

## CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA  
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## RECORD PACKET COPY

**DATE:** December 16, 2004

**TO:** Commissioners and Interested Persons

**FROM:** Gary Timm, Coastal Program Manager *GT*

**SUBJECT:** **Ventura County – Channel Islands Harbor Public Works Plan Amendment No. 1-04 (Major)** Time Extension for January 12-14 Commission Hearing.

On October 28, 2004, the Ventura County Harbor Department submitted an amendment to its certified Channel Islands Harbor Public Works Plan (PWP). The amendment proposes to allow a Boating Instruction and Safety Center (BISC) facility as a permitted use in the Harbor. On November 19, 2004, the Executive Director determined that the County's amendment submittal was in proper order and legally adequate to comply with the submittal requirements of Coastal Act Section 30605.

Pursuant to Section 30605 of the Coastal Act, any proposed amendment to the certified PWP shall be submitted to, and processed by, the Commission in the same manner as prescribed for amendment of a local coastal program. Pursuant to Section 13356 (c) of the California Code of Regulations the Executive Director shall set the PWP amendment for a public hearing no later than 60 days from the date on which the application was filed. The 60<sup>th</sup> day after filing the complete submittal is January 18, 2005. In order to be heard within this time frame, the amendment would have to be scheduled for the Commission's January 12-15, 2005 meeting.

Relative to the proposed amendment, the Commission and the County have entered into an agreement that tolls any statutes of limitation applicable to the County's filing of litigation against the Commission over action taken by the Commission on the BISC project at the February 2004 hearing until July 1, 2005. As part of the agreement the Commission agrees to hear and decide an application for a PWP amendment related to the BISC within six months of that application being determined complete and deemed filed by the Commission unless extended by future mutual agreement of both parties.

Coastal Act Section 30517 and California Code of Regulations Section 13535 (c) state that the Commission may extend for good cause any time limit for a period not to exceed one year. Therefore, Commission staff is requesting to extend the 60-day time limit to six months in order to allow adequate time to review and analyze the amendment. Staff has consulted with the Ventura County Harbor Department and it is anticipated that the amendment will be scheduled for either the Commission's February 2005 meeting in Monterey or March meeting in Orange County.

**STAFF RECOMMENDATION**

Staff recommends that the Commission vote to extend the deadline for Commission action on Channel Islands Harbor PWP Amendment 1-04 for up to six months.

**MOTION:** *I move that the Commission extend the 60 day time limit to act on the Channel Islands Harbor Public Works Plan Amendment No. 1-04 for a period not to exceed six months.*

**RECOMMENDATION** Staff recommends a **YES** vote. An affirmative vote of a majority of the Commission present is needed to pass the motion.