CALIFORNIA COASTAL COMMISSION
SOUTH CENTRAL COAST AREA
89 SOUTH CALIFORNIA ST., SUITE 200
VENTURA, CA 93001
(805) 585-1800

Th17b

ADDENDUM

Click here to go to original staff report

DATE: July 8, 2014

TO: Commissioners and Interested Parties

FROM: South Central Coast District Staff

SUBJECT: Agenda Item 17b, Thursday, July 10, 2014, Coastal Development Permit 4-13-0971 (City of Port Hueneme)

The purpose of this addendum is to make a minor revision to the text of Special Condition Three (3) in order to clarify the intent and terms, attach documentation regarding Ex Parte Communications from Commissioner Cox and Commissioner Groom, and include 29 letters in support of the project.

1) Part F of Special Condition Three (3) on page 10 of the staff report shall be deleted to clarify that monitoring by a biologist or environmental resource specialist during all construction activities is not required or necessary due to the fact that parts A through E of Special Condition Three (3) require sensitive species monitoring prior to the commencement of construction and include continued monitoring by a biologist or an environmental resource specialist should certain triggers be met.

2) Attached to this addendum is documentation of ex-parte communications received from Commissioner Cox dated July 2, 2014, and Commissioner Groom, dated July 8, 2104 (Exhibit 1).

3) 29 letters and emails of interest regarding the proposed project have been received after the staff report was prepared on 6/26/14. All letters and emails received are in support of the subject project and are substantially the same in content as the 192 emails/letters that were received in support of this project prior to 6/26/14 included, in part, as Exhibit 7 of the staff report. Five of the 29 letters/emails received after 6/26/14 have been attached as Exhibit 2 of this addendum for reference; all 221 letters in support of the project are included as part of the administrative record, and are available for review in the California Coastal Commission's Ventura Office.

DISCLOSURE OF EX PARTE COMMUNICATIONS

Date and time of receipt of communication:
July 7, 2014 at 2:20 pm

Location of communication:
Redwood City

Type of communication:
Teleconference

Person(s) in attendance at time of communication:
David B. Neish

Person(s) receiving communication:
Carole Groom

Description of project:
Item Th17b – Application No. 4-13-0971 (City of Hueneme Rock Revetment)

Description of communication:

Dave Neish provided background on the project proposal and indicated that the extension of the revetment is a temporary remedy until the federal government resumes sand fill, which has halted due to budget cuts. Mr. Neish expressed the applicant's agreement with Coastal Commission staff's recommendation and special conditions.

Date: July 8 2014

Signature of Commissioner: Carole Groom

Exhibit 1
4-13-0971 Addendum
Ex Parte Documentation

JUL 03 2014

July Th17b

DISCLOSURE OF EX PARTE COMMUNICATIONS

Name or description of project: Application No. 4-13-0971 (City of Port Hueneme Rock Revetment) Application of City of Port Hueneme to retain 1,200 linear feet of rock revetment pursuant to Emergency Permits G-4-13-0206, G-4-13-0208, G-4-14-0010, G-4-14-0020; place 1,200 linear feet of additional rock revetment; implement rock revetment repair and maintenance program; create public access stairways and replace public recreational amenities, located at Hueneme Beach, Port Hueneme, Ventura County. (JB-V)

Date and time of receipt of communication:
June 26, 2014 at 10:30am

Location of communication: San Diego

Type of communication:
Phone Conference

Person(s) in attendance at time of communication:
Cynthia Haas – City Manager
Greg Brown – Community Development Director
Chris Theisen – Public Works Director

Person(s) receiving communication:
Greg Cox and staff Greg Murphy

Detailed substantive description of the content of communication:
(Attach a copy of the complete text of any written material received.)

I spoke with representatives from the City of Port Hueneme regarding their application to retain 1,200 linear feet of emergency rock revetment and place 1,200 linear feet of additional rock revetment at Hueneme Beach. City officials explained that the beach requires 2 million cubic feet of sand replenishment bi-annually, which typically has been provided for by the U.S. Army Corps of Engineers. Due to federal budget constraints that caused reduced sand replenishment, Hueneme Beach is losing about 100,000 cubic feet of sand per month. The loss of beach threatened and ultimately destroyed public infrastructure including walkways, picnic areas, lighting, irrigation and electrical systems, at a cost of over $500,000 to the City. An emergency permit to place rocket revetment was obtained, but not until after a significant high-tide event and damage to public infrastructure. The City is seeking a coastal permit to keep the rock revetment and expand it by 1,200 linear feet along the beach. They portrayed the rocks as necessary protections that would be in place if and when sand replenishment doesn't occur. In times when sand replenishment does occur, the rocks would be invisible under the sand. The representatives described their city as working-class with limited resources. Hueneme Beach provides important free public access and recreational opportunities to residents and visitors, and they urged approval of this permit to maintain this critical public access to the coast.

Date: 7/2/14

Signature of Commissioner: Greg Cox

Date: 6-13-14

John Ainsworth, Senior Deputy Director
California Coastal Commission, South Central Coast
89 S. California Street, Ste. 200
Ventura, CA 93001-2801

SUBJECT: HUENEME BEACH SHORELINE PROTECTION

Dear Mr. Ainsworth:

I'm writing to thank you for your staff's approval of emergency permits for shoreline rock to protect beach homes and infrastructure at Hueneme Beach. I'd also like to request that the Commission grant the City's long-range request to keep the protection in place after the beach is replenished this fall. The rock is not a robust revetment; it is designed as a sub-grade roadway foundation that will be below the normal elevation of the sand and invisible to beach visitors.

As you may know, completion of the deep-water Port of Hueneme in 1939 disrupted the natural littoral drift on the south Ventura County coastline. Hueneme Beach was completely lost and then re-established by excavating the adjacent Channel Islands Harbor and moving sand every two years from the Harbor's sand trap. The U.S. Army Corps of Engineers has never missed a bypass cycle, however, Corps funding can be unpredictable and sometimes the amount of sand transferred is insufficient. That's not to say there isn't enough sand: on the contrary, the south coast supply is robust with nearly 4 million cubic yards of sand currently caught by the sand trap. However, the federal funding process is not as vigorous as the sand supply. Consequently, we support keeping the rock as a buried feature that will serve as a "silent sentinel" to help protect public and private improvements against any future deficits in the bypass cycle. Removal of this buried rock after replenishment of the beach would be a waste of taxpayer monies and environmentally irresponsible given Hueneme Beach is non-natural.

On behalf of everyone who owns property near Hueneme Beach and those who enjoy visiting the area, I urge you to take action to protect our shoreline.

Sincerely,

Signed Cathy Piersall (print name) Cathy Piersall

Address: 3945 Sunset Ln. Oxnard 93035

Exhibit 2
4-13-0971 Addendum
Sample of Letters in Support of Project

Date: 6/13/2014

John Ainsworth, Senior Deputy Director
California Coastal Commission, South Central Coast
89 S. California Street, Ste. 200
Ventura, CA 93001-2801

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On behalf of everyone who owns property near Hueneme Beach and those who enjoy visiting the area, I urge you to take action to protect our shoreline.

Sincerely,

Signed: Joanna Guttman (print name) Joanna Guttman

Address: 2001 Kingsbridge Way, Oxnard CA 93035

Date: 13 June 2014

John Ainsworth, Senior Deputy Director
California Coastal Commission, South Central Coast
89 S. California Street, Ste. 200
Ventura, CA 93001-2801

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On behalf of everyone who owns property near Hueneme Beach and those who enjoy visiting the area, I urge you to take action to protect our shoreline.

Sincerely,

Signed: Mildred Rea (print name) Mildred Rea

Address: 2515 Seafoam CT, Port Hueneme, CA 93041

mailing address: P.O. Box 1841
Port Hueneme, CA 93044-1841

Date: 6-17-14

John Ainsworth, Senior Deputy Director
California Coastal Commission, South Central Coast
89 S. California Street, Ste. 200
Ventura, CA 93001-2801

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On behalf of everyone who owns property near Hueneme Beach and those who enjoy visiting the area, I urge you to take action to protect our shoreline.

Sincerely,

Signed: Ida Aldegarie (print name) Ida Aldegarie

Address: 2641 Sextant Ave Port Hueneme Ca. 93041

Date: _____

John Ainsworth, Senior Deputy Director
California Coastal Commission, South Central Coast
89 S. California Street, Ste. 200
Ventura, CA 93001-2801

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On behalf of everyone who owns property near Hueneme Beach and those who enjoy visiting the area, I urge you to take action to protect our shoreline.

Sincerely,

Signed: Maria Elena Cerna (print name) Maria E Carranza

Address: 1835 N 7th P Port Hueneme CA 93041

CALIFORNIA COASTAL COMMISSION
SOUTH CENTRAL COAST AREA
89 SOUTH CALIFORNIA ST., SUITE 200
VENTURA, CA 93001
(805) 585-1800

Th17b

Filed:	4/4/14
180th Day:	10/1/14
Staff:	J. Blaugrund-V
Staff Report:	6/26/14
Hearing Date:	7/10/14

STAFF REPORT: REGULAR CALENDAR

Application No.:	**4-13-0971**
Applicant:	**City of Port Hueneme**
Agent:	**Russ Boudreau and Kim Garvey, Moffatt & Nichol**
Location:	**Hueneme Beach Park, City of Port Hueneme, Ventura County.**
Project description:	**Request for permanent authorization of 1,200 linear feet of existing as-built rock revetment, consisting of approximately 17,900 tons of armor stone, installed pursuant to Emergency Permit Numbers G-4-13-0206, G-4-13-0208, G-4-14-0010, and G-4-14-0020; installation of 1,200 linear feet of additional new rock revetment consisting of approximately 20,100 tons of armor stone to be programmatically installed in three phases on an as-needed basis; creation of three public access stairways over the proposed rock revetment; replacement of public recreational amenities including picnic tables, benches, and barbeques in a further landward location; and implementation of a rock revetment repair and maintenance program for a 25 year period.**

SUMMARY OF STAFF RECOMMENDATION

Staff recommends **approval** of the proposed development with **nine (9) special conditions** regarding: (1) phased construction of rock revetment and repair and maintenance program, (2) plans conforming to engineer's recommendations, (3) sensitive species surveys, (4) public access program, (5) operations and maintenance responsibilities, (6) conformance with the requirements of the resource agencies, (7) public stairway construction, (8) informational/educational signage, and (9) assumption of risk, waiver of liability and indemnity.

The City of Port Hueneme ("City") is requesting permanent authorization of 1,200 linear feet of existing rock revetment that was previously installed at Hueneme Beach pursuant to Emergency Permits G-4-13-0206, G-4-13-0208, G-4-14-0010, and G-4-14-0020. This existing revetment consists of 17,900 tons of armor stone, and is located immediately seaward of an existing public access pathway that runs parallel between Hueneme Beach and Surfside Drive.

Additionally, a component of the currently proposed project includes the programmatic placement of a maximum of 1,200 linear feet of additional rock revetment, which would be constructed immediately downcoast of the 1,200 linear ft. of rock revetment placed pursuant to the above mentioned emergency permits, as depicted on Exhibit 4. The 1,200 linear ft. of new rock revetment would occur programmatically involving three separate phases of construction that would occur on an as-needed basis, pursuant to the criteria outlined in Special Condition One (1). The subject additional rock revetment would consist of a maximum of 20,100 tons of armor stone, and would be placed immediately seaward of the existing public access pathway. The total length of revetment that could be placed on Hueneme Beach would be 2,400 linear feet, and would consist of a maximum of 38,000 tons of armor stone.

Continued erosion of Hueneme Beach has resulted in the removal of picnic areas, showers, windscreens, and public access pads (cement pads located on the sandy beach at openings in the public accessway) located on the beach. Should erosion continue downcoast, additional facilities must also be removed. However, in order to ensure that public recreational amenities remain available at Hueneme Beach, the City has proposed to relocate or replace the existing group picnic areas located on the sandy beach to a new area located landward of the proposed rock revetment near the terminus of Ventura Road, between the existing public access pathway and the Hueneme Beach parking lot. Additionally, the City has proposed to construct two public access stairways through the existing revetment, and would construct an additional access stairway through the proposed revetment extension, should the proposed revetment extension be constructed.

Further, the City has also proposed a revetment repair and maintenance program for a period of 25-years. This program would authorize long term rock revetment repair and maintenance activities should sand placement discontinue in the future and the rock revetment become exposed. Proposed activities include retrieval of dislodged rock and infill of voids within the design footprint of the approved revetment. A maximum of up to 15 percent of the total amount of the approved revetment (5,700 tons of rock) could be placed through the repair and maintenance program. Pursuant to Special Condition One (1), the applicant would not increase the height or footprint of the revetment during any repair or maintenance work.

A Biological Survey of the project area, completed by Rincon Consultants, did not observe any nesting bird species. However, as the proposed project could potentially remove up to 27 Mexican fan palms, Special Condition Three (3) requires pre-construction surveys. Additionally, as the proposed rock revetment would be located on a beach that is within the expected range of the California Grunion, Special Condition Three (3) also requires that the project site is surveyed prior to the commencement of construction to determine whether any California Grunion, or eggs, are present.

Although replacement of the proposed rock revetment is necessary, shoreline armoring has a number of impacts on the coast, including but not limited to impacts from encroachment, fixing the back of the beach, and preventing the natural erosion of coastal bluffs that provide sandy material to the nearby beaches. As a result of these impacts, the Coastal Act is premised on both hazard and shoreline armoring avoidance. However, the presence of a rock revetment in this location is necessary to protect the continued use of the adjacent public access pathway and Surfside Drive as a means for access to the public beach, as well as existing public beach facilities and adjacent residences.

Hueneme Beach is located within the City of Port Hueneme, in the southwest portion of Ventura County between the Pacific Ocean and the Oxnard Plain. The City is surrounded by the City of Oxnard to the north and east; the Channel Islands Harbor, Port of Hueneme and U.S. Naval Construction Battalion Center are located to the west; and the ocean is located to the south. Specifically, Hueneme Beach is located immediately downcoast of the Port of Hueneme, and extends the length of Surfside Drive, as depicted on Exhibit 1.

Although the Commission has previously certified a Local Coastal Program for the City of Port Hueneme, portions of the proposed project will be located, at times, on state tidelands and is located within an area where the Commission has retained jurisdiction over the issuance of coastal development permits. Pursuant to Section 30601.3 of the Coastal Act, a consolidated permit was requested by the City of Port Hueneme and was approved by the Executive Director. Thus, the standard of review for this project is the Chapter Three policies of the Coastal Act, with the applicable policies of the City of Port Hueneme Local Coastal Program (LCP) as guidance. As conditioned, the proposed project is consistent with all applicable Chapter Three policies of the Coastal Act.

Note: 192 letters and emails of interest regarding the proposed project have been received as of 6/26/14, all of which are in support of the subject project, and substantially the same in content. Due to the large volume of letters received, a representative sample of these letters has been included as **Exhibit 7**. All letters received are included as part of the administrative record and are available for review in the California Coastal Commission's Ventura Office.

TABLE OF CONTENTS

APPENDICES

EXHIBITS

I. MOTION AND RESOLUTION

Motion:

*I move that the Commission **approve** Coastal Development Permit Application No. 4-13-0971 pursuant to the staff recommendation.*

Staff recommends a **YES** vote on the foregoing motion. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

Resolution:

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter Three of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter Three. Approval of the permit complies with the California Environmental Quality Act because either (1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or (2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. STANDARD CONDITIONS

This permit is granted subject to the following standard conditions:

1. **Notice of Receipt and Acknowledgment**. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.

2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.

3. **Interpretation.** Any questions of intent of interpretation of any condition will be resolved by the Executive Director or the Commission.

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

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

III. SPECIAL CONDITIONS

1. Phased Construction of Rock Revetment and Repair and Maintenance Program

A. By acceptance of this permit, the applicant agrees that this coastal development permit authorizes the phased construction of an additional 1,200 linear ft. of rock revetment (to be constructed at the downcoast end of the as-built 1,200 linear ft. rock revetment on site) and for implementation of a repair and maintenance program for a period of twenty-five (25) years from the date that Coastal Development Permit 4-13-0971 is approved by the Commission, after which time all construction and repair and maintenance activities shall cease unless either a new coastal development permit, or amendment to this permit, authorizing additional future construction of rock revetment and/or repair and maintenance activities is approved and issued by the California Coastal Commission. All aspects of the proposed work shall be consistent with all provisions of this condition, as well as all other conditions of Coastal Development Permit 4-14-0971. This Coastal Development Permit authorizes the proposed rock revetment shoreline protection structure unless and until the existing public infrastructure or other existing development that it is protecting, including Surfside Drive, is adaptively redeveloped, relocated, or removed in response to future sea level rise and, therefore, no longer requires such shoreline protection. Prior to, or in conjunction with, any adaptive redevelopment, relocation, or removal of the existing public infrastructure or other existing development, the Permittee shall obtain a new CDP to remove the rock protective structure or to modify the terms of its authorization.

B. Prior to the construction of any phase of the 1,200 linear ft. of additional rock revetment or the commencement of any repair or maintenance work, the applicant must notify the Executive Director of the California Coastal Commission. The applicant shall submit a written report prepared by a professional engineer identifying the location of the proposed rock revetment to be constructed and/or maintenance and repair work, method for performing work, analysis of the necessity for the work, and a quantification of any additional rock to be added to the revetment. The report shall be submitted prior to construction of the proposed work to allow time for review by the Executive Director. The Executive Director's review will be for the purpose of ensuring that the nature of the work, the method proposed for the work, and all other aspects of the proposed work is consistent with the provisions of this condition, as well as all other conditions of Coastal Development Permit 4-14-0971. All construction and/or repair and maintenance activities shall comply with the following requirements:

1. Phased Construction of Rock Revetment

a. The additional placement of 1,200 linear ft. of additional rock revetment may be added to the downcoast end of the as-built 1,200 linear ft. rock revetment on site in three or more separate phases, each consisting of a maximum of 500 linear feet for each phase (and not exceeding a total combined length of 1,200 linear feet). Construction of each subsequent phase of revetment construction shall occur only pursuant to the following criteria:

   i. Prior to construction of any new phase of revetment construction, a minimum of five measurements at 25 foot intervals shall be taken within the westernmost 100 foot linear potion of the area of beach associated with each uncompleted phase, as shown on Exhibit 5, in order to determine the average beach width.

   ii. If the average width of the beach within the above referenced survey area for any Phase is less than 30 ft. in width, as measured from the seaward edge of the existing public access pathway seaward to the landward most erosional scarp line of the beach, then such phase(s) of rock revetment may be constructed.

   iii. All work authorized by this permit must be completed within the 25-year term of this program (until July 10, 2039). Any work after the 25-year term of this program will require the issuance of a new coastal development or an amendment to this permit.

b. The extent of rock revetment authorized pursuant to Coastal Development Permit 4-13-0971 shall not exceed a maximum length of 2,400 linear feet, as depicted on Exhibit 3.

c. The applicant shall undertake all phases of rock revetment construction activities in accordance with all provisions of the special conditions of this permit.

2. Rock Revetment Repair and Maintenance Program

a. Future maintenance and repair of the rock revetment authorized by this coastal development permit may be completed without a new coastal development permit for a period of 25 years commencing from the date of Commission action on this permit (until July 10, 2039). Maintenance or repair of the rock revetment after June 13, 2033, may require the issuance of a new coastal development permit from the California Coastal Commission).

b. No future repair or maintenance, enhancement, reinforcement, or any other activity affecting the rock revetment shall be undertaken if such activity extends the seaward footprint of the subject shoreline protective device. No rock shall be placed seaward of the approved toe of the revetment and no increase in the approved height of the revetment shall occur as specifically identified in the drawings by Moffatt and Nichol dated January 10, 2014, and approved by Coastal Development Permit No. 4-13-0971.

c. Any debris, rock, or other materials which become dislodged after completion through weathering, wave action or settlement shall be removed from the beach or deposited on the revetment on an as-needed basis as soon as feasible after discovery.

d. In no event shall more than 5,700 tons of new armor stone (approximately 15% of the approved volume of the revetment) be imported for any repair projects. The addition of more than 5,700 tons of new armor stone for any repair project shall require a new coastal development permit and is not exempt pursuant to this condition.

2. Plans Conforming to Engineer's Recommendations.

By acceptance of this permit, the applicant agrees to comply with the recommendations contained in the Wave Uprush Study dated October 2013 by Moffatt & Nichol. These recommendations, including recommendations concerning rock revetment design and maintenance, shall be incorporated into all final design and construction plans, which must be reviewed and approved by the consultant prior to commencement of development.

The final plans approved by the consulting engineer shall be in substantial conformance with the plans approved by the Commission relative to construction, grading, and rock placement. Any substantial changes in the proposed development approved by the Commission that may be required by the consultant shall require amendment(s) to the permit or new Coastal Development Permit(s).

3. Sensitive Species Surveys.

For any construction activities, the applicant shall retain the services of a qualified biologist or environmental resource specialist (hereinafter, "environmental resource specialist") with appropriate qualifications acceptable to the Executive Director, to conduct sensitive species surveys (including birds, other terrestrial species, and California Grunion) and monitor project operations associated with all construction activities. Prior to commencement of the initial phase of construction activities, the applicant shall submit the name and qualifications of the environmental resource specialist, for the review and approval of the Executive Director. The applicant shall have the environmental resource specialist ensure that all project construction and operations are carried out consistent with the following:

A. The environmental resource specialist shall conduct surveys prior to the approved construction activities to detect any active sensitive species, reproductive behavior, and active nests within 500 feet of the project site. Follow-up surveys must be conducted 3 calendar days prior to the initiation of construction and nest surveys must continue on a monthly basis throughout the nesting season or until the project is completed, whichever comes first.

B. In the event that any sensitive species are present in or adjacent to the construction area but do not exhibit reproductive behavior and are not within the estimated breeding/reproductive cycle of the subject species, the qualified biologist shall either: (1) initiate a salvage and relocation program prior to any construction activities to move sensitive species by hand to safe locations elsewhere along the project reach or (2) as appropriate, implement a resource avoidance program with sufficient buffer areas to ensure adverse impacts to such resources are avoided. The applicant shall also immediately notify the Executive Director of the presence of such species and which of the above actions are being taken. If the presence of any such sensitive species requires review by the United States Fish and Wildlife Service and/or the California Department of Fish and Wildlife, then no development activities shall be allowed or continue until any such review and authorizations to proceed are received, subject to the approval of the Executive Director.

C. If an active nest of a federally or state-listed threatened or endangered species, bird species of special concern, or any species of raptor or heron is found, the applicant shall notify the appropriate State and Federal agencies within 24 hours, and shall develop an appropriate action specific to each incident. The applicant shall notify the California Coastal Commission in writing by facsimile or e-mail within 24 hours and consult with the Commission regarding determinations of State and Federal agencies.

D. If an active nest of any federally or state listed threatened or endangered species, species of special concern, or any species of raptor or heron is found within 300 feet of construction activities (500 feet for raptors), the applicant shall retain the services of an environmental resource specialist with experience conducting bird and noise surveys, to monitor bird behavior and construction noise levels. The environmental resources specialist shall be present at all relevant construction meetings and during all significant construction activities (those with potential noise impacts) to ensure that nesting birds are not disturbed by construction related noise. The environmental resource specialist shall monitor birds and noise every day at the beginning of the project and during all periods of significant construction activities. Construction activities may occur only if construction noise levels are at or below a peak of 65 dB at the nest(s) site. If construction noise exceeds a peak level of 65 dB at the nest(s) site, sound mitigation measures such as sound shields, blankets around smaller equipment, mixing concrete batches off-site, use of mufflers, and minimizing the use of back-up alarms shall be employed. If these sound mitigation measures do not reduce noise levels, construction within 300 ft. (500 ft. for raptors) of the nesting trees/areas shall cease and shall not recommence until either new sound mitigation can be employed or nesting is complete.

E. If any construction activity occurs on the sandy beach between March 1st and September 1st, then the applicant shall have the environmental resource specialist conduct a survey of the project site, to determine presence of California Grunion during the seasonally predicted run period and egg incubation period, as identified by the California Department of Fish and . If the environmental resources specialist determines that any

grunion spawning activity is occurring and/or that grunion are present in or adjacent to the project site, then no construction/demolition activities shall occur on the area of the beach where grunion have been observed to spawn until the next predicted run in which no grunion are observed. Surveys shall be conducted for all seasonally predicted run periods in which material is proposed to be placed or removed at any of the above sites. The applicant shall have the environmental resource specialist provide inspection reports after each grunion run observed and shall provide copies of such reports to the Executive Director and to the California Department of Fish and Wildlife.

F. The environmental resource specialist shall be present during all construction and vegetation removal activities. The environmental resource specialist shall require the applicant to cease work should any breach in permit compliance occur, or if any unforeseen sensitive habitat issues arise. If significant impacts or damage occur to sensitive habitats or to wildlife species, the applicants shall be required to submit a revised, or supplemental program to adequately mitigate such impacts. The revised, or supplemental, program shall be processed as an amendment to this coastal development permit or a new coastal development permit.

4. Public Access Program.

A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPEMNT PERMIT, the applicant shall submit, for the review and approval of the Executive Director, a Public Access Program and Plan that describes the methods (including signs, fencing, posting of security guards, etc.) by which safe public access to or around construction areas and staging areas shall be maintained during all project operations. The plan shall also include signs directing the public to alternative parking areas for the duration of construction and staging. Where public paths or bikeways will be closed during active operations, a person(s) shall be on-site to detour traffic or adequate fencing and signage shall be used. The applicant shall maintain public access pursuant to the approved Public Access Program. Any proposed changes to the approved program shall be reported to the Executive Director. No change to the program shall occur without a Commission-approved amendment to the permit unless the Executive Director determines that no such amendment is required.

B. Where use of public parking spaces is unavoidable, the minimum number of public parking spaces that are required for the staging of equipment, machinery and employee parking shall be used. At each site, the number of public parking spaces utilized shall be the minimum necessary to implement the project.

C. The applicant shall post each construction site with a notice indicating the expected dates of construction and/or public access or parking lot closures.

5. Operations and Maintenance Responsibilities.

By accepting this permit, the applicant shall agree to comply with the following construction-related requirements:

A. The applicant shall not store or place any construction materials or waste where it will be or could potentially be subject to wave erosion and dispersion. In addition, no machinery shall be stored or placed in the intertidal zone at any time, except for that necessary to remove errant rocks from the beach seaward of the existing rock revetment.

B. Construction equipment shall not be cleaned on the beach or in the adjacent beach parking areas.

C. Construction debris and sediment shall be properly contained and secured on site with best management practices to prevent the unintended transport of sediment and other debris into coastal waters by wind, rain or tracking.

D. Construction debris and sediment shall be removed from construction areas as necessary to prevent the accumulation of sediment and other debris which may be discharged into coastal waters. Any and all debris resulting from construction activities shall be removed from the project site within 24 hours. Debris shall be disposed at a debris disposal site outside of the coastal zone or at a location within the coastal zone authorized to receive such material.

E. During construction activities authorized pursuant to this permit, the applicant shall be responsible for removing all unsuitable material or debris within the area of placement should the material be found to be unsuitable for any reason, at any time, when the presence of such unsuitable material/debris can reasonably be attributed to the placement material. Debris shall be disposed at a debris disposal site outside of the coastal zone or at a location within the coastal zone authorized to receive such material.

6. Conformance with the Requirements of the Resource Agencies.

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit evidence that they have obtained all other necessary State permits that may be necessary for all aspects of the proposed project (including, but not limited to, approvals from the California State Lands Commission unless evidence is submitted that such approval(s) are not required). In addition, by acceptance of this permit, the applicant agrees to obtain all necessary Federal permits that may be necessary for all aspects of the proposed project (including, but not limited to, the U.S. Army Corps of Engineers and U.S. Fish and Wildlife Service). Any change in the approved project which 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 permit amendment pursuant to the requirements of the Coastal Act and the California Code of Regulations.

7. Public Stairway Construction.

The applicant shall implement the proposed Public Access Stairway Construction Plan to create two public access stairways over the existing 1,200 linear ft. rock revetment as generally shown on Exhibit 6 by reconfiguring existing stones within the revetment to form steps within 90 days of the issuance of this permit. The Executive Director may grant additional time for good cause.

In addition, the applicant shall create a third additional public access stairway utilizing the same construction method of revetment stone reconfiguration (as generally shown on Exhibit 6) concurrent with the construction of rock revetment between Station 13+00 and 14+00 that is part of the future phase component of the development authorized by this coastal development permit.

8. Informational/Educational Signage.

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for the review and approval of the Executive Director, an educational/informational signage plan, that describes the location, number, size, and contents of signs to be placed along the public access pathway at Hueneme Beach and which meets, at a minimum, the following requirements:

1. Signs shall describe 1) the history of the Army Corps of Engineers' Sand Bypassing Project and its effect on Hueneme Beach; 2) a description coastal hazards and sea level rise and their effects on Hueneme Beach, and; 3) that the public access pathway at Hueneme Beach is designated as a segment of the California Coastal Trail (subject to the sign design standards of the California Coastal Conservancy).
2. Signs shall be placed at a minimum of every 500 lineal feet along the seaward side of the existing public access pathway within the project reach; and
3. Signs shall be maintained in good condition onsite for the duration of the project.

The informational and educational signs shall be installed by the applicant in the manner described in the approved signage plan within 90 days of issuance of the Coastal Development Permit, or within such additional time as the Executive Director may grant for good cause.

9. Assumption of Risk, Waiver of Liability and Indemnity.

By acceptance of this permit, the applicant acknowledges and agrees (i) that the site may be subject to hazards from flooding, erosion, tsunami, and sea-level rise; (ii) to assume the risks to the applicant and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

PRIOR TO COMMENCEMENT OF DEVELOPMENT, the applicant shall submit a written agreement, in a form and content acceptable to the Executive Director, incorporating all of the above terms of this condition.

IV. FINDINGS AND DECLARATIONS

A. PROJECT DESCRIPTION AND BACKGROUND

1. Project Description

The City of Port Hueneme is requesting permanent authorization of approximately 1,200 linear feet of existing as-built rock revetment placed at Hueneme Beach pursuant to four separate emergency coastal development permits (G-4-13-0206, G-4-13-0208, G-4-14-0010, and G-4-14-0020). This existing as-built revetment was placed immediately seaward of the existing public beach access pathway which runs parallel between Hueneme Beach and Shoreline Drive, and consists of 17,900 tons of armor stone. Additionally, the City is also requesting authorization of a program for the programmatic placement of a maximum of 1,200 linear feet of additional rock revetment over three phases, which would be located immediately downcoast of the 1,200 linear ft., as-built rock revetment placed pursuant to the above mentioned emergency coastal development permits. The total length of revetment that could be placed on Hueneme Beach would be 2,400 linear feet, as depicted on Exhibit 3, and would consist of a maximum of 20,100 tons of armor stone and would cover an area of approximately 2.13 acres.

As described in further detail below in Section IV, Part B, permanent authorization of the existing revetment as well as programmatic placement of additional revetment is necessary to protect existing upland public access and recreational facilities located at Hueneme Beach from being undermined by wave action and erosion. Hueneme Beach has experienced erosion and narrowing as a result of the temporary cessation of the U.S. Army Corps of Engineers' sand bypassing and beach nourishment program which involves the movement of sand from the sand trap at the mouth of Channel Islands Harbor to Hueneme Beach, located immediately downcoast. However, due to federal funding limitations in recent years, the frequency of placement, as well as amount of sand placed on Hueneme Beach has been much less than the targeted volume of 2.5 million cubic yards every two years and has resulted in a reduced beach width of downcoast areas, including the subject site. The Army Corps of Engineers is scheduled to restart the sand bypassing and beach nourishment program in Fall 2014.

The proposed programmatic placement of the additional 1,200 linear ft. of new rock revetment would be added to the downcoast end of the as-built 1,200 linear ft. rock revetment on site in three or more separate phases, each consisting of a maximum of 500 linear feet for each phase (and not exceeding a total combined length of 1,200 linear feet) as generally depicted on Exhibit 5. As proposed by the City, each additional phase of the rock revetment extension would occur an as-needed basis only if the average width of the beach within the designated survey area for any Phase is less than 30 ft. in width, as measured from the seaward edge of the existing public access pathway seaward to the landwardmost erosional scarp line of the beach. As proposed,

before the construction of any additional phases of the proposed rock revetment, the City would perform a minimum of five measurements of beach width at 25 foot intervals within the westernmost 100 foot linear potion of the area of beach associated with each uncompleted phase, as generally shown on Exhibit 5, in order to determine the average beach width. The subject revetment extension would consist of a maximum of 20,100 tons of armor stone, and as mentioned above, would be placed immediately seaward of the existing public access pathway.

Additionally, the City is proposing a revetment repair and maintenance program for a 25-year time period. This program would authorize long term rock revetment repair and maintenance activities, should the subject revetment become exposed due to cessation of sand bypassing project in the future. Such activities would include retrieval of dislodged rock and infill of voids within the footprint of the existing revetment. A maximum of up to 15 percent of the total amount of proposed revetment (5,700 tons of stone) could be placed through the repair and maintenance program.

The proposed staging area is located within a vacant City lot, located adjacent to the project site. Additionally, a portion of the Hueneme each parking lot would be utilized for construction of the proposed rock revetment extensions.

Continued erosion of Hueneme Beach has resulted in the removal of a public shower, four picnic pads (which consist of a cement pad, windscreen, and picnic tables located on the sandy beach), and three public access pads (cement pads located on the sandy beach at openings in the public accessway) located on Hueneme Beach. Should erosion continue downcoast, additional public recreational facilities including nine picnic pads, eight public access pads, one public shower, one swing set, and 27 Mexican fan palm trees could also be removed. In order to ensure that public recreational amenities remain available at Hueneme Beach, the City has proposed to place new group picnic areas near the terminus of Ventura Road, between the existing public access pathway and the Hueneme Beach parking lot. The City has also proposed to replace all public recreational facilities back onto Hueneme Beach at approximately the same location, when the sand bypassing project resumes.

Additionally, as a component of the proposed project, the City has proposed to immediately create two public access stairways over the existing 1,200 linear ft. rock revetment by reconfiguring existing stones within the revetment to form steps, and would create a third additional access stairway utilizing the same construction method of revetment stone configuration concurrent with the construction of any new rock revetment between Station 13+00 and 14+00 that is part of the future phase component of the development authorized by this coastal development permit.

2. Background

Hueneme Beach is located within the City of Port Hueneme (“City”), in the southwest portion of Ventura County between the Pacific Ocean and the Oxnard Plain. The City is surrounded by the City of Oxnard to the north and east; the Channel Islands Harbor, Port of Hueneme and U.S. Naval Construction Battalion Center are located to the west; and the ocean is located to the

south. Specifically, Hueneme Beach is located immediately downcoast of the Port of Hueneme, and extends the length of Surfside Drive, as depicted on Exhibit 1.

Construction of the Port of Hueneme in 1940 formed nearly a complete barrier to littoral sand transport, which would typically deposit sand on Hueneme Beach and other downcoast beaches. It has been estimated that since construction of the Port of Hueneme ("Port"), Hueneme Beach experiences a net longshore sand transport rate of approximately 1.2 million cubic yards per year. In order to create a sand trap to collect sand for placement on beaches downcoast of the Port, Channel Islands Harbor was constructed in 1960. In 1963, the biennial Channel Islands Harbor Sand Bypassing Program, implemented by the U.S. Army Corps of Engineers, began supplying sand to Hueneme Beach with an initial placement of approximately two million cubic yards.

As such, Hueneme Beach and other downcoast beaches are dependent on the U.S. Army Corps of Engineers' Channel Islands Harbor Sand Bypassing Project to maintain the balance between sand supplied and sand lost to littoral transport. However, due to federal funding limitations in recent years, the frequency of placement, as well as amount of sand placed on Hueneme Beach has been much less than the targeted volume of 2.5 million cubic yards every two years. The last dredging event, which occurred in 2012, placed approximately 400,000 cubic yards of sand on Hueneme Beach. However, this sand quickly eroded over a period of months.

The City was able to secure Senate Bill 436 (Jackson) and Assembly Bill 606 (Williams), which were both approved by the Governor on September 28, 2013. Under these bills, up to $2 million in Proposition 12 funds were appropriated to the Coastal Conservancy for a grant to the City to help fund the proposed shoreline protection project.

As the sand on Hueneme Beach continued to erode, portions of the existing public access pathway, which runs parallel between Hueneme Beach and Surfside Drive, began to partially undermine due to wave and tidal action. On July 3, 2013 the Commission authorized Emergency Permit G-4-13-0206 for the placement of 100 linear feet of rock revetment at the western most portion of Hueneme Beach. This portion of revetment was placed immediately seaward of the existing public access pathway, and consists of approximately 800 tons of armor stone.

Additionally, Emergency Permit G-4-13-0208 was issued on July 12, 2013 for the placement of 400 linear feet of rock revetment, located immediately downcoast of the previously authorized 100 foot revetment. This second phase of revetment consists of approximately 3,200 tons of armor stone, and was also placed immediately seaward of the existing public pathway.

On April 28, 2014, Emergency Coastal Development Permit G-4-14-0010 authorized 600 linear feet of rock revetment, which consists of approximately 13,000 tons of armor stone, located immediately downcoast of the 500 linear ft. rock revetment (placed pursuant to Emergency Permits No. G-4-13-0206 and G-4-13-0208). Similarly, this revetment was placed immediately seaward of the existing public access pathway. The three Emergency Permits mentioned above required the relocation of an as-built approximately 850 linear foot revetment, which was located approximately 15-30 feet seaward of the proposed revetment, into the existing revetment design.

Lastly, Emergency Permit G-4-14-0020 was issued on June 13, 2014. This fourth emergency permit authorized the placement of 100 linear feet of rock revetment immediately downcoast of the previously authorized 1,100 linear feet. This 100 linear foot portion consists of 1,300 tons of armor stone, and was also placed to protect the existing public access pathway from undermining due to erosion.

B. HAZARDS AND SHORELINE PROCESSES

Section **30235** of the Coastal Act, which has been incorporated in the certified City of Port Hueneme LCP, states:

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

Section **30253** of the Coastal Act, which has been incorporated in the certified City of Port Hueneme LCP, states in part that new development shall:

> *(1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.*
>
> *(2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.*

Coastal Act Section 30235 specifically provides that shoreline protective devices must be permitted only when both of the following two criteria are met: (1) the device is required to serve coastal-dependent uses or to protect existing structures or public beaches provided that these areas/structures are in danger from erosion and (2) the device is designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Additionally, Section 30253 of the Coastal Act mandates that new development shall minimize risks to life and property in areas of high geologic and flood hazard.

The Ventura County coastal area, where the subject site is located, has historically been subject to flooding and damage resulting from wave action during storm conditions. Specifically, due to the cessation of the U.S. Army Corps of Engineers' Channel Islands Harbor Sand Bypassing Project described in Section IV, Part A.2 of this report, the project site has experienced increased erosion, and a portion of the public access pathway wall has been damaged. Implementation of the sand bypassing project has ceased in the past, and a previously existing approximately 850 linear foot rock revetment was constructed on site to prevent damage to upland areas. Although

the previous revetment appears to have been constructed after the effective date of the Coastal Act, it does not appear that trhe required coastal development permit was ever issued for the construction of the previously existing revetment. Regardless, this previously existing revetment, which was located substantially further seaward than the revetment proposed as part of this application, was removed by the City and it's rock was subsequently incorporated into the design of the new rock revetment constructed pursuant to Emergency Permits G-4-13-0206, G-4-13-0208, and G-14-0010.

In this case, the City previously indicated in the subject Emergency Permit applications that the previously existing rock approximately 850 linear foot revetment on site had reached the end of its expected life and was no longer adequate to ensure the protection of the public access pathway and Surfside Drive from wave action. As such, that previously existing revetment has been relocated further landward and incorporated into the design of the existing revetment. The applicant's engineers have further found that additional rock revetment will be necessary should cessation of the sand bypassing project continue. The revetment installed pursuant to the subject emergency permits, and any future revetment extension, will be located as far landward as possible, immediately seaward of existing development.

1. Impacts from Shoreline Armoring

Coastal Act Section 30235 acknowledges that seawalls, revetments, and other types of shoreline protective devices designed to forestall erosion also alter natural landforms and natural shoreline processes. Accordingly, Section 30235 limits the construction of shoreline protective works to those required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion. The Coastal Act provides these limitations because shoreline structures can have a variety of adverse impacts on coastal resources, including adverse effects on sand supply, public access, coastal views, natural landforms, and overall shoreline beach dynamics on and off site, ultimately resulting in the loss of beach.

Shoreline protection devices also directly interfere with public access to tidelands by impeding the ambulatory nature of the mean high tide line (the boundary between public and private lands) during high tide and severe storm events, and potentially throughout the entire winter season. The impact of a shoreline protective device on public access is most evident on a beach where wave run-up and the mean high tide line are frequently observed in an extreme landward position during storm events and the winter season. As the shoreline retreats landward due to the natural process of erosion, the boundary between public and private land also retreats landward. Construction of rock revetments and seawalls to protect private property fixes a boundary on the beach and prevents any current or future migration of the shoreline and mean high tide line landward, thus eliminating the distance between the high water mark and low water mark. As the distance between the high water mark and low water mark becomes obsolete the seawall effectively eliminates lateral access opportunities along the beach as the entire area below the fixed high tideline is inundated. The ultimate result of a fixed tideline boundary (which would otherwise normally migrate and retreat landward, while maintaining a passable distance between the high water mark and low water mark overtime) is a reduction or elimination of the area of sandy beach available for public access and recreation.

Interference by shoreline protective devices can result in a number of adverse effects on the dynamic shoreline system and the public's beach ownership interests. First, changes in the shoreline profile, particularly changes in the slope of the profile which results from a reduced beach berm width, alter the usable area under public ownership. A beach that rests either temporarily or permanently at a steeper angle than under natural conditions will have less horizontal distance between the mean low water and mean high water lines. This reduces the actual area in which the public can pass on their own property. The second effect on access is through a progressive loss of sand as shore material is not available to nourish the nearshore sand bar. The lack of an effective bar can allow such high wave energy on the shoreline that materials may be lost far offshore where it is no longer available to nourish the beach. This affects public access again through a loss of area between the mean high water line and the actual water. Third, shoreline protective devices such as revetments and bulkheads cumulatively affect shoreline sand supply and public access by causing accelerated and increased erosion on adjacent public beaches. This effect may not become clear until such devices are constructed individually along a shoreline and they reach a public beach. In addition, if a seasonal eroded beach condition occurs with greater frequency due to the placement of a shoreline protective device on the subject site, then the subject beach would also accrete at a slower rate. Fourth, if not sited landward in a location that ensures that the seawall is only acted upon during severe storm events, beach scour during the winter season will be accelerated because there is less beach area to dissipate the wave's energy.

As a result of the potential impacts arising from shoreline protective device projects, it is critical to have an alternatives analysis based upon the technical and resource data specific to the site. The Coastal Act requires such projects to be sited and designed to protect views to and along the ocean and scenic coastal areas; to eliminate or mitigate adverse impacts on local shoreline sand supply; to avoid impediments to public access; to be compatible with the continuance of sensitive habitat and recreation areas; and to prevent impacts which would degrade sensitive habitats, parks, and recreation areas.

2. Sea Level Rise

In addition, sea level has been rising slightly for many years. As an example, in the Santa Monica Bay area, the historic rate of sea level rise, based on tide gauge records, has been 1.8 mm/yr. or about 7 inches per century[1]. Recent satellite measurements have detected global sea level rise from 1993 to present of 3 mm/yr or a significant increase above the historic trend observed from tide gauges. Recent observations of sea level along parts of the California coast have shown some anomalous trends, however; there is a growing body of evidence that there has been a slight increase in global temperature and that an accelerated rate of sea level rise can be expected to accompany this increase in temperature. Sea level rise is expected to increase

[1] Lyles, S.D., L.E. Hickman and H.A. Debaugh (1988) *Sea Level Variations for the United States 1855 – 1986*. Rockville, MD: National Ocean Service.

significantly throughout the 21st century and some coastal experts have indicated that sea level rise of 3 to 5 ft. or more could occur by the year 2100[2]. Mean water level affects shoreline erosion in several ways and an increase in the average sea level will exacerbate all these conditions.

On the California coast the effect of a rise in sea level will be the landward migration of the intersection of the ocean with the shore. On a relatively flat beach, with a slope of 40:1, a simple geometric model of the coast indicated that every centimeter of sea level rise will result in a 40 cm. landward movement of the ocean/beach interface. For fixed structures on the shoreline, such as a seawall, an increase in sea level will increase the inundation of the structure. More of the structure will be inundated or underwater than is inundated now and the portions of the structure that are now underwater part of the time will be underwater more frequently.

Accompanying this rise in sea level will be an increase in wave heights and wave energy. Along much of the California coast, the bottom depth controls the nearshore wave heights, with bigger waves occurring in deeper water. Since wave energy increases with the square of the wave height, a small increase in wave height can cause a significant increase in wave energy and wave damage. Combined with the physical increase in water elevation, a small rise in sea level can expose previously protected back shore development to increased wave action, and those areas that are already exposed to wave action will be exposed more frequently, with higher wave forces. Structures that are adequate for current storm conditions may not provide as much protection in the future.

3. Shoreline Protection on the Subject Site

Coastal Act Section 30235 acknowledges that seawalls, revetments, cliff retaining walls, groins and other such structural or "hard" methods designed to forestall erosion also alter natural landforms and natural shoreline processes. Accordingly, Section 30235 limits the construction of shoreline protective works to those required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion. The Coastal Act provides these limitations because shoreline structures can have a variety of adverse impacts on coastal resources, including adverse effects on sand supply, public access, coastal views, natural landforms, and overall shoreline beach dynamics on and off site, ultimately resulting in the loss of beach. Specifically, Section 30235 of the Coastal Act allows for the construction of a shoreline protective device only when necessary to protect existing development or to protect a coastal dependent use and when designed to eliminate or mitigate adverse impacts on local shoreline

[2] Cayan, D.R., M. Tyree, M. Dettinger, H. Hidalgo, T. Das, E. Maurer, P. Bromirski, N. Graham, and R.E. Flick, 2009. *Climate Change Scenarios and Sea Level Estimates for the California 2008 Climate Change Scenarios Assessment*, Draft Paper, CEC-500-2009-014-D, 62 pp, http://www.energy.ca.gov/2009publications/CEC-500-2009-014/CEC-500-2009-014-D.pdf.

sand supply. In this case the proposed rock revetment is necessary in order to protect Surfside Drive, an important local roadway, as well as well-used public parking located along and adjacent Surfside Drive, and a variety of public beach amenities including a public access pathway, restrooms, snack bar, tackle shop, and picnic facilities. A portion of this development is currently protected by the revetment installed pursuant to the subject emergency permits; however, a large portion of this development is not currently protected by a shoreline protective device. Thus, the Commission finds that in this case, a shoreline protective device is necessary in order to protect existing development consistent with Section 30235.

In addition, the City's engineers have indicated that the proposed additional placement of 1,200 linear ft. of additional rock revetment is anticipated to be necessary to prevent damage of facilities at Hueneme Beach due to cessation of the sand bypassing project. . However, pursuant to Section 30235 it is also necessary to ensure that the proposed rock revetment extension is only constructed when existing facilities are in danger of erosion. In order to identify the appropriate timing for potential construction of the proposed rock revetment extension, the City has proposed criteria, or thresholds, that must be met prior to construction.

As proposed, the additional placement of 1,200 linear ft. of additional rock revetment may be added to the downcoast end of the as-built 1,200 linear ft. rock revetment on site in three or more separate phases, each consisting of a maximum of 500 linear feet for each phase (and not exceeding a total combined length of 1,200 linear feet). Construction of each subsequent phase of revetment construction shall occur only pursuant to the following criteria. Prior to construction of any new phase of revetment construction, a minimum of five measurements at 25 foot intervals shall be taken within the westernmost 100 foot linear potion of the area of beach associated with each uncompleted phase, as shown on Exhibit 5, in order to determine the average beach width. If the average width of the beach within the above referenced survey area for any Phase is less than 30 ft. in width, as measured from the seaward edge of the existing public access pathway seaward to the landward most erosional scarp line of the beach, then such phase(s) of rock revetment may be constructed. In order to ensure that the City's proposed criteria is adequately implemented, the Commission has required **Special Condition One (1).** Furthermore, in order to ensure that the proposed revetment extension activities are implemented consistent with the criteria outlined above, **Special Condition One (1)** also requires the City to submit a written report prepared by a professional engineer, for the review of the Executive Director prior to commencement of work, identifying the proposed rock revetment extension location, method for performing work, necessity of work, and quantity of rock to be placed.

Additionally, the City has proposed a 25-year repair and maintenance program. This program would allow for maintenance of the proposed revetment should it continue to be exposed to wave and tidal action both currently and into the future, including the addition of limited quantities of rock over an extended period of time without the requirement to obtain a coastal development permit. **Special Condition One (1)** also requires the applicant to submit a written report prepared by a professional engineer for the review of the Executive Director identifying the proposed maintenance and repair and any additional rock to be added to the revetment. The maintenance and repair report must be submitted in advance of the proposed work to allow time for review by the Executive Director. The maintenance or repair is limited to within the approved footprint and design height of the revetment as identified on the drawings by Moffatt and Nichol

dated January 10, 2014 and approved in Coastal Permit No. 4-13-0971. **Special Condition One (1)** further provides that in no event shall more than 5,700 tons of new armor stone (approximately 15% of the approved volume of the revetment) be imported for any individual repair project. Errant rock located seaward of the revetment shall be retrieved and either placed on the revetment or exported to an approved disposal site. Repair of the rock revetment after this 25 year period may require a new coastal permit.

Section 30235 of the Coastal Act also requires that, when new shoreline protective devices are allowed, such devices shall be designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Thus, when read in tandem with other applicable Coastal Act policies protecting coastal resources as cited in these findings, this 30235 evaluation is often conceptualized as a search for the least environmentally damaging feasible alternative that can serve to achieve the stated project goal of protecting the threatened structure, coastal-dependent use, or public beach.

In this case, the applicant has submitted an engineering and alternatives analysis which found that the "No Project" alternative, or failure to retain the existing revetment and not constructing the revetment extension, is not a feasible alternative because the wave caused erosion is such that the existing facilities would be damaged or lost. Managed retreat, or realignment of Surfside Drive landward, was also analyzed and found to be not a feasible alternative to the proposed project due to the location of the subject site and it's proximity to existing residences, public parking areas, and public infrastructure.

Moreover, in past permit actions, the Commission has found that adverse impacts to shoreline processes from shoreline protective devices are greater the more frequently that they are subject to wave action. As such, in past permit actions, the Commission has required that all new development on a beach, including shoreline protection devices, be located as landward as possible in order to reduce adverse impacts to the sand supply and public access resulting from the development.

In this case, all portions of the new proposed rock revetment will be located immediately seaward of the existing public access pathway on site. Commission staff worked with the applicant to evaluate all feasible alternatives, including relocating the proposed revetment further landward. In most areas of the project site, the existing public access pathway is located immediately seaward of Surfside Drive; therefore, it is not possible to relocate either the existing path or the revetment further landward in those areas. Thus, in this case, the Commission finds that further landward relocation of the proposed revetment would result in additional adverse impacts to public access and recreational facilities and would not significantly reduce impacts to shoreline processes or sand supply.

Since the previously existing rock revetment on site has reached the end of its expected life, the Commission finds that the proposed retention of the rock revetment installed pursuant to the above mentioned emergency permits, as well as the proposed rock revetment extension, will serve to extend the period of time that shoreline armoring will be present along this portion of coastline. Moreover, extending the life of the shoreline protection on the subject site will also

serve to extend the period of time that such shoreline armoring will result in adverse impacts to shoreline sand supply and public access.

Thus, in order to avoid these adverse impacts, the City, in consultation with Commission staff, has designed the project to incorporate public access improvements including the creation of two public access stairways over the existing 1,200 linear ft. rock revetment (as generally shown on Exhibit 6) by reconfiguring existing stones within the revetment. In addition, the applicant shall create a third additional public access stairway utilizing the same construction method of revetment stone reconfiguration (as generally shown on Exhibit 6) concurrent with the construction of rock revetment between Station 13+00 and 14+00 that is part of the future phase component of the development authorized by this coastal development permit.

Additionally, as continued erosion of Hueneme Beach has resulted in the removal of a public shower, four picnic pads (which consist of a cement pad, windscreen, and picnic tables located on the sandy beach), and three public access pads (cement pads located on the sandy beach at openings in the public accessway), in order to ensure that public recreational amenities remain available at Hueneme Beach, the City has proposed to place new group picnic areas near the terminus of Ventura Road, between the existing public access pathway and the Hueneme Beach parking lot. The City has also proposed to replace all public recreational facilities back onto Hueneme Beach at approximately the same location, when the sand bypassing project resumes.

The Commission further notes that the proposed development is located along the shoreline in Ventura County. The Ventura County coast has historically been subject to substantial damage as the result of storm and flood occurrences, most recently, and perhaps most dramatically, during the past 1998 El Nino severe winter storm season.

The subject site is clearly susceptible to flooding and/or wave damage from storm waves, storm surges and high tides. The El Nino storms recorded in 1982-1983 caused high tides of over 7 feet, which were combined with storm waves of up to 15 ft. These storms caused substantial damage to structures in Ventura County. The severity of the 1982-1983 El Nino storm events are often used to illustrate the extreme storm event potential of the California, and in particular, Ventura County's coast.

Thus, ample evidence exists that all beachfront areas in the Ventura County area are subject to an unusually high degree of risk due to storm waves and surges, high surf conditions, erosion, and flooding. The subject site, even after the completion of the proposed project, will continue to be subject to the high degree of risk posed by the hazards of oceanfront development in the future. The Coastal Act recognizes that development, such as the subject rock revetment, even as designed and constructed to incorporate the recommendations of the applicant's coastal engineer, may still involve the taking of some risk. When development in areas of identified hazards is proposed, the Commission considers the hazard associated with the project site and the potential cost to the public, as well as the individual's right to use the subject property.

Thus, in this case, the Commission finds that due to the possibility of tsunami, storm waves, surges, and erosion the applicant shall assume these risks as conditions of approval. Because this risk of harm cannot be completely eliminated, the Commission requires the applicant to waive

any claim of liability against the Commission for damage to life or property which may occur as a result of the permitted development. The applicant's Assumption of Risk, Waiver of Liability and Indemnity, as required by **Special Condition Nine (9),** will show that the applicant is aware of and appreciates the nature of the hazards which exist on the site, and that may adversely affect the stability or safety of the development it protects, and will effectuate the necessary assumption of those risks by the applicant.

Furthermore, to ensure geologic stability and ensure that the recommendations of the engineering consultant have been incorporated into all proposed development, the Commission, as specified in **Special Condition Two (2),** requires the applicant to incorporate the recommendations cited in the Wave Uprush Study, by Moffatt & Nichol, Engineers, dated October 2013 into all final design and construction plans. The final plans approved by the consultants shall be in substantial conformance with the plans approved by the Commission. Any substantial changes to the proposed development approved by the Commission which may be recommended by the consultants shall require an amendment to the permit or a new coastal permit.

Therefore, for the reasons discussed above, the Commission finds that the proposed project, as conditioned, is consistent with Coastal Act Sections 30235 and 50253.

C. PUBLIC ACCESS AND RECREATION

Coastal Act Section **30210**, which has been incorporated in the certified City of Port Hueneme LCP, states:

> *In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.*

Coastal Act Section **30211**, which has been incorporated in the certified City of Port Hueneme LCP, states:

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

Coastal Act Section **30212(a)**, which has been incorporated in the certified City of Port Hueneme LCP, states:

> *(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where: (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby, or, (3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.*

Coastal Act Section **30221**, which has been incorporated in the certified City of Port Hueneme LCP, states:

> *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.*

Coastal Act Section 30210 and Coastal Act Section 30211 mandate that maximum public access and recreational opportunities be provided and that development not interfere with the public's right to access the coast. Section 30212(a) of the Coastal Act provides that adequate public access to the sea be provided in new development projects. Additionally, Section 30221 of the Coastal Act protects oceanfront land for recreational uses.

In past permit actions, the Commission has often required that public access to and along the shoreline be provided in conjunction with beachfront development projects and has required design changes in other projects to reduce interference with access to and along the shoreline. The principal access impacts associated with such projects that have provided the nexus for these requirements in permits involving shoreline protection are the occupation of sand area by a structure and/or the potential for adverse effects from a shoreline protective device on shoreline sand supply and public access and recreation, in contradiction of Coastal Act policies 30210, 30212, 30220, and 30221.

Past Commission review of shoreline armoring projects in Ventura County has shown that individual and cumulative adverse effects to public access from such projects can include encroachment on lands subject to the public trust (or, in a case such as this, otherwise subject to public access rights), thus physically excluding the public; interference with the natural shoreline processes necessary to maintain publicly-owned tidelands and other public beach areas; overcrowding or congestion of such tideland or beach areas; and visual or psychological interference with the public's access to and the ability to use public tideland areas. Similarly, the substantial repair or replacement of an existing shoreline protective device serves to extend the life of the device and in doing so extends the period of time that the shoreline protective device will result in adverse impacts to shoreline sand supply and public access.

The Commission has also routinely found in past permit actions that shoreline protective devices result in potential adverse effects on shoreline processes as wave energy reflected by those structures contributes to erosion and steepening of the shore profile, and ultimately, to the extent and availability of tidelands. For these reasons, the Commission must also consider whether a project will have indirect effects on public use of these shorelands.

The interference by a shoreline protective device, such as rock revetment, has a number of adverse effects on the dynamic shoreline system and the public's beach ownership interests. First, changes in the shoreline profile, particularly changes in the slope of the profile, which result from reduced beach width, alter the usable area under public ownership. A beach that rests either temporarily or permanently at a steeper angle than under natural conditions will have less horizontal distance between the mean low water and mean high water lines. This reduces the actual area of public property available for public use. The second effect on access is through a

progressive loss of sand, as shore material is no longer available to nourish the bar. The lack of an effective bar can allow such high wave energy on the shoreline that materials may be lost far offshore where it is no longer available to nourish the beach. The effect that this has on the public is a loss of area between the mean high water line and the actual water. Third, shoreline protective devices such as revetments and bulkheads cumulatively affect public access by causing accelerated and increased erosion on adjacent public beaches. This effect may not become clear until such devices are constructed individually along a shoreline, eventually affecting the profile of a public beach. Fourth, if not sited as far landward as possible, in a location that ensures that the seawall is only acted upon during severe storm events, beach scour during the winter season will be accelerated because there is less beach area to dissipate wave energy. Finally, revetments and bulkheads interfere directly with public access by their occupation of beach area that will not only be unavailable during high tide and severe storm events but also potentially throughout the winter season.

Moreover, in past permit actions, the Commission has found that adverse impacts to shoreline processes from shoreline protective devices are greater the more frequently that they are subject to wave action. As such, in past permit actions, the Commission has required that all new development on a beach, including shoreline protection devices, be located as landward as possible in order to reduce adverse impacts to the sand supply and public access resulting from the development.

In this case, all portions of the proposed rock revetment will be located immediately seaward of existing development on site. Commission staff worked with the applicant to evaluate the alternative of relocating the proposed revetment even further landward; however, any further landward relocation would only serve to further reduce the public access pathway as well as the area along Shoreline Drive currently available for use by beachgoers. Thus, in this case, the Commission finds that further landward relocation of the proposed rock revetment would result in additional adverse impacts to public access and recreational facilities and would not significantly reduce impacts to shoreline processes or sand supply.

However, the substantial repair or replacement of an existing shoreline protective device as well as the placement of a new shoreline protective device, as proposed by this project, serves to extend the period of time that the shoreline protective device will result in adverse impacts to shoreline sand supply and public access. Thus, in order to address these adverse impacts, the applicant, in consultation with Commission staff, has designed the proposed project to incorporate public access and recreational improvements including the immediate creation of two public access stairways over the existing 1,200 linear ft. rock revetment (as generally shown on Exhibit 6) by reconfiguring existing stones within the revetment. In addition, the applicant shall create a third additional public access stairway utilizing the same construction method of revetment stone reconfiguration (as generally shown on Exhibit 6) concurrent with the construction of rock revetment between Station 13+00 and 14+00 that is part of the future phase component of the development authorized by this coastal development permit. Additionally, the existing public access pathway at Hueneme Beach functions as part of the California Coastal Trail; thus, in order to enhance and improve public access and recreational opportunities on site, **Special Condition Eight (8)** requires the applicant to install signs that inform the public of the

path's significance by identifying it as part of the California Coastal Trail. Further, as part of the above referenced improvements to public access and recreational opportunities on site, Special Condition Eight (8) also requires that interpretative and educational signage be installed to provide the public with information regarding the effects of sea level rise and coastal hazards on Hueneme Beach, as well as the history of the Army Corps of Engineers' Sand Bypassing project and how it affects erosion on Hueneme Beach.

Furthermore, as continued erosion of Hueneme Beach has resulted in the removal of a public shower, four picnic pads (which consist of a cement pad, windscreen, and picnic tables located on the sandy beach), and three public access pads (cement pads located on the sandy beach at openings in the public accessway), in order to ensure that public recreational amenities remain available at Hueneme Beach, the City has proposed to place new group picnic areas near the terminus of Ventura Road, between the existing public access pathway and the Hueneme Beach parking lot. The City has also proposed to replace all public recreational facilities back onto Hueneme Beach at approximately the same location, when the sand bypassing project resumes.

Public paths adjacent to the beach surrounding the project site would remain open during construction; however roads and parking areas adjacent to the project site could be temporarily impacted. As implementation of the proposed rock revetment extension and repair and maintenance activities would require the temporary use of some public access and recreational areas, including a small area of the parking lot, and a portion of the sandy beach, it is necessary to ensure the safety of recreational users of the project site and to ensure that the interruption to public access of the project site is minimized. As such, the Commission requires the applicant to submit a public access plan, pursuant to **Special Condition Four (4)**, to the Executive Director for review and approval. Special Condition Four (4) requires a description of the methods (including signs, fencing, posting or security guards, etc.) by which safe public access to and around the project area shall be maintained during all project operations. Where use of public parking spaces is unavoidable, the minimum number of public parking spaces that are occupied for the staging of equipment, machinery and employee parking shall be used.

Therefore, for the reasons discussed above, the Commission finds that the proposed project, as conditioned, is consistent with Sections 30210, 30211, 30212(a) and 30221 of the Coastal Act.

D. MARINE RESOURCES

Coastal Act Section **30230**, which has been incorporated in the certified City of Port Hueneme LCP, 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.*

Coastal Act Section **30231**, which has been incorporated in the certified City of Port Hueneme LCP, 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 waterflow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.*

Coastal Act Section **30240**, which has been incorporated in the certified City of Port Hueneme LCP, 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 requires that uses of the marine environment be carried out in a manner that will sustain the biological productivity of coastal waters for long-term commercial, recreational, scientific, and educational purposes. Section 30231 requires that the biological productivity and quality of coastal waters be maintained. In addition, Section 30240 of the Coastal Act states that environmentally sensitive habitat areas shall be protected and that development within or adjacent to such areas must be designed to prevent impacts which could degrade those resources.

As described above, 27 trees located near the terminus of Ventura Road are proposed to be removed prior to the placement of additional rock revetment. All of the subject trees are Mexican fan palms (*Wahingtonia robusta*), which are a non-native/invasive species, however, these trees are located along Hueneme Beach and may be potentially used for nesting, roosting, and feeding by various species of migratory and coastal birds. Although bird use of the trees varies from month to month, a Biological Survey completed by Rincon Consultants in December 2013, did not observe any active nests, or nesting behavior. Although nesting birds were not observed, several protected bird species were identified at the project site, including long-billed curlew (*Numenius Americana*), California gull (*Larus californica*), elegant tern (*Sterna elegans*), Forster's tern (*Sterna forsteri*), and black skimmer (*Rynchops niger*). Additionally, the project site has been designated as critical habitat for the Western snowy plover (*Charadrius alexandrines nivosus*), and they can be present nesting, roosting, and feeding on Hueneme Beach throughout the year.

In past permit actions, the Commission has found that even non-native/invasive trees in disturbed urban areas, such as the Mexican fan palms proposed to be removed at the project site, have the

potential to provide habitat for nesting, roosting, and foraging for raptors and other sensitive bird species. Thus, as the subject trees have the potential to provide habitat for sensitive bird species, it is necessary to ensure that nesting bird species are protected during construction activities. Further, the proposed project has the potential to disturb sensitive bird species in and around the project area due the construction activities associated within placement of the proposed rock revetment as well as those associated with the proposed repair and maintenance activities, such as noise, vibration, dust, and disturbance associated with construction. Therefore, to ensure that potential adverse impacts to sensitive bird species are avoided, **Special Condition Three (3)** requires that the applicant retain the services of a qualified biologist(s) or environmental resource specialist(s) to conduct surveys for sensitive wildlife species and to monitor project operations. Prior to commencement of any project operations, the applicant shall submit the name and qualifications of the biologist or specialist, for the review and approval of the Executive Director. The environmental resource specialist shall conduct a survey of all areas within and near the project site to determine presence and behavior of sensitive wildlife species prior to any project operations including, but not limited to, installation of additional rock revetment, repair and maintenance activities, or tree removal. In the event that any sensitive wildlife species exhibit reproductive or nesting behavior, the environmental specialist shall immediately notify the Executive Director and local resource agencies in writing.

Additionally, the Commission finds that the project area is within the expected range of the California Grunion. To ensure that any potential adverse effects to the California Grunion are minimized, **Special Condition Three (3)** also requires that a qualified biologist or environmental resource specialist shall conduct a survey of the project site each day prior to commencement of any construction activities that occur between March 1st and September 1st, to determine whether any California Grunion, or eggs, are present. In the event that the California Grunion are present on the project site, and exhibit reproductive behavior, the environmental specialist shall require the applicant to cease work, and shall immediately notify the Executive Director and local resource agencies. Project activities shall resume only upon written approval of the Executive Director. The monitor(s) shall require the applicant to cease work should any breach in permit compliance occur or if any unforeseen sensitive habitat issues arise. The monitor(s) shall immediately notify the Executive Director if activities outside of the scope of this coastal development permit. If significant impacts or damage occur to the California Grunion, the applicant shall be required to submit a revised, or supplemental program to adequately mitigate such impacts. The revised, or supplemental, program shall be processed as an amendment to this coastal development permit.

Additionally, to ensure that the applicant avoids adverse impacts to all sensitive species, **Special Condition Six (6)** also requires that the applicant complies with all permit requirements and mitigation measures of the California Department of Fish and Wildlife, State Lands Commission, U.S. Army Corps of Engineers, and the U.S. Fish and Wildlife Service with respect to preservation and protection of water quality and marine environment. Any change in the approved project which 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 permit amendment pursuant to the requirements of the Coastal Act and the California Code of Regulations.

Lastly, construction activities related to the proposed rock revetment extension and operation and maintenance activities have the potential to negatively impact the surrounding marine environment. Introduction of waste or construction debris into the marine environment could create deleterious impacts to coastal waters and could stem from activities such as stockpiling of materials or cleaning of construction equipment on or adjacent to the beach. In order to ensure that adverse impacts to the marine environment are minimized, the Commission finds it necessary to require the applicant to include construction best management practices in the project. **Special Condition Five (5)** requires that the project applicant comply with specific construction standards and best management practices. **Special Condition Five (5)** further requires that no construction materials, debris or waste shall be placed or stored where it may be subject to wave erosion and dispersion, that all debris resulting from construction activities shall be removed from the beach prior to the end of each work day; no machinery or mechanized equipment shall be allowed in the intertidal zone, except for that necessary to remove the errant rocks from the beach seaward of the revetment; and all excavated beach sand shall be redeposited on the beach.

Therefore, the Commission finds that the proposed project, as conditioned, is consistent with Coastal Act Section 30230, 30231, and 30240.

E. VISUAL RESOURCES

Coastal Act Section **30251**, which has been incorporated in the certified City of Port Hueneme LCP, states:

> *The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.*

Coastal Act Section 30251 requires that visual qualities of coastal areas shall be considered and protected, landform alteration shall be minimized, and where feasible, degraded areas shall be enhanced and restored.

The proposed revetment is located on a public beach directly adjacent to Surfside Drive, immediately seaward of the existing public access pathway that extends the length of Hueneme Beach. In such a location, it is necessary to assess any potential visual impacts that may result from the completion of the proposed project.

Currently, an approximately three foot tall sand barrier wall exists between the public access pathway and Hueneme Beach; however, bluewater views of the ocean from Surfside Drive are available along the entire reach of the project site. As proposed, the subject rock revetment will be constructed lower than the elevation of the public access pathway wall so as to avoid impacts

to bluewater views from Surfside Drive and the existing public access pathway. Additionally, any rock added during revetment repair and maintenance activities would also be constructed below the elevation of the pathway, within the footprint of the existing revetment. The proposed rock revetment installed pursuant to the above mentioned emergency permits has also incorporated the previously existing approximately 850 linear foot rock revetment that was located approximately 15-30 feet further seaward into its design, thereby moving the total footprint of the revetment further landward, enhancing the visual qualities of the site.

Lastly, when implementation of the sand bypassing project resumes, all portions of the proposed rock revetment are expected to be buried as the elevation of the revetment has been designed at a lower elevation than of the public accessway wall. As such, the proposed revetment will is anticipated to not be visible during implementation of the normal sand bypassing project, thereby minimizing visual impacts at the project site.

Therefore, the Commission finds that the proposed project, as conditioned, is consistent with Coastal Act Section 30251.

F. CALIFORNIA ENVIRONMENTAL QUALITY ACT

Section 13096(a) of the Commission's administrative regulations requires Commission approval of a Coastal Development Permit application to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect that the activity may have on the environment.

The Commission incorporates its findings on Coastal Act 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 project that were received prior to preparation of the staff report. As discussed in detail above, the proposed project, as conditioned, is consistent with the policies of the Coastal Act. Feasible mitigation measures which will minimize all adverse environmental effects have been required as special conditions. **Special Conditions One (1) through Nine (9)** are required to assure the project's consistency with Section 13096 of the California Code of Regulations.

As conditioned, there are no feasible alternatives or feasible mitigation measures available, beyond those required, which would substantially lessen any significant adverse impact that the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, can be found to be consistent with the requirements of the Coastal Act to conform to CEQA.

APPENDIX A

Substantive File Documents:
Hueneme Beach Shore Protection Project Biological Resources Assessment, dated December 2013 and March 2014, completed by Rincon Consultants; Wave Uprush Study, dated October 2013, completed by Moffatt & Nichol; Water Quality Certification for Proposed Hueneme Beach Park Shore Protection Project (File No. 13-136), dated May 19, 2014, California Regional Water Quality Control Board; Jurisdictional Determination for the City of Port Hueneme Shore Protection Project, dated April 9, 2014, California State Lands Commission; and Emergency Permit Numbers G-4-13-0206, G-4-13-0208, G-4-14-0010, and G-4-14-0020.

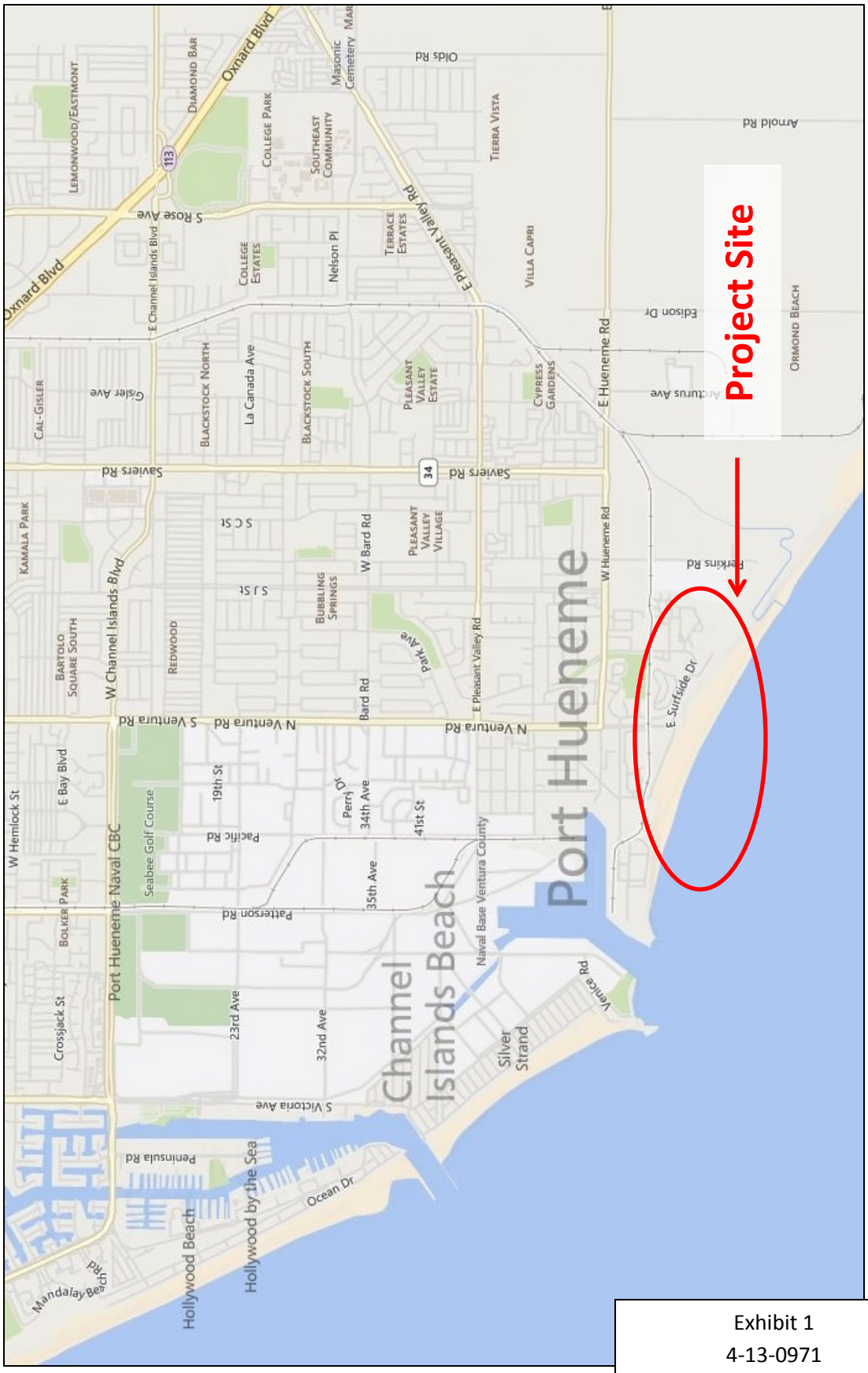
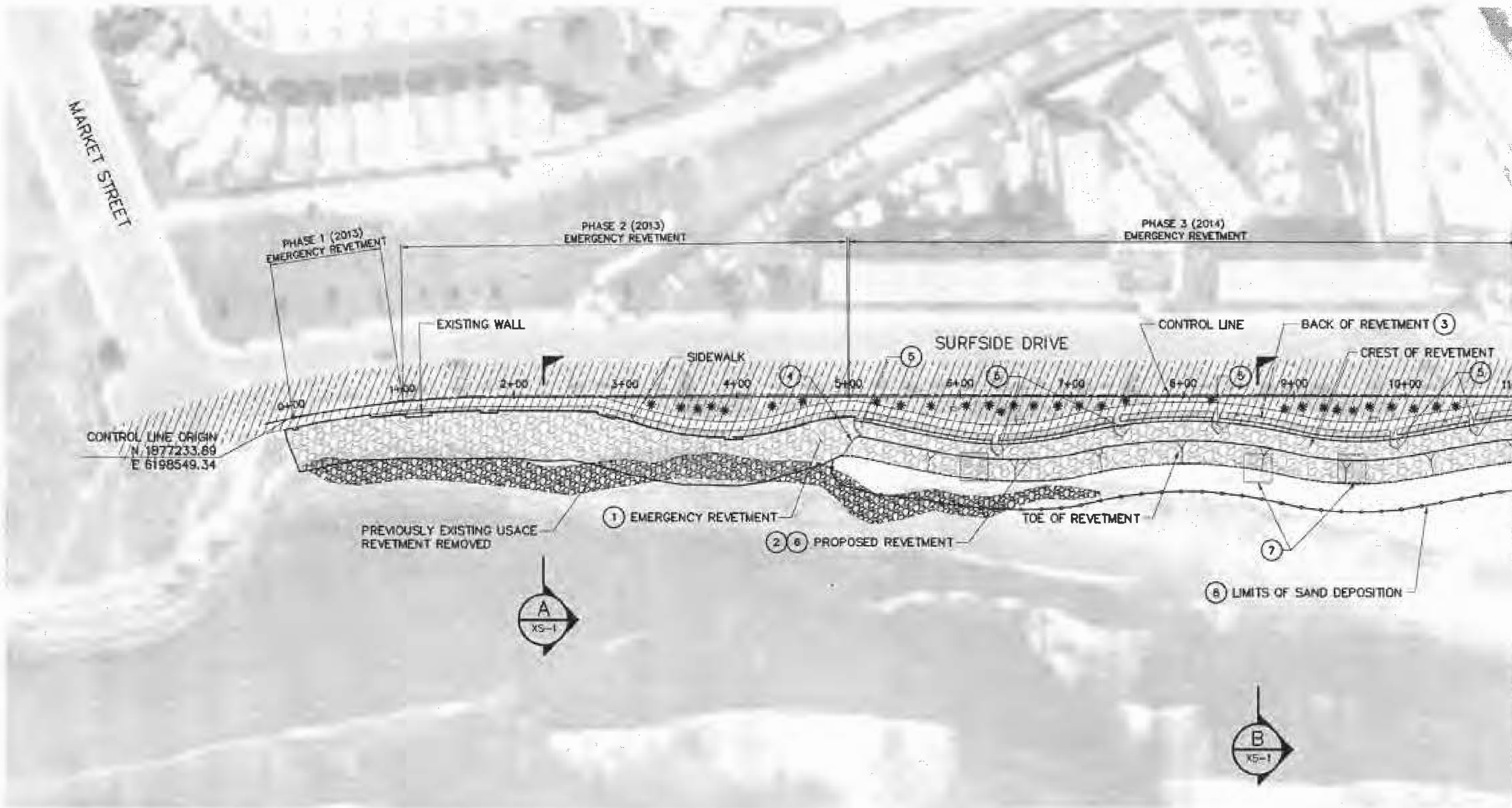


Exhibit 1
4-13-0971
Vicinity Map

Exhibit 2
4-13-0971
2005 Aerial Photograph of
Widened Beach Condition

Exhibit 3
4-13-0971
2014 Aerial Photograph of
Eroded Beach Condition



CONSTRUCTION NOTES

1. EMERGENCY ROCK REVETMENT CONSTRUCTED FROM STATION 0+00 TO STATION 5+00.
2. PROPOSED REVETMENT TO BE CONSTRUCTED IN 500'± SEGMENTS WHEN MINIMUM BEACH WIDTH TRIGGERS ARE REACHED.
3. BACK OF REVETMENT FOLLOWS ALIGNMENT OF EXISTING CONCRETE WALL.
4. REMOVE AND REPLACE ARMOR STONE AS NEEDED TO INTERLOCK NEW ARMOR LAYERS WITH THE EMERGENCY REVETMENT.
5. REMOVE CONCRETE ACCESS PADS AND ADJACENT WALL. DISPOSE OF CONCRETE DEBRIS AT APPROPRIATE FACILITY.
6. PROPOSED REVETMENT TO INCORPORATE LOOSE ARMOR STONE FROM EXISTING USACE REVETMENT SUPPLEMENTED WITH IMPORTED STONE TO ACHEIVE THE DESIGN DIMENSIONS.
7. PICNIC PADS TO BE REMOVED AS NEEDED.
8. EXCAVATED SAND DEPOSITED WITHIN LIMITS SHOWN TO FORM A TEMPORARY BERM DURING CONSTRUCTION. REMAINING SAND WILL BE USED TO COVER COMPLETED REVETMENT SECTIONS.

LEGEND

- 2013 & 2014 EMERGENCY REVETMENT
- PREVIOUSLY EXISTING USACE REVETMENT
- APPROXIMATE WAVE UPRUSH ZONE
- LIMITS OF SAND DEPOSITION
- CMWD OUTFALL PIPE

SCALE: 1"=50'

DRAWING SCALES SHOWN BASED ON 22"x34" DRAWING

CITY OF PORT HUENEME

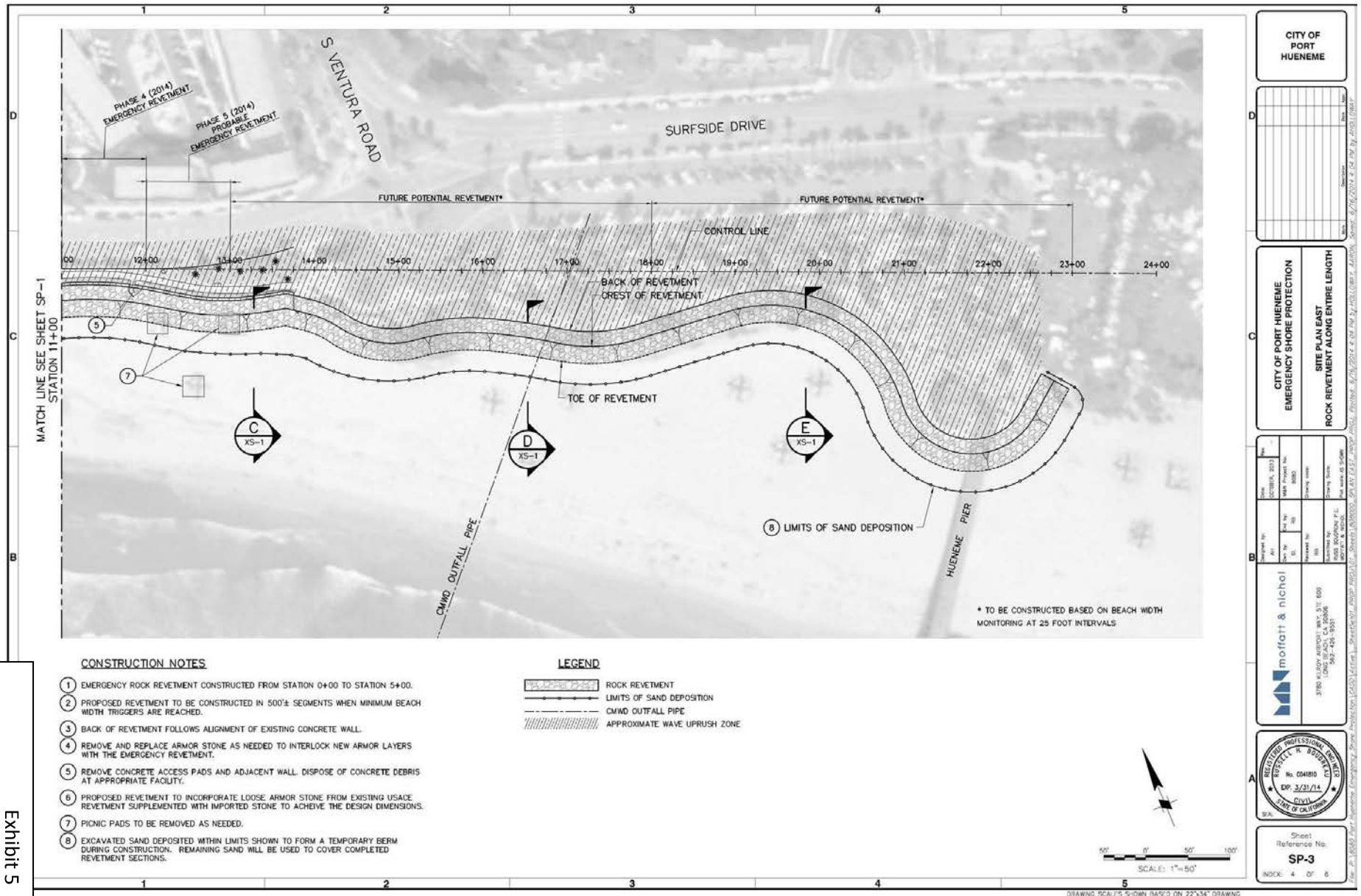
CITY OF PORT HUENEME
EMERGENCY SHORE PROTECTION

SITE PLAN WEST
ROCK REVETMENT ALONG ENTIRE LENGTH

moffatt & nichol
3780 KILROY AIRPORT WAY, STE 600
LONG BEACH, CA 90806
562-426-9551

Sheet Reference No
SP-2
INDEX: 3 OF 6

Exhibit 4
4-13-0971
Existing Rock Revetment Plan



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8. EXCAVATED SAND DEPOSITED WITHIN LIMITS SHOWN TO FORM A TEMPORARY BERM DURING CONSTRUCTION. REMAINING SAND WILL BE USED TO COVER COMPLETED REVETMENT SECTIONS.

LEGEND

- ROCK REVETMENT
- LIMITS OF SAND DEPOSITION
- CMWD OUTFALL PIPE
- APPROXIMATE WAVE UPRUSH ZONE

50' 0' 50' 100'
SCALE: 1"=50'

DRAWING SCALES SHOWN BASED ON 22"x34" DRAWING

CITY OF PORT HUENEME

CITY OF PORT HUENEME
EMERGENCY SHORE PROTECTION

SITE PLAN EAST
ROCK REVETMENT ALONG ENTIRE LENGTH

moffatt & nichol

REGISTERED PROFESSIONAL ENGINEER
RUSSELL H. BOWERS
No. C041810
EXP. 3/31/14
CIVIL
STATE OF CALIFORNIA

Sheet Reference No.
SP-3
SHEET 4 OF 8

Exhibit 5
4-13-0971
Rock Revetment Extension Plan


CITY OF PORT HUENEME
CITY OF PORT HUENEME EMERGENCY SHORE PROTECTION
HUENEME BEACH ACCESS PLAN
moffatt & nichol
3780 KILROY AIRPORT WAY, STE 600
LONG BEACH, CA 90806
562-426-9551
Sheet Reference No.
AP-1
INDEX: 7 OF 7
SCALE: 1"=100'
DRAWING SCALES SHOWN BASED ON 22"x34" DRAWING
SURFSIDE DRIVE
S. VENTURA ROAD
MARKET STREET
RESTROOM
RESTAURANT/CAFE
BEACH PARKING LOT
FAMILY PICNIC SITES
FLAG PLAZA
HUENEME PIER
PROPOSED ACCESS STAIRS (IF NEEDED)
SINGLE HEAD S/S MONO POLE BEACH SHOWER
SURFSIDE CONDOS/TOWNHOMES
2014 EMERGENCY REVETMENT
PROPOSED ACCESS STAIRS
EXISTING SIDEWALK
SURFSIDE DRIVE
EXISTING WALL
2013 EMERGENCY REVETMENT
RAILROAD
OXNARD HARBOR DISTRICT VEHICLE STAGING AREA
LEGEND
2013-2014 EMERGENCY REVETMENT
POTENTIAL ADDITIONAL REVETMENT
ACCESS STAIRWAY NOTES

Exhibit 6

4-13-0971

Public Access and Recreational Amenities Plan

Exhibit 7

Letters in Support of Project

NOTE: 192 letters in support of the proposed project have been submitted as of 6/26/14. Five of the letters received have been included here for reference.

All letters received are included as part of the administrative record and are available for review in the California Coastal Commission's Ventura Office.

MAY 28 2014

Date: 5-24-14

John Ainsworth, Senior Deputy Director
California Coastal Commission, South Central Coast
89 S. California Street, Ste. 200
Ventura, CA 93001-2801

SUBJECT: HUENEME BEACH SHORELINE PROTECTION

Dear Mr. Ainsworth:

I'm writing to thank you for your staff's approval of emergency permits for shoreline rock to protect beach homes and infrastructure at Hueneme Beach. I'd also like to request that the Commission grant the City's long-range request to keep the protection in place after the beach is replenished this fall. The rock is not a robust revetment; it is designed as a sub-grade roadway foundation that will be below the normal elevation of the sand and invisible to beach visitors.

As you may know, completion of the deep-water Port of Hueneme in 1939 disrupted the natural littoral drift on the south Ventura County coastline. Hueneme Beach was completely lost and then re-established by excavating the adjacent Channel Islands Harbor and moving sand every two years from the Harbor's sand trap. The U.S. Army Corps of Engineers has never missed a bypass cycle, however, Corps funding can be unpredictable and sometimes the amount of sand transferred is insufficient. That's not to say there isn't enough sand: on the contrary, the south coast supply is robust with nearly 4 million cubic yards of sand currently caught by the sand trap. However, the federal funding process is not as vigorous as the sand supply. Consequently, we support keeping the rock as a buried feature that will serve as a "silent sentinel" to help protect public and private improvements against any future deficits in the bypass cycle. Removal of this buried rock after replenishment of the beach would be a waste of taxpayer monies and environmentally irresponsible given Hueneme Beach is non-natural.

On behalf of everyone who owns property near Hueneme Beach and those who enjoy visiting the area, I urge you to take action to protect our shoreline.

Sincerely,

Signed: Robt B Berson (print name) Robert B. Berson

Address: 788 Island View Circle Port Hueneme, CA 93041

MAY 28 2014

Date: MAY 27 2014

John Ainsworth, Senior Deputy Director
California Coastal Commission, South Central Coast
89 S. California Street, Ste. 200
Ventura, CA 93001-2801

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On behalf of everyone who owns property near Hueneme Beach and those who enjoy visiting the area, I urge you to take action to protect our shoreline.

Sincerely,

Signed: Linda Brent (print name) JASON & LINDA BRENT

Address: 790 OCEAN Breeze Drive
Port Hueneme CA
93041

Date: 6/7/14

JUN 12 2014

John Ainsworth, Senior Deputy Director
California Coastal Commission, South Central Coast
89 S. California Street, Ste. 200
Ventura, CA 93001-2801

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On behalf of everyone who owns property near Hueneme Beach and those who enjoy visiting the area, I urge you to take action to protect our shoreline.

Sincerely,

Signed: Joe Capelo (print name) Joe Capelo

Address: 655 Ocean View Drive Port Hueneme CA 93041

Date: 6-10-2014

JUN 12 2014

John Ainsworth, Senior Deputy Director
California Coastal Commission, South Central Coast
89 S. California Street, Ste. 200
Ventura, CA 93001-2801

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On behalf of everyone who owns property near Hueneme Beach and those who enjoy visiting the area, I urge you to take action to protect our shoreline.

Sincerely,

Signed: _____ (print name) Kirk J. Bowen

Address: 1220 N. Niagara St. Burbank, CA 91505

JUN 12 2014

Date: 6/10/2014

John Ainsworth, Senior Deputy Director
California Coastal Commission, South Central Coast
89 S. California Street, Ste. 200
Ventura, CA 93001-2801

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On behalf of everyone who owns property near Hueneme Beach and those who enjoy visiting the area, I urge you to take action to protect our shoreline.

Sincerely,

Signed: Darcie Overbacker (print name) Darcie Overbacker

Address: 622 Tierney Ave, Ventura, CA 93003

CALIFORNIA COASTAL COMMISSION
SOUTH CENTRAL COAST AREA
89 SOUTH CALIFORNIA ST., SUITE 200
VENTURA, CA 93001
(805) 585-1800

Th17b

Filed:	4/4/14
180th Day:	10/1/14
Staff:	J. Blaugrund-V
Staff Report:	6/26/14
Hearing Date:	7/10/14

STAFF REPORT: REGULAR CALENDAR

Application No.:	**4-13-0971**
Applicant:	**City of Port Hueneme**
Agent:	**Russ Boudreau and Kim Garvey, Moffatt & Nichol**
Location:	**Hueneme Beach Park, City of Port Hueneme, Ventura County.**
Project description:	**Request for permanent authorization of 1,200 linear feet of existing as-built rock revetment, consisting of approximately 17,900 tons of armor stone, installed pursuant to Emergency Permit Numbers G-4-13-0206, G-4-13-0208, G-4-14-0010, and G-4-14-0020; installation of 1,200 linear feet of additional new rock revetment consisting of approximately 20,100 tons of armor stone to be programmatically installed in three phases on an as-needed basis; creation of three public access stairways over the proposed rock revetment; replacement of public recreational amenities including picnic tables, benches, and barbeques in a further landward location; and implementation of a rock revetment repair and maintenance program for a 25 year period.**

SUMMARY OF STAFF RECOMMENDATION

Staff recommends **approval** of the proposed development with **nine (9) special conditions** regarding: (1) phased construction of rock revetment and repair and maintenance program, (2) plans conforming to engineer's recommendations, (3) sensitive species surveys, (4) public access program, (5) operations and maintenance responsibilities, (6) conformance with the requirements of the resource agencies, (7) public stairway construction, (8) informational/educational signage, and (9) assumption of risk, waiver of liability and indemnity.

The City of Port Hueneme ("City") is requesting permanent authorization of 1,200 linear feet of existing rock revetment that was previously installed at Hueneme Beach pursuant to Emergency Permits G-4-13-0206, G-4-13-0208, G-4-14-0010, and G-4-14-0020. This existing revetment consists of 17,900 tons of armor stone, and is located immediately seaward of an existing public access pathway that runs parallel between Hueneme Beach and Surfside Drive.

Additionally, a component of the currently proposed project includes the programmatic placement of a maximum of 1,200 linear feet of additional rock revetment, which would be constructed immediately downcoast of the 1,200 linear ft. of rock revetment placed pursuant to the above mentioned emergency permits, as depicted on Exhibit 4. The 1,200 linear ft. of new rock revetment would occur programmatically involving three separate phases of construction that would occur on an as-needed basis, pursuant to the criteria outlined in Special Condition One (1). The subject additional rock revetment would consist of a maximum of 20,100 tons of armor stone, and would be placed immediately seaward of the existing public access pathway. The total length of revetment that could be placed on Hueneme Beach would be 2,400 linear feet, and would consist of a maximum of 38,000 tons of armor stone.

Continued erosion of Hueneme Beach has resulted in the removal of picnic areas, showers, windscreens, and public access pads (cement pads located on the sandy beach at openings in the public accessway) located on the beach. Should erosion continue downcoast, additional facilities must also be removed. However, in order to ensure that public recreational amenities remain available at Hueneme Beach, the City has proposed to relocate or replace the existing group picnic areas located on the sandy beach to a new area located landward of the proposed rock revetment near the terminus of Ventura Road, between the existing public access pathway and the Hueneme Beach parking lot. Additionally, the City has proposed to construct two public access stairways through the existing revetment, and would construct an additional access stairway through the proposed revetment extension, should the proposed revetment extension be constructed.

Further, the City has also proposed a revetment repair and maintenance program for a period of 25-years. This program would authorize long term rock revetment repair and maintenance activities should sand placement discontinue in the future and the rock revetment become exposed. Proposed activities include retrieval of dislodged rock and infill of voids within the design footprint of the approved revetment. A maximum of up to 15 percent of the total amount of the approved revetment (5,700 tons of rock) could be placed through the repair and maintenance program. Pursuant to Special Condition One (1), the applicant would not increase the height or footprint of the revetment during any repair or maintenance work.

A Biological Survey of the project area, completed by Rincon Consultants, did not observe any nesting bird species. However, as the proposed project could potentially remove up to 27 Mexican fan palms, Special Condition Three (3) requires pre-construction surveys. Additionally, as the proposed rock revetment would be located on a beach that is within the expected range of the California Grunion, Special Condition Three (3) also requires that the project site is surveyed prior to the commencement of construction to determine whether any California Grunion, or eggs, are present.

Although replacement of the proposed rock revetment is necessary, shoreline armoring has a number of impacts on the coast, including but not limited to impacts from encroachment, fixing the back of the beach, and preventing the natural erosion of coastal bluffs that provide sandy material to the nearby beaches. As a result of these impacts, the Coastal Act is premised on both hazard and shoreline armoring avoidance. However, the presence of a rock revetment in this location is necessary to protect the continued use of the adjacent public access pathway and Surfside Drive as a means for access to the public beach, as well as existing public beach facilities and adjacent residences.

Hueneme Beach is located within the City of Port Hueneme, in the southwest portion of Ventura County between the Pacific Ocean and the Oxnard Plain. The City is surrounded by the City of Oxnard to the north and east; the Channel Islands Harbor, Port of Hueneme and U.S. Naval Construction Battalion Center are located to the west; and the ocean is located to the south. Specifically, Hueneme Beach is located immediately downcoast of the Port of Hueneme, and extends the length of Surfside Drive, as depicted on Exhibit 1.

Although the Commission has previously certified a Local Coastal Program for the City of Port Hueneme, portions of the proposed project will be located, at times, on state tidelands and is located within an area where the Commission has retained jurisdiction over the issuance of coastal development permits. Pursuant to Section 30601.3 of the Coastal Act, a consolidated permit was requested by the City of Port Hueneme and was approved by the Executive Director. Thus, the standard of review for this project is the Chapter Three policies of the Coastal Act, with the applicable policies of the City of Port Hueneme Local Coastal Program (LCP) as guidance. As conditioned, the proposed project is consistent with all applicable Chapter Three policies of the Coastal Act.

Note: 192 letters and emails of interest regarding the proposed project have been received as of 6/26/14, all of which are in support of the subject project, and substantially the same in content. Due to the large volume of letters received, a representative sample of these letters has been included as **Exhibit 7**. All letters received are included as part of the administrative record and are available for review in the California Coastal Commission's Ventura Office.

TABLE OF CONTENTS

APPENDICES

EXHIBITS

I. MOTION AND RESOLUTION

Motion:

*I move that the Commission **approve** Coastal Development Permit Application No. 4-13-0971 pursuant to the staff recommendation.*

Staff recommends a **YES** vote on the foregoing motion. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

Resolution:

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter Three of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter Three. Approval of the permit complies with the California Environmental Quality Act because either (1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or (2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. STANDARD CONDITIONS

This permit is granted subject to the following standard conditions:

1. **Notice of Receipt and Acknowledgment**. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.

2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.

3. **Interpretation.** Any questions of intent of interpretation of any condition will be resolved by the Executive Director or the Commission.

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

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

III. SPECIAL CONDITIONS

1. Phased Construction of Rock Revetment and Repair and Maintenance Program

A. By acceptance of this permit, the applicant agrees that this coastal development permit authorizes the phased construction of an additional 1,200 linear ft. of rock revetment (to be constructed at the downcoast end of the as-built 1,200 linear ft. rock revetment on site) and for implementation of a repair and maintenance program for a period of twenty-five (25) years from the date that Coastal Development Permit 4-13-0971 is approved by the Commission, after which time all construction and repair and maintenance activities shall cease unless either a new coastal development permit, or amendment to this permit, authorizing additional future construction of rock revetment and/or repair and maintenance activities is approved and issued by the California Coastal Commission. All aspects of the proposed work shall be consistent with all provisions of this condition, as well as all other conditions of Coastal Development Permit 4-14-0971. This Coastal Development Permit authorizes the proposed rock revetment shoreline protection structure unless and until the existing public infrastructure or other existing development that it is protecting, including Surfside Drive, is adaptively redeveloped, relocated, or removed in response to future sea level rise and, therefore, no longer requires such shoreline protection. Prior to, or in conjunction with, any adaptive redevelopment, relocation, or removal of the existing public infrastructure or other existing development, the Permittee shall obtain a new CDP to remove the rock protective structure or to modify the terms of its authorization.

B. Prior to the construction of any phase of the 1,200 linear ft. of additional rock revetment or the commencement of any repair or maintenance work, the applicant must notify the Executive Director of the California Coastal Commission. The applicant shall submit a written report prepared by a professional engineer identifying the location of the proposed rock revetment to be constructed and/or maintenance and repair work, method for performing work, analysis of the necessity for the work, and a quantification of any additional rock to be added to the revetment. The report shall be submitted prior to construction of the proposed work to allow time for review by the Executive Director. The Executive Director's review will be for the purpose of ensuring that the nature of the work, the method proposed for the work, and all other aspects of the proposed work is consistent with the provisions of this condition, as well as all other conditions of Coastal Development Permit 4-14-0971. All construction and/or repair and maintenance activities shall comply with the following requirements:

1. Phased Construction of Rock Revetment

a. The additional placement of 1,200 linear ft. of additional rock revetment may be added to the downcoast end of the as-built 1,200 linear ft. rock revetment on site in three or more separate phases, each consisting of a maximum of 500 linear feet for each phase (and not exceeding a total combined length of 1,200 linear feet). Construction of each subsequent phase of revetment construction shall occur only pursuant to the following criteria:

   i. Prior to construction of any new phase of revetment construction, a minimum of five measurements at 25 foot intervals shall be taken within the westernmost 100 foot linear potion of the area of beach associated with each uncompleted phase, as shown on Exhibit 5, in order to determine the average beach width.

   ii. If the average width of the beach within the above referenced survey area for any Phase is less than 30 ft. in width, as measured from the seaward edge of the existing public access pathway seaward to the landward most erosional scarp line of the beach, then such phase(s) of rock revetment may be constructed.

   iii. All work authorized by this permit must be completed within the 25-year term of this program (until July 10, 2039). Any work after the 25-year term of this program will require the issuance of a new coastal development or an amendment to this permit.

b. The extent of rock revetment authorized pursuant to Coastal Development Permit 4-13-0971 shall not exceed a maximum length of 2,400 linear feet, as depicted on Exhibit 3.

c. The applicant shall undertake all phases of rock revetment construction activities in accordance with all provisions of the special conditions of this permit.

2. Rock Revetment Repair and Maintenance Program

a. Future maintenance and repair of the rock revetment authorized by this coastal development permit may be completed without a new coastal development permit for a period of 25 years commencing from the date of Commission action on this permit (until July 10, 2039). Maintenance or repair of the rock revetment after June 13, 2033, may require the issuance of a new coastal development permit from the California Coastal Commission).

b. No future repair or maintenance, enhancement, reinforcement, or any other activity affecting the rock revetment shall be undertaken if such activity extends the seaward footprint of the subject shoreline protective device. No rock shall be placed seaward of the approved toe of the revetment and no increase in the approved height of the revetment shall occur as specifically identified in the drawings by Moffatt and Nichol dated January 10, 2014, and approved by Coastal Development Permit No. 4-13-0971.

c. Any debris, rock, or other materials which become dislodged after completion through weathering, wave action or settlement shall be removed from the beach or deposited on the revetment on an as-needed basis as soon as feasible after discovery.

d. In no event shall more than 5,700 tons of new armor stone (approximately 15% of the approved volume of the revetment) be imported for any repair projects. The addition of more than 5,700 tons of new armor stone for any repair project shall require a new coastal development permit and is not exempt pursuant to this condition.

2. Plans Conforming to Engineer's Recommendations.

By acceptance of this permit, the applicant agrees to comply with the recommendations contained in the Wave Uprush Study dated October 2013 by Moffatt & Nichol. These recommendations, including recommendations concerning rock revetment design and maintenance, shall be incorporated into all final design and construction plans, which must be reviewed and approved by the consultant prior to commencement of development.

The final plans approved by the consulting engineer shall be in substantial conformance with the plans approved by the Commission relative to construction, grading, and rock placement. Any substantial changes in the proposed development approved by the Commission that may be required by the consultant shall require amendment(s) to the permit or new Coastal Development Permit(s).

3. Sensitive Species Surveys.

For any construction activities, the applicant shall retain the services of a qualified biologist or environmental resource specialist (hereinafter, "environmental resource specialist") with appropriate qualifications acceptable to the Executive Director, to conduct sensitive species surveys (including birds, other terrestrial species, and California Grunion) and monitor project operations associated with all construction activities. Prior to commencement of the initial phase of construction activities, the applicant shall submit the name and qualifications of the environmental resource specialist, for the review and approval of the Executive Director. The applicant shall have the environmental resource specialist ensure that all project construction and operations are carried out consistent with the following:

A. The environmental resource specialist shall conduct surveys prior to the approved construction activities to detect any active sensitive species, reproductive behavior, and active nests within 500 feet of the project site. Follow-up surveys must be conducted 3 calendar days prior to the initiation of construction and nest surveys must continue on a monthly basis throughout the nesting season or until the project is completed, whichever comes first.

B. In the event that any sensitive species are present in or adjacent to the construction area but do not exhibit reproductive behavior and are not within the estimated breeding/reproductive cycle of the subject species, the qualified biologist shall either: (1) initiate a salvage and relocation program prior to any construction activities to move sensitive species by hand to safe locations elsewhere along the project reach or (2) as appropriate, implement a resource avoidance program with sufficient buffer areas to ensure adverse impacts to such resources are avoided. The applicant shall also immediately notify the Executive Director of the presence of such species and which of the above actions are being taken. If the presence of any such sensitive species requires review by the United States Fish and Wildlife Service and/or the California Department of Fish and Wildlife, then no development activities shall be allowed or continue until any such review and authorizations to proceed are received, subject to the approval of the Executive Director.

C. If an active nest of a federally or state-listed threatened or endangered species, bird species of special concern, or any species of raptor or heron is found, the applicant shall notify the appropriate State and Federal agencies within 24 hours, and shall develop an appropriate action specific to each incident. The applicant shall notify the California Coastal Commission in writing by facsimile or e-mail within 24 hours and consult with the Commission regarding determinations of State and Federal agencies.

D. If an active nest of any federally or state listed threatened or endangered species, species of special concern, or any species of raptor or heron is found within 300 feet of construction activities (500 feet for raptors), the applicant shall retain the services of an environmental resource specialist with experience conducting bird and noise surveys, to monitor bird behavior and construction noise levels. The environmental resources specialist shall be present at all relevant construction meetings and during all significant construction activities (those with potential noise impacts) to ensure that nesting birds are not disturbed by construction related noise. The environmental resource specialist shall monitor birds and noise every day at the beginning of the project and during all periods of significant construction activities. Construction activities may occur only if construction noise levels are at or below a peak of 65 dB at the nest(s) site. If construction noise exceeds a peak level of 65 dB at the nest(s) site, sound mitigation measures such as sound shields, blankets around smaller equipment, mixing concrete batches off-site, use of mufflers, and minimizing the use of back-up alarms shall be employed. If these sound mitigation measures do not reduce noise levels, construction within 300 ft. (500 ft. for raptors) of the nesting trees/areas shall cease and shall not recommence until either new sound mitigation can be employed or nesting is complete.

E. If any construction activity occurs on the sandy beach between March 1st and September 1st, then the applicant shall have the environmental resource specialist conduct a survey of the project site, to determine presence of California Grunion during the seasonally predicted run period and egg incubation period, as identified by the California Department of Fish and . If the environmental resources specialist determines that any

grunion spawning activity is occurring and/or that grunion are present in or adjacent to the project site, then no construction/demolition activities shall occur on the area of the beach where grunion have been observed to spawn until the next predicted run in which no grunion are observed. Surveys shall be conducted for all seasonally predicted run periods in which material is proposed to be placed or removed at any of the above sites. The applicant shall have the environmental resource specialist provide inspection reports after each grunion run observed and shall provide copies of such reports to the Executive Director and to the California Department of Fish and Wildlife.

F. The environmental resource specialist shall be present during all construction and vegetation removal activities. The environmental resource specialist shall require the applicant to cease work should any breach in permit compliance occur, or if any unforeseen sensitive habitat issues arise. If significant impacts or damage occur to sensitive habitats or to wildlife species, the applicants shall be required to submit a revised, or supplemental program to adequately mitigate such impacts. The revised, or supplemental, program shall be processed as an amendment to this coastal development permit or a new coastal development permit.

4. Public Access Program.

A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPEMNT PERMIT, the applicant shall submit, for the review and approval of the Executive Director, a Public Access Program and Plan that describes the methods (including signs, fencing, posting of security guards, etc.) by which safe public access to or around construction areas and staging areas shall be maintained during all project operations. The plan shall also include signs directing the public to alternative parking areas for the duration of construction and staging. Where public paths or bikeways will be closed during active operations, a person(s) shall be on-site to detour traffic or adequate fencing and signage shall be used. The applicant shall maintain public access pursuant to the approved Public Access Program. Any proposed changes to the approved program shall be reported to the Executive Director. No change to the program shall occur without a Commission-approved amendment to the permit unless the Executive Director determines that no such amendment is required.

B. Where use of public parking spaces is unavoidable, the minimum number of public parking spaces that are required for the staging of equipment, machinery and employee parking shall be used. At each site, the number of public parking spaces utilized shall be the minimum necessary to implement the project.

C. The applicant shall post each construction site with a notice indicating the expected dates of construction and/or public access or parking lot closures.

5. Operations and Maintenance Responsibilities.

By accepting this permit, the applicant shall agree to comply with the following construction-related requirements:

A. The applicant shall not store or place any construction materials or waste where it will be or could potentially be subject to wave erosion and dispersion. In addition, no machinery shall be stored or placed in the intertidal zone at any time, except for that necessary to remove errant rocks from the beach seaward of the existing rock revetment.

B. Construction equipment shall not be cleaned on the beach or in the adjacent beach parking areas.

C. Construction debris and sediment shall be properly contained and secured on site with best management practices to prevent the unintended transport of sediment and other debris into coastal waters by wind, rain or tracking.

D. Construction debris and sediment shall be removed from construction areas as necessary to prevent the accumulation of sediment and other debris which may be discharged into coastal waters. Any and all debris resulting from construction activities shall be removed from the project site within 24 hours. Debris shall be disposed at a debris disposal site outside of the coastal zone or at a location within the coastal zone authorized to receive such material.

E. During construction activities authorized pursuant to this permit, the applicant shall be responsible for removing all unsuitable material or debris within the area of placement should the material be found to be unsuitable for any reason, at any time, when the presence of such unsuitable material/debris can reasonably be attributed to the placement material. Debris shall be disposed at a debris disposal site outside of the coastal zone or at a location within the coastal zone authorized to receive such material.

6. Conformance with the Requirements of the Resource Agencies.

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit evidence that they have obtained all other necessary State permits that may be necessary for all aspects of the proposed project (including, but not limited to, approvals from the California State Lands Commission unless evidence is submitted that such approval(s) are not required). In addition, by acceptance of this permit, the applicant agrees to obtain all necessary Federal permits that may be necessary for all aspects of the proposed project (including, but not limited to, the U.S. Army Corps of Engineers and U.S. Fish and Wildlife Service). Any change in the approved project which 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 permit amendment pursuant to the requirements of the Coastal Act and the California Code of Regulations.

7. Public Stairway Construction.

The applicant shall implement the proposed Public Access Stairway Construction Plan to create two public access stairways over the existing 1,200 linear ft. rock revetment as generally shown on Exhibit 6 by reconfiguring existing stones within the revetment to form steps within 90 days of the issuance of this permit. The Executive Director may grant additional time for good cause.

In addition, the applicant shall create a third additional public access stairway utilizing the same construction method of revetment stone reconfiguration (as generally shown on Exhibit 6) concurrent with the construction of rock revetment between Station 13+00 and 14+00 that is part of the future phase component of the development authorized by this coastal development permit.

8. Informational/Educational Signage.

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for the review and approval of the Executive Director, an educational/informational signage plan, that describes the location, number, size, and contents of signs to be placed along the public access pathway at Hueneme Beach and which meets, at a minimum, the following requirements:

1. Signs shall describe 1) the history of the Army Corps of Engineers' Sand Bypassing Project and its effect on Hueneme Beach; 2) a description coastal hazards and sea level rise and their effects on Hueneme Beach, and; 3) that the public access pathway at Hueneme Beach is designated as a segment of the California Coastal Trail (subject to the sign design standards of the California Coastal Conservancy).
2. Signs shall be placed at a minimum of every 500 lineal feet along the seaward side of the existing public access pathway within the project reach; and
3. Signs shall be maintained in good condition onsite for the duration of the project.

The informational and educational signs shall be installed by the applicant in the manner described in the approved signage plan within 90 days of issuance of the Coastal Development Permit, or within such additional time as the Executive Director may grant for good cause.

9. Assumption of Risk, Waiver of Liability and Indemnity.

By acceptance of this permit, the applicant acknowledges and agrees (i) that the site may be subject to hazards from flooding, erosion, tsunami, and sea-level rise; (ii) to assume the risks to the applicant and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

PRIOR TO COMMENCEMENT OF DEVELOPMENT, the applicant shall submit a written agreement, in a form and content acceptable to the Executive Director, incorporating all of the above terms of this condition.

IV. FINDINGS AND DECLARATIONS

A. PROJECT DESCRIPTION AND BACKGROUND

1. Project Description

The City of Port Hueneme is requesting permanent authorization of approximately 1,200 linear feet of existing as-built rock revetment placed at Hueneme Beach pursuant to four separate emergency coastal development permits (G-4-13-0206, G-4-13-0208, G-4-14-0010, and G-4-14-0020). This existing as-built revetment was placed immediately seaward of the existing public beach access pathway which runs parallel between Hueneme Beach and Shoreline Drive, and consists of 17,900 tons of armor stone. Additionally, the City is also requesting authorization of a program for the programmatic placement of a maximum of 1,200 linear feet of additional rock revetment over three phases, which would be located immediately downcoast of the 1,200 linear ft., as-built rock revetment placed pursuant to the above mentioned emergency coastal development permits. The total length of revetment that could be placed on Hueneme Beach would be 2,400 linear feet, as depicted on Exhibit 3, and would consist of a maximum of 20,100 tons of armor stone and would cover an area of approximately 2.13 acres.

As described in further detail below in Section IV, Part B, permanent authorization of the existing revetment as well as programmatic placement of additional revetment is necessary to protect existing upland public access and recreational facilities located at Hueneme Beach from being undermined by wave action and erosion. Hueneme Beach has experienced erosion and narrowing as a result of the temporary cessation of the U.S. Army Corps of Engineers' sand bypassing and beach nourishment program which involves the movement of sand from the sand trap at the mouth of Channel Islands Harbor to Hueneme Beach, located immediately downcoast. However, due to federal funding limitations in recent years, the frequency of placement, as well as amount of sand placed on Hueneme Beach has been much less than the targeted volume of 2.5 million cubic yards every two years and has resulted in a reduced beach width of downcoast areas, including the subject site. The Army Corps of Engineers is scheduled to restart the sand bypassing and beach nourishment program in Fall 2014.

The proposed programmatic placement of the additional 1,200 linear ft. of new rock revetment would be added to the downcoast end of the as-built 1,200 linear ft. rock revetment on site in three or more separate phases, each consisting of a maximum of 500 linear feet for each phase (and not exceeding a total combined length of 1,200 linear feet) as generally depicted on Exhibit 5. As proposed by the City, each additional phase of the rock revetment extension would occur an as-needed basis only if the average width of the beach within the designated survey area for any Phase is less than 30 ft. in width, as measured from the seaward edge of the existing public access pathway seaward to the landwardmost erosional scarp line of the beach. As proposed,

before the construction of any additional phases of the proposed rock revetment, the City would perform a minimum of five measurements of beach width at 25 foot intervals within the westernmost 100 foot linear potion of the area of beach associated with each uncompleted phase, as generally shown on Exhibit 5, in order to determine the average beach width. The subject revetment extension would consist of a maximum of 20,100 tons of armor stone, and as mentioned above, would be placed immediately seaward of the existing public access pathway.

Additionally, the City is proposing a revetment repair and maintenance program for a 25-year time period. This program would authorize long term rock revetment repair and maintenance activities, should the subject revetment become exposed due to cessation of sand bypassing project in the future. Such activities would include retrieval of dislodged rock and infill of voids within the footprint of the existing revetment. A maximum of up to 15 percent of the total amount of proposed revetment (5,700 tons of stone) could be placed through the repair and maintenance program.

The proposed staging area is located within a vacant City lot, located adjacent to the project site. Additionally, a portion of the Hueneme each parking lot would be utilized for construction of the proposed rock revetment extensions.

Continued erosion of Hueneme Beach has resulted in the removal of a public shower, four picnic pads (which consist of a cement pad, windscreen, and picnic tables located on the sandy beach), and three public access pads (cement pads located on the sandy beach at openings in the public accessway) located on Hueneme Beach. Should erosion continue downcoast, additional public recreational facilities including nine picnic pads, eight public access pads, one public shower, one swing set, and 27 Mexican fan palm trees could also be removed. In order to ensure that public recreational amenities remain available at Hueneme Beach, the City has proposed to place new group picnic areas near the terminus of Ventura Road, between the existing public access pathway and the Hueneme Beach parking lot. The City has also proposed to replace all public recreational facilities back onto Hueneme Beach at approximately the same location, when the sand bypassing project resumes.

Additionally, as a component of the proposed project, the City has proposed to immediately create two public access stairways over the existing 1,200 linear ft. rock revetment by reconfiguring existing stones within the revetment to form steps, and would create a third additional access stairway utilizing the same construction method of revetment stone configuration concurrent with the construction of any new rock revetment between Station 13+00 and 14+00 that is part of the future phase component of the development authorized by this coastal development permit.

2. Background

Hueneme Beach is located within the City of Port Hueneme (“City”), in the southwest portion of Ventura County between the Pacific Ocean and the Oxnard Plain. The City is surrounded by the City of Oxnard to the north and east; the Channel Islands Harbor, Port of Hueneme and U.S. Naval Construction Battalion Center are located to the west; and the ocean is located to the

south. Specifically, Hueneme Beach is located immediately downcoast of the Port of Hueneme, and extends the length of Surfside Drive, as depicted on Exhibit 1.

Construction of the Port of Hueneme in 1940 formed nearly a complete barrier to littoral sand transport, which would typically deposit sand on Hueneme Beach and other downcoast beaches. It has been estimated that since construction of the Port of Hueneme ("Port"), Hueneme Beach experiences a net longshore sand transport rate of approximately 1.2 million cubic yards per year. In order to create a sand trap to collect sand for placement on beaches downcoast of the Port, Channel Islands Harbor was constructed in 1960. In 1963, the biennial Channel Islands Harbor Sand Bypassing Program, implemented by the U.S. Army Corps of Engineers, began supplying sand to Hueneme Beach with an initial placement of approximately two million cubic yards.

As such, Hueneme Beach and other downcoast beaches are dependent on the U.S. Army Corps of Engineers' Channel Islands Harbor Sand Bypassing Project to maintain the balance between sand supplied and sand lost to littoral transport. However, due to federal funding limitations in recent years, the frequency of placement, as well as amount of sand placed on Hueneme Beach has been much less than the targeted volume of 2.5 million cubic yards every two years. The last dredging event, which occurred in 2012, placed approximately 400,000 cubic yards of sand on Hueneme Beach. However, this sand quickly eroded over a period of months.

The City was able to secure Senate Bill 436 (Jackson) and Assembly Bill 606 (Williams), which were both approved by the Governor on September 28, 2013. Under these bills, up to $2 million in Proposition 12 funds were appropriated to the Coastal Conservancy for a grant to the City to help fund the proposed shoreline protection project.

As the sand on Hueneme Beach continued to erode, portions of the existing public access pathway, which runs parallel between Hueneme Beach and Surfside Drive, began to partially undermine due to wave and tidal action. On July 3, 2013 the Commission authorized Emergency Permit G-4-13-0206 for the placement of 100 linear feet of rock revetment at the western most portion of Hueneme Beach. This portion of revetment was placed immediately seaward of the existing public access pathway, and consists of approximately 800 tons of armor stone.

Additionally, Emergency Permit G-4-13-0208 was issued on July 12, 2013 for the placement of 400 linear feet of rock revetment, located immediately downcoast of the previously authorized 100 foot revetment. This second phase of revetment consists of approximately 3,200 tons of armor stone, and was also placed immediately seaward of the existing public pathway.

On April 28, 2014, Emergency Coastal Development Permit G-4-14-0010 authorized 600 linear feet of rock revetment, which consists of approximately 13,000 tons of armor stone, located immediately downcoast of the 500 linear ft. rock revetment (placed pursuant to Emergency Permits No. G-4-13-0206 and G-4-13-0208). Similarly, this revetment was placed immediately seaward of the existing public access pathway. The three Emergency Permits mentioned above required the relocation of an as-built approximately 850 linear foot revetment, which was located approximately 15-30 feet seaward of the proposed revetment, into the existing revetment design.

Lastly, Emergency Permit G-4-14-0020 was issued on June 13, 2014. This fourth emergency permit authorized the placement of 100 linear feet of rock revetment immediately downcoast of the previously authorized 1,100 linear feet. This 100 linear foot portion consists of 1,300 tons of armor stone, and was also placed to protect the existing public access pathway from undermining due to erosion.

B. HAZARDS AND SHORELINE PROCESSES

Section **30235** of the Coastal Act, which has been incorporated in the certified City of Port Hueneme LCP, states:

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

Section **30253** of the Coastal Act, which has been incorporated in the certified City of Port Hueneme LCP, states in part that new development shall:

> *(1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.*
>
> *(2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.*

Coastal Act Section 30235 specifically provides that shoreline protective devices must be permitted only when both of the following two criteria are met: (1) the device is required to serve coastal-dependent uses or to protect existing structures or public beaches provided that these areas/structures are in danger from erosion and (2) the device is designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Additionally, Section 30253 of the Coastal Act mandates that new development shall minimize risks to life and property in areas of high geologic and flood hazard.

The Ventura County coastal area, where the subject site is located, has historically been subject to flooding and damage resulting from wave action during storm conditions. Specifically, due to the cessation of the U.S. Army Corps of Engineers' Channel Islands Harbor Sand Bypassing Project described in Section IV, Part A.2 of this report, the project site has experienced increased erosion, and a portion of the public access pathway wall has been damaged. Implementation of the sand bypassing project has ceased in the past, and a previously existing approximately 850 linear foot rock revetment was constructed on site to prevent damage to upland areas. Although

the previous revetment appears to have been constructed after the effective date of the Coastal Act, it does not appear that trhe required coastal development permit was ever issued for the construction of the previously existing revetment. Regardless, this previously existing revetment, which was located substantially further seaward than the revetment proposed as part of this application, was removed by the City and it's rock was subsequently incorporated into the design of the new rock revetment constructed pursuant to Emergency Permits G-4-13-0206, G-4-13-0208, and G-14-0010.

In this case, the City previously indicated in the subject Emergency Permit applications that the previously existing rock approximately 850 linear foot revetment on site had reached the end of its expected life and was no longer adequate to ensure the protection of the public access pathway and Surfside Drive from wave action. As such, that previously existing revetment has been relocated further landward and incorporated into the design of the existing revetment. The applicant's engineers have further found that additional rock revetment will be necessary should cessation of the sand bypassing project continue. The revetment installed pursuant to the subject emergency permits, and any future revetment extension, will be located as far landward as possible, immediately seaward of existing development.

1. Impacts from Shoreline Armoring

Coastal Act Section 30235 acknowledges that seawalls, revetments, and other types of shoreline protective devices designed to forestall erosion also alter natural landforms and natural shoreline processes. Accordingly, Section 30235 limits the construction of shoreline protective works to those required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion. The Coastal Act provides these limitations because shoreline structures can have a variety of adverse impacts on coastal resources, including adverse effects on sand supply, public access, coastal views, natural landforms, and overall shoreline beach dynamics on and off site, ultimately resulting in the loss of beach.

Shoreline protection devices also directly interfere with public access to tidelands by impeding the ambulatory nature of the mean high tide line (the boundary between public and private lands) during high tide and severe storm events, and potentially throughout the entire winter season. The impact of a shoreline protective device on public access is most evident on a beach where wave run-up and the mean high tide line are frequently observed in an extreme landward position during storm events and the winter season. As the shoreline retreats landward due to the natural process of erosion, the boundary between public and private land also retreats landward. Construction of rock revetments and seawalls to protect private property fixes a boundary on the beach and prevents any current or future migration of the shoreline and mean high tide line landward, thus eliminating the distance between the high water mark and low water mark. As the distance between the high water mark and low water mark becomes obsolete the seawall effectively eliminates lateral access opportunities along the beach as the entire area below the fixed high tideline is inundated. The ultimate result of a fixed tideline boundary (which would otherwise normally migrate and retreat landward, while maintaining a passable distance between the high water mark and low water mark overtime) is a reduction or elimination of the area of sandy beach available for public access and recreation.

Interference by shoreline protective devices can result in a number of adverse effects on the dynamic shoreline system and the public's beach ownership interests. First, changes in the shoreline profile, particularly changes in the slope of the profile which results from a reduced beach berm width, alter the usable area under public ownership. A beach that rests either temporarily or permanently at a steeper angle than under natural conditions will have less horizontal distance between the mean low water and mean high water lines. This reduces the actual area in which the public can pass on their own property. The second effect on access is through a progressive loss of sand as shore material is not available to nourish the nearshore sand bar. The lack of an effective bar can allow such high wave energy on the shoreline that materials may be lost far offshore where it is no longer available to nourish the beach. This affects public access again through a loss of area between the mean high water line and the actual water. Third, shoreline protective devices such as revetments and bulkheads cumulatively affect shoreline sand supply and public access by causing accelerated and increased erosion on adjacent public beaches. This effect may not become clear until such devices are constructed individually along a shoreline and they reach a public beach. In addition, if a seasonal eroded beach condition occurs with greater frequency due to the placement of a shoreline protective device on the subject site, then the subject beach would also accrete at a slower rate. Fourth, if not sited landward in a location that ensures that the seawall is only acted upon during severe storm events, beach scour during the winter season will be accelerated because there is less beach area to dissipate the wave's energy.

As a result of the potential impacts arising from shoreline protective device projects, it is critical to have an alternatives analysis based upon the technical and resource data specific to the site. The Coastal Act requires such projects to be sited and designed to protect views to and along the ocean and scenic coastal areas; to eliminate or mitigate adverse impacts on local shoreline sand supply; to avoid impediments to public access; to be compatible with the continuance of sensitive habitat and recreation areas; and to prevent impacts which would degrade sensitive habitats, parks, and recreation areas.

2. Sea Level Rise

In addition, sea level has been rising slightly for many years. As an example, in the Santa Monica Bay area, the historic rate of sea level rise, based on tide gauge records, has been 1.8 mm/yr. or about 7 inches per century[1]. Recent satellite measurements have detected global sea level rise from 1993 to present of 3 mm/yr or a significant increase above the historic trend observed from tide gauges. Recent observations of sea level along parts of the California coast have shown some anomalous trends, however; there is a growing body of evidence that there has been a slight increase in global temperature and that an accelerated rate of sea level rise can be expected to accompany this increase in temperature. Sea level rise is expected to increase

[1] Lyles, S.D., L.E. Hickman and H.A. Debaugh (1988) *Sea Level Variations for the United States 1855 – 1986*. Rockville, MD: National Ocean Service.

significantly throughout the 21st century and some coastal experts have indicated that sea level rise of 3 to 5 ft. or more could occur by the year 2100[2]. Mean water level affects shoreline erosion in several ways and an increase in the average sea level will exacerbate all these conditions.

On the California coast the effect of a rise in sea level will be the landward migration of the intersection of the ocean with the shore. On a relatively flat beach, with a slope of 40:1, a simple geometric model of the coast indicated that every centimeter of sea level rise will result in a 40 cm. landward movement of the ocean/beach interface. For fixed structures on the shoreline, such as a seawall, an increase in sea level will increase the inundation of the structure. More of the structure will be inundated or underwater than is inundated now and the portions of the structure that are now underwater part of the time will be underwater more frequently.

Accompanying this rise in sea level will be an increase in wave heights and wave energy. Along much of the California coast, the bottom depth controls the nearshore wave heights, with bigger waves occurring in deeper water. Since wave energy increases with the square of the wave height, a small increase in wave height can cause a significant increase in wave energy and wave damage. Combined with the physical increase in water elevation, a small rise in sea level can expose previously protected back shore development to increased wave action, and those areas that are already exposed to wave action will be exposed more frequently, with higher wave forces. Structures that are adequate for current storm conditions may not provide as much protection in the future.

3. Shoreline Protection on the Subject Site

Coastal Act Section 30235 acknowledges that seawalls, revetments, cliff retaining walls, groins and other such structural or "hard" methods designed to forestall erosion also alter natural landforms and natural shoreline processes. Accordingly, Section 30235 limits the construction of shoreline protective works to those required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion. The Coastal Act provides these limitations because shoreline structures can have a variety of adverse impacts on coastal resources, including adverse effects on sand supply, public access, coastal views, natural landforms, and overall shoreline beach dynamics on and off site, ultimately resulting in the loss of beach. Specifically, Section 30235 of the Coastal Act allows for the construction of a shoreline protective device only when necessary to protect existing development or to protect a coastal dependent use and when designed to eliminate or mitigate adverse impacts on local shoreline

[2] Cayan, D.R., M. Tyree, M. Dettinger, H. Hidalgo, T. Das, E. Maurer, P. Bromirski, N. Graham, and R.E. Flick, 2009. *Climate Change Scenarios and Sea Level Estimates for the California 2008 Climate Change Scenarios Assessment*, Draft Paper, CEC-500-2009-014-D, 62 pp, http://www.energy.ca.gov/2009publications/CEC-500-2009-014/CEC-500-2009-014-D.pdf.

sand supply. In this case the proposed rock revetment is necessary in order to protect Surfside Drive, an important local roadway, as well as well-used public parking located along and adjacent Surfside Drive, and a variety of public beach amenities including a public access pathway, restrooms, snack bar, tackle shop, and picnic facilities. A portion of this development is currently protected by the revetment installed pursuant to the subject emergency permits; however, a large portion of this development is not currently protected by a shoreline protective device. Thus, the Commission finds that in this case, a shoreline protective device is necessary in order to protect existing development consistent with Section 30235.

In addition, the City's engineers have indicated that the proposed additional placement of 1,200 linear ft. of additional rock revetment is anticipated to be necessary to prevent damage of facilities at Hueneme Beach due to cessation of the sand bypassing project. . However, pursuant to Section 30235 it is also necessary to ensure that the proposed rock revetment extension is only constructed when existing facilities are in danger of erosion. In order to identify the appropriate timing for potential construction of the proposed rock revetment extension, the City has proposed criteria, or thresholds, that must be met prior to construction.

As proposed, the additional placement of 1,200 linear ft. of additional rock revetment may be added to the downcoast end of the as-built 1,200 linear ft. rock revetment on site in three or more separate phases, each consisting of a maximum of 500 linear feet for each phase (and not exceeding a total combined length of 1,200 linear feet). Construction of each subsequent phase of revetment construction shall occur only pursuant to the following criteria. Prior to construction of any new phase of revetment construction, a minimum of five measurements at 25 foot intervals shall be taken within the westernmost 100 foot linear potion of the area of beach associated with each uncompleted phase, as shown on Exhibit 5, in order to determine the average beach width. If the average width of the beach within the above referenced survey area for any Phase is less than 30 ft. in width, as measured from the seaward edge of the existing public access pathway seaward to the landward most erosional scarp line of the beach, then such phase(s) of rock revetment may be constructed. In order to ensure that the City's proposed criteria is adequately implemented, the Commission has required **Special Condition One (1).** Furthermore, in order to ensure that the proposed revetment extension activities are implemented consistent with the criteria outlined above, **Special Condition One (1)** also requires the City to submit a written report prepared by a professional engineer, for the review of the Executive Director prior to commencement of work, identifying the proposed rock revetment extension location, method for performing work, necessity of work, and quantity of rock to be placed.

Additionally, the City has proposed a 25-year repair and maintenance program. This program would allow for maintenance of the proposed revetment should it continue to be exposed to wave and tidal action both currently and into the future, including the addition of limited quantities of rock over an extended period of time without the requirement to obtain a coastal development permit. **Special Condition One (1)** also requires the applicant to submit a written report prepared by a professional engineer for the review of the Executive Director identifying the proposed maintenance and repair and any additional rock to be added to the revetment. The maintenance and repair report must be submitted in advance of the proposed work to allow time for review by the Executive Director. The maintenance or repair is limited to within the approved footprint and design height of the revetment as identified on the drawings by Moffatt and Nichol

dated January 10, 2014 and approved in Coastal Permit No. 4-13-0971. **Special Condition One (1)** further provides that in no event shall more than 5,700 tons of new armor stone (approximately 15% of the approved volume of the revetment) be imported for any individual repair project. Errant rock located seaward of the revetment shall be retrieved and either placed on the revetment or exported to an approved disposal site. Repair of the rock revetment after this 25 year period may require a new coastal permit.

Section 30235 of the Coastal Act also requires that, when new shoreline protective devices are allowed, such devices shall be designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Thus, when read in tandem with other applicable Coastal Act policies protecting coastal resources as cited in these findings, this 30235 evaluation is often conceptualized as a search for the least environmentally damaging feasible alternative that can serve to achieve the stated project goal of protecting the threatened structure, coastal-dependent use, or public beach.

In this case, the applicant has submitted an engineering and alternatives analysis which found that the "No Project" alternative, or failure to retain the existing revetment and not constructing the revetment extension, is not a feasible alternative because the wave caused erosion is such that the existing facilities would be damaged or lost. Managed retreat, or realignment of Surfside Drive landward, was also analyzed and found to be not a feasible alternative to the proposed project due to the location of the subject site and it's proximity to existing residences, public parking areas, and public infrastructure.

Moreover, in past permit actions, the Commission has found that adverse impacts to shoreline processes from shoreline protective devices are greater the more frequently that they are subject to wave action. As such, in past permit actions, the Commission has required that all new development on a beach, including shoreline protection devices, be located as landward as possible in order to reduce adverse impacts to the sand supply and public access resulting from the development.

In this case, all portions of the new proposed rock revetment will be located immediately seaward of the existing public access pathway on site. Commission staff worked with the applicant to evaluate all feasible alternatives, including relocating the proposed revetment further landward. In most areas of the project site, the existing public access pathway is located immediately seaward of Surfside Drive; therefore, it is not possible to relocate either the existing path or the revetment further landward in those areas. Thus, in this case, the Commission finds that further landward relocation of the proposed revetment would result in additional adverse impacts to public access and recreational facilities and would not significantly reduce impacts to shoreline processes or sand supply.

Since the previously existing rock revetment on site has reached the end of its expected life, the Commission finds that the proposed retention of the rock revetment installed pursuant to the above mentioned emergency permits, as well as the proposed rock revetment extension, will serve to extend the period of time that shoreline armoring will be present along this portion of coastline. Moreover, extending the life of the shoreline protection on the subject site will also

serve to extend the period of time that such shoreline armoring will result in adverse impacts to shoreline sand supply and public access.

Thus, in order to avoid these adverse impacts, the City, in consultation with Commission staff, has designed the project to incorporate public access improvements including the creation of two public access stairways over the existing 1,200 linear ft. rock revetment (as generally shown on Exhibit 6) by reconfiguring existing stones within the revetment. In addition, the applicant shall create a third additional public access stairway utilizing the same construction method of revetment stone reconfiguration (as generally shown on Exhibit 6) concurrent with the construction of rock revetment between Station 13+00 and 14+00 that is part of the future phase component of the development authorized by this coastal development permit.

Additionally, as continued erosion of Hueneme Beach has resulted in the removal of a public shower, four picnic pads (which consist of a cement pad, windscreen, and picnic tables located on the sandy beach), and three public access pads (cement pads located on the sandy beach at openings in the public accessway), in order to ensure that public recreational amenities remain available at Hueneme Beach, the City has proposed to place new group picnic areas near the terminus of Ventura Road, between the existing public access pathway and the Hueneme Beach parking lot. The City has also proposed to replace all public recreational facilities back onto Hueneme Beach at approximately the same location, when the sand bypassing project resumes.

The Commission further notes that the proposed development is located along the shoreline in Ventura County. The Ventura County coast has historically been subject to substantial damage as the result of storm and flood occurrences, most recently, and perhaps most dramatically, during the past 1998 El Nino severe winter storm season.

The subject site is clearly susceptible to flooding and/or wave damage from storm waves, storm surges and high tides. The El Nino storms recorded in 1982-1983 caused high tides of over 7 feet, which were combined with storm waves of up to 15 ft. These storms caused substantial damage to structures in Ventura County. The severity of the 1982-1983 El Nino storm events are often used to illustrate the extreme storm event potential of the California, and in particular, Ventura County's coast.

Thus, ample evidence exists that all beachfront areas in the Ventura County area are subject to an unusually high degree of risk due to storm waves and surges, high surf conditions, erosion, and flooding. The subject site, even after the completion of the proposed project, will continue to be subject to the high degree of risk posed by the hazards of oceanfront development in the future. The Coastal Act recognizes that development, such as the subject rock revetment, even as designed and constructed to incorporate the recommendations of the applicant's coastal engineer, may still involve the taking of some risk. When development in areas of identified hazards is proposed, the Commission considers the hazard associated with the project site and the potential cost to the public, as well as the individual's right to use the subject property.

Thus, in this case, the Commission finds that due to the possibility of tsunami, storm waves, surges, and erosion the applicant shall assume these risks as conditions of approval. Because this risk of harm cannot be completely eliminated, the Commission requires the applicant to waive

any claim of liability against the Commission for damage to life or property which may occur as a result of the permitted development. The applicant's Assumption of Risk, Waiver of Liability and Indemnity, as required by **Special Condition Nine (9),** will show that the applicant is aware of and appreciates the nature of the hazards which exist on the site, and that may adversely affect the stability or safety of the development it protects, and will effectuate the necessary assumption of those risks by the applicant.

Furthermore, to ensure geologic stability and ensure that the recommendations of the engineering consultant have been incorporated into all proposed development, the Commission, as specified in **Special Condition Two (2),** requires the applicant to incorporate the recommendations cited in the Wave Uprush Study, by Moffatt & Nichol, Engineers, dated October 2013 into all final design and construction plans. The final plans approved by the consultants shall be in substantial conformance with the plans approved by the Commission. Any substantial changes to the proposed development approved by the Commission which may be recommended by the consultants shall require an amendment to the permit or a new coastal permit.

Therefore, for the reasons discussed above, the Commission finds that the proposed project, as conditioned, is consistent with Coastal Act Sections 30235 and 50253.

C. PUBLIC ACCESS AND RECREATION

Coastal Act Section **30210**, which has been incorporated in the certified City of Port Hueneme LCP, states:

> *In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.*

Coastal Act Section **30211**, which has been incorporated in the certified City of Port Hueneme LCP, states:

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

Coastal Act Section **30212(a)**, which has been incorporated in the certified City of Port Hueneme LCP, states:

> *(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where: (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby, or, (3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.*

Coastal Act Section **30221**, which has been incorporated in the certified City of Port Hueneme LCP, states:

> *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.*

Coastal Act Section 30210 and Coastal Act Section 30211 mandate that maximum public access and recreational opportunities be provided and that development not interfere with the public's right to access the coast. Section 30212(a) of the Coastal Act provides that adequate public access to the sea be provided in new development projects. Additionally, Section 30221 of the Coastal Act protects oceanfront land for recreational uses.

In past permit actions, the Commission has often required that public access to and along the shoreline be provided in conjunction with beachfront development projects and has required design changes in other projects to reduce interference with access to and along the shoreline. The principal access impacts associated with such projects that have provided the nexus for these requirements in permits involving shoreline protection are the occupation of sand area by a structure and/or the potential for adverse effects from a shoreline protective device on shoreline sand supply and public access and recreation, in contradiction of Coastal Act policies 30210, 30212, 30220, and 30221.

Past Commission review of shoreline armoring projects in Ventura County has shown that individual and cumulative adverse effects to public access from such projects can include encroachment on lands subject to the public trust (or, in a case such as this, otherwise subject to public access rights), thus physically excluding the public; interference with the natural shoreline processes necessary to maintain publicly-owned tidelands and other public beach areas; overcrowding or congestion of such tideland or beach areas; and visual or psychological interference with the public's access to and the ability to use public tideland areas. Similarly, the substantial repair or replacement of an existing shoreline protective device serves to extend the life of the device and in doing so extends the period of time that the shoreline protective device will result in adverse impacts to shoreline sand supply and public access.

The Commission has also routinely found in past permit actions that shoreline protective devices result in potential adverse effects on shoreline processes as wave energy reflected by those structures contributes to erosion and steepening of the shore profile, and ultimately, to the extent and availability of tidelands. For these reasons, the Commission must also consider whether a project will have indirect effects on public use of these shorelands.

The interference by a shoreline protective device, such as rock revetment, has a number of adverse effects on the dynamic shoreline system and the public's beach ownership interests. First, changes in the shoreline profile, particularly changes in the slope of the profile, which result from reduced beach width, alter the usable area under public ownership. A beach that rests either temporarily or permanently at a steeper angle than under natural conditions will have less horizontal distance between the mean low water and mean high water lines. This reduces the actual area of public property available for public use. The second effect on access is through a

progressive loss of sand, as shore material is no longer available to nourish the bar. The lack of an effective bar can allow such high wave energy on the shoreline that materials may be lost far offshore where it is no longer available to nourish the beach. The effect that this has on the public is a loss of area between the mean high water line and the actual water. Third, shoreline protective devices such as revetments and bulkheads cumulatively affect public access by causing accelerated and increased erosion on adjacent public beaches. This effect may not become clear until such devices are constructed individually along a shoreline, eventually affecting the profile of a public beach. Fourth, if not sited as far landward as possible, in a location that ensures that the seawall is only acted upon during severe storm events, beach scour during the winter season will be accelerated because there is less beach area to dissipate wave energy. Finally, revetments and bulkheads interfere directly with public access by their occupation of beach area that will not only be unavailable during high tide and severe storm events but also potentially throughout the winter season.

Moreover, in past permit actions, the Commission has found that adverse impacts to shoreline processes from shoreline protective devices are greater the more frequently that they are subject to wave action. As such, in past permit actions, the Commission has required that all new development on a beach, including shoreline protection devices, be located as landward as possible in order to reduce adverse impacts to the sand supply and public access resulting from the development.

In this case, all portions of the proposed rock revetment will be located immediately seaward of existing development on site. Commission staff worked with the applicant to evaluate the alternative of relocating the proposed revetment even further landward; however, any further landward relocation would only serve to further reduce the public access pathway as well as the area along Shoreline Drive currently available for use by beachgoers. Thus, in this case, the Commission finds that further landward relocation of the proposed rock revetment would result in additional adverse impacts to public access and recreational facilities and would not significantly reduce impacts to shoreline processes or sand supply.

However, the substantial repair or replacement of an existing shoreline protective device as well as the placement of a new shoreline protective device, as proposed by this project, serves to extend the period of time that the shoreline protective device will result in adverse impacts to shoreline sand supply and public access. Thus, in order to address these adverse impacts, the applicant, in consultation with Commission staff, has designed the proposed project to incorporate public access and recreational improvements including the immediate creation of two public access stairways over the existing 1,200 linear ft. rock revetment (as generally shown on Exhibit 6) by reconfiguring existing stones within the revetment. In addition, the applicant shall create a third additional public access stairway utilizing the same construction method of revetment stone reconfiguration (as generally shown on Exhibit 6) concurrent with the construction of rock revetment between Station 13+00 and 14+00 that is part of the future phase component of the development authorized by this coastal development permit. Additionally, the existing public access pathway at Hueneme Beach functions as part of the California Coastal Trail; thus, in order to enhance and improve public access and recreational opportunities on site, **Special Condition Eight (8)** requires the applicant to install signs that inform the public of the

path's significance by identifying it as part of the California Coastal Trail. Further, as part of the above referenced improvements to public access and recreational opportunities on site, Special Condition Eight (8) also requires that interpretative and educational signage be installed to provide the public with information regarding the effects of sea level rise and coastal hazards on Hueneme Beach, as well as the history of the Army Corps of Engineers' Sand Bypassing project and how it affects erosion on Hueneme Beach.

Furthermore, as continued erosion of Hueneme Beach has resulted in the removal of a public shower, four picnic pads (which consist of a cement pad, windscreen, and picnic tables located on the sandy beach), and three public access pads (cement pads located on the sandy beach at openings in the public accessway), in order to ensure that public recreational amenities remain available at Hueneme Beach, the City has proposed to place new group picnic areas near the terminus of Ventura Road, between the existing public access pathway and the Hueneme Beach parking lot. The City has also proposed to replace all public recreational facilities back onto Hueneme Beach at approximately the same location, when the sand bypassing project resumes.

Public paths adjacent to the beach surrounding the project site would remain open during construction; however roads and parking areas adjacent to the project site could be temporarily impacted. As implementation of the proposed rock revetment extension and repair and maintenance activities would require the temporary use of some public access and recreational areas, including a small area of the parking lot, and a portion of the sandy beach, it is necessary to ensure the safety of recreational users of the project site and to ensure that the interruption to public access of the project site is minimized. As such, the Commission requires the applicant to submit a public access plan, pursuant to **Special Condition Four (4)**, to the Executive Director for review and approval. Special Condition Four (4) requires a description of the methods (including signs, fencing, posting or security guards, etc.) by which safe public access to and around the project area shall be maintained during all project operations. Where use of public parking spaces is unavoidable, the minimum number of public parking spaces that are occupied for the staging of equipment, machinery and employee parking shall be used.

Therefore, for the reasons discussed above, the Commission finds that the proposed project, as conditioned, is consistent with Sections 30210, 30211, 30212(a) and 30221 of the Coastal Act.

D. MARINE RESOURCES

Coastal Act Section **30230**, which has been incorporated in the certified City of Port Hueneme LCP, 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.*

Coastal Act Section **30231**, which has been incorporated in the certified City of Port Hueneme LCP, 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 waterflow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.*

Coastal Act Section **30240**, which has been incorporated in the certified City of Port Hueneme LCP, 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 requires that uses of the marine environment be carried out in a manner that will sustain the biological productivity of coastal waters for long-term commercial, recreational, scientific, and educational purposes. Section 30231 requires that the biological productivity and quality of coastal waters be maintained. In addition, Section 30240 of the Coastal Act states that environmentally sensitive habitat areas shall be protected and that development within or adjacent to such areas must be designed to prevent impacts which could degrade those resources.

As described above, 27 trees located near the terminus of Ventura Road are proposed to be removed prior to the placement of additional rock revetment. All of the subject trees are Mexican fan palms (*Wahingtonia robusta*), which are a non-native/invasive species, however, these trees are located along Hueneme Beach and may be potentially used for nesting, roosting, and feeding by various species of migratory and coastal birds. Although bird use of the trees varies from month to month, a Biological Survey completed by Rincon Consultants in December 2013, did not observe any active nests, or nesting behavior. Although nesting birds were not observed, several protected bird species were identified at the project site, including long-billed curlew (*Numenius Americana*), California gull (*Larus californica*), elegant tern (*Sterna elegans*), Forster's tern (*Sterna forsteri*), and black skimmer (*Rynchops niger*). Additionally, the project site has been designated as critical habitat for the Western snowy plover (*Charadrius alexandrines nivosus*), and they can be present nesting, roosting, and feeding on Hueneme Beach throughout the year.

In past permit actions, the Commission has found that even non-native/invasive trees in disturbed urban areas, such as the Mexican fan palms proposed to be removed at the project site, have the

potential to provide habitat for nesting, roosting, and foraging for raptors and other sensitive bird species. Thus, as the subject trees have the potential to provide habitat for sensitive bird species, it is necessary to ensure that nesting bird species are protected during construction activities. Further, the proposed project has the potential to disturb sensitive bird species in and around the project area due the construction activities associated within placement of the proposed rock revetment as well as those associated with the proposed repair and maintenance activities, such as noise, vibration, dust, and disturbance associated with construction. Therefore, to ensure that potential adverse impacts to sensitive bird species are avoided, **Special Condition Three (3)** requires that the applicant retain the services of a qualified biologist(s) or environmental resource specialist(s) to conduct surveys for sensitive wildlife species and to monitor project operations. Prior to commencement of any project operations, the applicant shall submit the name and qualifications of the biologist or specialist, for the review and approval of the Executive Director. The environmental resource specialist shall conduct a survey of all areas within and near the project site to determine presence and behavior of sensitive wildlife species prior to any project operations including, but not limited to, installation of additional rock revetment, repair and maintenance activities, or tree removal. In the event that any sensitive wildlife species exhibit reproductive or nesting behavior, the environmental specialist shall immediately notify the Executive Director and local resource agencies in writing.

Additionally, the Commission finds that the project area is within the expected range of the California Grunion. To ensure that any potential adverse effects to the California Grunion are minimized, **Special Condition Three (3)** also requires that a qualified biologist or environmental resource specialist shall conduct a survey of the project site each day prior to commencement of any construction activities that occur between March 1st and September 1st, to determine whether any California Grunion, or eggs, are present. In the event that the California Grunion are present on the project site, and exhibit reproductive behavior, the environmental specialist shall require the applicant to cease work, and shall immediately notify the Executive Director and local resource agencies. Project activities shall resume only upon written approval of the Executive Director. The monitor(s) shall require the applicant to cease work should any breach in permit compliance occur or if any unforeseen sensitive habitat issues arise. The monitor(s) shall immediately notify the Executive Director if activities outside of the scope of this coastal development permit. If significant impacts or damage occur to the California Grunion, the applicant shall be required to submit a revised, or supplemental program to adequately mitigate such impacts. The revised, or supplemental, program shall be processed as an amendment to this coastal development permit.

Additionally, to ensure that the applicant avoids adverse impacts to all sensitive species, **Special Condition Six (6)** also requires that the applicant complies with all permit requirements and mitigation measures of the California Department of Fish and Wildlife, State Lands Commission, U.S. Army Corps of Engineers, and the U.S. Fish and Wildlife Service with respect to preservation and protection of water quality and marine environment. Any change in the approved project which 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 permit amendment pursuant to the requirements of the Coastal Act and the California Code of Regulations.

Lastly, construction activities related to the proposed rock revetment extension and operation and maintenance activities have the potential to negatively impact the surrounding marine environment. Introduction of waste or construction debris into the marine environment could create deleterious impacts to coastal waters and could stem from activities such as stockpiling of materials or cleaning of construction equipment on or adjacent to the beach. In order to ensure that adverse impacts to the marine environment are minimized, the Commission finds it necessary to require the applicant to include construction best management practices in the project. **Special Condition Five (5)** requires that the project applicant comply with specific construction standards and best management practices. **Special Condition Five (5)** further requires that no construction materials, debris or waste shall be placed or stored where it may be subject to wave erosion and dispersion, that all debris resulting from construction activities shall be removed from the beach prior to the end of each work day; no machinery or mechanized equipment shall be allowed in the intertidal zone, except for that necessary to remove the errant rocks from the beach seaward of the revetment; and all excavated beach sand shall be redeposited on the beach.

Therefore, the Commission finds that the proposed project, as conditioned, is consistent with Coastal Act Section 30230, 30231, and 30240.

E. VISUAL RESOURCES

Coastal Act Section **30251**, which has been incorporated in the certified City of Port Hueneme LCP, states:

> *The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.*

Coastal Act Section 30251 requires that visual qualities of coastal areas shall be considered and protected, landform alteration shall be minimized, and where feasible, degraded areas shall be enhanced and restored.

The proposed revetment is located on a public beach directly adjacent to Surfside Drive, immediately seaward of the existing public access pathway that extends the length of Hueneme Beach. In such a location, it is necessary to assess any potential visual impacts that may result from the completion of the proposed project.

Currently, an approximately three foot tall sand barrier wall exists between the public access pathway and Hueneme Beach; however, bluewater views of the ocean from Surfside Drive are available along the entire reach of the project site. As proposed, the subject rock revetment will be constructed lower than the elevation of the public access pathway wall so as to avoid impacts

to bluewater views from Surfside Drive and the existing public access pathway. Additionally, any rock added during revetment repair and maintenance activities would also be constructed below the elevation of the pathway, within the footprint of the existing revetment. The proposed rock revetment installed pursuant to the above mentioned emergency permits has also incorporated the previously existing approximately 850 linear foot rock revetment that was located approximately 15-30 feet further seaward into its design, thereby moving the total footprint of the revetment further landward, enhancing the visual qualities of the site.

Lastly, when implementation of the sand bypassing project resumes, all portions of the proposed rock revetment are expected to be buried as the elevation of the revetment has been designed at a lower elevation than of the public accessway wall. As such, the proposed revetment will is anticipated to not be visible during implementation of the normal sand bypassing project, thereby minimizing visual impacts at the project site.

Therefore, the Commission finds that the proposed project, as conditioned, is consistent with Coastal Act Section 30251.

F. CALIFORNIA ENVIRONMENTAL QUALITY ACT

Section 13096(a) of the Commission's administrative regulations requires Commission approval of a Coastal Development Permit application to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect that the activity may have on the environment.

The Commission incorporates its findings on Coastal Act 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 project that were received prior to preparation of the staff report. As discussed in detail above, the proposed project, as conditioned, is consistent with the policies of the Coastal Act. Feasible mitigation measures which will minimize all adverse environmental effects have been required as special conditions. **Special Conditions One (1) through Nine (9)** are required to assure the project's consistency with Section 13096 of the California Code of Regulations.

As conditioned, there are no feasible alternatives or feasible mitigation measures available, beyond those required, which would substantially lessen any significant adverse impact that the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, can be found to be consistent with the requirements of the Coastal Act to conform to CEQA.

APPENDIX A

Substantive File Documents:
Hueneme Beach Shore Protection Project Biological Resources Assessment, dated December 2013 and March 2014, completed by Rincon Consultants; Wave Uprush Study, dated October 2013, completed by Moffatt & Nichol; Water Quality Certification for Proposed Hueneme Beach Park Shore Protection Project (File No. 13-136), dated May 19, 2014, California Regional Water Quality Control Board; Jurisdictional Determination for the City of Port Hueneme Shore Protection Project, dated April 9, 2014, California State Lands Commission; and Emergency Permit Numbers G-4-13-0206, G-4-13-0208, G-4-14-0010, and G-4-14-0020.

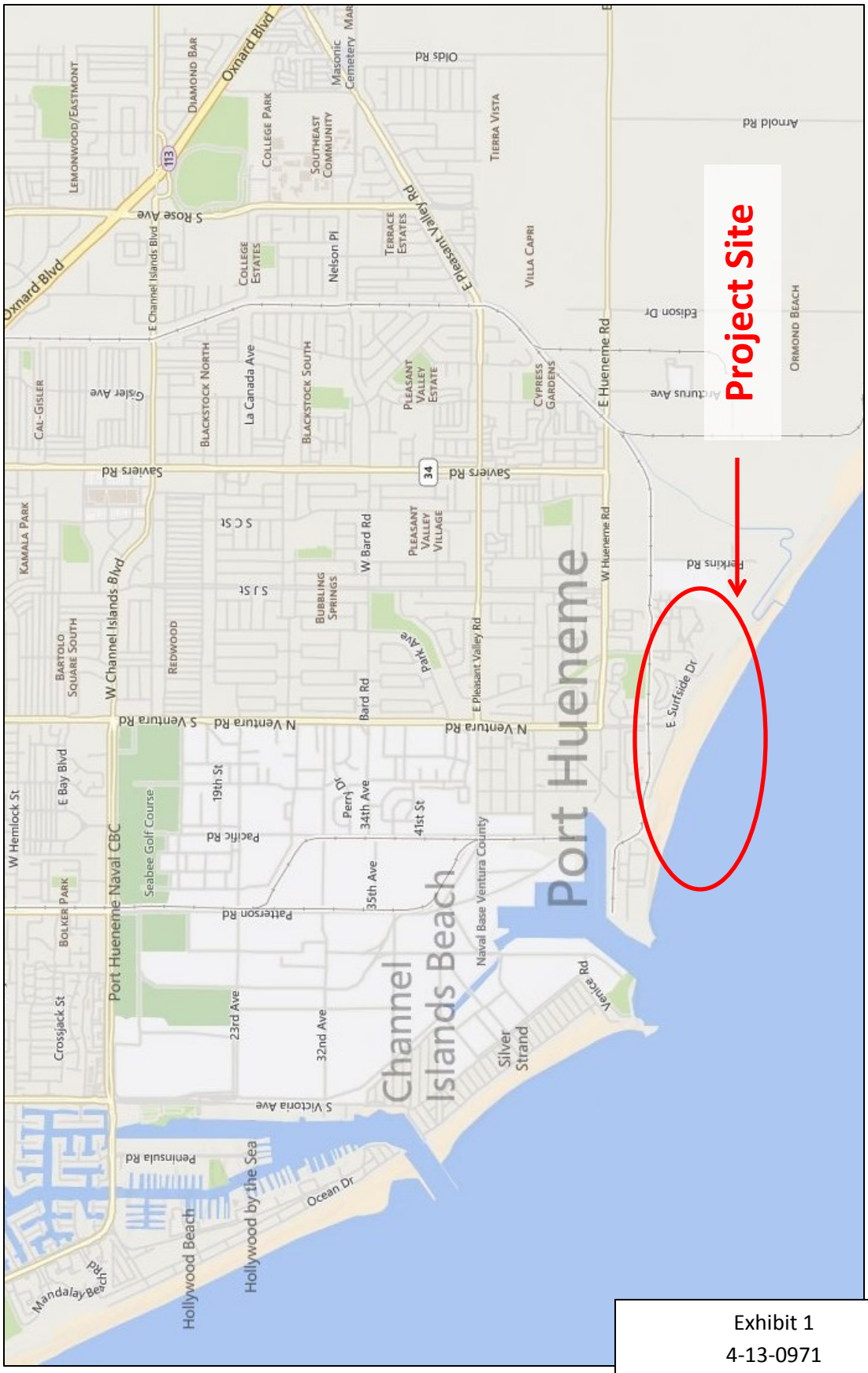
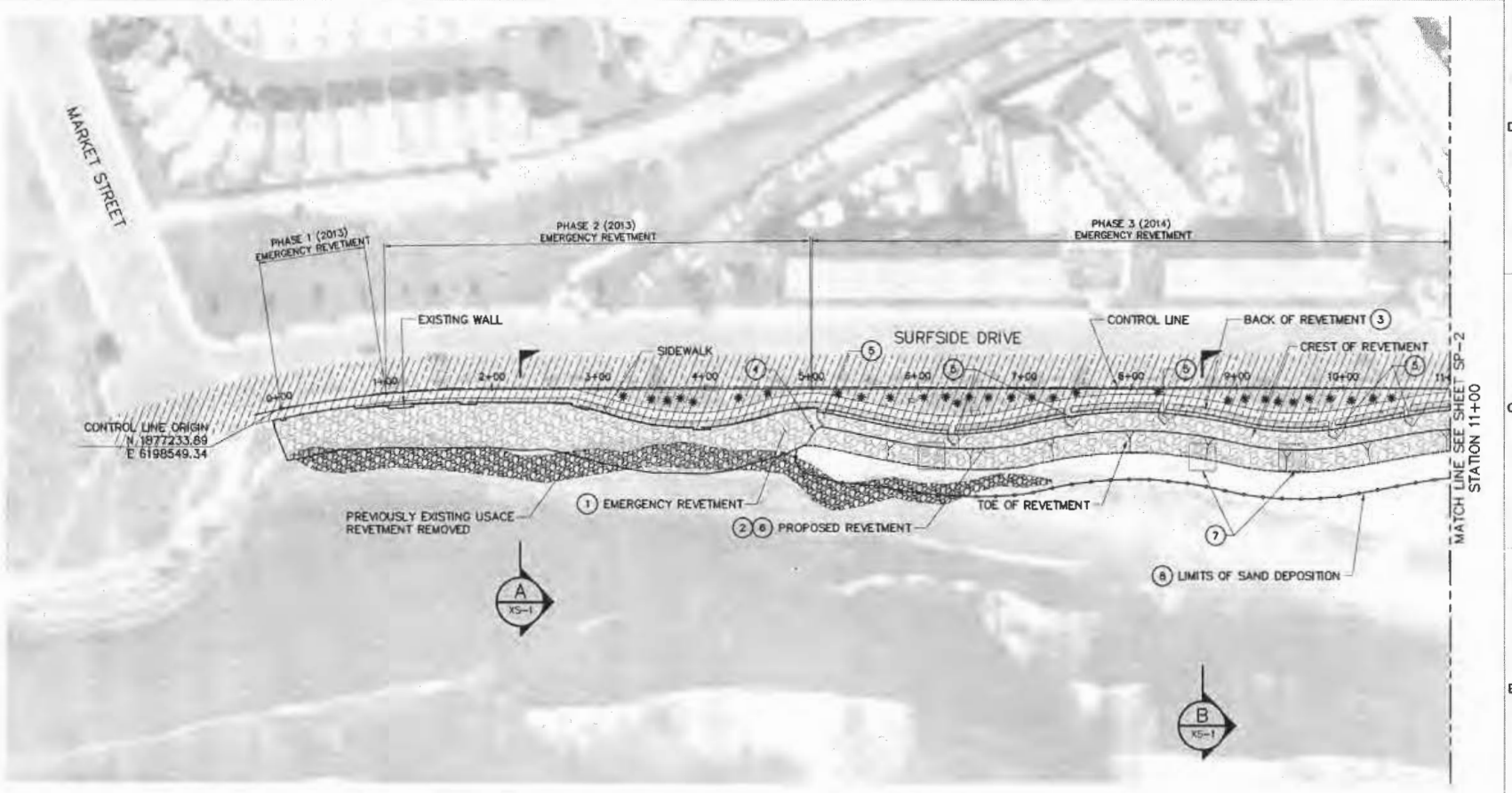


Exhibit 1
4-13-0971
Vicinity Map

Exhibit 2
4-13-0971
2005 Aerial Photograph of
Widened Beach Condition

Exhibit 3
4-13-0971
2014 Aerial Photograph of
Eroded Beach Condition



CONSTRUCTION NOTES

1. EMERGENCY ROCK REVETMENT CONSTRUCTED FROM STATION 0+00 TO STATION 5+00.
2. PROPOSED REVETMENT TO BE CONSTRUCTED IN 500'± SEGMENTS WHEN MINIMUM BEACH WIDTH TRIGGERS ARE REACHED.
3. BACK OF REVETMENT FOLLOWS ALIGNMENT OF EXISTING CONCRETE WALL.
4. REMOVE AND REPLACE ARMOR STONE AS NEEDED TO INTERLOCK NEW ARMOR LAYERS WITH THE EMERGENCY REVETMENT.
5. REMOVE CONCRETE ACCESS PADS AND ADJACENT WALL. DISPOSE OF CONCRETE DEBRIS AT APPROPRIATE FACILITY.
6. PROPOSED REVETMENT TO INCORPORATE LOOSE ARMOR STONE FROM EXISTING USACE REVETMENT SUPPLEMENTED WITH IMPORTED STONE TO ACHEIVE THE DESIGN DIMENSIONS.
7. PICNIC PADS TO BE REMOVED AS NEEDED.
8. EXCAVATED SAND DEPOSITED WITHIN LIMITS SHOWN TO FORM A TEMPORARY BERM DURING CONSTRUCTION. REMAINING SAND WILL BE USED TO COVER COMPLETED REVETMENT SECTIONS.

LEGEND

- 2013 & 2014 EMERGENCY REVETMENT
- PREVIOUSLY EXISTING USACE REVETMENT
- APPROXIMATE WAVE UPRUSH ZONE
- LIMITS OF SAND DEPOSITION
- CMWD OUTFALL PIPE

50' 0' 50' 100'
SCALE: 1"=50'

DRAWING SCALES SHOWN BASED ON 22"x34" DRAWING

CITY OF PORT HUENEME

CITY OF PORT HUENEME
EMERGENCY SHORE PROTECTION

SITE PLAN WEST
ROCK REVETMENT ALONG ENTIRE LENGTH

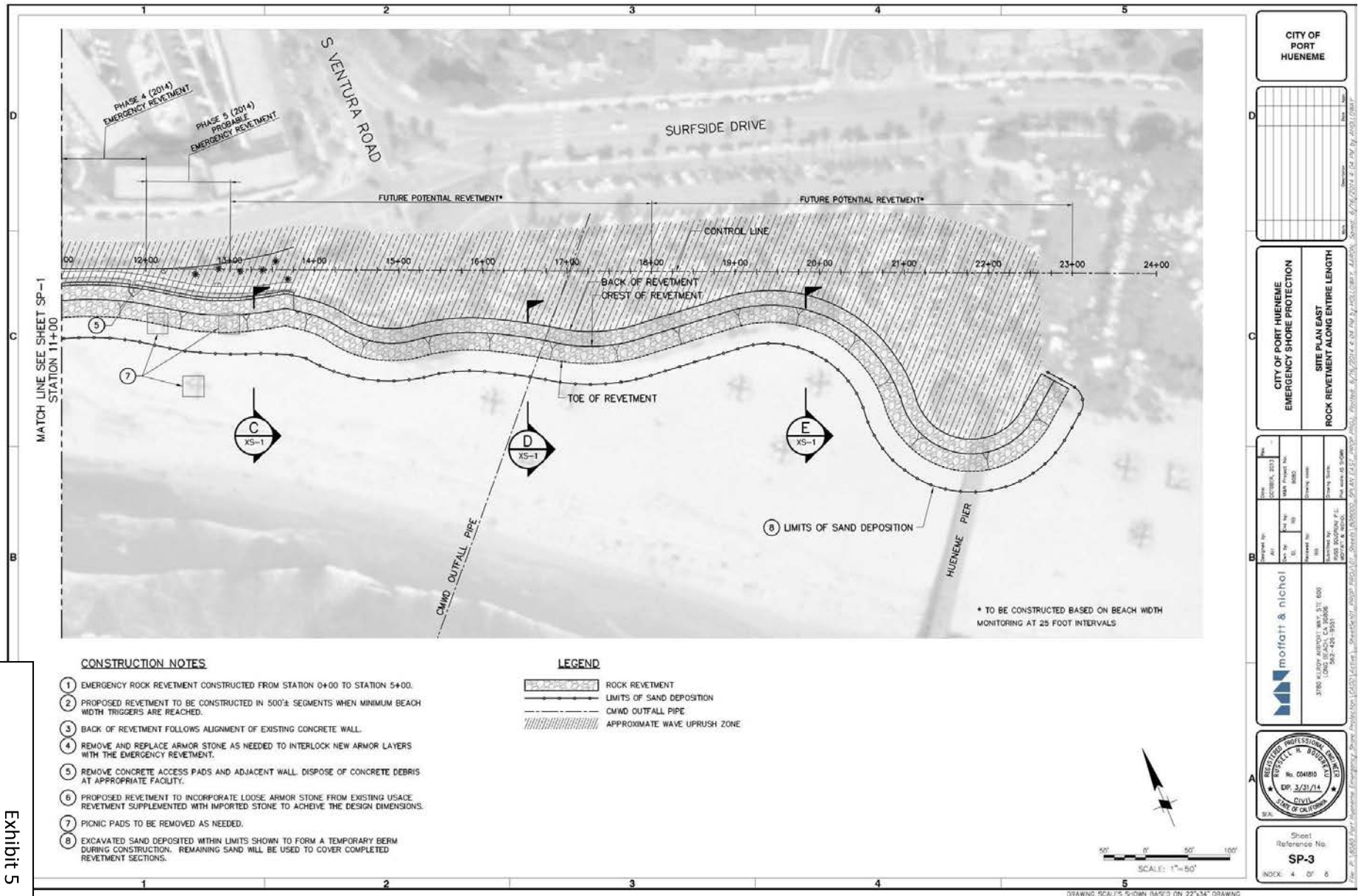
Date: OCTOBER, 2013
NAVD Project No: 3380
Drawing Scale: As shown
Designed by: AP
Drawn by: GL
Scale: 1" = 50'
Reviewed by: RB
Submitted by: RUSS BOURDEAU P.E.

moffatt & nichol
3780 KILROY AIRPORT WAY, STE 600
LONG BEACH, CA 90806
562-426-9551

REGISTERED PROFESSIONAL ENGINEER
RUSSELL R. BOURDEAU
No. 041890
EXP. 3/31/14
CIVIL
STATE OF CALIFORNIA

Sheet Reference No
SP-2
INDEX: 3 OF 6

Exhibit 4
4-13-0971
Existing Rock Revetment Plan



CONSTRUCTION NOTES

1. EMERGENCY ROCK REVETMENT CONSTRUCTED FROM STATION 0+00 TO STATION 5+00.
2. PROPOSED REVETMENT TO BE CONSTRUCTED IN 500'± SEGMENTS WHEN MINIMUM BEACH WIDTH TRIGGERS ARE REACHED.
3. BACK OF REVETMENT FOLLOWS ALIGNMENT OF EXISTING CONCRETE WALL.
4. REMOVE AND REPLACE ARMOR STONE AS NEEDED TO INTERLOCK NEW ARMOR LAYERS WITH THE EMERGENCY REVETMENT.
5. REMOVE CONCRETE ACCESS PADS AND ADJACENT WALL. DISPOSE OF CONCRETE DEBRIS AT APPROPRIATE FACILITY.
6. PROPOSED REVETMENT TO INCORPORATE LOOSE ARMOR STONE FROM EXISTING USACE REVETMENT SUPPLEMENTED WITH IMPORTED STONE TO ACHEIVE THE DESIGN DIMENSIONS.
7. PICNIC PADS TO BE REMOVED AS NEEDED.
8. EXCAVATED SAND DEPOSITED WITHIN LIMITS SHOWN TO FORM A TEMPORARY BERM DURING CONSTRUCTION. REMAINING SAND WILL BE USED TO COVER COMPLETED REVETMENT SECTIONS.

LEGEND

- ROCK REVETMENT
- LIMITS OF SAND DEPOSITION
- CMWD OUTFALL PIPE
- APPROXIMATE WAVE UPRUSH ZONE

50' 0' 50' 100'
SCALE: 1"=50'

DRAWING SCALES SHOWN BASED ON 22"x34" DRAWING

CITY OF PORT HUENEME

CITY OF PORT HUENEME
EMERGENCY SHORE PROTECTION

SITE PLAN EAST
ROCK REVETMENT ALONG ENTIRE LENGTH

moffatt & nichol

REGISTERED PROFESSIONAL ENGINEER
RUSSELL H. BOWERS
No. C041810
EXP. 3/31/14
CIVIL
STATE OF CALIFORNIA

Sheet Reference No.
SP-3
SHEET 4 OF 8

Exhibit 5
4-13-0971
Rock Revetment Extension Plan


CITY OF PORT HUENEME
CITY OF PORT HUENEME
EMERGENCY SHORE PROTECTION
ACCESS PLAN
HUENEME BEACH
moffatt & nichol
3780 KILROY AIRPORT WAY, STE 600
LONG BEACH, CA 90806
562-426-9551
OCTOBER, 2013
8080
Sheet Reference No.
AP-1
INDEX: 7 OF 7
SURFSIDE DRIVE
S. VENTURA ROAD
RESTAURANT/CAFE
RESTROOM
BEACH PARKING LOT
FAMILY PICNIC SITES
FLAG PLAZA
HUENEME PIER
PROPOSED ACCESS STAIRS (IF NEEDED)
SINGLE HEAD S/S MONO POLE BEACH SHOWER
SURFSIDE CONDOS/TOWNHOMES
2014 EMERGENCY REVETMENT
PROPOSED ACCESS STAIRS
EXISTING SIDEWALK
EXISTING WALL
2013 EMERGENCY REVETMENT
RAILROAD
MARKET STREET
OXNARD HARBOR DISTRICT VEHICLE STAGING AREA
LEGEND
2013/2014 EMERGENCY REVETMENT
POTENTIAL ADDITIONAL REVETMENT
ACCESS STAIRWAY NOTES
SCALE: 1"=100'
DRAWING SCALES SHOWN BASED ON 22"x34" DRAWING

Exhibit 6
4-13-0971
Public Access and Recreational Amenities Plan

Exhibit 7

Letters in Support of Project

NOTE: 192 letters in support of the proposed project have been submitted as of 6/26/14. Five of the letters received have been included here for reference.

All letters received are included as part of the administrative record and are available for review in the California Coastal Commission's Ventura Office.

MAY 28 2014

Date: 5-24-14

John Ainsworth, Senior Deputy Director
California Coastal Commission, South Central Coast
89 S. California Street, Ste. 200
Ventura, CA 93001-2801

SUBJECT: HUENEME BEACH SHORELINE PROTECTION

Dear Mr. Ainsworth:

I'm writing to thank you for your staff's approval of emergency permits for shoreline rock to protect beach homes and infrastructure at Hueneme Beach. I'd also like to request that the Commission grant the City's long-range request to keep the protection in place after the beach is replenished this fall. The rock is not a robust revetment; it is designed as a sub-grade roadway foundation that will be below the normal elevation of the sand and invisible to beach visitors.

As you may know, completion of the deep-water Port of Hueneme in 1939 disrupted the natural littoral drift on the south Ventura County coastline. Hueneme Beach was completely lost and then re-established by excavating the adjacent Channel Islands Harbor and moving sand every two years from the Harbor's sand trap. The U.S. Army Corps of Engineers has never missed a bypass cycle, however, Corps funding can be unpredictable and sometimes the amount of sand transferred is insufficient. That's not to say there isn't enough sand: on the contrary, the south coast supply is robust with nearly 4 million cubic yards of sand currently caught by the sand trap. However, the federal funding process is not as vigorous as the sand supply. Consequently, we support keeping the rock as a buried feature that will serve as a "silent sentinel" to help protect public and private improvements against any future deficits in the bypass cycle. Removal of this buried rock after replenishment of the beach would be a waste of taxpayer monies and environmentally irresponsible given Hueneme Beach is non-natural.

On behalf of everyone who owns property near Hueneme Beach and those who enjoy visiting the area, I urge you to take action to protect our shoreline.

Sincerely,

Signed: Robt B Berson (print name) Robert B. Berson

Address: 788 Island View Circle Port Hueneme, CA 93041

MAY 28 2014

Date: MAY 27 2014

John Ainsworth, Senior Deputy Director
California Coastal Commission, South Central Coast
89 S. California Street, Ste. 200
Ventura, CA 93001-2801

SUBJECT: HUENEME BEACH SHORELINE PROTECTION

Dear Mr. Ainsworth:

I'm writing to thank you for your staff's approval of emergency permits for shoreline rock to protect beach homes and infrastructure at Hueneme Beach. I'd also like to request that the Commission grant the City's long-range request to keep the protection in place after the beach is replenished this fall. The rock is not a robust revetment; it is designed as a sub-grade roadway foundation that will be below the normal elevation of the sand and invisible to beach visitors.

As you may know, completion of the deep-water Port of Hueneme in 1939 disrupted the natural littoral drift on the south Ventura County coastline. Hueneme Beach was completely lost and then re-established by excavating the adjacent Channel Islands Harbor and moving sand every two years from the Harbor's sand trap. The U.S. Army Corps of Engineers has never missed a bypass cycle, however, Corps funding can be unpredictable and sometimes the amount of sand transferred is insufficient. That's not to say there isn't enough sand: on the contrary, the south coast supply is robust with nearly 4 million cubic yards of sand currently caught by the sand trap. However, the federal funding process is not as vigorous as the sand supply. Consequently, we support keeping the rock as a buried feature that will serve as a "silent sentinel" to help protect public and private improvements against any future deficits in the bypass cycle. Removal of this buried rock after replenishment of the beach would be a waste of taxpayer monies and environmentally irresponsible given Hueneme Beach is non-natural.

On behalf of everyone who owns property near Hueneme Beach and those who enjoy visiting the area, I urge you to take action to protect our shoreline.

Sincerely,

Signed: Linda Brent (print name) JASON & LINDA BRENT

Address: 790 OCEAN Breeze Drive
Port Hueneme CA
93041

Date: 6/7/14

JUN 12 2014

John Ainsworth, Senior Deputy Director
California Coastal Commission, South Central Coast
89 S. California Street, Ste. 200
Ventura, CA 93001-2801

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On behalf of everyone who owns property near Hueneme Beach and those who enjoy visiting the area, I urge you to take action to protect our shoreline.

Sincerely,

Signed: Joe Capelo (print name) Joe Capelo

Address: 655 Ocean View Drive Port Hueneme CA 93041

Date: 6-10-2014

JUN 12 2014

John Ainsworth, Senior Deputy Director
California Coastal Commission, South Central Coast
89 S. California Street, Ste. 200
Ventura, CA 93001-2801

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On behalf of everyone who owns property near Hueneme Beach and those who enjoy visiting the area, I urge you to take action to protect our shoreline.

Sincerely,

Signed: _____ (print name) Kirk J. Bowen

Address: 1220 N. Niagara St. Burbank, CA 91505

JUN 12 2014

Date: 6/10/2014

John Ainsworth, Senior Deputy Director
California Coastal Commission, South Central Coast
89 S. California Street, Ste. 200
Ventura, CA 93001-2801

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On behalf of everyone who owns property near Hueneme Beach and those who enjoy visiting the area, I urge you to take action to protect our shoreline.

Sincerely,

Signed: Darcie Overbacker (print name) Darcie Overbacker

Address: 622 Tierney Ave, Ventura, CA 93003