

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
89 SOUTH CALIFORNIA ST., SUITE 200
VENTURA, CA 93001
(805) 641-0142

F6a

August 21, 1996

TO: Commissioners and Interested Persons

FROM: Steve Scholl, South Central Coast District Director
Gary Timm, Assistant District Director
James C. Johnson, Coastal Program Analyst *[Signature]*

RE: **Staff Recommendation Port of Hueneme Port Master Plan Amendment No. 5, (Former Naval Civil Engineering Laboratory).** For Commission consideration and possible action at the Meeting of September 10 - 13, 1996.

SUMMARY OF AMENDMENT DESCRIPTION AND STAFF RECOMMENDATION:

Staff is recommending that the Commission certify the proposed amendment to expand the Port of Hueneme, Oxnard Harbor District boundaries to include the former Naval Civil Engineering Laboratory property and designate this thirty-three (33) acre property for port related land uses and public access. The property is proposed to be divided into three parcels (9, 10, & 11) as noted in Table 1 on page 7 and Exhibit 4 as the Port Layout and Land Use Plan. All of these three parcels will be added to the eight parcels currently located within the Harbor District Boundaries. Parcel 9 is proposed for port related land uses, such as general cargo and fishing. Parcel 10 is proposed for port related land uses such as aquaculture and fisheries. Parcel 11 is proposed for public waterfront access along an existing rock seawall. Pursuant to a memorandum of understanding, the Port of Hueneme will grant an easement or license on Parcels 10 and 11 to the City of Port Hueneme that will allow the City exclusive use of these two parcels.

The former Naval Civil Engineering Laboratory was recently closed and the command relocated to the Naval Construction Battalion Center at Port Hueneme as part of the Defense Base Closure and Realignment Act. The City of Port Hueneme formed a Surplus Property Authority that conducted a study to determine the "highest and best use" of this surplus property. The "NCEL Community Reuse Plan, Port Hueneme," completed in July 1995, determined that the "highest and best use" of the property would be port-related uses.

The Port of Hueneme, the only deep water port between Los Angeles and San Francisco, is shared between the Oxnard Harbor District and the Navy. Designated as an international port of entry, major commodities move through the port including automobiles, bananas, citrus, fruit, lumber, meat, cereal grains, livestock, fish, offshore oil supplies, woodpulp, vessel fuel, and other general cargo. Nearly a million revenue tons (a metric ton, 1000 cubic meters, or one automobile) of cargo was transferred through the Port of Hueneme, Oxnard Harbor District in 1995.

Staff recommends that the Commission find the amendment as proposed consistent with the Chapter 3 and 8 policies of the Coastal Act. The recommended motions and resolutions are provided on Page 3. The findings for approval of the amendment as submitted begin on Page 3.

Port Master Plan Amendment Procedure California Code of Regulations, Title 14 Section 13636 provided for port master plan amendments to be certified in the same manner as provided in Section 30714 of the Coastal Act for certification of port master plans. Section 13628 of the Regulations states that, upon the determination of the Executive Director that the master plan amendment and accompanying materials required by Section 13628 (a) are sufficient, the master plan amendment shall be deemed submitted to the Commission for purposes of Section 30714 of the Coastal Act. The subject amendment was deemed submitted on July 25, 1996. Within 90 days after this submittal date, the Commission, after a public hearing, shall certify or reject the amendment, in whole or in part. If the Commission fails to take action on the amendment submittal within the 90 day period, the proposed amendment is deemed certified. The date by which the Commission must take action, absent a waiver by the Port District of the 90 day period, is October 23, 1996.

Section 30714 of the Coastal Act states that the Commission shall certify the plan or amendment, or portion of a plan or amendment, and reject any portion of a plan or amendment which is not certified, and may not modify the master plan or amendment, as submitted, as a condition of certification. Section 30714 also states that the Commission shall certify the plan or amendment if the Commission finds both that:

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

The proposed amendment provides for expanding the port district boundaries and designating the former Naval Civil Engineering Laboratory for port related and land uses and public access as noted in Table 1 on Page 7 and Exhibit 4. Most of these port related and access land uses are not appealable development under Section 30715. However, one of these land uses is an appealable development, commercial fishing facilities, under Section 30715. The proposed amendment allows for non-appealable development on Parcel 9 for "General Cargo, Containers, Offshore Oil, Vehicles, Neo-Bulk, Dry Bulk, Liquid-Bulk, and for Maritime Support Services" as land uses. On Parcel 10, the proposed amendment's land uses allows for non-appealable development including "Aquaculture, Navigation, Marine Research & Education, and Mixed Use Waterfront Complexes." On Parcel 11, non-appealable development includes "Buffer Zone, Seawall Maintenance, Navigation, and Waterfront Access." On Parcel 11, none of these land uses are appealable under Section 30715. Therefore, the policies of Chapter 8 of the Coastal Act are the standard of review for these land uses in the proposed amendment. The remaining land uses proposed as "Fishing" on Parcel 9 and "Fisheries" on Parcel 10 are appealable developments because these land uses are "commercial fishing facilities" under Section 30715. Therefore these land uses will be evaluated under the policies of Chapter 3.

I. **STAFF RECOMMENDATION;**

A. **Port Master Plan Amendment Submittal -- Resolutions**

Following a public hearing, staff recommends that the Commission adopt the following resolution and findings. The appropriate motion to introduce the resolution and a staff recommendation is provided below.

MOTION I

I MOVE THAT THE COMMISSION CERTIFY THE PORT MASTER PLAN AMENDMENT AS SUBMITTED BY THE PORT OF HUENEME.

Staff Recommendation

Staff recommends a **YES** vote and the adoption of the following resolution and findings. An affirmative vote by a majority of the Commissioners present is needed to pass the motion.

Resolution I -- Certification of Amendment

The Commission hereby certifies Port of Hueneme Port Master Plan Amendment No. 5, and finds, for the reasons discussed below, that the amended Port Master Plan conforms with and carries out the policies of Chapter 3 and 8 of the Coastal Act. The Commission further finds that although the plan amendment may have significant impacts on the environment, there are no feasible mitigation measures or feasible alternatives that can substantially lessen any significant adverse impacts which the amendment may have on the environment within the meaning of the California Environmental Quality Act (CEQA).

II. **FINDINGS AND DECLARATIONS**

The Commission finds and declares as follows:

A. **Previous Commission Action** The Commission certified the Port of Hueneme Port Master Plan on May 15, 1979. The Commission has reviewed four (4) amendments since that date.

B. **Contents of the Port Master Plan Amendment** California Code of Regulations Title 14, Section 13656 calls for port master plan amendments to be certified in the same manner as port master plans. Section 30711 of the Coastal Act states, in part, that a port master plan shall include all of the following:

- 1) The proposed uses of land and water areas, where known.
- 2) The proposed design and location of port land areas, water areas, berthing, and navigation ways and systems intended to serve commercial traffic within the area of jurisdiction of the port governing body.
- 3) An estimate of the effect of development on habitat areas and the marine environment, a review of existing water quality, habitat areas, and quantitative and

qualitative biological inventories, and proposals to minimize and mitigate any substantial adverse impact.

- 4) Proposed projects listed as appealable in Section 30715 in sufficient detail to be able to determine their consistency with the policies of Chapter 3 (commencing with Section 30200) of this division.
- 5) Provisions for adequate public hearings and public participation in port planning and development decisions.

The Commission finds that the proposed port master plan amendment conforms with the provisions of Section 30711 of the Coastal Act. The proposed changes in land uses are outlined in sufficient detail in the port master plan amendment submittal for the Commission to make a determination of the proposed amendment's consistency with the Chapter 3 and 8 policies of the Coastal Act for the reasons stated in the following findings.

C. Summary of Proposed Plan Amendment and History The proposed master plan amendment would result in several changes to the certified Port Master Plan and an expansion of the Port's Boundary. The former Naval Civil Engineering Laboratory at Port Hueneme, consisting of approximately 33 acres of land immediately south of the existing Port of Hueneme (Oxnard Harbor District) property, was recently closed and the command relocated to the Naval Construction Battalion Center (also at Port Hueneme), as part of the Defense Base Closure and Realignment Act, Public Law 101-510, as amended. Subsequent to this decision, the City of Port Hueneme formed a Surplus Property Authority which conducted an extensive study to determine the "highest and best use" of this surplus property. The "NCEL Community Reuse Plan, Port Hueneme", completed July 1995, determined that the "highest and best use" of the property would be port-related uses. The Plan recommended three primary land uses: port expansion uses, coastal-related uses, and a public access area along the shore.

This surplus property was also found to qualify under federal law 40 U.S.C. 484 (q) for "conveyance without monetary consideration" if needed for the development or operation of a port facility. A "port facility" was defined as "any structure and improved property, including services connected therewith, whether located on the waterfront or inland, which is used or intended for use in developing, transferring, or assisting maritime commerce and water dependent industries, including, but not limited to piers, wharves, yards, docks, berth, aprons, equipment used to load and discharge cargo and passengers from vessels, dry and cold storage spaces, terminal and warehouse buildings, bulk and liquid storage terminals, tank farms, multimodal transfer terminals, transshipment and receiving stations, marinas, foreign-trade zones, shipyards, industrial property, fishing and aquaculture structures, mixed waterfront complexes, connecting channels and port landside transportation routes."

Through the Community Reuse Plan, the City of Port Hueneme and the Port of Hueneme clearly demonstrated the immediate need for many of the allowable uses noted above. As a result, in October 1995, the District made an application for "conveyance without the monetary consideration" to the Maritime Administration, U. S. Department of Transportation, designated by the Department of Defense to evaluate, approve and process such port conveyances. (The District anticipates approval to be granted in late August 1996.)

After the completion of the Community Reuse Plan, the U. S. Department of the Navy proceeded with the preparation of a Draft Environmental Impact Statement (DEIS). The proposed federal

action was the disposal and reuse of federal surplus land at Port Hueneme. The DEIS analyzed environmental effects of NCEL disposal and proposed land uses identified in the NCEL Community Reuse Plan. The DEIS was completed in January 1996 and circulated for comments, including the Commission. Commission staff comments are attached as Exhibit 6. The DEIS was subject to public review and a hearing by the Department of the Navy on March 12, 1996. The document also considered the impact of implementation of the NCEL Community Reuse Plan for land uses now proposed in this Port Master Plan Amendment. The Final Environmental Impact Statement (FEIS) included additional sections to comply with the California Environmental Quality Act. The FEIS was completed by the Navy and distributed July 11, 1996.

The draft Port Master Plan Amendment was accepted and approved by the Board of Harbor Commissioners on April 22, 1996 (Resolution 772) and a public hearing and notice of completion was scheduled for May 28, 1996. No public comments either oral or written were received at the May 28 meeting or during the 31 day notice period. The Board of Harbor Commissioners adopted on August 12, 1996, Resolution No. 779, which approved the FEIS making the required California Environmental Quality Act findings and findings of overriding consideration, relative to the acquisition of the former NCEL property. A Memorandum of Understanding for the NCEL (Resolution number 772) was also adopted on December 21, 1995 between the Oxnard Harbor District and the City of Port Hueneme. The MOU provided for the acquisition of the NCEL property by the District. The MOU also divided the property into three parcels for exclusive use by the District (Parcel 9) or the City of Port Hueneme (Parcels 10 and 11).

The proposed amendment would result in expanding the Port District Boundaries to include the Naval Civil Engineering Laboratory property and provide for port related land uses. The NCEL property consists of approximately 33 acres and includes 53 structures. (Exhibit 5) The site has been used by the Naval Facilities Engineering Service Center for naval engineering research and development since 1942. The site includes a main administration building, surface parking, a variety of smaller buildings once used for laboratories, administrative offices or storage, a small park, and a seawall. A lighthouse and fog horn are located on the site and are owned and operated by the U. S. Coast Guard. After the NCEL property is conveyed to the Port District, an easement will be reserved for continued access to these Coast Guard facilities. There are two non-Navy users on the property, the Abalone Laboratory (AbLab) and the International Longshoremen's & Warehousemen's Union (ILWU).

The seawall extends east about 3,000 feet from the eastern end of the Harbor entrance jetty that protects the harbor entrance. The seawall was built in 1940 to protect the property from ocean wave erosion. Due to the nature of the ocean currents, the jetties protecting the harbor entrance block long shore sand flow. The City of Port Hueneme is now experiencing significant beach erosion along Surfside Drive to the east of the NCEL property and downcoast of the seawall. The U. S. Army Corps of Engineers transports beach sand dredged biennially from the mouth of the Channel Islands Harbor northwest of the entrance to Port Hueneme to replenish beaches along the seawall and to the east. The U. S. Army Corps of Engineers anticipates further harbor dredging later this year.

The proposed amendment would provide for port facilities as defined above in federal law 40 U. S. C. 484 (q) and a public accessway along the shoreline. These proposed land uses are listed in Table 1 below and Exhibit 4.

D. Appealable Development As previously stated in determining the standard of review for the proposed plan amendment, Section 30714 (b) of the Coastal Act provides guidance and states that:

... The Commission shall certify the plan, or portion of a plan, if the Commission finds both of the following:

- (a) The master plan, or certified portions thereof, conforms with and carries out the policies of this chapter.
- (b) Where a master plan [or in this case, a master plan amendment], or certified portions thereof, provide for any of the developments listed as appealable in Section 30715, the development or developments are in conformity with all the policies of Chapter 3 (commencing with Section 30200).

Section 30715 of the Coastal Act states, in part, that:

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

- (1) Developments for the storage, transmission, and processing of liquefied natural gas and crude oil in such quantities as would have a significant impact upon the oil and gas supply of the state and nation or both the state or nation. A development which has a significant impact shall be defined in the master plans.
- (2) Waste water treatment facilities, except for those facilities which process waste water discharged incidental to normal port activities or by vessels.
- (3) Roads or highways which are not principally for internal circulation within the port boundaries.
- (4) Office and residential buildings not principally devoted to the administration of activities within the port; hotels, motels and shopping facilities not principally devoted to the sale of commercial goods utilized for water-oriented purposes; **commercial fishing facilities**; and recreational small craft marina related facilities. (Emphasis added)
- (5) Oil refineries.
- (6) Petrochemical production plants.

The Port of Hueneme proposes to divide the entire 33 acre property into three parcels 9, 10, and 11 as identified in Table 1 below and on Exhibit 4, the Port Layout and Land Use Plan, dated April 22, 1996. Presently, the Port Master Plan includes eight parcels with identified land uses.

Table 1

PARCEL NO. PRIMARY LAND USE

1	Petroleum Products
2	Autos / General Cargo
3	Warehousing
4	Autos / General Cargo
5	General Cargo / Bunkering
6	General Cargo / Offshore Oil
7	Kelp / Offshore Oil
8	General Cargo / Bunkering / Offshore Oil
9*	General Cargo / Containers / Offshore Oil / Vehicles / Neo-Bulk / Dry Bulk / Liquid-Bulk / Fishing / Maritime Support Services
10*	Aquaculture / Fisheries / Navigation / Marine Research & Education / Mixed Use Waterfront Complexes
11*	Buffer Zone / Seawall Maintenance / Navigation / Waterfront Access

* Denotes areas acquired from the U. S. Navy in 1996

As listed in the proposed amendment to the certified Port Master Plan, these land uses, except for "Fishing" on Parcel 9 and "Fisheries" on Parcel 10, do not include any of the appealable developments listed above in Section 30715. Therefore, the Commission determines that the policies of Chapter 8 of the Coastal Act are the standard of review for these proposed land uses on Parcels 9, 10, and 11. These land uses are discussed below in Section E. 2.

Regarding the appealable land uses, "Fishing" on Parcel 9 and "Fisheries" on Parcel 10 are considered commercial fishing facilities in Section 30715 (4) of the Coastal Act. Therefore, the policies of Chapter 3 and 8 of the Coastal Act are the standard of review for the commercial fishing facilities in the proposed amendment located on Parcels 9 and 10. These land uses are discussed below in Section E. 1.

E. Conformance with the Coastal Act In order for the Commission to certify the proposed master plan amendment, the Commission must determine that the amendment conforms to the following applicable Chapter 3 and 8 policies of the Act:

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

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

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

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

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

1. Commercial Fishing Facilities The Coastal Act generally states as noted in the above Chapter 3 and 8 policies, that existing commercial fishing facilities shall be protected unless demand for such facilities no longer exists or unless replacement facilities are provided. Specifically, Section 30234 of the Coastal Act provides for the protection, and where feasible, the upgrading of commercial fishing industries. On Parcel 4, the Oxnard Harbor District now provides eleven slips shared by about 55 commercial fishing and 6 sport fishing vessels. In addition, a parking lot adjacent to the slips is provided for fishing vessel users. There are six commercial fishing companies working out of the Port of Hueneme. In fiscal year 1995/96, the Port received 47,263 metric tons of fish from these vessels. The proposed land uses for Parcels 9 and 10 will allow for the development of future facilities such as fish processing, storage, repairs and other facilities needed by the commercial and recreational fishing. The District states in a letter to staff, dated August 16, 1996, that "All reasonable opportunities to improve commercial fishing facilities within the Port of Hueneme have been, and will be, pursued. Currently, the commercial fishermen are utilizing portable pumps and conveyors, some mounted on trailers."

As noted above, such future commercial fishing facilities are considered development appealable to the Commission. These areas provide potential facilities for expansion or upgrades of the commercial fishing industries, and thus, meet Sections 30234, 30255, and 30703 of the Coastal Act.

2. Other Port Related Land Uses

Coastal Act Section 30708 generally states that all port related developments be designed to minimize significant impacts and conflicts between vessels, give high priority to port purposes, provide for beneficial uses, and encourage rail service. The primary land use for Parcel 9 (23.2 acres) is proposed to be general cargo / containers / offshore bulk / vehicles / neo-bulk / dry-bulk / liquid-bulk / fishing / maritime support services. Examples of neo-bulk include construction materials that do not fit in a container; dry bulk include cement and grains; liquid bulk include petroleum products and fertilizers; and waterfront complexes include marine boat travel lifts, repair, storage and construction facilities. The primary land use on Parcel 10 (5.0 acres) is proposed to be aquaculture / fisheries / navigation / marine research & education / mixed use water front complexes. The primary land use on Parcel 11 (4.8 acres) is proposed to be buffer zone / seawall maintenance / navigation / waterfront access.

Regarding Section 30708 (a), of the Coastal Act, the Final Environment Impact Statement for the NCEL Port Hueneme Disposal and Reuse has identified five significant adverse impacts on cultural resources, water resources, air quality, and utilities. Of these impacts only one is considered an unavoidable significant impact. This impact is associated with the net increase in emissions that exceed Ventura County Air Pollution Control District significant impact threshold of 25 pounds per day. This impact results from average weekday vehicle traffic. The change in land use and vehicle travel patterns resulting from buildout will have a significant impact on regional ozone precursor emissions. There were no mitigation measures identified in the FEIS that can reduce the net increase in emissions below the significant impact level. However, the FEIS found that the proposed land uses are consistent with the City of Port Hueneme draft General Plan and the Ventura County Congestion Management Plan. The FEIS also found that the proposed land uses were consistent with the Ventura County Air Quality Management Plan because they are consistent with the City's draft General Plan and the Ventura County Congestion Management Plan. In addition, the FEIS stated that the emissions generated by the vehicle traffic associated with these land uses are effectively included in the emission forecast used by the Ventura County Air Quality Management Plan. Further, the Oxnard Harbor District, in Resolution 779 made findings of overriding consideration to address this issue and comply with CEQA.

As stated in Public Resources Code Section 30414, the State Air Resources Board and air pollution control agencies established by State law are the principal public agencies responsible for establishing air quality emission standards and air pollution control programs. Thus, although this significant air quality impact cannot be reduced below the Ventura County Air Pollution Control District threshold, it will be minimized to the extent feasible during the Harbor District's and Ventura County Air Pollution Control District's environmental and permit review process for future development on the NCEL property.

All other identified significant adverse impacts, including cultural resources (ILWU Hall and unknown archaeological sites), ocean hazards, water supplies and wastewater treatment facilities have identified mitigation measures in the FEIS, therefore reducing the impacts to levels below significance. These mitigation measures include consultation with the State Office of Historic

Preservation for the ILWU Hall and if archaeological resources are encountered, work should be suspended and a cultural assessment should be conducted. Mitigation's measures for ocean hazards include the repair and maintenance of the seawall, continued beach replenishment, building setbacks, and an extension to the seawall to increase its height. Mitigation measures for water supplies and wastewater treatment include the City of Port Hueneme negotiating with local infrastructure providers to increase water supply and wastewater capacity. Due to the developed nature of the site, there were no environmentally sensitive habitats identified on the site.

Regarding Section 30708 (b), the proposed amendment does not deal with new land along the dock area. Only a small amount of land along the entrance to the harbor adjoins Parcel 10. This land can not be used by vessels for docking purposes due to safety concerns at the harbor entrance.

Regarding Section 30708 (c), the amendment provides for giving the highest priority for the use of land within harbors for port purposes. These priority land uses include a navigation facility, the light house and fog horn, aquaculture, fisheries, and mixed use waterfront complexes on Parcel 10. Other priority land uses on Parcel 9 include shipping industries and necessary support and access facilities such as general cargo, containers, offshore oil, vehicles, neo-bulk, dry bulk, liquid bulk, fishing, and maritime support services, all located immediately adjacent to the existing general cargo area at the port. Parcel 11, located the farthest from the Port docks, provides a buffer zone for waterfront access and the maintenance of the existing seawall. Navigation facilities may also be provided on Parcel 11.

The Harbor District has provided more descriptive information on proposed land uses in a letter dated August 16, 1996 to Commission staff.

The types of activities that will occur on the new acreage are as follows:

The various contemplated uses for this acreage will be port/maritime-oriented and of the same general type as have been conducted at the Port of Hueneme for over fifty-seven years, involving the movement of large amounts of general cargo from and to foreign and domestic destinations. In the Harbor District's enabling legislation, these operations are broadly defined as activities which further "commerce, navigation and fisheries."

More specifically, the Oxnard Harbor District will seek to facilitate uses that will support the Port of Hueneme's current market niches in the loading/unloading of general cargo, (including but not limited to agricultural products, vehicle import/export business, and the importing of steel and forest products). Further, the Harbor District is continually working to expand into new market areas by developing and intensifying state of the art facilities, but is hampered by the lack of backland staging area necessary to support many of the higher intensity activities which occur in other port facilities.

The Oxnard Harbor District has immediate need for expanded automobile and heavy vehicle storage areas, container storage, intermodal transportation facilities, and port-related industrial uses. All of these activities occur daily at the Port of Hueneme utilizing increasingly constrained acreage.

Furthermore, the Oxnard Harbor District has been designated as the Grantee for U. S. Foreign Trade Zone # 205. It is the intention and capability of the District to request the U. S. Foreign-Trade Zones Board to immediately incorporate portions of the NCEL into

the Seaport Site of U. S. Foreign Trade Zone # 205, to attract port-related zone users to the site.

Short term and longer term uses of the parcels are further described below by the District.

The short term will see immediate use of the existing open space for auto and container staging and storage. Additionally contemplated is the conversion of existing buildings into commercial maritime development including fishing activities, repair and maintenance facilities, welding/machine shops, support office space, aquaculture and fisheries research laboratories.

Over the longer term, the Harbor District will also consider the expansion of covered storage or cool storage for cargo and commercial fishing facilities that are required to be adjacent to berthing space. Additionally, two intermodal rail spurs will be added to enhance the efficiency and flexibility of cargo movement through the Port of Hueneme.

Though "mixed use waterfront complexes" is a rather vague term, the Harbor District will not allow any residential or other non-port-related uses to be located on the amended property. That type of development is outside of the Harbor District's authority under the California Harbors and Navigation Code, would seriously hamper the efficiency of the commercial seaport, and would also be in violation of the U. S. Department of Transportation deed covenants regarding use of the NCEL property.

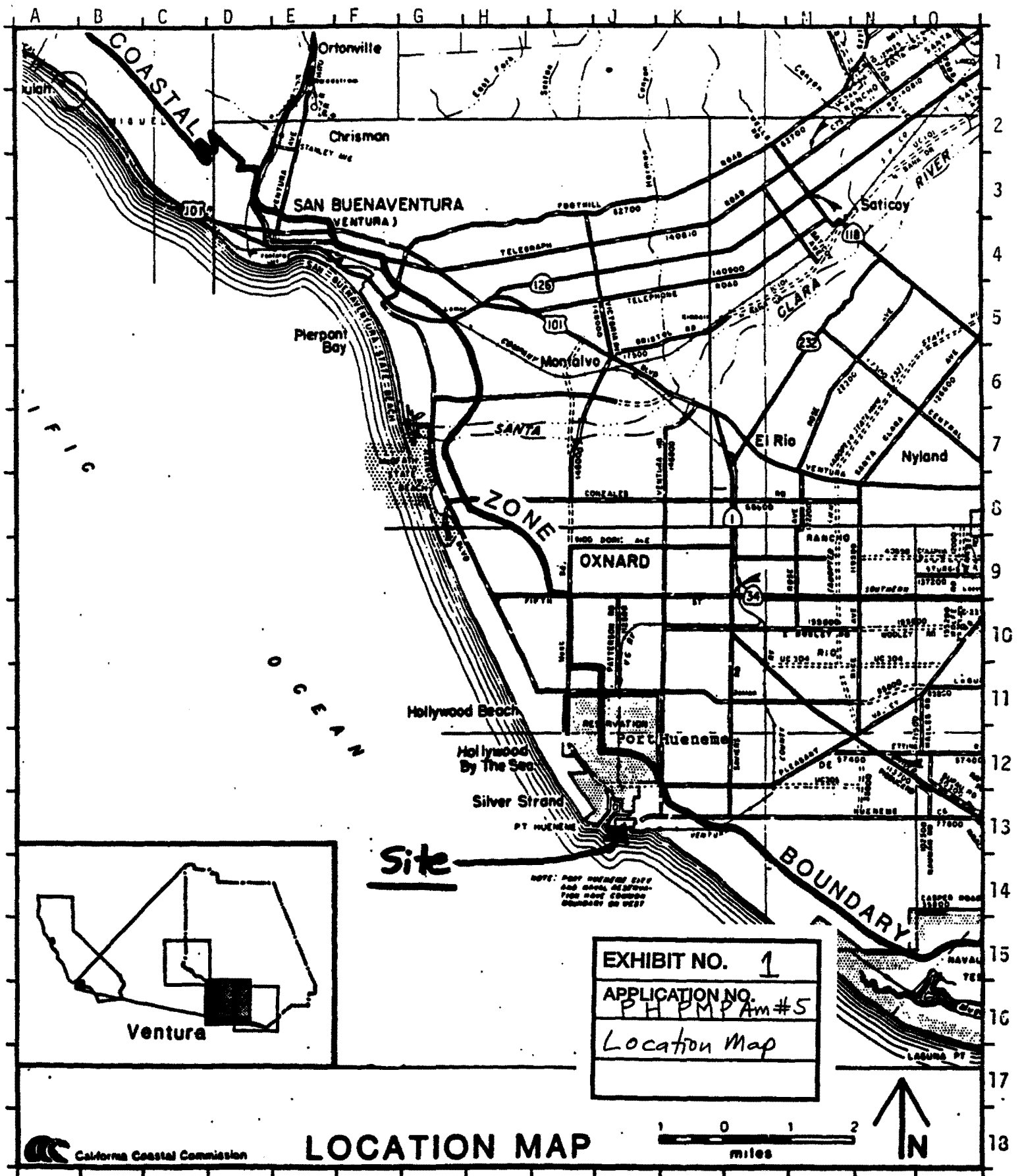
Therefore, the Harbor Districts' proposed land uses for the NCEL property will provide for port related uses.

Regarding Section 30708 (d), access to the public trust is proposed along the length of Parcel 11 immediately inland of the rock seawall. The status of the public trust land on the NCEL property is under discussion between the State Lands Commission and the federal government. It is proposed that in exchange for the State's quitclaim of any right, title or interest in the NCEL property a covenant will be written in the deed allowing public access along the southern boundary of the property. The amendment's proposed land uses on Parcel 11 provide for a public accessway along the length of the seawall, which is the southern boundary of the property.

Regarding Section 30708 (e), the Oxnard Harbor District is now served by the Ventura County Railroad. Railroad tracks currently cross the northeast corner of the NCEL property to Parcel 6. The District is considering the extension of new rail lines across Parcels 9 and 11. As noted in the District's July 31 and August 16, 1996 letters to staff, the District is considering expanded rail service to the NCEL property. The Ventura County Railroad Company now has a spur track servicing Parcel 6. A portion of this track crosses the northeast portion of the NCEL property. The District is considering installing a double railroad track along the southern boundary of Parcel 9. The northerly track would be used to handle a mix of cargoes (automobiles, containers, general cargo, bulk cargo, etc.). The southerly parallel track would serve as an escape track for the locomotive delivering the railcars. If this track is located on Parcel 11, it may be feasible to use it to transport heavy armor rock and other material by rail for the repair and maintenance of the seawall. This proposed development will be further studied by the District. The proposed land uses, port-related and seawall maintenance, listed for Parcels 9 and 11 allow for such a rail extension to provide rail service to the NCEL property. In addition, the extension of rail service will facilitate multi-company use of the NCEL property.

Thus, all of the land uses noted on Parcels 9, 10, and 11 allow for the location, design and construction of port related developments consistent with Section 30708 of the Coastal Act. As listed in Table 1 above and Exhibit 4, all of the land uses meet the definition of coastal dependent developments, such as general cargo, and coastal related developments, such as marine research and education and waterfront access. Therefore the Commission finds that the amendment as submitted is consistent with policies noted in Chapters 3 and 8 of the Coastal Act.

F. Consistency with the California Environmental Quality Act (CEQA) The Department of the Navy has completed a Final Environmental Impact Statement with additional documentation provided by the City of Port Hueneme to bring the FEIS into compliance with CEQA. The FEIS reviewed alternative development scenarios, including the preferred alternative now proposed in this amendment (port expansion, marine education, fishing related enterprises, and a recreation/public access corridor along the coast). The FEIS found that the preferred alternative would have significant adverse impacts on air quality, cultural resources, water resources and water and sewage utilities. Significant impacts on all these resources could be mitigated to levels below significance except for additional ozone precursor emissions that exceed the Ventura County Air Pollution Control District significance levels and may create regional ozone. The impact results from the change in land use and vehicle travel patterns with the buildout of the NCEL property. This potential impact will be addressed by the Harbor District and the Ventura County Air Pollution Control District during the environmental and permit review for future projects. The FEIS found similar impact levels in the other land use alternatives studied in the FEIS. On August 12, 1996, the Harbor District adopted resolution 779, making findings of overriding consideration for this significant air quality impact and approving the FEIS as consistent with CEQA. Therefore, the Commission finds that there are no feasible alternatives to the proposed amendment and it will not result in significant adverse impacts on the coastal zone environment, with the exception of regional ozone precursor emissions, and thus, is consistent with CEQA.



California Coastal Commission

LOCATION MAP



County of Ventura

Sheet 2 of 3

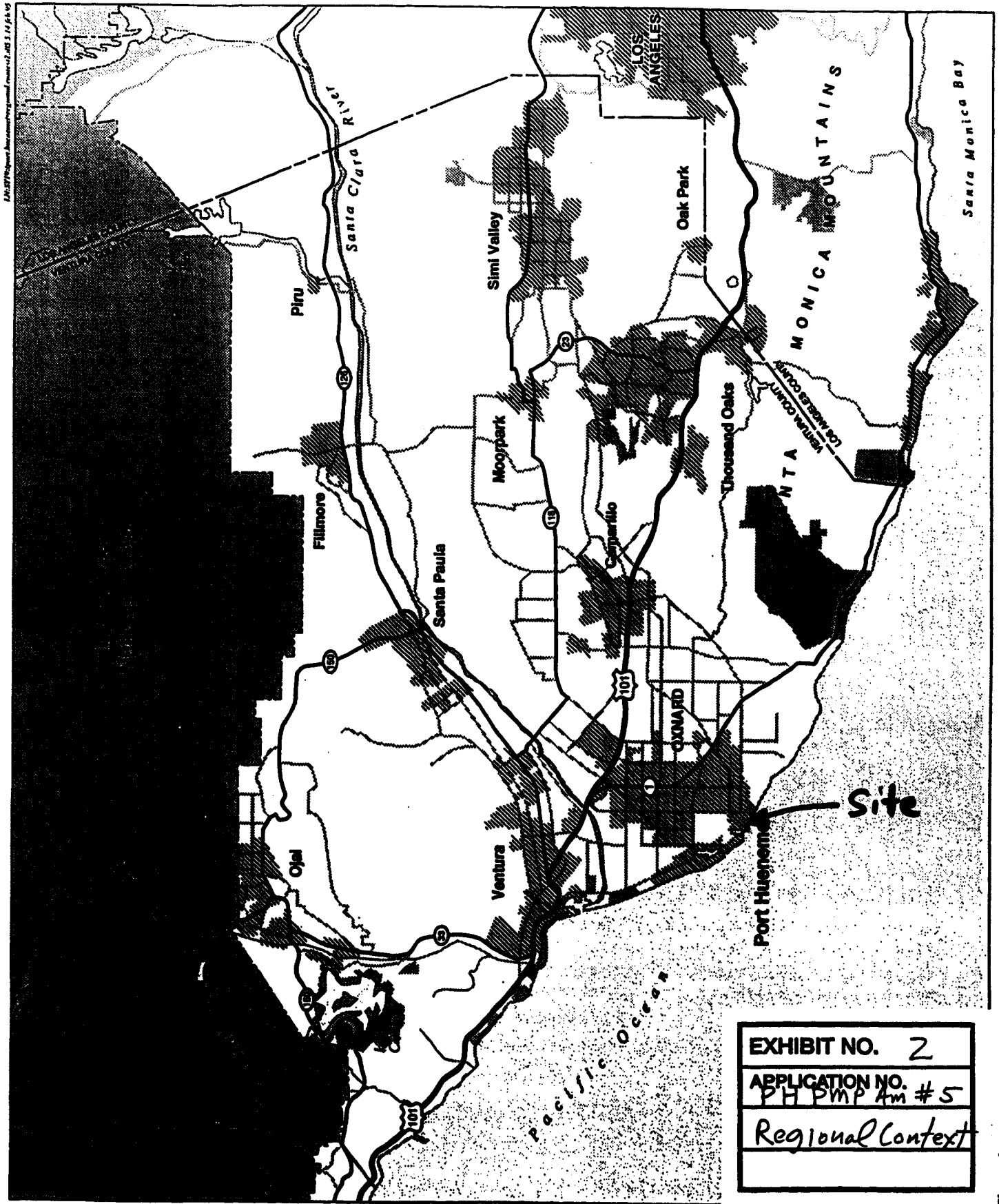
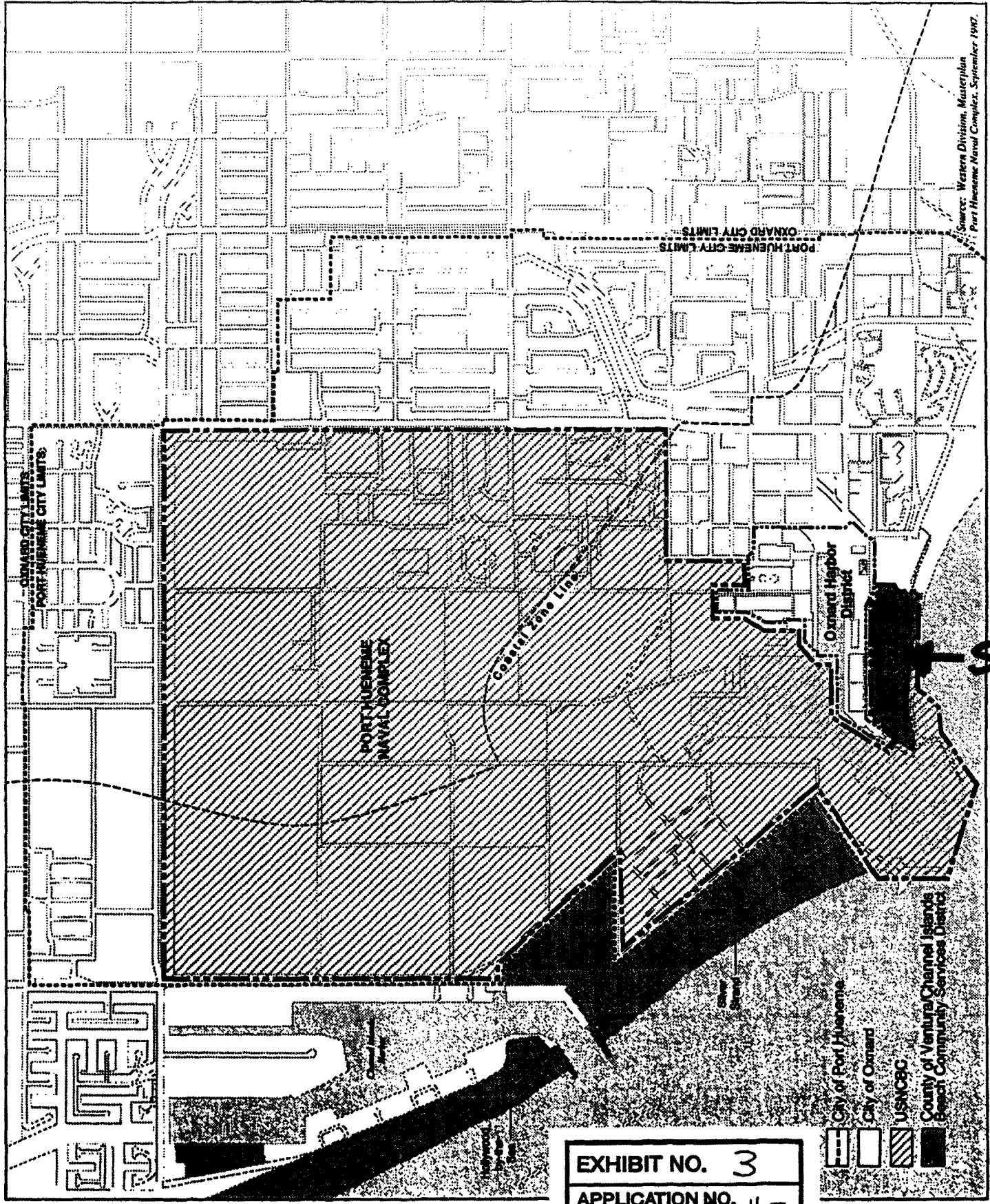


Figure 1
REGIONAL CONTEXT

1/20/2019 Regional Context Map - PH PMP Am #5 - 3/14/2019



Source: Western Division, Masterplan
Port Huenehine Naval Complex, September 1987.

EXHIBIT NO. 3
 APPLICATION NO.
 PH PMP Am #5
 Local Jurisdiction

Figure 3
LOCAL JURISDICTIONS

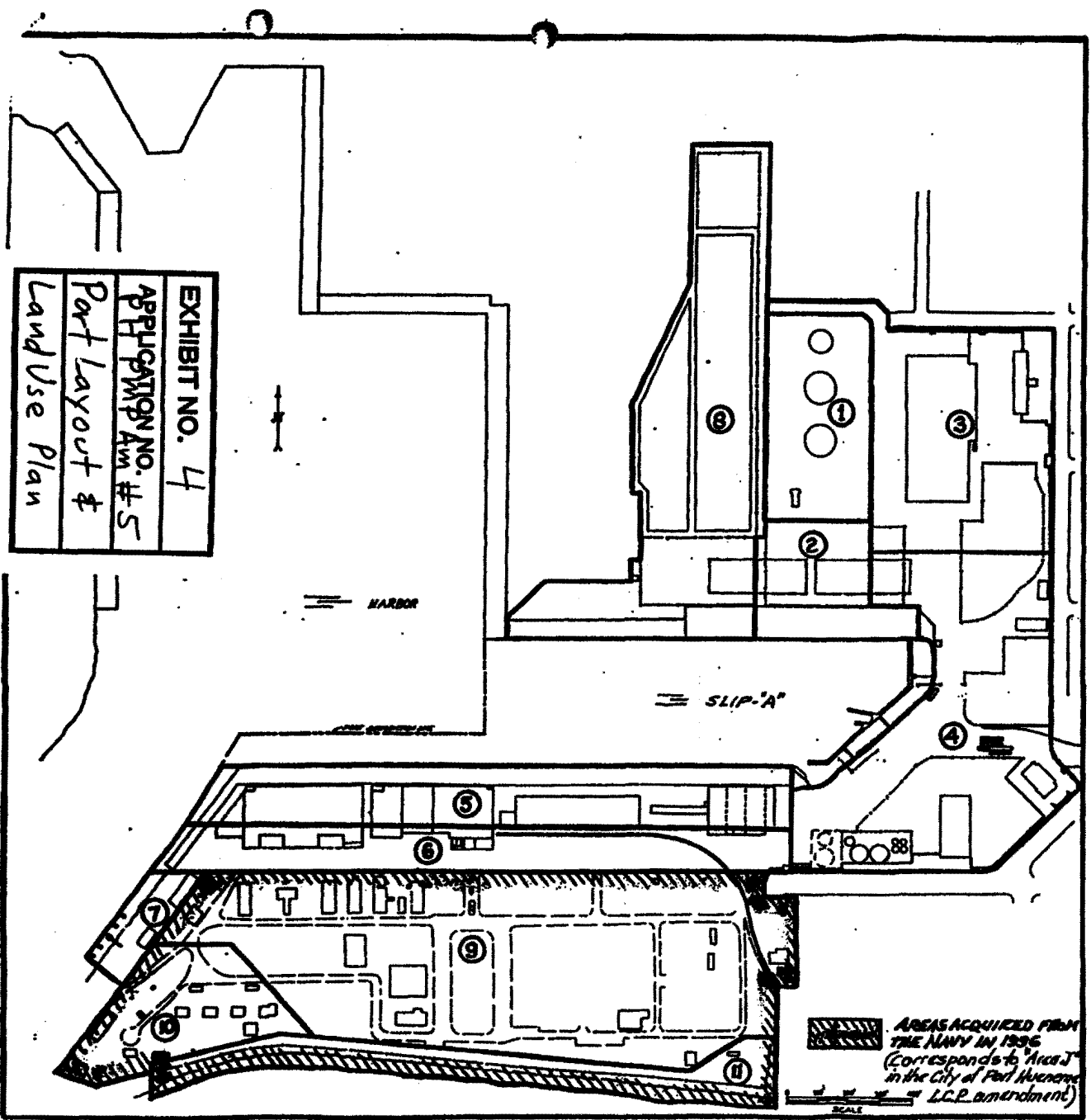


EXHIBIT NO. 4
 APPLICATION NO. H-15
 Part Layout &
 Land Use Plan

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

* Denotes areas acquired from the U.S. Navy in 1996

**PORT OF HUENEME
 OXNARD HARBOR DISTRICT**

**PORT LAYOUT
 AND LAND USE PLAN**

AMENDMENT # 4 DATE: APRIL 22, 1996

[Handwritten signatures]

AREAS ACQUIRED FROM THE NAVY IN 1996
 (Corresponds to Area J in the City of Port Huenehme L.C.P. amendment)

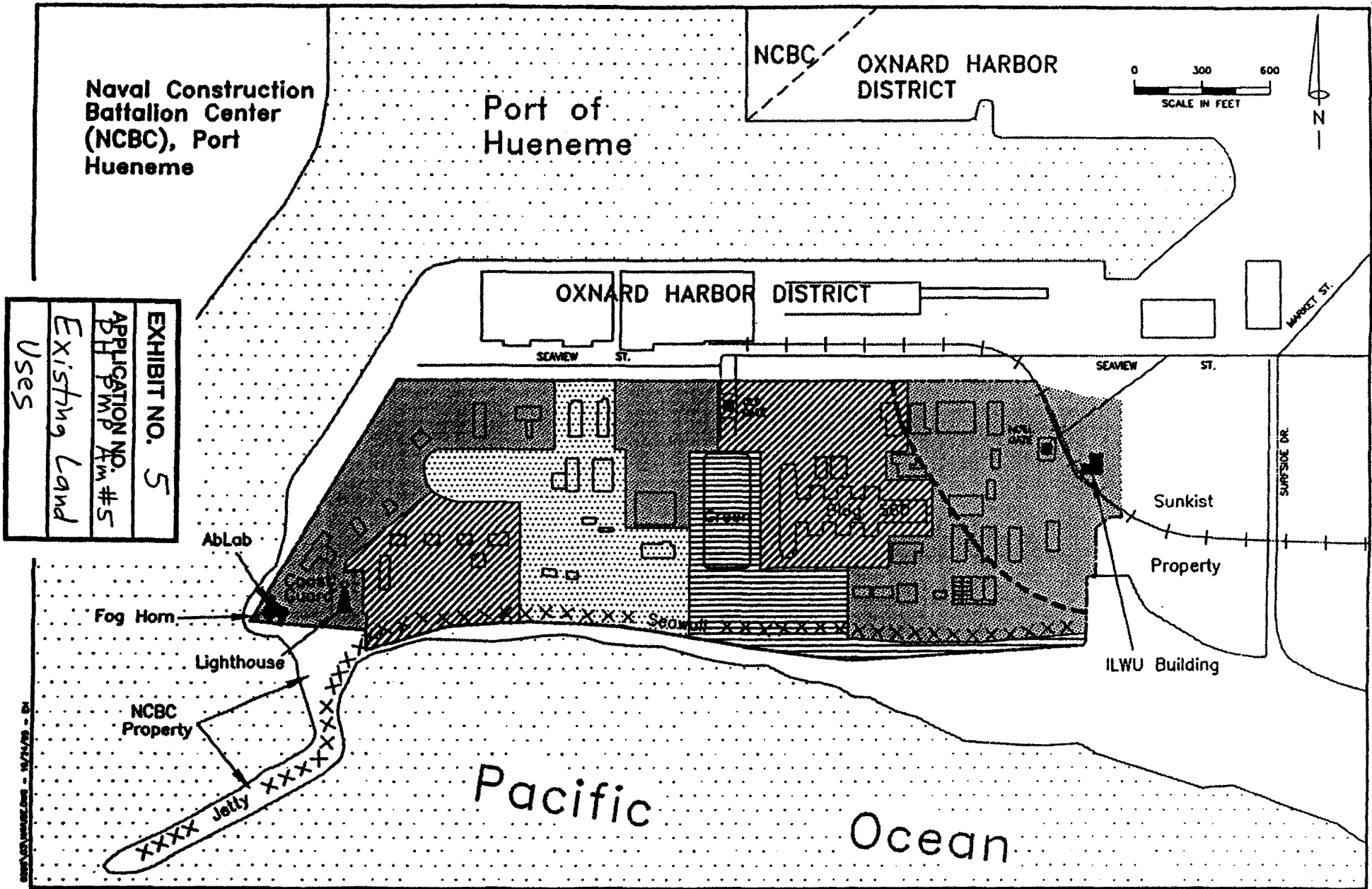









EXHIBIT NO. 5
 APPLICATION NO. #5
 DH M P A W #5
 Existing Land Uses

Existing land uses on the NCEL property include research & development, administrative, and recreational.

Legend

-  Park & Recreation
-  Supply/Storage/Maintenance/Production
-  Research & Development

-  Administration
-  Outlease
-  Hazard footprint from Oxnard Harbor District Petroleum tanks
-  NCEL fence line

Existing Land Uses

NCEL Property
 Port Hueneme, CA

Figure 3-1

Source: City of Port Hueneme 1995

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94103-2219
VOICE AND TDD (415) 904-5200



March 5, 1996

Commanding Officer
Engineering Field Activity West
Naval Facilities Engineering Command
ATTN: Ms. Mary Doyle, Code 185
900 Commodore Drive
San Bruno, CA 94066-5006

Subject: Draft Environmental Impact Statement for the Disposal and Reuse of
Former Naval Civil Engineering Laboratory, Port Hueneme, Ventura
County, California.

Dear Ms. Doyle:

The Commission's federal consistency staff has reviewed the above-referenced document and submits the following comments. As previously noted in our March 20, 1995, comment letter on the Notice of Preparation of the Draft Environmental Impact Statement (DEIS), a consistency determination will need to be submitted to this office for the disposal and reuse of the former Naval Civil Engineering Laboratory (NCEL) at Port Hueneme. Section 3.1.3 of the DEIS states, in part, that:

Under [the Coastal Zone Management Act], any federal projects or activities must be consistent to the maximum extent practicable with the provisions of federally-approved state coastal plans.

1 | The Final EIS should include a clear statement that the Navy will comply with the applicable Federal consistency procedures for the proposed disposal and reuse of the NCEL property.

Based on our review of the DEIS, Commission staff believes that the primary issue associated with the proposed disposal and reuse of the NCEL property is establishing land uses consistent with Coastal Act priorities, including adequate provision of public shoreline access and recreation. The preferred alternative outlined in the DEIS (and which we understand will be the subject of the aforementioned federal consistency submittal) designates a 50-foot-wide coastal strip for "recreation and public access" and designates the balance of the property for port related and coastal related uses. At this stage of the disposal process, such a designation would appear to be consistent with the development and resource protection policies of the California Coastal Management Program and the Commission-certified City of Port Hueneme Local Coastal Program. However, a formal determination by the Commission cannot occur until after the Navy has submitted a federal consistency document.

EXHIBIT NO. 6
APPLICATION NO. PH PMP Am #5
DEIS Comments
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The DEIS also notes that the final reuse decisions for the NCEL property will be made by the City of Port Hueneme and/or the Oxnard Harbor District; the Final EIS will provide those decision makers with information on the potential environmental effects associated with reuse alternatives. As a part of the decision making process, the City will submit to the Commission for its review and approval a Local Coastal Program Amendment and/or the District will submit a Port Master Plan Amendment. The Commission staff recommends that to ensure that these amendments are consistent with priority land uses provided by the Coastal Act (coastal dependent, coastal related, aquaculture, visitor serving, and public access and recreation), the amendments should include the provisions for public access and recreation along the NCEL coastal strip as described in the DEIS preferred alternative.

Thank you for the opportunity to comment on the DEIS. The Commission staff looks forward to receiving the Navy's federal consistency submittal for the disposal and reuse of the NCEL property at Port Hueneme. Commission staff would consider the submittal of a negative determination because the Commission will assume coastal permit authority for the property until the Commission certifies a Local Coastal Program Amendment from the City of Port Hueneme or certifies a Port Master Plan Amendment from the Oxnard Harbor District. Please contact me at (415) 904-5288 should you have any questions regarding this matter.

Sincerely,



Larry Simon
Federal Consistency Staff

cc: Thomas Figg, City of Port Hueneme
William Buenger, Oxnard Harbor District
South Central Coast Office, CCC-Ventura

1725p

EXHIBIT NO. 6
APPLICATION NO. PH PMP Am #5
DEIS Comments
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