone. Both of the later can be accommodated inland while the former cannot.

The Coastal Act requires us to expand recreational boating resources wherever possible within existing harbors. It is quite possible to expand the launch ramp and associated resources in this harbor, but this plan reduces the size of the launch ramp and lays the ground work for additional future losses. Why?

We understand that the County intends to sue the Commission and that the Commission's budget is under severe strain. However, we ask that the Commissioners stand strong, enforce the Coastal Act, and not allow the threat of litigation to "modify" the Act.

Please reject item W10.3a.

Best Regards,  
Bruce Heyman  
Boaters for Dana Point Harbor  
[www.boaters4dph.com](http://www.boaters4dph.com)  
[bruceheyman@cox.net](mailto:bruceheyman@cox.net)  
949 289-8400

## Barbara Rodriguez

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**From:** Amber Tysor  
**Sent:** Tuesday, May 11, 2010 5:54 AM  
**To:** Barbara Rodriguez; Barbara Carey  
**Subject:** Attachment 9 FW: CI harbor Launch ramp  
**Attachments:** Boat Ramp May-Ines (2).doc; alyse letter 4-6-10.doc

Please do not allow the launch ramp to be cut in half. Most of the time as it is we need to wait quite a while to launch or load up the boat. Also this was pushed through underhandedly as the letters attached explain.

Jan Suckut  
Frequent user of the ramp  
791 Eisenhower Way  
Simi Valley, CA 93065

**E-mail message checked by Spyware Doctor (7.0.0.514)**  
**Database version: 6.14950**  
**<http://www.pctools.com/spyware-doctor-antivirus/>**

**Barbara Rodriguez**

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**From:** Amber Tysor  
**Sent:** Tuesday, May 11, 2010 5:55 AM  
**To:** Barbara Rodriguez; Barbara Carey  
**Subject:** Attachment 10 FW: Channel Islands Harbor Public Launch Facility, Item W10.3A

Dear Ms. Tysor:

I am dead set against Ventura County's request to redo **the Channel Islands Public Launch facility**.

This project is a scam to move the launch facility south out of the way of the future Fisherman's Wharf expansion into a retail and 800 apartment, six story mixed use development. As you recall, the Coastal Commission rejected by 10-0 this proposal last December when they saw a lease by Ventura County with the Fisherman's Wharf developer granting him a lease option on the five acre northern parking lot of the public boat launch. The Commission saw it as scheme to eventually shrink the present 11 acre launch facility into a six acre facility minus the parking lot. They concluded that a six acre facility is not a part of the harbor and would need a Public Works Plan amendment to make such a change.

The new NOID and also some new data uncovered by them that shows that County denials that the two projects are really one strategy to expand Fisherman's Wharf onto the publicly funded launch parcel at no expense to the developer are false.

**Language has been uncovered in the 2006 County Board of Supervisors-approved application to the State for grant funds to build the new launch that predict and describe the future boat launch parking lot transfer to the developer thus proving the County denials of this false.**

**Channel Islands Harbor Manager Lyn Krieger is apparently keeping two sets of books on the number of boaters predicted to utilize the new launch facility.** In the application to Cal Boating for the grant funds she figures that 24,000 boats will annually use the launch. This figure qualifies the project for the \$4.3 million requested grant monies. But in the NOID application to Coastal Commission, apparently to persuade Coastal staff that a reduced launch facility footprint is okay, she includes a chart of usage data that shows that from 2003 to 2009 boat usage at the ramps decreased from 16,000 to 9300. So **she is using two widely different sets of numbers to two different state agencies, including one to obtain state funds to underwrite a private development expansion.**

**I am very concerned about the use of public monies to aid the developer of the future Fisherman's Wharf expansion and the negative effect the project would have on public access & use of an important facility.**

**Actions by Lyn Krieger give the impression that she is in the developer's pocket.**

**I would greatly appreciate your opposition to this project & requesting your fellow commissioners to do likewise.**

**Respectfully yours,**  
Hadley Hendrick  
3405 Ocean Drive  
Hollywood Beach 93035  
[beachboy@west.net](mailto:beachboy@west.net)  
805-377-5886

5/11/2010

## Barbara Rodriguez

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**From:** Amber Tysor  
**Sent:** Tuesday, May 11, 2010 5:56 AM  
**To:** Barbara Carey; Barbara Rodriguez  
**Subject:** Attachment 11 FW: Launch Ramp CI Harbor

A question for the Commission: Does reducing the boat ramp size to allow for more development at Fisherman's Wharf provide more opportunities for the boating public? I think not. I support BEACON on this issue. As usual BEACON has done its homework.

John K Flynn, Former VC Supervisor.

**Barbara Rodríguez**

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**From:** Amber Tysor  
**Sent:** Tuesday, May 11, 2010 5:57 AM  
**To:** Barbara Rodriguez; Barbara Carey  
**Subject:** Attachment 12 FW: Channel Islands Public Launch Facility

-----Original Message-----

**From:** Poulson, Peter B. @ Ventura [mailto:Peter.Poulson@cbre.com]  
**Sent:** Mon 5/10/2010 11:11 AM  
**To:** Amber Tysor  
**Cc:**  
**Subject:** Channel Islands Public Launch Facility

I strenuously object to the secret give away of public land to a private developer. Lyn Krieger is making promises that she has no authorization to make.

Peter Poulson  
3312 Ocean Dr.  
Oxnard 93035



## Barbara Rodriguez

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**From:** Amber Tysor  
**Sent:** Tuesday, May 11, 2010 5:57 AM  
**To:** Barbara Carey; Barbara Rodriguez  
**Subject:** Attachment 13 FW: CHANNEL ISLANDS BOAT RAMP

Dear Ms. Tysor,

I have recently learned that the Coastal Commission will re-open discussion on the Channel Islands Public Launch facility NOID.

I understand that it is item W10.3a on the agenda.

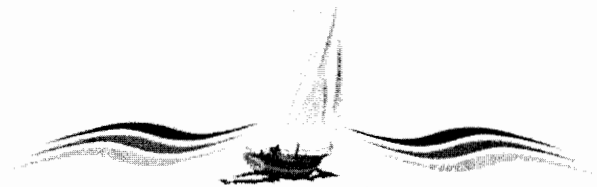
I am dismayed that this issue is being raised again.

The meeting in Ventura on December 9th should have ended this blatant attempt to manipulate public lands for private development.

Please add my name to the list of Californians strongly opposed to the measure.

I urge the Commission to reaffirm their original unanimous vote against this measure.

Cleve Hardaker  
4602 Valencia Drive  
San Diego CA 92115  
(619) 287-9995



## The Boating Coalition

PO Box 11131  
Marina del Rey, CA 90295

May 10 , 2010

Bonnie Neely, Chair  
California Coastal Commission  
89 South California Street, Suite 200  
Ventura, CA 93001-2801

**RE: 10.3a - Ventura County Channel Islands Harbor PWP NOID 1-10**

Dear Chairwoman Neely and Commissioners,

The Boating Coalition asks for your consideration of the facts for the Ventura County Channel Islands Harbor Notice of Impending Development (NOID):

**1. Does the California Coastal Commission, under its enabling statutes, have the authority to reconsider its findings for this NOID?**

This sets a bad precedent to allow applicants to return after an action by the Commission is simply disagreed with and dismantles the public process.

**2. X≠X**

The Ventura County Harbor Department (VCHD) solicited public funds from the Department of Boating and Waterways (DBW), a sister-agency to the CCC under the California Natural Resources Agency, and used significantly different numbers for the use of the public launch ramp.

A. *From the 2006 C.I. Launch Ramp Revised Feasibility Study by Concept Marine Associates submitted to DBW by VCHD*

It is estimated that the development of the proposed Channel Islands project will permit an estimated 24,000 boats to be launched each year. Assuming an average party size of three per boat, an expected 72,000 boaters will eventually use the facility each year.

B. Ventura County was awarded a \$4.9 Million grant by DBW for the ramp.

C. Subsequent to procuring public financing, the Ventura County Harbor Department has submitted completely different numbers to the Coastal Commission - a rationale for the reduction in the size and accessibility of the launch ramp.

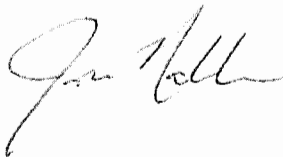
The continued decline of small slips in the C.I. Harbor should warrant an enhancement to the public boat-launching facility. The vast majority of the small boat owners that are being "pushed" (Commissioner Kram's sentiment – Oct.'09) out of the slips need other means to access the water. Simultaneously removing affordable wet slips and diminishing the use of the public launch ramp severely undermines the spirit of the Coastal Zone Management Act, the California Coastal Act, and equal rights as prescribed under the U.S. Constitution. The underlying principle in funding these public harbors was to ensure that all citizens have an equal opportunity and choice of participation in the recreational activities they provide.

While the Commission has continually allowed more commercial and residential developments in the harbors of California, the boating interests have been compromised. Harbor Departments and local jurisdictions are less interested in adhering to the Coastal Act than finding ways to "end around" the public process. **Sections § 30213, § 30224, and § 30234 clearly indicate the intended use and the promotion of recreational boating in the harbors.**

The consistent loss of valuable public resources in the Channel Islands Harbor in Ventura County must be halted and reversed as stated in the Coastal Act: recreational boating facilities shall be encouraged.

The Boating Coalition urges you to not reconsider the NOID based on significant implications for the public process. If the Commission decides to proceed with the hearing of the NOID, **DENY** the NOID and further provide honorable stewardship that enhances public access to the coastal regions of California.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon Nahhas". The signature is fluid and cursive, written in a professional style.

Jon Nahhas, President  
The Boating Coalition

Alan Sanders, President 232 N. Third St. Port Hueneme, Ca 93041 805-469-8359  
alancatdaddyal@aol.com



**Ormond  
Beach  
Observers**

In loving tribute to Roma Joy Armbrust, our mentor, our friend, our inspiration.

**March 10, 2010**

**Item W 10.3a: NOID 1-10**

A. Amber Tysor  
Coastal Program Analyst  
California Coastal Commission  
89 S. California Street  
Ventura, CA 93001  
805-585-1800, atysor@coastal.ca.gov

RE: Re: May 12, 2010 Agenda Item W10.3a: Ventura County Channel Islands Harbor Public Works Plan Notice of Impending Development No. 1-10 (Channel Islands Harbor Public Boat Launch Reconstruction)

Dear Ms Tysor,

Ormond Beach Observers is interested in this issue because of public trust issues regarding public access and protection of parklands and biological resources.

Unfortunately, much of the relevant information on these issues is contained in settlement agreements between the Coastal Commission and Ventura County that have not been provided to the public. It is impossible to make meaningful comments without being able to view the complete public record. Furthermore, the failure to make this information available appears to violate California Public Resources Codes and the very heart of the Coastal Act.

Moreover, no substantial evidence has been disclosed to the public to show why the Commissions previous decision on this action should be reversed. Therefore, to do so must be viewed as an arbitrary and abusive use of discretionary powers.

We recommend that the commission should deny the NOID entirely as it has done previously.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Alan Sanders". The signature is written in a cursive style.

Alan Sanders

<b>Alan Sanders</b>
<b>President</b>
<b>Ormond Beach Observers</b>

**FORM FOR DISCLOSURE  
OF EX PARTE  
COMMUNICATIONS**

Name or description of project, LCP, etc.: W10.3a Ventura County Channel  
Islands Harbor Public Works NOID  
No. 1-10 (Channel Islands Harbor  
Public Boat Launch Reconstruction)

Date and time of receipt of communication: 5/5/10, 1:00 pm

Location of communication: Board of Supervisor's Offices, Santa  
Cruz, California

Type of communication: In person meeting

Person(s) initiating communication: Grant Weseman  
Sarah Damron  
Margie Kay

Person(s) receiving communication: Mark Stone

Detailed substantive description of content of communication:  
(Attach a copy of the complete text of any written material received.)

I met with a group from ORCA who said that they are asking the Commission to deny the permit. They feel that this action is piecemealing what should be an amendment to the public works plan. They do not trust the harbor in that there seems to be a larger project in the works and the language of limitation on the north parking lot does not protect long term access to the public.

Date: 5/5/10 Signature of Commissioner: Mark Stone

If the communication was provided at the same time to staff as it was provided to a Commissioner, the communication is not ex parte and this form does not need to be filled out.

If communication occurred within seven or more days in advance of the Commission hearing on the item that was the subject of the communication, complete this form and transmit it to the Executive Director within seven days of the communication. If it is reasonable to believe that the completed form will not arrive by U.S. mail at the Commission's main office prior to the commencement of the meeting, other means of delivery should be used; such as facsimile, overnight mail, or personal delivery by the Commissioner to the Executive Director at the meeting prior to the time that the hearing on the matter commences.

If communication occurred within seven days of the hearing, complete this form, provide the information orally on the record of the proceeding and provide the Executive Director with a copy of any written material that was part of the communication.



# The Beacon Foundation

PMB 352  
3844 W Channel Islands Blvd  
Oxnard, CA 93035

May 6, 2010

## Item W 10.3a NOID 1-10

### To Members of the California Coastal Commission and Staff:

#### I. Requested Action

We call upon the Commission to postpone this item to comply with Notice requirements and to follow Coastal Act requirements for reconsideration of actions of the Commission. The legal basis for our request is set forth in the attached letter to the Commission from our counsel. An action other than postponement will violate the Coastal Act .

The staff report for NOID 1-10 states (page 6):

“NOID 1-10 describes the same project proposal as heard by the Commission at the December 9, 2009 Commission hearing for NOID 2-09.”

The staff report goes on:

“At the December 9, 2009 hearing, the Commission found NOID 2-09 was not a part of the Public Works Plan.” [emphasis added]

On December 9, 2009 the Commission found that the proposed downsized version of the Public Boat Ramp was not contained in the certified PWP and, specifically, that submission of an Amendment to the PWP by the County is required to further consider this proposal.

Now, the “same project proposal” is agendized as a NOID in contravention of the action taken by a ten to zero formal vote of the Commission on December 9<sup>th</sup>.

On May 3, we obtained by a Public Records Act request, an April 15<sup>th</sup> agreement entered in private between Commission staff and the County Board of Supervisors. This agreement has not been made available to the public at large and is not even disclosed in either the Notice or staff report for Item W 10.3a or in the proposed NOID 1-10.

The agreement provides that “... the Commission’s Executive Director will recommend that the Commission approve the revised NOID as submitted.” This undermines the objectivity of the staff report since it must support the NOID “as submitted.” The commitment to a predetermined outcome is not disclosed to the public at large.

#### II. The Undisclosed Taking

The NOID rejected December 9<sup>th</sup> and its clone agendized for May 12<sup>th</sup> share a common deception. Although they each purport to be just a much needed renovation of a public boat launch they both also have another purpose. That is to cram all of the facilities of the boat ramp onto six acres of its eleven acre site. This downsizing has many impacts on public coastal access to lower cost recreational boating facilities and also on habitat values, parking and traffic. It has the undisclosed purpose of facilitating the addition of the five northern acres of the boat launch site to an adjoining parcel where the County seek a private development of some 800 dwelling units and a 125,000 square foot

shopping mall. As detailed in our letters to the Commission of November 30 and December 5, 2009, and by this reference made a part of the record for Item 10.3a, the County leased the northern portion of the boat launch parcel to the developer on June 26, 2007 subject to conditions.<sup>1</sup>

The County added a Condition 31 to its revised NOID proposal. It states:

“Access to the North parking lot from the south parking area and launch ramp shall be retained and no change in use of this lot will take place unless approved by the County Board of Supervisors and Coastal Commission through an amendment to the Public Works Plan.” [emphasis added]

The Commission staff report defines the meaning of Condition 31 at page 10 as follows:

“Any change to the northern parking lot from parking to another use would require a PWP Amendment.”

To define the northern five acres as just “parking” rather than as part of the launch facility plays right into the County purpose to eventually transfer them for private development without need of a PWP Amendment.

In its still unapproved application for funding to “renovate” the boat launch facility, the County feasibility study informed the Department of Boating and Waterways that:

“The site to the north is also being revitalized as a commercial/retail complete [sic] and will most likely require additional parking that will extend into the existing launch ramp site.” [emphasis added]<sup>2</sup>

In presentations, the private developer has stated that new above ground and subterranean parking are essential for its project.

Condition 31, as interpreted in the Commission staff report, sets up a County argument that no amendment is needed to transfer the northern part of the public boat ramp site to the private developer. It can argue that opening this to the developer is not a change in use because it will continue to be a parking use – albeit for a private development.

If, in a legally proper process, the Commission finds that its December 9, 2009 decision should be reconsidered then it will be essential to plug the loop hole in Condition 31. That can be done by taking out the reference to “parking” and specifying instead that removal of any part of the eleven acres boat launch facility for any purpose will require a PWP amendment

### **III. Conflicting County Boat Launch Utilization Claims**

As part of the “revised” NOID, the County provides a table tabulating usage of the boat launch facility and of its parking. Both usages are said to be very low and declining. The table counts only 9305 launches in 2009 – down every year since 2003 for which it counts 16940 launches. Similarly parking utilization is tabulated as a fraction of the parking that would be available on its six acre downsized boat launch site.

<sup>1</sup> We are providing a copy of the County staff report for this approval to Commission staff for inclusion in this record.

<sup>2</sup> The Board of Supervisors approved the feasibility study on June 6, 2006. We are providing a copy of the staff report and study to Commission staff for inclusion in this record.

The County does not disclose the source of its numbers. There are no attendants at the boat launch or its parking areas and no gates or other mechanical devices to count users. The only apparent source of County counts is the number of parking payment envelopes deposited in a metal pipe on site. This honor system count must be expected to undercount actual usage.

Unfortunately, the staff report (page 11) uncritically embraces the County numbers as proof that the new downsized layout "is sufficient to accommodate public access to the site at present and in the future." No information is provided in the proposed NOID on future needs so this conclusion is unsupported.

Totally ignored by the County and Commission staff is a section added by the recent Third Amendment to the PWP regarding a growing need for boat launch facilities. Section 1.3 cites a Department of Boating and Waterways (DBWA) statewide survey that found the decline in slips available for small boats and other factors create "a need for additional launching capacity along with associated parking and other amenities...." The PWP says "The trend in Channel Islands Harbor is consistent with the findings of the DBWA study."

The County feasibility study for its proposed boat ramp "renovation" gives a radically different outlook for growth in boat ranch utilization than it is now giving to the Commission. The County feasibility study states:

"It is estimated that the development of the proposed Channel Islands project will permit an estimated 24,000 boats to be launched each year. Assuming an average party size of three per boat, an expected 72,000 boaters will eventually use the facility each year."

The County talks out of both sides of its mouth. The proposed "revised" NOID contradicts existing provisions of the PWP and data regarding this same facility provided by the County to the Department of Boating and Waterways.

If, in a legally proper process, the Commission ultimately determines to Reconsider its December 9, 2009 decision, it will need to hold the County accountable for true facts on boat launch utilization so that the impacts of the downsized project can be considered.

#### **IV. Conclusion**

We could describe additional inconvenient truths about the County proposal but May 12 is not the proper time for hearing those issues. Those issues need to be considered if the Commission determines, pursuant to a proper reconsideration procedure, to reevaluate its December 9, 2010 finding that the County proposal is not contained in the certified PWP.

The County has threatened suit and Commission staff has yielded to the threat in an agreement crafted in private. The agreement prejudices staff review of the proposal by committing the Executive Director to "... recommend that the Commission approve the Revised NOID as submitted" [emphasis added]. This predetermined outcome nullifies the staff review process and, when combined with the withholding of the Agreement from the general public, violates due process and undermines public trust in the Commission.

For The Beacon Foundation

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Lee Quaintance, Secretary



Letter re agenda item number 10.3a  
on behalf of The Beacon Foundation

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May 6, 2010

California Coastal Commission  
45 Fremont Street  
Suite 2000  
San Francisco, CA 94105-2219  
[hand delivered to Ventura Office]

Re: May 12, 2010 Agenda Item 10.3a: Ventura County Channel Islands Harbor Public Works Plan Notice of Impending Development No. 1-10 (Channel Islands Harbor Public Boat Launch Reconstruction)

Dear Commissioners:

I am writing this letter on behalf of The Beacon Foundation, a non-profit environmental organization. We are requesting that this Commission (1) denies NOID 1-10 on the basis that it is duplicative to NOID 2-09 upon which this Commission has already held a duly noticed hearing and made a final, binding determination that the proposed public work project is not contained in Ventura County's certified Public Works Plan (PWP) and (2) takes no further action on this matter unless and until applicant takes the requisite steps for a PWP amendment. Alternatively, if this Commission determines that it will proceed with a hearing on this NOID<sup>1</sup>, we request a postponement of this hearing due to the fact that significant, relevant documents, including but not limited to the settlement agreement entered into between the Commission and applicant on April 15, 2010 have not been disclosed to the general public.

Section 30320 (a) of the Public Resources Code (PRC) imposes a duty on the Commission to "conduct its affairs in an open, objective, and impartial manner free of undue influence and the abuse of power and authority." Contrary to this mandate, a

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<sup>1</sup> While the NOID has a new number and was resubmitted, it involves the very same project as proposed in NOID 2-09.

secret deal was apparently worked out with the applicant<sup>2</sup> to enable it to bring the same project back to the Commission for the purpose of obtaining a different outcome after a final decision was made by the Commission. There are no provisions in the Coastal Act or the duly adopted regulations allowing for such an anomaly in the Commission's proceedings. The facts that applicant is disappointed with the outcome of the 12/9/09 meeting and has threatened litigation do not justify this Commission stepping outside the rules that govern its proceedings to invent a fast track method enabling the county to avoid the ramifications of the Commission's December 9<sup>th</sup> action. In fact, reconsideration of the Commission's prior decision would not be permitted as there has been no good cause disclosed for the Commission to reopen the matter nor do any specific provisions of the Coastal Act permit reconsideration of a finding that a public works project is not contained in a PWP.

Granting this opportunity to Ventura County to have a new hearing on the exact same project by simply packaging it under a new case number sets a dangerous new precedent. Not only the Commission, but also the public should be able to rely with certainty on final determination made by the Commission. Under the rules, the applicant could appeal the Commission's decision to a court of law for limited review as to an abuse of discretion (PRC 30801; CCP 1094.5) or apply for a PWP amendment 14 CCR section 13365 et seq.)

Instead, the Commission has provided applicant with a remedy unavailable to other person and entities who disagree with the outcome of a Commission ruling and unavailable to the County were it to pursue litigation. If the threatened litigation actually proceeded and *arguendo* the court determined that the Commission failed to act in accordance with the law or failed to support its decision with substantial evidence, the remedy would be for this Commission to hold a new hearing on the pivotal question as to whether or not the project is contained in the PWP (i.e. the decision made in December 2009, and a decision which only this Commission is empowered to make.)

Shockingly, even though this legal threshold was discussed at length by the Commission's counsel at the December 9, 2009 hearing, the new staff report and proposed findings appear to compel this Commission to disregard this issue and review the project as if it was contained in the PWP, despite clear, uncontroverted findings on the record of the December hearing that it does not.

The provisions of the Coastal Act and its regulations set forth a two-prong process to be followed by the Commission when considering a proposed public works project when a certified public works plan is in existence.

The preliminary issue for determination is whether or not the proposed project, including all of its components, has already been subject to Commission scrutiny, detailed

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<sup>2</sup> On May 3, 2010, my client obtained a copy of a settlement agreement between applicant and the Commission by means of a Public Records Act request, however, this material has not been shared with the public in general and is not available on the Commission's website.

environmental review and public input as part of a duly certified public works plan. The project must specifically be "contained" within the PWP (PRC 30605). If the answer to this threshold issue is "No", as the Commission unanimously voted on December 9<sup>th</sup>, then the project must be processed as a proposed amendment to the PWP in accordance with the provisions of 14 CCR§ 13365 et seq. which mandates a public hearing at the agency level before filing of the application to amend with the Commission ( 14 CCR§ 13366.)

The Coastal Act only permits an applicant to circumvent the provisions of Section 13365 et seq., if the Commission affirmatively determines that the proposed project is "contained in the certified plan". It is only under such circumstances that the Commission's review is "limited to imposing conditions consistent with Sections 30607 and 30607.1" (PRC 30605) and it is only under such circumstances that deadlines are imposed regarding the imposition of conditions (14 CCR § 13359.)

**As confirmed in the current staff report for this project (p.6.), on December 9, 2009 this Commission "found that NOID 2-09 was not part of the Public Works Plan." There are no facts nor legal authorities cited in the report to lend any credence to the belief that NOID 1-10, involving the same public works project, is contained in the PWP.** The staff report fails to even mention, much less address, this primary issue. It focuses only on consistency with the Coastal Act. This omission in the Commission's consideration of the NOID is not permitted by the Coastal Act.

At the December public hearing, the Commissioners noted many changes to the use of the project site in support of the Commission's finding that the project was not contained in the PWP. These facts are set forth in the record of the 12/9/09 proceeding which we ask this Commission to incorporate into the record for the present matter. These facts include, but are not limited to, the reduction in the ramp size, reduction in parking spaces available to members of the public desiring to use the boat launch, reduced site access, a reduction of natural resources (trees and a ¼ acre of grassy area), and new unstudied traffic impacts. The project is not simply calling for the repair of the existing boat ramp, but for significant modifications to the public's access and use of this coastal land. This project will in fact result in the loss of public facilities and natural resources, which were never envisioned, much less approved in the certified PWP.

In addition, this proposed project has carved out 5 acres which will no longer be used for its intended purpose as part of the boat launch parking amenities nor for any other purpose related to boating activity. Instead, this part of the project will have a different use. As evidenced by documents submitted by my client and others at the December hearing and at this time, the land has been leased to a private developer and it is foreseeable that it will be used for this lessee's adjacent residential/commercial development. Thus, this new project set forth in NOID 2-09/1-10, with a different size and non-boating activity use was not considered, much less encompassed in the PWP.

Moreover, were this Commission to proceed as recommended in the current staff report and only consider whether or not the recommended conditions imposed on the project are consistent with the Coastal Act, this Commission would be violating the terms and

intent of PRC section 30605. The settlement agreement did not and could not legally void the actions taken by the Commission on 12/9/09. Consequently, the finding that the project, which is the subject of both NOIDs, is not contained in the PWP cannot be disregarded. Section 30605 was written to mandate full review of new public work projects that were not contained in the PWP, just as all other new projects presented to the Commission. The Commission cannot simply ignore its responsibilities to conduct a full PWP amendment review for this project based on the 12/9/09 findings.

It is obvious from the term of the settlement agreement which specifies that your Executive Director is to recommend approval of this NOID exactly as proposed, in order to avoid litigation, that this Commission will not be receiving a good faith balanced analysis of the issues from staff. We therefore request that you carefully consider the relevant law as discussed in this letter and by your counsel at the 12/9/09 hearing and all of the facts, including those raised by the public and Commissioners at the prior hearing.

If any action is taken on this NOID, we ask that it be consistent with the motion made and unanimously approved at the 12/9/09 meeting not to approve the project, thereby mandating the applicant to proceed through the "whole public process for amendment of the PWP." (Com. Sanchez)

No good cause has been established for vacating the project denial and reopening the proceeding under the intimidating provisions of the settlement agreement which enable the County to proceed immediately with litigation on both the current action and the December 9<sup>th</sup> action if it doesn't receive project approval. The fact remains that this project as proposed, even with its minor, if any, 2010 revisions, was not contained in the PWP.

This Commission should not waiver in affirming the decision it previously made in this case, requiring Ventura County to follow the rules and seek a PWP amendment for this project. This project will have significant impacts on the public's access to coastal resources as well as biological resources. It should be properly studied with public input in public hearings, rather than pushed through regardless of its ramifications due to the litigation club being swung by Ventura County.

Finally, by the very terms of the April 15, 2010 NOID, postponing consideration of this matter would be in conformance with the "project scheduling" as set forth in page 10 of the NOID, which states, "From the date of initial submittal to the Commission, it is hoped that a hearing could be held within 90 days." Thus, there is no urgency or any legal mandate for rushing to hearing on this item at the Commission's May hearing.

Very truly yours,

  
Alyse M. Lazar



# The Beacon Foundation

PMB 352  
3844 W Channel Islands Blvd  
Oxnard, CA 93035

May 6, 2010

**Item W 10.3a**  
**NOID 1-10**

Amber Tysor, Coastal Analyst  
California Coastal Commission  
89 So. California Street, suite 200  
Ventura, CA 93001

Dear Ms. Tysor,

As indicated in footnotes 1 and 2 on page two of our today letter to the Commission on the above referred item, we are providing a copy of the following documents for inclusion in the record:

1. A County of Ventura staff report and record of approval on June 26, 2007 regarding a Channel Islands Harbor lease.
2. A feasibility study approved, as indicated in the attached materials, by the Ventura County Board of Supervisors on June 6, 2006

Sincerely,  
For The Beacon Foundation

Lee Quaintance  
Secretary

**RECEIVED**  
MAY 6 2010  
CALIFORNIA  
COASTAL COMMISSION  
COSTA MESA COAST DISTRICT

**REGULAR AGENDA, CONTINUED**

**HARBOR DEPARTMENT, CONTINUED**

- 47. *and V-4 - Fisherman's Wharf; Authorization for the Harbor Director to Execute the Amended and Restated Lease and Make Non-Monetary Corrections, Clarifications, and Technical Modifications to the Original and Amended and Restated Lease. **REQUIRES 4/5THS VOTE**  
**CEO RECOMMENDS APPROVAL AS PROPOSED***

**HEALTH CARE AGENCY - Behavioral Health**

- 48. Alcohol and Drug Program and Proposition 36 Amendments with Alternative Action Programs and Intervention Institute. **AMENDMENTS ON FILE WITH CLERK OF THE BOARD**  
**CEO RECOMMENDS APPROVAL AS PROPOSED**
- 49. (DMH) Performance Agreement, and State Hospital Bed Purchase and Usage Agreement. **CONTRACTS ON FILE WITH CLERK OF THE BOARD**  
**CEO RECOMMENDS APPROVAL AS PROPOSED**
- 50. Provisional Rates; Approval of Amendments to Increase FY 2006-07 Contracts with Drs. Howard Glick, M.D. and Sofia Pamplona, M.D.; Ratification and Approval of an Amendment to Increase the FY 2006-07 Contract Amount with Sylmar Health & Rehabilitation Center and Add a New Rate; Approval of a FY 2007-08 Agreement with Data Insight Solution, Inc., FY 2007-08 Amendments with the Elms Residential Care, Crestwood Behavioral Health, Inc., and Sylmar Health & Rehabilitation Center.  
**CONTRACTS AND AMENDMENTS ON FILE WITH CLERK OF THE BOARD**  
**CEO RECOMMENDS APPROVAL AS PROPOSED**
- 51. the Period July 1, 2007 Through June 30, 2008 for Mental Health Services; and Approval of Contracts with Interface Children and Family Services and with City Impact for Social Work Professionals, for the Period July 1, 2007 Through June 30, 2008.  
**AGREEMENT ON FILE WITH CLERK OF THE BOARD**  
**CEO RECOMMENDS APPROVAL AS PROPOSED**
- 52. the Mental Health Services Act (MHSA) Proposition 63 Community Services and Supports Expanded Funds Plan to the State Department of Mental Health.  
**PLAN ON FILE WITH CLERK OF THE BOARD**  
**CEO RECOMMENDS APPROVAL AS PROPOSED**



Lyn Krieger  
Director

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Ventura County Harbor Department  
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June 26, 2007

Board of Supervisors  
County of Ventura  
800 South Victoria Avenue  
Ventura, CA 93009

**SUBJECT: ORIGINAL LEASE AND AMENDED AND RESTATED LEASE--  
PARCELS V, V-1, V-2, V-3 AND V-4 - FISHERMAN'S WHARF  
(4/5 vote required)**

**Recommendation:**

Harbor Department Staff recommends that your Board:

1. Approve and authorize the Chair to execute the Original Lease and Memorandum of Original Lease for Parcels V, V-1, V-2, V-3, and V-4, which will enable a new Lessee to operate the current Fisherman's Wharf parcel, begin work to secure entitlements and authorizations to facilitate the expansion and redevelopment of the parcel, and encourage Lessee's extensive capital investment by providing for future approval of a long-term Amended and Restated Lease upon Lessee's meeting certain pre-conditions for the execution of the Amended and Restated Lease.
2. Approve the form of the Amended and Restated Lease and authorize the Director, with the concurrence of the County Executive Officer and County Counsel, to execute the Amended and Restated Lease upon Lessee meeting certain pre-conditions for its execution.
3. Authorize the Harbor Director to make non-monetary corrections, clarifications, and technical modifications to the Original Lease and the proposed Amended and Restated Lease for Parcels V, V-1, V-2, V-3, and V-4, provided the County Executive Officer and County Counsel concur that such changes should be made, and provided further that such changes are consistent with the stated intent of the leases, do not result in the loss of any income to the County, and do not subject the County to additional costs.
4. Find that your approval of the Original Lease and the Amended and Restated Lease for Parcels V, V-1, V-2, V-3, and V-4 is exempt from the provisions of the

California Environmental Quality Act (CEQA) pursuant to various categorical and statutory exemptions found in the CEQA Guidelines, discussed further below, and that there is no substantial evidence of unusual circumstances or cumulative impacts related to these approvals that would make any exemption inapplicable to this action.

5. Direct the Harbor Department Director to prepare the appropriate CEQA Notice of Exemption, and to file it with the County Clerk.

**Fiscal/Mandates Impact:**

Harbor Enterprise Fund 2490

Mandatory: No  
 Source of Funding: Leases  
 Funding Match Required N/A  
 Impact on Other Departments: County Counsel will Review Documents

**Current Fiscal Year Budget Projections:**

CURRENT FY 2006-07 Budget Projection for Harbor Enterprise				
	Adopted Budget	Adjusted Budget	Projected Budget	Estimated Savings/(Deficit)
Appropriations	\$9,485,614	\$9,726,019	\$9,748,152	(\$22,133)
Revenue	\$9,537,400	\$9,537,400	\$10,148,055	\$610,655
Operating Gain/Loss	\$51,786	(\$188,619)	\$399,903	\$588,522

**Background:**

On June 18, 2002, your Board approved a Restructuring and Reorganization Agreement between Channel Islands Harbor Investment Company (CIHIC) and the County whereby CIHIC agreed to pay the County \$150,000 and terminate their existing lease for Fisherman's Wharf in exchange for lease extensions on other leases held by CIHIC and options for extensions on the Casa Sirena Hotel and Hotel Extension. The County, through the Harbor Department, assumed full control of Fisherman's Wharf on January 15, 2004. On August 18, 2004, the County published a Request for Qualifications (RFQ) soliciting qualifications for a new lessee to assume control of Fisherman's Wharf. After reviewing the responses to the RFQ, a committee made up of consultants and County staff recommended that the County enter into negotiations with The Waterfront-Channel Islands Harbor, LLC.



The Waterfront-Channel Islands Harbor, LLC is a new single purpose entity, the sole member and managing member of which is Edward M. Czucker. Mr. Czucker has developed over \$750 million worth of California real estate, including several mixed use projects.

Negotiations between Mr. Czucker and Harbor staff have resulted in two leases accompanying this Board Letter: an Original Lease covering the interim or holding period and an Amended and Restated Lease which would take effect upon the Lessee meeting preconditions such as permits, financing, etc., detailed further below. Mr. Czucker has also agreed to retain an outreach consultant and to perform extensive community outreach before finalizing a plan for presentation to your Board.

The Original Lease is a short-term lease which provides that the Lessee preserve, maintain, and manage the existing Fisherman's Wharf improvements while seeking authorizations, primarily from your Board and the California Coastal Commission, to expand and significantly improve and/or replace the existing improvements. The lease is clear that the Board of Supervisors, acting in its regulatory capacity, is under no obligation to approve additional entitlements on this parcel. If the Lessee is successful in securing such authorizations, the Lessee and County will enter into the Amended and Restated Lease (attached to the Original Lease as Attachment 2). The Amended and Restated Lease (A&R Lease) requires significant minimum capital expenditures by the Lessee, provides for a term of either 50 or 65 years, depending upon level of capital improvements, and incorporates the standard clauses of recently approved Harbor Leases such as favorable end-of-lease language, imputed rent and improved self-help provisions, and cost recovery provisions for minor lease violations.

The Original Lease is for a term of up to 5 years with two one-year extension options which can be implemented at the discretion of the County. The Original Lease incorporates the terms of the A&R Lease except for those provisions that are specifically identified as being exclusive to the Original Lease. The Original Lease does not expand the current Fisherman's Wharf site and does not require any capital improvements by the Lessee. The Original Lease does, however, require the Lessee to preserve, maintain and operate the current improvements. It also requires the Lessee to prepare and submit plans and specifications to the County and other appropriate governmental agencies (i.e., the California Coastal Commission) and to diligently pursue entitlements for the proposed redevelopment of the Expanded Site. The Expanded Site outlined on Exhibit A consists of an additional approximately 4 acres immediately to the south of the existing parcel. (Any required Public Works Plan amendments for both uses would be processed together.)

Rent to the County during the term of Original Lease is expected to be minimal due to the known costs of deferred maintenance and the resulting anticipated maintenance the Lessee is required to perform on the existing improvements. Rent under the Original Lease is a) all Net Cash Flow up to but not exceeding \$50,000 until Net Cash Flow

equals \$100,000, and b) 50% of that portion of the Net Cash Flow that is in excess of \$100,000. Net Cash Flow consists of the Gross Receipts collected by the Lessee from sublessees minus the maintenance and certain operating expenses. The Original Lease allows the Lessee to secure new subleases for any space on the parcel. It also requires that the Lessee retain the Ventura County Maritime Museum and the Ventura Community College Marine Center at their current rent levels and occupancy terms for at least 18 months and that they be given at least six months notice regarding any termination of existing leases. The Lessee will assume all the subleases currently in effect on the parcel and, except for the Maritime Museum and the Marine Center, will have discretion as to term renewal, rent, or other sublease terms on a case-by-case basis.

The A&R Lease will have a term of 65 years if the Lessee receives entitlements, building permits and financing to develop the Expanded Site or redevelop the existing site with added height and density. The Lessee will be required to expend at least \$20,000,000 if utilizing the expanded site and at least \$10,000,000 if redeveloping the existing site with at least 75 percent of the aggregate rentable square footage being new construction. If the Lessee is unable to secure required approvals for the Expanded Site or approval for significant redevelopment of the existing site, the A&R Lease will require renovation of the existing improvements at a minimum cost of \$7,000,000 and entitle the Lessee to a lease term of 50 years.

It is anticipated that if the Expanded Site Plan is approved by your Board and other agencies, the Lessee will construct a mixed-use development consisting of commercial and residential uses. The recommended Lessee will present a plan for the Expanded Site to your Board for consideration after completion of traffic and environmental studies. Residential uses may be possible in connection with a total redevelopment of the existing site; however, this is less likely.

Rental terms for the A&R Lease include 10.5% percentage rent on Apartments and Offices and similar percentage rental amounts for other uses as are found in recently approved leases. The A&R Lease, however, does incorporate a new percentage rental category which provides that the Lessee pay the County 16% of all gross receipts from certain sublessees which in the past may have been subject to percentage rent. These include small retail shops or in some cases national tenants whose rental policies do not allow the County to satisfy the lease requirement for auditing, for example, County review of tax returns. This provision is beneficial to the County since it eliminates the auditing burden for such small sublessees, which has always proved troubling for lessees, sublessees, and the County, while allowing the Lessee to make deals with national tenants which are similar to deals offered by major shopping center developers.

The security deposit requirement in the A&R Lease is currently at the standard six months of minimum rent level. The Lessee, however, would like a lower security deposit requirement due to the significant revenue to the County anticipated under the

Expanded Site concept. Six months of minimum rent would be a substantial amount of cash or cash equivalents to tie up for the 65 years of the A&R Lease. It is recommended that the Director consult with the Lessee, the County Executive Officer, and County Counsel to determine a security deposit that will adequately protect the County while not overburdening the Lessee when the extent of the development allowed and projected revenue figures are better known. This item would then be returned to the Board for consideration as a lease amendment.

The Original Lease and the A&R Lease at this time do not include the waterside portion of Fisherman's Wharf. The County will retain control of the waterside during the term of the Original Lease; however, it is the Harbor Department's intent to negotiate terms with the new Lessee to recommend to your Board the addition of all or a portion of the waterside facilities to the A&R Lease. Such terms will be presented to your Board for review when such negotiations are completed. If agreement cannot be reached with the Lessee to add part or all of the waterside portion to the Lease, the County will retain control of the remaining waterside portion.

Each of the expenditure requirements detailed above are subject to adjustment based on the 20-City Building Cost Index (BCI) published by the Engineering News-Record.

Your Board's approval of this Original Lease is exempt from the terms of the California Environmental Quality Act (CEQA) for the following reasons (any one of which is sufficient to exempt this lease approval from CEQA):

- (1) approval of this Original Lease for existing facilities does not constitute approval of a project under CEQA (see CEQA Guidelines Sections 15352 and 15378); and
- (2) approval of this Original Lease is being undertaken solely to facilitate the operation, repair, renovation, maintenance, leasing, or other activities related thereto (CEQA Guidelines Sections 15301 and 15302); and
- (3) execution of this Original Lease does not commit the agency to a definite course of action in regard to a potential future (optional) project which may (or may not) have environmental impacts, which impacts, if any were to be proposed, would be addressed under CEQA at such time (see CEQA Guidelines Section 15352, subd. (a); see also CEQA Guidelines section 15301).
- (4) to the extent any environmental analysis of this Amended and Restated Harbor Lease, and subsequent activities related thereto, could cause any significant environmental impacts, such impacts are exempt from County of Ventura review under CEQA pursuant to the statutory exemption found in Public Resources Code Sections 21080.5 and 21080.9, and CEQA

Board of Supervisors  
June 26, 2007  
Page 6

Guidelines Sections 15250 and 15251(c) and (f), as being subject to the certified regulatory program of the California Coastal Commission regarding its final review and approval for such activities (see also Guidelines Section 15265(c)).

The County Executive Office, Auditor Controller and County Counsel have reviewed this letter.

If you have any questions regarding this item, please contact me at 382-3002.

  
LYN KRIEGER  
Director



Lyn Krieger  
Director

**CHANNEL ISLANDS HARBOR**  
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June 6, 2006

Board of Supervisors  
County of Ventura  
800 South Victoria Avenue  
Ventura, CA 93009

**SUBJECT: AUTHORIZATION TO SUBMIT AN APPLICATION FOR GRANT FUNDS  
IN THE AMOUNT OF \$4.3 MILLION TO THE DEPARTMENT OF  
BOATING AND WATERWAYS FOR REHABILITATION OF THE  
LAUNCH RAMP AT CHANNEL ISLANDS HARBOR**

**Recommendations:**

It is recommended that your Board approve and authorize the Director of the Harbor Department to submit an application along with the attached feasibility study for a grant in the amount of \$4.3 Million to the Department of Boating and Waterways to rehabilitate the launch ramp at Channel Islands Harbor.

**Fiscal/Mandates Impact:**

Mandatory:	No
Source of Funding:	State of California, Department of Boating and Waterways
Funding Match Required:	No
Impact on Other Departments:	None

There is no fiscal impact to applying for this grant, and if received, only project administrative costs will be incurred.

**Current Fiscal Year Budget Projection**

Current FY 2005-06 Budget Projection for Harbor Enterprise				
	Adopted Budget	Adjusted Budget	Projected Budget	Estimated Savings/(Deficit)
Appropriations	\$8,545,803	\$9,822,025	\$9,969,573	(\$147,548)
Revenue	\$8,622,887	\$10,493,296	\$10,531,642	\$38,346
Operating Gain/Loss	\$77,084	\$671,271	\$562,069	(\$109,202)

**Discussion:**

The existing boat launching facility was developed using a \$480,000 grant from the Department of Boating and Waterways in 1978 and has been in service since that date. The launch ramp is approaching the end of its useful life. The launching lanes have deteriorated to the point that vehicles are slipping when launching or retrieving their vessels, and rebar is becoming exposed, causing damage to vehicles using the facility. *The parking lots are in disrepair and need to be completely resurfaced. The public restrooms have exceeded their useful life and are not in compliance with the Americans with Disabilities Act.*

Since the original ramp was constructed, changes along Victoria Avenue have included widening the area adjacent to the entrance to the ramp to four lanes. It is now one of the main entry points for individuals working at Naval Base Ventura County and is the only commercial truck entrance to the base. With increased traffic on Victoria Avenue, entering or exiting the launch ramp has become increasingly difficult and dangerous, as there is no traffic-signaling device at the entrance to the facility. The proposed project will redirect the traffic flow to enter and exit the facility at a signaled intersection at Curlew Way and Victoria Ave.

It will also replace the launch ramp and boarding floats, repave all vehicle maneuvering areas, and ramp apron. New slope protection and the new ready lanes will reduce congestion around the launch ramp and entryway into the facility. The direction of launch will be modified to minimize back-up turns required to enter the ramp area, and the parking area will be reconfigured. New public restrooms include handicapped *accessible upgrades. Other upgrades include handicapped ramps and parking stalls to provide a more enjoyable experience for all users of the facilities, whether they are launching a vessel or just sightseeing.*

Board of Supervisors  
June 6, 2006  
Page 3

This letter has been reviewed by the County Executive Office, the Auditor-Controller's office, County Counsel and the Harbor Commission. If you have any questions regarding this item, please contact Jack Peveler at (805) 382-6864.



LYN KRIEGER  
Director

Attachment

Channel Islands Harbor  
Boat Launching Facility Rehabilitation

**REVISED FEASIBILITY STUDY**



May 22, 2006

Prepared by:



Concept Marine Associates, Inc.  
A Division of TranSystems Corporation  
180 Grand Avenue  
Oakland, Ca. 94612



Channel Islands Harbor  
Boat Launching Facility Rehabilitation

**FEASIBILITY STUDY**

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Channel Islands Harbor  
Boat Launching Facility Rehabilitation

**FEASIBILITY STUDY**

**GEOGRAPHICAL OVERVIEW**

**REGIONAL LOCATION**

The proposed project site is located in the Channel Islands Harbor in the County of Ventura, CA. It is located in Oxnard between Malibu and Santa Barbara. It is one mile northwest of Port Hueneme and 5.8 miles southwest of Ventura Marina. On land, the site is accessed off of Victoria Avenue. Boat access is through entrance channel from the Pacific Ocean. The entrance channel leads northeast from the breakwater protecting the entrance and then turns north into the entrance basin (see Site Location Diagrams, Appendix A).

**SITE LOCATION**

Boat trailer and vehicle parking are located adjacent to the existing six lane launch ramp. The Fisherman's Wharf retail area is located just north of the site and is bordered by Channel Islands Boulevard. H&S Yacht Sales is located to the south of the project site. Other businesses at the marina include boat yards, watercraft rental services, sport-fishing centers, yacht club and sales, and marine service areas and stores. Retail services are located at Marine Emporium Landing, Harbor Landing, and Fisherman's Wharf. Hollywood Beach, encompassing one linear mile, is located to the west of the harbor. Silver Strand Beach, also one linear mile, is located to the east of the harbor. Local points of interest also include the Maritime Museum and the Channel Island's Farmer's Market (see Site Photographs, Appendix B).

**SITE DESCRIPTION**

The existing launch ramp site consists of a concrete ramp that is approximately 110 ft wide with six, 15-ft wide lanes. There are three 110' x 6' boarding floats with four concrete piles per float, attached to a concrete abutment at the top of the ramp. Access to the ramp is available from Victoria Avenue. A restroom building and car-trailer parking is available adjacent to the launch ramp. The entrance channel to Channel Islands Harbor is dredged every other year. The launch ramp site has more than adequate depth and does not require dredging. Water, sanitary sewers, electric and gas utilities are available adjacent to the site. Sewage pumpout service is adjacent to the ramp. There are also four self service boat wash bays, seven rigging stalls, landscaping, and water-side promenade.

**HISTORICAL PERSPECTIVE AND EXISTING CONDITIONS**

The Channel Islands Harbor was officially opened in 1965. Since that date more than \$18 million in public investments have been made through the Department of Boating

and Waterways. All loans have either been paid off or are current in payment. Channel Islands Harbor contains 200 acres of water area and 110 acres of land area. The harbor is currently undergoing an extensive Public Works Plan update to allow redevelopment to its aging infrastructure. Residential areas, including a mobile home park and condominiums, are located to the north and west of the harbor, respectively. An elementary school is located to the west.

The County of Ventura has received a number of loans from the Department of Boating and Waterways for the development of the Channel Islands Harbor. These loans were used for the following developments:

- Construction of an administrative office and visitors dock (1966-67)
- Addition of a boat basin in the northeast harbor (1970-71)
- Construction of 100 boat slips, parking area and restroom in the southeast corner of the harbor (1974-75)
- Completion of the Channel Islands Master Plan (1976-77)
- Development of two boat basins in the north harbor for 750 boats and adjacent parking and restroom facilities (1978-82)
- Replacement of fuel dock systems and landside fuel storage system at the harbor (1989 – 1993).

The existing boat launching facility was developed from a \$480K grant from the Department of Boating and Waterways. It has been in service since 1978.

Since the original ramp was constructed, changes along Victoria Avenue have been widened from two lanes to four lanes. It is now the main entry point for all vehicle and truck traffic to the Port Hueneme Military Base, which has resulted in dangerous conditions when entering and exiting the facility. Also, approximately ten sections of the launch ramp have deteriorated to the point where replacement is necessary. The concrete boarding floats have exceeded their expected life span such that repairs to the deteriorated system are no longer cost effective. The site to the north is also being revitalized as a commercial/retail complete and will most likely require additional parking that will extend into the existing launch ramp site.

The proposed project will provide for the "end of useful service life" replacement of the launch ramp and the boarding floats, re-paving of the vehicle maneuvering area and ramp apron, improved slope protection adjacent to the ramp and new "ready lanes" that will reduce vehicle traffic congestion at the maneuvering area. Renovation of the deteriorating public restrooms, including accessible upgrades, will provide barrier free access for all members of the boating community. Proposed drainage improvements will reduce the discharge of pollutants associated with storm water runoff from the launch ramp area. Completion of this proposed project is required to allow the general public



continued safe and convenient recreational boating and fishing access to the southern California/Ventura County region.

### **COMPATIBILITY WITH LAND USE OBJECTIVES AND CONTROLS**

The efforts of long-range recreational planning in the Ventura County area lend support to the continued use and maintenance of the Channel Islands Harbor boat launching facility. The popularity of the Channel Islands and the Pacific Ocean as recreational boating and fishing resources creates a significant demand for water access facilities in the region. This demand is translated into the continued inclusion of the facility in regional long-range planning.

### **PROPOSED IMPROVEMENTS**

The intent of the proposed project is to remove the existing launch facility and install a new, improved facility. There are several components to the development of the new facility: the launch ramp, boarding floats, ready lane/maneuvering area, public restroom, and general improvements (parking, striping, etc) (see Improvement Diagrams, Appendix C).

The proposed project, as described below, is estimated to have a construction cost of \$4.3M (see the Engineer's Estimate of Probable Construction Costs, Appendix D).

The following elements are included in the improvement project:

#### **Launch Ramp** (see Improvement Diagrams, Appendix C):

- Remove the existing launch ramp.
- Remove the concrete rubble slope protection from the north and south side of the ramp and re-locate if possible.
- Construct a 113' x 120' concrete ramp to provide six, 15-foot launch lanes, and three 10-foot wide boarding float lanes.
- Install rock slope protection at north and south side of launch ramp, approximately 200 cubic yards.
- Install DBAW standard launch ramp signage.



### **Boarding Floats (see Improvement Diagrams - Appendix C)**

- Remove existing boarding floats (116' x 10').
- Remove the three existing concrete abutments.
- Remove the existing six pile guides.
- Construct three, 10' wide cast-in-place concrete abutment.
- Install three 10' x 100' boarding floats.
- Install six new pre-stressed concrete guide piles.
- Install lighting for boat launching during hours of darkness.

### **Ready Lane/Maneuvering Area (See Improvement Diagrams, Appendix C)**

- Remove asphalt pavement section from the existing parking lot.
- Provide a 70' x 127' maneuvering area.
- Provide two 12' wide asphalt pavement ready-lanes that approach the launch ramp from the north.
- Install trench drain at the head of the launch ramp.
- Install a storm water drainage system for paved areas in the vehicle maneuvering area/launch ramp apron and washdown lane.
- Install a fossil filter system for storm water runoff.

### **Restroom Installation**

- Remove existing restroom.
- Provide ADA accessible public restroom facilities.
- Provide ADA accessible site improvements adjacent to the public restroom.



## **General Improvements**

- Provide ADA accessible ramp at the corner of Victoria Avenue and Curlew Way and at 3 locations in parking lot at accessible parking areas.
- Create new 12' wide right-hand turn lane onto Curlew Way from Victoria Avenue.
- Create new sidewalk along Victoria Avenue and match to existing.
- Create new sidewalk from ready lane area and match to existing.
- Re-stripe new parking lot.
- Add right turn arrows and other appropriate signage in the proposed right-turn lane from Victoria Avenue, as per the Manual of Uniform Traffic Control Devices and the California Department of Transportation.

## **PROJECT PERMIT REQUIREMENTS**

Permit coordination and/or approvals may be required from the following regulatory agencies.

- **U.S. Army Corps of Engineers:**  
Letter of Permission for work having a minor environmental impact and no appreciable opposition.
- **Regional Water Quality Control Board (Los Angeles Region):**  
Section 401 waste discharge requirements.
- **National Environmental Policy Act (NEPA)**  
The proposed project may or may not be subject to NEPA provisions.
- **California Environmental Quality Act (CEQA)**  
The proposed project has been determined to be exempt from CEQA provisions. File a "Notice of Exemption" with the office of the Ventura County Clerk.
- **Coastal Commission Permit**
- **State Lands Commission**  
The proposed project may or may not require a permit from the State Lands Commission.



- **Department of Fish and Game**

The proposed project may or may not require a permit from the California Department of Fish and Game.

## **ENGINEERING FEASIBILITY**

The project site is currently in use as a public boat launch facility. The following are factors we believe make this site an excellent candidate for Department of Boating and Waterways grant-funded improvements:

- The site is easily accessible to a large population base, with outstanding proximity to proven recreational fishing and sailing. It is approximately five miles from U.S. Highway 101 and is easily reached by the three major roadways that border the harbor.
- Installation of a new concrete launch ramp with "V"-grooving will replace the existing cracked and worn ramp surface to increase safety for launching and retrieval.
- Installation of a new boarding float and adjacent rock slope protection will increase boater safety by increasing stability.
- New concrete and asphalt paving in the maneuvering areas will replace cracked and worn surfaces.
- Two new ready-lanes will facilitate car/trailer traffic circulation by removing waiting vehicles from Victoria Avenue, and eliminate interference of waiting vehicles with vehicles launching or retrieving boats in the maneuvering/ramp apron areas.
- Water, sanitary sewers, electric and gas utilities are available in the areas adjacent to the site.

## **ECONOMIC JUSTIFICATION**

### **GENERAL**

On an empirical basis alone, it is a logical decision to improve the components of the launch ramp facility as described previously. The launch ramp is heavily used on optimal weather days during seasonal for fishing, and during summer weekends for fishing, sailing, and general boating.

### **USE FACTORS**



It is estimated that the development of the proposed Channel Islands project will permit an estimated 24,000 boats to be launched each year. Assuming an average party size of three per boat, an expected 72,000 boaters will eventually use the facility each year.

#### BENEFIT RATIO

In order to justify the economic feasibility of this project, and to enable the granting of construction funds by the Department of Boating and Waterways, an analysis of the project costs versus the benefits derived in terms of the "user-day value" (value of recreation to boaters) must be determined. This determination is made by calculating the number of expected boaters per year (using a factor of three (3) persons per boat, on average) times the determined user-day value, to derive the annual user benefit over a 20-year project life.

The total user benefit is then compared to the capital costs and operation and annual maintenance costs. The costs are totaled for the project life. The total present value of user benefits is divided by the total present value of project costs to determine the benefit ratio. The benefit ratio for this project is 1.03.





**APPENDIX A**  
**Site Location Diagrams**

**COUNTY OF VENTURA**  
**LAUNCH RAMP FACILITY**

**ENGINEER'S ESTIMATE OF PROBABLE COST OF CONSTRUCTION**

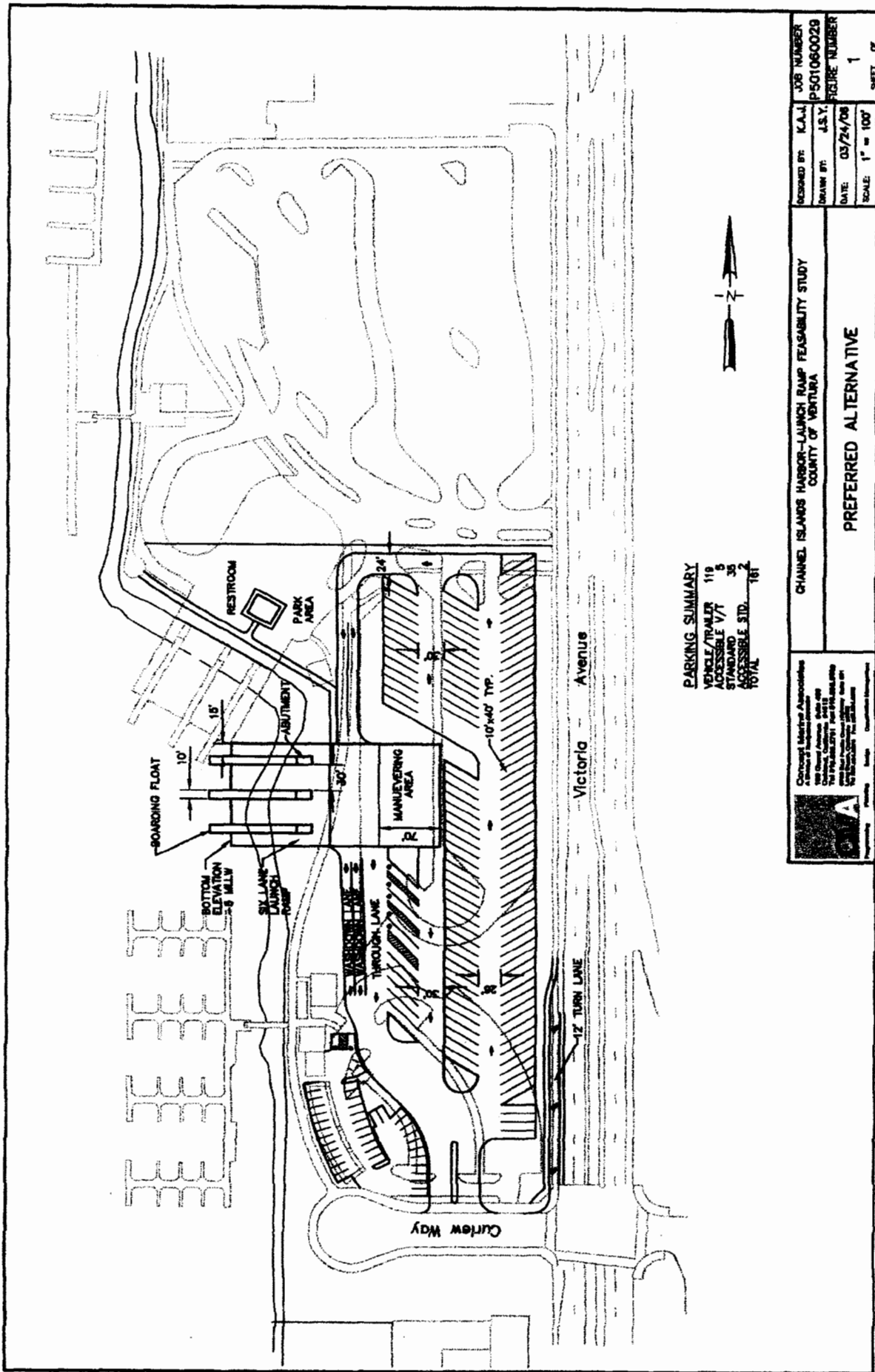
No.	Description	Unit	Quantity	Unit Price	Total
1	Mobilization/Demobilization	LS	1	42,000.00	42,000.00
2	Demolition/Clear/Grub	LS	1	105,000.00	105,000.00
3	Demolition (restroom)	LS	1	15,000.00	15,000.00
4	Excavation/fill at Ramp	CY	500	100.00	50,000.00
5	Concrete Ramp Panels (Pre-cast)	SF	14,000	46.00	644,000.00
6	Concrete Curb and Gutter	LF	5,200	22.00	114,400.00
7	Concrete Abutment	EA	3	5,000.00	15,000.00
8	Boarding Floats	SF	2,400	80.00	192,000.00
9	Concrete Guide Piles	EA	6	8,000.00	48,000.00
10	Concrete Maneuvering Area	SF	16,000	16.00	256,000.00
11	Concrete Sidewalk	SF	6,000	16.00	96,000.00
12	Remove and Relocate Bollards	LS	1	5,000.00	5,000.00
13	Pavement (Parking Area and Victoria Avenue)	SF	147,000	5.20	764,400.00
14	Pedestrian Ramp	LS	4	2500.00	10,000.00
15	Riprap Ramp Area	CY	200	60.00	12,000.00
16	Water Connection and Lines	LS	1	25,000.00	25,000.00
17	Sewer Connection	LS	1	20,000.00	20,000.00
18	Electrical	LS	1	50,000.00	50,000.00
19	Ramp Lighting	EA	2	5,000.00	10,000.00
20	Trench Drain	LF	120	150.00	18,000.00
21	Storm Drainage	LS	1	50,000.00	50,000.00
22	Restroom Complete	LS	1	280,000.00	280,000.00
23	Striping and Signage	LS	1	10,000.00	10,000.00
24	DBAW Sign	LS	1	10,000.00	10,000.00

Subtotal:	<b>\$2,841,800.00</b>
10% Construction Contingency:	<b>\$284,180.00</b>
20% Escalation:	<b>\$568,360.00</b>
12% Engineering:	<b>\$341,016.00</b>
5% Construction Management:	<b>\$142,090.00</b>
3% Permits:	<b>\$85,254.00</b>
<b>TOTAL:</b>	<b>\$4,263,000.00</b>



## **APPENDIX D**

### **Engineer's Estimate of Probable Construction Costs**



**PARKING SUMMARY**

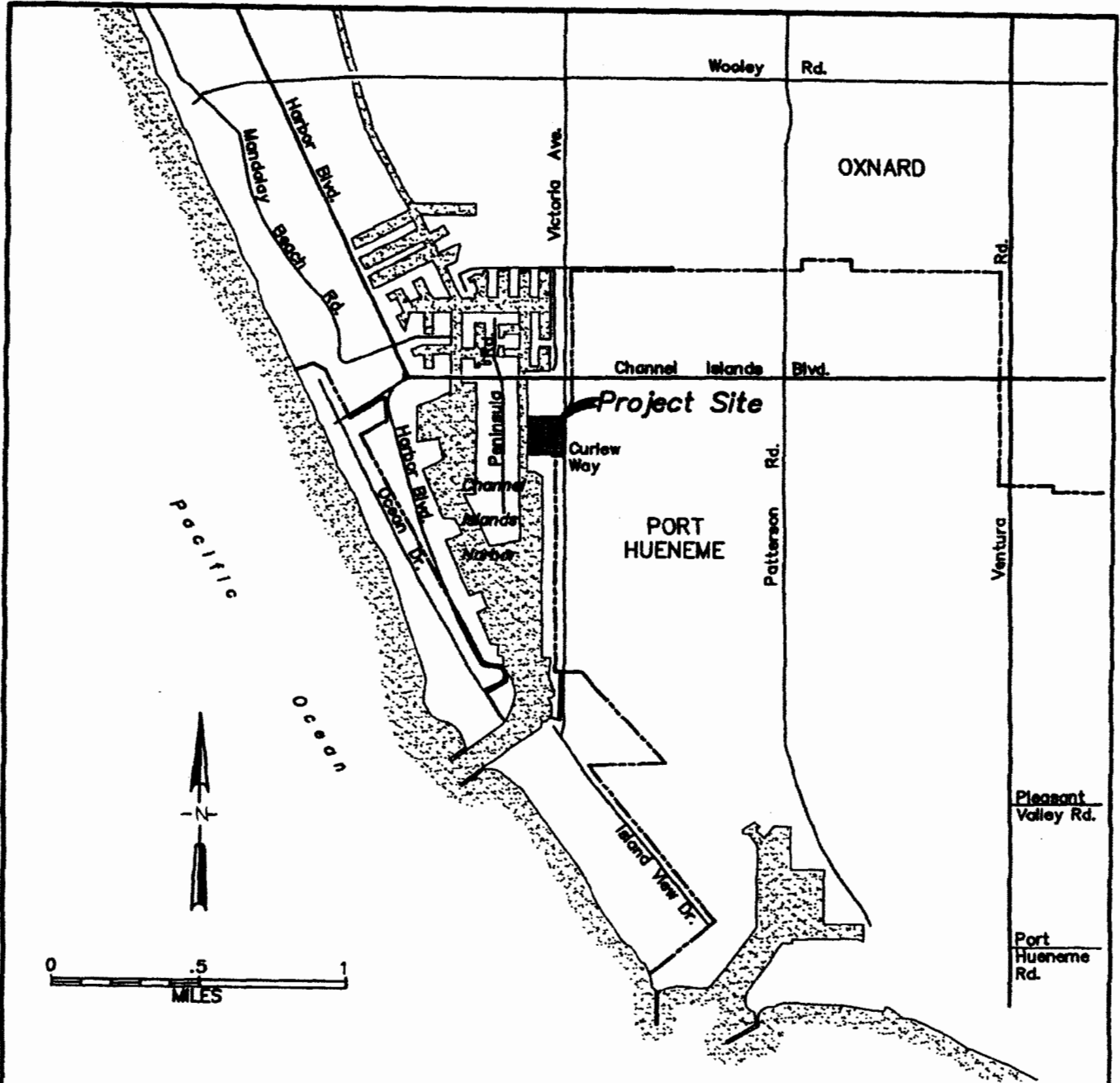
VEHICLE/TRAILER	119
ACCESSIBLE V/T	5
STANDARD	35
ACCESSIBLE STD.	2
<b>TOTAL</b>	<b>161</b>

DESIGNED BY:	K.A.L.	JOB NUMBER:	PS01060029
DRAWN BY:		D.S.Y.	FIGURE NUMBER
DATE:	03/24/08		1
SCALE:	1" = 100'		

CHANNEL ISLANDS HARBOR-LAUNCH RAMP FEASIBILITY STUDY  
COURTY OF VICTORIA

**PREFERRED ALTERNATIVE**

Channel Islands Association  
A Division of Transportation  
1000 Channel Avenue, Suite 400  
Victoria, British Columbia V8W 2E6  
Tel: 250-383-1234 Fax: 250-383-1235  
www.channelislands.org



**Concept Marine Associates**  
 A Division of Transpac Resources  
 180 Grand Avenue, Suite 400  
 Oakland, California 94612  
 Tel 510.836.2781 Fax 510.836.9838  
 6700 East Pacific Coast Highway, Suite 201  
 Long Beach, California 90803  
 Tel 562.594.8874 Fax 562.594.8878  
 Programming Planning Design Construction Management

**CHANNEL ISLANDS HARBOR  
 LAUNCH RAMP FEASIBILITY STUDY  
 COUNTY OF VENTURA**  
**VICINITY MAP**

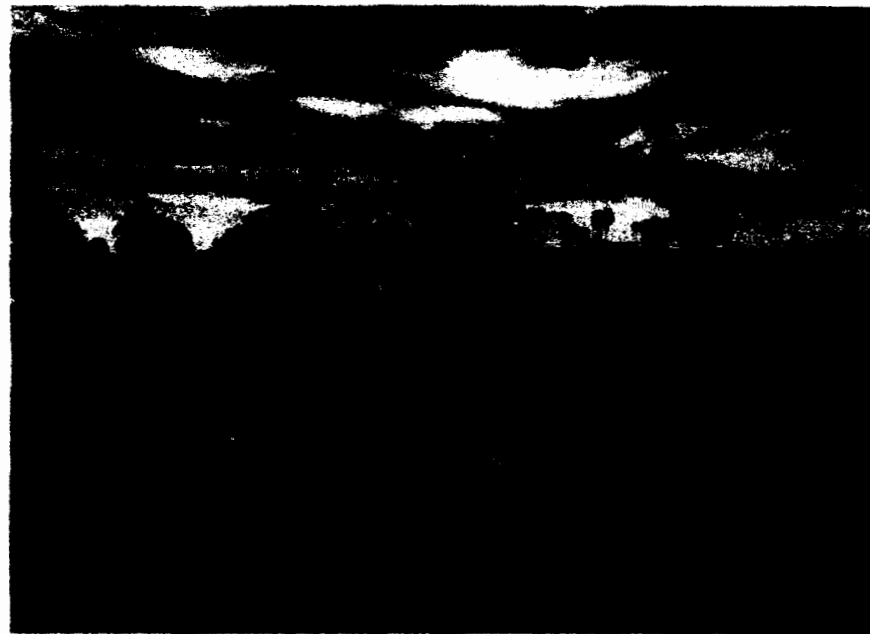
DESIGNED BY:	K.J.	JOB NUMBER	P501060029
DRAWN BY:	J.Y.	FIGURE NUMBER	1
DATE:	04/05/06	SHEET OF	
SCALE:	AS SHOWN		



**APPENDIX B**  
**Site Photographs**



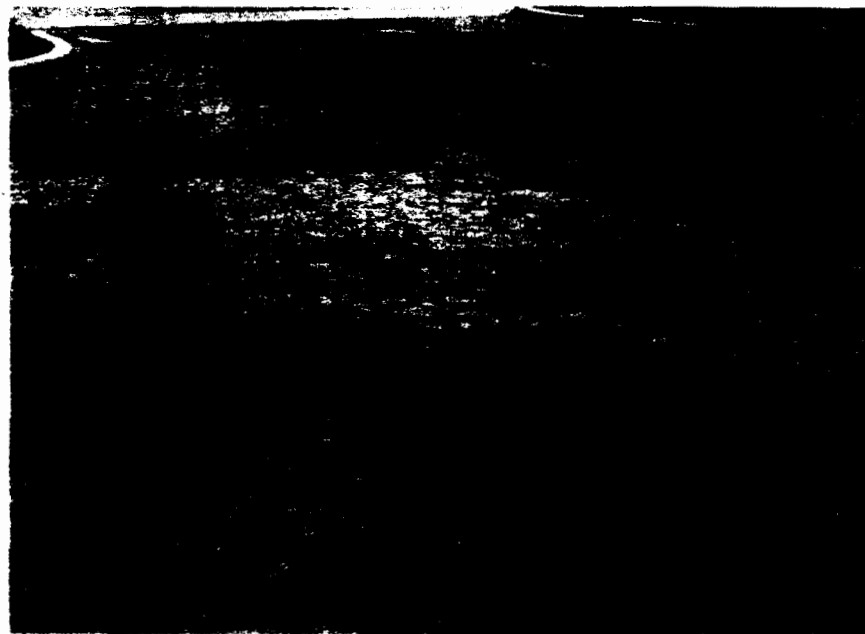
**Figure 1. Existing launch ramp area.**



**Figure 2. Existing parking lot.**

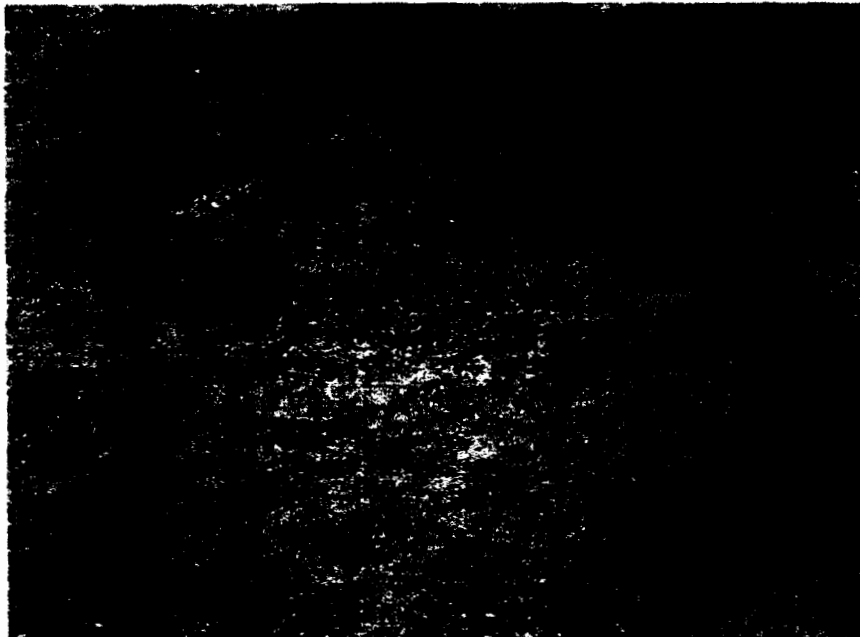


**Figure 3. Existing parking lot and pavement.**



**Figure 4. Existing parking lot and pavement. Note deterioration.**





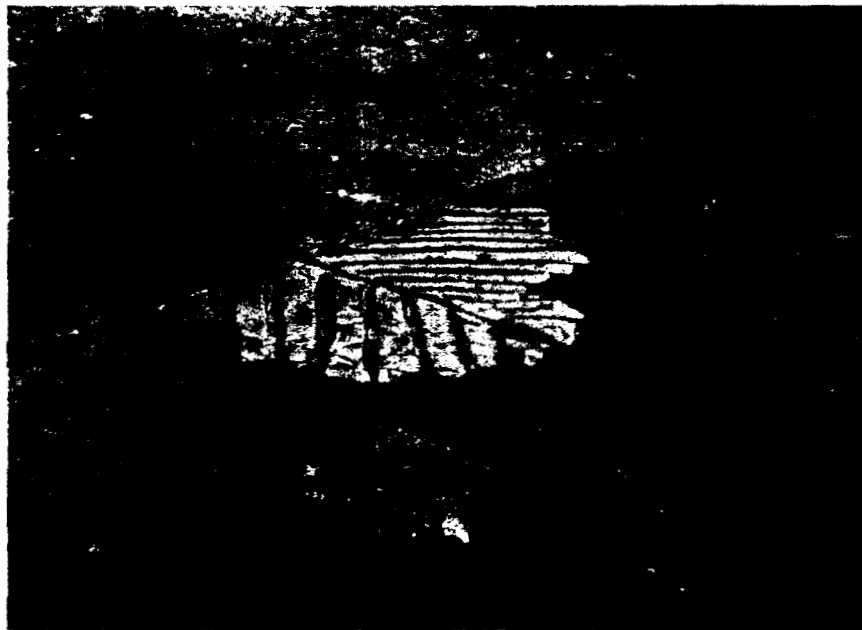
**Figure 5. Existing parking and maneuvering area. Note deterioration.**



**Figure 6. Existing slope protection near launch ramp.**



**Figure 7. View of existing launch ramp. Note worn surface of deteriorating ramp.**



**Figure 8. View of existing launch ramp. Note deterioration of surface.**



**Figure 9. Existing launch ramp. Note deterioration of surface.**



**Figure 10. Existing restroom facility. The restroom will be relocated and renovated to meet ADA accessibility guidelines. The restroom will be accessible via a new concrete sidewalk from the parking area.**



**Figure 11. View of existing restroom.**



**Figure 12. View of adjacent yacht sales office, located south of the project site.**



**APPENDIX C**  
**Improvement Diagrams**

**CALIFORNIA COASTAL COMMISSION**

SOUTH CENTRAL COAST AREA  
89 SOUTH CALIFORNIA ST., SUITE 200  
VENTURA, CA 93001  
(805) 585-1800



# W 10.3a

**DATE:** April 28, 2010

**TO:** Commissioners and Interested Persons

**FROM:** Jack Ainsworth, Deputy Director  
Steve Hudson, South Central Coast District Manager  
Barbara Carey, Supervisor, Planning and Regulation  
Amber Tysor, Coastal Program Analyst

**SUBJECT:** **Notice of Impending Development (NOID) 1-10**, for Reconstruction of the Channel Islands Harbor Public Boat Launching Facility, for Public Hearing and Commission Action at the May 12, 2010 Commission Meeting in Santa Cruz.

## **SUMMARY AND STAFF RECOMMENDATION**

The Ventura County Harbor Department proposes to reconstruct the public launch ramp on the east side of the harbor, including adjusting the ramp angle, reinforcing the existing support rip-rap, re-paving the site, demolishing and reconstructing the public restroom, constructing a new public walkway along the waterfront and along Victoria Avenue, relocating the entrance along Victoria Avenue, and improving the lighting and landscaping at the Channel Islands Harbor Launching Facility, Victoria Avenue, Oxnard, Ventura County.

The required items necessary to provide a complete Notice of Impending Development (NOID) were received in the South Central Coast Office on April 22, 2010 and the notice was deemed filed on April 26, 2010.

Staff is recommending that the Commission determine that the impending development **is consistent** with the certified Channel Islands Harbor Public Works Plan (PWP), as submitted. The project is consistent with all resource protection policies and provisions of the Public Works Plan. See associated Motion and Resolution beginning on **Page 2**. The standard of review for the proposed NOID is conformity with the policies of the certified PWP.

## **I. PROCEDURAL ISSUES**

Sections 30605 and 30606 of the Coastal Act and Title 14, Sections 13357(a)(5), 13359, and 13353-54 of the California Code of Regulations govern the Coastal Commission's review of subsequent development where there is a certified PWP.

Section 13354 requires the Executive Director or his designee to review the Notice of Impending Development (or development announcement) within five working days of receipt and determine whether it provides sufficient information to determine if the proposed development is consistent with the certified PWP. The notice is deemed filed when all necessary supporting information has been received.

Pursuant to Section 13359 of Title 14 of the California Code of Regulations, within thirty working days of the project proponent's filing of the Notice of Impending Development, the Executive Director shall report to the Commission the pendency of the development and make a recommendation regarding the consistency of the proposed development with the certified PWP. After public hearing, by a majority of its members present, the Commission shall determine whether the development is consistent with the certified PWP and whether conditions are required to bring the development into conformance with the PWP. No construction shall commence until after the Commission votes to render the proposed development consistent with the certified PWP.

## **II. STAFF RECOMMENDATION:**

**MOTION:**     *I move that the Commission determine that the development described in Ventura County Harbor Department Notice of Impending Development 1-10 (Channel Islands Harbor Public Boat Launching Facility), as submitted, is consistent with the certified Channel Islands Harbor Public Works Plan.*

### **STAFF RECOMMENDATION:**

Staff recommends a **YES** vote. Passage of this motion will result in a determination that the development described in the Notice of Impending Development 1-10, as submitted, is consistent with the certified Channel Islands Harbor Public Works Plan, and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

### **RESOLUTION TO DETERMINE DEVELOPMENT IS CONSISTENT WITH PWP:**

The Commission hereby determines that the development described in the Notice of Impending Development 1-10, as submitted, is consistent with the certified Channel Islands Harbor Public Works Plan for the reasons discussed in the findings herein.

## **III. FINDINGS FOR APPROVAL OF THE NOTICE OF IMPENDING DEVELOPMENT, AS SUBMITTED**

The following findings support the Commission's approval of the Notice of Impending Development, as submitted. The Commission hereby finds and declares as follows:

**A. PROJECT DESCRIPTION AND BACKGROUND**

The Ventura County Harbor Department proposes to reconstruct the existing public launch ramp and associated boater amenities located on a 6 acre parcel located along Victoria Avenue on the east side of Channel Islands Harbor. The parcel is located just south of the existing Fisherman's Wharf development. The project site is currently developed with a boat launch constructed in 1978, two parking lots, minimal landscaping, open lawn areas, two restroom buildings, an office building, boat wash facilities and a public walkway along the waterfront.

The two parking lot areas are separated only by an existing driveway that is a second, uncontrolled exit from the site. The proposed project does not include rehabilitating the northern parking lot, or making any modifications to its existing design or use. Access to that lot from the southern lot will remain as it currently exists, although the second driveway will no longer be used to exit the site. Any changes to the northern parking lot, including redesignating a different use than a parking use would require a PWP amendment. Additionally, several small boat slips occupy the waterway adjacent to this parcel, which are not proposed to be redeveloped.

The reconstructed launch ramp will be approximately 110 ft. wide with six 15 ft. wide lanes. The deteriorating concrete floating boards that are currently located on the existing launch ramp will be removed and replaced with three 110 ft. x 6 ft. boarding floats with four concrete piles per float attached to a concrete abutment at the top of the ramp. The ramp will accommodate the same number of boats as the existing ramp, but will be slightly smaller in size due to the angled design adjacent to the revetment. The angle of the ramp will be adjusted to face the channel towards the west instead of facing south towards the small boat marina. The approximately 240 linear feet of existing rock revetment supporting the existing launch ramp will be reconstructed and new rip -rap will be added to support the new launch ramp. However, reconstruction of the launch ramp will not require dredging. The area adjacent to the launch ramp will be re-paved and new lanes ("ready lanes") for launching will be added to reduce vehicle congestion.

The parking area on the boat launch (southern) portion of the site will be repaved and re-aligned. Parking on the boat launch southern lot will be redesigned to meet new parking standards. All spaces will be at least 10 feet wide, with some 45 feet and 60 feet long with a pull-through design to accommodate large vehicles with boat trailers. Parking will allow for 161 vehicles and boat trailers and will replace the existing spaces for 196 vehicles with trailers and vehicles without trailers. Currently, there are two entrances to the boat launch parking lot, one from south Victoria Avenue and one on Curlew Way at the south end of the site which contains an entrance and an exit. The intersection of Victoria Avenue and Curlew Way is controlled by a traffic light. The Harbor Department proposes to close the south Victoria Avenue entryway and expand the Curlew Way entrance/exit. A new right turn lane will be added from Victoria Avenue onto the existing signalized intersection Curlew Way. (Exhibits 1-7) Drainage improvements are proposed to control pollutants associated with stormwater runoff from the launch ramp area. Four self-service boat wash bays and seven rigging stalls are



located adjacent to the ramp. The boat wash down area will either use a filter system to remove contaminants before discharge or will recycle the water for re-use at the boat wash. Sewage pumpout service is located adjacent to the ramp. Stormwater runoff from the parking lot will be directed to two large biofilter areas and catch basins that will filter water before it enters the harbor water.

The site will be re-landscaped and lighting and streetscape will be added along Victoria Avenue. Landscaping on the parcel is in poor condition and consists of ice plant and other non-native plant species and only a small amount of grass. Although these areas are accessible to the public, these areas are not currently used as a park and are not designated as public park in the PWP. Some of these landscaped areas are proposed to be revegetated to serve as bioswales for runoff from the parking lot and some areas are proposed to be landscaped with native or drought tolerant non-invasive plants. There are approximately 245 trees on the site, including Myoporum, Melaleuca, Mexican Fan Palm (approx. 62 trees) and New Zealand Christmas trees. Construction and reconfiguration of the site will require removal of 140 of these trees and 105 trees will remain but will be relocated. The Harbor Department has summarized information from a tree inventory of the site, explaining that the 245 trees range in size from 4 inches in diameter to 36 inches in diameter. The majority of the trees are small in size (76 trees are 10 inches or less in diameter), with just four trees that are 36 inches in diameter, and nine trees that are 30 inches in diameter or more. On-going bird surveys conducted by the County's Biologist, Dr. Froke, have never identified any use of the trees for nesting by heron, egrets, or other sensitive bird species on the site or within 300 feet of the site. The closest tree found to be occupied by a heron nest is on the peninsula, approximately 900 feet across the channel from this site. All trees removed or damaged are proposed to be replaced with native and/or non-invasive species pursuant to the landscape plan submitted by the Harbor Department. (Exhibit 8)

A new approximately 1,100 ft. long, 10 ft.-wide public walkway is proposed along Victoria Avenue and Curlew Way. Additionally, a new approximately 900-ft long public pedestrian walkway along the waterfront is also proposed. (Exhibits 3 & 5). The project also includes removal of one of the existing public restroom buildings and construction of a new 700 sq. ft., 15 ft.-high, public restroom, including accessibility upgrades. A small grassy area near the restroom building will be improved with public picnic tables. Two other existing restroom facilities will remain on the parcel. The construction staging area for the project is proposed to be contained within the site itself, secured, and screened. The launch ramp will be kept open to the public for part of the construction period.

The Harbor Department has included a list of 37 conditions in its NOID submittal of April 22, 2010, "County of Ventura Conditions of Approval: NOID- Repair and Rehabilitation of the Public Boat Launching Facility" (Exhibit 9), some of which incorporate the recently approved policies contained in the Channel Islands Harbor Public Works Plan Amendment 1-07 (revised findings certified by the Commission on October 16, 2008) and the conditions proposed for the previous NOID (NOID 2-09) for the public launch ramp in December 2009. The Harbor Department's conditions relate to: biological resources (Condition 26), *caluerpa taxifolia* (Condition 27), eelgrass (Condition 28),

invasive plants (Condition 35) signage for public walkways during construction (Conditions 22, 36, and 37), surveys for a water quality management plan (Condition 30), best management practices (Condition 19), construction and maintenance responsibilities and debris removal (Condition 29), lighting (Condition 11), construction staging (Condition 20 and Condition 33), and resource agencies approvals (Condition 34).

### Background

On September 19, 1986, the Channel Islands Public Works Plan (PWP) was effectively certified by the Commission. The purpose of the PWP, as certified, is to provide “a detailed and specific planning document to guide future Harbor development.” Jurisdiction within the Channel Islands Harbor is shared by both the County of Ventura and the City of Oxnard. Oxnard’s City limits extend to all Harbor land areas. Based on a previous agreement between the two governmental authorities and the Commission’s certification of the Public Works Plan, the County assumed planning and regulatory authority within the Harbor. Under the certified PWP, the County is responsible for approval of all development within the Harbor permitted by the plan. Under the PWP the County must submit a Notice of Impending Development (NOID) describing any proposed development that is listed in the plan, for review and approval by the Commission. For a project contained in the certified PWP, the Commission’s review of a Notice of Impending Development is limited to determining whether the development is and can be made consistent with the PWP, or imposing reasonable terms and conditions to ensure that the development conforms to the PWP.

Requirements for the level of information contained in a Public Works Plan are contained in Section 13353 of Title 14 of the California Code of Regulations, which states that a PWP “shall contain sufficient information regarding the kind, size, intensity and location of development activity intended to be undertaken pursuant to the plan.” Such information includes: 1) the specific type of activity or activities proposed to be undertaken; 2) the maximum and minimum intensity of activity or activities proposed to be undertaken; 3) maximum size of facilities proposed to be constructed pursuant to the plan; and 4) the proposed location or alternative locations considered for any development activity or activities to be undertaken pursuant to the proposed plan. The Coastal Act envisions that a Public Works Plan functions more as a Specific Plan or a master development permit in order for specific projects or activities described in the PWP to be approved quickly through the Notice of Impending Development Process at later dates with minimal review. Activities, projects, or facilities not specifically proposed in a Public Works Plan in the level of detail described above may require an amendment to the certified PWP that must be approved by the Coastal Commission prior to approval and issuance of a Notice of Impending Development for said activity, project, or facility.

The standard of review for the Notice of Impending Development is the certified PWP (originally certified in 1986 and more recently amended). The PWP contains policies and provisions that identify areas for harbor development while protecting coastal

resources including the marine environment, scenic and visual resources, and public access and recreation.

NOID 1-10 describes the same project proposal as heard by the Commission at the December 9, 2009 Commission hearing for NOID 2-09. At the December 9, 2009 hearing, the Commission found that NOID 2-09 was not a part of the Public Works Plan. The Harbor Department has submitted this new NOID for the public launch ramp with additional information to address concerns over adequacy of parking and circulation issues, as well as issues related to existing landscaped areas on the site.

## **B. RECREATIONAL BOATING**

The certified Channel Islands Harbor PWP incorporates by reference Coastal Act Sections 30213, 30220, 30224, and 30234, to protect and promote recreational boating and commercial fishing facilities in the Harbor.

Section 30213 states (in part):

***Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.***

Section 30220 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 30224 states:

***Increased recreational boating use of coastal waters shall be encouraged, in accordance with this division, by developing dry storage areas, increasing public launching facilities, providing additional berthing space in existing harbors, limiting non-water-dependent land uses that congest access corridors and preclude boating support facilities, providing harbors of refuge, and by providing for new boating facilities in natural harbors, new protected water areas, and in areas dredged from dry land.***

Section 30234 states:

***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.***

In addition, the **Recreational Boating** policies in the Public Works Plan protect visitor-serving opportunities.

Policy 2 states:

**2. To provide for, protect and encourage increased recreational boating use of coastal waters, the following policies shall be implemented:**

- a. Harbor recreational boating facilities shall be protected, and where possible upgraded in order to provide further opportunity to the recreational boater;**
- b. dry boat storage spaces shall be provided on Parcel P to accommodate a minimum of 400 vessels;**
- c. water storage space shall be provided for at least 2,500 recreational boat slips;**
- d. no more than 30% of the Harbor land area shall be developed for visitor serving uses not directly related to boating;**
- e. a target number of 5% of the recreational boat slips shall be available as guest slips;**
- f. to protect the recreational character of the Harbor areas, no more than 5% of the boating supply shall be provided for live-aboard use;**
- g. the existing open water areas in the inner Harbor, as depicted on the Land Use Map as "Waterways" (Figure IV) shall not be developed with surface structures of any kind, floating or otherwise, except in cases of emergency here temporary structures are required, or unless authorized pursuant to an amendment to the Public Works Plan certified by the California Coastal Commission.**

The project includes reconstruction of the public launch ramp on the east side of the harbor, which includes adjusting the ramp angle, reinforcing the existing support rip-rap, re-paving the site, demolishing and reconstructing one of the public restrooms, constructing a new public walkway along the waterfront and along Victoria Avenue, relocating the entrance along Victoria Avenue, and improving the lighting and landscaping at the Channel Islands Harbor Launching Facility. The NOID complies with the above policies to protect recreational boating uses. The uses of the site are not proposed to change and will be consistent with the uses designated in the Public Works Plan.

The Public Works Plan designates the landside portion of the site as Visitor Serving Harbor Oriented ("V.S.H.O.") and the waterside portion as Visitor Serving Boating ("V.S.B."). The permitted uses for V.S.B. on the water include: boat storage, boat and boating equipment rental, sales, display, brokerage and minor repair services. The uses of the waterside will not change, the small boat slips will remain, and the launch ramp will be reconstructed. According to the PWP, the purpose of the landside designation, V.S.H.O, is "to provide for visitor serving uses and amenities which are either directly related to the boating activity within the Harbor, or ancillary to it." The permitted uses for

the V.S.H.O. designation on the landside portion of the site include: picnicking and other passive recreation, lodging, dining, fast food and shopping in chandleries, gift shops and boutiques, motels, restaurants, convenience stores, gas stations, fire stations, community centers/meeting places, yacht clubs, park areas, marine museums and marine oriented research facilities. The uses of the site will be consistent with this designation, as the site will continue to be used to support boating and recreational uses. The boat launch will remain to serve visitors to the Harbor and the site will be improved with picnic facilities, a new restroom, and public pathways for recreational uses as well as boaters. Further, Table I of the PWP identifies a boat launch as an allowable use for parcel N-2.

Therefore, as proposed, the Notice of Impending Development is consistent with the recreational boating policies of the certified Public Works Plan.

### **C. COASTAL ACCESS**

In addition to the recreational provisions mentioned above, the certified Channel Islands Harbor PWP incorporates by reference Coastal Act Sections 30211 and 30212 to ensure that maximum public access and recreational opportunities be provided to allow use of dry sand and rocky coastal beaches and that development not interfere with the public's right to access the water, consistent with the need to protect public safety, private property and natural resources.

Coastal Act Section 30211 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.***

Coastal Act Section 30212(a) provides that in new shoreline development projects, access to the shoreline and along the coast shall be provided except where:

- (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources,***
- (2) adequate access exists nearby, or,***
- (3) agriculture would be adversely affected.***

***Dedicated access shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.***

Further, the **Public Access and Recreation** Chapter of the PWP provides protections for public access.

Policy 2 states:

***Public access from the closest public roadway to the shoreline or along the waterfront shall be provided in new development or redevelopment projects, unless:***

***a. to do so would jeopardize the public safety, military security needs, or the adequate protection of fragile coastal resources;***

***b. sufficient access exists nearby.***

***The County will designate a public or private agency which shall be responsible for the operation, maintenance and liability of dedicated accessways prior to the approval of any new development or redevelopment projects. Actual improvements to accessways shall be completed and operational prior to the completion of new development or redevelopment.***

Policy 5 states:

***Maximum pedestrian waterfront access shall be provided by incorporating waterfront pedestrian walkways into all redevelopment projects. Where existing structures are found to interfere with lateral shoreline access, walkways shall be located as close as possible to the water. All walkways shall be linked with adjacent walkways in order to insure uninterrupted pedestrian movement. A promenade walkway shall be provided along the Harbor frontage for all new development.***

#### **1. Public Walkways**

As the subject site currently exists, there is a public pathway along a majority of the waterfront and an unimproved pathway along Victoria Avenue. The proposed project includes construction of a new approximately 1,100 foot-long public pedestrian walkway along Victoria Avenue and Curlew Way. The entire walkway will be improved with landscaping, including trees, shrubs, and vines. The proposed walkway along Victoria Avenue will connect with Curlew Way, a small cul-de-sac just to the south of this parcel. Pedestrians will be able to walk down Curlew Way to the water's edge. Additionally, the proposed project includes a new approximately 900 foot-long public pathway along the waterfront in compliance with PWP Policy 5, above. The Harbor Department has proposed to construct the proposed public walkway along Victoria Avenue adjacent to the Public Boat Launch Ramp Parcel and along the waterfront portion of the parcel concurrently with the reconstruction of the site and will open the public walkways for public use prior to or concurrently with the authorization to use (final building completion and inspection) the new restroom building on the parcel. Additionally, prior to

commencement of development, the Harbor Department has proposed to develop and implement a public walkway signage program, for review and approval of the Executive Director of the Coastal Commission, which declares the public's right to use the public access pathway (Harbor Department Condition of Approval No. 37).

## 2. Public Access to Launch Ramp During Construction

The Harbor Department proposes to locate the construction staging area for the project within the site itself, secured, and screened. The launch ramp will be kept open to the public for part of the construction period. In order to that assure maximum public access will be provided during construction and to assure that construction will minimize impacts to public access, the Harbor Department proposes to construct the boat launch outside of the peak summer season, which is Memorial Day to Labor Day. Additionally, the Harbor Department proposes to submit a plan, prior to commencement of development, for review and approval by the Executive Director, describing alternative boat launching accommodation(s) either on the Public Boat Launch Parcel (N-2) or on another appropriate site within Channel Islands Harbor. The Harbor Department will also post signs that will notify boaters where such accommodations are available during the construction phase of the project.

## 3. Public Parking and Circulation

The parking area on the boat launch (southern) portion of the site will be repaved and re-aligned. The proposed project does not include rehabilitating the northern parking lot and that parking lot will remain accessible for public parking, both during construction and after rehabilitation of the southern parking area. Any changes to the northern parking lot from parking to another use would require a PWP Amendment. Access to that lot from the southern lot will remain as it currently exists. Parking on the southern parking lot will be redesigned to meet new parking standards. All spaces will be at least 10 feet wide, with some 45 feet and 60 feet long with a pull-through design to accommodate large vehicles with boat trailers. Parking will allow for 161 vehicles and boat trailers and will replace the existing spaces for 196 vehicles with trailers and vehicles without trailers. Although parking will be reduced by approximately 34 spaces on the southern parking lot, the spaces will be bigger to accommodate vehicles with trailers and have been redesigned to enhance circulation of the parking lot because of the pull-through parking design. Further, the existing parking lot contains no designated ADA spaces and the new parking lot configuration proposes 5 ADA accessible spaces for cars/trailers and 2 ADA spaces for standard sized cars. Finally, the number of parking spaces is further reduced due to the addition of the bioswales to filter runoff from the new parking lot, addition of new boat washout and rigging spaces and the addition of another lane so boaters can "double stack" while waiting to launch their boats.

Currently, there are two entrances to the boat launch parking lot, one from south Victoria Avenue and one on Curlew Way at the south end of the site which contains an entrance and an exit. The intersection of Victoria Avenue and Curlew Way is controlled by a traffic light. The Harbor Department proposes to close the south Victoria Avenue

entryway and expand the Curlew Way entrance/exit. A new right turn lane will be added from Victoria Avenue onto the existing signalized intersection at Curlew Way.

The redesign of the parking lot includes the provision of two lanes leading into the boat launch itself, where vehicles with boat trailers can “stack” for boaters to await their turn to use the launch ramp to either launch or remove their boats. Further, two new “washdown” lanes are provided to allow boaters removing their boats to wash the boats before exiting the parking lot. Both the stacking lanes and the washdown lanes will provide for continuing use of the parking lot aisles by vehicles that are not waiting to use the boat launch. The Harbor Department has submitted a letter from a traffic engineering consultant, TranSystems, indicating that their review and approval of the proposed parking configuration and proposed ingress and egress at Curlew Way. TranSystems states that “[t]he new facility will allow sufficient travel, maneuvering, parking areas and turns to accommodate the 60-foot length vehicle and trailer combinations” and that “the use of the Curlew Way location for all vehicles entering and leaving the facility will provide a safe way to move vehicles into and out of the facility, and onto Victoria Avenue at the signalized intersection.” Exhibit 10 depicts the traffic circulation pattern proposed for the redesigned parking lot.

Additionally, the Harbor Department has provided data table summarizing launch ramp activity at the site from 2003 to 2009. (Exhibit 11) The table shows yearly vessel launches and day and overnight parking counts at the site. Total yearly counts are given in addition to counts for individual months with a holiday that represent the busiest times. The highest use, in July 2007, was an average of 55 launches/day. The highest number of parked cars were counted in July 2003, with an average of 44 parked vehicles. Therefore, given that the average number of vehicles parked at the site, during the highest documented use, was only 44 parked vehicles, the proposal for 161 spaces for vehicles with trailers is sufficient to accommodate public access to the site at present and in the future.

Therefore, the new parking and circulation proposal for the site is not expected to adversely affect public access. The new lot may be congested during high demand periods for the boat launch, such as on holidays or on weekends. However, as described above, the design of the parking lot provides area for vehicles with boat trailers to stack and to washdown boats that allows for use of the parking aisles by other vehicles. As such, public access will not be impacted, even on high demand periods.

#### 4. Public Recreation

The Harbor Department is not proposing to construct any public parks on the site. Although a picnic bench will be added adjacent to the restroom building, no other public amenities are proposed to encourage recreational use of the landscaped areas. Instead, the Harbor Department proposes to enhance and re-landscape the site with more climate appropriate native and non-invasive plants and trees. A portion of the new landscaping areas will consist of bioswales to filter runoff from the parking lot. Currently, the site is not used as a public park and is not designated as a public park in the PWP. Although public park use is allowed under the Visitor Serving Harbor Oriented designation in the PWP, the landscaped areas on the site have never been used by the



public for park purposes and these areas are not appropriate for use as a public park because they are too small to provide for adequate amenities. Thus, the project will not have adverse impacts to public access to public parks.

Therefore, the Commission finds that the proposed project will not result in any adverse impacts to public access to and along the waterways in the Harbor and that this Notice of Impending Development is consistent with applicable public access policies of the Channel Islands PWP and the Coastal Act.

#### **D. VISUAL RESOURCES**

The certified Channel Islands Harbor PWP incorporates by reference Coastal Act Section 30251, which seeks to protect the visual and scenic qualities of coastal areas as a resource of public importance.

Coastal Act Section 30251 states:

***The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.***

In addition, Policy 22 under Public Access and Recreation, Visual Access in the certified PWP states:

***To enhance visual quality and ensure that new development and redevelopment activity does not impede views to the water area from the roadway to and from the waterfront and inland Harbor area, the following measures shall be implemented by the County:***

***a. A view corridor shall be defined as that area between the roadway and the roadway and the water which is not occupied by buildings, solid walls or fences, or landscaping which might interfere with the view of the water or water surface activity from the roadway.***

***b. A view corridor shall be measured from the linear distance paralleling the nearest public road.***

***c. At least 25% of the Harbor shall provide a view corridor that is to be measured from the first main road inland from the water line, which shall be at least 25 feet in width. View corridors shall be landscaped in a manner that screens and softens the view across any parking and pavement areas***

***in the corridor. This landscaping, however, shall be designed to frame and accentuate the view, and shall not significantly block the view corridor. All redevelopment shall provide maximum views. Other than the proposed Boating Instruction and Safety Center (BISC) identified in this plan, no new development within a designated view corridor shall occur without an amendment to the Public Works Plan.***

***d. Future building or redevelopment in the Harbor shall not exceed 2 stories or 25 feet in height or 35 feet on parcel V-1 at the corner of Victoria and Channel Islands Boulevard. Height shall be measured from the centerline of the frontage road.***

The public views of the harbor waterways from Victoria Avenue and other public viewing areas in the harbor will not be adversely affected by the proposed development. The proposed restroom building will only be 15 feet high and 700 square feet and will not block views. Additionally, new landscaping, including replacing all removed trees, will visually enhance the site. (Exhibit 8) To minimize lighting impacts, the Harbor Department has included the following condition as part of its approval of the project to minimize view impacts:

11. Prior to installation of lighting, a lighting plan shall be submitted to the Harbor Department showing type of fixtures, heights, and intensity of illumination. Lighting plan [sic] shall comply with the standards approved by the County of Ventura and included in the Channel Islands Harbor Public Areas Plan & Design Guidelines. Lighting fixtures shall be cut-off type fixtures that divert lighting downward onto the property and shall not cast light onto adjacent property, roadways or waterways. Under canopy lighting shall be concealed or recessed so as not to be directly visible from the street.

Therefore, the Commission finds that, as submitted, the proposed Notice of Impending Development for the Public Boat Launch Facility Reconstruction is consistent with the applicable visual resource protection policies of the certified Public Works Plan.

## **E. BIOLOGICAL RESOURCES**

The certified Channel Islands Harbor PWP incorporates by reference Sections 30240, 30230, and 30231 of the Coastal Act. Section 30240 provides for the protection of Environmentally Sensitive Habitat Areas. Sections 30230 and 30231 of the Coastal Act mandate that marine resources and coastal water quality shall be maintained and where feasible restored.

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 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.***

In addition, Policy 2 under Biological Resources in the Public Works Plan states:

***Use of the marine environment shall be permitted to the extent that it does not adversely impact the biological productivity of Harbor and coastal waters.***

The Channel Islands Harbor Public Works Plan contains policies to protect marine and biological resources and environmentally sensitive habitat areas in and around Harbor waters. The Harbor Department proposes to reconstruct the public launch ramp on the east side of the harbor, including adjusting the ramp angle, reinforcing the existing support rip-rap, re-paving the site, demolishing and reconstructing the public restroom, constructing a new public walkway along the waterfront and along Victoria Avenue, relocating the entrance along Victoria Avenue, and improving the lighting and landscaping. This development has the potential to adversely impact marine and biological resources during the construction phase of the project. However, the landscaping and trees on the site, mostly non-native and invasive, do not provide an

ecologically important habitat and there is no evidence to indicate that these trees are sensitive resources. All removed trees are proposed to be replaced with native and/or non-invasive tree species pursuant to a detailed landscape plan. (Exhibit 8) Additionally, the Harbor Department has proposed to comply with all policies in the certified PWP related to marine and biological resources, as well as to comply with approvals and mitigation measures required by other resource agencies

#### 1. Nesting Birds

Section 4.5 (Biological) of the PWP states:

***Within Channel Islands Harbor terrestrial biological resources are limited in distribution and significance. The area is completely developed with commercial, recreational and residential structures; terrestrial vegetation consists entirely of introduced landscaping species.***

***Notwithstanding this man-made environment, several bird species, such as great blue herons and black-crowned night herons, utilize the trees in the Harbor for roosting and nesting. Although none of these species is listed as threatened or endangered, their presence is considered important. In addition, nearby Hollywood Beach west of the Harbor is designated as critical habitat for western snowy plover and California least tern.***

The presence of these bird species is important because some species of herons and egrets are considered Sensitive Species and play an integral role in the ecosystem as top wetland predators.

The proposed project is located on the east side of Channel Islands Harbor. The 6 acre project site contains approximately 245 trees, including Myoporum, Melaleuca, Mexican Fan Palm and New Zealand Christmas trees. Construction and reconfiguration of the site will require removal of 140 trees and 105 trees will remain but will be relocated. The Harbor Department has provided a summary of a tree inventory conducted on the site explaining that the trees on site range in size from 4 inches in diameter to 36 inches in diameter; four trees are 36 inches in diameter (the largest trees on site); nine trees are 30 inches in diameter or more; seventy-six trees are 10 inches or less in diameter. The Harbor Department has proposed a regionally appropriate plant palette to add trees, shrubs, and groundcover that are ecologically appropriate for the site.

Further, no trees on the property or on the east side of the harbor or on the subject site have been documented to contain nests of sensitive bird species according to surveys conducted by Dr. Jeffrey Froke, the Harbor Department's biologist. Dr. Froke regularly conducts surveys of trees within Channel Islands Harbor to identify locations of great blue heron and black-crowned night heron nests, and nests of other sensitive species. Dr. Froke has never documented nesting trees on the Harbor's east side along Victoria Avenue, where the project site is located. However, great blue herons and black-crowned night herons use various locations throughout the Channel Islands Harbor as nesting sites. These sites have been documented monthly from 2003 to the present by

Dr. Froke. The closest known tree used for nesting (Great Blue Heron nest), a Mexican Fan Palm, is located on the peninsula adjacent to the existing hotel, approximately 900 feet across the channel. Nevertheless, the Harbor Department has proposed to conduct biological surveys in conformity with those required by Policy 10 of the PWP to determine the presence of nesting birds (Harbor Department Condition 26) prior to the removal or relocation of any tree. Further, because no tree on the site has been used for breeding or nesting within the last five years, as documented by Dr. Froke, the 5-Year Tree Trimming and Removal Program approved through NOID 1-09 at the June 10, 2009 Commission hearing will not apply.

Although the landscape plan submitted by the Harbor Department includes native and/or non-invasive species, to ensure that the final landscape plan does not impact marine resources, the Harbor Department has proposed to incorporate a condition that assures that all landscaped areas are vegetated with native plants or non-native drought tolerant plants, and that no plant species listed as problematic and/or invasive by the California Native Plant Society (the California Invasive Plant Council, or as may be identified by the State of California) will be used in any landscaping or planter areas, or allowed to naturalize or persist on the site (Harbor Department Condition of Approval No. 35).

## 2. Resource Agencies

In addition, in order to ensure that the proposed project is consistent with all California Department of Fish and Game and other agency regulations, the Harbor Department has proposed to comply with all requirements and mitigation measures from the California Department of Fish and Game, United States Army Corps of Engineers, US Fish and Wildlife Service, and the Regional Water Quality Control Board prior to commencement of construction (Harbor Department Condition of Approval No. 34).

Therefore, the Commission finds that the proposed Notice of Impending Development, as submitted, is consistent with the biological policies of the certified PWP.

## **F. CALIFORNIA ENVIRONMENTAL QUALITY ACT**

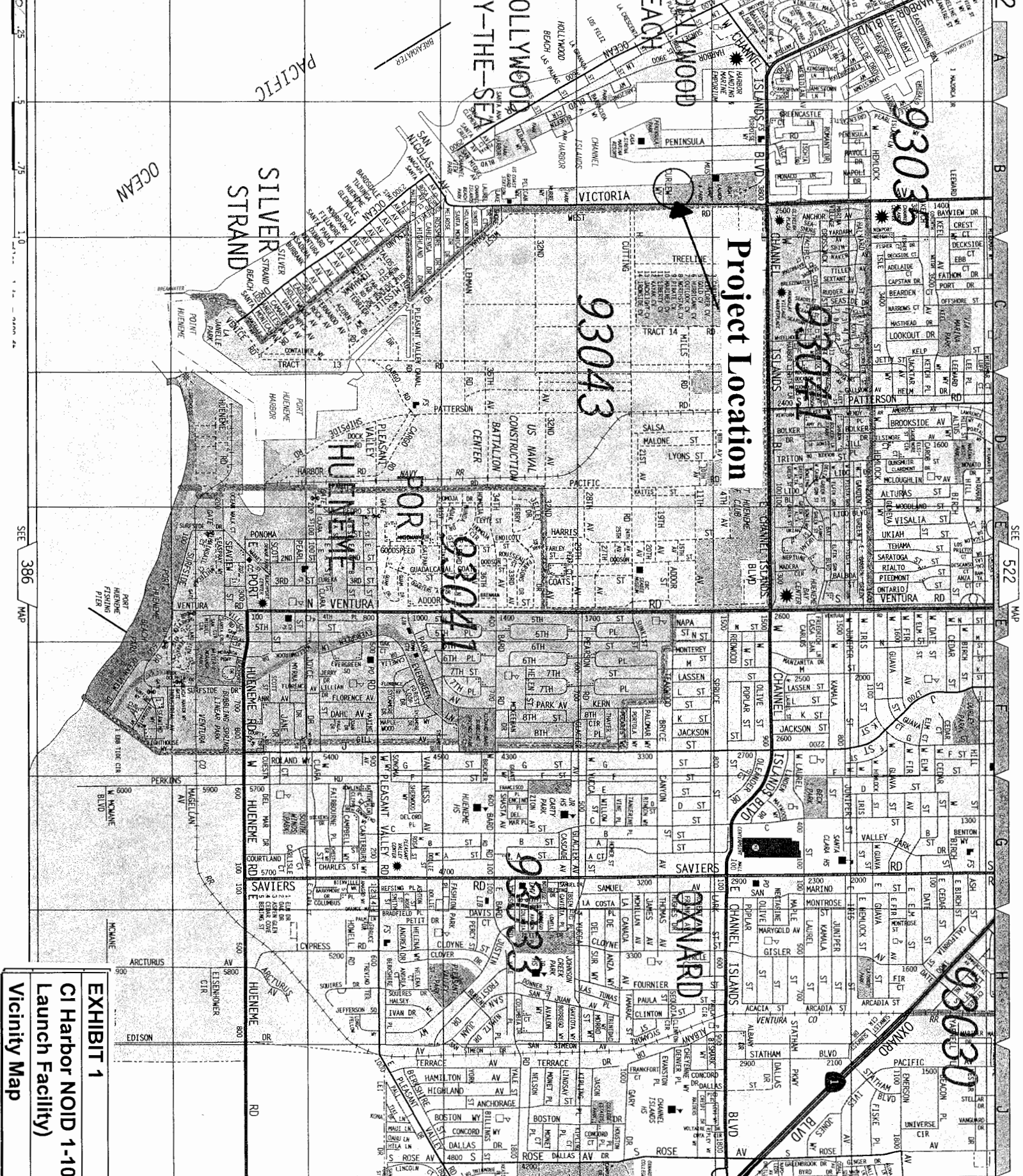
The Harbor Department, in its role as lead agency for the PWP and the NOID for purposes of the California Environmental Quality Act ("CEQA"),<sup>1</sup> has determined that the project is categorically exempt from the provisions of CEQA, under CEQA Guidelines Section 15302. 14 C.C.R. § 15302 ("Replacement or Reconstruction"); see *also* CEQA section 21084 (authorizing promulgation of regulations listing categorical exemptions). For CEQA purposes, the Commission's role with respect to this project is that of a responsible agency. Despite the lead agency's determination of categorical exemption for the project, the Commission has separately considered the potential environmental impacts of the project as it would be characterized under both CEQA and the Coastal Act. As an agency with a certified regulatory program under CEQA section

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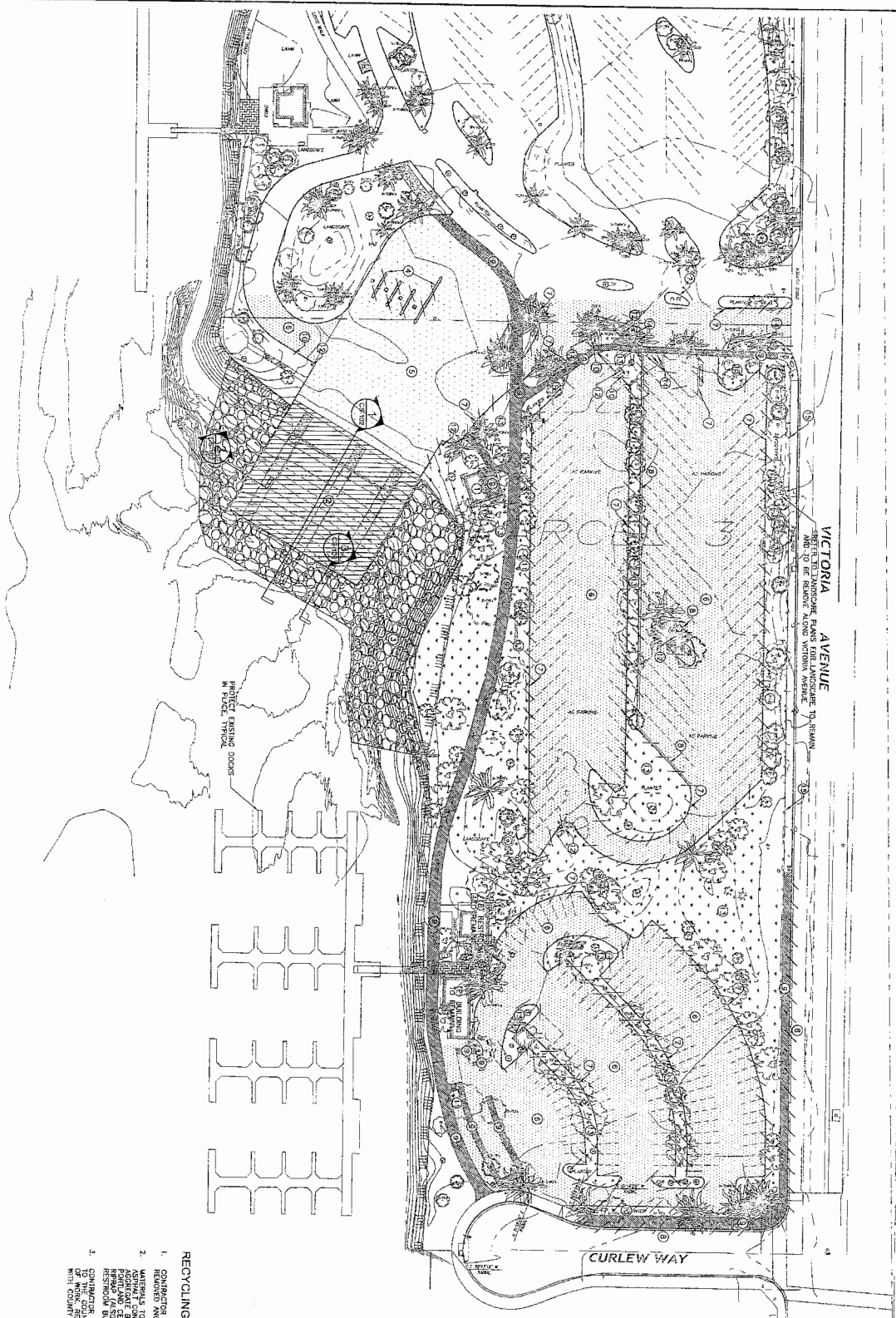
<sup>1</sup> Cal. Pub. Res. Code ("PRC") §§ 21000 *et seq.* All further references to CEQA sections are to sections of the PRC.

21080.5, the Commission regularly assesses whether its approval of a project, as modified by any conditions of approval, is consistent with the provisions in CEQA Section 21080.5(d)(2)(A) that a proposed project not be approved if there are feasible alternatives or feasible mitigation measures available that would substantially lessen any significant adverse effect the activity may have on the environment. As in other contexts, the Commission has considered that question here.

The Commission incorporates its findings on Coastal Act and PWP 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 approved by this NOID, as submitted, is consistent with the policies of the certified PWP. Feasible mitigation measures that will minimize all adverse environmental impacts have been incorporated into the project. As submitted, there are no feasible alternatives or feasible mitigation measures available that would substantially lessen any significant adverse impact that the activity may have on the environment. Therefore, the Commission finds that the Notice of Impending Development is consistent with CEQA Section 21080.5(d)(2)(A), and the applicable provisions of the Public Works Plan.



**EXHIBIT 1**  
**CI Harbor NOID 1-10 (Public Boat Launch Facility)**  
 Vicinity Map



**NOTES:**

1. (E) RESTROOM TO BE REMOVED AND RECONSTRUCTED.
2. (E) CONCRETE LAUNCH RAMP, FOUNDATIONS (E) PILING (E), WOOD DOCKING FLOCKS TO BE REMOVED.
3. (E) CURLEW AND STORE ROCK FOR CONCRETE CURB, GUTTER, AND PILING.
4. REMOVE AND DISPOSE OF (E) CONCRETE CURB, GUTTER, AND PILING. RECONSTRUCT WITH DEPRESSURE (E) TO BE NEW LOCATION. CURB AND PILING TO BE REMOVED AND DISPOSED OF.
5. REMOVE AND DISPOSE OF CONCRETE FOUNDATION AND ASPHALT (E) AC.
6. REMOVE AND DISPOSE OF (E) CURB AND UTILITY.
7. REMOVE AND DISPOSE OF (E) CURB AND UTILITY.
8. REMOVE AND DISPOSE OF (E) CURB AND UTILITY.
9. REMOVE AND DISPOSE OF (E) CONCRETE FOUNDATION.
10. REMOVE STAIRS.
11. REMOVE FOUNDATION AND RECONSTRUCT WITH CONCRETE.
12. REMOVE FOUNDATIONS AND RECONSTRUCT WITH CONCRETE.
13. REMOVE AND DISPOSE OF (E) CURB AND UTILITY.
14. REMOVE (E) LAUNCH (E) RAMP.
15. REMOVE (E) CURB AND DISPOSE OF POSTS AND CHAIN TYPES AND DISPOSE OF REBAR.
16. REFER TO SITE EXISTENCE AND RECONSTRUCTION PLAN FOR RECONSTRUCTION AND TO BE REMOVED.

**RECYCLING NOTES:**

1. CONTRACTOR SHALL REMOVE ALL MATERIALS NOTED TO BE REMOVED AND DISPOSED.
2. MATERIALS TO BE RECYCLED ARE AS FOLLOWS:  
 2.1. CONCRETE  
 2.2. ASPHALT  
 2.3. METAL  
 2.4. WOOD  
 2.5. STEEL  
 2.6. GLASS  
 2.7. PLASTIC  
 2.8. RUBBER  
 2.9. PAINT  
 2.10. OTHER  
 2.11. OTHER
3. CONTRACTOR SHALL SUBMIT A PROPOSED RECYCLING PLAN WITH BIDDER'S REQUIREMENTS.



DESIGNED BY	DATE
CHECKED BY	DATE
APPROVED BY	DATE
SHEET TITLE	
DRAWING TITLE	

Channel Islands Harbor  
 NOID-Replacement and  
 Rehabilitation of Public Boat  
 Launch Facility  
 Submitted November 2, 2009

LAUNCH RAMP PROJECT  
 CALIFORNIA

CONSULTANTS:

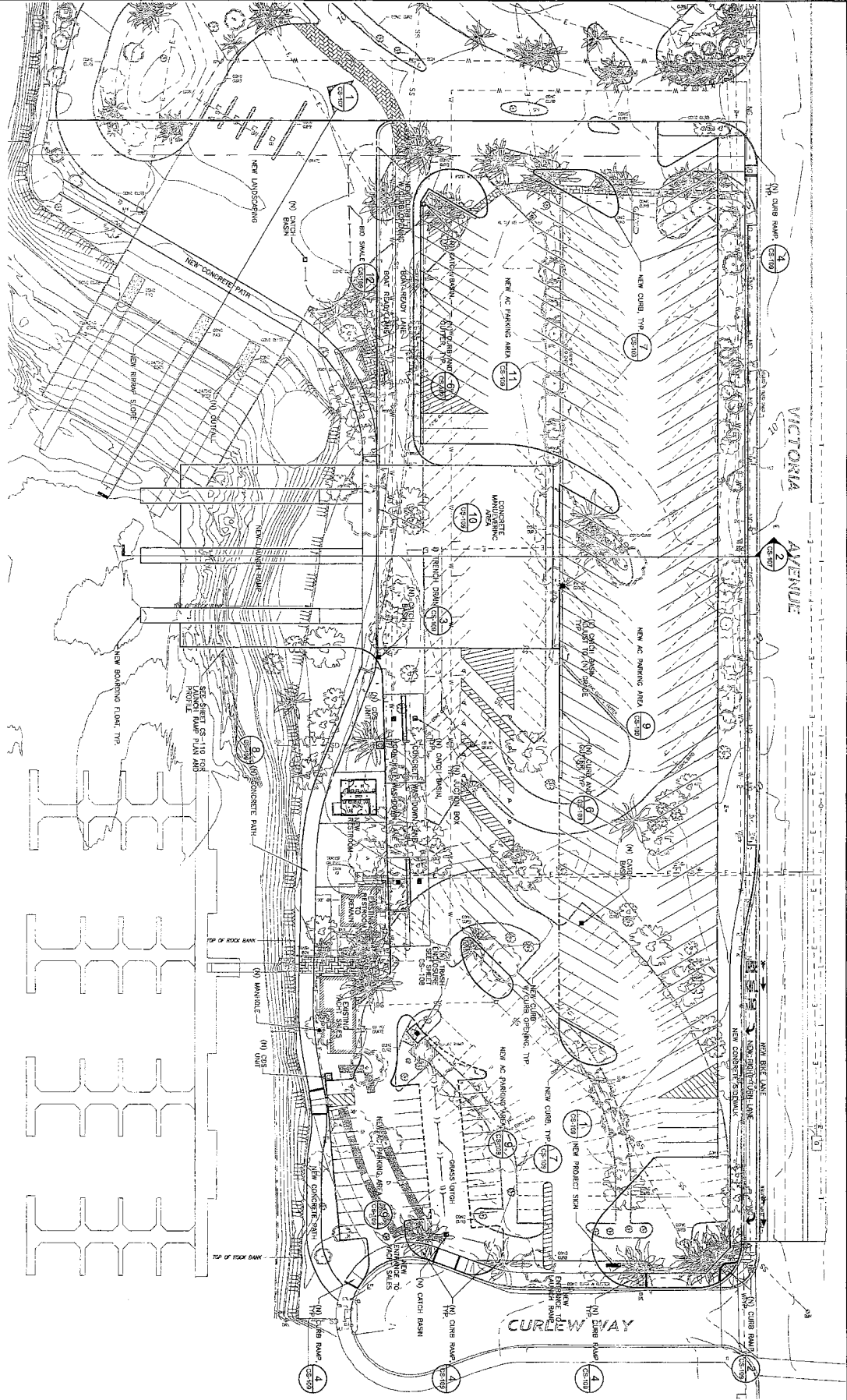


150 Grand Avenue  
 Suite 400  
 Oakland, California 94612  
 PHONE: 510-835-2761  
 FAX: 510-835-9628

**EXHIBIT 2**  
**CI Harbor NOID 1-10 (Public Boat Launch Facility)**  
**Project Site (current condition)**

IF THIS DRAWING IS LESS THAN 24" X 36" IT IS A REDUCED SIZE DRAWING.





- NOTES:
1. REFER TO SHEET 23 TO SHEET 28 FOR NEW RESTROOM IMPROVEMENT.
  2. REFER TO SHEET 39 TO SHEET 46 FOR LANDSCAPING IMPROVEMENT.
  3. REFER TO SHEET 23 TO SHEET 24 FOR PUBLIC ROAD IMPROVEMENT.



Channel Islands Harbor  
 NOID-Replacement and  
 Rehabilitation of Public Boat  
 Launch Facility  
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LAUNCH RAMP PROJECT  
 OXNARD, CALIFORNIA

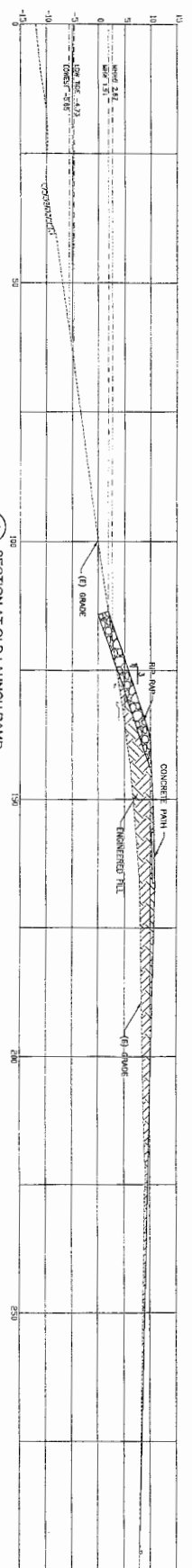
CONSULTANTS:



160 Grand Avenue  
 Suite 400  
 Oxnard, California 94512  
 PHONE: 510-435-2761  
 FAX: 510-435-9639

**EXHIBIT 3**  
**CI Harbor NOID 1-10 (Public Boat Launch Facility)**  
**Site Plans**

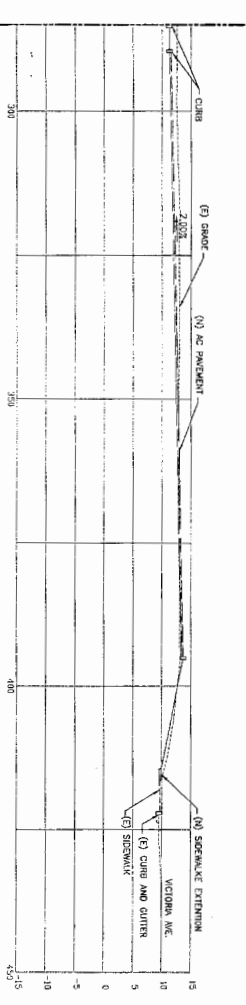
IF THIS DRAWING IS LESS THAN 24" X 36" IT IS A REDUCED SIZE DRAWING



1 SECTION AT OLD LAUNCH RAMP  
SCALE: 1" = 10'

PI ELEV = 7.24  
A.O. = -13.00  
1:20

MATCH LINE  
SEE BELOW



2 SECTION AT NEW PARKING LOT AND LAUNCH RAMP  
SCALE: 1" = 10'

MATCH LINE  
SEE ABOVE

LAUNCH RAMP PROJECT  
OXNARD, CALIFORNIA

CONSULTANTS:

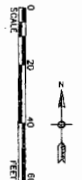
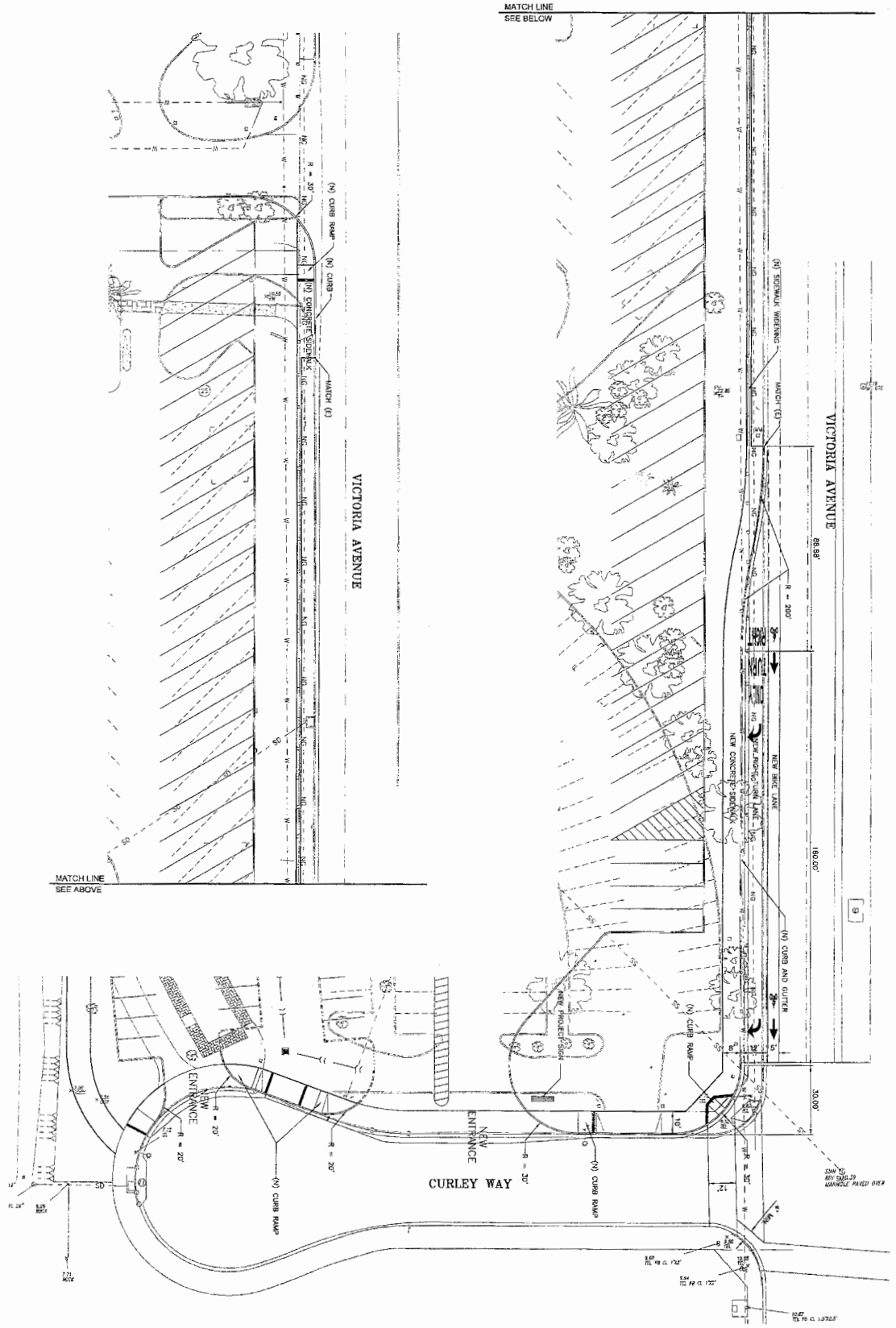


160 Grand Avenue  
Suite 400  
Oxnard, California 94512  
PHONE: 510-635-2761  
FAX: 510-635-9839

**EXHIBIT 4**  
**CI Harbor NOID 1-10 (Public Boat Launch Facility)**  
**Launch Ramp Section**

CROSS SECTIONS

Channel Islands Harbor  
NOID-Replacement and  
Rehabilitation of Public Boat  
Launch Facility  
Submitted November 2, 2009



PROJECT:	HARBOR NOID-REPLACEMENT AND REHABILITATION OF PUBLIC BOAT LAUNCH FACILITY
DATE:	NOVEMBER 2, 2009
DESIGNED BY:	TRAN SYSTEMS
CHECKED BY:	G.M.
SHEET TITLE:	VICTORIA AVENUE & CURLEY WAY

Channel Islands Harbor  
 NOID-Replacement and  
 Rehabilitation of Public Boat  
 Launch Facility  
 Submitted November 2, 2009

INCH RAMP PROJECT	CONSULTANTS:
LIFORNIA	

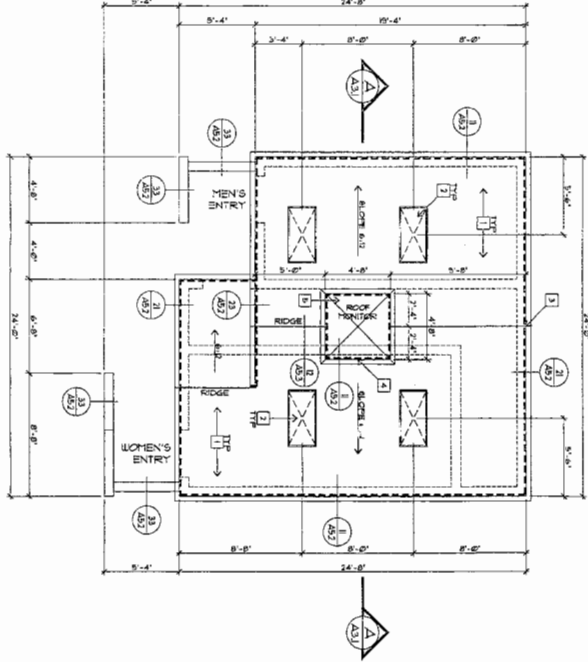
**Tran Systems**

180 Grand Avenue  
 Suite 400  
 Oakland, California 94612  
 PHONE: 510-825-2701  
 FAX: 510-825-9839

**EXHIBIT 5**  
**CI Harbor NOID 1-10 (Public Boat Launch Facility)**  
**Victoria Avenue Improvements**

IF THIS DRAWING IS LOST, PLEASE CONTACT THE ARCHITECT FOR A REPRODUCTION OF THIS DRAWING.

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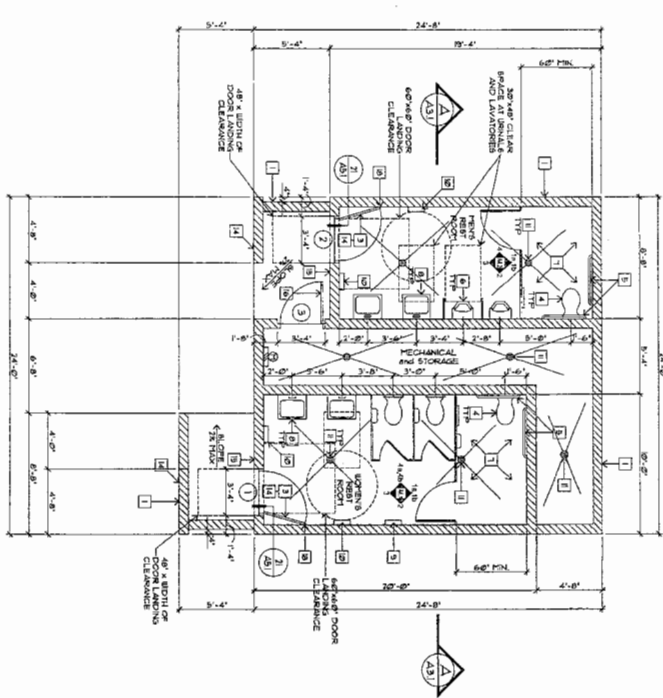
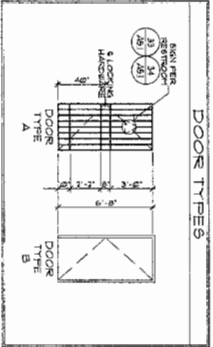
RESTROOM ROOF PLAN  
1/4"=1'-0"

**ROOF PLAN REF. NOTES**

1. FLOOR FINISH SHALL BE 1/2" THICK GYPSUM BOARD ON 1" x 4" JOISTS.
2. ROOFING SHALL BE 2" POLYURETHANE FOAM INSULATION OVER GYPSUM BOARD. SEE DETAIL 2.
3. FLASHING AT ROOF PENETRATIONS SHALL BE AS SHOWN IN DETAIL 3.
4. ALL ROOF PENETRATIONS SHALL BE WEATHER-RESISTANT AND FLASHED TO EXTERIOR.
5. ROOF PENETRATIONS SHALL BE WEATHER-RESISTANT AND FLASHED TO EXTERIOR.

**DOOR SCHEDULE**

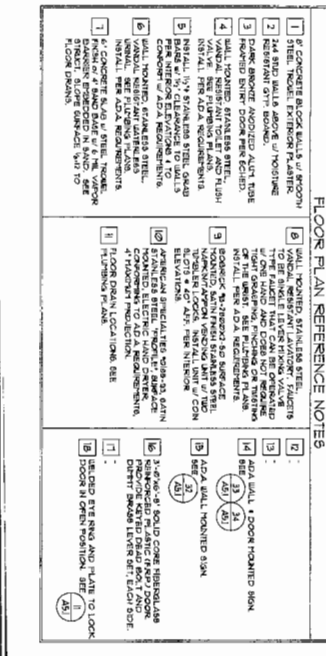
ID	DOOR TYPE	FINISH	HAND	FRAME	GLASS	REMARKS
1	DOOR TYPE 1	1/2" x 1/4" x 3/4"	RIGHT	ALUMINUM	GLASS	DRIVE THROUGH DOOR TO LAUNCH AREA
2	DOOR TYPE 2	1/2" x 1/4" x 3/4"	LEFT	ALUMINUM	GLASS	DRIVE THROUGH DOOR TO LAUNCH AREA
3	DOOR TYPE 3	1/2" x 1/4" x 3/4"	RIGHT	ALUMINUM	GLASS	DRIVE THROUGH DOOR TO LAUNCH AREA



RESTROOM FLOOR PLAN  
1/4"=1'-0"

**FLOOR PLAN REFERENCE NOTES**

1. CONCRETE BLOCK WALLS OF ROOMS.
2. WALL FINISH: EXPANSION JOINTS TO BE IN SHEET STEEL FROM V.A.S.
3. WALL FINISH: EXPANSION JOINTS TO BE IN SHEET STEEL FROM V.A.S.
4. WALL FINISH: EXPANSION JOINTS TO BE IN SHEET STEEL FROM V.A.S.
5. WALL FINISH: EXPANSION JOINTS TO BE IN SHEET STEEL FROM V.A.S.
6. WALL FINISH: EXPANSION JOINTS TO BE IN SHEET STEEL FROM V.A.S.
7. WALL FINISH: EXPANSION JOINTS TO BE IN SHEET STEEL FROM V.A.S.
8. WALL FINISH: EXPANSION JOINTS TO BE IN SHEET STEEL FROM V.A.S.
9. WALL FINISH: EXPANSION JOINTS TO BE IN SHEET STEEL FROM V.A.S.
10. WALL FINISH: EXPANSION JOINTS TO BE IN SHEET STEEL FROM V.A.S.
11. WALL FINISH: EXPANSION JOINTS TO BE IN SHEET STEEL FROM V.A.S.
12. WALL FINISH: EXPANSION JOINTS TO BE IN SHEET STEEL FROM V.A.S.
13. WALL FINISH: EXPANSION JOINTS TO BE IN SHEET STEEL FROM V.A.S.
14. WALL FINISH: EXPANSION JOINTS TO BE IN SHEET STEEL FROM V.A.S.
15. WALL FINISH: EXPANSION JOINTS TO BE IN SHEET STEEL FROM V.A.S.



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**EXHIBIT 6**  
**CI Harbor NOID 1-10 (Public Boat Launch Facility)**  
**New Restroom Plans**

Channel Islands Harbor  
NOID-Replacement and  
Rehabilitation of Public Boat  
Launch Facility  
Submitted November 2, 2009

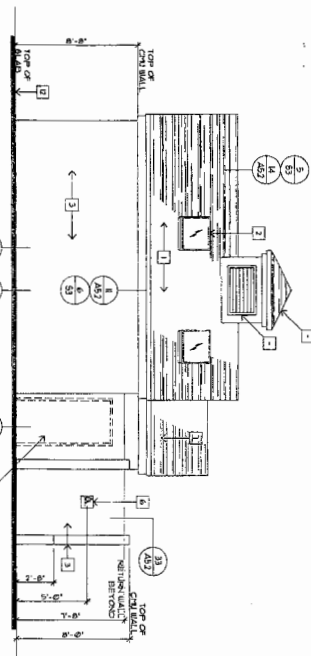
CH RAMP PROJECT ORNI	CONSULTANTS <b>architect west</b> 14500 Blue Sky Blvd Van Nuys, CA 91411 Tel: 818-708-1171 Fax: 818-708-1172	<b>Systems</b> 180 Grand Avenue Suite 400 Orange, California 94612 PHONE: 510-435-2761 FAX: 510-435-9820
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**REVISIONS**

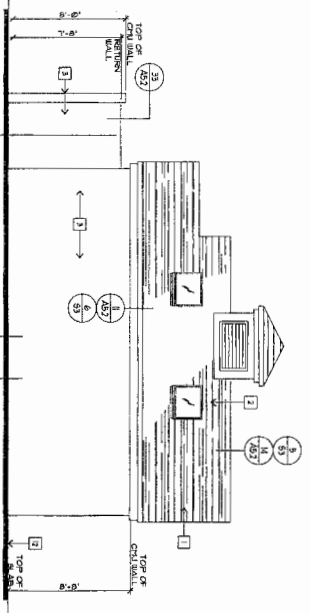
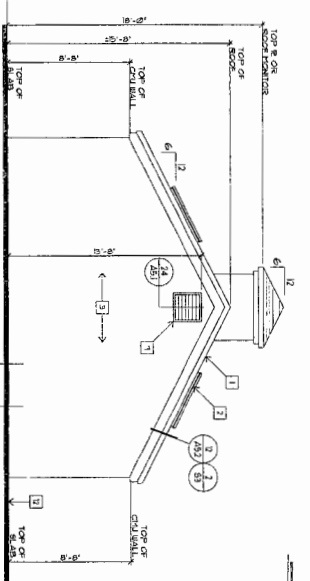
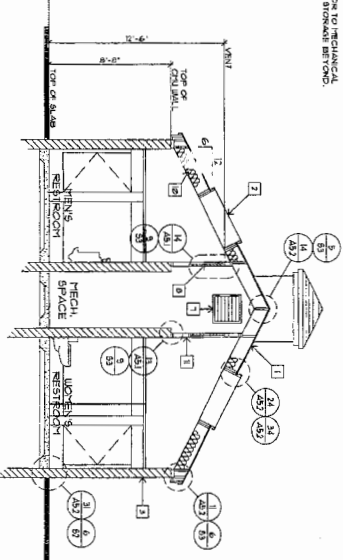
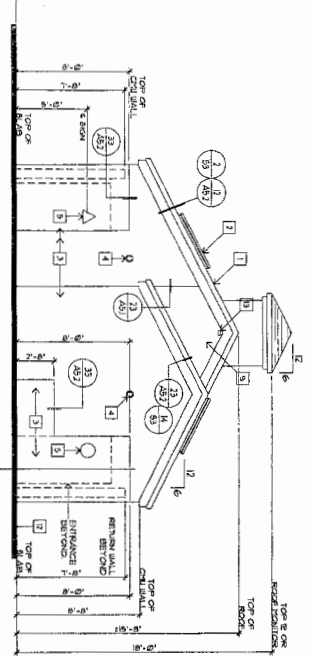
NO.	DESCRIPTION	DATE	BY	CHK
1	ISSUED FOR PERMIT	11/02/09	JW	AW

**SHEET TITLE**  
FLOOR PLAN, RESTROOM

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- REFERENCE NOTES**
1. HIGHER GRADE SLATE TILE ROOF OR ROOFING PENETRATION. SEE DETAILS.
  2. 2" x 4" ANCHORED ALUM. HANG KNOTHOLE BEYOND COILING AREA. SEE ROOF PLAN.
  3. STEEL TUBULE EXTENSION FLASHING.
  4. EXTERIOR LIGHT FIXTURE PER REF. (A).
  5. ELECTRICAL TRAYS.
  6. ADA WALL MOUNTED SIGN REF. (A).
  7. 3/4" DIA. HORIZONTAL PIPE OR VENT. STOPPED RESISTANT LOWER VENTS.
  8. 2" DIA. HORIZONTAL PIPE OR VENT. STOPPED BY BRICK SHIMMED WALL FLASHER.
  9. STEEL TUBULE EXTENSION FLASHING.
  10. R-18 INSULATION IN ALL VALUED CEILING/PAV. AND WALL. W/ MOISTURE RESISTANT DRY PACK BOARD.
  11. INSULATION ABOVE ROOF IN VENT AREA.
  12. HANG DOWN SIGN. SEE REF. (A).
  13. LOCATION OF PHOTO CELL TO CONTROL OUTDOOR LIGHTING. SEE ELECTRICAL.
  - 14.



**EXHIBIT 7**

**CI Harbor NOID 1-10 (Public Boat Launch Facility)**  
**Restroom Elevations**

PROJECT NO.	11-10
SCALE	AS SHOWN
DATE	11/10/09
DESIGNED BY	OCB
CHECKED BY	
SHEET TITLE	EXTERIOR FI ELEVATIONS

Channel Islands Harbor  
NOID-Replacement and  
Rehabilitation of Public Boat  
Launch Facility  
Submitted November 2, 2009

NCH RAMP PROJECT  
CALIFORNIA



**Systems**

180 Grand Avenue  
Suite 400  
Oakland, California 94612  
PHONE: 510-836-2701  
FAX: 510-435-9593



**PLANT LEGEND**

- ① EXISTING TREE TO REMAIN
- ② TREE 15 GALLON SIZE

**PLANT LIST**

ABBREV BOTANICAL NAME

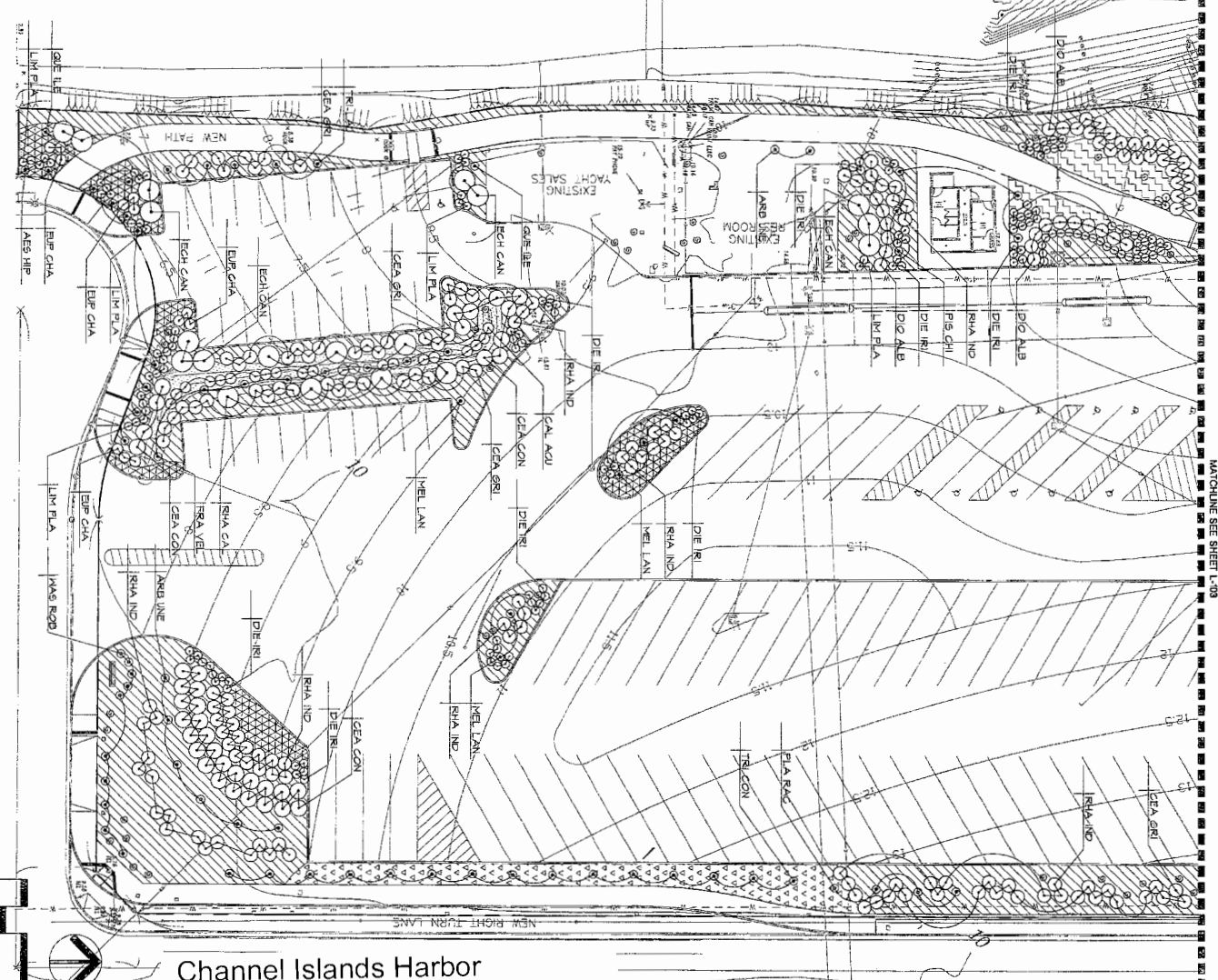
COMMON NAME

SIZE SPACING

ABBREV	BOTANICAL NAME	COMMON NAME	SIZE	SPACING
TREES				
AES HIP	ASCULUS HIPPOCASTANUM	RED HORSECHESNUT	15 GALLON	AS SHOWN
ARB VNE	AREBUTUS VUNDO	STRAWBERRY TREE	15 GALLON	AS SHOWN
FRAL VEL	FRAXINUS VELUTINA	ARIZONA ASH	15 GALLON	AS SHOWN
MEL LAN	MELALEUCA LANCEOLATA	BLACK TEA TREE	15 GALLON	AS SHOWN
NET TON	NETROSIDEROS TOHENTOSA	NEW ZEALAND CHRISTMAS TREE	15 GALLON	AS SHOWN
PIS CHI	PISTACIA CHINENSIS	CHINESE PISTACHE	15 GALLON	AS SHOWN
PLA RAC	PLATANUS RADICOSA	CALIFORNIA Sycamore	15 GALLON	AS SHOWN
QAE ILE	QAEGERGIA ILEX	HOLLY OAK	15 GALLON	AS SHOWN
QAE RUB	QAEGERGIA RUBRA	RED OAK	15 GALLON	AS SHOWN
SAL BAB	SALIX BABINGTONIA	KEEPING MULLON	15 GALLON	AS SHOWN
TRI CON	TRISTANIA COBERTIA	BRISSANE BOX	15 GALLON	AS SHOWN
TRI LAU	TRISTANIA LAURINA	WATER GUM	15 GALLON	AS SHOWN
MAS ROB	MANNISTONIA ROBUSTA	MEXICAN FAN PALM	15 GALLON	AS SHOWN
SHRUBS				
CEA SRI	CEANOTHUS GRISEUS HORIZONTALIS	CARVEL CREEPER	5 GALLON	3'-0" O.C.
DIE RI	DICTYOSPIDIOS	FORTNIGHT LILY	1 GALLON	3'-0" O.C.
DIO ALB	DIOSMA ALBUM	WHITE BREATH OF HEAVEN	5 GALLON	3'-0" O.C.
ECH CAN	ESCHIM CANDICANS	PRIDE OF MADAGASCAR	5 GALLON	8'-0" O.C.
EUP CHA	EUPHORBIA CHARCAKAS WALTERII	N.C.N.	5 GALLON	4'-0" O.C.
LIM PLA	LIMONUM PLATYRHEUM	SEA LAVENDER	1 GALLON	3'-0" O.C.
PHO TEN	PHORNIUM TENAX VARIEGATUM	NEW ZEALAND FLAX	5 GALLON	6'-0" O.C.
RHA IND	RHAPHIOLEPS INDICA CLARCA	INDIAN HANTHORN	5 GALLON	5'-0" O.C.
GRASSES				
CAL ACU	CALYPSORHIS X ACUTIFLORA	FEATHER REED GRASS	1 GALLON	4'-0" O.C.
CAR GLA	CAREX GLAUCA	BLUE SEDGE	1 GALLON	2'-0" O.C.
GROUNDCOVERS				
ACTO THECA	ACTOTHECA CALENDULA	CANE REED	FLATS	1'-6" O.C.
COP ROSA	COPROSA KIRKII VARIEGATA	COPROSA	1 GALLON	4'-0" O.C.
COTONEASTER	COTONEASTER DAMMERI LOWFAST	BEARBERY COTONEASTER	1 GALLON	5'-0" O.C.
GAZANIA	GAZANIA REGENS VAR. LEMCOLABRA	TRAILING GAZANIA MITSUBA WHITE	FLATS	1'-0" O.C.
MYOPORIUM	MYOPORIUM PARVIFOLIUM	MYOPORIUM	FLATS	6'-0" O.C.
Turf FROM SOD				
BIORETENTION AREAS				
BAC PIL	BACCHARIS PILLULARIS	COTYLE BRUSH	1 GALLON	6'-0"
CEA CON	CEANOTHUS CONCHA	CALIFORNIA LILAC	5 GALLON	6'-0"
LAV ASS	LAVATERA ASSURAGENTIFLORA	TREE YALLOM	5 GALLON	8'-0"
MHA RIS	MALHEBERGIA REGENS	DEER GRASS	1 GALLON	4'-0"
RHA CAL	RHAPHANUS CALIFORNICA	CONFESSORY	5 GALLON	8'-0"
VARCOTRYPHANTOS	VERNALD CARPET	GREENING WAZZANITA	FLATS	5'-0" O.C.
BACCHARIS PILLULARIS THIN PEAKS		DMAR COTYLE BRUSH	1 GALLON	6'-0" O.C.
CEANOTHUS GRISEUS ANCHOR BAY		ANCHOR BAY CALIFORNIA LILAC	1 GALLON	6'-0" O.C.
NO NON FESCUE				

NOTE • NATIVE PLANTS

**60% SUBMITTAL**  
OCTOBER 9, 2009



THIS DRAWING IS LIES UNDER THE TITLE AND SHOULD BE DRAWING

0 10' 20' 40'

Channel Islands Harbor  
NOID-Replacement and  
Rehabilitation of Public Boat  
Launch Facility  
Submitted November 2, 2009

DATE: 11/02/09  
DRAWN BY: TAJR  
CHECKED BY: VJTB  
SHEET TITLE:  
SHEET NO.: L-104  
PROJECT: CHANNEL ISLANDS HARBOR NOID-REPLACEMENT AND REHABILITATION OF PUBLIC BOAT LAUNCH FACILITY

AUNCH RAMP PROJECT  
CONSULTANTS:  
Callander Associates  
Landscape Architecture  
311 Sacker Ave.  
San Marcos, CA 92067  
Tel: 760.372.1313  
Fax: 760.344.8290

TRAN SYSTEMS  
180 Grand Avenue  
Suite 400  
Oakland, California 94612  
PHONE: 510-835-2761  
FAX: 510-835-9630

2

**60% SUBMITTAL**  
OCTOBER 9, 2009

NO.	DESCRIPTION	DIAMETER	NOTE
1-2	TREE	4"	REMAIN
3	TREE	10"	REMAIN
4-4	PALM	12"	RELOCATE
10	TREE	6"	RELOCATE
11-5	PALM	16"	RELOCATE
14-6	PALM	24"	RELOCATE
17	PALM	12"	RELOCATE
18-24	PALM	16"	RELOCATE
23	TREE	4"	RELOCATE
26	TREE	24"	RELOCATE
27	TREE	10"	RELOCATE
28-30	PALM	12"	RELOCATE
31	TREE	16"	RELOCATE
32-33	PALM	12"	REMAIN
34	TREE	6"	REMAIN
35	TREE	16"	REMAIN
36	PALM	16"	REMAIN
37	TREE	10"	REMAIN
38	TREE	12"	REMAIN
39	TREE	24"	REMAIN
40	TREE	16"	REMAIN
41	TREE	24"	REMAIN
42	TREE	16"	REMAIN
43	PALM	16"	REMAIN
44	TREE	8"	REMAIN
45	TREE	10"	REMAIN
46	TREE	24"	REMAIN
47	TREE	16"	REMAIN
48	TREE	6"	REMAIN
49	TREE	10"	REMAIN
50	TREE	24"	REMAIN
51	TREE	16"	REMAIN
52	TREE	36"	REMAIN
53	TREE	24"	REMAIN
54-55	TREE	10"	REMAIN
56	TREE	12"	REMAIN
57	TREE	16"	REMAIN
58	TREE	12"	REMAIN
59	TREE	10"	REMAIN
60	TREE	24"	REMAIN
61	TREE	16"	REMAIN
62	TREE	8"	REMAIN
63	TREE	24"	REMAIN
64	TREE	36"	REMAIN
65	TREE	6"	REMAIN
66	TREE	12"	REMAIN
67	TREE	16"	REMAIN
68	TREE	12"	REMAIN
69	TREE	8"	REMAIN
70	TREE	16"	REMAIN
71	TREE	12"	REMAIN
72	TREE	16"	REMAIN
73	TREE	6"	REMAIN
74	TREE	6"	REMAIN
75	TREE	12"	REMAIN

NO.	DESCRIPTION	DIAMETER	NOTE
76	TREE	24"	RELOCATE
77	PALM	24"	RELOCATE
78-82	PALM	12"	RELOCATE
83	TREE	6"	RELOCATE
84	PALM	10"	RELOCATE
85	TREE	4"	RELOCATE
86	TREE	16"	RELOCATE
87	TREE	36"	RELOCATE
88	TREE	12"	RELOCATE
89	TREE	5"	RELOCATE
90	TREE	12"	RELOCATE
91	TREE	8"	RELOCATE
92	TREE	6"	RELOCATE
93	TREE	12"	RELOCATE
94	TREE	16"	RELOCATE
95	TREE	12"	RELOCATE
96	TREE	16"	RELOCATE
97-103	TREE	5"	RELOCATE
104	TREE	6"	RELOCATE
105	TREE	6"	RELOCATE
106	TREE	5"	RELOCATE
107-109	TREE	10"	RELOCATE
110	TREE	24"	RELOCATE
111	TREE	12"	RELOCATE
112	TREE	10"	RELOCATE
113	TREE	10"	RELOCATE
114	TREE	4"	RELOCATE
115	TREE	6"	RELOCATE
116	TREE	6"	RELOCATE
117	TREE	24"	RELOCATE
118	TREE	16"	RELOCATE
119	TREE	12"	RELOCATE
120	TREE	10"	RELOCATE
121	TREE	24"	RELOCATE
122	TREE	12"	RELOCATE
123	TREE	6"	RELOCATE
124	TREE	24"	RELOCATE
125-127	TREE	16"	RELOCATE
128	TREE	10"	RELOCATE
129	TREE	24"	RELOCATE
130	TREE	12"	RELOCATE
131	TREE	24"	RELOCATE
132	TREE	12"	RELOCATE
133	TREE	56"	RELOCATE
134	TREE	24"	RELOCATE
135	TREE	36"	RELOCATE
136	TREE	10"	RELOCATE
137	TREE	16"	RELOCATE
138	PALM	12"	RELOCATE
139	TREE	24"	RELOCATE
140	TREE	6"	RELOCATE
141	TREE	16"	RELOCATE

NO.	DESCRIPTION	DIAMETER	NOTE
142	TREE	24"	RELOCATE
143-144	TREE	6"	RELOCATE
145	TREE	24"	RELOCATE
146	TREE	6"	RELOCATE
147	PALM	16"	RELOCATE
148	PALM	12"	RELOCATE
149-154	PALM	16"	RELOCATE
155	TREE	24"	RELOCATE
156	TREE	4"	RELOCATE
157-159	TREE	6"	RELOCATE
160	PALM	4"	RELOCATE
161	TREE	5"	RELOCATE
162	PALM	24"	RELOCATE
163	TREE	16"	RELOCATE
164-166	TREE	18"	RELOCATE
167	TREE	16"	RELOCATE
168-169	PALM	6"	RELOCATE
170	TREE	18"	RELOCATE
171	TREE	24"	RELOCATE
172	TREE	16"	RELOCATE
173	TREE	10"	RELOCATE
174	TREE	8"	RELOCATE
175	TREE	24"	RELOCATE
176	TREE	8"	RELOCATE
177-178	TREE	10"	RELOCATE
179	TREE	24"	RELOCATE
180	TREE	8"	RELOCATE
181	TREE	14"	RELOCATE
182	TREE	6"	RELOCATE
183	TREE	12"	RELOCATE
184	TREE	18"	RELOCATE
185	TREE	24"	RELOCATE
186-187	PALM	18"	RELOCATE
188	PALM	6"	RELOCATE
189	TREE	4"	RELOCATE
190	TREE	6"	RELOCATE
191	TREE	8"	RELOCATE
192	TREE	24"	RELOCATE
193	TREE	12"	RELOCATE
194	TREE	16"	RELOCATE
195	TREE	20"	RELOCATE
196	TREE	12"	RELOCATE
197	TREE	6"	RELOCATE
198	TREE	4"	RELOCATE
199	PALM	16"	RELOCATE
200	TREE	5"	RELOCATE
201	TREE	30"	RELOCATE
202	TREE	12"	RELOCATE
203	TREE	10"	RELOCATE
204	TREE	18"	RELOCATE
205	PALM	12"	RELOCATE
206	TREE	10"	RELOCATE
207	TREE	10"	RELOCATE
208	TREE	32"	RELOCATE

NO.	DESCRIPTION	DIAMETER	NOTE
209	TREE	16"	RELOCATE
210	TREE	30"	RELOCATE
211	TREE	20"	RELOCATE
212	TREE	18"	RELOCATE
213	TREE	24"	RELOCATE
214-215	PALM	16"	RELOCATE
216	TREE	20"	RELOCATE
217	TREE	18"	RELOCATE
218	TREE	10"	RELOCATE
219	TREE	16"	RELOCATE
220-221	TREE	12"	RELOCATE
222	TREE	16"	RELOCATE
223	TREE	18"	RELOCATE
224	TREE	12"	RELOCATE
225	TREE	24"	RELOCATE
226	TREE	20"	RELOCATE
227	TREE	18"	RELOCATE
228-229	PALM	12"	RELOCATE
230	PALM	18"	RELOCATE
231-232	PALM	16"	RELOCATE
233	PALM	16"	RELOCATE
234	PALM	16"	RELOCATE
235	TREE	18"	RELOCATE
236	TREE	30"	RELOCATE
237	TREE	12"	RELOCATE
238	TREE	6"	RELOCATE
239	TREE	8"	RELOCATE
240	TREE	4"	RELOCATE
241	TREE	8"	RELOCATE
242-245	TREE	4"	RELOCATE

**TOTALS**  
TOTAL TO REMAIN (INCLUDING 26 TO BE RELOCATED)  
TOTAL TO BE REMOVED

Channel Islands Harbor  
NOID-Replacement and  
Rehabilitation of Public Boat  
Launch Facility  
Submitted November 2, 2009

LAUNCH RAMP PROJECT  
CALIFORNIA

CONSULTANTS:  
Callander Associates  
111 Seventh Ave.  
San Bruno, CA 94061  
Tel: 650.376.1313  
Fax: 650.344.3270



**TranSystems**  
180 Grand Avenue  
Oakland, California 94612  
PHONE: 510-835-2781  
FAX: 510-835-9339

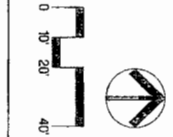
SHEET NO. L-105  
DATE: 11/2/09  
DRAWN BY: T. CALLANDER  
CHECKED BY: T. CALLANDER  
SHEET TITLE: TREE INVENTORY PLAN

3



**60% SUBMITTAL**  
OCTOBER 9, 2009

MATCHLINE SEE SHEET L-5



## Channel Islands Harbor NOID-Replacement and Rehabilitation of Public Boat Launch Facility

Submitted November 2, 2009

SHEET NO.	L-106
DATE	10/16/09
SCALE	AS SHOWN
DRAWN BY	TR
CHECKED BY	TR
DATE	10/16/09
PROJECT	NOID REPLACEMENT AND REHABILITATION OF PUBLIC BOAT LAUNCH FACILITY
SHEET TITLE	TREE INVENTORY PLAN

NCH RAMP PROJECT  
SANTA MONICA, CALIFORNIA

CONSULTANTS:

**Callander Associates**  
Landscape Architecture  
311 South 9th Ave.  
San Mateo, CA 94401  
415.372.1313  
415.374.4320

GIS 04/07



**TranSystems**

180 Grand Avenue  
Suite 400  
Chandler, California 94812  
PHONE: 510-835-2761  
FAX: 510-835-0839

4

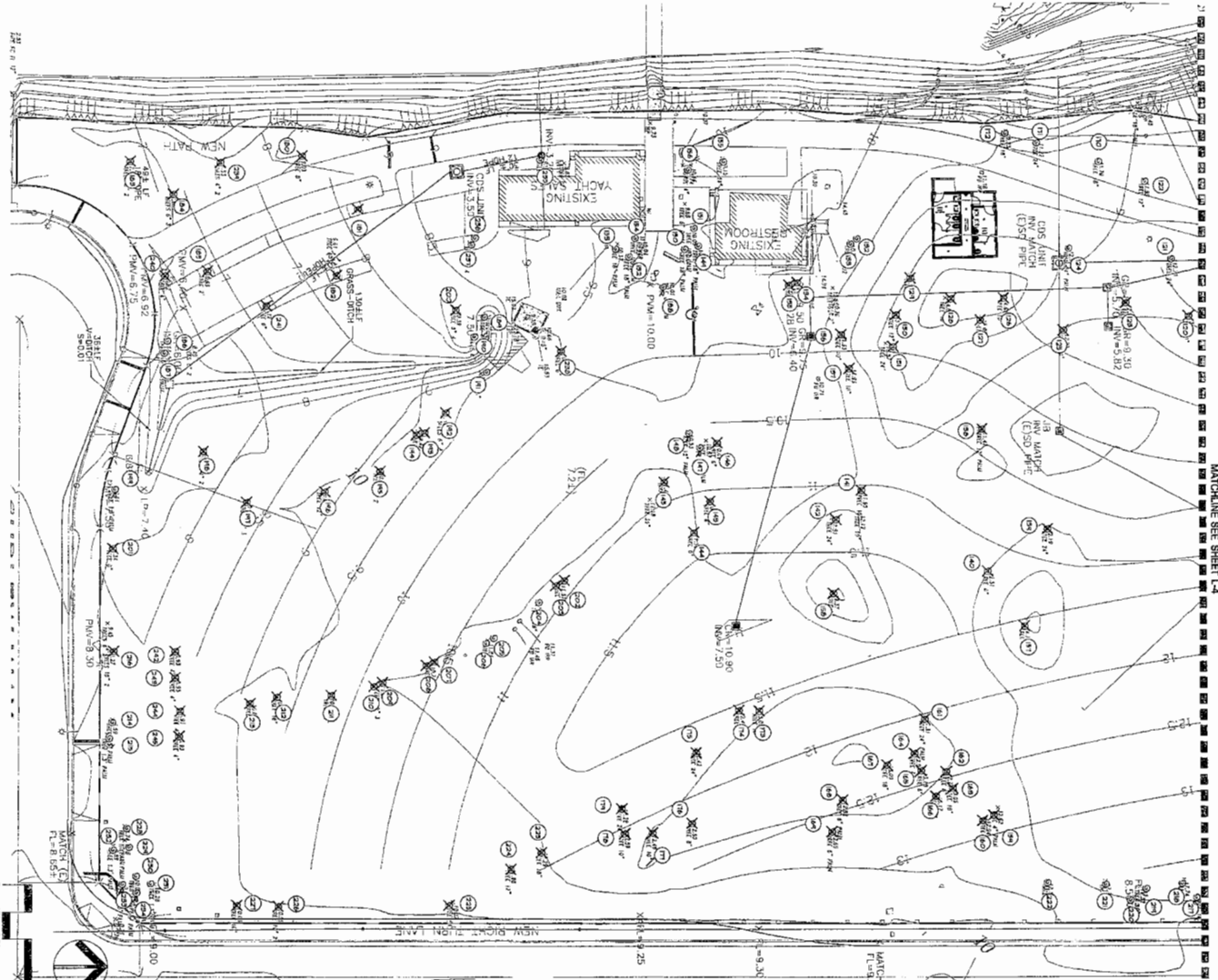
**TREE INVENTORY LEGEND**

- 9 EXISTING TREE TO REMAIN
- X EXISTING TREE TO BE REMOVED
- OR EXISTING TREE TO BE RELOCATED
- 9/ EXISTING TREE UNDERPINNED

**TREE INVENTORY NOTES**

1. TREE PROTECTION AND MAINTENANCE REQUIREMENTS. ALL TRENCHING WITHIN THE DRILLHOLE OF EXISTING TREES TO REMAIN SHALL BE BY HAND, WITH CARE TAKEN NOT TO CUT OR DAMAGE ROOTS OVER 1-INCH DIAMETER. TREES TO REMAIN SHALL BE FENCED AROUND DRILLHOLE OF TREE WITH RED ORANGE FABRIC, 50' OR MORE CHAIN LINK, OR SIMILAR, HEIGHT TO BE 5 FEET MINIMUM.

**60% SUBMITTAL**  
OCTOBER 9, 2009



**Channel Islands Harbor  
NOID-Replacement and  
Rehabilitation of Public Boat  
Launch Facility**  
Submitted November 2, 2009

**LANDS LAUNCH RAMP PROJECT**  
OXNARD, CALIFORNIA

CONSULTANTS:

**Callander Associates**  
Landscape Architecture  
311 Seventh Ave.  
Oxnard, CA 94401  
T 805.478.1313  
F 805.478.1300



**TranSystems**

160 Grand Avenue  
Suite 420  
Oakland, California 94612  
PHONE: 510-536-2751  
FAX: 510-826-9031

5

**County of Ventura Conditions of Approval  
NOID – Repair and Rehabilitation of the Public Boat Launching Facility**

- 1) Prior to obtaining a building permit or grading permit from the City of Oxnard, the Harbor Department shall approve all plans for construction of this project, including grading, building, and landscaping plans. The revised plans submitted for approval by the Harbor Department and for building permit issuance shall demonstrate compliance with the PWP.
- 2) Plans submitted to the City of Oxnard for building permits shall include a copy of these conditions, as well as any additional special conditions added by the California Coastal Commission, on the first few sheets of the plans.
- 3) Any modifications to the plans after approval of the Harbor Department shall also be approved by the Harbor Department.
- 4) All landscaping, lighting, public access and signage plans shall comply with criteria approved by the County of Ventura.
- 5) No materials classified as flammable, combustible, radioactive, carcinogenic or otherwise potentially hazardous to human health shall be handled, stored or used on the project property, except as provided by a permit issued by the City of Oxnard Fire Department.
- 6) Landscaping and irrigation plans shall show proper water meter size, backflow prevention devices and cross-connection control. All irrigation systems shall be designed to be low water using and shall include automatic rain shut-off and water sensor shut off devices as water conservation measures.
- 7) All trees planted or placed on the property shall be at least 24-inch-box size. All shrubs and vines shall be at least five-gallon size, except as otherwise approved on the landscape plans.
- 8) All vehicle access driveways shall be constructed to meet Fire Department conditions. All curbs adjacent to designated fire lanes shall be painted to prohibit parking or stopping in accordance with the California Vehicle Code.
- 9) All roof covering materials shall be of non-combustible or fire retardant materials as approved by the City of Oxnard Fire Department and the City of Oxnard Code.
- 10) All Fire Department approvals to ensure access and the availability of water for fire combat operations to all areas of the project shall be obtained prior to final occupancy.

**EXHIBIT 9**

**CI Harbor NOID 1-10 (Public Boat Launch Facility)**

**County Conditions (7 pages)**

- 11) Prior to installation of lighting, a lighting plan shall be submitted to the Harbor Department showing type of fixtures, heights, and intensity of illumination. Lighting plan shall comply with the standards approved by the County of Ventura and included in the Channel Islands Harbor Public Areas Plan & Design Guidelines. Lighting fixtures shall be cut-off type fixtures that divert lighting downward onto the property and shall not cast light onto adjacent properties, roadways or waterways. Under canopy lighting shall be concealed or recessed so as to not be directly visible from the street.
- 12) All trucks hauling graded or excavated material offsite, if any, shall be required to cover their loads as required by the California Vehicle Code Sec. 23114, with special attention to preventing spilling onto public streets.
- 13) All graded and excavated material, exposed soils areas, and active portions of the construction site, including unpaved onsite roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary and reclaimed water shall be used whenever possible.
- 14) Contractor shall ensure that all construction equipment is maintained and tuned to meet applicable Environmental Protection Agency (EPA) and California Air Resources Board (CARB) emission requirements. At such time as new emission control devices or operational modifications are found to be effective, contractor shall immediately implement such devices or operational modifications on all construction equipment.
- 15) Contractor shall minimize the number of vehicles and equipment operating on site at the same time.
- 16) At all times during construction activities, contractor shall minimize the area disturbed by clearing, grading, earth moving, or excavation operations to prevent excessive amounts of dust.
- 17) During periods of high winds (i.e. wind speed sufficient to cause fugitive dust to impact adjacent properties), contractor shall cease all clearing, grading, earth moving, and excavation operations to prevent fugitive dust from being a nuisance or creating a hazard, either onsite or offsite.
- 18) Throughout construction, contractor shall sweep adjacent streets and roads at least once per day, preferably at the end of the day, so that any visible soil material and debris from the construction site is removed from the adjacent roadways.
- 19) Contractor shall employ current Best Management Practices to protect against storm water runoff into storm drains and the Harbor.

- 20) Construction staging areas shall be screened and protected to avoid material being blown or washed into the Harbor. Screening material shall be approved by the Harbor Department. Contractor shall limit outdoor storage of materials to the locations shown and all construction material shall be stored within the staging area. Construction staging area shall remain locked and secure when not in use.
- 21) Hours of construction shall be limited to 7:00 a.m. to 7:00 p.m., Monday through Saturday, and not allowed on Sunday or holidays without prior approval of the Harbor Department.
- 22) Signage shall be provided to notify the public when access to public sidewalk will be blocked because of construction. Signage will indicate alternate routes.
- 23) All roof heating and cooling systems, and other exterior mechanical equipment, shall be screened from view from adjoining properties, waterways or public streets. Plumbing vents, ducts, and other appurtenances protruding from the roof of structure shall be placed so that they will not be visible from the front of the property, from waterways, or other vantage points. Roof vents shall be painted to match the roof material color.
- 24) Exterior utility meter panels shall be painted to match the structure upon which it is located. Such panels shall be located to take advantage of screening (e.g., landscaping or other building elements) from public views, to the maximum extent feasible.
- 25) Adequate trash facilities and pick ups shall be provided to maintain the site free of debris, food waste, and to minimize scavenger birds.
- 26) Policy 10 of the Channel Islands Public Works Plan relating to the presence of black-crowned night herons, great blue herons, or snowy egrets, shall be implemented.
- 27) Policy 11 of the Channel Islands Public Works Plan relating to the disturbance to marine water and the possible presence of *Caulerpa taxifolia* shall be implemented.
- 28) Policy 12 of the Channel Islands Public Works Plan relating to the presence of eelgrass (*Zostera marina*) shall be implemented.
- 29) Construction and Maintenance Responsibilities and Debris Removal
  - a) No Demolition or construction materials, debris, or waste shall be placed or stored where it may enter sensitive habitat, receiving waters or a storm drain, or be subject to wave, wind, rain, or tidal erosion and dispersion.
  - b) No demolition or construction equipment, materials, or activity shall be placed in or occur in any location that would result in impacts to ESHA, wetlands or their buffers.

- c) Any and all debris resulting from demolition or construction activities shall be removed from the project site within 24 hours of completion of the project.
  - d) Demolition or construction debris and sediment shall be removed from work areas each day that demolition or construction occurs to prevent the accumulation of sediment and other debris that may be discharged into coastal waters.
  - e) All trash and debris shall be disposed in the proper trash and recycling receptacles at the end of every construction day.
  - f) The contractor shall provide adequate disposal facilities for solid waste, including excess concrete, produced during demolition or construction.
  - g) Debris shall be disposed of at a legal disposal site or recycled at a recycling facility. If the disposal site is located within the coastal zone, a separate Notice of Impending Development shall be required before disposal can take place.
  - h) All stock piles and construction materials shall be covered, enclosed on all sides, shall be located as far away as possible from drain inlets and any waterway, and shall not be stored in contact with the soil.
  - i) Machinery and equipment shall be maintained and washed in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems.
  - j) The discharge of any hazardous materials into any receiving waters shall be prohibited.
  - k) Spill prevention and control measures shall be implemented to ensure the proper handling and storage of petroleum products and other construction materials. Measures shall include a designated fueling and vehicle maintenance area with appropriate berms and protection to prevent any spillage of gasoline or related petroleum products or contact with runoff. The area shall be located as far away from the receiving waters and storm drain inlets as possible.
  - l) The least damaging method shall be used for the construction of pilings and any other activity that will disturb benthic sediments. The suspension of benthic sediments into the water column shall be minimized to the greatest extent practicable.
  - m) Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) designed to prevent spillage and/or runoff of demolition or construction related materials, and to contain sediment or contaminants associated with demolition or construction activity shall be implemented prior to the onset of such activity.
  - n) All BMPs shall be maintained in a functional condition throughout the duration of the project.
- 30) Water Quality Management Plan – All new development or redevelopment shall include a Water Quality Management Plan (WQMP), prepared by a licensed water quality professional, and shall include plans, descriptions, and supporting calculations. The WQMP shall incorporate structural and non-structural Best Management Practices (BMPs) designed to reduce, to the maximum extent practicable, the volume, velocity and pollutant load of stormwater and dry weather

flows leaving the developed site. In addition to the specifications above, the plan shall be in substantial conformance with the following requirements:

- a) The proposed development shall reduce or maintain pre-development peak runoff rates and average volumes to the maximum extent practicable.
- b) Appropriate structural and non-structural BMPs (site design, source control and treatment control) shall be designed and implemented to minimize water quality impacts to surrounding coastal waters. Structural Treatment Control BMPs shall be implemented when a combination of Site Design and Source Control BMPs are not sufficient to protect water quality.
- c) Impervious surfaces, especially directly connected impervious areas, shall be minimized and alternative types of pervious pavement shall be used where feasible.
- d) Irrigation and the use of fertilizers and other landscaping chemicals shall be minimized.
- e) Trash, recycling and other waste containers shall be provided as necessary. All waste containers anywhere within the development shall be covered, watertight, and designed to resist scavenging animals.
- f) Runoff from all roofs, roads and parking areas shall be collected and directed through a system of structural BMPs including vegetated areas and/or gravel filter strips and other vegetated or media filter devices. The system of BMPs shall be designed to: 1) trap sediment, particulates and other solids; and 2) remove or mitigate contaminants (including trash, debris and vehicular fluids such as oils, grease, heavy metals and hydrocarbons) through infiltration, filtration and/or biological uptake. The drainage system shall be designed to convey and discharge runoff from the developed site in a non-erosive manner.
- g) Parking lots and streets shall be swept on a weekly basis, at a minimum, in order to prevent dispersal of pollutants that might collect on those services, and shall not be sprayed or washed down unless the water used is directed through the sanitary sewer system or a filtered drain.
- h) The detergents and cleaning components used onsite shall comply with the following criteria: they shall be phosphate-free, biodegradable, and non-toxic to marine wildlife; amounts used shall be minimized to the maximum extent practicable; no fluids containing ammonia, sodium hypochlorite, chlorinated solvents, petroleum distillates, or lye shall be used.
- i) Post-construction structural BMPs (or suites of BMPs) shall be designed to treat, infiltrate or filter the amount of stormwater runoff produced by all storms up to and including the 85<sup>th</sup> percentile, 24-hour storm event for volume based BMPs, and/or the 85<sup>th</sup> percentile, 1-hour storm event, with an appropriate safety factor (i.e., 2 or greater) for flow-based BMPs.
- j) All BMPs shall be operated, monitored, and maintained for the life of the project and at a minimum, all structural BMPs shall be inspected, cleaned-out, and where necessary, repaired at the following minimum frequencies: 1) prior to October 15<sup>th</sup> each year; 2) during each month between October 15<sup>th</sup> and April 15<sup>th</sup> of each year and, 3) at least twice during the dry season.

- k) Debris and other water pollutants removed from structural BMPs during cleanout shall be contained and disposed of in a proper manner.
  - l) The drainage system and the associated structures and BMPs shall be maintained according to manufacturer's specifications.
31. Access to the north parking lot from the south parking area and launch ramp shall be retained and no change in use of this lot will take place unless approved by the County Board of Supervisors and Coastal Commission through an amendment to the Public Works Plan.
32. Policy 14 in the Channel Islands Harbor Public Works Plan Amendment relating to trimming or removal of trees shall be fully complied with when removing trees from the site.

California Coastal Commission Conditions.

33. **Removal of Staging Equipment:** The applicant shall remove all staging equipment and all construction related debris from the staging site within sixty (60) days of completion of all development and authorized under Ventura County Harbor Department NOID 2-09.
34. **Resource Agencies:** The Ventura County Harbor Department shall comply with all requirements, including required mitigation measures, from the California Department of Fish and Game, Regional Water Quality Control Board, U.S. Army Corps of Engineers, and the U.S. Fish and Wildlife Service with respect to preservation and protection of water quality and the marine environment including bird nesting and foraging activity. Any change in the approved project that may be required by the above-stated agencies shall be submitted to the Executive Director in order to determine if the proposed changes shall require a new Notice of Impending Development pursuant to the requirements of the Coastal Act and the California Code of Regulation.
35. **Invasive Plants:** By acceptance of this Notice of Impending Development, the applicants agree that vegetated landscaped areas shall only consist of native plants or non-native drought tolerant plants, and no plant species listed as problematic and/or invasive by the California Native Plant Society (<http://www.CNPS.org/>), the California Invasive Plant Council (formerly the California Exotic Pest Plant Council) (<http://www.cal-ipc.org/>), or as may be identified by the State of California shall be employed in any landscaping or planter areas, or allowed to naturalize or persist on the site. No plant species listed as a "noxious weed" by the State of California or the U.S. Federal Government shall be utilized within the property.
36. **Public Walkway:** By acceptance of this authorization for development, the Harbor Department agrees to construct the proposed public walkway along



Victoria Avenue adjacent to the Public Boat Launch Ramp Parcel and along the waterfront portion of the parcel with the reconstruction of the site and shall open the public walkways for public use prior to or concurrently with the authorization to use (final building completion and inspection) the new restroom building on the parcel.

37. Public Walkway Signage Program

- a. Prior to Commencement of development on the subject parcel, the Ventura County Harbor Department shall submit, for review and approval of the Executive Director, a signage plan which declares the public's right to use the pathway along Victoria Avenue. The signage plan shall be implemented prior to authorization to use the new restroom building on the parcel.
- b. The Ventura County Harbor Department shall undertake development in accordance with the approved final signage plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a new notice of impending development unless the Executive Director determines that no new notice is needed.

###



**TranSystems**

180 Grand Avenue  
Suite 400  
Oakland, CA 94612  
Tel 510.835.2761  
Fax 510.835.9839

[www.transystems.com](http://www.transystems.com)

April 7, 2010  
P501070096

Harbor Department  
County of Ventura  
3900 Pelican Way, L#5200  
Oxnard, CA 93035-4367

ATTN: Jack Peveler, Channel Islands Harbor Master

RE: Channel Islands Launch Ramp Project, Vehicle Turning Access

Dear Jack,

At your request, in order for you to respond to the California Coastal Commission concerns regarding vehicular movement within the proposed launch ramp facility, we have reviewed the Channel Islands Launch Ramp plans with respect to the adequacy of vehicle movements.

Our review included areas within the parking facility that are proposed for the new launch ramp project, as well as ingress and egress movements at the proposed Curlew Way parking lot access point. We have provided an overall plan (copy attached) that shows the proposed launch ramp facility and the existing northerly parking lot that is planned to remain in operation. The plan shows vehicle movement, directional arrows and parking area striping in the new launch ramp area and the existing northerly parking lot. We also show the closure of the existing driveway on Victoria Avenue, and the connection of the new parking facility to the existing northerly parking area.

Upon our review of the proposed launch ramp design, we confirm that our design is adequate to accommodate vehicle and trailer combinations up to 60 feet in length. The new facility will allow sufficient travel, maneuvering, parking areas and turns to accommodate the 60-foot length vehicle and trailer combinations. In addition, the use of the Curlew Way location for all vehicles entering and leaving the facility will provide a safe way to move vehicles into and out of the facility, and onto Victoria Avenue at the signalized intersection. The proposed project eliminates the need for the current driveway on Victoria Avenue which requires vehicles pulling boat trailers to cross the multiple lanes of Victoria Avenue traffic without the benefit of a traffic signal.

Please let me know if you have any questions or if you require additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Gregory P. Mailho".

Gregory P. Mailho  
Senior Project Manager

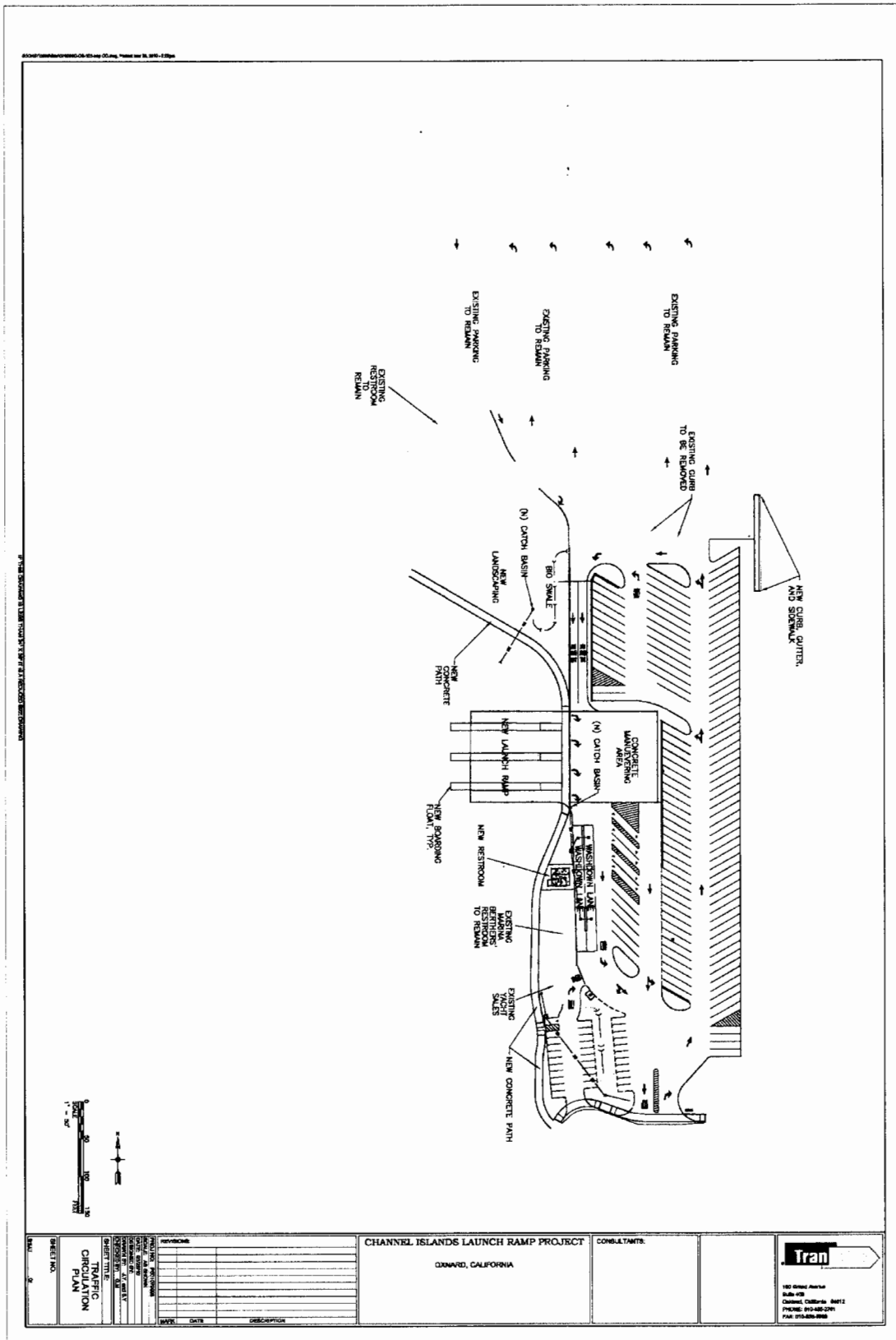
GPM:ks

Encl Plan  
CC: Gilbert Conn

**EXHIBIT 10**

**CI Harbor NOID 1-10 (Public Boat  
Launch Facility)**

**TranSystems Letter and Circ. Plan**



**Channel Islands Harbor  
Launch Ramp Activity 2003-2009**

	<b>Vessels Launched</b>	<b># Day Parked</b>	<b># Overnight Parked</b>	<b>Average Launch/Day</b>	<b>Average Parked/Day &amp; Night</b>
<b>2009 Year</b>	<b>9,305</b>	<b>5,279</b>	<b>1,163</b>	<b>25</b>	<b>18</b>
Dec. 2009	701	411	135	23	18
Sept. 2009	1,044	791	177	35	42
July 2009	1,483	765	219	48	32
May 2009	892	498	121	29	20
<b>2008 Year</b>	<b>10,332</b>	<b>5,924</b>	<b>1,414</b>	<b>28</b>	<b>20</b>
Dec. 2008	532	300	197	17	16
Sept. 2008	743	528	160	25	23
July 2008	1,309	698	218	42	30
May 2008	1,060	372	149	34	17
<b>2007 Year</b>	<b>10,614</b>	<b>6,196</b>	<b>1,216</b>	<b>29</b>	<b>20</b>
Dec. 2007	446	246	85	14	11
Sept. 2007	978	732	203	33	31
July 2007	1,708	1,001	246	55	40
May 2007	916	501	72	30	18
<b>2006 Year</b>	<b>11,134</b>	<b>5,481</b>	<b>1,509</b>	<b>31</b>	<b>19</b>
Dec. 2006	692	459	67	22	17
Sept. 2006	1,024	727	574	34	43
July 2006	1,472	968	269	47	40
May 2006	858	431	113	28	18
<b>2005 Year</b>	<b>11,507</b>	<b>5,706</b>	<b>1,006</b>	<b>32</b>	<b>18</b>
Dec. 2005	733	419	88	24	16
Sept. 2005	944	594	77	31	22
July 2005	1,298	810	158	43	31
May 2005	968	619	123	31	24
<b>2004 Year</b>	<b>13,011</b>	<b>7,227</b>	<b>878</b>	<b>36</b>	<b>22</b>
Dec. 2004	646	360	54	21	13
Sept. 2004	1,086	843	64	36	30
July 2004	1,424	1,085	180	46	41
May 2004	1,281	822	113	41	30
<b>2003 Year</b>	<b>16,940</b>	<b>7,292</b>	<b>1,172</b>	<b>46</b>	<b>23</b>
Dec 2003	737	477	67	23	18
Sept. 2003	992	772	158	33	31
July 2003	1,299	1,185	182	42	44
May 2003	1,040	604	169	34	25

The above table represents yearly vessel launches and day and overnight parking counts at the Channel Islands Harbor public launch ramp for the seven year span from 2003 to 2009. Total yearly counts are given as well as four individual months with a

**EXHIBIT 11**

**CI Harbor NOID 1-10 (Public Boat Launch Facility)**

**Parking Analysis**

holiday that represents the busiest boating times. The highest usage of the launch ramp occurred in July of 2007, with an average number of daily launches of 55. The largest amount of parking occurred in July of 2003, with an average of 44 parked vehicles.

There are a total of 223 parking spaces currently available to the launch ramp site, 94 in the south lot and 129 in the north parking lot which is not a part of the NOID. There are an additional 102 spaces available at the small boat marina that are not currently accessible by vehicles using the launch ramp. On the business days in the past seven years, with 55 launches and 44 parked cars, this represents only 25% usage of the site for launches, if they are parking for a partial day, and only 20% usage for parking, both day and overnight.

The site layout for the area to be reconstructed will provide 161 spaces for vehicles and boats, incorporating the 102 spaces (shared use) that are currently separate from the launch ramp and are used by the small boat marina tenants. Allowing for the 43 spaces allocated for the small boat marina parking, there will be 118 spaces available on the new site for launch ramp parking.

Using the 55 and 44 maximum usage numbers above, the occupancy will still be less than 50% of that available. However, the northern lot, which is not a part of the NOID, will still have 129 spaces available, leaving a total number of spaces available to the boat launch ramp of 247, an ample number of spaces to accommodate existing need.