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DATE: May 19, 2022

TO: Commissioners and Interested Persons

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SUBJECT: **Channel Islands Harbor Public Works Plan Amendment No. PWP-4-CIH-21-0005-1** to adjust requirements for the distribution of boat slips sizes and to change the minimum requirement for the total number of boat slips in the harbor for public hearing and Commission action at the June 10, 2022 Commission Meeting in San Diego.

Motions and Resolutions: Page 5.

SUMMARY OF STAFF RECOMMENDATION

The Ventura County Harbor Department (County) is proposing to amend the certified Channel Islands Harbor (Harbor) Public Works Plan (PWP) to adjust requirements for the distribution of boat slips sizes and to change the minimum requirement for the total number of boat slips in the Harbor. Staff recommends that the Commission, after public hearing, deny the proposed PWP amendment as submitted, and approve the amendment if modified pursuant to one suggested modification.

The proposed amendment includes changes to policies 2 and 10 within PWP Section 3.2 Recreational Boating. Policy 2 currently requires the Harbor to provide a minimum of 2,150 recreational boat slips. The proposed change to Policy 2 would decrease the minimum number of recreational boat slips to 1,950 slips. Policy 10 provides minimum percentages of small and medium-sized recreational boat slips that must be provided in the Harbor. Policy 10 currently requires that a minimum of 25% of the total number of slips must be small (32 ft. or under in length) and a minimum of 25% of the total number of slips must be medium-sized (32 ft. 1 in. to 38 feet in length). The proposed change to Policy 10 would require a minimum of 25% of the total number of slips to be small (32 ft. or under in length) and a minimum of 50% of the total number of slips to be small and medium combined (38 ft. or under). This change would allow the Harbor flexibility to have more small slips and fewer medium slips as long as the minimum 50% of slips are small and medium combined. The proposed changes to Policy 10 take into account redevelopment plans proposed or planned by marina operators.

There are several reasons why the Harbor is planning for fewer boat slips in the future and modified minimum slip mix requirements. There is currently low demand for small boat slips in the Harbor, and there is a trend towards higher demand for larger boat slips. This is reflected in the high vacancy rates of small boat slips in the Harbor. One explanation for this trend is that many small boat owners prefer storing their smaller boats in dry boat storage over wet slips, since dry storage is typically less expensive and requires less maintenance of boats. Additionally, California Department of Boating and Waterways (DBAW) and Americans with Disabilities Act (ADA) standards and regulations require wider fingers, docks, and berth sizes than what is existing in the older existing marinas. Therefore, when marinas are rebuilt, the fingers, docks, and berth sizes need to be enlarged to be in compliance with the DBAW and ADA requirements. Given the increasing demand for larger slips and the increase in size requirement for fingers and docks, fewer slips can be accommodated than before given a fixed water area. As a result, marina operators are proposing to redevelop marinas with less total slips than there are today.

Under the proposed PWP amendment, although the minimum number of boat slips would decrease in the Harbor, there would still be no less than 25% of boat slips in the small size category (32 ft. or under), while slips in the medium size category (32 ft. 1 in. – 38 ft.) can be less than 25%, as long as the total number of slips 38 ft. or under constitute no less than 50% of all boat slips. With the proposed change, the requirements of the PWP would continue to encourage recreational boating use within the harbor, protect lower cost boating opportunities, and provide a balanced mix of slip sizes including sufficient entry-level slips, while also provide the flexibility of allowing more of the smaller-sized slips and fewer of the medium-sized slips harbor-wide. Staff is recommending approval of the proposed amendment with one (1) suggested modification to provide clarity and internal consistency within policy 10.

Additional Information: Please contact Isabel Qi at the South Central Coast District Office of the Coastal Commission at (805) 585-1800 or 89 S. California St., Second Floor, Ventura, CA 93001

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EXHIBITS

[Exhibit 1: Vicinity Map](#)

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I. PROCEDURAL ISSUES

A. Standard of Review - Public Works Plan Amendment

Section 30605 of the Coastal Act and Title 14, Section 13356 of California Code of Regulations provides that where a public works plan is submitted prior to certification of the Local Coastal Program (LCP) for the jurisdiction affected by the plan, the Commission's standard of review for certification is Chapter 3 of the Coastal Act. Although the land area within the Harbor is owned by the County, it lies within the jurisdiction of the City of Oxnard. The Commission certified the Public Works Plan in September 1986—prior to the December 1986 certification of the Oxnard LCP (which includes the Harbor area). Therefore, the Commission's certification of the PWP was based on consistency with Chapter 3. Section 30605 and Section 13357 of the Code of Regulations also state that where a public works plan or plan amendment is submitted after the certification of the LCP for the area, any such plan shall be approved by the Commission only if it finds, after full consultation with the affected local government(s), that the proposed plan is in conformity with the certified LCP. Therefore, the standard of review for the proposed amendment to the Public Works Plan, pursuant to Section 30605 of the Coastal Act, is that the proposed plan amendment is in conformance with the certified Local Coastal Program for the City of Oxnard. Because the City's certified LCP contains all applicable Coastal Act policies, the proposed PWP amendment must also conform with applicable Chapter 3 policies of the Coastal Act. Public Resources Code Section 30605 also states that any proposed amendment to the PWP shall be processed in the same manner as prescribed for an amendment to a Local Coastal Program.

B. Public Participation

Sections 30605 and 30503 of the Coastal Act require the provision of maximum opportunities for public input in preparation, approval, certification and amendment of any public works plan. Further, Section 13366 of Title 14 of the California Code of Regulations requires a local public hearing on the proposed amendment prior to submission of the amendment to the Commission. The County of Ventura Board of Supervisors held a public hearing and approved the PWP amendment on July 27, 2021. The hearing was duly noticed to the public consistent with Section 13353.5 of the California Code of Regulations. Notice of the subject amendment has been distributed to all known interested parties.

C. Procedural Requirements

Section 30605 of the Coastal Act provides for Commission review of proposed public works plans. If the Commission accepts staff's recommendation to approve the PWP amendment as modified, the County will need to act to accept the adopted suggested modification. The County must act within six months from the date of Commission action on this application or the Commission's approval will expire. Subsequently, the Executive Director must determine that the County's action is legally adequate to satisfy any specific requirement of the Commission's certification, and that

determination must be reported to the Commission before the PWP amendment shall be effective.

II. STAFF RECOMMENDATION: MOTIONS & RESOLUTIONS

A. PWP Amendment No. PWP-4-CIH-21-0005-1: Denial as Submitted

MOTION I:

I move that the Commission certify Channel Islands Harbor Public Works Plan Amendment No. PWP-4-CIH-21-0005-1, as submitted.

Staff recommends a **NO** vote. Following this staff recommendation will result in failure of this motion, denial of Public Works Plan Amendment No. PWP-4-CIH-21-0005- as submitted, and the adoption of the following resolution and findings. The motion to certify passes only by an affirmative vote of a majority of the appointed Commissioners.

RESOLUTION I:

The Commission hereby denies certification of Channel Islands Harbor Public Works Plan Amendment No. PWP-4-CIH-21-0005-1, and adopts the findings stated below on the grounds that the Amendment, as submitted, does not conform with the certified local coastal program in the jurisdiction affected by the proposed public works plan. Certification of the Amendment would not comply with the California Environmental Quality Act because there are feasible mitigation measures or alternatives that would substantially lessen the significant adverse effects that the approval of the Amendment would have on the environment.

B. PWP Amendment No. PWP-4-CIH-21-0005-1: Certification with Suggested Modification

MOTION II:

I move that the Commission certify the Channel Islands Harbor Public Works Plan Amendment No. PWP-4-CIH-21-0005-1, if modified as suggested in the staff report.

Staff recommends a **YES** vote. Passage of this motion will result in certification of the Public Works Plan Amendment No. PWP-4-CIH-21-0005-1 as modified. The motion to certify passes only by an affirmative vote of a majority of the appointed Commissioners.

RESOLUTION II:

The Commission hereby certifies the Channel Islands Harbor Public Works Plan Amendment No. PWP-4-CIH-21-0005-1 as modified and adopts the findings stated below on the grounds that the Amendment as modified conforms with the certified local coastal program in the jurisdiction affected by the proposed public works plan. Certification of the Amendment if modified as suggested 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 Amendment on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the Amendment on the environment.

III. SUGGESTED MODIFICATION TO PUBLIC WORKS PLAN AMENDMENT NO. PWP-4-CIH-21-0005-1

The staff recommends that the Commission certify the Public Works Plan (PWP) Amendment only with the modification as shown below. Language presently contained within the certified PWP is shown in straight type. Amending language proposed by the Harbor Department to be inserted is shown in underline. Amending language proposed by the Harbor Department to be deleted is shown in ~~line-out~~. Modifying language recommended by Commission staff to be inserted is shown in double underline. Modifying language recommended by Commission staff to be deleted is shown in ~~double line-out~~.

SUGGESTED MODIFICATION NO. 1

Recreational Boating Policy 10 of the PWP shall be modified as follows:

10. Harbor-wide Slip Size Distribution for New or Reconstructed Marinas Standards

The following slip size distribution standards shall apply to the Channel Islands Harbor ~~overall~~ harbor-wide:

- A. A minimum of 25% of the total number of slips shall be 32 ft. or under in length, and
- B. ~~A minimum of 25% of the total number of slips shall be 32 ft., 1 in. 38ft. in length. A minimum of 50% of the total number of slips shall be 38 ft. or under in length.~~

The County shall maintain an up-to-date harbor-wide accounting of the total number of slips existing and approved through NOIDs, with a breakdown by slip size category (including slips in Categories A and B, and slips over 38 ft. in length).

Any NOID for the development or redevelopment of marinas shall include an analysis of harbor-wide conformance, including the proposed development or redevelopment, with the slip size distribution standards. At no time shall a NOID for the development or redevelopment of marinas result in the provision of less than 23% of slips in Category A ~~or~~ and less than ~~23%~~ 46% in Category ~~A and B combined~~, ~~38 ft. or less~~, harbor-wide.

IV. FINDINGS FOR DENIAL OF THE PUBLIC WORKS PLAN AMENDMENT AS SUBMITTED AND APPROVAL OF THE PUBLIC WORKS PLAN AMENDMENT IF MODIFIED AS SUGGESTED

The following findings support the Commission's denial of the PWP amendment as submitted and approval of the PWP amendment if modified as suggested in Section III above. The Commission hereby finds and declares as follows:

A. Background and Amendment Description (PWP-4-CIH-21-0005-1)

On September 19, 1986, the Channel Islands Public Works Plan was effectively certified by the Commission. The purpose of the PWP, as certified, is to provide "a detailed and specific planning document to guide future Harbor development". Jurisdiction within the Channel Islands Harbor is shared by both the County of Ventura and the City of Oxnard. Oxnard's City limits extend to all Harbor land areas. Based on a previous agreement between the two governmental authorities and the Commission's certification of the Public Works Plan, the County assumed planning and regulatory authority within the Harbor. Under the certified PWP, the County is responsible for approval of all development within the Harbor permitted by the plan.

The proposed amendment includes changes to policies 2 and 10 within PWP Section 3.2 Recreational Boating ([Exhibit 2](#)). The proposed change to policy 2 would decrease the minimum number of recreational boat slips that must be provided in the harbor from 2,150 slips to 1,950 slips. The proposed changes to policy 10 would provide flexibility and take into account redevelopment plans proposed or planned by marina operators that would result in more than 25% of the slips being small (32 ft. and under), and less than 25% of slips being medium (between 32 ft. 1 in. and 38 ft.), but there would still be 50% or more small and medium-sized slips combined (38 ft. and under).

The existing policy 10 was previously added as a new policy through PWP Amendment 1-07 (Waterside) to prevent the loss of lower cost boating opportunities within the Harbor for small boat owners. The policy requires the overall Channel Islands Harbor to conform to the following slip size distributions standards harbor-wide: a minimum of 25% of the total number of slips shall be 32 ft. or under in length (Category A) and a minimum of 25% of the total number of slips shall be 32 ft. 1 in. to 38 feet in length (Category B).

Existing policy 10 also requires that Notices of Impending Development (NOIDs) for the development or redevelopment of marinas shall not result in the provision of less than 23% of slips in Category A or less than 23% in Category B, harbor-wide. The intention of this portion of the policy is to ensure that during construction or reconstruction of marinas, no less than 23% of slips available for boating use remain in Category A and no less than 23% of slips available for boating use remain in Category B, with the end target that after such construction work, no less than 25% of slips in the harbor would be in Category A and no less than 25% of slips in the harbor would be in Category B. The proposed amendment would change the policy language from requiring a minimum of 25% of the total number of slips to be medium-sized slips (32 ft. 1 in. to 38 feet in length) to requiring a minimum of

50% of the total number of slips to be small and medium-sized slips combined (38 ft. or under in length). The County also proposes to change the policy from requiring NOIDs for the development or redevelopment of marinas result in the provision of no less than 23% of slips medium-sized slips (32 ft. 1 in. to 38 ft. in length) to requiring NOIDs to result in the provision of no less than 46% of slips small and medium-sized slips (38 ft. or under in length).

B. Recreational Boating

The certified City of Oxnard LCP contains Sections 30213, 30220, and 30224, of the Coastal Act relative to the provision and protection of recreational boating and commercial fishing facilities in the Harbor.

Section 30213 (in part)

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

Section 30220

Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.

Section 30224

Increased recreational boating use of coastal waters shall be encouraged, in accordance with this division, by developing dry storage areas, increasing public launching facilities, providing additional berthing space in existing harbors, limiting non-water-dependent land uses that congest access corridors and preclude boating support facilities, providing harbors of refuge, and by providing for new boating facilities in natural harbors, new protected water areas, and in areas dredged from dry land.

Section 30234

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

In addition, the City of Oxnard certified Land Use Plan (LUP) provides policy guidance regarding recreational boating:

Policy 14 (in part)

The harbor is administered by Ventura County and within the city limits of Oxnard. The City shall encourage the protection and expansion of facilities for commercial fishing, sport fishing, recreational boating, and other harbor-related activities within the Channel Islands Harbor...

Sections 30213 and 30220 of the Coastal Act require the protection of low cost recreational facilities and of water-oriented recreational facilities. Sections 30224 and 30234 of the Coastal Act specifically encourage the provision of recreational boating opportunities.

Regionally, since the early 1990's, marinas have been reconfiguring their slip sizes and slip distribution to favor larger boats because of the decrease in demand for small boat slips and the increase in demand for larger slips. However, the continued loss of slips could have an adverse impact on boating opportunities within the Harbor by reducing the number of slips available to the public.

In prior permit actions¹ as well as in Channel Islands Harbor PWP Amendments 1-05 and 1-07, and Notice of Impending Development (NOID) 1-06 (Vintage Marina), the Commission has been concerned about the trend towards larger slips in marinas at the expense of the smaller slips. As larger slips occupy more space in a marina, there is less space for the smaller slips and the result is fewer overall slips and fewer slips available for the owners of small vessels. As the trend for larger boats continues and marinas convert their small boat slips to larger slips, berthing opportunities for the small boat owner will be reduced. While it can be questioned whether recreational boating is in fact a lower cost recreational activity, in general, smaller boats are less expensive than larger ones, and therefore more available to a larger segment of the population than are larger boats. The Commission does not regulate the rates at which marinas rent their slips to the public. The Commission can, however, regulate the design of a marina in order to ensure that the redesigned slips conform to the public access and recreation policies of the Coastal Act by providing the correct balance between the size of slips and the boaters' demand for slips in order to encourage increased recreational boating and protect existing boating opportunities including the provision of smaller slips.

The proposed amendment would reduce the minimum number of wet slips required to be provided in the Harbor from 2,150 to 1,950, resulting in a loss of 200 slips. This change is needed because marinas in the Harbor have already proposed or are proposing redevelopment plans that would decrease the total number of slips in their marinas. The County has indicated the following regarding the status of the 15 marinas and anchorages in the Harbor:

¹ 5-05-245, Portofino Hotel Partner, LB; 5-01-143, Marina Two Holding Partnership & County of L.A. Department of Beaches & Harbors

<u>Marina</u>	<u>Status</u>
Pacific Corinthian Marina	Planning redevelopment
Vintage Marina	Planning redevelopment
Commercial Fishing Marina	No changes planned at this time
Marine Emporium Landing	Redeveloped per NOID 1-07
Channel Islands Harbor Marina and Boatyard	Redeveloped per NOID 1-06
Bahia Marina	Redevelopment approved (NOID 1-08) but not yet implemented
Anacapa Isle Marina	Redevelopment proposed - Pending NOID Submittal
Peninsula Yacht Anchorage Marina	Redevelopment approved (NOID 1-11) but not yet implemented for Parcel F NOID submitted (CIH-NOID-0001-21) but is incomplete for Parcels LM 1,2,3
Anacapa Boatyard	No changes planned at this time
Small Boat Marina	No changes planned at this time
Channel Islands Landing	Redeveloped per NOID 4-07
Channel Islands Sportfishing	No changes planned at this time
Penn Park	No changes planned at this time
East Bank	No changes planned at this time
X-3	No changes planned at this time

In addition, the County has provided the following breakdown of the existing and proposed total number of slips for each marina and for the whole harbor:

<u>Marina</u>	<u>Current No. of Slips</u>	<u>Current, Approved, or Proposed No. of Slips</u>
Small Boat Marina	72	72
Anacapa Boatyard	21	21
Channel Islands Landing	155	155
Channel Islands Sportfishing	31	31
Peninsula Yacht Anchorage Marina	357	179 (PYA Parcel F) 119 (PYA Parcels L&M)
Anacapa Isle Marina	438	319
Pacific Corinthian Marina	147	147
Vintage Marina	385	385
Commercial Fishing Marina	66	66
Marine Emporium Landing	16	13

Channel Islands Harbor Marina and Boatyard	418	418
Bahia Marina	84	92
Penn Park	10	10
East Bank	23	23
X-3	0	0
Total	2,223	2,050

There are currently 2,223 slips in the entire harbor. The total number of slips in the harbor accounting for redevelopments that are approved and proposed is 2,050. The changes in slip number for Vintage Marina and Pacific Corinthian Marina are not accounted for in the data in the above table. The County has indicated that redevelopment plans contemplated for these two marinas would involve decreasing the number of slips in each marina. The County has stated that Vintage Marina’s redevelopment may involve an approximate reduction of 68 slips, while redevelopment plans for Pacific Corinthian Marina are not yet finalized. Therefore, the Harbor Department’s proposal of 1,950 as the minimum number of slips to be provided in the Harbor includes a 100-slip buffer in anticipation of potential slip reductions as part of redevelopment of the Vintage Marina and the Pacific Corinthian Marina. The reasons for the anticipated slip reductions are more fully explained below.

The changes proposed for Policy 10 relating to slip mix requirement would allow the Harbor to contain more than 25% of slips to be small-sized slips (32 ft. or smaller), and less than 25% slips to be medium-sized slips (between 32 ft. 1 in. and 38 ft.), as long as the Harbor contains at least 50% slips small and medium combined (38 ft. and under). The existing and the proposed harbor-wide slip size distributions, based on the marina redevelopment projects proposed or planned by marina operators listed above, are shown in this table:

Category	Current	Proposed
32 ft. or under	42.2%	29.4%
32 ft. 1 in. – 38 ft.	25.6%	22.9%
[38 ft. or under]	[67.7%]	[52.3%]
Over 38 ft.	32.3%	47.6%

The changes to Policy 10 are proposed to account for existing conditions and planned marina redevelopment projects that would result in more than 25% of the total number of slips to be small-sized slips (32 ft. and under), and less than 25% of slips be medium-sized slips (between 32 ft. 1 in. and 38 ft.), but combined there will still be more than 50% of the slips that are small and medium-sized slips combined (38 ft. and under). With the proposed change, the requirements of the PWP would continue to ensure that there are sufficient entry-level slips provided within the Harbor, while also provide the flexibility of allowing more of the smaller-sized slips and fewer of the medium-sized slips harbor-wide.

The reasons that marinas are generally being redeveloped with fewer slips are that (1) bringing marinas into compliance with California Department of Boating and Waterways (DBAW) and Americans with Disabilities Act (ADA) standards and regulations involve

building fingers and docks that are wider than existing and therefore occupy more water area, (2) there is a general market trend towards higher demand for larger slips, and (3) there is a growing preference for small boat owners to store boats in dry storage rather than in wet slips.

Data from the National Marina Manufacturing Association (NMMA) shows that the number of power boats sold has increased, while the number of sailboats has decreased. Power boats have been increasing in size in recent years. The advent of newer methods of boat construction has resulted in boats that are wider, necessitating wider slips. Therefore, boat slips are now being designed to accommodate the wider power boats and the older smaller boat in one slip design. Additionally, boaters now tend to bring more and larger items on board, so that wider "fingers" or walkways are needed for safety reasons. These changes have resulted in more water area being needed and utilized for each boat. The redevelopment of slips in marinas in response to current DBAW standards thus require more water space within marina basins for floating walkways, dock fingers, increased berth sizes, and greater fairway widths (area between interior channels and berths) to accommodate the larger boats. ADA standards also require projects for redesigned and new docks to provide handicap access through wider docks, fingers, and gangways. These changes result in fewer slips being redeveloped in a given amount of space to accommodate the wider and longer facilities.

The Harbor Department stated that there is low demand for smaller slips and growing demand for larger slips at the Channel Islands Harbor. The NMMA report also shows a general trend of increasing demand for large power boats nationwide. The Harbor Department has provided the results of slip vacancy surveys of each marina in the Channel Islands Harbor from 2017 to 2020. Combining the vacancy surveys of the individual marinas, the vacancy rates harbor-wide by slip size are shown in the following table:

Category	2017	2018	2019	2020
20 ft. – 30 ft.	65%	71%	72%	70%
30 ft. – 40 ft.	40%	36%	32%	31%
Over 40 ft.	28%	20%	18%	13%

The results show higher vacancies for slips under 30 feet indicating lower demand for smaller boat slips. The Harbor Department expressed concern for the underutilization of harbor space due to the high vacancy rates of small boat slips, and pointed to the need to allow marinas to redevelop to build more larger slips.

One reason for the lower demand for small wet slips is that dry storage spaces are a preferred alternative to wet slips for small boat storage for many small boat owners. Dry boat storage spaces are typically less expensive, and boats are easier to maintain when stored dry. Boat owners can easily store a boat offsite and utilize the launch ramp to access the water when needed. Boats stored on land are less costly to maintain because they do not need to have their hulls scraped as frequently and do not suffer the wear and tear that a boat does when kept in the water. There are currently dry storage spaces at the Harbor. There is one lot (Parcel P) that is zoned for dry storage that can accommodate

approximately 425 boats. There is also a temporary dry boat storage area located on Parcel Q just south of Channel Islands Landing that contains 87 spaces. The current vacancy rate of dry boat storage at the Harbor is approximately 10%, indicating that it is currently meeting demand and can accommodate increased demand.

The proposed changes in the slip mix requirements would continue to ensure that there are sufficient entry-level slips provided within the Harbor and would continue to protect lower cost boating opportunities within the Harbor for smaller boat owners. However, **Suggested Modification One** is necessary to ensure internal consistency within Policy 10 by clarifying that, after the proposed changes, Category B refers to slips 38 ft. or under in length, and that the slip mix percentage requirements apply to harbor-wide accounting of slips, not to individual marinas. Nevertheless, Policy 10 requires, for any NOID for the development or redevelopment of marinas, an analysis of harbor-wide conformance, including the proposed development or redevelopment, with the slip size distribution standards.

Therefore, the Commission finds that if modified as suggested, the proposed PWP amendment will continue to encourage recreational boating use, protect lower cost boating opportunities, and provide a balanced mix of slip sizes within the Harbor, while providing flexibility to marina operators to redevelop marinas consistent with current design standards.

C. California Environmental Quality Act

Pursuant to Public Resources Code Section 21067 and Sections 15050 and 15051 of Title 14 of the California Code of Regulations, the County of Ventura is the lead agency for CEQA purposes, as it is the public agency with principal responsibility for carrying out the Channel Islands Harbor Public Works Plan (and one of the agencies, if not the agency, with principal responsibility for approving it and supervising it as well), it is a local government with general powers, and it acted first on the subject PWP Amendment.

As an agency with a certified regulatory program under CEQA section 21080.5, the Commission must consider alternatives and mitigation measures that would substantially lessen any significant adverse environmental effects that the proposal would otherwise have on the environment. Sections 13371 and 13356(b)(2) of Title 14 of the California Code of Regulations require that the Commission not approve or adopt a PWPA unless it can find that , "...there are no feasible alternatives, or feasible mitigation measures, . . . available which would substantially lessen any significant adverse impact that the development . . . may have on the environment."

The Commission incorporates its findings on Coastal Act and PWP consistency at this point as if set forth in full. These findings address and respond to all public comments regarding potential significant adverse environmental effects of the project that were received prior to preparation of the staff report. For the reasons discussed in this report, Channel Islands Harbor Public Works Plan Amendment PWP-4-CIH-21-0005-1, as suggested to be modified, is consistent with the City of Oxnard Local Coastal Program and Chapter 3 policies of the Coastal Act incorporated in that LCP. There is no less environmentally damaging feasible alternative project and there are no other feasible

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mitigation measures that would reduce any significant impacts of the proposed amendment.

APPENDIX A

Substantive File Documents

Public Works Plan Amendment No. PWP-4-CIH-21-0005-1 (Slip Mix) and associated file documents.

Channel Islands Harbor Public Works Plan Amendment No. 1-05 (Vintage Marina) and associated file documents.

Channel Islands Harbor Public Works Plan Amendment No. 1-07 (Waterside) and associated file documents.

Powerboat Sales Trends 2008-2020. National Marine Manufacturers Association. 2021.

Sailboat Sales Trends 2008-2020. National Marine Manufacturers Association. 2021.