

# RECORD PACKET COPY

STATE OF CALIFORNIA—THE RESOURCES AGENCY

PETE WILSON, Governor

## CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA  
89 SOUTH CALIFORNIA ST., SUITE 200  
VENTURA, CA 93001  
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Filed: 8/20/96  
49th Day: 10/8/96  
180th Day: 2/16/96  
Staff: R. Richardson *R.*  
Staff Report: 8/21/96  
Hearing Date: 9/10-13/96  
Commission Action:

### STAFF REPORT: CONSENT CALENDAR

# F4b

APPLICATION NO.: **4-96-075**

APPLICANT: **Ventura Port District**

AGENT: **Richard Parsons**

PROJECT LOCATION: **1415 Spinnaker Drive, City of Ventura**

PROJECT DESCRIPTION: Construction of a 1,800 sq. ft. pier with 32 piles to support a 150 ton travel lift. The project also involves the removal and replacement of 15 existing piles and floating docks which consist of a slip, a walkway and a gangway that provides access to other existing slips.

Surface coverage:	1,800 sq. ft.
Pilings:	10 (relocated) and 32 (new)
Plan designation:	Harbor Commercial

APPROVALS RECEIVED: City of Ventura, May 6, 1996 and U. S. Army Corp of Engineers, August 7, 1995

SUBSTANTIVE FILE DOCUMENTS: City of Ventura Local Coastal Program; Negative Declaration; Coastal Development Permit 4-95-135 (Ventura Port District); 4-94-128 (Ventura Port District); 3-95-54 (City of Monterey)

### SUMMARY OF STAFF RECOMMENDATION:

Staff recommends the approval of the proposed project which involves the construction of a new pier to support a travel lift adjacent to an existing marine elevator pier in the Ventura Harbor. The pier will consist of a small platform, approximately 45 ft. in width and extending 40 ft. from the shoreline over the water and involves the placement of 32 new piles, 24 of which will be located in the water. The new piles will displace approximately 64 cu. yds. of habitat bottom and will create 2,961 sq. ft. of new surface area. The proposed project comprises a recreational (visitor serving) improvement that, as proposed, will serve to improve the efficiency of lifting operations, enhance

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

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

### **III. Special Conditions**

#### **1. Construction Phasing and Pedestrian Access Plan**

Prior to the issuance of the Coastal Development Permit, the applicant shall submit for the review and approval of the Executive Director, a written plan and supporting graphics outlining phasing and construction sequence; seasonal considerations; and location of equipment staging areas, temporary security fencing, and any similar elements which would affect ocean water quality or public access to the shoreline. The plan shall insure that the promenade available for public access is clearly delineated. Accordingly, by accepting this permit, the applicant agrees to place conspicuous signs approximately 2 ft. by 2 ft. which identify that alternate pedestrian circulation is available through this area. The signs shall be installed prior to the commencement of any construction activity.

#### **2. Containment Requirements**

Particular care shall be exercised to prevent foreign materials (e.g., construction scraps, discarded piers, wood preservatives, other chemicals, etc.) from entering the water. Unless an alternative containment plan is approved by the executive director, a floating containment boom shall be placed around all active portions of the construction site where wood scraps or other foldable debris could enter the water. Also, for any work on or beneath fixed wharf decks, heavy duty mesh containment netting shall be maintained below all work areas where construction discards or other material could fall into the water. The floating boom and net shall be cleared daily or as often as necessary to prevent accumulation of debris.

Where additional wood preservatives must be applied to any cut wood surfaces, the materials shall wherever feasible be treated at an onshore location to preclude the possibility of spills into the waters. The applicant shall not be permitted to use wood preservatives that are not accepted for marine use by the Department of Fish and Game.

#### **3. Installation Contract Requirements**

Piling installation shall generally be performed in accordance with the method that results in the least disturbance of bottom sediments. Where feasible, disturbed sediments will be contained within a flexible skirt surrounding the driven pile. The installation contract and/or specifications shall incorporate the applicable portions of the containment requirements in Special Condition No. 2 above; and, the installation contractor shall insure that the work crew is carefully briefed on the importance of observing the appropriate precautions and reporting any accidental spills. The

Section 30224 of the Coastal Act encourages increased recreational boating, and further encourages protection and, where feasible, upgrades to such facilities in natural harbors. Further, the section states that existing recreational boating shall not be reduced unless the demand for those facilities no longer exists. Section 30255 provides that "coastal-dependent developments shall have priority over other developments on or near the shoreline."

To protect to the greatest degree possible the natural marine habitat and shoreline processes, the Coastal Act strictly regulates the kinds of development in coastal waters. Section 30233 strictly limits "filling" of open coastal waters. As stated in the preceding section, the project involves the relocation of 10 existing guide piles and the placement of 32 new concrete piles, 24 of which will be located within the water. The 24 new piles will displace approximately 66 cu. yds. of material. The placement of piles in the harbor is identified as "filling" of open coastal waters. The construction of the proposed travel lift pier and the replacement of the existing guide piles associated with the slips and floating docks are intended to enhance recreational boating opportunities is a type of development in which "filling" is permitted (30233(a)(4)) when there is "no feasible less environmentally damaging alternative" (Section 30233(a)). (See Section D, Marine Resources for additional discussion.)

The project is intended to be used for commercial and for recreational boating operations, and will facilitate a coastal-dependent commercial and recreational use. No interference with any existing commercial fishing uses is anticipated. Therefore, the proposed development is consistent with the above-cited recreation policies and with Section 30234, 30224 and Section 30255 of the Coastal Act.

### C. Public Access

Coastal Act Section 30220 protects coastal areas for water oriented recreational activities; and, Section 30210 and Section 30211 of the Coastal Act provides for the protection of the public's right of access to and along the shoreline. 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.

In addition, the Coastal Act provides that certain kinds of uses be given priority in the coastal zone. Some of these uses are dependent on a coastal location, e.g., commercial and recreational boating and fishing and other water oriented activities. Others are closely related to coastal dependent uses and activities, e.g. their support facilities. Where public facilities are limited, priority uses must be served first. The site is not subject to the State Lands Commission review pursuant to a 1980 exchange agreement between the State of California and the Ventura Port District which indicates that the travel lift pier is not a tideland site.

In the case of the proposed project, the site is located within the Ventura Harbor Village which includes a number of restaurants and shops. Presently adequate public parking in this area exists.

have been provided to minimize adverse environmental effects, and shall be limited to the following:

(1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities. ...

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

Construction of the proposed project includes the relocation of 10 guide piles and the installation of 32 new concrete piles, 24 of which are located within the water and will displace approximately 66 cu. yds. of habitat bottom. Additionally, approximately 5 existing guide piles will be removed in association with this project. The applicant has indicated that the new concrete piles will not be poured in place but rather installed in a prestressed form. As such, the project may result in temporary, localized disturbance to shellfish, marine plants and other benthic organisms and substrate of the harbor. Mussels and barnacles using the existing pilings to be removed will be destroyed or displaced during construction. However, these species are adapted to a highly dynamic environment and quickly reestablish in areas of disturbance. Additionally, the 24 new piles will result in the creation of 2,961 sq. ft. of surface area within the inner tidal and subtidal zone of the ocean. Thus, the impacts associated with the removal of 5 guide piles, the relocation of 10 guide piles and the placement of 24 piles allowed under Section 30233 (a)(4) are considered minimal and will be offset by the alternative environment established.

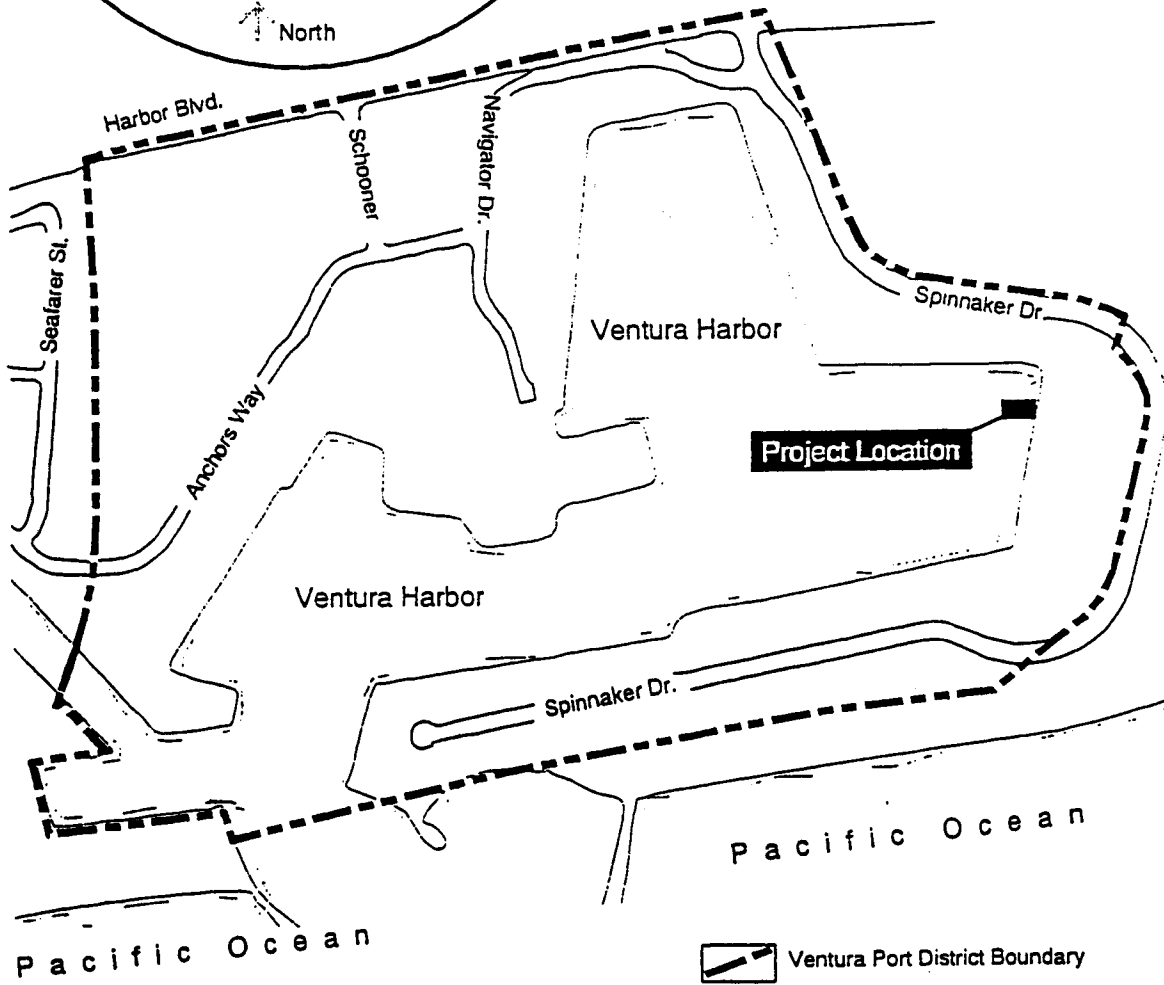
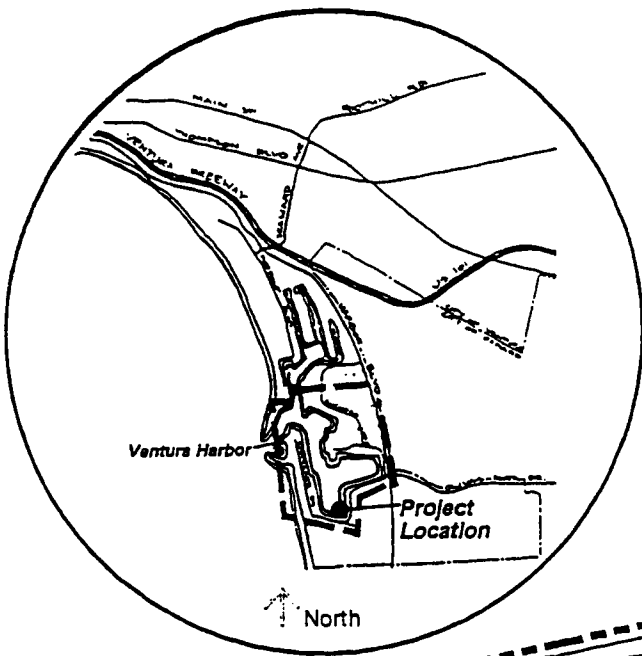
Some localized turbidity may also be associated with pile removal and replacement, but this will also be temporary and fairly minor in nature. In order to ensure that the proposed method of pile-driving minimizes disturbance, special condition #3 specifies installation requirements. Further, as stated in the preceding section, to ensure that construction does not result in long-term degradation of the marine environment, special condition #2 requires that the applicant exercise particular care in preventing foreign materials associated with the project from entering into the water. The condition also specifies that all materials, including existing flotation and gangways and construction materials, be removed from the water areas.

The applicant has indicated that there is no known congregate of sunlight dependent species within the location of the proposed project, as the site is presently development occupied by floating docks and moored vessels. For the reasons listed above, the Commission finds that as conditioned, the proposed project is consistent with the above marine resource protection policies of the Coastal Act.

#### E. Local Coastal Program

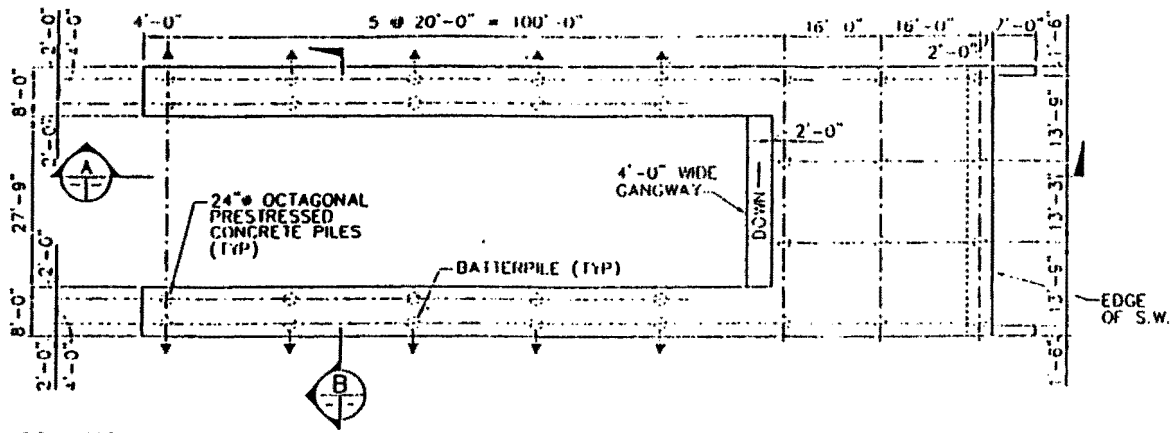
The Commission certified the City of San Buenaventura Local Coastal Program (LCP) for the Ventura Harbor in 1981, whereupon the City assumed permit issuing authority. The Harbor LCP was incorporated into the balance of the City's LCP in 1990. The City's LCP contains policies and standards for siting and design of new development, public access and recreational use of the

**EXHIBIT 1**  
**4-96-075**  
**VICINITY**  
**MAP**

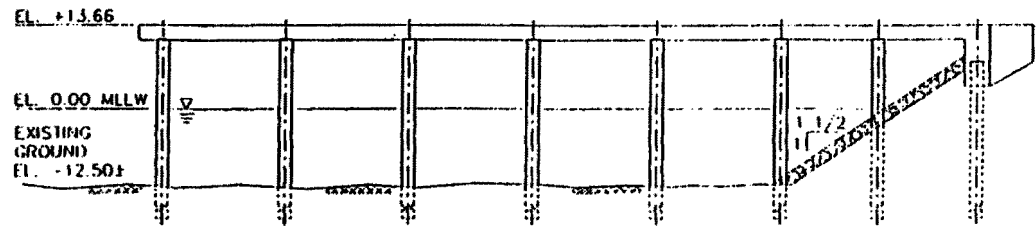


— North  
 0 450 scale in feet

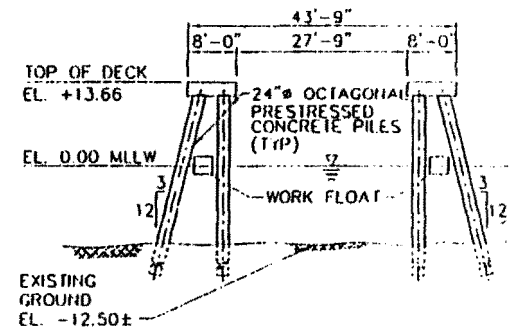
**Figure 1**  
**Project Location**



**Site Plan**



**Section A**



**Section B**

SOURCE: Mollalt & Nichol, Engineers



0 32 scale in feet

**Figure 3**  
**Project Plan and Sections**

ura Port District

Travel Lift Pier

**EXHIBIT 3**  
PROJECT  
PLAN &  
SECTIONS  
4-96-075