

**CALIFORNIA COASTAL COMMISSION**

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**STAFF REPORT AND RECOMMENDATION****ON CONSISTENCY DETERMINATION**

Consistency Determination No. **CD-168-97**  
Staff: LJS-SF  
File Date: 12/5/97  
45th Day: 1/19/98  
60th Day: 2/3/98  
Commission Meeting: 1/13/97

**FEDERAL AGENCY: Corps of Engineers****DEVELOPMENT**

**LOCATION:** Ventura Harbor (Exhibit 1)

**DEVELOPMENT**

**DESCRIPTION:** Repair and modifications to the Ventura Harbor south jetty,  
Ventura County (Exhibits 2-6)

**SUBSTANTIVE FILE DOCUMENTS:**

1. CD-104-96, Ventura Harbor breakwater repairs and modifications.
2. ND-103-96, Ventura Harbor maintenance dredging.
3. ND-051-95, modifications to Ventura Harbor maintenance dredging program.
4. CD-054-94, Ventura Harbor maintenance dredging.
5. ND-021-94, minor excavation and dredging at Ventura Harbor.
6. ND-035-92, modifications to Ventura Harbor improvements plan.
7. CD-053-91, modifications to Ventura Harbor 6-year dredging plan.
8. CD-017-89, Ventura Harbor improvements plan.

## **EXECUTIVE SUMMARY**

The Corps of Engineers proposes to repair and modify the existing south jetty at Ventura Harbor. The work involves excavating 19,500 cubic yards of sediment from around the end of the jetty, placing 16-32,000 tons of quarry rock to extend the toe of the jetty by 60 feet in order to provide additional support to the jetty, and replacing 410 damaged concrete tribar units with 330 new units. The Corps also would construct a temporary access road to and along the crest of the jetty, and remove rusted cables, poles, and deteriorated asphalt from the jetty. The excavated sand would be either sidecast into the adjacent navigation channel or sandtrap, or transported to the authorized nearshore disposal site downcoast from the harbor entrance channel.

The proposed repairs and modifications are consistent with the shoreline structure policy of the California Coastal Management Program (CCMP; Section 30235 of the Coastal Act) for two reasons: 1) the project maintains an existing jetty that protects berthing for recreational boating and commercial fishing; and 2) the project will not change the effect from the existing jetty on local sand supply. The dredging and fill required for this project is consistent with Section 30233 of the Coastal Act for the following reasons: 1) it serves a port, Ventura Harbor, and a coastal-dependent industry, commercial fishing; 2) it is the least damaging feasible alternative; and 3) it will not adversely affect marine habitat and resources and does not require additional mitigation.

Construction access to the south jetty across a strip of non-native vegetated sand dune, and the temporary closure of part of a beach parking lot and one entrance to South Beach between March and August 1998, is consistent with the public access and habitat protection policies of the CCMP (Sections 30211 and 30240 of the Coastal Act) for the following reasons: (1) public safety requires the fencing and closure of the jetty and construction access route during repair work; (2) the closure is temporary; (3) other parking and entrances to South Beach are present in the vicinity; (4) it is the least environmentally damaging alternative for repair of the south jetty; and (5) all construction materials will be removed and the area regraded to original contours and replanted.

## **STAFF SUMMARY AND RECOMMENDATION:**

**I. Project Description.** The Los Angeles District of the U.S. Army Corps of Engineers (Corps), as part of its Operations and Maintenance program, proposes to repair and modify the Ventura Harbor south jetty in order to maintain the jetty's integrity (Exhibits 1-3). The proposed project is required to support the maintenance of Federally-authorized channel configurations, and to ensure safe navigability by limiting wave action within the harbor and by diverting littoral material down coast for shoreline protection and maintenance. Approximately 19,500 cubic yards of clean

sandy sediments would be excavated at the toe of the jetty in water depths reaching -4 feet mean lower low water (MLLW) using either a cutter head pipeline dredge or a hopper dredge; the excavation is necessary to facilitate rock placement for an approximate 60-foot extension of the jetty toe at the end of the jetty (Exhibits 4-6). The Corps proposes to extend the existing jetty toe with 11-22,000 tons (2-tons each) of B-2 stone, and 5-10,000 tons of quarry run C-stone. Repairs would also include removal and replacement of 410 tribar units (three cylindrical concrete pieces joined at the center, used in place of stone for jetty and breakwater construction) with approximately 330 new units of tribar (10 tons each). The Corps will also remove approximately 825 feet of rusted steel cable and approximately 20 rusted steel poles. Approximately 2200 square feet of asphalt (the remnants of the deteriorated jetty cap) would be removed and disposed off-site. Land-based equipment access to the project site, consisting of a 1,100-foot long by 30-foot wide access road from Spinnaker Drive to the end of the jetty, would also be required to enable truck access to the jetty for tribar replacement and asphalt dismantlement. A portion of a public parking lot would be closed and used for equipment delivery and truck turn-arounds, and fencing of the project site would intermittently restrict one entrance path to the beach during the construction period of March through August, 1998.

## **II. Status of Local Coastal Program.**

The standard of review for federal consistency determinations is the policies of Chapter 3 of the Coastal Act, and not the Local Coastal Program (LCP) of the affected area. If the Commission certified the LCP and incorporated it into the CCMP, the LCP can provide guidance in applying Chapter 3 policies in light of local circumstances. If the Commission has not incorporated the LCP into the CCMP, it cannot guide the Commission's decision, but it can provide background information. The Commission has FULLY INCORPORATED the San Buenaventura LCP into the CCMP.

## **III. Federal Agency's Consistency Determination.**

The Corps of Engineers has determined the project to be consistent to the maximum extent practicable with the California Coastal Management Program.

## **IV. Staff Recommendation:**

The staff recommends that the Commission adopt the following motion:

MOTION. I move that the Commission concur with the Corps of Engineers' consistency determination.

The staff recommends a YES vote on this motion. A majority vote in the affirmative will result in adoption of the following resolution:

### **Concurrence**

The Commission hereby **concur**s with the consistency determination made by the Corps of Engineers for the proposed project, finding that the project is consistent to the maximum extent practicable with the California Coastal Management Program.

## **VI. Findings and Declarations:**

The Commission finds and declares as follows:

### **A. Shoreline Structures.** Section 30235 of the Coastal Act provides that:

*Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion, and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Existing marine structures causing water stagnation contributing to pollution problems and fish kills should be phased out or upgraded where feasible.*

Section 30235 of the Coastal Act allows for construction and modifications of shoreline structures, including jettys, under certain conditions. Specifically, that section requires that the structure, among other things, serve coastal-dependent uses and mitigate for adverse effects on local sand supply. With respect to the need to serve the coastal-dependent uses, the jetty protects Ventura Harbor, which supports recreational boating and commercial fishing.

Ventura Harbor is located on the California coast approximately 55 miles northwest of Los Angeles, within the city limits of San Buenaventura, Ventura County, immediately north of the Santa Clara River (Exhibit 1). The Ventura Port District originally constructed the harbor in the mid-1960s. The harbor provides berthing and support for recreational boating and commercial fishing. The Corps describes the existing use of the harbor as follows:

*Ventura Harbor provides important recreational resources for the regional and local area. The Ventura Harbor complex includes administration facilities, the marina center, a resort hotel, parking areas, boat ramps, a sport fishing center, a boat repair yard, restaurants, marina hardware, and a mobile home park. Its open water area, about 20 hectares (50 acres), provides for channels and turning*

*basins. Mooring areas comprise an additional 28 hectares (70 acres). Approximately 1500 craft, including 10 sport fishing vessels and 73 commercial fishing vessels, are moored in Ventura Harbor. A commercial fish processing facility, offshore oil drilling support facility, the headquarters for the Channel Islands National Park, and two boat launching ramps for public utilization are in or based at Ventura Harbor. The contractor's storage area has been used as a storage area in previous years, and has no other land use at this time.*

These uses are clearly coastal-dependent. The proposed project provides necessary support to the south jetty, without which could be severely damaged during a major storm event. Such damage could severely limit the ability of the jetty to protect the harbor. Therefore, the Commission finds that the project is necessary to support the south jetty, which serves coastal-dependent uses.

With respect to the second test of Section 30233, there is no question that Ventura Harbor, including its jettys, breakwater, channels, and sand traps, has a major effect on local sand supply. There are beach erosion problems both up coast and down coast from the harbor, which are possible related to the presence of the harbor. The harbor is protected by two jettys and a detached breakwater. In the draft environmental assessment submitted with this consistency determination, the Corps describes the harbor and subsequent improvements as follows:

*The Ventura Harbor north and south jetties, entrance channel, and basin were constructed in the mid-1960's by the Ventura Port District. In 1972, the Corps took responsibility for the north and south jetties and the entrance channel, and constructed the detached breakwater. Since then, the Corps has repaired the north jetty and, or, the detached breakwater and, or the south jetty in 1987, 1992, 1993 and 1997-98.*

*Historically, Ventura Harbor has been dredged on an annual basis. The most recent maintenance dredging operation (sandtrap and entrance/navigation channel) is now underway, with completion scheduled no later than March 15, 1998. In June 1989, a Feasibility Study and an Environmental Assessment (EA) were prepared to analyze the need for harbor modifications that would improve navigation conditions, and decrease the frequency of maintenance dredging (USACOE 1989, revised 1990). The project was authorized by Congress in the Water Resources Development Act of 1990, and construction was completed in August, 1994.*

*The Ventura Harbor Navigation Improvements project (USACOE, 1990) included construction of the following features: (1) a 300-foot north jetty spur; (2) a 625-foot South Beach groin, approximately 1,000 feet down coast of the south jetty; (3)*

*deepening of the entrance channel to -40 feet MLLW; (4) a 200-foot extension of sand trap A, to the south; and (5) a 300-foot extension of the detached breakwater. In 1992, repairs to the detached breakwater were necessary to alleviate damage sustained from successive winter storms (USACOE, 1992). Supplemental EA's addressing dredging methodologies (USACOE, 1991), and quarries to be used for various rockwork (USACOE, 1994) were submitted and approved, to ensure satisfactory completion of the improvements project. Completion of that project was expected to reduce shoaling in Ventura Harbor to an extent that maintenance dredging would only be required on a biennial basis (once every two years). A sufficient amount of material must first be dredged from the sand trap areas, however, to make biennial dredging feasible. Upon completion of the ongoing maintenance dredging, and breakwater repairs and modifications, preparation of a six-year dredging program EA is planned to initiate the biennial dredging process. At that time, more precise estimates of future shoaling, and dredging frequencies, will be available.*

*In 1995, emergency breakwater repair, sill construction, and dredging were required at Ventura Harbor (memorandum, dated 14 Feb 95). Emergency dredging was also conducted in January 1995 to restore authorized channel depths in the entrance channel. An access channel to the corridor between the breakwater and the North Jetty Spur was also dredged. A hopper dredge was used in the entrance channel, and a clamshell dredge was used in the access channel. Construction of the emergency sill began at the end of February 1995, and took approximately 3-4 weeks to complete.*

The Corps proposes to repair and modify the south jetty in order to maintain the existing level of protection the jetty provides to Ventura Harbor. The proposal includes expanding the toe of the jetty to provide additional support to prevent slumping of the jetty, to provide a solid base to support the replacement of concrete tribar units necessary for repair of the jetty, and to reduce the area subject to channel scour. The sand supply effects from the Harbor have existed since its construction. The proposed project will not change the Harbor's effect on shoreline processes. Additionally, the Corps mitigates for some of the adverse affects from its structures through its annual maintenance dredging. Material dredged from the channels and sand traps is placed on down-coast beaches. Thus, the project maintains sand in the littoral system. Therefore, the Commission finds that the project will not generate new effects on local sand supply nor will it affect the Corps' dredging program, which partially mitigates existing adverse affects to littoral processes.

**B. Marine Resources.** Section 30233 of the Coastal Act provides, in part, that:

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

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

*(b) Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for such purposes to appropriate beaches or into suitable long shore current systems.*

The proposed project requires both dredging and the placement of rock into the marine environment. As such it must meet the three tests of Section 30233(a) of the Coastal Act. The first test identifies allowable uses for any dredging and filling of the marine environment. Section 30233(a)(1) allows for dredging and filling for expanded port facilities and coastal-dependent industries. The proposed project will maintain and expand the south jetty protecting Ventura Harbor, which supports both recreational boating and commercial fishing. Since this jetty supports a harbor and a coastal-dependent industry, commercial fishing, the Commission finds that the proposed project is an allowable use pursuant to Section 30233(a)(1).

The second test of Section 30233(a) requires that the Commission determine that the proposed project is the least damaging feasible alternative. The Corps provided an analysis of two alternatives to the proposed project: (1) no action, and (2) jetty repair without the toe extension. Both alternatives would lead to future and significant damage to the jetty, and adverse impacts to recreational boating and commercial fishing activities at Ventura Harbor. Marine impacts from the proposed project are relatively minor, and the project is necessary to prevent failure of the south jetty. Should failure occur, the Corps would most likely rebuild it, and the Commission would expect more significant environmental impacts from its collapse and subsequent repairs. Therefore, the Commission finds that the project is consistent with the least damaging feasible alternative test of Section 30233(a).

The final test of Section 30233(a) requires the Commission to consider mitigation for adverse impacts to the marine environment. The proposed project does not require mitigation because it will not adversely affect marine resources. The proposed project includes the placement of rock in the marine environment. This fill results in loss of

sandy bottom habitat. However, it will create rocky subtidal habitat. In some cases, the Commission has raised mitigation issues with respect to jetty and breakwater construction and modifications. In those cases, the projects resulted in a loss of habitat because of the partial conversion of marine habitat into upland rocky habitat, and thus a net loss of marine habitat. In this case, however, all of the rock placed in the marine environment will remain submerged. Thus the project will convert subtidal sandy habitat to subtidal rocky habitat. Since most of the area near Ventura Harbor consists of subtidal sandy habitat and because the submerged rocks will provide rocky subtidal habitat, the Commission finds that the project will not significantly affect marine resources and no additional mitigation is necessary.

Finally, Section 30233(b) of the Coastal Act requires that, where feasible, dredged sandy material be disposed on the beach or where it will nourish sand supply. The proposed project requires removal of sand for the construction of the jetty toe extension. The Corps will place the approximately 19,500 cubic yards of sand in either: (1) the Ventura Harbor sand trap, where it will be dredged and placed in a nearshore disposal site during the next maintenance dredging cycle, or (2) the nearshore disposal site directly. Therefore, the Commission finds that the Corps will use material dredged from the jetty toe extension for beach nourishment.

In conclusion, the project is consistent with the allowable use, alternative, and mitigation tests of Section 30233(a). Additionally, the project is consistent with the beach nourishment policy of Section 30233(b). Therefore, the Commission finds that the project is consistent with the marine resource policies of the CCMP.

**C. Environmentally Sensitive Habitat.** Section 30240 of the Coastal Act provides that:

*(a) Environmentally sensitive habitats 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.*

The Corps describes habitat adjacent to the project site as follows:

*Small sections of vegetated dunes (.05 acres) and open beach habitat (.5 acres) would be temporarily graded and covered with gravel for equipment access. This would result in a loss of any sand-dwelling organisms that occur in the area and a temporary relocation of mobile species to adjacent beach areas. In addition,*



*fencing would be placed along the width of the beach on each side of this access road. This fencing is not expected to be a barrier to most wildlife species. Frequent public use of the area precludes most shorebird use, and preferred (less-disturbed) foraging areas would not be affected. When the work is completed, the contractor would completely remove all fencing, gravel, and other materials from the beach, and will restore the pre-existing topography of the area. The City of Ventura has also requested that the newly-formed dunes be revegetated with native plant species, to reduce blowsand and erosion potential.*

The equipment access route between Spinnaker Drive and the south jetty would temporarily eliminate approximately 2200 square-foot dunes vegetated with ice plant and other non-native species. The route has been designed to minimize disruption and loss of this habitat given the engineering and truck/trailer transportation requirements of the jetty repair activities. The Commission finds that given the non-native type of vegetation adjacent to the access route, and given the commitment by the Corps to remove all construction materials, regrade the site to pre-construction topography, and re-plant the disturbed area after jetty repairs are completed, that the project will not generate significant adverse impacts to environmentally sensitive habitat and is consistent with the habitat protection policies of the CCMP.

**D. Public Access, Recreation and Commercial Fishing.** Section 30224 of the Coastal Act provides that:

*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 of the Coastal Act provides, in part, that:

*Facilities serving the commercial fishing and recreational boating industries shall be protected and, where feasible, upgraded. . . .*

Section 30211 of the Coastal Act provides that:

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

As described above, the proposed project provides for the repair and improvement of the Ventura Harbor south jetty. Ventura Harbor serves both recreational boating and commercial fishing. The Coastal Act encourages the protection and improvement to facilities serving these industries. Therefore, the Commission finds that the project is consistent with the recreational boating and commercial fishing policies of the CCMP.

The Commission is concerned about potential effects from the proposed project on other recreational resources in the area. The consistency determination examines this issue as follows:

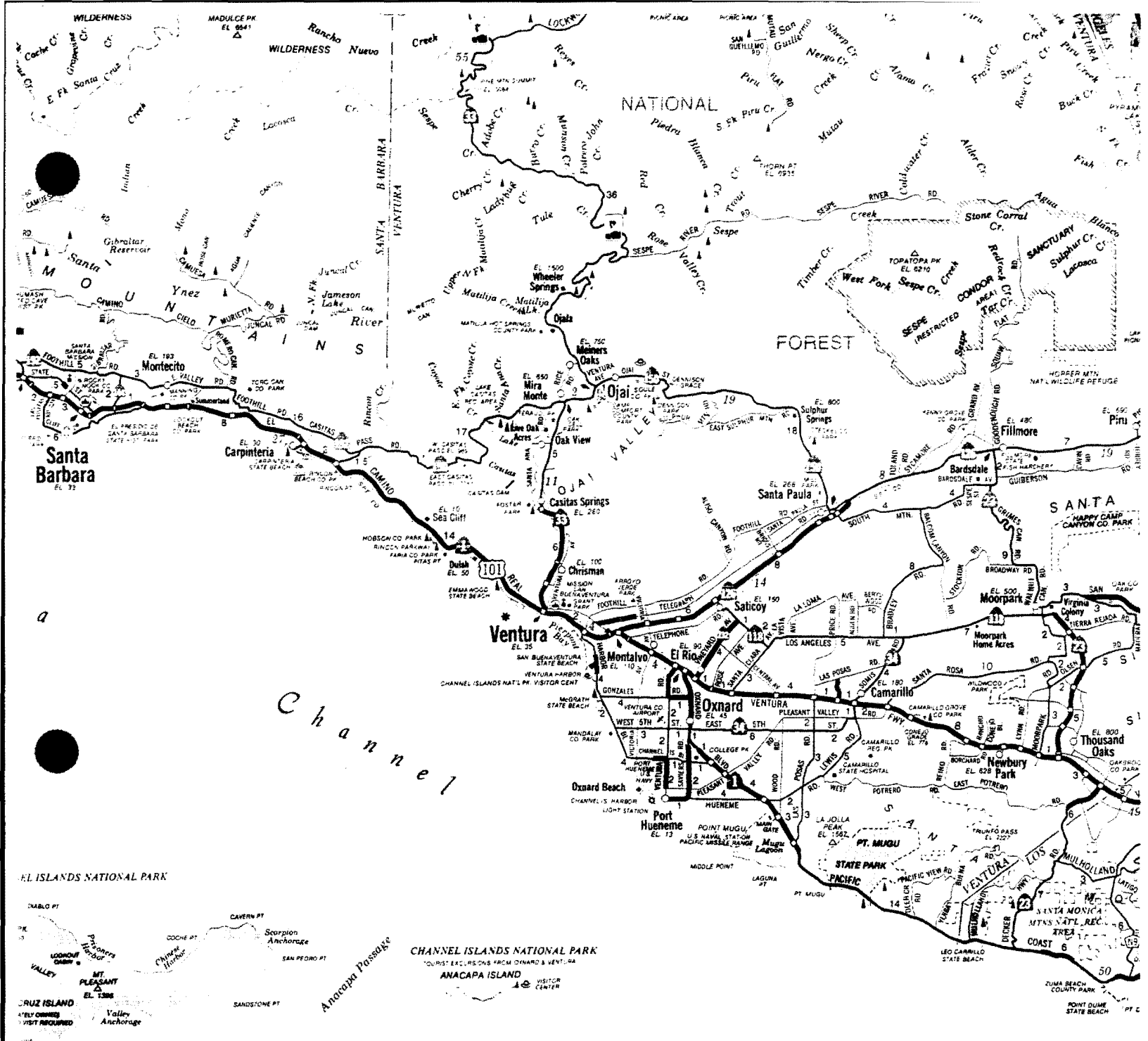
*The proposed jetty repairs and modifications will not have a significant adverse impact upon public access to the harbor, local beaches, and associated recreational facilities. Alternative access is available for both public parking and beach access. The contractor's staging area will be located within the harbor, at a site historically used for harbor construction activities. Possible impacts to public access will be limited to the temporary reduction in use of one public parking lot exit, and one entrance to South Beach from the public parking lot for the entire period of construction (March through August).*

*Minor impacts to boat traffic, and possibly recreational fishing, are expected to occur during construction operations. During this period, the channel will continue to be navigable to recreational and commercial vessels, but some delays may occur due to transport activities from the staging area to the south jetty. Although the existing south jetty is legally off-limits to fishermen, local demand for recreational space has resulted in occasional use of the structure for anchoring fishing boats and walking or fishing on the jetty. The jetty would be inaccessible to the public for such use during the period of construction. The proposed jetty repair would not significantly reduce public access to the Ventura Harbor Marina. The south jetty represents a very minimal sphere of influence with respect to the available surrounding areas for public access to, and use of, coastal resources. The minor disturbances and restrictions resulting from this project will be of short duration and necessary for public safety. Long-term benefits to navigational safety and harbor access, as well as public safety, are significant benefits derived from the proposed repairs and modifications.*

As stated by the Corps, the proposed project will interfere with public access to that part of South Beach immediately adjacent to the south jetty during periods of construction between March through August. A portion of the public parking lot at the end of Spinnaker Drive will be closed in order to support jetty repairs, and fencing will intermittently block access between the parking lot and South Beach in order to allow safe construction vehicle access between Spinnaker Drive and the south jetty. A gate will provide for access between the parking lot and South Beach during non-

construction hours. However, the Commission finds that: (1) numerous other public parking lots and public accessways to South Beach will still be available south of the project site along Spinnaker Drive; (2) there are no alternative construction access routes onto the south jetty; (3) public safety during periods of construction precludes unlimited direct access between the subject parking lot and South Beach; and (4) the project is temporary and is designed, in part, to eliminate hazards to the public from a deteriorating jetty structure. The Corps states that construction must occur during the spring and summer to ensure safe and calm water conditions for excavating sand around the jetty toe and placing rock on the ocean floor to extend the toe. Project construction will commence as early in the year as water conditions allow in order to minimize adverse impacts to public access to South Beach during the summer months. However, when balancing the temporary adverse impact on beach access with the public benefits for boaters and beach users to be gained by the repair and strengthening of the jetty, the Commission finds that the proposed project will not generate significant adverse impacts on beach access and is consistent with the public access policies of the CCMP.

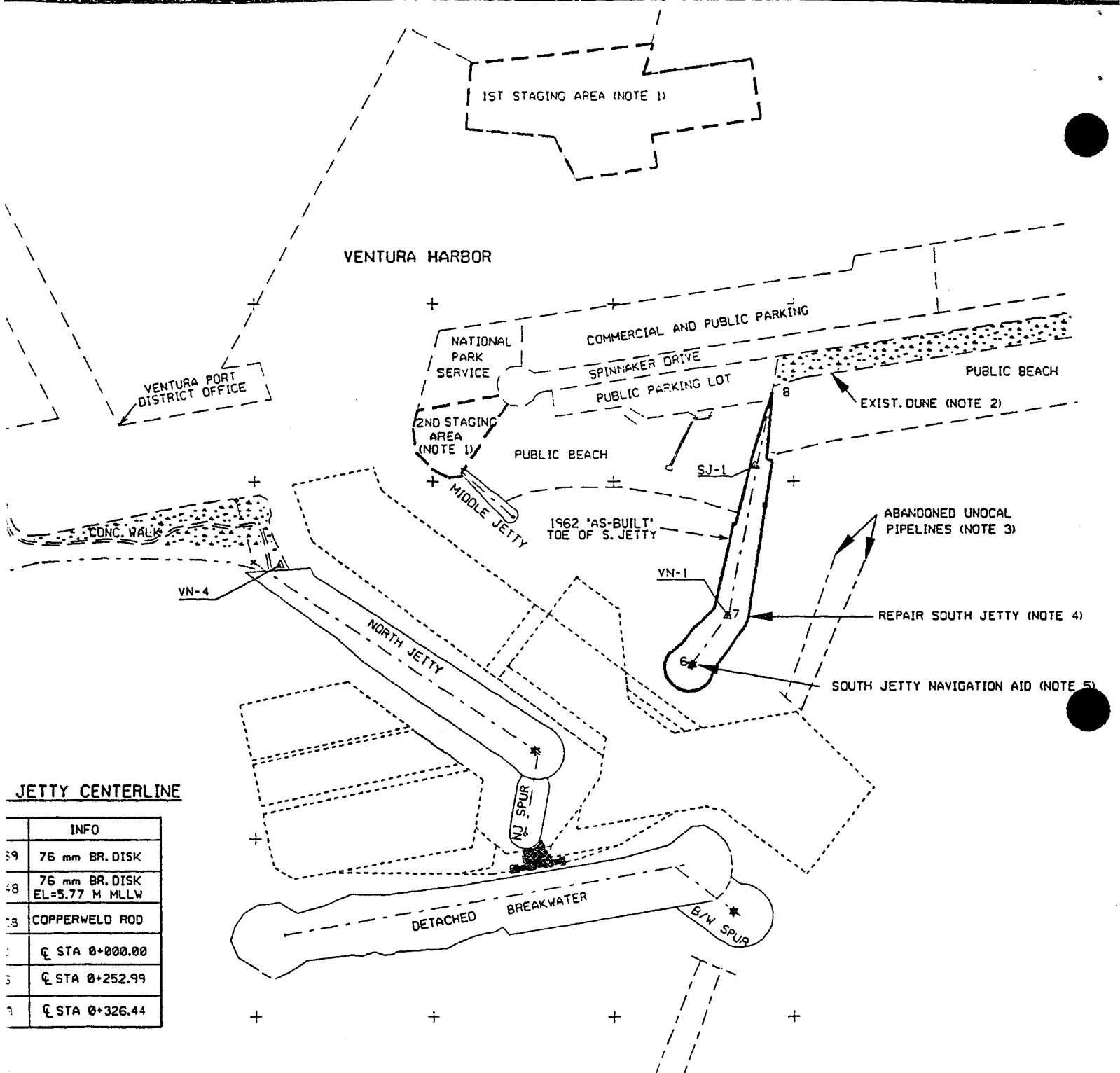




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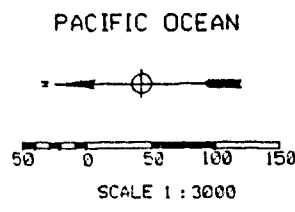
EXHIBIT NO. <b>1</b>
APPLICATION NO.
<b>CD-168-97</b>
California Coastal Commission



**JETTY CENTERLINE**

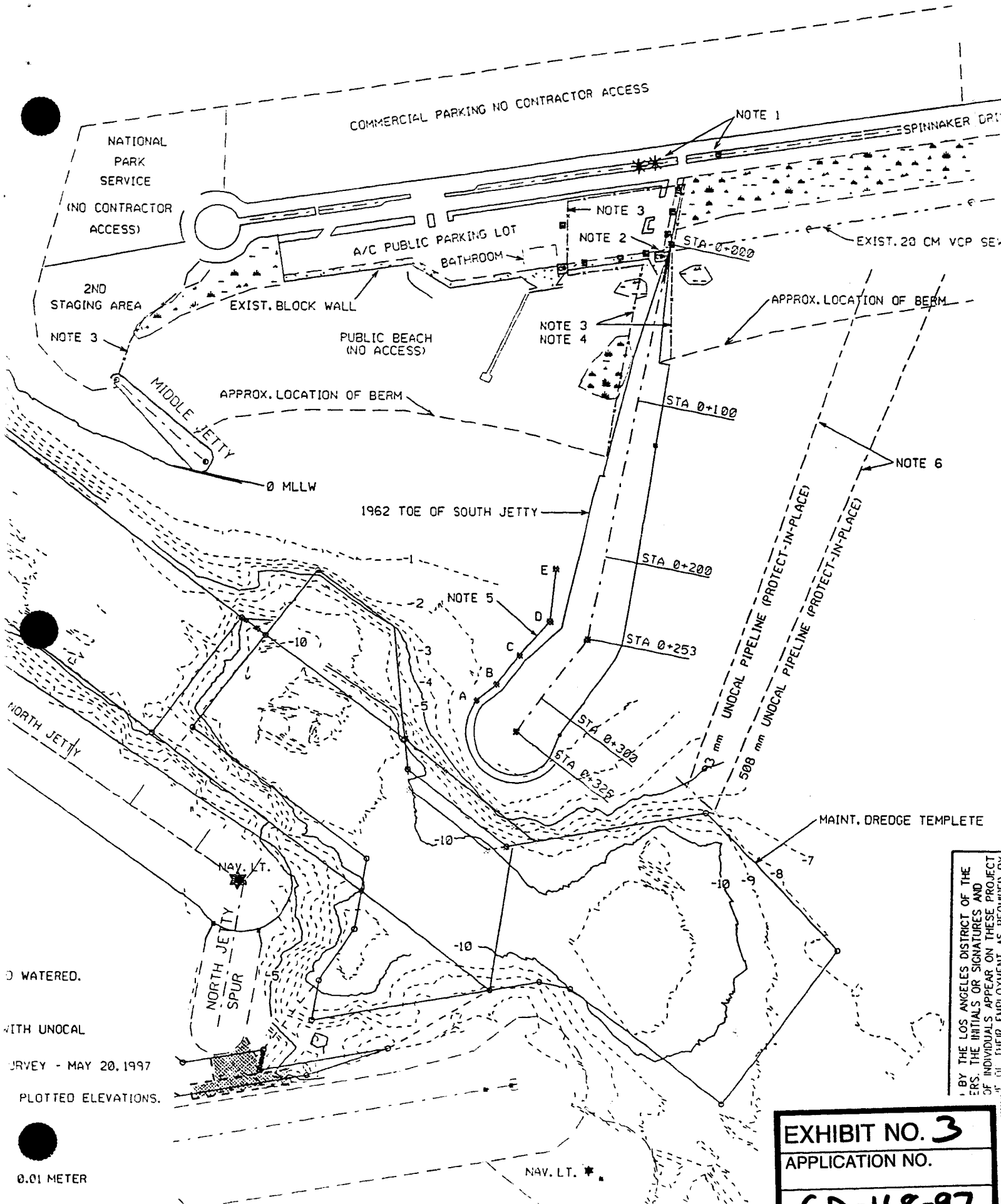
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FILE NO.

<b>EXHIBIT NO. 2</b>
APPLICATION NO.
<b>CD-168-97</b>
California Coastal Commission



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 WITH UNOCAL  
 SURVEY - MAY 20, 1997  
 PLOTTED ELEVATIONS.

**AND HYDROGRAPHIC SURVEY MAP**

BY THE LOS ANGELES DISTRICT OF THE  
 ENGINEERS, THE INITIALS OR SIGNATURES AND  
 OF INDIVIDUALS APPEAR ON THESE PROJECT  
 OF THEIR EMPLOYMENT AS DESCRIBED ON

<b>EXHIBIT NO. 3</b>
APPLICATION NO.
<b>CD-168-97</b>
California Coastal Commission

REMOVE AND REPLACE DAMAGED TRIBAR  
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AND AROUND HEAD ABOVE +1M MLLW

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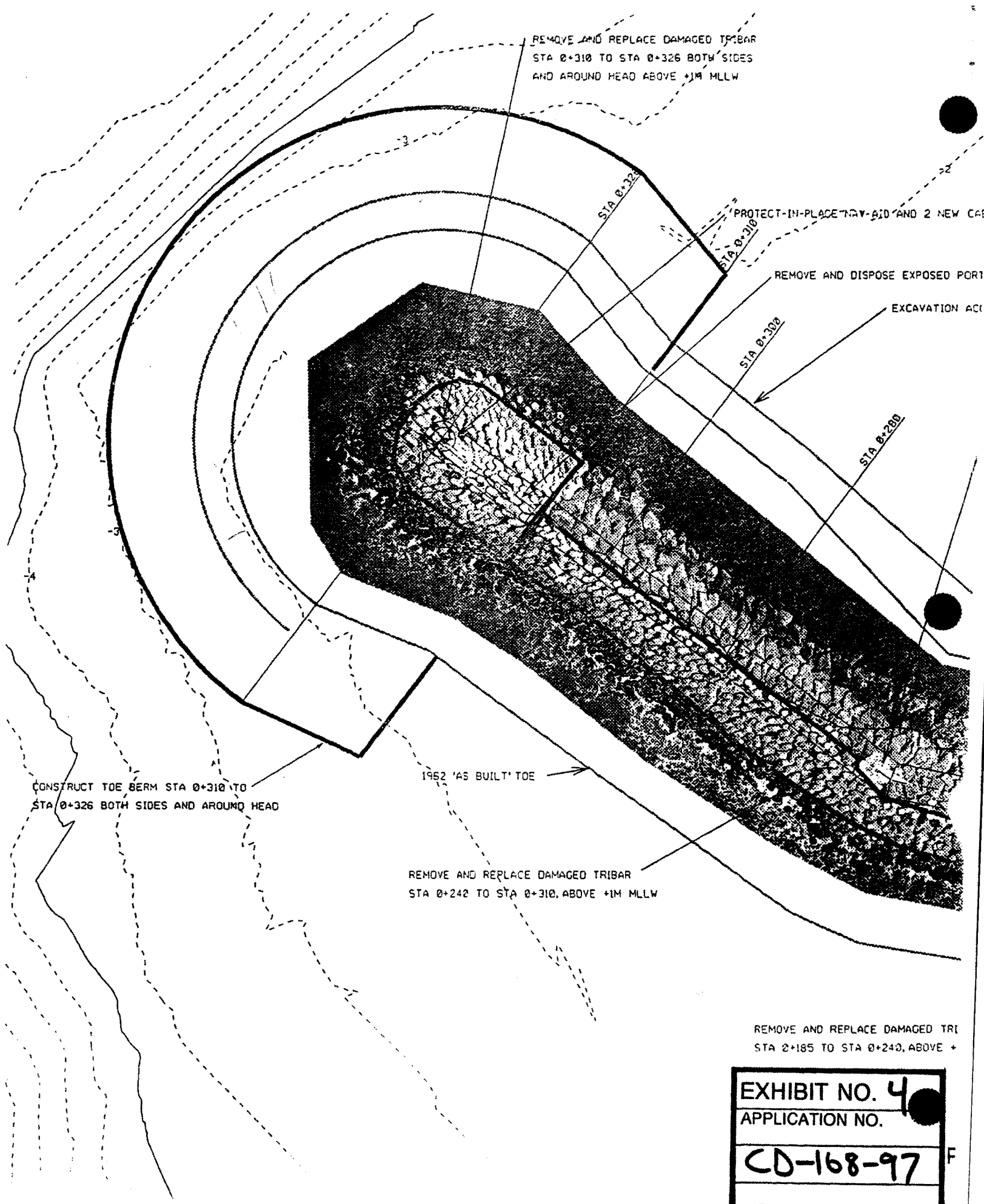
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CONSTRUCT TOE BERM STA 0+310 TO  
STA 0+326 BOTH SIDES AND AROUND HEAD

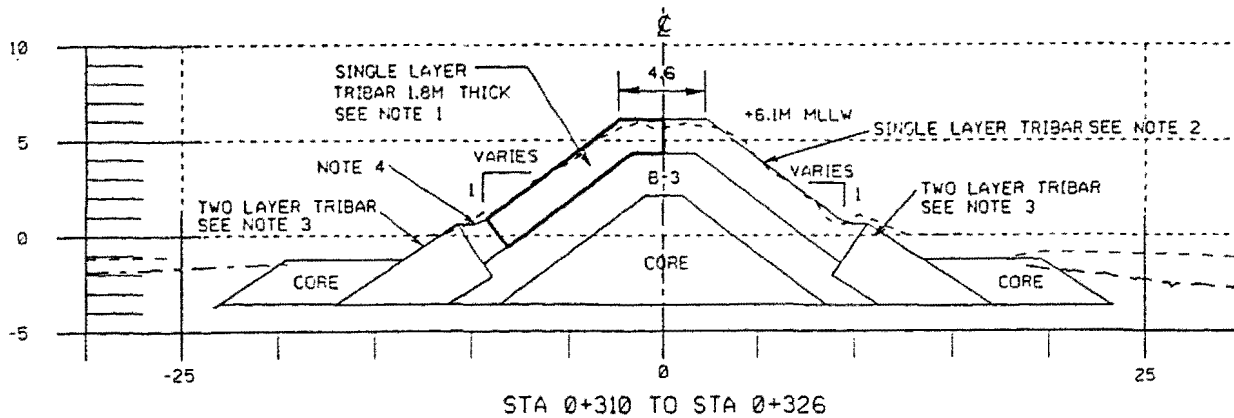
REMOVE AND REPLACE DAMAGED TRIBAR  
STA 0+242 TO STA 0+310, ABOVE +1M MLLW

REMOVE AND REPLACE DAMAGED TRI  
STA 0+185 TO STA 0+240, ABOVE +

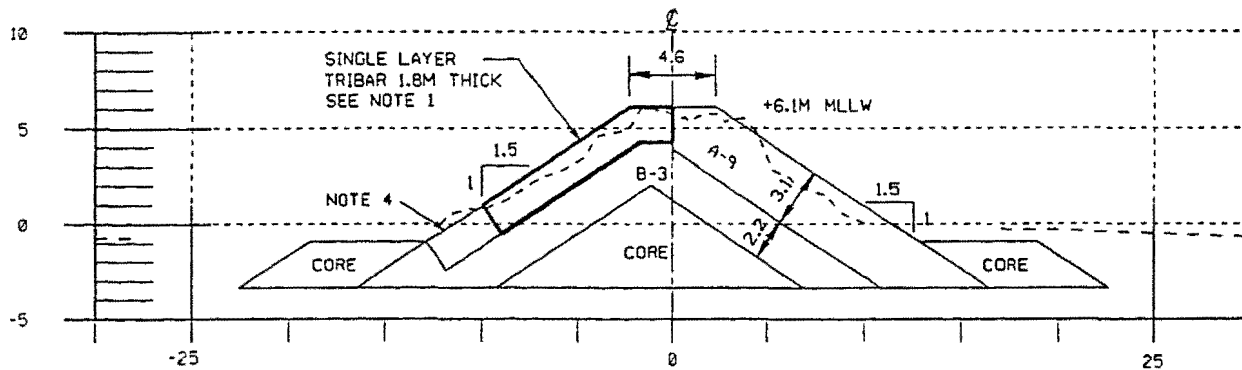
EXHIBIT NO. 4
APPLICATION NO.
CD-168-97
California Coastal Commission



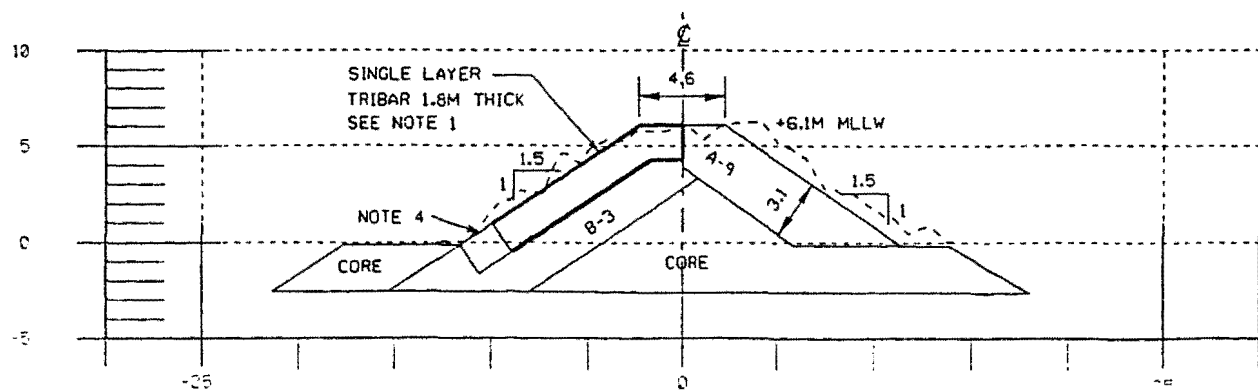




STA 0+310 TO STA 0+326



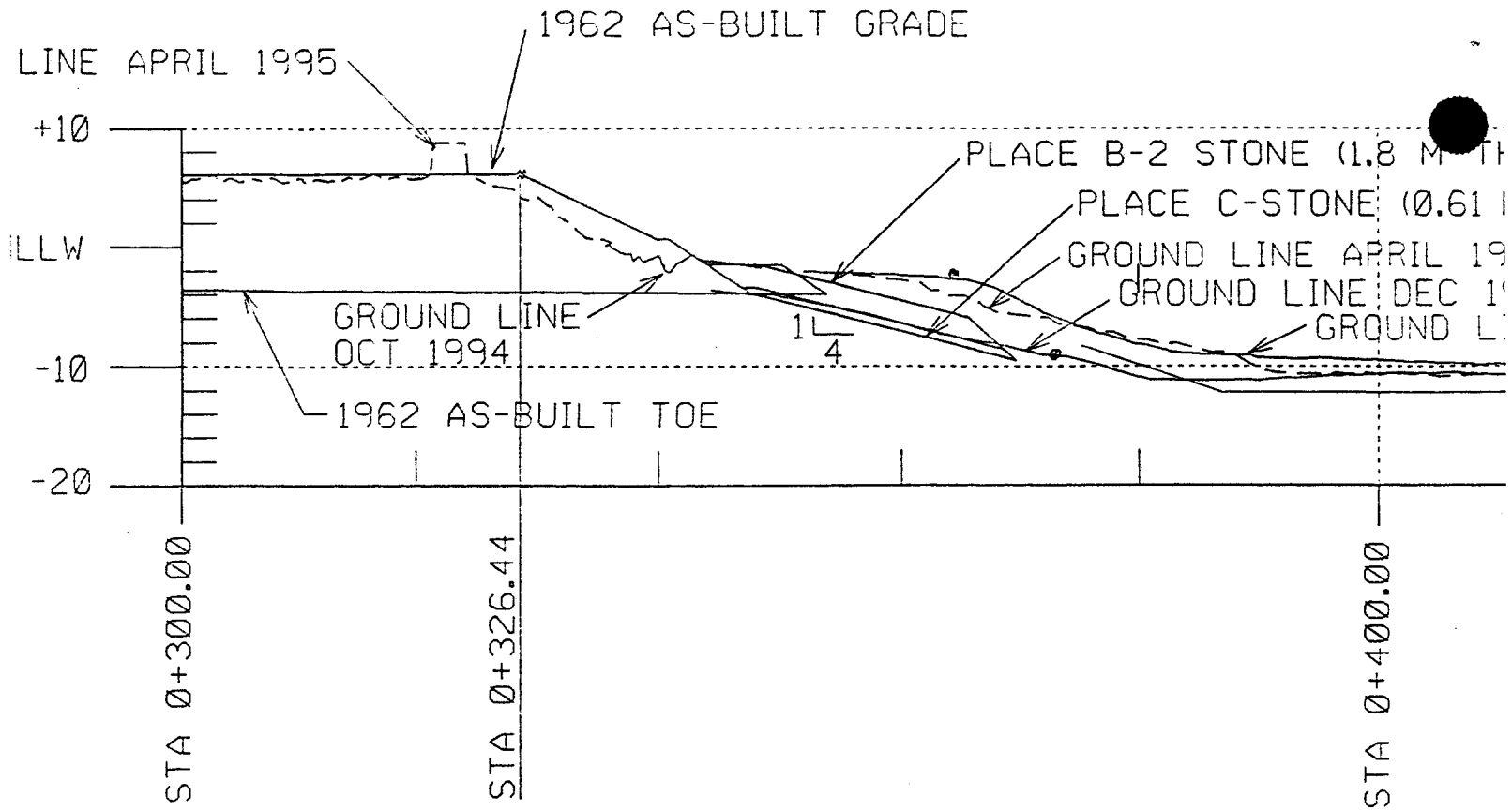
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STA 0+250 TO STA 0+287

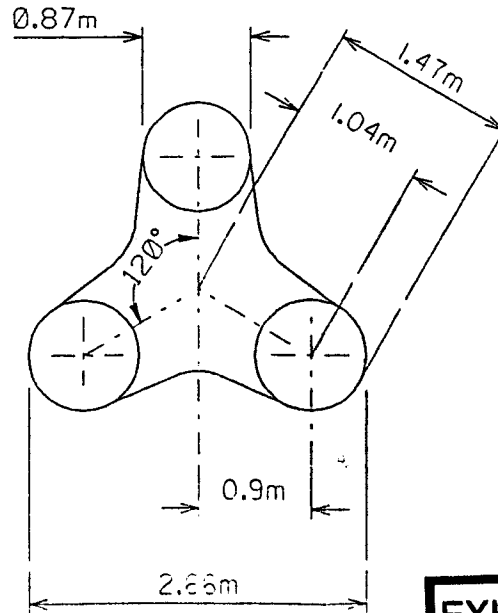
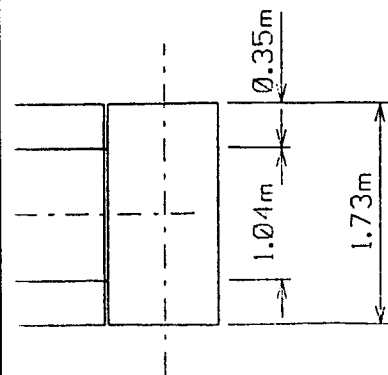
**SOUTH JETTY**

EXHIBIT NO. <b>5</b>
APPLICATION NO.
<b>CD-168-97</b>
California Coastal Commission



PROFILE: SOUTH JETTY

DRAFT



SECTION: TRIBAR

PLAN: TRIB

SOUTH JETTY PROFILE

EXHIBIT NO. 6
APPLICATION NO.
CD-168-97
California Coastal Commission