

**CALIFORNIA COASTAL COMMISSION**

SOUTH CENTRAL COAST AREA  
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# W 17b

**DATE:** April 22, 2008

**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) 3-07**, for Channel Islands Harbor Marina Restroom and Public Restroom Remodel for Public Hearing and Commission Action at the May 7, 2008, Commission Meeting in Marina Del Rey.

## **SUMMARY AND STAFF RECOMMENDATION**

The Ventura County Harbor Department proposes to remodel an existing restroom building (building 1), remodel an existing office building and restroom (building 3), and repair a public restroom (building 2) located along the west side of the harbor in the linear park at 3840, 3850, and 3750 Harbor Boulevard, Oxnard, Ventura County. The three buildings to be repaired and remodeled will be referred to as Building 1, Building 2, and Building 3.

Building 1 is a restroom building located at the northern portion of the linear park between Cabezone Way and Barracuda Circle and is adjacent to a public walkway. This building currently serves harbor boaters and contains restroom facilities, showers, a laundry facility, and a utility room for maintenance and storage. The internal building area is now 623 sq. ft. and the proposed remodel includes the addition of 32 sq. ft. of internal floor area (a 5.1% increase in internal building area). Approximately 8 to 10 Hollywood Juniper shrubs directly adjacent to the building will be removed, as well as other vegetation such as Yucca and Bird of Paradise.

Building 2 is a public restroom located near the middle of the linear park just south of Barracuda Way next to the public walkway along the marina edge. The proposed repairs to this building include resurfacing the exterior block wall material with a new stucco exterior, replacing the roof with standing seam metal or concrete tile, and adding new screen walls. Vegetation along the perimeter of the building will be removed, including Hollywood Junipers.

Building 3 is currently occupied by an office for Channel Islands Harbor Marina and a restroom for use by boaters, located at the southern end of the linear park north of Marina Circle. Interior remodeling of this building is proposed in order to add handicapped accessible restrooms and shower facilities, additional office area, a storage and maintenance area, and a new west facing entry area for the marina office. The building area is 1,030 sq. ft and 32 sq. ft will be added. The height of the building is 11'3" and will not change. The exterior finish will be stucco in a natural color, with off-white trim and blue doors. Additional remodeling includes exterior handicapped accessible drinking fountains, and new exterior screen walls at the entry door. A small pathway, extending from the existing pathway connecting the parking lot to the pathway along the water, will be added to access the newly proposed west facing door of the office. The Harbor Department originally proposed a walkway winding through the middle of the park, but has submitted revised plans to construct a walkway to Building 3 connected to the existing walkway to minimize impacts to park area. One mature *Myoporum* will be removed on the south western side of this building adjacent to the office area. Biological reports indicate that this *Myoporum* has never been used as a nesting site for herons. The Harbor Department has proposed to provide mitigation for removal of the *Myoporum*.

The required items necessary to provide a complete Notice of Impending Development were received in the South Central Coast Office on March 28, 2008, and the notice was deemed filed on April 8, 2008.

Staff is recommending that the Commission determine that the impending development **is consistent** with the certified Channel Islands Harbor Public Works Plan (PWP), as modified pursuant to **nine (9) special conditions** regarding: (1) protection of nesting and roosting birds, (2) construction and maintenance responsibilities and debris removal, (3) water quality management plan, (4) removal of temporary construction trailer, (5) lighting restriction, (6) approval of resource agencies, (7) invasive plants, (8) tree replacement, and (9) *Myoporum* removal survey. As conditioned, 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 filing 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 the Ventura County Harbor Department Notice of Impending Development 3-07 (Restroom Remodeling), as conditioned, 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 2-06, as conditioned, 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 3-07, as conditioned, is consistent with the certified Channel Islands Harbor Public Works Plan for the reasons discussed in the findings herein.

## III. SPECIAL CONDITIONS:

### 1. **Protection of Nesting and Roosting Birds**

A. No exterior construction shall occur from February 1<sup>st</sup> through August 15<sup>th</sup>, the core nesting season for black-crowned night herons, great blue herons, and snowy egrets. Exterior construction includes all activities occurring outside of the approved building, including sawing, hammering, and the use of any power equipment outside.

### B. Surveys

1. Prior to all construction activities (both interior and exterior) occurring from December 1<sup>st</sup> through September 30<sup>th</sup>, an independent qualified biologist or environmental

resource specialist shall conduct biological surveys of all trees within 300 feet of the project site and this survey must be immediately submitted to the Executive Director of the Coastal Commission. Such surveys shall identify the presence of black-crowned night herons, great blue herons, snowy egrets, or other sensitive species in or near the project site, and if they are exhibiting reproductive or nesting behavior.

2. Once a week upon commencement of exterior construction activities that will be carried out from December 1<sup>st</sup> through January 31<sup>st</sup> and from August 16<sup>th</sup> through September 30<sup>th</sup>, a qualified independent biologist or environmental resource specialist shall conduct weekly biological surveys of all trees within 300 feet of the project site. These surveys must be immediately submitted to the Executive Director of the Coastal Commission.

#### C. Daily Monitor

1. During exterior construction activities that will be carried out from December 1<sup>st</sup> through January 31<sup>st</sup> and from August 16<sup>th</sup> through September 30<sup>th</sup>, a daily monitor shall determine compliance with construction related special conditions at all times during construction.

2. Should the monitor observe any failure to comply with any component of this special condition or any other construction related special condition to this NOID, said monitor shall require that construction be immediately stopped and the monitor shall notify the Director of the Harbor Department and the Executive Director of the Coastal Commission immediately. Construction shall not be resumed until conformance with the requirements of the special condition is confirmed and the Executive Director of the Commission authorizes construction to recommence.

D. In the event that the surveys identify any black-crowned night herons, great blue herons, snowy egrets, or other sensitive species exhibiting reproductive or nesting behavior within 300 feet of the project site, all construction activities must cease and the Executive Director of the Coastal Commission must be immediately notified. Construction activities can not recommence until an independent qualified biologist or environmental resource specialist determines that fledging has completed and the Executive Director of the Coastal Commission has re-authorized construction activities.

## **2. Construction and Maintenance Responsibilities and Debris Removal**

The Ventura County Harbor Department shall comply with the following construction-related requirements:

- 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 applicant 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 on-set of such activity
- N. All BMPs shall be maintained in a functional condition throughout the duration of the project.

### **3. Water Quality Management Plan**

A. ***Prior to commencement of development***, the applicant shall submit, for the review and approval of the Executive Director, 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, as necessary, shall be provided. 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 or 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 oil, grease, heavy metals and hydrocarbons) through infiltration, filtration and/or biological uptake. The drainage system shall also 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 surfaces, 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 on site 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 85th percentile, 24-hour storm event for volume-based BMPs, and/or the 85th 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 BMP(s) during clean-out shall be contained and disposed of in a proper manner.

l. It is the Harbor Department's responsibility to maintain or ensure that its lessee maintains the drainage system and the associated structures and BMPs according to manufacturer's specifications.

B. The permittee shall undertake development in accordance with the approved final 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 of Impending Development is legally required.

#### **4. Removal of Temporary Construction Trailer**

The applicant shall remove the temporary construction trailer and all construction related debris from the staging site within sixty (60) days of completion of any and all development authorized under Channel Islands Harbor NOID 3-07.

#### **5. Lighting Plan**

A. ***Prior to commencement of the development***, the Harbor Department shall submit, for the review and approval of the Executive Director, a lighting plan for the approved structures and associated pathway. The lighting plan shall incorporate the following requirements:

(1) Any exterior night lighting installed on the project site shall be of low intensity, low glare design, and shall be shielded to direct light downward onto the subject parcel and prevent spill-over onto adjacent parcels, including all public open space areas. Furthermore, no skyward-casting lighting shall be used. The lowest intensity lighting shall be used that is appropriate to the intended use of the lighting.

(2) The lighting plan shall show the locations of all exterior lighting fixtures and an arrow showing the direction of light being cast by each fixture, the lighting specifications, and the height of the fixtures. The plan shall be designed in particular to avoid lighting impacts to the open spaces and trees.

B. The Harbor Department shall undertake development in accordance with the approved final 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 unless the Executive Director determines that no new Notice of Impending Development or Public Works Plan Amendment is legally required.

## **6. 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 change shall require a new Notice of Impending Development pursuant to the requirements of the Coastal Act and the California Code of Regulations.

## **7. 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.

## **8. Tree Replacement**

***Prior to commencement of development***, the applicant shall submit, for the review and approval of the Executive Director, a tree replacement planting program, which specifies replacement tree locations, tree size, planting specifications, and a five-year monitoring program with specific performance standards to ensure that the replacement planting program is successful. Three (3) specimen size native or non-native, non-invasive trees, such as Catalina Cherry, Island Oak, or California Sycamore, shall be planted on the south side of the linear park on the west side of the harbor as mitigation for impacts as a result of removing the Myoporum adjacent to building 3. The applicant shall commence tree replacement prior to or concurrently with the commencement of construction activities authorized under NOID 3-07. An annual monitoring report for tree replacement shall be submitted for the review and approval of the Executive Director for each of the five years following implementation of the planting program.



## **9. Myoporum Removal Survey**

**Prior to commencement of development and prior to removal of the Myoporum**, a qualified independent biologist or environmental resource specialist shall conduct a survey of the Myoporum to determine whether black-crowned night herons, great blue herons, snowy egrets, or other sensitive species are exhibiting reproductive or nesting behavior in the Myoporum or connecting canopy. This survey must be immediately submitted to the Executive Director of the Coastal Commission. In the event that the survey identifies any black-crowned night herons, great blue herons, snowy egrets, or other sensitive species exhibiting reproductive or nesting behavior, the Myoporum must not be removed and the Executive Director of the Coastal Commission must be immediately notified. Construction activities and/or tree removal can not recommence until an independent qualified biologist or environmental resource specialist determines that fledging has completed and the Executive Director of the Coastal Commission has re-authorized construction activities.

## **IV. FINDINGS FOR APPROVAL OF THE NOTICE OF IMPENDING DEVELOPMENT, AS CONDITIONED**

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

### **A. PROJECT DESCRIPTION AND BACKGROUND**

The Ventura County Harbor Department proposes to remodel an existing restroom building (building 1), remodel an existing office building and restroom (building 3), and repair a public restroom (building 2) located along the west side of the harbor in the linear park at 3840, 3850, and 3750 Harbor Boulevard, Oxnard, Ventura County. The three buildings to be repaired and remodeled will be referred to as Building 1, Building 2, and Building 3. (Exhibits 1-10)

Building 1 is a restroom building located at the northern portion of the linear park between Cabezone Way and Barracuda Circle and is adjacent to a public walkway. This building currently serves harbor boaters and contains restroom facilities, showers, a laundry facility, and a utility room for maintenance and storage. The internal building area is now 623 sq. ft. and the proposed remodel includes the addition of 32 sq. ft. of internal floor area (a 5.1% increase in internal building area). Approximately 8 to 10 Hollywood Juniper shrubs directly adjacent to the building will be removed, as well as other vegetation such as Yucca and Bird of Paradise. **(Exhibits 1-3)**

Building 2 is a public restroom located near the middle of the linear park just south of Barracuda Way next to the public walkway along the marina edge. The proposed repairs to this building include resurfacing the exterior block wall material with a new stucco exterior, replacing the roof with standing seam metal or concrete tile, and adding

new screen walls. Vegetation along the perimeter of the building will be removed, including Hollywood Junipers. **(Exhibits 4-6)**

Building 3 is currently occupied by an office for Channel Islands Harbor Marina and a restroom for use by boaters, located at the southern end of the linear park north of Marina Circle. Interior remodeling of this building is proposed in order to add handicapped accessible restrooms and shower facilities, additional office area, a storage and maintenance area, and a new west facing entry area for the marina office. The building area is 1,030 sq. ft and 32 sq. ft will be added. The height of the building is 11'3" and will not change. The exterior finish will be stucco in a natural color, with off-white trim and blue doors. Additional remodeling includes exterior handicapped accessible drinking fountains, and new exterior screen walls at the entry door. A new sidewalk, extending perpendicular from the existing pathway connecting the parking lot to the waterside pathway, will be added to access the newly proposed west facing door of the office. The Harbor Department originally proposed a walkway winding through the middle of the park, but has submitted revised plans to construct a walkway to access building 3 from the existing walkway minimize impacts to park area. One mature Myoporum will be removed on the south western side of this building adjacent to the office area. Biological reports indicate that this tree has not been used as a nesting site for herons since the Harbor began monitoring for such nesting. The Harbor Department has proposed to provide mitigation for this tree removal. **(Exhibits 7-9)**

Temporary closure of the public walkway in front of the buildings may be required during construction. Signage and notices will be used to direct sidewalk users to other available pathways. All construction areas will be fenced and secured. Additionally, the construction staging area is located in the public parking area off of Harbor Blvd. directly adjacent to the proposed project sites.

### 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 consistent with the PWP, or can be made consistent by 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 1986 PWP. 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.

## **B. MARINE 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 proposed project is for the remodel of three separate restroom buildings in the linear park located on the western side of the Harbor. This development has the potential to adversely impact marine and biological resources during the construction phase of the project.

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.***

Several bird species, such as great blue herons, black-crowned night herons, and snowy egrets 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 because some species of herons and egrets are considered Sensitive Species and play an integral role in the ecosystem as top wetland predators.

The three restroom buildings proposed to be remodeled are located in the linear park on the western side of Channel Islands Harbor. This linear park contains several trees with interconnected canopies which have been documented to contain heron nesting sites in the past, particularly during the 2003 and 2004 nesting season. (**Exhibit 10**) The nesting trees range from only a few feet away from each building to more than a 150 feet away. The Harbor Department's biologist, Dr. Jeffery Froke, regularly conducts surveys of trees within the Channel Islands Harbor to identify the location of great blue heron, black-crowned night heron, and snowy egret nesting areas and has documented nesting sites within the Harbor since 2003. In total, from 2003 to 2007, Dr. Froke has identified approximately 24 black-crowned night heron nests, approximately 8 great blue heron nests, and 1 snowy egret nest (2004) on the west side of the harbor, mostly in the linear park. (**Exhibit 11**)

On January 14, 2008, Dr. Froke submitted a report entitled *Channel Islands Harbor Heronry Nest Tree Distribution*. The report, which includes tables, charts, and aerial photo provides a summary of the annual and total distribution of nest trees for all tree species used by all heron nesting species during nest years 2003 – 2007. (**Exhibit 11**). During the study period, the report states that 43 individual trees were used for nesting and 90 separate uses of the trees were observed. Black-crowned Night-Herons accounted for 63 of the 90 uses, Great Blue Herons accounted for 26 uses and one (1) Snowy Egret use was counted. "Use" means that one or more pairs of a species used the tree for nesting in a given year. Use does not represent a count of nests. The report provides that Heron nesting on the west side of the Harbor accounted for 33 tree-uses (37%) over the five-year period with the majority of 57 tree-uses (63%) occurring on the Peninsula. The largest annual tree-usage, including nesting, occurred during the 2003 nesting season by Black-crowned Night Herons on the west side of the Harbor. Total use of trees has varied over the period from 32 in 2003, 20 in 2004, 11 in 2005, 13 in 2006, and 14 in 2007. Use of trees on the west side of the Harbor over the period has decreased from 19 in 2003 to 8 in 2004 to 4 in 2005 to 1 (Great Blue Heron) in 2006 to 1 (Black-crowned Night Heron) in 2007. (**Exhibit 11**). Greg Ainsworth, consulting biologist for the Harbor Department, most recently documented an active Great Blue Heron nest on the west side of the peninsula on March 21, 2008 during biological monitoring for compliance with conditions set forth in NOID 2-06 for the Marine Emporium Landing Parcel X-1-B.

If great blue or black-crowned night herons were to begin nesting near the project site, there is the potential that activities associated with construction and remodeling activities, such as excessive noise above the level of acoustic noise normally existing at the marina, could adversely impact nesting herons. Therefore, the Commission is requiring **Special Condition One (1)** to prohibit all outside exterior construction during the core nesting season of the night herons, great blue herons or egrets (February 1 – August 15). Exterior construction includes all activities occurring outside of the approved building, including sawing, hammering, and the use of any power equipment outside. Additionally, in order to provide further protections for avian species that may exhibit breeding behavior outside of

the core nesting season stated above, **Special Condition One (1)** also requires that biological surveys be conducted prior to, and weekly during, any construction activities that could commence or continue into the heron and egret breeding season from December 1<sup>st</sup> through January 31<sup>st</sup> and from August 16<sup>th</sup> through September 30<sup>th</sup>. Commission staff biologist, Dr. Jonna Engel, has determined that the appropriate monitoring period for the breeding and nesting season is December 1 through September 30. These surveys are important and necessary to provide up-to-date information regarding the numbers and locations of nests established by sensitive bird species within the harbor prior to commencing or continuing exterior construction activities. This condition requires all surveys to be submitted to the Executive Director of the Coastal Commission. In the event that the surveys identify any black-crowned night herons, great blue herons, snowy egrets, or other sensitive species exhibiting reproductive or nesting behavior within 300 feet of the project site, **Special Condition One (1)** requires all construction activities to cease and immediate notification of the Executive Director of the Coastal Commission. Construction activities can not recommence until an independent qualified biologist or environmental resource specialist determines that fledging has completed and the Executive Director of the Coastal Commission has re-authorized construction activities.

Further, **Special Condition One (1)** also requires a daily monitor to determine compliance with all construction related special conditions at all times during exterior construction activities that will be carried out from December 1<sup>st</sup> through January 31<sup>st</sup> and from August 16<sup>th</sup> through September 30<sup>th</sup>. Should the monitor observe any failure to comply with any component of this special condition or any other construction related special condition to this NOID, the monitor must assure that construction is immediately stopped and must notify the Director of the Harbor Department and the Executive Director of the Coastal Commission immediately. Construction shall not be resumed until conformance with the requirements of the special condition is confirmed and the Executive Director of the Commission authorizes construction to recommence.

In addition to potential impacts to heron nesting from construction activities, the introduction of new lighting can have impacts. In order to ensure that the proposed redevelopment and remodeling of the existing restroom buildings does not result in impacts to herons from lighting, the Commission finds it necessary to require the applicant to prepare and implement a lighting plan. The plan must indicate that all exterior lighting is of low intensity, directed downward and will not spill over into park areas. **Special Condition Five (5)** details the requirements of the lighting plan.

One very large Myoporum that is located very close to the southwest corner of building 3 is proposed to be removed to allow for renovations of the office section of this building and to allow for access to a new doorway for this building. The subject Myoporum shrub is quite large and has been trimmed over the years into a tree form. While the biological monitoring of the harbor has not identified this Myoporum as containing any heron nests, it is located within the park area, in proximity to other trees where herons have nested. **(Exhibit 12)** The removal of the Myoporum will reduce the total number of areas where herons could potentially nest in the harbor. In order to ensure that this removal does not have significant adverse impacts on heron nesting, the Commission finds it necessary to require the applicant to survey the Myoporum prior to removal and to plant replacement trees within the

park area. **Special Condition Nine (9)** requires a survey prior to removal to determine whether birds are nesting, roosting, or exhibiting reproductive behavior and prohibits removal until fledging has been completed and the Executive Director of the Coastal Commission authorizes the removal. Additionally, the Harbor Department has offered to provide replacement plantings as mitigation for the loss of the Myoporum. To ensure adequate mitigation, **Special Condition Eight (8)** requires the Harbor Department to prepare and implement a tree replacement program. The tree replacement plan required by this condition shall indicate the location, size, and species of three native or non-native, but non-invasive trees to be planted within the southern portion of the park area. The replacement trees are required to be monitored for a period of at least five years to ensure that the replacement program is successful.

The Beacon Foundation has objected to the removal of this Myoporum because it is part of a canopy of vegetation that makes up the heron rookery. (**Exhibit 12**) The Beacon Foundation also raised concerns about impacts from construction. **Special Condition One (1)**, **Special Condition Eight (8)**, and **Special Condition Nine (9)** address these concerns by providing protections prior to Myoporum removal, during construction, and by requiring mitigation for the lost Myoporum.

## 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, **Special Condition Six (6)** requires the applicant to agree 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.

The proposed remodel and repair of the three buildings has the potential to impact marine and biological resources. Special Condition One (1) relating to nesting birds, which will minimize these impacts, have been required. The Commission, therefore, finds that the proposed Notice of Impending Development is consistent, as conditioned, with the biological policies of the certified PWP.

## **C. PUBLIC ACCESS AND RECREATION- PUBLIC PARKLAND**

The buildings to be remodeled and repaired are all located within the public park (linear park) on the west side of the harbor. The City of Oxnard LCP contains Coastal Act policies relative to the protection and provision of public access and recreation including lower cost visitor and recreational facilities:

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 30221

***Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.***

The Public Works Plan Policies relevant to development in the public park are include:

Policy 20 under Land and Water Recreation, of the Public Works Plan:

***All areas designated as public parks and beaches in Figure IV of the Plan shall be protected as open space and shall not be developed or utilized for other uses without an amendment to the plan.***

Policy 21 under Land and Water Recreation:

***Harbor activities shall be clustered into locations appropriate to their use to protect and enhance public recreational activities in the Harbor. Land uses shall be compatible and consistent with the kind, location and intensity of development and resource protection and development policies prescribed by this Land Use Plan.***

Policy 2d under Public Access and Recreation :

***Future building or redevelopment in the Harbor shall not exceed 2 stories or 25 feet in height...Height shall be measured from the centerline of the frontage road.***

Policy 1 under Section 4.0 of the PWP, Coastal Issues and Development policies states that all development in the Harbor shall be subject to the following policy:

***Any expansion of the existing and permitted structures described in Table 1 shall be prohibited except for minor alterations which result in an increase of less than 10% of the internal floor area or an increase of 10% in height of the structure.***

The buildings proposed to be repaired and remodeled are located in the linear park on the west side of the harbor. This park is designated a "public park" in the PWP. The park is shown on the map on Figure IV, page 27, as a "recreational, access, and visitor-serving facility" and it is listed on Table I on page 22 as a public park. Policy 20, under "Land and Water Recreation," states that that public park land shall be protected as open space. The proposed project to remodel and repair restrooms, add 43 sq. ft. to the office building, add 32 sq. ft. to restroom building 1, and add a pathway to access building 3 from the existing pathway, will not change the use of the linear park and will not interfere with the use as public open space. Each building will remain the same height, about 11 ft. 3 in. and the



additional internal floor area of buildings 1 and 3 will be increased by less than a ten percent. Building 2 is a public restroom for harbor users and Buildings 1 and 3 are building for use by the boating community as restrooms, shower and laundry facilities, and as an office for the marina. The repairs and reconstruction will not impact the public or boater's use of the harbor park land, except for a limited time during the construction phase when the construction area will be closed off for construction safety. If the public sidewalk abutting the water's edge has to be closed at any point during construction, signs will temporarily direct pedestrians around the site.

The Beacon Foundation has raised objections to this project that the project will take additional park land. (**Exhibit 12**) However, the improvements and renovations to the restroom buildings, including a small pathway to access building 3, the addition of 43 sq. ft. to building 3, and the addition of 32 sq. ft. to restroom building will result in minor impacts to the square footage of the park. The additional interior square footage to buildings 1 and 3 will be located under the existing rooflines of each building and will not result in the loss of any grass area that is currently available to the public. The use of the park will not be impacted and the park facilities will be improved for both boaters and the general public.

The Commission finds that the proposed project to repair and remodel restrooms, add an additional 43 square feet of office space to building 3, and add 32 sq. ft to restroom building 1, and the addition of a pathway to building 3 will not result in any adverse impacts to public access and recreation in the linear park. Therefore, the Commission finds that the Notice of Impending Development, as conditioned, is consistent with applicable public access policies of the certified Public Works Plan.

## **E. WATER QUALITY**

As previously explained in the Biological Resources section above, the certified Channel Islands Harbor PWP incorporates by reference Coastal Act Sections 30230 and 30231, mandating that marine resources and coastal water quality shall be maintained and where feasible restored. Additionally, Coastal Act Section 30232, also incorporated into the certified PWP, requires protection against spillage of hazardous substances into the marine environment relating to any development.

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.***

Section 30232 of the Coastal Act states:

***Protection against the spillage of crude oil, gas, petroleum products, or hazardous substances shall be provided in relation to any development or transportation of such materials. Effective containment and cleanup facilities and procedures shall be provided for accidental spills that do occur.***

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.***

Policy 4 under Biological Resources states:

***Adequate cleanup procedures and containment equipment shall be provided by the Harbor for all hazardous materials stored in the Harbor.***

### Construction Activities

The proposed repairs and remodeling of buildings 1, 2, and 3 has the potential to adversely impact coastal water quality through introduction of pollutants associated with construction activities.

Construction, debris removal and erosion and sediment control measures implemented during construction will serve to minimize the potential for adverse impacts to water quality resulting from the use of construction materials and methods. To ensure that these measures are properly implemented and in order to ensure that adverse effects to coastal water quality do not result from the proposed project, the Commission finds it necessary to require the Harbor Department, as required by **Special Condition Two (2)**, to implement construction phase best management practices (BMPs), including

submit a final Construction, Debris Removal and Erosion and Sediment Control Plan. This plan will include measures such as storage of all construction materials or waste in a manner which prevents their movement via runoff, or any other means, into coastal waters, the removal of any and all construction equipment, materials and debris from the project site at the conclusion of construction, the disposal of all demolition and construction debris at an appropriate site, and the implementation of appropriate erosion and sediment control BMPs.

Additionally, runoff from the proposed building has the potential to impact water quality in the Harbor. Therefore, **Special Condition Three (3)** requires the Harbor Department to submit a water quality management plan. The proposed development will result in an increase in hard surface areas. As described above, the proposed development includes a new walkway extending from the existing walkway to access building 3, a 43 sq. ft. addition to the office area of building 3 and 32 sq. ft. to the internal floor area of restroom building 1. The site is adjacent to harbor waters and runoff associated with the impervious surface on the site may impact water quality in the harbor.

The proposed development will result in an increase in impervious surface, which in turn decreases the infiltrative function and capacity of existing permeable land on site. The reduction in permeable space therefore leads to an increase in the volume and velocity of stormwater runoff that can be expected to leave the site. Further, pollutants commonly found in runoff include petroleum hydrocarbons including oil and grease from vehicles; heavy metals; synthetic organic chemicals including paint and cleaners; soap and dirt; litter; fertilizers, herbicides, and pesticides; and bacteria and pathogens from waste. The discharge of these pollutants to coastal waters can cause cumulative impacts such as: eutrophication and anoxic conditions resulting in fish kills and diseases and the alteration of aquatic habitat, including adverse changes to species composition and size; excess nutrients causing algae blooms and sedimentation increasing turbidity which both reduce the penetration of sunlight needed by aquatic vegetation which provide food and cover for aquatic species; disruptions to the reproductive cycle of aquatic species; and acute and sublethal toxicity in marine organisms leading to adverse changes in reproduction and feeding behavior. These impacts reduce the biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes and reduce optimum populations of marine organisms and have adverse impacts on human health.

Therefore, in order to find the proposed development consistent with the water and marine resource policies of the Coastal Act and the Public Works Plan, the Commission finds it necessary to require the incorporation of Best Management Practices designed to control the volume, velocity and pollutant load of stormwater leaving the developed site. Critical to the successful function of post-construction structural BMPs in removing pollutants in stormwater to the Maximum Extent Practicable (MEP), is the application of appropriate design standards for sizing BMPs. The majority of runoff is generated from small storms because most storms are small. Additionally, storm water runoff typically conveys a disproportionate amount of pollutants in the initial period that runoff is generated during a storm event. Designing BMPs for the small, more frequent storms,

rather than for the large infrequent storms, results in improved BMP performance at lower cost.

The Commission finds that sizing post-construction structural BMPs to accommodate (infiltrate, filter or treat) the amount of stormwater produced by all storms up to and including the 85<sup>th</sup> percentile, 24 hour storm event, in this case, is equivalent to sizing BMPs based on the point of diminishing returns (i.e. the BMP capacity beyond which, insignificant increases in pollutants removal (and hence water quality protection) will occur, relative to the additional costs. Therefore, the Commission requires the selected post-construction structural BMPs be sized based on design criteria specified in **Special Condition Three (3)**, and finds this will ensure the proposed development will be designed to minimize adverse impacts to coastal resources, in a manner consistent with the water and marine policies of the Coastal Act.

Therefore, the Commission finds that the proposed Notice of Impending Development for the repairs and remodeling of the three buildings, as conditioned to incorporate a water quality management plan and to incorporate best management practices during construction, is consistent with the applicable water quality protection policies of the certified Public Works Plan.

#### **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 Sections 15303 and 15332. 14 C.C.R. § 15303 (construction of small structures); 14 C.C.R. § 15332 (in-fill development project); 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 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 has imposed conditions upon the Notice of Impending Development to include such feasible measures as will reduce environmental impacts of new development. 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

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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.

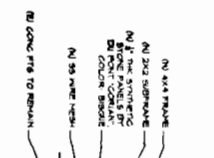
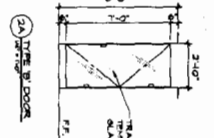
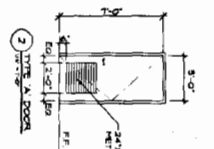
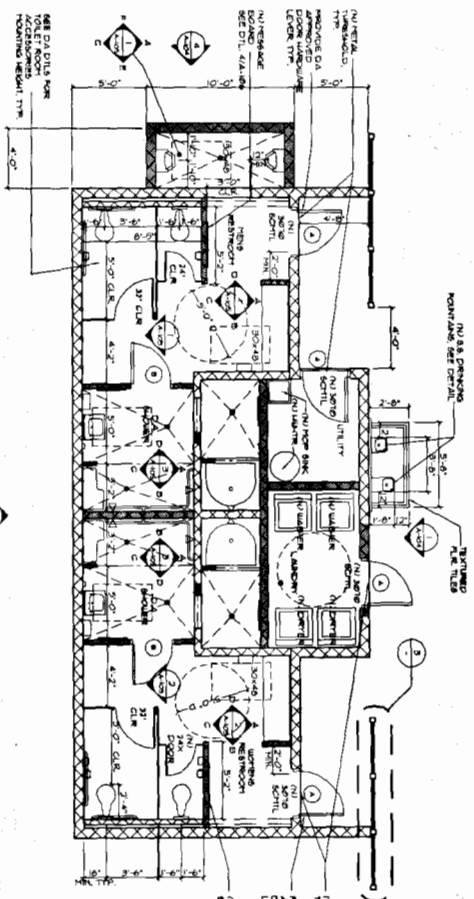
project that were received prior to preparation of the staff report. As discussed above, the proposed development approved by this NOID, as conditioned, is consistent with the policies of the certified PWP. Feasible mitigation measures that will minimize all adverse environmental impacts have been required as special conditions. As conditioned, there are no feasible alternatives or feasible mitigation measures available, beyond those required, that would substantially lessen any significant adverse impact that the activity may have on the environment. Therefore, the Commission finds that Notice of Impending Development, as conditioned herein, is consistent with CEQA Section 21080.5(d)(2)(A), and the applicable provisions of the Public Works Plan.

**CHANNEL ISLANDS HARBOR MARINA  
RESTROOM PLAN CHANGE ADDITION**  
Oxnard, California

ADDRESS : 3750 HARBOR BLVD.  
REFERENCE CASE NUMBER : 06 - 2652



SHEET	3705 5 - HARBOR INDEX
A101	TITLE
A102	FLOOR PLAN
A103	SECTION
A104	EXTERIOR ELEVATIONS
A105	INTERIOR ELEVATIONS
A106	DETAILS
A107	NOT USED
A108	NOT USED
A109	DO NOT SCALE



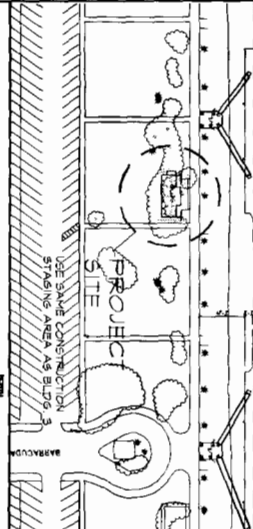
**WALL TYPE LEGEND**

- XXXX - EXISTING CMU
- - BRICK SECTION
- - NEW CMU

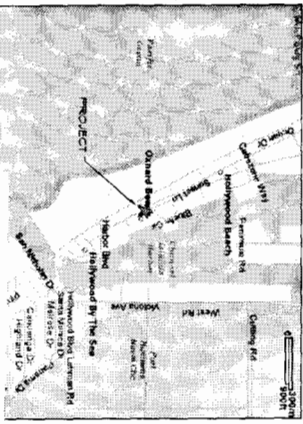
**GENERAL NOTES**

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODE AND ALL APPLICABLE ORDINANCES AND REGULATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODE AND ALL APPLICABLE ORDINANCES AND REGULATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODE AND ALL APPLICABLE ORDINANCES AND REGULATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.

**PROJECT MAP**



**AREA MAP**



**BPS**  
Bryant Palmer Solo, Inc.  
2200 AVENUE 18, SUITE 200  
OXNARD, CALIFORNIA 93030  
TEL: 805-325-3000  
FAX: 805-325-3001

NO.	DATE	REVISION
1	9/07/2007	NOID SUBMITTAL

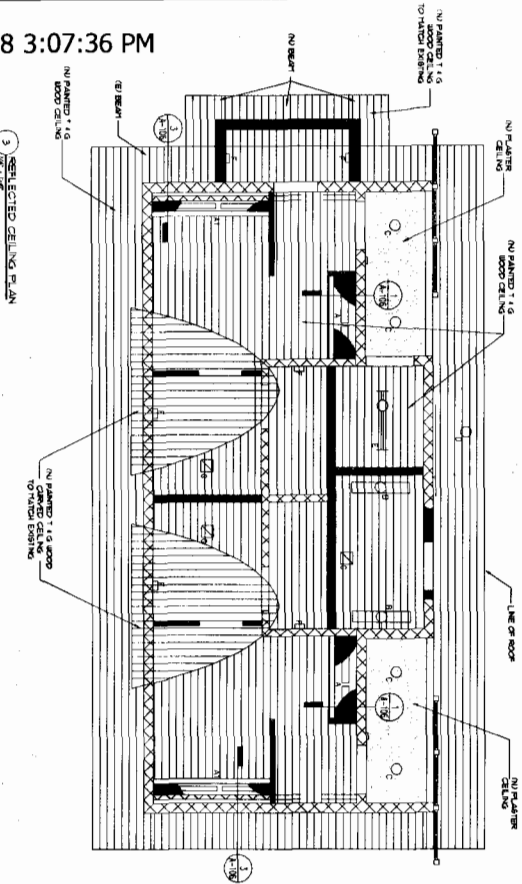
DATE	REVISION
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DATE	REVISION
9/07/2007	NOID SUBMITTAL

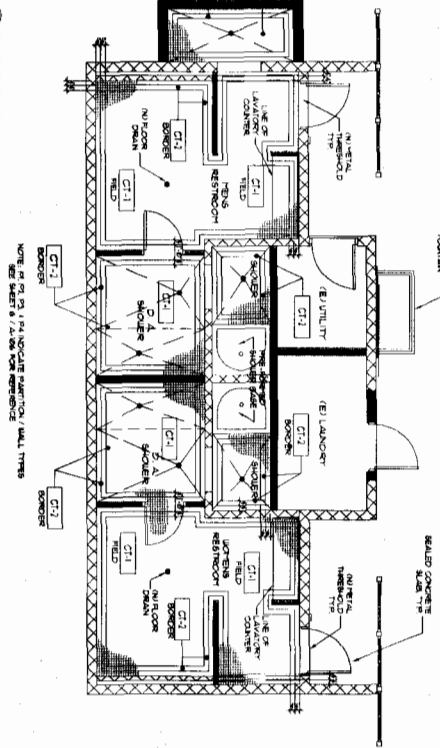
**FLOOR PLAN**  
Bldg 1  
A101

**EXHIBIT 1**  
Channel Islands Harbor NOID 3-07  
Building 1 Floor Plan

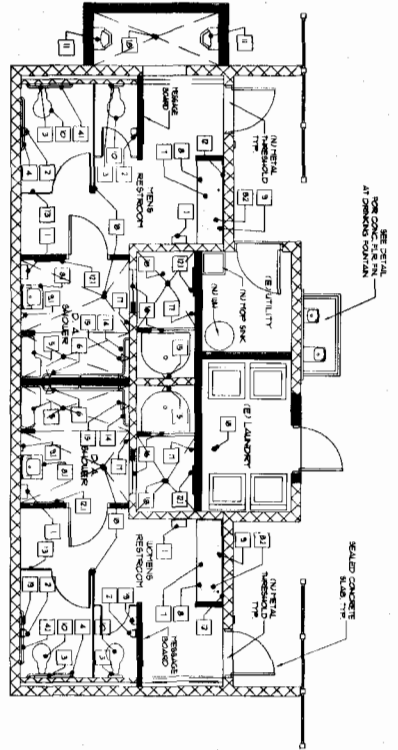
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1 FLOOR FINISH PLAN

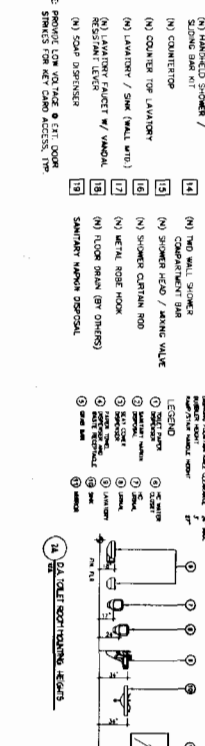


2 FIXTURES & ACCESSORIES PLAN



MARK	LOCATION	NAME	MFOR	SIZE	COLOR	FINISH	GROUT	SUPPLIER	REMARKS
1	TOILET	TOILET PAPER DISPENSER							
2	TOILET	TOILET SEAT							
3	TOILET	TOILET SEAT COVER DISPENSER							
4	TOILET	GRAB BAR (HT)							
5	TOILET	GRAB BAR (FT)							
6	TOILET	FOLDING SHOWER SEAT							
7	TOILET	SHOWER HEAD / ARMED VALVE							
8	TOILET	SHOWER CURTAIN ROD							
9	TOILET	WALL ROBE HOOK							
10	TOILET	FLOOR DRAIN (BY OTHERS)							
11	TOILET	WALL DRAIN (BY OTHERS)							
12	TOILET	WALL DRAIN (BY OTHERS)							
13	TOILET	WALL DRAIN (BY OTHERS)							
14	TOILET	WALL DRAIN (BY OTHERS)							
15	TOILET	WALL DRAIN (BY OTHERS)							
16	TOILET	WALL DRAIN (BY OTHERS)							
17	TOILET	WALL DRAIN (BY OTHERS)							
18	TOILET	WALL DRAIN (BY OTHERS)							
19	TOILET	WALL DRAIN (BY OTHERS)							

TYPE	DESCRIPTION	MFOR	MODEL	SIZE	NO. LAMPS	MTG.	REMARKS
A	RECESSED DOWNLIGHT						
B	RECESSED DOWNLIGHT						
C	RECESSED DOWNLIGHT						
D	RECESSED DOWNLIGHT						
E	RECESSED DOWNLIGHT						
F	RECESSED DOWNLIGHT						
G	RECESSED DOWNLIGHT						



MARK	LOCATION	NAME	MFOR	SIZE	COLOR	FINISH	GROUT	SUPPLIER	REMARKS
1	TOILET	TOILET PAPER DISPENSER							
2	TOILET	TOILET SEAT							
3	TOILET	TOILET SEAT COVER DISPENSER							
4	TOILET	GRAB BAR (HT)							
5	TOILET	GRAB BAR (FT)							
6	TOILET	FOLDING SHOWER SEAT							
7	TOILET	SHOWER HEAD / ARMED VALVE							
8	TOILET	SHOWER CURTAIN ROD							
9	TOILET	WALL ROBE HOOK							
10	TOILET	FLOOR DRAIN (BY OTHERS)							
11	TOILET	WALL DRAIN (BY OTHERS)							
12	TOILET	WALL DRAIN (BY OTHERS)							
13	TOILET	WALL DRAIN (BY OTHERS)							
14	TOILET	WALL DRAIN (BY OTHERS)							
15	TOILET	WALL DRAIN (BY OTHERS)							
16	TOILET	WALL DRAIN (BY OTHERS)							
17	TOILET	WALL DRAIN (BY OTHERS)							
18	TOILET	WALL DRAIN (BY OTHERS)							
19	TOILET	WALL DRAIN (BY OTHERS)							

**BPS**  
Bryant Palmer Soto Inc.  
10000 West 10th Street, Suite 200  
Denver, CO 80231  
Tel: 303.751.1111  
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www.bpsusa.com

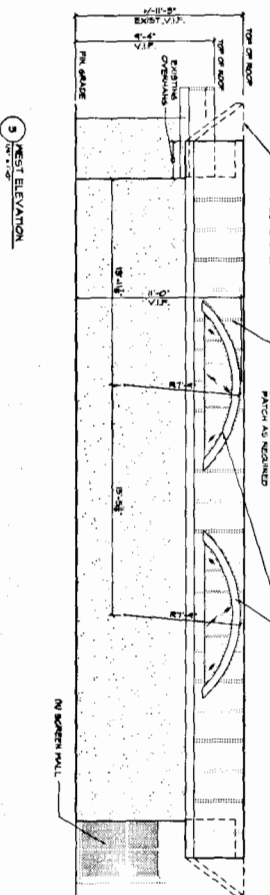
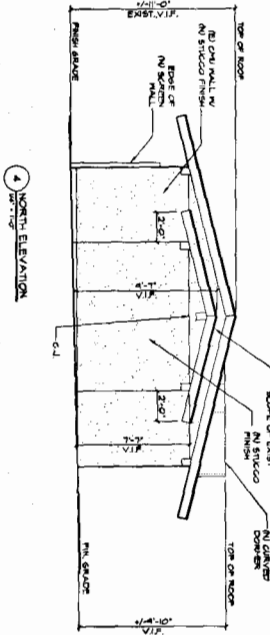
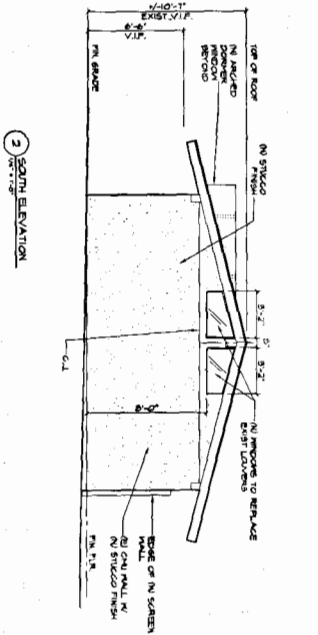
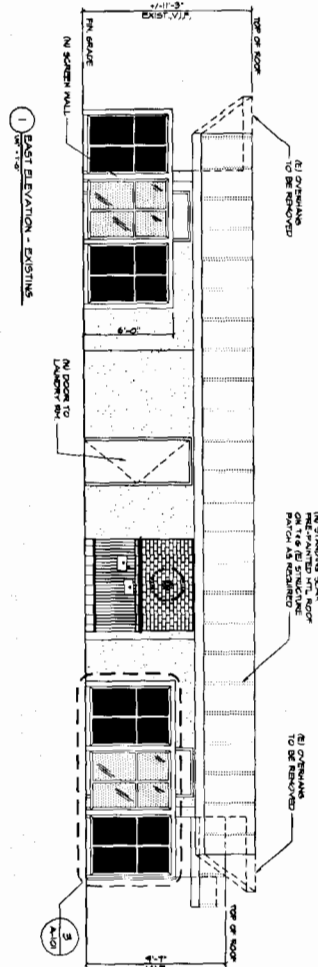
Channel Islands Harbor Marina  
Restroom Plan Change Addition  
Drawn: CA 3088

MARK	DATE	DESCRIPTION
1	3/17/2007	NOV. SUBMITTAL

MARK	DATE	DESCRIPTION
1	3/17/2007	NOV. SUBMITTAL

Channel Islands Harbor Noid 3-07  
Building 1 Floor Plan/Fixtures  
A103

**EXHIBIT 2**  
Channel Islands Harbor Noid 3-07  
Building 1 Floor Plan/Fixtures



**BPS**

Bryant Palmer Solo Inc.  
 ARCHITECTURE  
 200 NORTH DIXIE HIGHWAY  
 SUITE 200  
 WEST PALM BEACH, FL 33411

PROJECT: CHANNEL ISLANDS HARBOR MARINA RESTROOM PLAN CHANGE ADDITION  
 DRAWN BY: JAMES S. PALMER  
 CHECKED BY: JAMES S. PALMER

REVISIONS

NO.	DATE	DESCRIPTION
1	9/10/07	NOID SUBMITTA

EXTERIOR ELEVATIONS

DATE: 03/18/08  
 DRAWN BY: JSP  
 CHECKED BY: JSP  
 SCALE: AS NOTED

EXHIBIT 3  
 Channel Islands Harbor NOID 3-07  
 Building 1 Elevations

A104

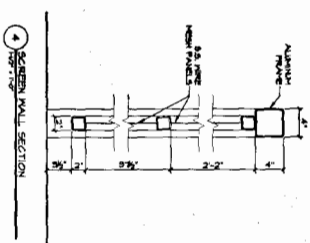
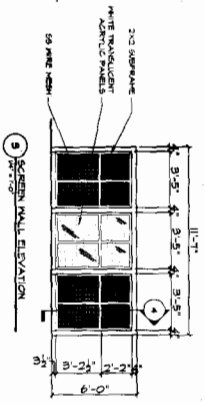
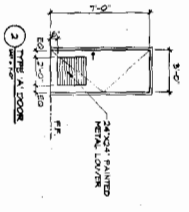
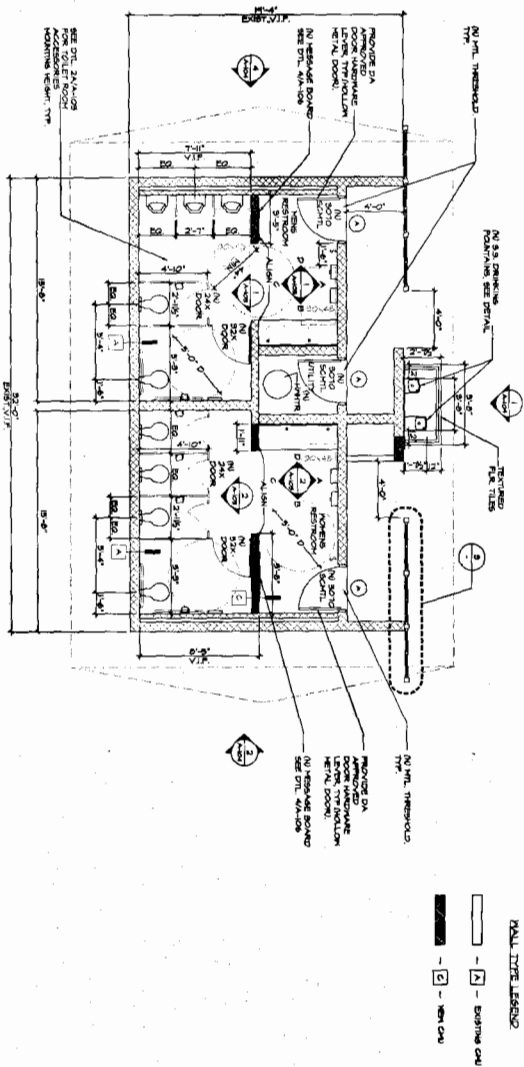


# CHANNEL ISLANDS HARBOR MARINA BUILDING 2 - RESTROOM RENOVATION Oxnard, California

CASE NUMBER : 06 - 2652  
ADDRESS : 3800 HARBOR BLVD.



SHEET	TITLE
A-101	FLOOR PLAN
A-102	SECTION WALL ELEVATION
A-103	SCREEN WALL ELEVATION
A-104	SCREEN WALL SECTION
A-105	AREA MAP
A-106	PROJECT MAP
A-107	GENERAL NOTES



### GENERAL NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE CALIFORNIA BUILDING CODE AND ALL APPLICABLE REGULATIONS AND ORDINANCES IN EFFECT AT THE TIME OF CONSTRUCTION.

2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTION.

3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES NOT TO BE REMOVED OR DAMAGED.

4. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.

5. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT AREAS AT ALL TIMES.

6. ALL MATERIALS AND METHODS SHALL BE APPROVED BY THE ARCHITECT PRIOR TO INSTALLATION.

7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DISPOSING OF ALL DEBRIS AND WASTE MATERIALS IN ACCORDANCE WITH LOCAL REGULATIONS.

8. THE CONTRACTOR SHALL MAINTAIN A NEAT AND ORDERLY WORK SITE AT ALL TIMES.

9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE COVERAGE.

10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY BONDS.

11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY REFERENCES.

12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY REFERENCES.

13. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY REFERENCES.

14. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY REFERENCES.

15. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY REFERENCES.

**OWNER:**  
CHANNEL ISLANDS HARBOR DEPARTMENT  
3800 HARBOR BLVD. SUITE 302  
OXNARD, CA 93023  
PHONE 805-382-3007 FAX 805-382-3005

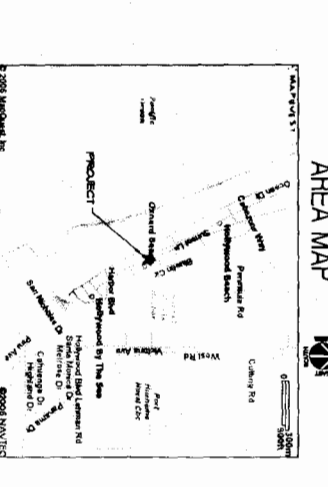
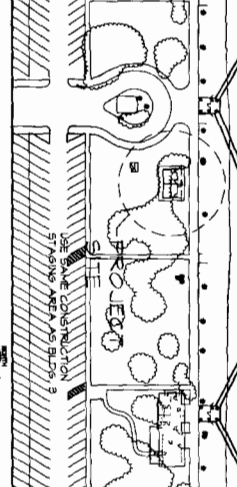
**ARCHITECT:**  
BRYANT PALMER SOLO INC.  
10000 E. CALLE DEL MAR SUITE 300  
SAN ANTONIO, TX 78240  
PHONE 214-343-1111 FAX 214-343-1111  
CONTACT: PETER FINNEY

**SUBMITTALS**

MARK	DATE	DESCRIPTION
1	01/16/2007	NOID SUBMITTAL

**REVISIONS**

MARK	DATE	DESCRIPTION



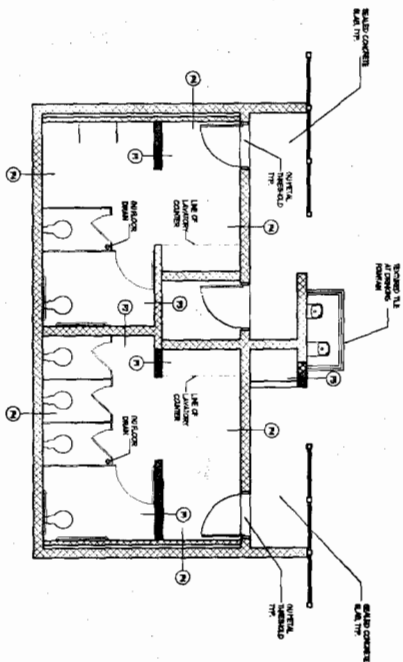
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ALL DIMENSIONS SHALL BE AS SHOWN UNLESS OTHERWISE NOTED  
OVER SCALE

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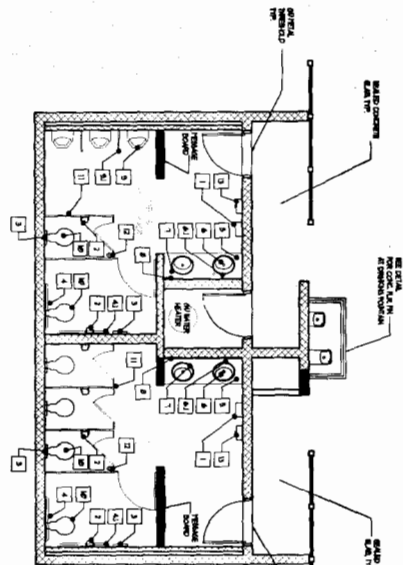
**EXHIBIT 4**  
**Channel Islands Harbor NOID 3-07**  
**Building 2 Floor Plan**

**BLDG. 2 FLOOR PLAN**

**A-101**



1 FLOOR FINISH PLAN



1 SCHEMATIC ACCESSORIES PLAN

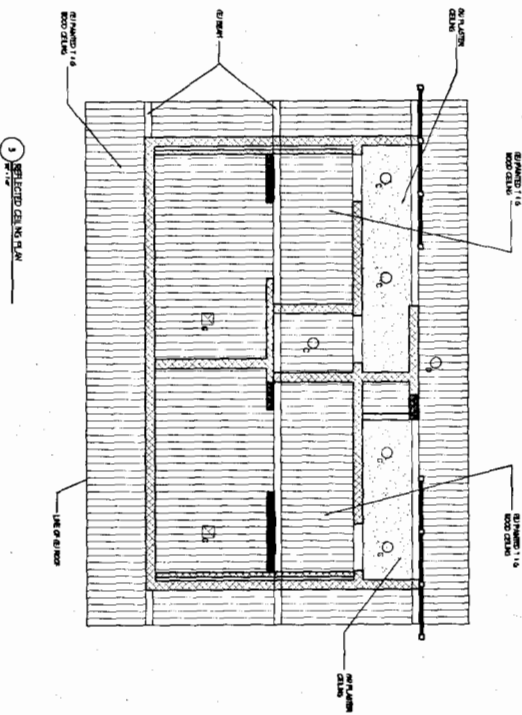
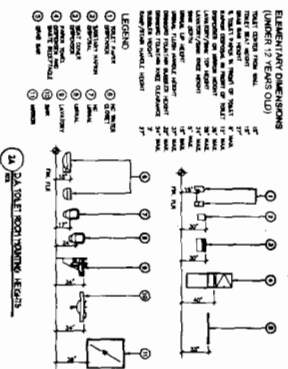
WALL TYPE LEGEND



LEGEND

- 1 (N) PAINT TRIM: SPANISH
- 2 (N) TOILET PAPER DISPENSER
- 3 (N) TOILET SEAT COVER DISPENSER
- 4 (N) GRAB BAR (GFB)
- 5 (N) GRAB BAR (GFB)
- 6 (N) COUNTER TOP
- 7 (N) COUNTER TOP LANTIER
- 8 (N) LANTIER FACET w/ VANGUARD
- 9 (N) RESISTANT LINER
- 10 (N) SOAP DISPENSER
- 11 (N) MIRROR
- 12 (N) URINAL (U.A. APPROVED TYPE)
- 13 (N) URINAL SCREEN
- 14 (N) WATER CLOSET
- 15 (N) FLOOR MOUNTED METAL TOILET PAPER HOLDER (BY OTHERS)
- 16 (N) ORIGINAL LOW VOLTAGE HANDHELD

EXHIBIT A-103 TOILET ROOM VENTING LEGEND



1 EXTERIOR WALL SECTION

FINISH SCHEDULE		NAME	UNIT	SIZE	COLOR	FINISH	QUANTITY	SUPPLIER	REMARKS
CF-1	FLOOR FLOOR	CONCRETE	200	200	CONCRETE	CONCRETE	200		
CF-2	FLOOR WALLS	CONCRETE	200	200	CONCRETE	CONCRETE	200		
CF-3	WALLS	CONCRETE	200	200	CONCRETE	CONCRETE	200		
CF-4	CEILING	CONCRETE	200	200	CONCRETE	CONCRETE	200		
CF-5	WALLS	CONCRETE	200	200	CONCRETE	CONCRETE	200		
CF-6	CEILING	CONCRETE	200	200	CONCRETE	CONCRETE	200		
CF-7	WALLS	CONCRETE	200	200	CONCRETE	CONCRETE	200		
CF-8	CEILING	CONCRETE	200	200	CONCRETE	CONCRETE	200		
CF-9	WALLS	CONCRETE	200	200	CONCRETE	CONCRETE	200		
CF-10	CEILING	CONCRETE	200	200	CONCRETE	CONCRETE	200		

LIGHTING SCHEDULE		DESCRIPTION	WTR	MODEL	SIZE	NO. LAMPS	MFG.	REMARKS
A	RECESSED DOWNLIGHT							
B	TRIMLESS DOWNLIGHT							
C	TRIMLESS DOWNLIGHT							
D	TRIMLESS DOWNLIGHT							
E	TRIMLESS DOWNLIGHT							
F	TRIMLESS DOWNLIGHT							
G	TRIMLESS DOWNLIGHT							

\* ALL EXPOSED NON-CERAMIC TILED SURFACES TO BE PLASTER FINISH, TRP, VENTP, N FIELD.

**BPS**  
 Bryant Palmer Solo Inc.  
 1000 S. GARDEN ST. SUITE 100  
 ANAHEIM, CA 92805  
 (714) 771-1100  
 FAX (714) 771-1101

PROJECT: CHANNEL ISLANDS HARBOR MARINA BUILDING TWO RENOVATION  
 Orange, CA 92668

NO. OF COPIES OF SUBMITTALS TO BE SUBMITTED TO THE ARCHITECT: 10  
 NO. OF COPIES OF SUBMITTALS TO BE SUBMITTED TO THE ENGINEER: 10  
 NO. OF COPIES OF SUBMITTALS TO BE SUBMITTED TO THE CONTRACTOR: 10  
 NO. OF COPIES OF SUBMITTALS TO BE SUBMITTED TO THE OWNER: 10

DATE	DESCRIPTION

DATE: 02/08/07  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 TITLE: [Title]

PROJECT: CHANNEL ISLANDS HARBOR MARINA BUILDING TWO RENOVATION

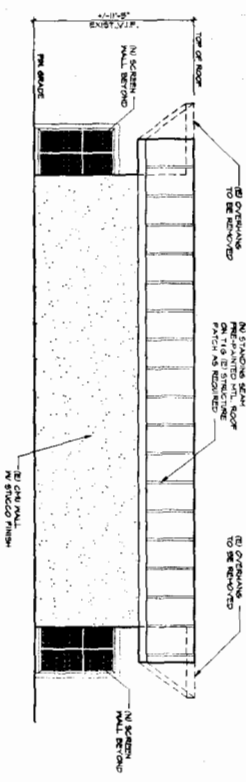
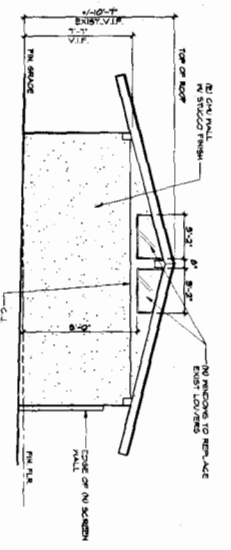
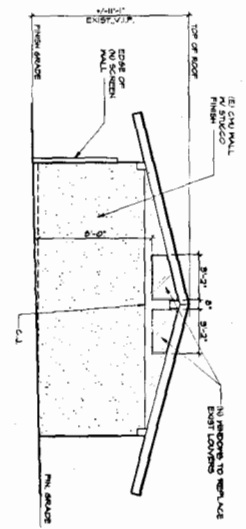
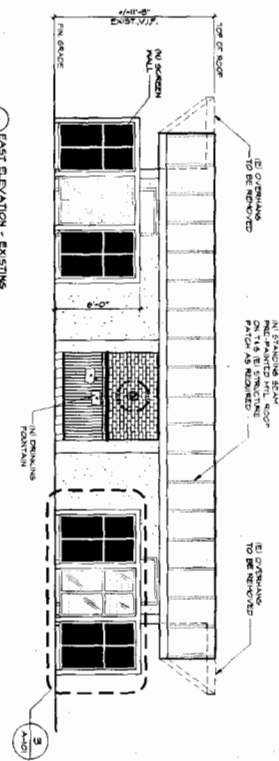
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 NO. OF COPIES OF SUBMITTALS TO BE SUBMITTED TO THE CONTRACTOR: 10  
 NO. OF COPIES OF SUBMITTALS TO BE SUBMITTED TO THE OWNER: 10

DO NOT SCALE THIS DRAWING  
 DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE NOTED  
 DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE NOTED

DATE: 02/08/07  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 TITLE: [Title]

**EXHIBIT 5**  
 Channel Islands Harbor NOID 3-07  
 Building 2 Floor Plan/Fixtures

A-103



**BPS**  
 Bryant Palmer Solo Inc.  
 ARCHITECTS  
 6800 AVENUE 100, SUITE 100, TEMECULA, CA 92590  
 TEL: 951.224.1400 FAX: 951.224.1401

CHANNEL ISLANDS HARBOR MARINA  
 BUILDING TWO RENOVATION  
 Oxnard, CA 93025

CONTRACT NO.:  
 SHEET NO.:  
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND EXISTING STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT PROPERTIES AND THE ENVIRONMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT PROPERTIES AND THE ENVIRONMENT.

SUBMITTALS	
DATE	DESCRIPTION
12/18/07	NOI SUBMITTAL

REVISIONS		
MARK	DATE	DESCRIPTION
1	12/18/07	INDICATE RENOVATIONS

DATE	BY	DESCRIPTION
10/18/07	ML	CHANGING BY
09/20/07	AS NOTED	DRAWING TIME

Job No.: 03-9901-5054-02  
 O.C.D./P.F.:  
 Date: 10-18-07  
 Drawn By: ML  
 Checked By: JMK  
 Scale: AS NOTED

BLDG. 2  
 EXTERIOR ELEVATIONS  
**A-104**

**EXHIBIT 6**  
**Channel Islands Harbor NOID 3-07**  
**Building 2 Elevations**

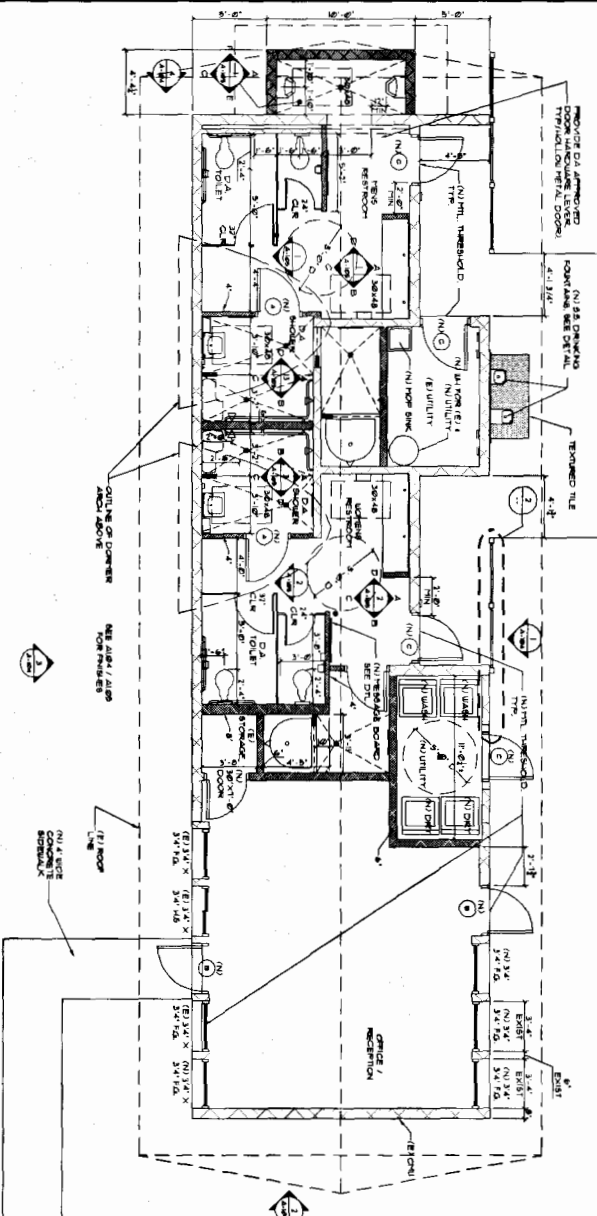
# CHANNEL ISLANDS HARBOR MARINA RESTROOM PLAN CHANGES ADDITIONS

Oxnard, California

ADDRESS : 3648 3650 HARBOR BLVD  
REFERENCE CASE NUMBER : 054892



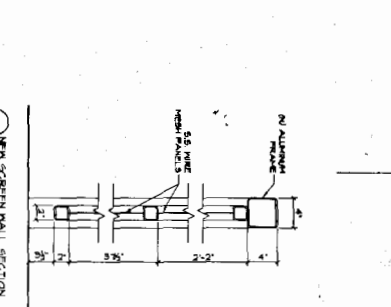
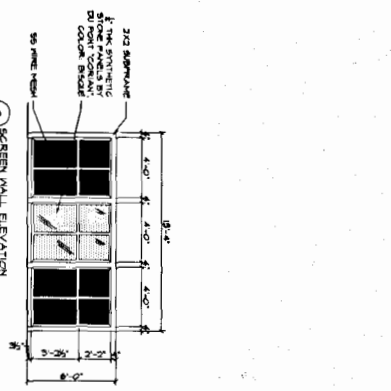
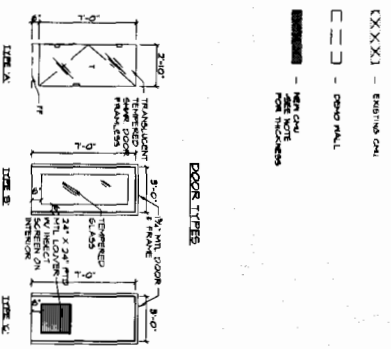
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A102	ARCHITECTURAL SITE PLAN
A103	ROOF PLAN / DETAIL PLAN
A104	FLOOR FINISH / SELECTED CLG PLAN
A105	MECHANICAL / ELECTRICAL PLAN
A106	INTERIOR ELEVATIONS
A107	DETAILS
A108	NOT USED
A109	NOT USED



1 RESTROOM / OFFICE FLOOR PLAN



WALL TYPE LEGEND  
 CXXXI - EXISTING WALL  
 C--- - OPEN WALL  
 --- - NEW WALL  
 --- - NEW CURTAIN WALL

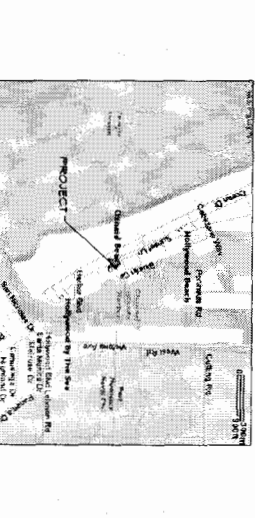
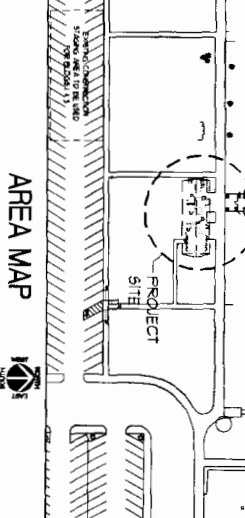


## GENERAL NOTES

- DO NOT SCALE DRAWINGS. CONSTRUCTION CONDITIONS AND DIMENSIONS SHALL BE AS SHOWN ON THE DRAWINGS. DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE NOTED.
- ALL WORK SHALL BE IN ACCORDANCE WITH THE NATIONAL BUILDING CODE AND ALL APPLICABLE REGULATIONS AND ORDINANCES.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
- ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL BUILDING CODE AND ALL APPLICABLE REGULATIONS AND ORDINANCES.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
- ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL BUILDING CODE AND ALL APPLICABLE REGULATIONS AND ORDINANCES.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
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- ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL BUILDING CODE AND ALL APPLICABLE REGULATIONS AND ORDINANCES.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
- ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL BUILDING CODE AND ALL APPLICABLE REGULATIONS AND ORDINANCES.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
- ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL BUILDING CODE AND ALL APPLICABLE REGULATIONS AND ORDINANCES.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

**OWNER:**  
 COUNTY OF VENTURA  
 REGIONAL DEVELOPMENT DEPARTMENT  
 3300 FELICIA WAY L 5/200  
 OXNARD, CA 93025  
 PHONE 805-381-3007 FAX 805-381-3005

**ARCHITECT:**  
 BRYANT PALMER SOLO INC.  
 3100 TORRANCE CA 90240 SUITE 310  
 OXNARD, CA 93025  
 PHONE 805-381-3007 FAX 805-381-3005  
 CONTACT: PETER FINNEY



**BPS**  
 Bryant Palmer Solo Inc.  
 3100 TORRANCE CA 90240 SUITE 310  
 OXNARD, CA 93025  
 PHONE 805-381-3007 FAX 805-381-3005  
 CONTACT: PETER FINNEY

**REVISIONS**

NO.	DATE	DESCRIPTION
1		
2		
3		

**SUBMITTALS**

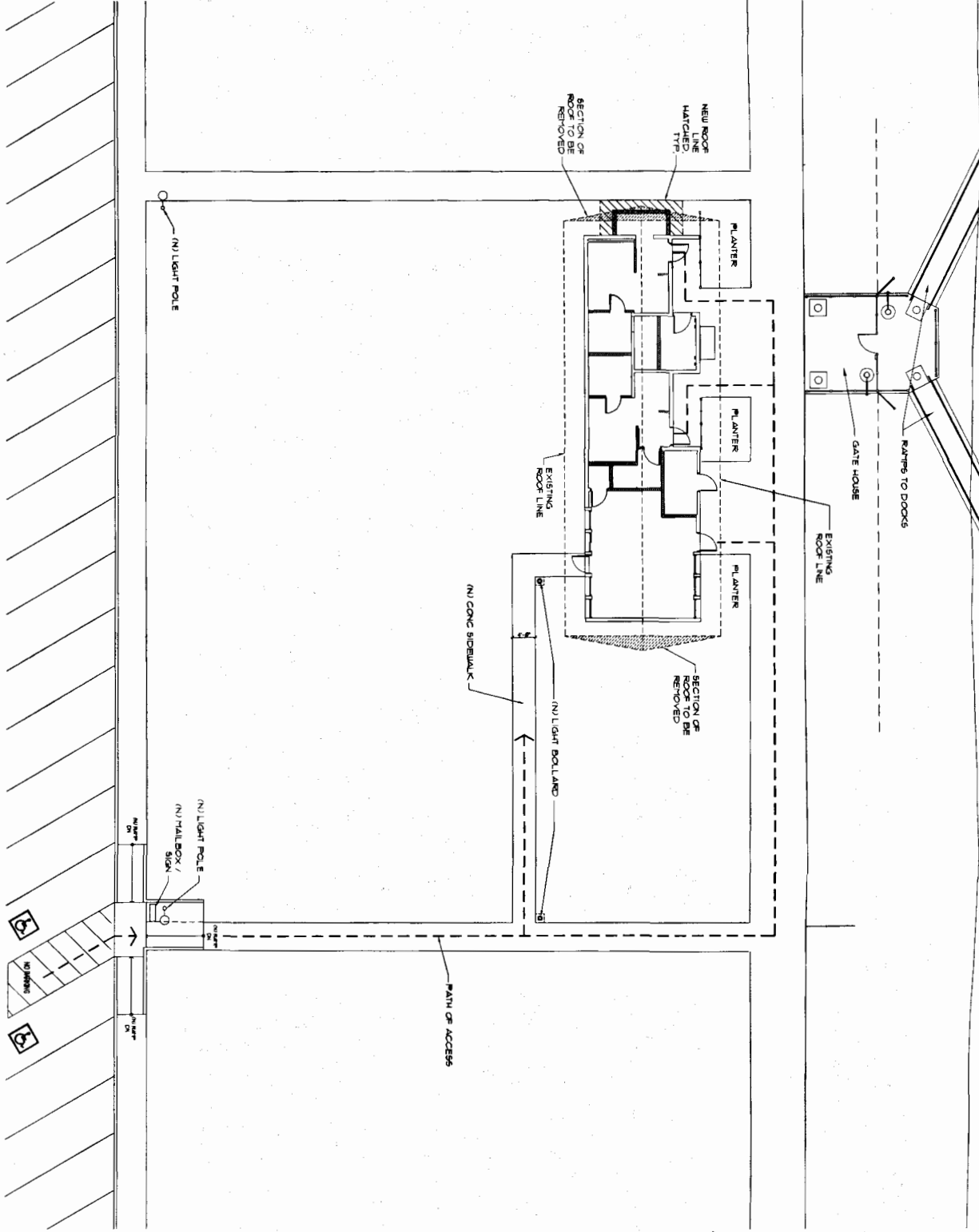
NO.	DATE	DESCRIPTION
1	5/10/07	FIELD SUBMITTALS
2		
3		

**FLOOR PLAN**  
 Bldg 3  
 A101

Channel Islands Harbor NOID 3-07  
 Building 3 Floor Plan

EXHIBIT 7

3/17/2008 4:04:33 PM



**BPS**  
 Bryant Palmer Soto Inc.  
 1200 W. 10th Street, Suite 200  
 Los Angeles, CA 90015  
 Tel: 213.697.1111  
 Fax: 213.697.1112  
 Email: bps@bryantpalmer.com

Project: CHANNEL ISLANDS HARBOR MARINA  
 RESTROOM PLAN CHANGES  
 ADDITIONS  
 2008.03.10  
 Channel Islands Marina  
 Channel Islands Marina  
 Channel Islands Marina

DATE: 3/17/08  
 DRAWN BY: MM  
 CHECKED BY: DW

REVISIONS

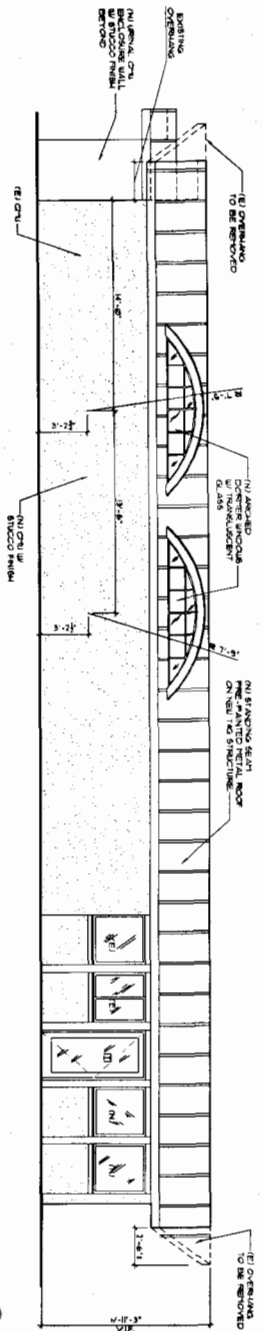
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NOTES:

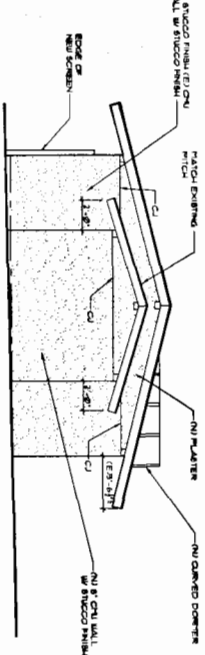
1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
3. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
4. ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE ARCHITECT.

ARCHITECTURAL SITE PLAN  
 A101A

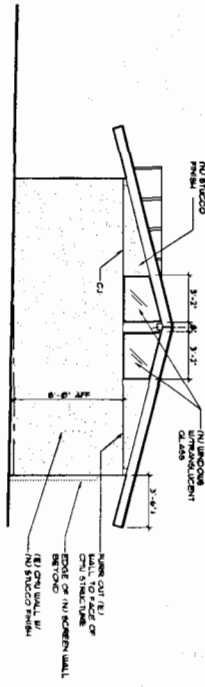
**EXHIBIT 8**  
 Channel Islands Harbor NOID 3-07  
 Building 3 Architectural Site Plan



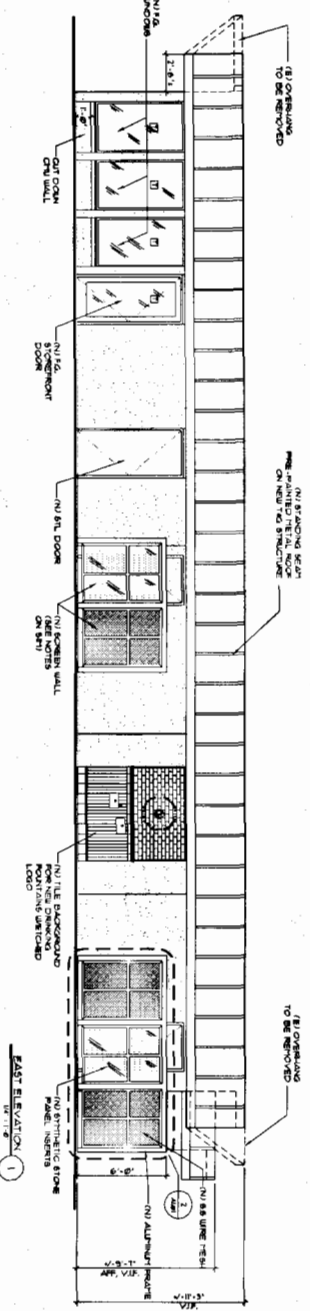
NOTE: STUCCO FINISH TO BE SMOOTH, TROWEL, WITH APPLIED WATER SO THAT BURR MARKS ARE ALLOWED IN THE INTERIOR CORNER SUBJECT TO THE APPROVAL OF ARCHITECT FOR APPROVAL.



NORTH ELEVATION 4



SOUTH ELEVATION 2



EAST ELEVATION 1

**BPS**  
 Bryant Palmer Soto Inc.  
 2501 MARKET DRIVE, SUITE 203, TAMPA, FLORIDA 33607  
 (813) 973-1111

Project: CHANNEL ISLANDS HARBOR MARINA  
 RESTROOM PLAN CHANGES  
 ADDITIONS  
 3840 / 3835 S. HARBOR BLVD.  
 DUBLIN, CA 94568

10% SUBMITTALS

MARK	DATE	DESCRIPTION
5-15-07	5-15-07	BUILDING REVISIONS
5-21-07	5-21-07	NOID SUBMITTAL

REVISIONS

MARK	DATE	DESCRIPTION

DO NOT SCALE DRAWINGS  
 DIMENSIONS SHALL GOVERN OVER SCALE

DATE	03/06/07 09:51 AM
DESIGNER	MM
CHECKED BY	DW
SCALE	AS SHOWN

Drawing Title: BUILDING 3 EXTERIOR ELEVATIONS

**EXHIBIT 9**  
**Channel Islands Harbor NOID 3-07**  
**Building 3 Exterior Elevations**

A1104



Jeffrey B. Froke, Ph.D.

**CALIFAUNA**

3158 Bird Rock Road / Pebble Beach, CA 93953

TEL (831) 224-8595 / FAX (831) 649-3765

*jbfroke@mac.com*

05 February 2008

RECEIVED  
FEB 21 2008

CALIFORNIA  
COASTAL COMMISSION  
SOUTH CENTRAL COAST DISTRICT

## **Report on Annual Tree-Use Sequence by Nesting Great Blue Herons & Black-crowned Night Herons at Channel Islands Harbor, Ventura County, CA / 2003-2007**

As previously reported, Great Blue Herons (GBH) and Black-crowned Night Herons (BCNH) nested over a five-year consecutive period (2003-2007) inside the urban marina environment at Channel Island Harbor. A third species, the Snowy Egret, also nested in the same environment, but for one season only (1 pair on the Westside of the harbor during 2004). As an outlier, the species is not discussed further in this report.

This report focuses on the observed selection of 43 specific nest trees by the herons. The following two graphs show the number of nest trees used by each of the two heron species over the five-year period; and in particular how the nest-tree uses were distributed between the PENINSULA and WESTSIDE segments of the harbor area. By the way, these data describe all nesting by the two species of herons anywhere in the harbor setting during 2003-2007.

In summary, BCNH nested in a total of 33 of the 43 nest trees, and GBH in 13; and four of the GBH nest-uses overlapped with those of the BCNH (pairs of both species nested simultaneously in the four of the same trees).

Patterns of use represent the most telling findings from these data: Over the five-year period, BCNH nested in 28 -> 15 -> 9 -> 5 and then 6 trees; and the principal location of BCNH nest trees shifted from the Westside in 2003 (57 pct) to the Peninsula in 2004 (73 pct), 2005 (66 pct), 2006 (100 pct), and 2007 (83 pct).

Simultaneously, GBH nested in 4 > 4 > 2 > 8 and then 8 trees; and the principal location of GBH nest trees shifted from the Westside in 2003 and 2004 (75 pct each year) to the Westside/ Peninsula in 2005 (50/50 pct), and the Peninsula in both 2006 and 2007 (86 and 100 pct, respectively).

*Wildlife Science & Management Consulting*

**EXHIBIT 10**

**Channel Islands Harbor NOID 3-07**

**Dr. Froke Reports**

All together, dominant nest tree-use by the two heron species moved from the Westside in 2003 (60 pct) to the Peninsula in 2004 and thereafter (63, 64, 92, and 100 pct, in sequence).

Ultimately, the Westside counted for the majority of 2003 tree-uses when there was a larger population of BCNH present; but following the first year, BCNH numbers both diminished steeply and most/all of the remaining tree-users moved across the Channel in 2004. Concurrently, BCNH tree-uses dropped off from a high of 28 (2003) to a low of 5 and 6 in 2006 and 2007.

Similarly, GBH had nested mostly on the Westside in 2003 and 2004 (75 pct of nest-uses both years), then switched to the Peninsula in 2005 - 2007 (first 50 pct, then 88 and 100 pct, in sequence).

The following graphics are intended to illustrate these clear nesting shifts from the *Westside to the Peninsula* as well as the *decrease of BCNH* that occurred while the *GBH increased* in numbers and corresponding nest-uses.

JBF

Final, 05 Feb 08.2





JEFFREY B. FROKE, Ph.D.

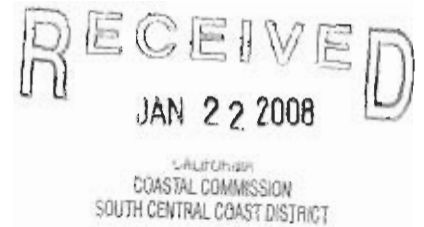
## CALIFAUNA

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14 January 2008



# CHANNEL ISLANDS HARBOR HERONRY

## NEST TREE DISTRIBUTION

The following table represents the annual distribution of nest trees for all tree species used by all nesting heron species during nest years 2003-2007. During the five-year study period, 43 individual trees were used for nesting; and altogether, 90 uses of those trees were counted. Black-crowned Night-Herons (BCNH) accounted for 63 of the 90 total tree-uses\*, Great Blue Herons (GBH) 26, and Snowy Egret (SNEG) 1 (2004 only).

Hérons nesting along the PENINSULA counted for 57 tree-uses (63 pct) over the five-year period, and the balance of 33 tree-uses (37 pct) occurred on the WESTSIDE. The largest annual tree-usage (and nesting effort) was made by BCNH on the Westside during the 2003 nesting period (BCNH used 16 Westside trees for nesting). Presently shown data do not reflect the actual number of nests used during any period. These nest effort data do exist and are reportable, per species.

Tree-use data are being analyzed to understand the annual patterns of new tree accession (NTA). NTA represents tree selection patterns of individuals or a population of animals (herons) that annually select nest trees from a larger field of suitable trees, and particularly when they adopt a previously unused tree for nesting, i.e., the population of nest trees increases over time by accession.

**DEFINITION:** USE means that one or more pairs of a species used the tree for nesting in a given year. Whether one or two GBH pairs nests in a tree, the event is a single use. The actual count of nests is not factored into this description of use.

## CIH Nest Tree Distribution, 2003-2007

CIH AREA	2003		2004			2005		2006		2007		TOTALS
	BCNH	GBH	BCNH	GBH	SNEG	BCNH	GBH	BCNH	GBH	BCNH	GBH	
PENINSULA	12	1	11	1	0	6	1	5	7	5	8	57
WESTSIDE	16	3	4	3	1	3	1	0	1	1	0	33
TOTALS	28	4	15	4	1	9	2	5	8	6	8	90

## Nest Tree Worksheet, 2003-2007

The following worksheet incorporates all basic tree-use data about CIH nesting herons during 2003-2007. Tree numbers correspond with trees marked on the **All Nest Map for 2003-2007** (attached). The 5 tree species are indicated by color-coded dots on the same map. Individual trees that are highlighted in yellow, below, have been used only once by herons. To date, this feature is more significant for trees used before 2007 as it indicates the trees to which herons did not return after the prior year. Future, or repeat use of trees used during 2007 only has not been determined (also, see All Nest Map).

TREE #	TREE NAME	NEST YEAR	HERON SPECIES
1	Magnolia	2003	BCNH
1	Magnolia	2004	BCNH
1	Magnolia	2005	BCNH
2	Melaleuca	2006	BCNH
2	Melaleuca	2007	BCNH
3	Cypress	2003	BCNH
3	Cypress	2004	BCNH
4	Cypress	2003	BCNH
4	Cypress	2004	BCNH
5	Cypress	2007	BCNH
6	Cypress	2007	BCNH
7	Cypress	2003	BCNH
7	Cypress	2004	BCNH
7	Cypress	2005	BCNH
7	Cypress	2003	GBH
7	Cypress	2004	GBH



8	Cypress	2003	BCNH
8	Cypress	2004	BCNH
8	Cypress	2005	BCNH
8	Cypress	2003	GBH
8	Cypress	2004	GBH
8	Cypress	2006	GBH
8	Cypress	2004	SnEg
9	Cypress	2003	BCNH
9	Cypress	2004	BCNH
9	Cypress	2005	BCNH
9	Cypress	2003	GBH
9	Cypress	2004	GBH
9	Cypress	2005	GBH
<b>10</b>	<b>Cypress</b>	<b>2007</b>	<b>BCNH</b>
11	Pohutukawa	2003	BCNH
11	Pohutukawa	2004	BCNH
11	Pohutukawa	2005	BCNH
11	Pohutukawa	2006	BCNH
12	Pohutukawa	2003	BCNH
12	Pohutukawa	2004	BCNH
12	Pohutukawa	2005	BCNH
12	Pohutukawa	2006	BCNH
13	Pohutukawa	2003	BCNH
13	Pohutukawa	2004	BCNH
13	Pohutukawa	2005	BCNH
13	Pohutukawa	2006	BCNH
14	Pohutukawa	2003	BCNH
14	Pohutukawa	2004	BCNH
14	Pohutukawa	2005	BCNH
14	Pohutukawa	2006	BCNH
<b>15</b>	<b>Pohutukawa</b>	<b>2003</b>	<b>BCNH</b>
<b>16</b>	<b>Pohutukawa</b>	<b>2003</b>	<b>BCNH</b>
<b>17</b>	<b>Pohutukawa</b>	<b>2003</b>	<b>BCNH</b>
<b>18</b>	<b>Pohutukawa</b>	<b>2003</b>	<b>BCNH</b>
<b>19</b>	<b>Pohutukawa</b>	<b>2003</b>	<b>BCNH</b>
<b>20</b>	<b>Pohutukawa</b>	<b>2003</b>	<b>BCNH</b>
<b>21</b>	<b>Pohutukawa</b>	<b>2003</b>	<b>BCNH</b>



22	Pohutukawa	2003	BCNH
23	Pohutukawa	2003	BCNH
24	Pohutukawa	2003	BCNH
25	Pohutukawa	2003	BCNH
26	Mont Pine	2003	BCNH
26	Mont Pine	2004	BCNH
27	Mont Pine	2007	BCNH
28	Mont Pine	2003	BCNH
28	Mont Pine	2004	BCNH
29	Mont Pine	2003	BCNH
30	Mont Pine	2003	BCNH
30	Mont Pine	2007	BCNH
31	Mont Pine	2003	BCNH
31	Mont Pine	2004	BCNH
31	Mont Pine	2005	BCNH
31	Mont Pine	2003	GBH
31	Mont Pine	2004	GBH
31	Mont Pine	2005	GBH
31	Mont Pine	2006	GBH
31	Mont Pine	2007	GBH
32	Fan Palm	2006	GBH
33	Fan Palm	2006	GBH
33	Fan Palm	2007	GBH
34	Fan Palm	2006	GBH
34	Fan Palm	2007	GBH
35	Fan Palm	2006	GBH
36	Fan Palm	2007	GBH
37	Fan Palm	2006	GBH
37	Fan Palm	2007	GBH
38	Fan Palm	2007	GBH
39	Fan Palm	2006	GBH
39	Fan Palm	2007	GBH
40	Fan Palm	2007	GBH
41	Pohutukawa	2004	BCNH
42	Pohutukawa	2003	BCNH
43	Pohutukawa	2003	BCNH

End of collected tree-use data , 2003-2007

# HERON NEST ATLAS for CHANNEL ISLANDS HARBOR HERONRY, 2003-2007





# The Beacon Foundation

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3844 W Channel Islands Blvd  
Oxnard, CA 93035

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CALIFORNIA  
COASTAL COMMISSION  
SOUTH CENTRAL COAST DISTRICT

Gary Timm, Assistant Director  
Amber Tysor, Coastal Program Planner  
California Coastal Commission  
89 So. California Street, Suite 200  
Ventura, CA 93001

January 7, 2008

NOID – Channel Islands Harbor  
Restroom and Office Remodel

Dear Mr. Timm and Ms. Tysor:

The proposed NOID submitted by the County Harbor Department January 19, 2007 suffers from misstatement of fact and failure to consider significant issues.

**1. The Proposed Project will Impact the Adjacent Heron Rookery.** The NOID page states:

“No biological impacts are associated with the small additions proposed by this project. One mature large shrub (Myoporum) will be removed that is directly adjacent to Building 3. No trees that have been used by herons as nesting sites will be removed.”

This Myoporum is a tree and it is one of eleven trees that make up the heron rookery adjacent to the proposed action. These trees are closely placed with overlapping canopies. The tree proposed for removal is an integral part of this grove. The County biological consultant, Jeffrey Froke, identified two trees adjacent to Building 3 as nesting trees in 2003 and/or 2004. The pages of the Froke report of October 2004 (already on file with the Commission) is attached.

In addition to the impact on the heron of noise and other impacts of the tree removal, the demolition and reconstruction of structures will have noise and other impacts. The NOID dismisses these issues based on “conditions” it will ask its lessee to observe. There is no showing that the lessee has accepted them. Any conditions should be placed by the Coastal Commission so they may be enforced. The proposed conditions are a variant of those imposed by the Commission on the Marine Emporium project. No heron nesting has been observed proximate to the Marine Emporium project. That reason and that reason alone justified the weak construction condition imposed at the Marine Emporium site. The NOID project site is part of the heron rookery identified and protected in Conditions and Modifications imposed by the Commission on the BISC project. At a minimum, the same protections and are required for the proposed action. Chief among needed provisions is prohibition of all exterior construction during the nesting season.

**2. The proposed project takes additional protected public park land.** The proposed NOID states (page 3)

“The project is consistent with policies contained in the PWP regarding park preservation. The small additions to the buildings will accommodate additional amenities for boaters and other visitors to the park and will not reduce the amount of park space available for public use.”

EXHIBIT 11

Channel Islands Harbor NOID 3-07

Letter from Beacon Foundation

This misstates the facts. The proposed action directly takes some 200 square feet of existing protected park land. This is in addition to some 4,000 square feet of park land proposed for taking by the BISC project. It is also additional to the existing unauthorized taking by Harbor Department of more than 200 square feet for a construction trailer that has sat unused in the park for more than a year.

Of the three buildings to be reconstructed only one is open to the public. As discussed in point 3 below, there is no gain to public use in its renovation.

In addition to the direct taking by the expanded building footprints, it appears the project contemplates an additional concrete walkway from the east side of Building 3 across the heron rookery to the parking lot. The NOID text notes access to the east side entrance will be by a walkway from the west side but the diagram provided in the NOID shows otherwise. In either case there are impacts that must be considered on both the Heron rookery and on parkland.

The direct and cumulative impacts of all these taking must be considered. There is no "de minimus" concept for taking park land designated in the PWP. In the BISC project the whole area of this linear park was recognized by the County (under Conditions imposed by the Commission) as designated park land for which a PWP amendment is required for any taking.

- 3. The only public restroom will not be functionally renovated or made ADA compliant.** The NOID (page 2) speaks of "rehabilitation of the public restroom" that is correctly described as "outdated and deteriorating." However, a careful reading of the fourth paragraph of NOID page 2, reveals that only an exterior renovation and roof replacement is contemplated for this non-ADA compliant public restroom. No diagram is provided of interior renovations to this structure because none are contemplated. The County merely proposes sprucing up the façade. This shows a "let them eat cake" attitude that one would not expect from any public agency.

The two restroom available to slip tenants (and not to the general public) will be renovated inside and made ADA compliant. The only restroom open to the public will not. This is contrary to principals of public access contemplated by the Coastal Act and a violation of the Americans With Disabilities Act. Renovation of existing buildings requires ADA compliance. The new roof and skylight alone is a "renovation" triggering ADA requirements.

An additional concern not treated in the NOID is whether temporary restroom facilities will be provided. If so, where will they be sited and what are their impacts?

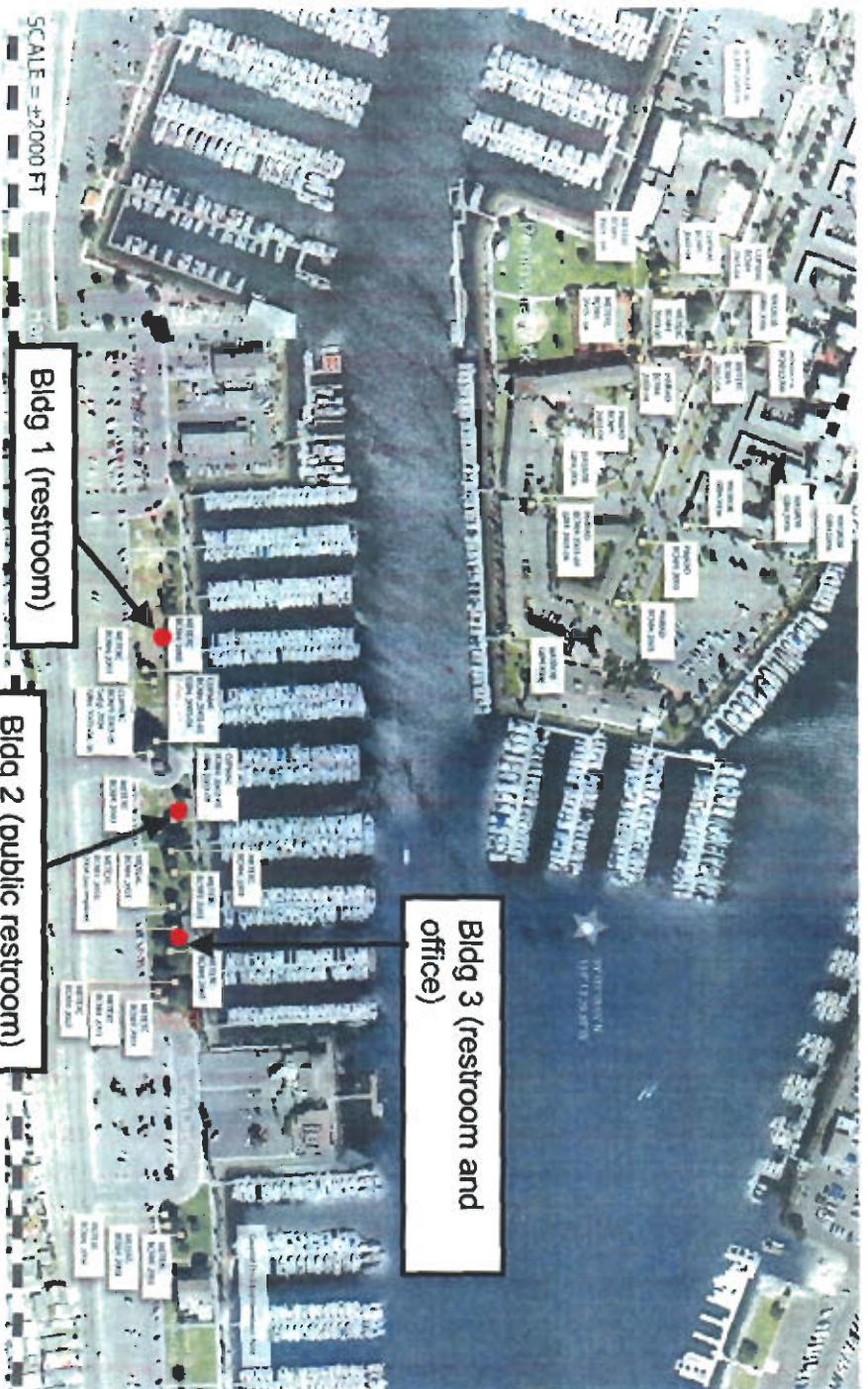
Sincerely,



Lee Quaintance, Secretary

Encl.

Heron Nest Trees, CHANNEL ISLANDS HARBOR, Ventura Co., California (2003-2006)



This map shows all trees in the CIH study area that were confirmed as used by nesting herons during 2003-2004, 2005 & 2006. Tree species are New Zealand Christmas Trees (METEX), Monterey Pine (PINA), Monterey Cypress (CURMA), Mexican Fan Palm (PANSO), a Melaleuca (MELALEUCA sp), and a Magnolia (MAGNOLIA sp). Heron species are Black-crowned Night-Heron (BCH), Snowy Egret (SNEG), and Great Blue Heron (GBH).

Note: Black-crowned Night-Herons, which were most numerous @ CIH in 2003 (38 nesting pairs on the West Sidel), have since declined birds in 2006. Simultaneously, BCH# numbers have grown to match Snowy Egrets at Fort Huenehine (approx. 100 pairs total). Herons nested at Ventura Harbor during 2005.

02/06/06, JF/MLW

**Exhibit 12**  
**CI Harbor NOID 3-07**  
**Heron Nesting Sites**