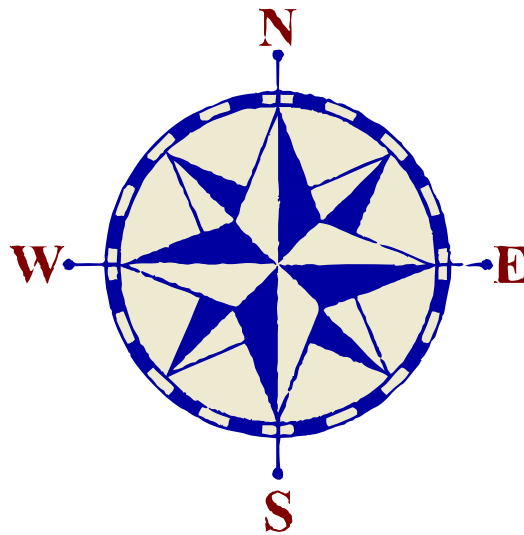


# COUNTY OF VENTURA



## Channel Islands Harbor Public Works Plan

**3<sup>rd</sup> Amendment**  
**Certified December 11, 2008**

# **Channel Islands Harbor Public Works Plan**

**County of Ventura  
Harbor Department  
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## TABLE OF CONTENTS

1.0	INTRODUCTION.....	1
1.1	Purpose.....	1
1.2	Area Description.....	1
1.3	Demand Projections and Slip Count for Channel Islands Harbor.....	5
1.4	General Description of the County Lease Program.....	5
1.5	Landside Facilities and Uses.....	6
	Vehicular Circulation System.....	6
	Parking Resources.....	7
	Visitor Serving Uses.....	7
	Recreational Uses.....	8
	Boating Dependent Industrial.....	8
	Residential Use.....	10
1.6	Waterside Facilities and Uses for Boating.....	10
	General Description.....	10
	Boating Support Facilities.....	10
	Commercial Fishing.....	11
	Commercial Sport Fishing.....	11
1.7	Waterside Facilities and Uses for Non-Boating.....	11
	Recreational Beach Use and Swimming.....	11
	Recreational Fishing.....	12
	Open Water Recreation: Use of the Outer Harbor Waters.....	12
	Waterways Circulation.....	12
1.8	Utilities Systems.....	13
1.9	Maintenance Dredging.....	13
2.0	PUBLIC WORKS PLAN MAP: LAND USE AND ACCESS DESIGNATIONS.....	15
2.1	General Description of Land Use Plan Map.....	15
2.2	Land Use Designations and Permitted Uses.....	15
	Access Designations and Symbols.....	18
2.3	Consistency of Lease with Listed Uses.....	19
3.0	COASTAL ISSUES AND DEVELOPMENT POLICIES.....	20
3.1	Public Access and Recreation.....	20
	Public Recreation.....	20
	Public Parks.....	21
	Public Boating Access.....	22
	Parking.....	22
	Public Walkways.....	24
	POLICIES.....	27
3.2	Recreational Boating.....	31
	Restrictions on Boating.....	31
	POLICIES.....	32
3.3	Commercial Fishing & Commercial Sport Fishing.....	35
	COMMERCIAL FISHING AND COMMERCIAL SPORT FISHING POLICIES.....	35
3.4	Biological Resources.....	36
	Existing Conditions.....	37
	Marine Biology.....	37
	BIOLOGICAL RESOURCE POLICIES.....	38
3.5	Traffic and Circulation.....	50
	Existing Conditions.....	51
	Naval Construction Base Traffic Impacts Upon The Harbor.....	54
	POLICIES.....	55
3.6	Dredging.....	56

Existing Conditions .....	56
POLICIES .....	57
Jurisdictional Authorities .....	71

### **List of Figures**

Figure I - Location Map .....	3
Figure II - Channel Islands Harbor Base Map .....	4
Figure III - Existing Recreation/Access/Visitor Serving Facilities.....	9
Figure IV - PWP Land Use Map.....	17

### **List of Tables**

Table 1 - Harbor Public Parking Supply vs. Demand.....	25
Table 2 - On-Street Harbor Parking Demand .....	26
Table 3 - Weekday Traffic Volumes and Roadway Capacities .....	53
Table 4 - Weekday Levels of Service for Channel Islands Blvd/Victoria Ave Intersection.....	53

### **List of Technical Appendices**

The Appendices contain approved and proposed plans for certain projects in the Channel Islands Harbor. These plans serve as regulatory instruments,

Appendix A – Inventory of Existing Uses/Intensities by Parcel

Appendix B – Approved BISC Plan

Appendix C – Approved Vintage Marina Plan (note as certified, Appendix C is the approved Channel Islands Marina Plan)

Appendix D –History of Channel Islands Harbor

HarborAppendix E – Master Plan Marina Map

## 1.0 INTRODUCTION

### 1.1 Purpose

Section 30605 of the Coastal Act reads as follows:

“To promote greater efficiency of the planning of any public works or state university or college or private university development project, and as an alternative to project-by-project review, plans for public works or state university or college or private university long-range land use development plans may be submitted to the Commission in the same manner prescribed for the review of local coastal programs as set forth in Chapter 6 (commencing with Section 30500).”

Coastal Act Section 30114 includes harbors and publicly financed recreation facilities within the definition of public works facilities.

The purpose of this Public Works Plan is to provide Channel Islands Harbor with a detailed and specific planning document to guide future Harbor development. This document will also expedite the Harbor planning and permit process.

#### Process

This public works plan was reviewed and approved by the Coastal Commission prior to approval of the City of Oxnard’s Harbor LCP. Under these circumstances the Coastal Act required the Coastal Commission to review the Public Works Plan for consistency with the Chapter 3 coastal management policies of the Act.

If amendments to this public works plan are submitted after the certification of the City’s Harbor Local Coastal Program, the plan shall be approved by the Coastal Commission only if it finds, after full consultation with the affected local governments, that the proposed public works plan amendment is in conformity with the local coastal programs for the attached jurisdictions.

Under the approved Public Works Plan the County will issue all permits or other approvals for the Channel Islands Harbor development authorized under the Plan. Prior to the commencement of development proposed in the Plan, the County will notify the Coastal Commission, the affected local government, and other interested persons, organizations, and governmental agencies of the development and provide data to show that it is consistent with the Public Works Plan (i.e. per Coastal Act Section 30606). Review of a specific development by the Coastal Commission shall be limited to imposing reasonable terms and conditions to ensure that the development conforms with the plan and with the Coastal Act.

### 1.2 Area Description

Channel Islands Harbor is situated within the City of Oxnard on the Oxnard Coastal Plain and between Ventura Harbor and Port Hueneme, approximately five miles southeast of the mouth of the Santa Clara River (Figure I and Figure II). The area of the Harbor covers 310 acres, of which approximately 200 acres are water. Immediately to the east of the Harbor (see Figure I) is the

Port Hueneme Naval Base; to the southeast is the residential area of Silver Strand and the Port of Hueneme; and to the northwest are the residential communities of Oxnard Shores, McGrath State Beach Park and the Santa Clara River.

The Oxnard Plain, upon which the Harbor lies, is the result of thousands of years of alluvial deposits from the Santa Clara and Calleguas Creek. The Plain in the vicinity of the Harbor is underlaid by more than 400 feet of poorly consolidated alluvium consisting primarily of silts, sands and gravels. These in turn, are underlaid by the San Pedro Formations and Pleistocene Age.

Channel Islands Harbor is man-made and caters primarily to recreational boaters with a specific number of slips reserved for commercial fishing vessels. The Harbor accommodates approximately 2,150 vessels. The Harbor is in the form of a narrow “Y” oriented on a north-south axis 6,000 feet long (see Figure II). The two northerly segments, known as West Channel and East Channel, are each approximately 3,000 feet long. The base of the “Y” is 1,000 feet wide at the convergence, and narrows to 400 feet at the seaward end of the Harbor entrance channel 3,000 feet south of the “Y” convergence. The entrance channel extends 1,200 feet in a southwesterly direction into the sea. On either side of the entrance are rock jetties which extend offshore 700 feet. A rubble mound breakwater approximately 2,300 feet long lies off the end of the jetties, parallel to the shore, on a bearing 329° true; it provides protection to the entrance from the prevailing seas.

Channel Islands Boulevard bridges the West and East Channels to form the northern boundary of the Harbor. The bridge over the West Channel provides 29 feet of clearance at low tide, which restricts the mast height of sailboats unless they are equipped with pinned masts that can be lowered. The easterly bridge provides nominal clearance, and boats cannot pass under. Both bridges are fixed. All boats moored north of the bridge must use the West Channel to reach the sea. Where the West Channel extends to the north and west of the bridge, it is known as the Edison Canal. The canal extends northwesterly for approximately two miles to the Southern California Edison Company’s thermal power plant. It serves as an outlet channel for the plant’s cooling water effluent. At present, the effluent discharge, combined with the ebb tidal current causes a maximum current of approximately one-third miles per hour through the West Channel.

The principal objective of the Public Works Plan will be to identify land use designations and maximum intensities within the Harbor and provide policies which provide, protect and maintain the public’s access to and use of the recreational waters in and adjacent to the Harbor; additionally, the Plan will protect and maintain commercial fishing facilities in the Harbor. The Plan will contain policies and actions designed to accomplish these recreational and commercial fishing objectives.

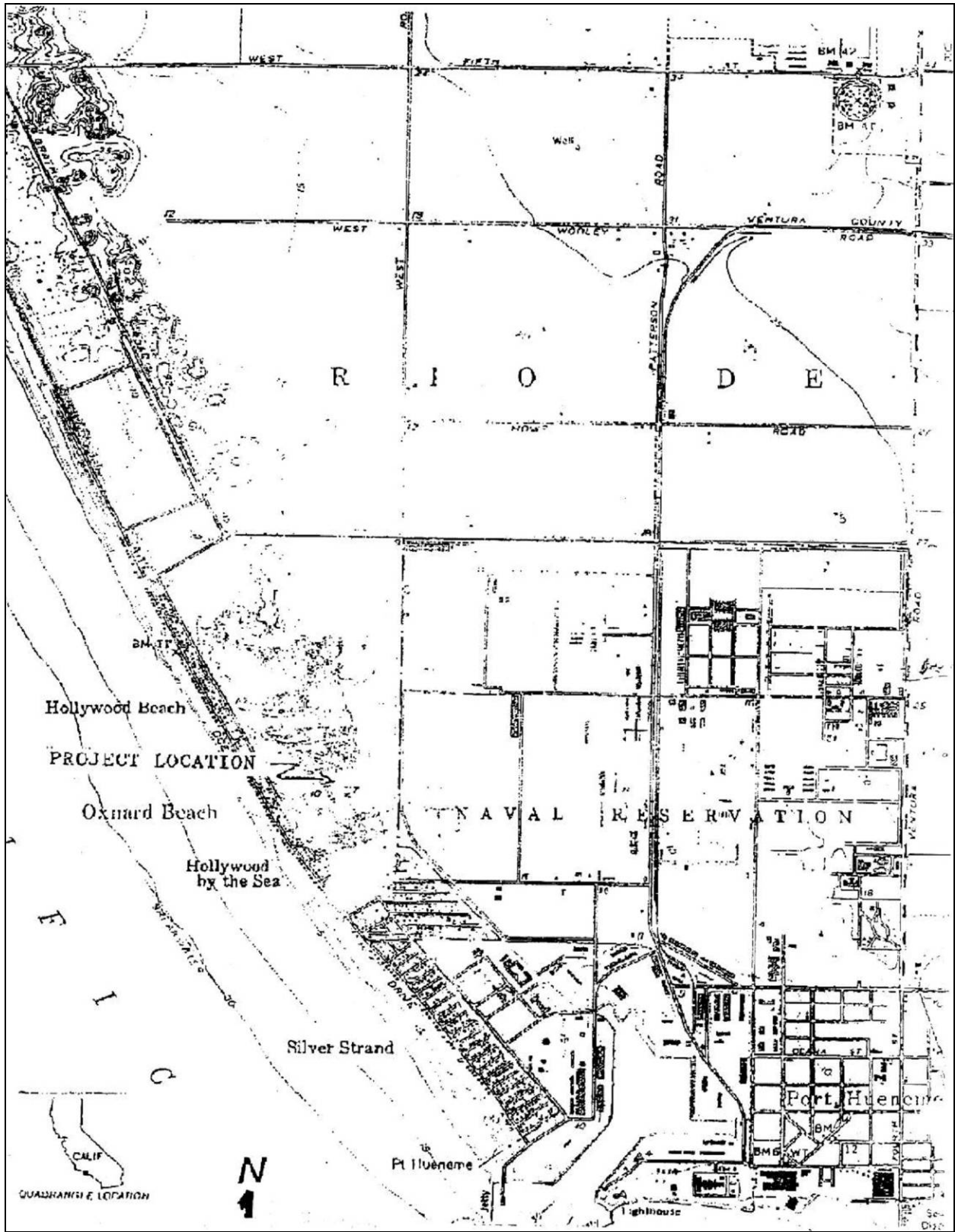


Figure I - Location Map



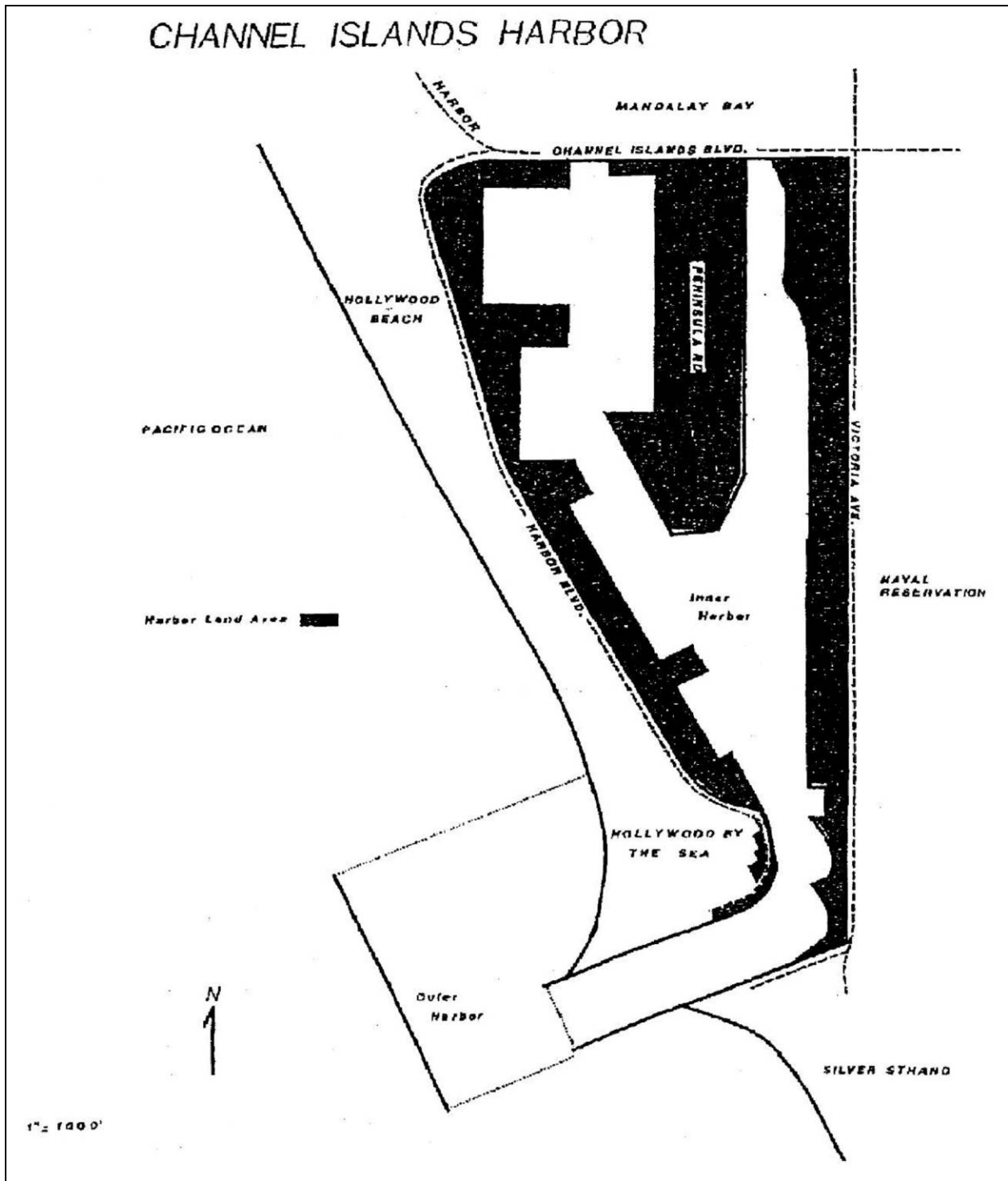


Figure II - Channel Islands Harbor Base Map

### 1.3 Demand Projections and Slip Count for Channel Islands Harbor

The California Department of Boating and Waterways (DBAW) contracted with the California State University, Sacramento, Foundation in 2002 to have prepared a California Boating Facilities Needs Assessment. The Study assesses the economic impact of boating in California, the recreational value of boating in the State and projects the boating facilities needs to the year 2020 by region. The study concludes that demand for boating overall will increase with the growth in population, with the greatest demand occurring in the Southern California area.

Forecasts suggest that the overall number of boats will increase statewide at a rate of 1.4 to 2.5 percent per year. Most of this growth will occur in the number of conventional power boats under 16 feet, private water craft such as jet skis, and boats 20 to 25 feet long. This increase in the number of trailerable watercraft correspondingly will increase the need for dry storage space and launching facilities. The DBAW study shows a need for additional launching capacity, along with associated parking and other amenities, in every region except San Francisco Bay (pg. 3-7). An estimated 48,042 to 77,343 additional dry storage spaces will be needed statewide through 2020 (pg. 3-8).

According to this study, in the South Coast region, the need for dry storage space exceeds the need for wet slips, although there is a projected increased demand for both. Limited waterways in the area, along with increases in population, will result in a large increase in demand. Of the 65,000 boats in the south coast and inland areas, only about 4,300 are in dry storage in the region's boating facilities. The DBAW study indicates a demand for up to 33,634 additional dry storage spaces, along with up to 221 launch ramp lanes, by 2020 in the south coast region alone (pg. 3-14).

Of the 38,860 wet slips in the south coast in 2002, about 90 percent were occupied. Any surplus was absorbed by 2005 (pg. 3-14). There is expected to be a need for an additional 4,679 new wet slips and moorings in Southern California by 2020. Because the space for these additional slips is limited, and no new marina areas are being proposed or approved, the study concludes that many smaller boats, in the 16 to 30 foot range, will be moved from wet storage to dry storage, increasing the demand for those services.

The trend in Channel Islands Harbor is consistent with the findings of the DBAW study. The demand for dry storage has increased and is anticipated to continue to increase as boaters with smaller boats rely less on wet slips and opt for less expensive dry storage. Vacancy counts for Channel Islands Harbor over the fall and winter months of 2006 indicate that larger slips are in higher demand harbor wide than the smaller (36 feet and less) slips. The harbor patrol surveyed marinas in the harbor at the first of each of the past six months. Slips that were in the 36 feet and under range were readily available, whereas the larger slips often have waiting lists.

### 1.4 General Description of the County Lease Program

The Channel Islands Harbor water and landside areas are primarily committed to recreational boating and marine related uses. With few exceptions, the landside and waterside facilities

within the Harbor have been developed and are operated by private enterprise under the terms of leases with Ventura County, which is the lessor.

In building out the Harbor, the County typically required the lessee to construct and maintain all facilities and required parking, according to specific requirements of the lease. The County collects a base monthly rent and percentages of gross revenues for each individual enterprise carried out on the leased parcel.

Each lease agreement identifies the uses and intensities permitted on the leased parcel. In certain instances the County requires minimum intensities and hours of operation. In other instances ranges of intensities are specified. All uses not specified are prohibited. Lease holders may seek amendments to the leases in order to add uses or change intensities. However, the County has specific land use designations for each parcel and does not permit amendments to leases which would allow additional uses which are not consistent with the underlying designations.

Leases are usually long term, some extending to 50 years. In some instances the facilities revert intact to the County if the lease is not renewed; in other cases the original leaseholder has the right to dismantle the facilities at the termination of the lease. Each lease of boat slips contains a provision providing for the availability of the slips to the general public on a first come first serve basis. Leases to yacht clubs for the operation of slips specify a minimum number of the total slips which can be reserved exclusively for rent by members of the club; the remainder must be available to the general public.

Table I (Appendix A) is an inventory of existing facilities and uses by leased parcels.

## 1.5 Landside Facilities and Uses

### Vehicular Circulation System

The Channel Islands Harbor is well served by a circulation network which connects it to US 101 to the north and California Highway 1 to the east. There are three main arterials which provide this connection, as well as providing direct access into the Harbor. Each of the three parallels a portion of the Harbor's perimeter. Harbor Boulevard parallels the Harbor's western perimeter, Channel Islands Boulevard, the north and Victoria Avenue, the east (see Figure I). Each of these roads is a primary element of the Oxnard/Harbor area circulation network.

Harbor Boulevard is the primary coastal route extending northward 7 miles from the Harbor's upcoast jetty to US 101 at Seaward Avenue just south of the City of San Buenaventura. Where it parallels the Harbor's west side, the Boulevard provides direct access at numerous points to all Harbor parking areas and other facilities.

Channel Islands Boulevard is aligned east-west across the northern perimeter of the Harbor. The Boulevard connects to Harbor Boulevard in the west and U.S. Highway 1 to the east where the latter passes through the City of Oxnard. Channel Islands Boulevard bridges both channels of the Harbor and provides the only vehicular access to the uses and facilities on the Harbor peninsula (via its intersection with Peninsular Road).

Victoria Avenue parallels and serves the eastern side of the Harbor. It extends northward approximately 9 miles from the Harbor's downcoast jetty to U.S. 101 at Montalvo. It intersects the primary east-west arterials of Channel Islands Boulevard, Wooley Road, Fifth Street and Gonzales Road, all of which connect the coastal route, Harbor Boulevard with U.S. Highway 1 and then to U.S. 101. Where it parallels the Harbor perimeter, Victoria Avenue provides direct access to the swimming beach at the jetty, the Coast Guard and Harbor Master's operations, commercial sport fishing docks, wet and dry boat storage facilities and a boat launching ramp.

### Parking Resources

Within and adjacent to Channel Island Harbor there are 22 individual parking lots containing approximately 2,845 parking spaces. These lots are located in an almost continuous linear progression around the Inner Harbor (Figure III). Three of these lots, B-1, B-2 and W-1, are outside the Harbor proper. Lots B-1 and B-2 serve the Silver Strand Beach, which is south of the Harbor entrance channel; the County provides all public services to these two lots. Lot W-1 is adjacent to the northern entrance mouth rock revetment and is provided all services by the City of Oxnard. The responsibility for various public services to the remaining Harbor parking lots are listed on page 16 of the Plan.

Of the 2,845 parking spaces, 290 are double length to accommodate vehicles with boat trailers attached. These spaces are provided for boaters who trailer their vessels to the Harbor, launch them at one of the nine launching ramps on the east side of the Harbor channel and then park their vehicle with trailer while they are boating. These spaces are in lots E-2, E-4 and E-5.

A parking survey conducted on Labor Day weekend 1985 indicates that, with the exception of the lots serving non-boating uses (beach lots B-1, B-2, B-3 and W-1), the parking resources within the Harbor are appropriately located and of more than sufficient number to meet peak demands (see Parking Policy discussion, Section 4.1 for survey results).

Beach lots B-1, B-2 and B-3 are located at the southern end of the Harbor in the community of Silver Strand. Lot W-1 is located on the southwest side of the Harbor in the community of Hollywood by the Sea. It serves a variety of passive recreational activities which generally occur along a narrow strip of earth atop the Harbor's northern jetty and revetment lining the entrance channel. Fishing, picnicking, boat watching are popular activities here. Some of the spaces serve individuals using the adjacent beach to the west.

With the exceptions of the beach lots, the Harbor's parking resources appear adequate to meet the demands of average summer weekends. Lots serving non-boating activities may require capacity increases or parking management programs on peak use days such as Labor Day, the Fourth of July or during major local events.

### Visitor Serving Uses

There are numerous visitor service uses within the Harbor. In general, all are ancillary to the Harbor's primary function of serving the needs of small craft recreation, though some of the uses, such as boat rental and chandlery item sales, are more directly related to boating activities than such enterprises as lodging, restaurants and gift shops. Even these latter uses, however, are

patronized by transient recreational boaters. Appendix A identifies the restaurants, motels and retail uses within the Harbor which serves visitors.

### Recreational Uses

With the exception of the existing residential uses and the industrial, commercial fishing facilities, the Inner Harbor is fully committed to recreational uses. The primary recreational use is boating which occupies the majority of the waterside space; this space is utilized for boat storage (slips) and navigation (open channels for boat traffic). A recreational swimming and wind-surfing area is located in a buoyed-off area of water adjacent to the surge beach just inside the southern jetty. The line of buoys demarking the limits of this area prevents swimmers and windsurfers from conflicting with boat traffic in the Harbor.

The landside recreational uses include: the swimming beach just inside the south jetty; linear bike and walkways adjacent to the boat basins and channels; public parks and overlooks on the peninsula, the east and west channels and the fishing, the picnic area atop the entrance mouth revetment (i.e., near Parking Lot W-1) and the Boating Instruction and Safety Center (near parking lot W-4, and on Figure III, Figure IV, and Appendix B). In addition, visitor serving commercial and retail uses<sup>1</sup> also provide recreation for those who come to the Harbor to eat or shop in conjunction with boating or non-boating recreational activities. These uses compliment rather than conflict with the Harbor's primary function as a small craft Harbor for recreational boating.

Figure III indicates the locations of the landside recreational and visitor-serving areas and uses within the Inner Harbor.

### Boating Dependent Industrial

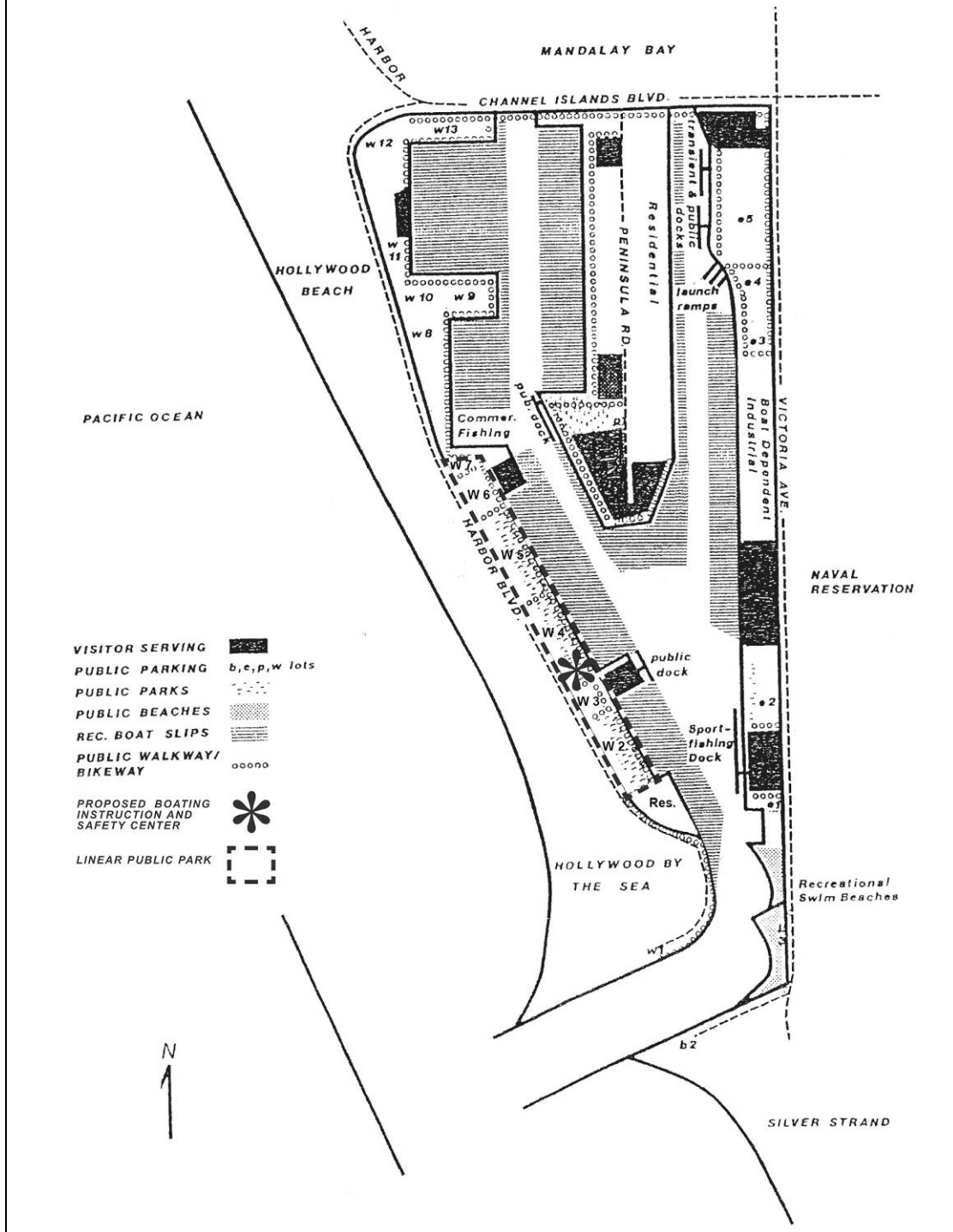
Within the Harbor the repair and building of boats occurs on two large leases which are adjacent to the east channel. Operations on these leases include the construction, repair, sales and storage of boats. The location is appropriate to these activities because the uses on adjacent leases and properties is such (open dry boat storage and military area) that no land use conflicts occur. Figure III indicates the location of the Boating Dependent Industrial Uses.

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<sup>1</sup> Visitor serving commercial such as lodging, the Theme Village on the west channel and the small retail area with its gift shops and fast food on the east channel at the intersection of Victoria Ave. and Channel Islands Boulevard.

# CHANNEL ISLANDS HARBOR

## EXISTING AND/OR PROPOSED RECREATION/ACCESS/VISITOR-SERVING FACILITIES



**Figure III - Existing Recreation/Access/Visitor Serving Facilities**

## Residential Use

There are a total of 727 residential apartments located in two separate areas within the Inner Harbor. The larger area, with 637 units, is located along the water on the west side of the peninsula. The other, with 90 units, is on the west side of the main channel just inside the base of the jetty. There are boat slips along the water areas immediately adjacent to the apartments. The slips are available to the public on a first come, first serve basis, with no special consideration given to the residents of the apartments.

### 1.6 Waterside Facilities and Uses for Boating

#### General Description

Within the Inner Harbor the water area is approximately 200 acres in size. It is primarily dedicated to uses and facilities which support recreational boating. Secondary uses are commercial fishing support and non-boating dependent recreation.

The configuration of the water area within the Inner Harbor is shown in Figure II. The Harbor is in the shape of a "Y". There are east and west channels separated by a peninsula; south of the peninsula the two channels merge into a main channel which exits to the sea behind an outer breakwater. As the main channel exits to the sea, it is confined by rock jetties on each side. Approximately 250 meters beyond the final rock outcropping or jetty spur before entering the Harbor proper, just before Kiddie Hobie Beach, there is a planned "shelf" on the Harbor floor. At the point of this shelf the overall Harbor depth changes from approximately 20 feet to the standard in-Harbor depth of 10 feet at mean lower low water. The shelf stretches from a point approximately 250 meters before the terminus of Harbor Boulevard into Ocean Drive.

The channel entrance at the Coast Guard facility averages approximately 450 feet. The eastern channel width ranges from an average of 165 feet at the opening and narrows to 100 feet where it dead ends near the Channel Islands Blvd. bridge. The western channel averages 225 feet in width.

The waterside facilities and uses within the Inner Harbor are described by category below. Unless a permit has been granted by the County for a special event on the water within the Harbor, the open channels within the Inner Harbor are utilized strictly for the navigation of boat traffic into and out of the Harbor. Therefore, all water areas not occupied by floating support facilities are for navigation only.

#### Boating Support Facilities

Waterside boating support facilities within the Harbor serve both private recreational and commercial boating activity. Appendix A - Table II lists the existing support facilities within the Inner Harbor.

A Boating Instruction and Safety Center is to be located in the public area to the immediate south of the existing Channel Islands Harbor Marina office as shown on Figure III, Figure IV, and Appendix B. This area consists of turf and trees, with a concrete path to pass boaters through this area to and from the parking lot. Approximately 1500 to 1700 square feet of turf is to be

removed to establish the BISC building, as well as one tree. The turf is restored on the opposite side of Bluefin Way Loop with the addition of .25 acres to the turf area adjacent to parking lot W-2 (Appendix B).

A temporary boat storage facility on Parcel Q is allowed for a period of five years after the certification of Public Works Plan Amendment 1-07 to allow for a Public Works Plan Amendment to authorize a permanent boat storage facility. If such an amendment is not processed within five years, the temporary boat storage facility shall be removed.

#### Commercial Fishing

Commercial fishing vessels are accommodated on Parcel X-1-A within the Harbor, as shown on Table I in Appendix A and on the Master Plan Marina Map in Appendix E. Commercial fishermen have the right of first refusal on all parcels designated for commercial fishing uses. Commercial fishermen are fishermen who hold a valid commercial fishing license issued by the California Department of Fish and Game. Commercial fishing is heavily regulated through the California Department of Fish and Game and National Marine Fisheries Services.

#### Commercial Sport Fishing

Parcel RS is designated for commercial sport fishing vessels, as shown on Table I in Appendix A and on the Master Plan Marina Map in Appendix E. Commercial sport fishermen have the right of first refusal on parcel RS. The commercial sport enterprises within the Harbor operate from approximately 600 feet of floating dock at Murre Way on the eastern side of the main channel. A variety of boating enterprises operate from the dock, including Harbor tours and commercial sport fishing boats. Commercial sport fishing includes partial and full-day sport fishing excursions and commercial sport diving excursions. Whale watching trips are also included in this use category.

On this parcel, commercial fishermen have first right of refusal for slip use.

### 1.7 Waterside Facilities and Uses for Non-Boating

#### Recreational Beach Use and Swimming

Non-boating recreation on the waters of the Inner Harbor is limited to recreational swimming and wind surfing in a buoyed-off water area adjacent to the small sand beach on the east side of the main channel near the entrance. This sandy area is a surge beach designed into the Harbor entry by the Corps of Engineers. The beach is heavily used by local families as a swim and play beach; it is a safe surfless beach for children due to its location within the harbor, but out of the way of the main boat channels, its shallow gradient and its demarcation by the buoy-line. Its location at a narrow portion of the Harbor entrance provides its users with an excellent view of Harbor boat traffic.

Under a joint agreement with the City of Oxnard, the day-to-day enforcement and patrolling of the beach is the responsibility of the County which the maintenance is the responsibility of the City.



The northern portion of this beach is often completely occupied by the trucks and boat trailers; this beach area is used as a loading ramp for Hobie Cats and other smaller sailing vessels. Once the boats are launched, the vehicles are left on the beach, thereby preventing the use of the sand area for swimming and sunbathing. This is an inappropriate use of the sand beach area during the summer season when the demands of swimmers and sunbathers require the maximum beach area. It is the policy of the County that the priority use for this beach area is swimming/sunbathing and not parking for vehicles and boat trailers.

### Recreational Fishing

Fishing is allowed in the Inner Harbor south of the tip of the peninsula. Most of the fishing activity occurs along the jetties at the entrance to the main channel since lower dissolved oxygen levels further into the channel limit the number of fish present.

### Open Water Recreation: Use of the Outer Harbor Waters

The Outer Harbor area inside the breakwater is used for open water recreation. Restrictions on its use are listed in County Ordinance 2829. Swimming, wind surfing, sailing and fishing are discouraged due to the high probability of collisions with boats navigating in and out of the Harbor.

### Waterways Circulation

The main channel within the Harbor provides for boat circulation within the Harbor through the entrance channel between the two jetties which leads to the Outer Harbor waters. Access to the waters of the Mandalay residential community northwest of the Harbor is provided by the Harbor's westerly channel as it goes under the Channel Islands Boulevard bridge.

Generally, the Harbor Channel is of adequate capacity for the existing level of boat traffic which occurs within it. According to the Harbor Master's office, which patrols traffic within the channel, flow capacity problems do occur on weekends and holidays. To alleviate this congestion problem, the Harbor District and the U.S. Army Corps of Engineers have discussed widening the entrance channel between the jetties. These discussions, however, have recognized the high costs of such a project and the fact that the existing design/configuration of the Harbor jetties and outer breakwater have proven extremely effective, unlike other Southern California harbor entrances, in preventing shoaling and providing a safe entrance.

Since marina development in Mandalay Bay will increase the Harbor mouth congestion, the City and County have agreed to work on this congestion problem jointly in order to minimize the congestion impacts.

## 1.8 Utilities Systems

### Water and Sewer Service

Channel Islands Harbor is provided water and sewer services by the Channel Islands Beach Community Services District (CIBCS). The District serves the adjacent communities of Hollywood Beach and Silver Strand (Figure II).

The CIBCS District draws its water from the Fox Canyon and Hueneme aquifers through three wells; the wells range in depth from 600 to 1,000 feet. These aquifers are not affected by salt water intrusion like the upper aquifers; however, the County of Ventura is in the process of implementing a groundwater management program for the deeper aquifers, which will be implemented sometime next year. The management program will probably restrict new drilling in the lower aquifer, but will not restrict existing well pumpage.

The Harbor uses approximately 121.6 million gallons per year of water (1984 water year) or 371 acre feet. Because of rapid growth in the Harbor over the last five years, the District has adequate water supplies to meet this demand. Existing storage and pumping equipment, however, is almost at capacity in serving the Harbor and surrounding neighborhood uses. The present peak pumping and storage capacity of the District is 66 million gallons per day; only half or 33 million gallons is available for actual water since the remaining pumping capacity and storage is used at night (lowest demand period) to backflush lines to prevent contamination and siltation. At peak demand during the summer, the water demand from users is slightly less than 33 million gallons.

During the next five years, the District plans to install additional storage tanks and a pump in Hollywood Beach to meet the summer peak demand. Until this equipment is installed, water conservation measures implemented at the Harbor will be necessary to prevent water shortages in the District during the summer. Certain uses at the Harbor use considerable quantities of water. For example, the washing of boats at the public boat ramps accounts for approximately 4.8 acre feet per month (peak use); restaurants are also one of the highest water users in the Harbor.

The delivery system for water to the Harbor consists of a network of 10, 8, 6 and 4 inch lines extending into the Harbor from 12 inch mains under Harbor Boulevard, Channel Islands Boulevard and Victoria Avenue. Generally, each of the major lease parcels within the Harbor is traversed by an 8 or 10 inch main.

Effluent produced in the District is processed at the Oxnard Sewer Plant on Perkins Road in Oxnard. There is adequate line and plant capacity to meet all existing and permitted uses within the District. The sewer collection system within the Harbor consists of 8 inch mains on both sides of the Harbor Channel with smaller collectors to each use.

## 1.9 Maintenance Dredging

Channel Islands Harbor entrance is protected on the north and south by two rock rubble mound revetment walls and a third rock revetment approximately 1,600 feet offshore (see Figure II).

The offshore detached breakwater parallels the shoreline and Harbor mouth and prevents potentially damaging sea waves from entering the Harbor mouth. The southward flowing coastal sand supply is interrupted by the Harbor revetment complex. The result is that the Harbor sand trap to the west of the entrance slowly fills in with sand and the downcoast areas begin to erode due to the lack of a sand supply. This sand trap was the original genesis of the development of Channel Islands Harbor, since the downcoast Port of Hueneme contributed to the erosion of the coast in the City of Port Hueneme, Ormond Beach and Pt. Mugu. Sand on this section of the coast flows from north to south or, in certain instances, from east to west. The construction of the Port of Hueneme in 1939 disrupted the flow of sand southward, causing erosion of the beaches in the City of Port Hueneme, at Ormond Beach, and at Point Mugu, an important Naval Air facility. In order to remedy this erosion, the U.S. Army Corps of Engineers was instructed by the U.S. Congress to determine a location where a sand trap could be constructed, and sand could then be transported periodically from the trap to areas south of the Port of Hueneme. The location identified was the area just northwest of what is now the entrance to Channel Islands Harbor. The area adjacent to the entrance structure was designed to slowly fill with sand, without causing closure of the Channel Islands Harbor entrance, and store that sand for periodic use to replenish the beaches to the south.

To correct this situation, the Army Corps of Engineers dredges the Harbor mouth approximately every two years and deposits the accumulated material on the City of Port Hueneme's beaches. Because the Harbor entrance is an existing navigation channel, a permit from the Coastal Commission is not required per Section 30610 (c) of the Coastal Act. If the dredged sand is deposited in the coastal zone, however, a Coastal Development permit is required.

Maintenance dredging within the Harbor's channels is very infrequent due to the relatively low input of sediment into the Harbor. When dredging is necessary, the County contracts with an independent firm and trucks the material to appropriate disposal sites (Coastal Commission and U.S Army Corps of Engineers permits are applied for sites with the Coastal Zone) or barges the material to an approved disposal area at sea.

## 2.0 PUBLIC WORKS PLAN MAP: LAND USE AND ACCESS DESIGNATIONS

### 2.1 General Description of Land Use Plan Map

The Land Use/Access Map of the Public Works Plan is presented as Figure IV and uses two distinct types of designations. These are:

- Land Use Designations which describe the uses permitted in specific areas of the Harbor; and
- Designation and symbols which show the various location and kinds of public access (visual, water, vehicle or pedestrian) which exist, or are planned within the Harbor.

The text below describes each of these separately; the Land Use Designations are described first.

### 2.2 Land Use Designations and Permitted Uses

The Land Use Map is included as Figure IV. The Map displays the Land Use Designations for the water and landside areas of the Harbor.

Most of the Designations overlay numerous individual County Lease Parcels. Not all of the uses listed as permitted under each of the Land Use Designations are allowed under the existing lease document on each Lease Parcel.<sup>3</sup>

Lease documents are subject to modification through negotiations between the County and leaseholder. Accordingly, any leaseholder whose lease does not entitle him/her to a use permitted under the Land Use Designation covering the Lease Parcel, may request an amendment to the lease to allow the use. At its discretion, and subject to terms and conditions, the County may modify any lease document to add a use requested by the leaseholder and permitted under the Land Use Designation covering the Lease Parcel.

The Land Use Map displays seven primary land use designations; their specific locations, names, and the uses permitted within them are described below.

WATERWAYS (W), for main basin and channel navigation areas in the Inner Harbor. This designation extends from the outer jetties to Channel Islands Boulevard.

Purpose: The purpose of the designation is to protect and preserve the open water area within the Inner Harbor for the safe navigation and recreational use by vessels.

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<sup>3</sup> For example, Charter Boat operations are listed as a permitted use under the V.S. H.O. and V.S.B. designations but, at present, PCL-RS is the only Parcel where the lease signed by the County and the leaseholder allows such a use. Similarly, boat sales and rentals are a permitted use under the VV.S.B. designation, but sales and rentals are not a use permitted by lease on all the lease Parcels under the Designation.

Permitted Uses are: navigation for recreational or commercial boating purposes and, under the terms and conditions of permits issued by the County, some special boating events.

COMMERCIAL FISHING (C.F.), for the water and landside support areas which serve the commercial fishing fleet along the West Channel and in a small area of the East Channel.

Purpose: The purpose of the designation is to provide for the operation of commercial fishing support operations and facilities (except seafood processing) necessary to serve the needs of the offshore commercial fishing and diving industry for landside loading/unloading and berthing facilities.

Permitted Uses are: Fish receiving and transferring facilities including storage, packaging, wholesale and retail fish sales and related offices, hoist facilities, net drying and repair areas, commercial fishing boat slips, icing facilities and other support facilities such as restrooms, showers and meeting rooms which are subordinate to, but necessary or helpful to the maintenance of the commercial fishing industry.

VISITOR SERVING BOATING (V.S.B.), for the water and landside areas of the Inner Harbor.

Purpose: On water, the purpose of the designation is to provide access to and the storage of boats, and where launching facilities exist, to provide for the entry or removal of boats from (or to) the waters of the Inner Harbor.

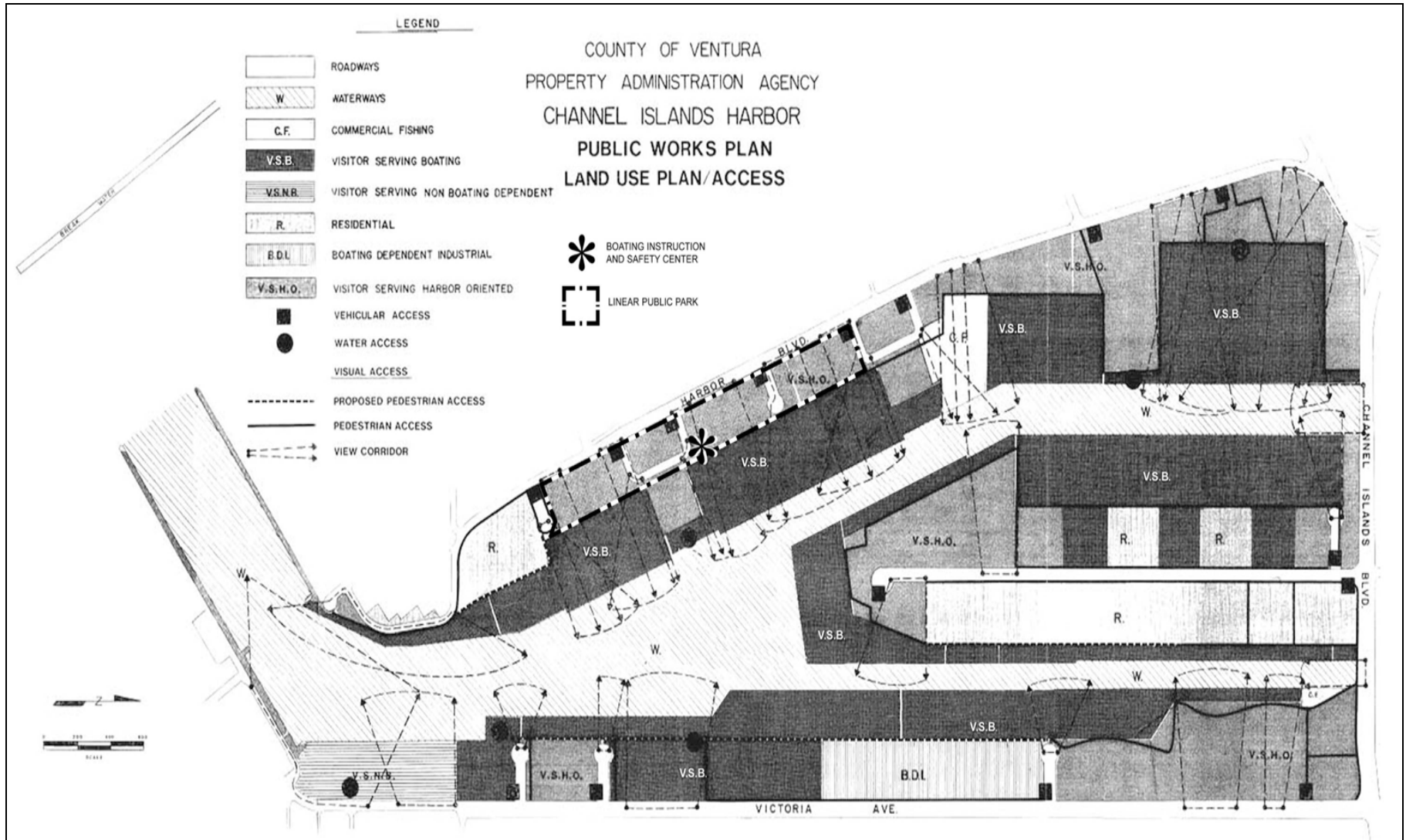
Permitted Uses on water are: boat storage, boat and boating equipment rental, sales, display, brokerage and minor repair services.

Permitted Uses on land are: dry storage of boats, the parking of vehicles and boat trailers and, where launching facilities exist, the washing of boats and flushing of saltwater engine cooling systems, boat and boat equipment sales, rentals, display, brokerage, storage and minor repair and packaged (carry-out) food or beverage sales.

VISITOR SERVING HARBOR ORIENTED (V.S.H.O.), for the landside areas which abut and provide physical or visual access to the water areas.

Purpose: The purpose of this designation is to provide for visitor serving uses and amenities which are either directly related to the boating activity within the Harbor, or ancillary to it. On a daily basis many visitors to the Harbor may, or may not, engage directly in boating activity, but do not come to recreate in the Harbor's marine environment with its developed landside facilities around open water and boating activity.

Permitted Uses are picnicking and other passive recreation, lodging, dining, fast food and shopping in chandleries, gift shops and boutiques, motels, restaurants, convenience stores, gas stations, fire stations, community centers/meeting places, yacht clubs, park areas, marine museums, marine oriented research facilities including a Boating



**Figure IV - PWP Land Use Map**

This Map shall only be used to reference landside parcels in the harbor. The waterside portions of this map are no longer applicable. The Master Plan Marina Map in Appendix E applies only to the waterside parcels.

Instruction and Safety Center as shown on Figure III, Figure IV and Appendix B. All uses shall have parking facilities adequate to meet average weekend peak demands.

BOATING DEPENDENT INDUSTRIAL (B.D.I.), for the land area beside the East Channel where major boat repair and construction activity occurs.

Purpose: The purpose of this designation is to provide for uses which are necessary for the repair and construction of vessels and the movement of vessels and Harbor maintenance operational equipment to and from the water.

Permitted Uses are boat haul-out, building, maintenance, repair, inspection, and storage and Harbor maintenance operations.

VISITOR SERVING NON BOATING (V.S.N.B.), for the swimming beach located in the southwestern corner of the Harbor with the water area marked by a floating buoy line or device.

Purpose: The purpose of this designation is to provide for non-boating, beach related recreational activities.

Permitted Uses are swimming, sunbathing, beach play, picnicking, windsurfing and floating of non-motorized vessels within the swimming area marked by the floating buoy line or device.

RESIDENTIAL (R.), for the land areas on the peninsula and adjacent to the West Channel near the jetty which are developed with residential apartment complexes.

Purpose: The purpose of this designation is to provide for residential uses within the scenic Harbor environment.

Permitted Uses are multiple apartment or condominium dwellings consistent with the provision and protection of public access and recreational use of the Harbor by boaters and other visitors.

The individual parcels within the Land Use Designations have been developed and are presently operated by private enterprise, subject to the terms of County leases. Appendix A lists the uses permitted on each parcel per the relevant lease agreement. The uses permitted under the terms of the individual leases are consistent with those permitted under the Land Use Designations described above.

#### Access Designations and Symbols

VEHICULAR ACCESS: A square symbol is placed on the Land Use Plan (Figure IV) at every point along the Harbor perimeter where vehicle access into the Harbor is available. The Land Use Plan shows the entirety of the existing and proposed vehicle circulation system within the Harbor. Some major points of public access are also coincident with the vehicular access points.

**PEDESTRIAN/BICYCLE ACCESSWAYS:** An unbroken line on the Land Use Plan (Figure IV) indicates existing pedestrian/bicycle routes. Generally these are located laterally along the waterfront with points of access at streets or parking lots. These walkways are protected under the Plan to provide maximum public access within the Harbor.

**PROPOSED PEDESTRIAN ACCESSWAYS:** A broken line on the Land Use Plan (Figure IV) indicates the locations of planned accessways along the Harbor waterfront. These accesses will be provided over time in conjunction with new development projects or public funding programs for coastal access.

**WATER ACCESS:** A circle on the Land Use Plan (Figure IV) indicates points along the waterfront which provide the public with the opportunity to physically enter the water or launch or hoist a vessel (i.e., this should not be confused with simple pedestrian accessways adjacent to the water, though most entry points are served by pedestrian accessways).

**VIEW CORRIDORS:** Broken lines with arrows on the Land Use Plan (Figure IV) indicate areas where visual access to the water areas of the Harbor will receive special protection. These are primary points along public roadways which afford the opportunity to watch the activities occurring on the waters within the Harbor.

### 2.3 Consistency of Lease with Listed Uses

The following policy shall apply to all leases within Channel Islands Harbor:

1. All amendments to existing leases or new lease documents created for leases within the Harbor shall be consistent with all development policies of the Channel Islands Public Works Plan.



### 3.0 COASTAL ISSUES AND DEVELOPMENT POLICIES

All development in the Harbor shall be subject to the following policy:

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

#### 3.1 Public Access and Recreation

Section 30211 of the Coastal Act requires that new development 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. Section 30252(4) of the Coastal Act states that new development provide adequate parking facilities. To prevent overcrowding of public recreational facilities Section 30212.5 states that these public facilities be distributed equally throughout an area.

Section 30251 identifies the visual and scenic qualities of coastal areas to be a resource of importance that must be protected.

The protection of these ocean oriented recreational lands and lower cost visitor and recreation facilities is stipulated by Sections 30220, 30221 and 30213 of the Coastal Act.

The Channel Islands Public Works Plan provides for full and adequate public access to all areas of the Harbor, its waterways and the adjacent shoreline area. Additionally, the Harbor provides for numerous public beach and water-oriented park areas and lower cost visitor serving facilities. These facilities provide for public enjoyment of scenic and visual qualities of the Harbor; development policies in the Plan provide for the protection of these scenic and visual qualities. The Harbor's Public Works Plan will continue to protect and maintain these areas consistent with all of the above Coastal Act policies.

#### Public Recreation

Channel Islands Harbor offers a variety of public opportunities to and use of its water areas (see Figure III). At the southern end of the Harbor an attractive recreational swimming beach is open to the public. This beach was constructed to absorb energy from incoming waves from entering the Harbor mouth. Free public parking for approximately 92 paved spaces and 28 spaces in an adjacent dirt lot are available. A public restroom is located next to the northern end of Lot B-3. The recreational beach is made up of two beaches which are separated by a concrete groin: the southernmost beach is primarily for swimming, sunbathing, picnicking, with the northern beach used for the launching of Hobie Cats, sunbathing and picnicking. Windsurfers and small inflatable boats also use this water area. These beaches are easily reached by the major access road of Victoria Avenue which links communities both north and south of this recreational area.

The southern sandy beach varies from 75 to 150 feet wide and is easily accessible from the B-3 parking lot; its water area ranges from 50 to 150 feet in width and is separated from the rest of the Harbor by a floating line of buoys. This swim area is very popular with families. These

conditions allow children of all ages to swim safely. Further, this beach is conveniently located next to the residential area of Silver Strand.

The adjacent northern beach during summer holiday weekends is monopolized by Hobie Cat owners who park their boats on the beach for most of the day, thereby preventing beach activities which benefit a greater number of people. As a result, swimming at this beach is not as heavy as at the southern beach.

The major beaches of Silver Strand and Hollywood Beach immediately south and north respectively of the Channel Islands Harbor mouth entrance are both valuable public coastal recreation resources. Two parking lots (B-1 and B-2) provide beach access to the Silver Strand Beach. The southerly 32-space Lot B-1 is outside the jurisdiction of the Harbor and is maintained by the City of Oxnard. The 100-space B-2 lot is immediately adjacent to the Harbor mouth; the lot charges a 75 cent fee for all day parking. Though the 100-yard-wide Silver Strand beach is substantially greater in size than the nearby Inner Harbor recreational swim beach, public demand does not appear as great. The number of vacant spaces in Lot A-2 was approximately the same as Lot B-3 on the Labor Day weekend.

Hollywood Beach is served by Lot W-1 (within the jurisdiction of the City of Oxnard) and adjoining on-street parking. Public demand exceeds the capacity of these existing parking facilities (i.e., onstreet – 40 spaces, Lot – 34 spaces). Public recreational activities adjacent to Lot W-1 include picnicking, fishing from the rock rip-rap wall, boating from the breakwater (i.e., small rubber boats), walking along the breakwater and volleyball, sunbathing, picnicking on the adjacent Hollywood Beach.

The popularity of this area is due in part to the good fishing, and the open view of both the Harbor and its entrance and the passing boats. The area has a sense of motion and openness that other parks within the Harbor do not offer. The land areas used for recreation are very narrow and linear, approximately 6 to 8 feet wide and 500 feet long. A small portion of this area is in grass with the rest in dirt. Reconfiguration of the parking lot W-1 could add the presently unused central green area in this lot to the existing heavily used narrow beach area. Further, the park could be expanded either along the breakwater or the undeveloped County land (i.e. next to existing residences) west of Harbor Boulevard to accommodate either additional parking or recreational area.

A publicly owned and operated facility is also permitted, the Boating Instruction and Safety Center. This facility is located on public land and provides marine education including but not limited to sailing, rowing, swimming, beach activities, marine biology, and other water-oriented activities and topics. The Boating Instruction and Safety Center also has a Gathering Facility, which is provided for community gatherings, classes, and fee-paying private events as approved by the Harbor Department.

### Public Parks

Four public parks exist within the Harbor itself. The linear Channel Islands Harbor Park is located on the western Harbor side, and consists of all open turf and landscaped area, trees, picnic tables, walkways and restroom facilities. The public walkway which encircles the Harbor

is directly adjacent to this park. Two parking lots (W-4 and W-5) serve this park and adjacent boat slips with 352 spaces. The view from the park is primarily of a 300-foot wide boat slip complex. The sense of openness and motion fully apparent at the Harbor recreational area W-1 is not present at this park area. Further, there is the lack of direct water access for fishing. As a result this attractive park area is only lightly used.

The small .5-acre northern jetty park, adjacent to Parking Lot W-1 (City of Oxnard jurisdiction), consists of .2 acres of developed and .3 acres of undeveloped park land. As described in the parking section above, this park is very heavily used despite its limited land area.

Peninsula Park is located on the southwestern portion of Peninsula Road. This .9-acre park is serviced by a 31-space parking lot. The park consists of open turf areas, a children's play area with playground equipment, walkways and a public restroom. The public walkway encircling the Harbor is also accessible from this park. A 1,150-foot-long public dock is connected via park walkway system and a ramp. Views from Peninsula Park are considerably more open than that from the Channel Islands Harbor Park; the open water of the main channel, passing boats and adjacent marinas are fully visible from the park.

A fourth Inner Harbor park is located on the southeastern side of the Harbor off of Victoria Avenue and the side street of Murre Way. This .6-acre park is adjacent to the commercial sport fishing docks at Parcel RS. The park consists of open turf area with picnic table and a restroom. The park affords an unobstructed view of the wide open water area (i.e., 700 feet) and boat traffic. This park experiences moderate public use.

#### Public Boating Access

The public can launch boats from trailers at the Channel Islands Harbor Launching Facility, which is located adjacent to Parking Lots E-4 and E-5 in the northeast corner of the Harbor.

The second boat launching area (undesignated) is located at the wave deflection beach immediately north of Lot B-3. This area is an informal launching area that is neither paved nor regulated. Hobie Cats and kayaks are typically launched from this area.

The Harbor also provides public dock area: in the Western Harbor off the small peninsula by Bluefin Circle directly off Peninsula Park and in the Western Harbor. These facilities appear adequate to meet existing public demand.

#### Parking

Channel Islands Harbor has 2,845 off-street public parking spaces. A parking lot demand survey was conducted on Labor Day weekend (8-31-85) in order to determine the adequacy of this public resource. The results are tabulated on Table 1 and Table 2. Labor Day weekend is one of the heaviest recreation weekend use periods by the public and represents a peak demand of recreational facilities in the Harbor. The survey was also taken during the mid-afternoon hours when beach and water recreational use is at its peak.

The survey results indicate that only 43% of the 2,845 parking spaces were in use during peak hour demand. A further examination of the parking demand figures shows the following public parking demand:

- I. The Eastern side of the Harbor is the most heavily used Harbor area (61% public use during survey) with Lots B-3 (Recreational Swim Beach) and E-2 being the most popular (Launch Ramp and Sport Fishing);
- II. The Western side of the Harbor including Lots W-2 through W-13 has ample public parking capacity remaining (33% public use during survey);
- III. Lots W-1 and adjacent on-street parking on the southwestern end of the Harbor is at capacity.

Lot B-3 adjoins a popular swimming beach in the Harbor and was at 87% capacity during the survey. The smaller adjacent unpaved dirt area fronting the wave deflection beach was at capacity. This unpaved dirt area was being used informally for boat launching since it is free and the closest of all three launch areas to the Harbor mouth; this launching conflicts with public use of the beach for swimming and picnicking.

The other free launch ramp area (Lot C-2) was almost at capacity, whereas Lots C-4 and 5 serving the largest ramp facility were at only 48% capacity.

The use of the sandy beach adjacent to Lot B-3 is of a higher demand than boat launching. The parking area should, therefore, be expanded to the north from Lot B-3 to provide more public parking and prevent boat launching. The boat launching in this area presently occupies valuable public parking and sandy beach area.

The Harbor on-street parking is located on Harbor streets and does not conflict, generally, with residential uses. There are two areas, however, where residential parking conflicts are occurring.

The on-street parking on the south end of Harbor Boulevard and San Miguel Avenue (i.e., community of Hollywood by the Sea) may conflict with the parking demand of the adjacent residences. The majority of this parking was for the public using the popular narrow linear recreational area next to Lot W-1. Land area is limited in this area but there is a possibility that the W-1 parking lot can be reconfigured and expanded to the southeast to provide for more parking and recreational area (note – this parking lot is within the jurisdiction of the City of Oxnard.)

On-street public parking in the community of Silver Strand occurs to a considerable degree during summer weekends, which creates parking and safety problems for local residents. It is estimated that up to 1,000 beach users come into the community during a summer weekend. Some people launching boats illegally at the recreational swim beach park their boat trailers on-street in Silver Strand. A possible resolution is to use the unpaved right of way along the southern end of Victoria Avenue as a public parking area for beach users.

Though the Harbor's public parking facilities are adequate, parking enforcement in the communities of Silver Strand and Hollywood by the Sea is necessary to prevent the public from parking in these residential areas. Shuttle buses from under-capacity Harbor parking lots to popular public recreational areas may be necessary.

### Public Walkways

The Harbor contains an extensive system of walkways and bikeways which provide the public with full physical and visual access to the majority of points within the Harbor. Figure IV depicts the existing visual and physical access within the Harbor.

Over 2.6 miles of public walkways, which directly parallel the Harbor's water and boat slip areas, exists within the Harbor. On the western side of the Harbor there are approximately 1.43 miles of this walkway/bikeway; on the Peninsula there is approximately .86 miles, and in the Eastern Harbor approximately .37 miles of public walkway/bikeway is present.

In addition, there is another 3.8 miles of public sidewalk providing both vertical and lateral access to the Harbor's waterfront walkway/bikeway. In West Hollywood this amounts to 1.9 miles; 1.28 miles in the Peninsula, and .62 miles in the Eastern Harbor.

The Eastern and Western Harbor arms are of relatively the same length, however, there is less than one-third the public walkways/bikeways in the Eastern Harbor. This is due in part to the .5-mile break in the public walkway system by two boat yards and a boat sales storage and rental facility. Future Harbor access improvements will include extension of public access along this stretch of the Eastern Harbor to connect with the popular recreational beach (Lot B-3) and sport fishing boat launch facilities (Lot E-2) to the south.

Other future access improvements include extension of public access along the eastern residential side of the Peninsula and on the Western Harbor along the far southern end and around the marina emporium. These improvements will add approximately .76 miles of public lateral walkway/bikeway and result in complete public access to all points of the Harbor.

Table 1 -  
Harbor Public Parking Supply vs. Demand

**MAXIMUM NUMBER OF SPACES OCCUPIED  
OVER 3-DAY LABOR DAY PERIOD  
(9-4-04 to 9-6-04)**

<b>Parking Lot</b>	<b>1000 Hrs</b>	<b>1300 Hrs</b>	<b>1600 Hrs</b>	<b>2000 Hrs</b>	<b>Total available spaces</b>	<b>Percent full during maximum demand</b>
W-2	86	104	110	105	182	57%
W-3 <sup>1</sup>	7	17	19	69	149	46%
W-4 <sup>1</sup>	65	78	86	65	179	48%
W-5	59	116	98	55	171	68%
W-6 <sup>2</sup>	152	152	111	65	152	100%
Whale's Tail/ Port Royal	12	51	57	71	76	93%

<sup>1</sup> Lots closest to Boating Instruction and Safety Center

<sup>2</sup> The Farmer's Market was being held this weekend. W-6 is the supporting parking lot. The Farmers' Market is held on Sundays.

Table 2 –  
 On-Street Harbor Parking Demand  
 LABOR DAY WEEKEND (8-31-85)  
 (1:30 TO 3:30 P.M.)

<u>STREET</u>	<u>ADJACENT HARBOR LOT</u>	<u>DEMAND</u>
Pelican Way	E-1	8
Murre Way	E-2	18
Curlew Way	E-3	11
Harbor Parking Circulation Road	W-13	9
Cabezzone Way	W-6	29
Bluefin Way	W-3	29
Albacore Way	W-2	8
Harbor Blvd./San Miguel Ave.	W-1	40*
Victoria Ave. Dirt Shoulder	B-3	<u>15</u>
TOTAL		167

\* Residential Area

## POLICIES

To protect, maintain and improve public access to the water areas within the Harbor, the following policies will be implemented by the County of Ventura:

### PUBLIC ACCESS

1. Within one year of approval of the PWP by the California Coast Commission the County will initiate an access program, subject to the review and approval of the Coastal Commission's Executive Director which:
  - a. requires the County to actively seek funding from appropriate sources such as the Coastal Conservancy, California Department of Boating, Waterways, and Wildlife Conservation Board for construction of the following projects (i.e., listed in order of decreasing priority):
    - i. improvements to and expansion of the northwestern entrance jetty park and adjacent W-1 parking lot (parking lot is in the jurisdiction of the City of Oxnard so policy is advisory only relative to this area);
    - ii. northward expansion of the southeastern recreational swim beach parking Lot B-3; and
    - iii. proposed public access walkways/bikeways depicted on the Land Use Plan (Figure IV) along the Harbor's residential development on the Peninsula and southwestern side and the southern jetty.
  - b. requires construction of the accessways by the County if redevelopment occurs on any of the leases presently without public access;
  - c. provides for a signing program to clearly identify the public accessways and recreational opportunities within the Harbor, including:
    - i. Several permanent "location maps" in areas of the Harbor with heavy visitor use which provides a clear directory to access opportunities in the Harbor, and
    - ii. Location of signs on major streets adjacent to the Harbor directing the public to beaches in Silver Strand, Hollywood by the Sea, and the southern end of the Harbor.
2. Public access from the closest public roadway to the shorelines or along the waterfront shall be provided in new development or redevelopment projects, unless:



- a. to do so would jeopardize the public safety, military security needs, or the adequate protection of fragile coastal resources;
- b. sufficient access exists nearby.

The County will designate a public or private agency which shall be responsible for the operation, maintenance and liability of dedicated accessways prior to approval of any new development or redevelopment projects. Actual improvements to accessways shall be completed and operational prior to the completion of new development or redevelopment.

3. To minimize the potential adverse impacts of overcrowding or overuse, the County shall distribute all public facilities equally throughout the Harbor.
4. Maximum pedestrian waterfront access shall be provided by incorporating waterfront pedestrian walkways into all redevelopment projects. Where existing structures are found to interfere with lateral shoreline access, walkways shall be located as close as possible to the water. All walkways shall be linked with adjacent walkways in order to insure uninterrupted pedestrian movement. A promenade walkway shall be provided along the Harbor frontage for all new development.
5. Adequate vehicular access and circulation shall be provided throughout the Harbor without impacting the Harbor's public resources.
6. Development shall encourage pedestrian, bicycle, bus and other non-automotive means of transportation over automobile circulation wherever possible.
7. Harbor bicycle accessways shall be clearly marked and connected to on-street bikeways.
8. There shall be no less than a 15-foot setback for all structures adjacent to Victoria Avenue or from the top of the revetment slopes. The following setbacks from the public right-of-way are required on all other streets:
  - a. Chain barrier: zero foot minimum.
  - b. Freestanding screen walls: six foot minimum
  - c. Walls of parking structures without street access: six foot minimum.
  - d. Walls, including perimeter walls, except as previously constructed: fifteen feet.

## PARKING

1. Parking areas and facilities shall be distributed throughout the Harbor to mitigate the impact of overuse and overcrowding of any single area.

2. Adequate parking for new development and redevelopment projects shall be consistent with County parking requirements as specified in the Harbor's Design Criteria. Parking for tour buses shall be provided wherever possible and appropriate.
3. Public parking shall be free, unless the County determines that moderate fees are necessary to recoup maintenance costs. Parking resources at swim beaches may be managed to maximize turn over, if necessary, for increased public recreational use.

## LAND AND WATER RECREATION

1. The Harbor will improve Parking Lot W-1 and the adjacent recreational area running along Harbor Boulevard in the following manner (this policy is advisory only since Parking Lot W-1 and adjacent recreational area is within the jurisdiction of the City of Oxnard):
  - a. The parking lot will be reconfigured to transfer the present island area to the seaward grass area and provide for a more efficient use of the parking spaces;
  - b. Consideration will be given to expanding both parking and park area westward along the breakwater and the undeveloped County land west of Harbor Boulevard;
  - c. The recreational area along Harbor Boulevard will be planted in turf and maintained as a park entrance. Picnic table and restroom facilities will be installed.
2. The County will protect the northern recreational swim beach by paving the existing dirt parking area for public parking and providing a physical barrier to prevent illegal boat launching. A maximum of 20 parking spaces will be constructed in this area.
3. One year after approval of the Public Work's Plan by the Coastal Commission the County will submit a parking monitoring program to the Executive Director of the Coastal Commission for review and approval to monitor the public beach parking in Silver Strand and investigate the possible need for public parking along the southern end of Victoria Avenue. The Plan will include a monitoring schedule and provisions for public, agency and local government review of and comment on the monitoring data in report form. (Please see Policy 2 (d), Section 4.6.)
4. Recreational opportunities in the Harbor area shall be maximized by protecting waterfront development for suitable recreational use and development as identified in Figure III.
5. Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.
6. To ensure that lower cost, recreational and visitor serving facilities are available to all income groups, picnic tables, public restrooms, pedestrian furniture, bicycle storage racks

small boat rental, berthing and sailing areas, marine education facilities, and at least two lower cost eating establishments of at least 2,000 square feet shall be provided.

7. The four existing park areas, the public swim beach and the BISC facility and use as shown on Figure III, Figure IV, and Appendix B shall be protected and preserved for general public use.
8. All areas designated as public parks and beaches in Figure III and Figure IV of the Plan shall be protected as open space and shall not be developed or utilized for other uses without an amendment to the Plan.
9. Harbor activities shall be clustered into locations appropriate to their use to protect and enhance public recreational activities in the Harbor. Land uses shall be compatible and consistent with the kind, location and intensity of development and resource protection and development policies prescribed by this Land Use Plan.
10. Replacement of lost park area from BISC construction

The County shall be responsible for the replacement of an equal or greater area of park to that lost to construction of the BISC within the immediate area of the project site in the Harbor. The replaced park area shall be equally accessible and usable by the public as the area lost to construction. The replacement of the park shall occur concurrently with construction of the BISC.

## VISUAL ACCESS

1. To enhance visual quality and ensure that new development and redevelopment activity does not impede views to the water area from the roadway to and from the waterfront and inland Harbor area, the following measures shall be implemented by the County:
  - a. A view corridor shall be defined as that area between the roadway and the roadway and the water which is not occupied by buildings, solid walls or fences, or landscaping which might interfere with the view of the water or water surface activity from the roadway.
  - b. A view corridor shall be measured from the linear distance paralleling the nearest public road.
  - c. At least 25% of the Harbor shall provide a view corridor that is to be measured from the first main road inland from the water line, which shall be at least 25 feet in width. View corridors shall be landscaped in a manner that screens and softens the view across any parking and pavement areas in the corridor. This landscaping, however, shall be designed to frame and accentuate the view, and shall not significantly block the view corridor. All redevelopment shall provide maximum views. Other than the proposed Boating Instruction and Safety Center (BISC) identified in this plan, no new

development within a designated view corridor shall occur without an amendment to the Public Works Plan.

- d. Future building or redevelopment in the Harbor shall not exceed two stories or 25 feet in height or 35 feet on Parcel V-1 at the corridor of Victoria Avenue and Channel Islands Boulevard. Height shall be measured from the centerline of the frontage road.

### 3.2 Recreational Boating

Section 30224 of the 1976 Coastal Act encourages increased recreational boating use of coastal waters by developing dry storage areas, increasing public launching facilities, providing additional berthing space in existing harbors and areas dredged from dry land and limiting non-water-dependent land uses that congest access corridors and preclude boating support facilities. Protection of existing recreational boating facilities is required by Section 30234 of the Coastal Act. Finally, Section 30220 states that coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.

The Harbor's Public Works Plan is consistent with all of the above Sections of the Coastal Act. The Harbor has continually provided new recreational boating slips, support facilities, dry storage and maintained uncongested waterways through proper land use planning. Further, the Harbor under the Plan will continue to protect its existing recreational boating facilities as well as improving public access to and recreational opportunities within the Harbor. Since the Harbor is built out and provides for adequate recreational boating facilities, the major issue will be to maintain the uncongested nature of the Harbor waterways so that all boaters will continue to have full access to the ocean.

One means of carrying out the Recreational Boating policies of the Coastal Act is by establishing a Boating Instruction and Safety Center on the west side of the Harbor as shown in Figure III, Figure IV, and Appendix B.

#### Restrictions on Boating

County Ordinance 2829 requires any organization or agency holding any race within the Harbor or using Harbor facilities to apply for a permit. If necessary, permit restrictions are applied to maintain uncongested Harbor waterways. Further, each permit issued for special boat races is subject to cancellation with no warning if Harbor congestion occurs.

This Harbor permitting system is designed primarily to eliminate congestion problems in the Harbor mouth and waters of the inner Harbor. The County has developed the following general restriction on boating activities:

1. No organized events are allowed in the entrance channel navigation pattern without a permit from the Harbor Department.
2. Generally, no permits are issued for special aquatic activities on weekends.
3. No major aquatic events are permitted to start, finish or take place in the Harbor, except:

- a. Summer race (i.e., such as the “Wet Wednesday” race series every Wednesday night) may finish inside the Harbor if wind speed is less than 12 knots and outside (i.e., inside the outer breakwater) if the wind speed is greater than 12 knots.
  - b. Youth Sabot winter racing (i.e., boats less than 8 feet) may be permitted in the center of the main Harbor basin from time to time by special activity permits.
4. Aquatic activities such as windsurfing are restricted to the area directly off of the recreational swim beach in the southern end of the Harbor.
  5. No sailing past the turning basin into marina areas is permitted for vessels with motor power.

### POLICIES

1. When either congestion occurs or the future critical number of berthed boats is reached, then the Harbor will consider and implement any of the following measures or other appropriate measures to eliminate the significant congestion problems:
  - a. creation of traffic lanes;
  - b. require all boats traveling beyond the identified sail area in the turning basin to use engine power;
  - c. increasing Harbor Patrol staff and number of patrolling boats and increasing the enforcement of and fines for infractions which contribute to congestion. This includes, but is not limited to, boating while intoxicated, exceeding the Harbor speed limit, not observing rules of the road, sailing with spinnakers in the Harbor entrance and disregarding traffic channel markers;
2. To provide for, protect and encourage increased recreational boating use of coastal waters, the following policies shall be implemented:
  - a. Harbor recreational boating facilities shall be protected and where possible upgraded in order to provide further opportunity to the recreational boater;
  - b. dry boat storage spaces shall be provided on Parcel P to accommodate a minimum of 400 vessels;
  - c. water storage space shall be provided for at least 2,150 recreational boat slips;
  - d. no more than 30% of the Harbor land area shall be developed for visitor serving uses not directly related to boating;
  - e. a target number of 5% of the recreational boat slips shall be available as guest slips;

- f. to protect the recreational character of the Harbor areas, no more than 5% of the boating slip supply shall be provided for live-aboard use;
  - g. the existing open water areas in the inner Harbor, as depicted on the Land Use Map as “Waterways” (Figure IV) shall not be developed with surface structures of any kind, floating or otherwise, except in cases of emergency where temporary structures are required, or unless authorized pursuant to an amendment to the Public Works Plan certified by the California Coastal Commission.
3. Any further development adjacent to or near to Channel Islands Harbor which will create significant additional demand for boating access to the Harbor or its landside facilities will have adverse effects upon the circulation and congestion, particularly at the Harbor entrance. As a condition to the consideration of any such development, the project proponent(s) shall be required to have completed a study evaluating traffic circulation and all related impacts. This shall include examination of the adequacy of the Harbor waterway and entrance to accommodate such demand and what measures are appropriate to mitigate these issues. Project developers should be required to bear the burden of making such improvement as are needed. This policy is advisory only for those areas adjacent to the Harbor which are not within the jurisdiction of the County of Ventura.
  4. Open water recreational uses are to be permitted within the Harbor include rowing, small vessel operation and fishing. Such uses shall be restricted to that point south of the terminus of Peninsula Road in order to minimize waterway congestion. Within the outer Harbor, other more varied recreational water uses may be considered which are not inconsistent with safe navigation patterns. Specifically, a Boating Instruction and Safety Center is to be located on the west side of the Harbor near parking lot W-4 as shown on Figure III, Figure IV, and Appendix B.
  5. The Harbor Department will provide educational materials to those concessions in the harbor who provide kayaks and boat rentals, to educate harbor users on boater safety, rules of harbor navigation, and other information necessary to maintain safety within the harbor.
  6. Replacement of all lost boat slips within CIH  

All recreational boat slips eliminated due to construction of the BISC project shall be replaced in kind (size and use) within the Channel Islands Harbor PWP jurisdiction. Replacement shall take place within 6 months of completion of BISC.
  7. Vintage Marina Pierhead Line  

The Vintage Marina pierhead line shall conform to the pierhead line depicted on the “Waterways” Land Use Map (Figure IV) and on the Vintage Marina Plan (Appendix C).

## 8. Distribution of Slip Size for Vintage Marina

The Vintage Marina slip size distribution shall consist of the following and conform to the slip configuration on the Vintage Marina Plan (Appendix C):

A minimum of 25% of the total number of slips shall be 32 ft. or under in length.

A minimum of 25% of the total number of slips shall be 32 ft., 1 in. – 38 ft. in length.

## 9. Extension of Boat Slips

The maximum extent of new or reconstructed boat slips shall extend no farther than waterside parcel line as depicted on the Master Plan Marina Map, Appendix E.

## 10. Slip Size Distribution for New or Reconstructed Marinas

The following slip size distribution standards shall apply to the Channel Islands Harbor overall:

A. A minimum of 25% of the total number of slips shall be 32 ft. or under in length.

B. A minimum of 25% of the total number of slips shall be 32 ft., 1 in. – 38ft. 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 less than 23% in Category B, harbor-wide.

11. The development or redevelopment of marinas shall protect, encourage, and where feasible, provide lower cost visitor boating opportunities.

## 12. Low Cost Boating

- a. The development or redevelopment of marinas or boat slips (not including commercial fishing or commercial sport fishing slips) shall include the provision of an in-lieu fee to the County, or a non-profit organization acceptable to the Executive Director of the Coastal Commission, to be used for scholarships for youths to participate in boating programs, for purchase of sail training vessels, funding for transportation to bring youths to the Harbor, and for other similar programs to enhance lower cost boating opportunities. **A NOID submitted for the development or re-development of marinas or boat slips shall include a calculation of the applicable in-lieu fee and a detailed description of the lower**

**cost boating program that the fee will be provided to.** (See Reporter's Transcript of Proceedings, February 8, 2008, Agenda Item 5a, pages 83-33).

- b. The in-lieu fee shall be the equivalent financial value of one 30-foot boat slip (based upon the listed per-foot rental rate posted at the marina on July 1 of each year for 30-foot slips) for each 100 slips of 32 feet 1 inch in length and over that are redeveloped. For marinas containing fewer than 100 slips over 32 feet 1 inch in length, the in-lieu fee shall be prorated based on the number of slips. The payment of the in-lieu fee to the County will commence upon completion of the marina redevelopment construction and continue annually, throughout the course of the ground lease.
- c. The Harbor Department shall provide (or shall cause the appropriate non-profit organization to provide) an annual report, for the review and approval of the Executive Director of the Coastal Commission, detailing the in-lieu fees that have been collected, the lower cost boating programs developed and operated, and the number of people participating in such programs. The report shall be provided annually, no later than January 15<sup>th</sup> of each year for the proceeding calendar year.

### 3.3 Commercial Fishing & Commercial Sport Fishing

Section 30234 of the California Coastal Act of 1976 mandates that facilities serving the commercial fishing industries be protected and, where feasible, upgraded. It also states that existing commercial fishing boating space shall not be reduced unless the demand for those facilities no longer exists or adequate substitute space has been provided. Finally, this section requires that recreational boating facilities be designed and located to not interfere with the needs of the commercial fishing industry.

Commercial Fishing is a coastal dependent use which has priority under the Coastal Act. The Channel Islands Harbor Public Works Plan provides both adequate slip space and landside facilities for the Commercial Fisherman in the Harbor.

#### COMMERCIAL FISHING AND COMMERCIAL SPORT FISHING POLICIES

1. The County will protect the Harbor's existing commercial fishing slips and facilities and lease them at reasonable rates to Commercial Fishermen.
2. Commercial and commercial sport fishing facilities shall not be reduced or changed from the parcel locations and slip numbers outlined in Appendix A unless the absence of need for such facilities can be demonstrated or equivalent substitute facilities are provided elsewhere and the PWP is amended accordingly.
3. Commercial vessels have the first right of refusal on all commercial fishing parcels and commercial sport fishing vessels have the first right of refusal on all commercial sport fishing parcels as outlined in Appendix A.



4. A berthing and mooring allocation system providing for the equitable determination of active commercial fishing status and enforcement of the provisions above shall be developed and implemented by the Harbor Department.
5. In the event that any portion of the commercial slips outlined in Appendix A cannot be rented to commercial fishing boats then the slips may be rented on a month-to-month basis to other vessels.
6. Facilities provided to serve the commercial fishing industry shall be in accordance with coastal permit no. 178-15, included in Appendix D, History of Channel Islands Harbor.
7. No time restrictions may be placed on the vehicles used by active commercial fishermen provided a parking permit is obtained from the County.
  - a. A permanently designated public parking lot area within the Harbor, having a minimum of 80,000 square feet, shall be restricted from automobile use on non-holiday weekdays to allow active commercial fishermen to spread out nets for drying and repair. Active commercial fishermen may reserve this area upon 24-hour advance notice. A reasonable deposit, refundable upon satisfactory performance, may be charged by the applicant to a user of this area to insure that the user will appear and that the reserved area is left in the same condition as it was prior to use by the fishermen. If a special event requires use of this reserved area then said area may be temporarily located elsewhere. The commercial fishermen shall be given adequate notice of such an event and relocation and shall be relocated for no more than a total of 30 days per calendar year.
  - b. A fuel dock available 24 hours a day shall be provided in the Harbor. A reasonable surcharge may be added to the cost of fuel pumped during off-hours.
8. The County of Ventura shall consolidate fish offloading operations to the Commercial Fishing Wharf. This Wharf shall be equipped with two cranes of varying sizes to accommodate the various fish catch in the Channel Islands Harbor area. At least one working crane shall be in place at all times.

### 3.4 Biological Resources

The California Coastal Act, Cal. Pub. Res. Code §§ 30000 to 30900, mandates the protection of the water quality and biological productivity of coastal waters.

The 1976 mandates [sic] the protection of the water quality and biological productivity of coastal waters. Section 30230 of the Coastal Act states that marine resources shall be maintained, enhanced, and where feasible restored, and that uses of the marine environment shall be developed such that the biological productivity of coastal waters will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific and educational purposes. Section 30231 applies this same level of protection to coastal streams, lakes, wetlands and estuaries. Section 30232 requires the protection against the spillage

of crude oil, gas, petroleum products or hazardous substances by developing effective containment and cleanup facilities and procedures.

Finally, Section 30240 of the Coastal Act requires the protection of environmentally sensitive habitat.

The Public Works Plan for the Harbor complies with all of the above Sections of the Coastal Act.

### Existing Conditions

Within Channel Islands Harbor terrestrial biological resources are limited in distribution and significance. The area is completely developed with commercial, recreational and residential structures; terrestrial vegetation consists entirely of introduced landscaping species.

Notwithstanding this man-made environment, several bird species, such as great blue herons and black-crowned night herons, utilize the trees in the Harbor for roosting and nesting. Although none of these species is listed or endangered, their presence is considered important. In addition, nearby Hollywood Beach west of the Harbor is designated as critical habitat for western snowy plover and California least tern.

### Marine Biology

A biological survey was performed for Channel Islands Harbor and adjacent areas in EIR 81-2 (1982) for development of Mandalay Bay Phase IV. This survey is incorporated, herewithin, by reference.

The relatively rich complement of marine algae invertebrates and fishes which is present at or near the Harbor entrance diminishes rapidly through the mid-Harbor area to the Mandalay Bay development north of the Harbor. The primary cause of this reduction in species numbers and diversity may be the pollutant and coliform bacteria concentration which is present in the area. This concentration is the result of inadequate tidal flushing, particularly in the “cul-de-sac” channels in the existing Mandalay development.

The marine species in the Harbor consist in part of:

ALGAE – Colopomenia senuosa, Dictyzoa flatilata, Grateloupia daryphara, Ulva lactuca and Sargassum muticum.

FISH – white croaker Genyonemus lineatus, topsmelt Athrinops affinis, jacksmelt Atherinopsis californiensis, staghorn sculpin Leptocottus armatus, pile and shiner surfperch Damalichthys vacca, Cymatogaster aggregate.

BIRDS – great blue heron Ardea herodias, double-crested cormorant Phalacrocorax uritus, western grebe Aechmophorus occidentalis, American coot Fulica americana, brown pelican Pelecanus occidentalis, herring gull large argentatus, California gull Larus californicus, black-crowned night herons, and western snowy plover and California least tern on adjacent Hollywood Beach.

## MAMMALS – California sea lion Zalophus californianus.

It is probable that many more migratory bird species use the Harbor during the year.

Water quality within the Harbor and adjacent waterways to the north is presently impacted by agricultural runoff; boat paint, engine oil, and gas contaminants; and boat toilet discharge. The sampling demonstrated that water quality decreased significantly from the Harbor mouth to mid-Harbor; oxygen concentration fell by one-fourth in this interval and was maintained at a level of 9 ppm throughout the rest of the waterways. This is due to the lack of wave action, the decreased tidal mixing, lack of algal species and increase in oxygen consuming bacteria.

The presence of *E. coli* at mid-Harbor and Mandalay Bay boat slips suggests that boat owners are discharging boat toilets directly into the waterways. The presence of increased levels of *E. coli* north of the Harbor indicates a correlation with the agricultural water discharge in this area. The agricultural water is high in nitrate and phosphate levels, which promotes bacterial growth. *E. coli* can cause intestinal disorders while the effect of Enterobacters on marine organisms is unknown.

Since the Harbor will not expand under the Public Works Plan there will be no increase in the current level of Harbor generated pollutants. The development of the Mandalay Bay phases to the north of the Harbor however, will result in substantial increases in water pollutants. The Mandalay project will add approximately 800 boats to the approximately 2,500 that are moored in the Harbor. In addition to some increases in human waste, an additional annual input of 2 tons of engine oil and 20 pounds of lead from marine fuel is projected from the boats in slips at Mandalay Bay.

Impacts upon the distribution and diversity of marine species will not occur with implementation of the Harbor's Public Works Plan. Long-and short-term cumulative impacts, however, from the development of adjacent areas such as the Mandalay Bay projects will affect the distribution and diversity of these marine species. The Public Works Plan will contain policies and actions to protect both the water quality and biological productivity of the Harbor's marine waters.

## BIOLOGICAL RESOURCE POLICIES

1. Portions of Hollywood Beach west of the Harbor utilized by western snowy plovers and/or California least terns for nesting, breeding, and foraging are designated as Environmentally Sensitive Habitat Area. No activities associated with operation of the BISC shall be permitted to occur on or across Hollywood Beach during the nesting/breeding season for snowy plovers and least terns (March 1 – September 30). In carrying out this policy the Harbor Department shall consult with the US Fish and Wildlife Service.
2. The Harbor Department shall coordinate with the California Department of Fish and Game, the US Fish and Wildlife Service and the Army Corps of Engineers to develop and implement a long-term conservation plan for California least terns and western snowy plovers at Hollywood Beach. The conservation plan shall include management strategies that address Harbor education and outreach programs (including those associated with the

BISC), beach maintenance activities, dredging, and designation of breeding areas for the least tern and snowy plover.

3. The Harbor Department shall avoid beach grooming activities at Hollywood Beach between January 1 and September 30 of each year unless authorized by the US Fish and Wildlife Service. Removal of items not necessary to support insects and invertebrates that western snowy plovers feed upon is allowed provided that removal is not conducted during the breeding season. Motorized vehicles shall stay on the wet sand or along the south edge by the jetty during this period.
4. The Harbor Department shall install educational signs at access points to Hollywood Beach to inform beach users of “leash” laws and to discourage harmful activity within the nesting area for snowy plovers and least terns during the breeding season. If recommended by the U.S. Fish and Wildlife Service “symbolic” fencing (e.g. rope and stakes) may be installed to protect nests during the breeding season.
5. Construction of the Boating Instruction and Safety Center (BISC)

Commencement of construction shall not take place until a qualified biologist has determined the black-crowned night herons are no longer nesting. No construction shall commence or ongoing exterior construction shall occur during the nesting season for black-crowned night herons (February through July). Construction improvements to the interior of the building may continue during the balance of the year if the biological monitor determines that interior construction will not adversely impact nesting or fledging activity and all construction noise is mitigated to the maximum feasible extent. Construction staging shall take place from the opposite side of the BISC away from the nesting trees. A qualified biologist shall monitor the site prior to, during (at least twice monthly), and after construction. The biologist shall submit a monitoring report after each nesting season during construction and once annually for 3 years after final construction is completed which addresses the status of the black-crowned night heron nesting in the immediate vicinity of the BISC.

6. To avoid disturbance of nesting herons all lighting on the north side of the BISC building shall be of low intensity and directed downward and/or away from nesting trees.
7. In order to provide further protection to avian species adjacent to the BISC, all music played at the BISC during special events, whether inside or outside, shall be of the non-amplified, acoustic variety.
8. Construction of the Vintage Marina

The restrictions specified below shall not apply to construction of docks and piers on the opposite side of the harbor from the Vintage Marina, and construction that does not exceed an ambient noise level, not to exceed 65 dB, at any potential or active nesting tree within the Vintage Marina reconstruction area (basins D & E and the adjacent linear park).

Construction of the Vintage Marina shall not take place within the existing Vintage Marina dock reconstruction area (basins D and E) or the adjacent linear park during the nesting season for black-crowned night herons, great blue herons, or egrets (February 1 through August 15). A qualified biologist, approved by the Executive Director, shall monitor the site during construction for herons and egrets prior to, during (at least once weekly), and after construction. The monitor shall be present during all pile driving to assess the impacts on bird foraging and feeding. Should nesting activity at either of the two existing nesting sites located within the linear park adjacent to the reconstruction area be observed at any time during construction throughout the non-nesting season then all construction throughout the non-nesting season within 300 feet of the nest site shall cease and not resume until the end of the nesting activity. The biologist shall submit a monitoring report after each nesting season during construction and after final construction is completed which addresses the status of heron or egret nesting and foraging in the immediate vicinity of the Vintage Marina.

Noise generated by construction (including but not limited to pile driving) shall not exceed ambient noise levels at the construction site (including but not limited to pile driving) and in no case shall construction noise exceed 65 dB. A qualified independent monitor, approved by the Executive Director, shall be present on site during construction to measure noise levels. During construction noise reduction measures such as sound shields made from plywood or sound-board or molded sound shields shall be used and measures shall be taken to minimize loud noise generation to the maximum feasible extent. Bubble curtains shall be employed beneath the surface during pile driving. Bright upward shining lights shall not be used during construction and construction employees shall be prohibited from bringing pets (e.g. dogs and cats) to the construction site.

9. All new marina development or redevelopment shall minimize impacts to sensitive bird species, including but not limited to black-crowned night herons, great blue herons, snowy egrets, and other sensitive bird species.
10. All new marina development or redevelopment shall include biological surveys of trees on and adjacent to the project site (within 500 feet of any construction activities) prepared by a qualified independent biologist or environmental resource specialist, just prior to any construction activities, and once a week upon commencement of construction activities that include grading or use of other heavy equipment, and that will be carried out between December 1<sup>st</sup> and September 30<sup>th</sup>, inclusive. Such surveys shall identify the presence of black-crowned night herons, great blue herons, snowy egrets, or other sensitive species in or near the project site. All surveys conducted pursuant to this policy shall be submitted to the Executive Director of the Coastal Commission.

In the event that the surveys identify any black-crowned night herons, great blue herons, snowy egrets, or other sensitive species exhibiting reproductive or nesting behavior on or adjacent to the project site (within 500 feet of any construction activities), then the following measures shall be included in the development:

Within 300 feet of any identified active nesting sites, noise monitors shall be present during all pile driving, concrete demolition, or other hardscape demolition. Noise generated by construction (including but not limited to pile driving) shall not exceed **65 dB at any point in time**, at any active nesting site. If construction noise exceeds the standard above, sound mitigation measures shall be employed. If these sound mitigation measures do not reduce noise levels within 48 hours, construction within 300 feet of the tree shall cease and shall not recommence until either new sound mitigation can be employed or nesting is complete. (See Reporter's Transcript of Proceedings, February 8, 2008, Agenda Item 5a, pages 95-97 and 103-109)

A qualified independent monitor, approved by the Executive Director, shall be present on site during such construction to measure noise levels. During construction, noise reduction measures such as sound shields shall be used and measures taken to minimize loud noise generation to the maximum extent feasible. Bright upward shining lights shall not be used during construction and construction employees shall be prohibited from bringing pets (e.g., dogs and cats) to the construction site.)

11. All new development or redevelopment that involved disturbance to marine water substrate within the Harbor and other shallow waters (up to approx. 250 ft. depth) shall minimize impacts to marine resources through the introduction and/or spread of non-native invasive aquatic species. All such projects shall provide a survey, prior to the commencement of development, for the presence of *Caulerpa taxifolia* (*C. taxifolia*) or other non-native invasive aquatic species within the project site and extending to the surrounding area at least 10 meters beyond the project area. The survey shall be prepared consistent with the survey protocol required by the Southern California Caulerpa Action Team (SCCAT). If *C. taxifolia* or other non-native invasive aquatic species is found within or in close proximity to the project site, it shall be eradicated prior to the commencement of the project
12. All new development or redevelopment that involves disturbance to shallow water marine substrate within the Harbor shall avoid impacts to marine resources, including eelgrass. Such projects shall provide a pre-construction survey conducted during the active growth period to determine the presence of eelgrass (*Zostera marina*). If eelgrass is present within the project site, the project shall be redesigned to avoid impacts to eelgrass. If it is not feasible to avoid impacts to eelgrass on the project site or nearby, the Harbor Department shall replace the impacted eelgrass at a minimum 1.2:1 ratio on-site, or at another location, in conformance with "Southern California Eelgrass Mitigation Policy" Revision 8 adopted by the National Marine Fisheries Service.
13. For all new development or redevelopment of marinas, the Harbor Department shall comply with all requirements and mitigation measures from the California Department of Fish and Game, United States Army Corps of Engineers, U.S. Fish and Wildlife Service, and the Regional Water Quality Control Board prior to commencement of construction.

**14. Trimming or Removal of Trees** (See Reporter's Transcript of Proceedings, February 8, 2008, Agenda Item 5a, pages 94 and 100-103)

**The purpose of this policy is to ensure the long term protection of breeding and nesting habitat of birds protected by the Fish and Game Code, the Migratory Bird Treaty Act, and all bird species of special concern. The trimming or removal of any tree that has been used for breeding and nesting within the past 5 years, determined by a qualified biologist, shall be undertaken in compliance with all applicable codes or regulations of the California Department of Fish and Game, the U.S. Fish and Wildlife Service and the U.S. Migratory Bird Treaty Act and shall require approval through a Notice of Impending Development undertaken pursuant to the parameters listed below. Tree trimming or removal can also be accomplished through a harbor-wide programmatic NOID that incorporates the parameters below.**

**Tree trimming or tree removal shall be prohibited during the breeding and nesting season of the bird species referenced above (January – September) unless the Harbor Department, in consultation with a certified arborist, determines that a tree causes danger to public health and safety. A health and safety danger exists if a tree or branch is dead, diseased, dying, or injured and said tree or branch is in imminent danger of collapse or breaking away. Trees or branches with a nest that has been active anytime within the last five years shall not be removed or disturbed unless a health and safety danger exists.**

**The removal of any breeding and nesting tree shall require mitigation at a 1:1 ratio. Replacement trees shall consist of native or non-native, non-invasive tree species. A tree replacement planting plan for each tree replacement shall be developed to specify replacement tree locations, tree size (no less than 36" box size), planting specifications, and a five-year monitoring program with specific performance standards. An annual monitoring report for tree replacement shall be submitted for the review and approval of the Harbor Director and maintained on file as public information.**

**A. Tree Trimming During Non-Breeding and Non-Nesting Season (October-December)**

- 1. Prior to tree trimming or removal, a qualified biologist shall survey the trees to be trimmed or removed to detect nests and submit the survey(s) to the Harbor Department. Tree trimming or removal may proceed if a nest is found, but has not been used within the prior 5 years.**
- 2. In the event that any of the bird species referenced above return or continue to occupy trees during the non-nesting season, trimming shall not take place until a qualified biologist has assessed the site, determined that courtship**

behavior has not commenced, and given approval to proceed within 300 feet of any occupied tree.

3. **Trimming of nesting trees shall not encroach within 10 feet of an unoccupied nest of any of the bird species referenced above. The amount of trimming at any one time shall be limited to preserve the suitability of the nesting tree for breeding and/or nesting habitat.**

**B. Tree Trimming or Removal During Breeding and Nesting Season (January – September)**

**If tree trimming or removal activities cannot feasibly avoid the breeding season because a health and safety danger exists, the following guidelines must be followed:**

1. **A qualified biologist shall conduct surveys and submit a report at least one week prior to the trimming or removal of a tree (only if it is posing a health or safety danger) to detect any breeding or nesting behavior in or within 300 feet of the work area. A tree trimming and/or removal plan shall be prepared by an arborist in consultation with the qualified biologist. The survey report and tree trimming and/or removal plan shall be submitted for the review and approval of Harbor Director and maintained on file as public information. The plan shall incorporate the following:**
  - a. **A description of how work will occur (work must be performed using non-mechanized hand tools to the maximum extent feasible).**
  - b. **Limits of tree trimming and/or removal shall be established in the field with flagging and stakes or construction fencing.**
  - c. **Insurance (sic) that tree trimming will be the minimum necessary to address the health and safety danger while avoiding or minimizing impacts to breeding and nesting bird's and their habitat.**
2. **Prior to commencement of tree trimming and/or removal the qualified biologist shall notify in writing the Department of Fish and Game and the U.S. Fish and Wildlife Service of the intent to commence tree trimming or removal.**

15. Activities which produce, handle or transport petroleum products or hazardous substances within Harbor water areas shall be discouraged. This policy does not apply to retail fuel sales/operations for boaters and commercial fishermen in the Harbor.

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



17. Pump-out facilities adequate for all marine needs (i.e. bilges, holds, oil changes) shall be provided by the Harbor Department.

## WATER QUALITY POLICIES

1. All new development or redevelopment shall be designed to prohibit the discharge of pollutants that would cause or contribute to receiving water impairment or exceedance of state water quality standards.

2. Water Quality Management Plan

All new development or redevelopment shall include a Water Quality Management Plan (WQMP), prepared by a licensed water quality professional, and shall include plans, descriptions, and supporting calculations. The WQMP shall incorporate structural and non-structural Best Management Practices (BMPs) designed to reduce, to the maximum extent practicable, the volume, velocity and pollutant load of stormwater and dry weather flows leaving the developed site. In addition to the specifications above, the plan shall be substantial conformance with the following requirements:

- A. The proposed development shall reduce or maintain pre-development peak runoff rates and average volumes to the maximum extent practicable.
- B. Appropriate structural and non-structural BMPs (site design, source control and treatment control) shall be designed and implemented to minimize water quality impacts to surrounding coastal waters. Structural Treatment Control BMPs shall be implemented when a combination of Site Design and Source Control BMPs are not sufficient to protect water quality.
- C. Impervious surfaces, especially directly connected impervious areas, shall be minimized, and alternative types of pervious pavement shall be used where feasible.
- D. Irrigation and the use of fertilizers and other landscaping chemicals shall be minimized.
- E. Trash, recycling and other waste containers, as necessary, shall be provided. All waste containers anywhere within the development shall be covered, watertight, and designed to resist scavenging animals.
- F. Runoff from all roofs, roads and parking areas shall be collected and directed through a system of structural BMPs including vegetated areas and/or gravel filter strips or other vegetated or media filter devices. The system of BMPs shall be designed to 1) trap sediment, particulates and other solids and 2) remove or mitigate contaminants (including trash, debris and vehicular fluids such as oil, grease, heavy metals and hydrocarbons) through infiltration, filtration and/or biological uptake. The drainage system shall also be

designed to convey and discharge runoff from the developed site in a non-erosive manner.

G. Parking lots and streets shall be swept on a weekly basis, at a minimum, in order to prevent dispersal of pollutants that might collect on those surfaces, and shall not be sprayed or washed down unless the water used is directed through the sanitary sewer system or a filtered drain.

H. The detergents and cleaning components used on site shall comply with the following criteria: they shall be phosphate-free, biodegradable, and non-toxic to marine wildlife; amounts used shall be minimized to the maximum extent practicable; no fluids containing ammonia, sodium hypochlorite, chlorinated solvents, petroleum distillates, or lye shall be used.

I. Post-construction structural BMPs (or suites of BMPs) shall be designed to treat, infiltrate or filter the amount of stormwater runoff produced by all storms up to and including the 85<sup>th</sup> percentile, 24-hour storm event for volume-based BMPs, and/or the 85<sup>th</sup> percentile, 1-hour storm event, with an appropriate safety factor (i.e., 2 or greater), for flow-based BMPs.

J. All BMPs shall be operated, monitored, and maintained for the life of the project and at a minimum, all structural BMPs shall be inspected, cleaned-out, and where necessary, repaired at the following minimum frequencies: (1) prior to October 15<sup>th</sup> each year; (2) during each month between October 15<sup>th</sup> and April 15<sup>th</sup> of each year and, (3) at least twice during the dry season.

K. Debris and other water pollutants removed from structural BMP(s) during clean-out shall be contained and disposed of in a proper manner.

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

3. Material used for construction of piers, pilings, docks, dolphins, or slips shall not include timber preserved with creosote, (or similar petroleum-derived products.) Pilings treated with Ammoniacal Copper Arsenate (ACA), Ammonical Zinc Arsenate (ACZA) or Chromated Copper Arsenate (CCA) shall be used only if wrapped or coated prior to installation with a water tight plastic sleeve, or similar sealant. To prevent the introduction of toxins and debris into the marine environment, the use of plastic wrapped pilings (e.g. PVC Pilewrap) and reinforced plastic for pilings (e.g. high density polyethylene (HDPE) pile armor), shall conform to the following requirements:

- A. The material used shall be durable and a minimum of one-tenth of an inch thick.
- B. All joints shall be sealed to prevent leakage.
- C. Measures shall be taken to prevent ACA, CCA and/or ACZA from dripping over the top of plastic wrapping into State Waters. These measures may include wrapping pilings to the top or installing collars to prevent dripping.
- D. The plastic sleeves shall extend a minimum of 18 inches below the mudline.
- E. Plastics used to protect concrete or timber piers and docks or for flotation shall be subject to regular inspection to prevent sloughing of plastics into the waterway. A comprehensive inspection and maintenance plan shall be a requirement of any approval for projects involving plastic/or similar material wrapped piles.
- F. The lessee shall be made responsible for removal of failed docks or materials.
- G. If federal or state regulatory agencies, through new or better scientific information, determine that environmentally less damaging materials or methods are available for new piles or piling replacement, the least environmentally damaging materials and/or methods should be required for such projects, where feasible.

4. All new development or redevelopment shall be designed to minimize erosion, sedimentation and other pollutants in runoff from construction-related activities to the maximum extent practicable. Development or redevelopment shall minimize land disturbance activities during construction (e.g., clearing, grading and cut-and-fill), especially in erosive areas (including steep slopes, unstable areas and erosive soils), to minimize the impacts on water quality.

#### 5. Construction and Maintenance Responsibilities and Debris Removal

All new development or redevelopment (including exempt development in the Harbor) shall include the following construction-related requirements:

- A. No demolition or construction materials, debris or waste shall be placed or stored where it may enter sensitive habitat, receiving waters or a storm drain, or be subject to wave, wind, rain or tidal erosion and dispersion.
- B. No demolition or construction equipment, materials, or activity shall be placed in or occur in any location that would result in impacts to ESHA, wetlands or their buffers.
- C. Any and all debris resulting from demolition or construction activities shall be removed from the project site within 24 hours of completion of the project.

D. Demolition or construction debris and sediment shall be removed from work areas each day that demolition or construction occurs to prevent the accumulation of sediment and other debris that may be discharged into coastal waters.

E. All trash and debris shall be disposed in the proper trash and recycling receptacles at the end of every construction day.

F. The applicant shall provide adequate disposal facilities for solid waste, including excess concrete, produced during demolition or construction.

G. Debris shall be disposed of at a legal disposal site or recycled at a recycling facility. If the disposal site is located within the coastal zone, a separate Notice of Impending Development shall be required before disposal can take place.

H. All stock piles and construction materials shall be covered, enclosed on all sides, shall be located as far away as possible from drain inlets and any waterway, and shall not be stored in contact with the soil.

I. Machinery and equipment shall be maintained and washed in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems.

J. The discharge of any hazardous materials into any receiving waters shall be prohibited.

K. Spill prevention and control measures shall be implemented to ensure the proper handling and storage of petroleum products and other construction materials. Measures shall include a designated fueling and vehicle maintenance area with appropriate berms and protection to prevent any spillage of gasoline or related petroleum or contact with runoff. The area shall be located as far away from the receiving waters and storm drain inlets as possible.

L. The least damaging method shall be used for the construction of pilings and any other activity that will disturb benthic sediments. The suspension of benthic sediments into the water column shall be minimized to the greatest extent practicable.

M. Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) designed to prevent spillage and/or runoff of demolition or construction-related materials, and to contain sediment or contaminants associated with demolition or construction activity, shall be implemented prior to the onset of such activity.

N. All BMPs shall be maintained in a functional condition throughout the duration of the project.

6. All new development or redevelopment shall incorporate appropriate design elements and management practices to minimize adverse impacts to water quality related to boating facilities

and boater waste in the Channel Islands Harbor to the maximum extent practicable. Boating in the Harbor shall be managed in a manner that protects water quality, and any persons or employees maintaining boats in slips or using slips on a transient basis shall be made aware of water quality provisions.

## 7. Best Management Practices

The Harbor Department shall take the steps necessary to ensure that the long-term water-borne berthing of boats in the Harbor will be managed in a manner that protects water quality through the implementation of the following BMPs, at a minimum:

### A. Boat Maintenance and Cleaning Best Management Practices

- Boat maintenance shall be performed above the waterline in such a way that no debris falls into the water.
- In-water top-side and bottom-side boat cleaning shall be by hand and shall minimize the discharge of soaps, paints, and debris. Where feasible, remove the boats from the water and perform cleaning at a location where debris can be captured and disposed of properly.
- Detergents and cleaning products used for washing boats shall be phosphate-free and biodegradable, and amounts used shall be kept to a minimum.
- Detergents containing ammonia, sodium hypochlorite, chlorinated solvents, petroleum distillates or lye shall not be used.
- In-the-water hull scraping or any process that occurs underwater to remove paint from the boat hull shall be prohibited and shall not occur.
- Boat repair and maintenance shall only occur in clearly marked designated work areas for that purpose.
- All boaters shall regularly inspect and maintain engines, seals, gaskets, lines and hoses in order to prevent oil and fuel spills. Boaters shall also use preventive engine maintenance, oil absorbents, bilge pump-out services, or steam cleaning services as much as possible to clean oily bilge areas.

### B. Solid and Liquid Waste Best Management Practices

- All trash, recyclables, and hazardous wastes or potential water contaminants, including old gasoline or gasoline with water, absorbent materials, oily rags, lead acid batteries, anti-freeze, waste diesel, kerosene, and mineral spirits shall be disposed of in a proper manner and shall not at any time be disposed of in the water or a gutter.

### C. Sewage Pumpout System Best Management Practices

- Vessels shall dispose of any sewage at designated pumpout facilities provided by the Harbor Department.

#### D. Petroleum Control Management Measures:

- Boaters shall practice preventive engine maintenance and shall use oil absorbents in the bilge and under the engine to prevent oil and fuel discharges. Oil absorbent materials shall be examined at least once a year and replaced as necessary. Used oil absorbents are hazardous waste in California. Used oil absorbents must therefore be disposed in accordance with hazardous waste disposal regulations. The boaters shall regularly inspect and maintain engines, seals, gaskets, lines and hoses in order to prevent oil and fuel spills. The use of soaps that can be discharged by bilge pumps is prohibited.
- If the bilge needs more extensive cleaning (e.g. due to spill of engine fuels, lubricants, or other liquid materials), the boaters shall use a bilge pump-out facility or steam cleaning services that recover and properly dispose or recycle all contaminated liquids.
- Bilge cleaners which contain detergents or emulsifiers shall not be used for bilge cleaning since they may be discharged to surface waters by the bilge pumps.

#### E. Public Information

These best management practices shall be provided in writing to all marina operators for dissemination to the boating public.

8. In order to monitor the water quality of Harbor waters the County will conduct a monitoring program, which includes:

A. Quarterly sampling for dissolved oxygen, turbidity, pH, coliform bacteria, heavy metals, nitrates/phosphates and visual inspection of the waterways (for pollutants such as trash and oil). Sampling will be conducted at a minimum in the East Channel, in the West Channel, and 3) at the Harbor entrance. Sampling shall follow protocols and methods approved by the Los Angeles Regional Water Quality Control Board.

If any of the samples exceed the Los Angeles Regional Water Quality Control Board ("LA Regional Board") Basin Plan objectives or any other standards adopted by the LA Regional Board for the Channel Islands Harbor, the County shall investigate the source of the problem and document the exceedance and any corrective actions taken to resolve the problem. If a continual exceedance exists for any parameter sampled (2 or more samples that exceed standards in a 12-month period), the County shall undertake mitigation measures to reduce the level of pollutant input. This shall include, but not be limited to:

- an enforcement program, with monetary fines, to eliminate intentional or negligent discharge of boat effluent and engine fluids into the waterways;
- provision of additional pump out facilities within the Harbor, particularly in areas used by live aboards;

- implementation of Best Management Practices that will treat the polluted runoff;
- reduction of fertilizer use on adjacent landscaped areas; and
- a public education program outlining the effect of Harbor generated pollutants on the marine life and measures that can be taken to prevent it.

An annual report shall be submitted to the Executive Director by March 1 of each year. This annual report shall include a summary and analysis of all water quality monitoring conducted during the previous calendar year. In addition, the annual report shall discuss any exceedances of water quality standards and any corrective actions taken to remediate the problem.

## 9. Marina Inspection and Maintenance Program

The Ventura County Harbor Department shall exercise due diligence in periodically inspecting each marina facility approved pursuant to a NOID. The Harbor Department shall immediately require the Lessee to undertake any repairs necessary to maintain the structural integrity of the docks, pilings and utility connections, and to ensure that pieces of debris do not enter the marine environment. On a revolving five year basis, following the date that the first dock is installed or remodeled, the Harbor Department shall conduct an inspection of the marina to ensure the integrity of the docks, pilings and utility connections, and to ensure that all corrective actions have or will be immediately undertaken to maintain the integrity of the facility. The inspections shall be undertaken by boat, during periods of extreme low tides. All periodic reports shall be submitted to the Executive Director for review and approval. If the Harbor Department or the Executive Director concludes that the inspections confirm that the material used in the marina is impacting marine resources, the use of such materials shall be stopped.

10. In order to prevent significant adverse impacts from existing or new development, either individually or cumulatively, on coastal water resources the County shall, within one year of approval of the Harbor Public Works Plan by the Coastal Commission, implement a water conservation program within the Harbor which includes incentives for the public and private users to reduce water consumption. The program will include a list of implementation measures to reduce water demand and an annual report to the Board of Supervisors. This shall include:

- A. use of drought resistant landscaping in all new developments;
- B. use of water saving devices in all new development including restaurants and fish cleaning facilities; and
- C. charging of fee for water use at public boat ramps and private slips.

### 3.5 Traffic and Circulation

Section 30254 of the Coastal Act states that limited public works facilities such as road capacity shall be reserved for coastal development venues (i.e., harbor waterways and boating), essential

public services and basic industries vital to the economic health of the region, state or nation, public recreations, commercial recreation, and visitor-serving land uses.

Section 30253(4) requires that new development minimize energy consumption and vehicle miles traveled.

Most importantly, Section 30211 of the Coastal Acts directs new development to not interfere with the public's right of access to the sea.

The Harbor's Public Works Plan is consistent with the above provisions of the California Coastal Act.

### Existing Conditions

Access to Channel Islands Harbor is provided by Harbor Boulevard and Victoria Avenue, both running north to south (see Figure II). The major Harbor intersections are Harbor Boulevard/Channel Islands Boulevard, Victoria Avenue/Channel Islands Boulevard and Peninsula Road/Channel Islands Boulevard. These intersections have traffic-actuated signalization.

These three main access routes serve as the only access to the Harbor and adjacent communities and outlying areas. The community of Silver Strand is isolated by the Pacific Ocean on the west, Port Hueneme Harbor on the south and the Naval Construction Battalion Center on the east. Victoria Avenue to the north serves as the only access route in and out of this area.

The community of Hollywood Beach is isolated by the Pacific Ocean on the west, the Channel Islands Harbor mouth on the south and the Harbor on the east; Harbor Boulevard to the east and north and Channel Island Boulevard to the east serve as the only access routes in and out of this area. Furthermore, Harbor development along the western basin is also accessed via Channel Islands Boulevard.

Peninsula Road, south of Channel Islands Boulevard, accesses all mid-Harbor development.

These roads all provide important coastal access for the public to the Harbor and the adjoining public beaches of Silver Strand and Hollywood Beach. The 1976 Coastal Act requires that new development shall not interfere with the public's right of access to the sea (Section 30211). Furthermore, Section 30254 requires that limited public services, such as road capacity first be allocated to coastal dependent land use, essential public services and basic industries vital to the economic health of the region, state or nation. Channel Islands Harbor is a coastal dependent land use and qualifies as a priority use for limited roadway capacity allocation. The critical issue in the Harbor area is:

1. whether there is sufficient roadway and intersection capacity in the Harbor area to provide uncongested access to the Harbor and adjacent shoreline; and
2. whether Harbor development will negatively impact these intersections and roadways.



The Channel Islands Beach Community Service District has expressed significant concern relative to future development which may impact residential areas. These concerns are examined under the heading “Naval Construction Base Traffic Impacts on Harbor” within this section.

As of October 1981, Peninsula Road south of Channel Islands Boulevard accommodated approximately 6,000 to 6,500 weekday vehicles. To represent seasonal peak use, these figures were adjusted upwards by 20%; this results in a peak use of 7,200 to 7,800 vpd. The Level of Service at the Channel Islands Boulevard and Peninsula Road intersection was projected at Level “A” upon development of the final Parcel on the Peninsula (i.e. Golden Dolphin Restaurant – EIR 81103016). This Level of Service should not have changed significantly since the completion of the Golden Dolphin Restaurant and, therefore, public access to the Harbor via this route is not expected to be limited.

A traffic survey conducted in October of 1981 indicated that 24,680 vehicles per weekday (vpd) and approximately 23,450 vpd and 20,850 vpd respectively on Saturday and Sunday used Channel Island Boulevard east of Peninsula Road. Recent traffic counts show 25,000 weekday vehicles using Channel Islands Boulevard west of the Victoria Avenue intersection (phone communication Mr. Joe Genovese, City of Oxnard 8-27-85). Traffic use of this portion of Channel Islands Boulevard, therefore, does not appear to have changed significantly since 1981. However, even under the existing conditions, the daily flow volumes exceed the design capacity of Channel Islands Boulevard, as is demonstrated by Table 3. The “over capacity” condition will be of a greater magnitude upon the completion of several major pending projects (the Mandalay Beach Colony and Mandalay Bay phase IV).

Table 3 -  
Weekday Traffic Volumes and Roadway Capacities

ROADWAY SEGMENT	WEEKDAY/WEEKEND EXISTING ADT	REMAINING DESIGN CAPACITY (24,500 ADT LEVEL C)
Harbor Blvd North of Channel Island Blvd	15,000	9,500
Harbor Blvd South of Channel Island Blvd	10,800	13,700
Channel Island Blvd West of Victoria Ave	25,000/26,752	-500/-1,752
Channel Island Blvd East of Victoria Ave	26,000	-1,500
Victoria Ave North of Channel Island Blvd	20,000	4,500
Victoria Ave South of Channel Island Blvd	18,000	6,500

Source: City of Oxnard Public Works Dept – counts taken in 1983

\* Count taken April 12, 1985

Table 4 identifies the levels of service at Victoria Avenue and Channel Islands Boulevard in 1982 and those predicted in 1990.

Table 4 -  
Weekday Levels of Service for  
Channel Islands Blvd/Victoria Ave Intersection

Peak Hour Approach Volumes	
1982	1990 Estimated*
2996 (C/C)	3880 (D/D)

\* Ventura County Estimates  
Source: EIR 81-2

The level of service “D” is defined in the Highway Capacity Manual as “unstable flow” with possible substantial delays and severe limits on maneuverability during short periods. Traffic contributing to this level of service “D” will be generated by developments outside of the Harbor area such as the Mandalay Beach and Voss residential commercial proposals (i.e., north of the Harbor).

The level of service for an intersection is a more accurate indicator of traffic congestion than roadway capacity; the design capacity of a road can be exceeded without congestion occurring.

However, the intersection is the critical component in determining roadway capacity and traffic flow characteristics.

There are no up-to-date levels of service surveys on any of the critical intersections within the Harbor area. Yet, with the important intersection of Channel Islands Boulevard and Victoria Avenue at a level of service "C" in 1982 and Channel Islands roadway capacity presently exceeding level of service "C," level of service "D" could be reached in this intersection shortly.

These critical intersections are outside of the Harbor's jurisdiction and cannot, therefore, be controlled by Harbor authorities. Any mitigations to improve intersection congestion (i.e., more left turn lanes, resignalization, restricting development) can only be suggested to the City of Oxnard by the County.

Since the Harbor is built out (except Parcel X-3, for which there is a certified EIR) and will not be expanding under the proposed Public Works Plan it will have no further impact upon these important intersections. The proposed plan is a permanent document with policies and standards of review which should serve to prevent any future Harbor development from impacting these intersections negatively.

#### Naval Construction Base Traffic Impacts Upon The Harbor

Early in 1984 the Naval Construction Battalion Center rerouted all of its truck traffic from its eastern gate (i.e., Pleasant Valley Road) to a new entrance/exit gate (i.e., Marina Gate) on Victoria Avenue. This new gate is located at the southern terminus of the two-lane Victoria Avenue immediately above the community of the Silver Strand and the Harbor's recreational swim beach. The truck traffic includes the base's heavy equipment, supplies, and Mazda automobile transport trucks, as well as military and civilian personnel ingress and egress.

Since the Marina gate has been open, several accidents involving trucks and automobiles have occurred. Further, the added truck traffic has created congestion problems on Victoria Avenue due to the difficulty trucks have experienced in locating the gate (i.e., they end up in the narrow streets of Silver Strand) and the fact that Victoria Avenue is only two lanes and without proper turning and onramp lanes for the new truck traffic.

The result of this traffic congestion is that access for Silver Strand residents and the public using the Harbor recreational beaches, as well as the U.S. Coast Guard, Harbor Master's/Administration and all other leases within the Harbor fronting on Victoria Avenue has become both hazardous and difficult. The Channel Islands Beach Community Service District has expressed significant concerns to the City of Oxnard regarding the effect of the Marina gate upon traffic and congestion safety in Silver Strand. Further, the Level of Service on Victoria Avenue has been significantly reduced.

Delays of 10 to 15 minutes exiting Pelican Way onto Victoria Avenue can seriously jeopardize Harbor and Coast Guard operations.

It has been suggested that the Marina gate be located northwards to the 23rd Street entrance exit where Victoria Avenue becomes a four-lane roadway. Four lanes could significantly lessen the impacts of the Base truck traffic on resident and recreational car traffic.

The County is unable to improve this traffic situation since the City of Oxnard has jurisdiction over all developments regarding Victoria Avenue.

#### POLICIES

1. Within one year of approval of the Harbor Public Works Plan by the Coastal Commission, the County will submit for review and approval of the Executive Director of the Coastal Commission, the Harbor Area Allocation Traffic System (HAATS) program, including a schedule for implementation of the program.

The County of Ventura shall seek the assistance of the Cities of Oxnard, Port Hueneme and Channel Islands Beach Service District to develop the HAATS program which maintains a Level of Service of “C” at all critical intersections providing public access to the Harbor and shoreline through a system of capacity points. The remaining Level of Service “C” capacities (if any) for the critical Harbor access intersection shall be assigned a set number of maximum points and those points distributed amongst the category of uses in the Harbor area on the basis of their priority under Section 30254 of the 1976 Coastal Act.

This policy will not be implemented without the cooperation and participation of the City of Oxnard and Port Hueneme.

2. The County shall request that the City of Oxnard and the Naval Construction Battalion Center undertake a traffic safety study in consultation with the County and Channel Islands Beach Community Service District for the CBC Marina gate which examines measures to eliminate the gate’s existing traffic safety and congestion hazards, which shall include but not be limited to:
  - a. relocating the Marina gate northwards to the 23rd Street entrance/exit (i.e. where Victoria Avenue becomes four lanes);
  - b. providing proper signing and turn and onramp lanes for the relocated Marina gate;
  - c. provide full signalization for the relocated Marina gate intersection with Victoria Avenue; and
  - d. use of that area south of relocated gate which is east of the existing two lanes of Victoria Avenue for public parking in order to reduce traffic congestion.

Results of the study shall be incorporated into the HAATS program outlined in mitigation “I” above.

3. If the Victoria Avenue parking lot in Policy 2d above is identified by the traffic safety study as being necessary to eliminate congestion, then the County will submit to the Executive Director of the Coastal Commission for review and approval plans specifying the range in size of the parking lot and its spaces in addition to a schedule implementing this parking project.

### 3.6 Dredging

Section 30235 of the Coastal Act permits structures which alter natural shoreline processes, such as Harbor channels and seawalls, for coastal dependent development.

The dredging of existing navigation channels, vessel berthing, mooring areas and boat ramps is allowed by Section 30233 of the Coastal Act, provided there is no feasible less environmentally damaging alternative and mitigation measures have been provided to minimize environmental impacts.

The County's plan is fully consistent with the above provisions of the Coastal Act. Plan policies require protection of sensitive habitat, water quality, and public recreation in the coastal zone through specific review of the time of dredging, and dredge spoils composition and siting.

Revetment repair, maintenance and redevelopment to provide for public walkways to the Harbor mouth may be necessary in the future. Since the Harbor is a coastal dependent development, the existing revetments/seawalls and their future repair, maintenance and redevelopment is consistent with the above provisions of the Coastal Act.

#### Existing Conditions

The Channel Islands Harbor mouth is protected on the north and south by two rock revetment walls and a third rock revetment approximately 1,600 feet offshore (see Figure II).

The offshore detached breakwater parallels the shoreline and Harbor mouth and prevents potentially damaging sea waves from entering the Harbor mouth. The southward flowing coastal sand supply is interrupted by the Harbor revetment complex. As a result, the Harbor mouth slowly fills in with sand and the downcoast areas begin to erode due to the lack of a sand supply.

To correct this situation the Army Corps of Engineers administrates a contract to dredge the Harbor mouth every two years and deposits the accumulated material on the City of Port Hueneme beaches. The Coastal Commission has permanent permitting jurisdiction over development in State waters and on sandy beaches below the mean high tide line. Because the Harbor mouth is an existing navigation channel, a permit from the Coastal Commission is not required per Section 30610 (c) of the Coastal Act. If the dredged sand is deposited in the coastal zone, however, a Coastal Development permit is required.

The Army Corps of Engineers must, therefore, obtain a Coastal Development Permit for deposition of sand on beaches downcoast of the Harbor. Also, Federal law requires Federal agencies undertaking activities in a State's coastal zone to obtain a "consistency determination"

from the State's Coastal Zone Management Department. The consistency determination is primarily to ensure compliance with State Coastal legislation and local land use plans and policies. Thus, the Army Corps is required to undergo several permit reviews simultaneously for sand deposition in the Coastal Zone.

The Coastal Commission issued a coastal development Permit #4-83-173 for dredging of Channel Islands Harbor and Port Hueneme Harbor and deposition of the spoils on Port Hueneme and Ormand beaches on August 24, 1983.

The permit required the Army Corps:

1. to terminate all spoils deposition activities from both April 15th through September 1st within 100 yards of the Least Tern nesting area on Ormond Beach and from the first grunion run after March 1st through Labor Day in September within the beach area of the project; and
2. to allow review of both dredging pipeline and spoils disposal sites in order to avoid sensitive habitats (i.e. dune vegetation and wetlands on Ormond Beach) by the Department of Fish and Game and the water quality of discharges from the spoils area by the Regional Water Quality Board.

These provisions provided for protection of the water quality, the sensitive habitat and species of Ormond Beach as well as preventing any conflicts between public beach activity and dredging operations. Since the sand dredged from Channel Islands Harbor is not deposited within the sensitive resources of Ormond Beach, but rather on the City of Port Hueneme beaches, only the condition regarding grunion spawning is applicable.

#### POLICIES

1. To protect the quality of coastal waters, sensitive habitats and their species and public recreational use of coastal lands, the Harbor will request that the Army Corps:
  - a. Obtain all necessary Coastal Permits for the deposition of dredged spoils in the coastal zone including "consistency review and approval" by the Coastal Commission and, if necessary, compliance with EPA dredge spoils criteria for beach replenishment; and
  - b. Terminate dredge spoil activities (i.e., operation of equipment, spoil disposal, placement or removal of disposal pipelines or other construction, maintenance and material removal or activities involving mechanized equipment) on any part of the beach and shoreline in a disposal area from the first predicted grunion run after March 15 through Labor Day in September.

This policy shall also apply to any dredging activities undertaken by the County or their subcontractors.

2. Construction which alters natural shoreline processes shall be limited to minor alterations and maintenance of existing facilities, such as repair of existing revetments and groins, and shall be permitted if it is to serve coastal dependent uses and if it mitigates erosion which threatens existing structures or public beaches.

The design must eliminate or mitigate adverse impacts on local shoreline sand supply. Periodic dredging for Harbor maintenance purposes shall be conducted in a manner consistent with the protection of coastal resources including sand supply for beaches. Dredging operations and equipment storage in the Harbor shall minimize, to the greatest extent feasible, disturbance of coastal access and recreation. Alternative temporary facilities for launching small boats, windsurfers, etc. shall be provided where feasible.

## **APPENDIX A**

### **Inventory of Existing Uses/ Intensities by Parcel**

#### **Existing Waterside Boating Support Facilities**



Table I  
Inventory of Existing Uses/Intensities by Parcel

Use of Parcel	Parcel Size (acres) Land	No. of Slips or Dry Storage	Intensity (units or floor area)
<u>RESIDENTIAL</u>			
PCL C <sup>a</sup>	7.14 acres		90 apts
PCL F-4, 5	8.75 acres		118 apts
PCL LM-1			243 apts
PCL LM-2			123 apts
PCL LM-3	<u>19.65 (total for 1,2 &amp; 3)</u>		<u>153 apts</u>
Subtotal	35.54 acres		727 apts
<u>LODGING</u>			
PCL F <sup>a</sup>	10.69 acres		
PCL F-1	2.90 acres		
PCL F-3	<u>1.89 acres</u>		<u>274 rooms</u>
Subtotal	15.48 acres		274 rooms
<u>RESTAURANTS</u>			
PCL F <sup>a</sup>			12810 sq. ft.
PCL F-6	1.20 acres		10075 sq. ft.
PCL H <sup>a</sup>			3000 sq. ft.
PCL K-1	.79 acres	PL <sup>b</sup>	10924 sq. ft.
PCL K-2	.79 acres		11100 sq. ft.
PCL RS	3.57 acres		12100 sq. ft.
PCL V & V2 <sup>a</sup>			6266 sq. ft.
PCL X-3	3.03 acres		12000 sq. ft.
PCL Y-2 <sup>a</sup>	-----		<u>10000 sq. ft.</u>
Subtotal	9.78 acres		88275 sq. ft
<u>RETAIL &amp; MARINE SALES/SERVICE</u>			
PCL H- 1, 2 <sup>a</sup>	2.51 acres		
Boutique			1000 sq. ft
Chandlery			4000 sq. ft
Office for Boat Rent/Sales			1000 sq. ft
Bait & Tackle/Dive Shop			3950 sq. ft
Office & Space for:			4600 sq. ft
- Marine Services			
- Yacht Sales			
- Boat Rentals			
PCL N-1 <sup>a</sup>	3.4 acres		
Chandlery w/Office for:			5250 sq. ft
- Boat Sales/Storage			
- Insurance Brokerage			
PCL T	0.44 acres		
Office for:			540 sq. ft
- Fuel Dock			

Use of Parcel	Parcel Size (acres) Land	No. of Slips or Dry Storage	Intensity (units or floor area)
PCL V-1 - Auto/gas Station	0.56 acres		1860 sq. ft
PCL V, V-2, V-3 <sup>a</sup> F. Mkt/Bait & Tackle Fish & Chips Splty Shops (8) & Laundromat Grocery	2.44 acres		2000 sq. ft 800 sq. ft 5000 sq. ft
PCL Y-2 <sup>a</sup> Gift Shops & Conv. & Marine oriented & Vis. Serv. Rec.	1.44 acres		15000 sq. ft
Subtotal	<u>10.79 acres</u>		<u>47200 sq. ft</u>

BOAT SLIPS, STORAGE, CONSTRUCTION & REPAIR

PCL C <sup>a</sup> Yacht Club Rec. Bldg.		91 slips	4500 sq. ft.
PCL D & E Office for: - Slip Rental - Yacht Club		402 slips	7570 sq. ft.
PCL F-2 <sup>a</sup> Transient Dock		11 slips	
PCL F-3 <sup>a</sup>		331 slips	
PCL F-7 Rec. Bldg. w/office For Slip Rental		433 slips	8800 sq. ft.
PCL H1, 2 <sup>a</sup>		20 slips	
PCL LM-1, 2, 3 <sup>a</sup>		0 slips (combined with F-3)	
PCL N-1 <sup>a</sup>		55 slips	
PCL N-2 <sup>a</sup> - Office - Transient Dock - Launch Ramp		72 slips 16 slips (i.e. boats)	1330 sq. ft
PCL P & N Dry Storage Office for Boat - Sales & Rental - Minor Repair - Storage		145 slips 400 boats	3056 sq. ft.

Use of Parcel	Parcel Size (acres) Land	No. of Slips or Dry Storage	Intensity (units or floor area)
Bldg. for Boat: - Sales & Brkrge. - Whsle. Marine - Repair & Constr.			25410 sq. ft.
PCL Q Dry Stack		(unknown at this time)	
PCL RS <sup>a</sup> Commercial Sport Fishing		31 slips	
PCL X1A Commercial Fish		66 slips	
PCL X1B Office & Bldg. for Admin/Mngmt of Comm Fishing support facility <sup>c</sup>			8800 sq. ft.
PCL X-2 Office for: - Minor Motor/Repair - Boat Sales/Brkrge - Boat Insurance		197 slips	2674 sq. ft.
PCL X-3c		15 slips	
PCL Y-1 Office for: - Slip Rentals - Minor Motor/Repair - Boat Sales/Brkrge - Boat Insurance		174 slips	2674 sq. ft.
PCL Y-3 Office for: - Slip Rentals		153 slips	1300 sq. ft.
PCL Y-4 Yacht Club Bldg.			9270 sq. ft.
Subtotal			66584 sq. ft.
<u>PUBLIC SERVICES</u>			
PCL F-6 <sup>a</sup> Bldg. for Fire Station			4143 sq. ft.
PCL F-2 Pub. Park	0.90 acres	PL <sup>a</sup>	
PCL (no. #) P. Park (W. Side) (.20 underdeveloped)	3.10 acres		

Use of Parcel	Parcel Size (acres) Land	No. of Slips or Dry Storage	Intensity (units or floor area)
PCL (no. #) P. Park (E. Side)	0.60 acres		
PCL (no. #) Harbor Maint. yard Maintenance Bldg.	0.87 acres		1269 sq. ft
PCL (no. #) U.S.C.G. - Admin Bldg. - Barracks	1.40 acres	dock	5342 sq. ft. 3700 sq. ft.
PCL (no. #) Harbor Admin Bldg.	1.38 acres		5500 sq. ft.
PCL (no. #) <sup>f</sup> Boating Instruction and Safety Center (BISC) designated by * as shown on Figure III, Figure IV, & Appendix B	**		net 19,000 sq. ft.
Subtotal	8.25 acres		19954 sq. ft
TOTALS	167.98 acres	2150 slips <sup>d</sup>	222013 sq. ft. <sup>e</sup>

a Parcel appears more than once in the Table.

b Public Landing

c Buildings. not constructed/not shown in Total sq. ft.

d The actual maximum slip total is 2210; however, the 2150 minimum slip number is used to accommodate slips out of service at any given time.

e BISC includes boating and marine education, and a gathering facility

Table II  
Existing Waterside Boating Support Facilities

USE / FACILITY	NUMBER OF SLIPS	LOCATION
TOTAL SLIPS	2150	
Recreational (Public)	2047	All Channels
Commercial Fishing	60	West Channel boat basin c
Commercial Sport Fishing	31	East Channel
Mixed Slips	20	
Transient Slips	46	
Public Docks	3	One on West side at Bluefin Circle (near parking lot W-4). One on West side at Harbor Landing (never publicly owned). One in East Channel connecting to Fisherman's Wharf dock.

**FUTURE WATERSIDE BOATING SUPPORT FACILITIES**

Boating Instruction and Safety Center	278 ft.	West side at Bluefin Circle near parking lot W-4
---------------------------------------	---------	--

- The Boating Instruction and Safety Center is situated partly on the current alignment of the Bluefin Way Loop, and partly on a turf and trees area. The BISC location is shown on Figures III, IV, V and VII.
- The Boating Instruction and Safety Center eliminates 22 recreational boating slips, of which 3 are live-aboard. These slips are to be re-created elsewhere in the harbor in connection with Condition 2 of Notice of Impending Development 1-05.
- This figure expresses the approximate lineal footage of side-tie dock to be established with the BISC.

**APPENDIX B**

**Approved BISC Plan**

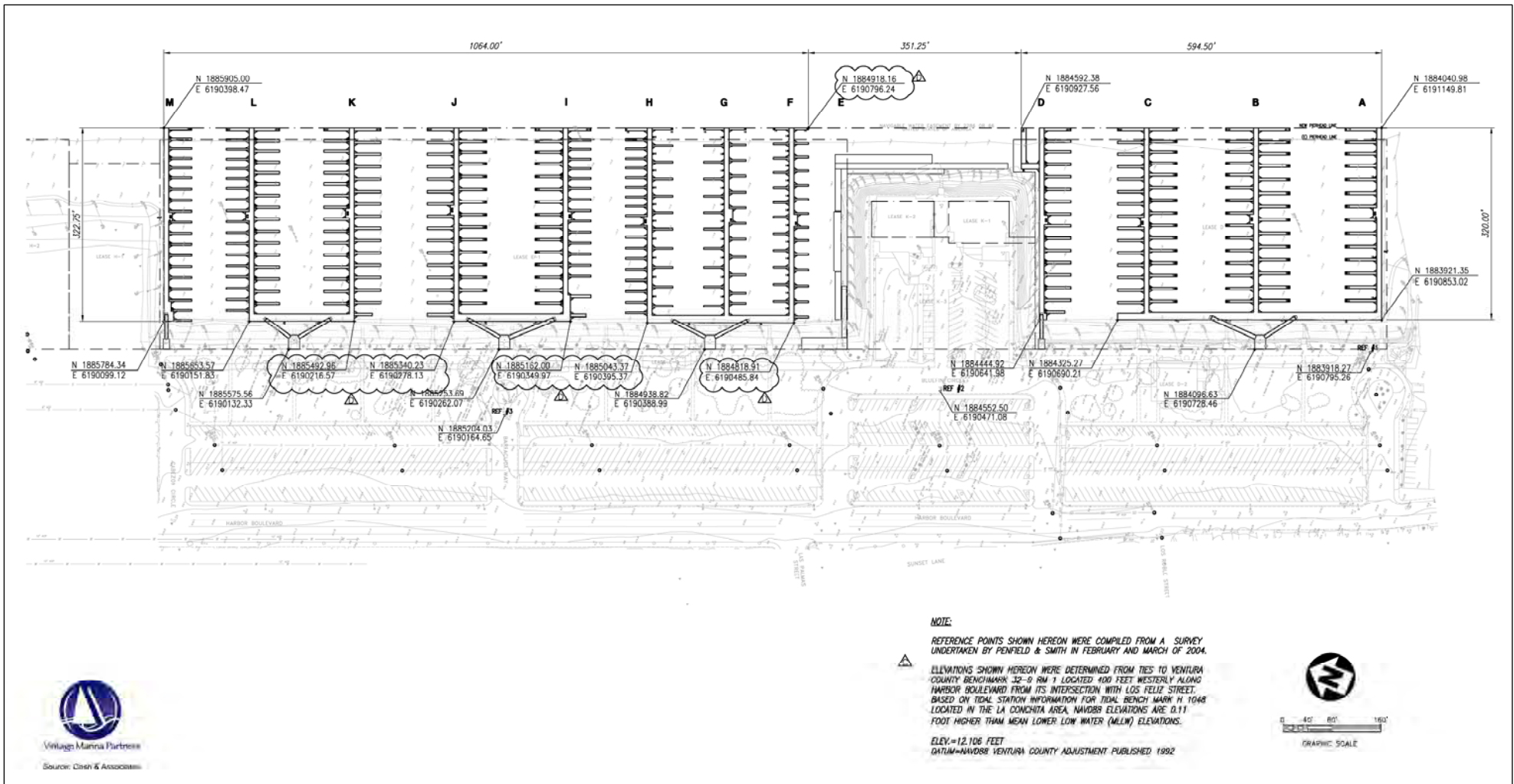


## **APPENDIX C**

### **Approved Channel Islands Harbor Marina Plan**



# Revised Channel Islands Harbor Marina Plan



## **APPENDIX D**

### **History of the Channel Islands Harbor**

## History of Channel Islands Harbor

The construction of the Harbor was approved by Congress on September 3, 1954 (Public Law 780). The purpose of the Harbor was to meet the needs of Ventura County residents for a small craft harbor.

In 1960, the Harbor was first excavated by the Army Corps of Engineers which deposited removed sand downcoast in Port Hueneme in order to slow beach erosion.

In 1963, the Board of Supervisors approved a Harbor Improvement program, which allowed for private business development of public lands. This program was arranged such that:

- The County developed the boat basins and Harbor revetments and created the individual lease parcels;
- The businesses provided for the land and water structure improvements on each lease parcel;
- The County collected rents and percentages of business revenues from each parcel. These monies were used for Harbor maintenance, enforcement and public improvements.

In essence, this plan made possible the use of private enterprise to finance public facility portions of the Harbor.

In 1979 the County of Ventura obtained a Coastal Permit (178-15) for a project to construct two large boat basins in the West Channel. This permit provides for commercial fishing support facilities on parcels X-1-A, B and X-2. The facilities include 150 commercial fishing slips, 60 permanent, 90 of which would be offered to the industry on a “first right of refusal” basis, an 80,000 sq. ft. net drying area, a vehicle loading and unloading area, a transient commercial dock available to fishing boats, and a fuel dock available to commercial fisherman on a 24-hour basis (located anywhere in the Harbor). Appendix B contains the full text of Permit 178-15.

The County has established the following goals for the operation of the Harbor:

- To meet the coastal recreational boating needs of the people of Ventura County within reasonable environmental limits by coordinating the development and operation of boating harbors, boat launch facilities and ocean fisheries in the coastal areas of Ventura County.
- To optimize the development and operation of the Channel Islands Harbor and County beach parks in view of the service, health, and safety of those persons using these facilities.

## Jurisdictional Authorities

In 1963, the County and the City of Oxnard agreed to annex the land portion of the Harbor to the City of Oxnard. Both jurisdictions recognized that the location of the Harbor in the growth area of the city would allow the City to readily extend and provide public services to the Harbor such as water, sewer, fire and police.

The annexation to the City included all of the Harbor except the water areas. A Joint Powers agreement (i.e. amended five times through 1976), which expires in 2013, described the annexation, jurisdictional responsibilities and authorities of the two entities within the Harbor as opposed to joint powers. It also set forth the mechanisms of funding and contracting for the wide array of public improvements, which have been completed as the Harbor has developed. Typically, Harbor public improvements have been jointly funded according to varying formulas, which consider jurisdiction, the primary use of improvement and degree of benefit.

The Joint Powers agreement provides the County with the authority over the planning for, and leasing of, lands and water areas within the Harbor. With the exception of the public parks, docks and some public parking areas within the Harbor, all the land and waterside facilities have been constructed by private enterprises under the terms of lease agreements with the County.

Since the water areas of the Harbor remain in County jurisdiction, their use is regulated by County Ordinance 2829 which sets forth both the powers and duties of the Harbor Director, and the regulations governing the uses and activities on the waters within the Harbor.

The waters of the Harbor include those within the Inner and Outer Harbors. The Outer Harbor waters are those which lie between the outer breakwater, which runs parallel to the coast, and the beach or seaward ends of the jetties which form the Harbor Channel. The Inner Harbor waters are all those waters inland of the jetty ends and extending to Channel Islands Boulevard.

The provisions of Ordinance 2829 are enforced on a daily basis by the County, through its lease agreements, and the Harbor Master's Office through its enforcement and patrol activities. The County is also responsible for security on the waters of the Harbor and for water safety (lifeguards) on the beaches of the Harbor.

Within the Harbor on land, the City of Oxnard provides the public services of fire, police, traffic control, and refuse collection from all public parking lots, parks and the southernmost surge beach. The County provides all necessary public services to water areas within the Harbor and certain public services to various Harbor parking lots and park areas. A listing of the various City and County public service responsibilities for public areas within and adjacent to the Harbor are listed below (refer to Figure III):

- Parking Lots B-1 and B-2 and adjacent beach areas (outside of Harbor) – County provides all public services including police, fire and refuse collection.
- Southernmost swim beach and adjacent Parking Lot B-3 – City cleans and maintains and County provides parking enforcement.

- Swim beach to the north of Parking Lot B-3 and southernmost swim beach – County cleans and maintains and provides parking enforcement.
- Parking Lot E-2 – City cleans and maintains and County provides parking enforcement.
- Parking Lot E-4 and E-5 – City cleans and maintains and County provides parking enforcement.
- Parking Lot P-1 and adjacent park area - City cleans and maintains and County provides parking enforcement.
- Parking Lot W-1 and adjacent park area – City provides all public services.
- Parking Lots W-2 through W-6 and adjacent park areas - City cleans and maintains and County provides parking enforcement.
- Parking Lot W-7 through 13 – County cleans, maintains and provides parking enforcement.

At the present time, the Channel Islands Beach Community Services District provides water and sewer service to the Harbor through an agreement that expires in 2021.

CALIFORNIA

Coastal Commission  
CENTRAL COAST REGIONAL COMMISSION  
111 VILLAGE CIRCLE, SUITE 36  
SANTA BARBARA, CALIFORNIA 93108  
1828



COASTAL DEVELOPMENT PERMIT

On February 9, 1979, by a vote of 12 to 0, the California Coastal Commission granted to COUNTY OF VENTURA (PROPERTY ADMIN. AGENCY) Permit # 178-15, subject to the conditions set forth below, for

development consisting of parcels X&Y within the Channel Islands Harbor with the following: 1) dredging of 900,000 cubic yards of material to form two water basins for 748 future boat slips; 2) shore protection consisting of rock rip rap, over rock filter over a plastic filter cloth and approval of a Use Plan for Parcels X & Y.

more specifically described in the application file in the Commission offices.

The development is within the coastal zone in Ventura County

at 3000 So. Harbor Blvd., Northwest corner of Channel Islands Harbor

APN: 206-28-37

After public hearing held on February 9, 1979, the Commission found that, as conditioned, the proposed development is in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976; will not prejudice the ability of the local government having jurisdiction over the area to prepare a local coastal program that is in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976; if between the sea and the public road nearest the sea, is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act of 1976; and either (1) will not have any significant adverse impact on the environment, or (2) there are no feasible alternatives or feasible mitigation measures available that would substantially lessen any significant adverse impact that the development as approved may have on the environment.

Issued on behalf of the South Central Coast Regional Coastal Commission on February 9, 1979,

Carl C. Hetrick  
Executive Director

The undersigned permittee acknowledges receipt of the California Coastal Commission Permit # 178-15, and fully understands its contents, including all conditions imposed. (Please return one signed copy to the South Central Coastal Commission as soon as possible; upon receipt of same, the permit card will be mailed to you to post on project property.

3/2/79

DATE

JWH

PERMITTEE

Permit # 178-15, is subject to the following conditions:


I. STANDARD CONDITIONS

1. Assignment of Permit This permit may not be assigned to another person except as provided in Cal. Admin. Code, Title 14, Section 13170.
2. Notice of Receipt and Acknowledgement Construction authorized by this permit shall not commence until a copy of this permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of its contents, is returned to the Commission.
3. Expiration If construction has not commenced, this permit will expire two (2) years from the date on which the Commission voted on the application. Application for extension of this permit must be made prior to the expiration date.
4. Construction All construction must occur in accord with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviations from the approved plans must be reviewed by the Commission pursuant to Cal. Admin. Code, Title 14, Sections 13164 - 13168.

II. SPECIAL CONDITIONS

see attached sheet

The complete Permit Fee of \$ 0 must be submitted to the Commission. You have previously submitted \$ 0  
PLEASE ENCLOSE THE REMAINDER (\$ 0) WITH YOUR SIGNED COPY OF THE PERMIT FORM.

  
\_\_\_\_\_  
CARL C. HETRICK  
Executive Director

COUNTY OF VENTURA  
APPL. NO. 178-15

STAFF RECOMMENDATION:

The Staff recommends that the Commission adopt the following resolution:

I. Approval with Conditions

The Commission hereby approves a permit for the proposed development subject to the conditions below, on the grounds that, as conditioned, the proposed development is in conformity with the provisions of Chapter 3 of the Coastal Act of 1976, with the public access and public recreation policies of Chapter 3 of the Coastal Act, will not prejudice the ability of the local government having jurisdiction over the area to prepare a local coastal program that is in conformity with the provisions of Chapter 3 of the Coastal Act, and there are no possible alternatives, or mitigation measures, as provided in the California Environmental Quality Act, available which would substantially lessen any significant adverse impact that the development as finally proposed may have on the environment.

II. Conditions

I. Project Construction - Dredging and Rock Revetment

- A. Prior to the commencement of any construction under this permit the following shall be submitted to the Executive Director of the Regional Coastal Commission for his review and approval to assure consistency with the intent of the conditions, findings and declarations of this permit; if there is any disagreement with regard to the adequacy of any documents, plans or other materials submitted to the Executive Director for review and approval, the item shall be returned to the Regional Commission for resolution:

1. Access-Truck Traffic

A detailed removal and disposal plan for the dredged material including methods of transportation for the dredged materials along access roads in the coastal zone and hours of operation along these roads. This plan shall be implemented and shall permit the removal of the dredged material from the site only on non-holiday weekdays.

2. Dredging and Water Quality

- a. This permit does not extend to the disposal of any dredged materials in the coastal zone. If any of the dredged materials are to be deposited within the coastal zone, then additional coastal development permits for such disposal shall be obtained.
- b. If the two existing water wells, (see Exhibit V, V-A, V-B, V-C) located on the project site can be found they shall be destroyed, and written evidence shall be submitted that demonstrates that the wells have been safely destroyed in accordance with State Water Well Standards (State



- c. The applicant shall obtain and meet all conditions of the Regional Water Quality Control Board permit for the project development.
- d. A detailed plan of the rock revetment shall be submitted to assure that the proposed revetment will adequately protect the project bank.
- e. The applicant shall receive written verification from the Department of Boating and Waterways that the project permit, as approved by the Regional Commission, meets the department's criteria for the project loan.

## II. Use Plan - Commercial Fishing Facilities

The applicant shall put out to bid the proposed 60 commercial fishing slips as well as the onshore commercial fishing facilities, located on parcels X-1-A and X-1-B of the lease parcel and use plan submitted by the applicant. If the applicant does not receive any qualified bids, then the applicant shall make a good faith effort to seek and obtain Federal and/or State funding.

If Federal and State sources fail to provide adequate funding for construction of any or all of the Commercial fishing slips and Commercial fishing facilities identified in Conditions II- A, 1 through II-A-10, then the applicant shall, nonetheless, provide for the construction of such facilities, except that to the extent that the physical facilities required under conditions II, A, 8 and 9 already exist, the applicant may use the presence of these facilities to satisfy this condition.

A. The uses identified on the attached Lease Parcel and Land Use Plan (Exhibit VII) for Parcels X-1-A, X-1-B, and X-2, shall be subject to the following provisions:

1. The 60 commercial slips to be located on Parcel X-1-A shall be reserved exclusively for "active" commercial fishing vessels. An "active" commercial fishing vessel shall, for the purposes of this permit request, be defined as: "a vessel used exclusively for commercial fishing and engaged in commercial fishing not less than 100 days on the average per year."

In the event that any portion of the 60 commercial slips required in this condition cannot be rented to commercial fishing boats meeting the definition of commercial fishing contained within this condition, then the slips may be rented on a month-to-month basis to other vessels.

2. Permanent provision shall be made for 90 commercial fishing slips for "active" commercial fishing vessels on Parcel X-2. This shall be accomplished by any of the following methods:
  - a. Reserving and constructing single tie commercial fishing slips and leasing them at the same lease rate as those commercial fishing slips in Parcel X-1-A; or by

COUNTY OF VENTURA  
APPL. NO. 178-15

- b. Offering, on the first right of refusal basis, up to 90 slips in Parcel X-2 to "active" commercial fishing vessels at rates based on the average slip rental rates charged for active commercial fishing vessels in all Southern California marinas and harbors from San Diego to Port San Luis; or
    - c. Any combination of a and b, above.
3. Thirty days public notice shall be given as to the availability of any of the 90 commercial fishing slips provided for in Condition No. 2 above. In the event that no commercial fishing vessel leases a slip, once offered, then that slip may be leased to another party.
4. Conditions A-1 and A-2, A-3 above, shall not be interpreted to mean that commercial fishing vessels would be excluded from other areas of the harbor, nor shall it be interpreted to mean that they would receive any special consideration other than that expressly provided for in these conditions.
5. All Parcel X-1-A lease charges shall be based on the original development and operation costs of these slips.
6. The transient commercial dock, to be located on Parcel X-1-A, shall provide daily rental rates to commercial fishermen.
7.
  - a. In Parcel X-1-A there shall be parking space reserved on a one-to-one basis for each active commercial fishing vessel which leases a slip. These parking spaces shall be located in close proximity to the active commercial fishing slip area to minimize the distance that fishing gear must be hauled. A minimal parking fee may be charged based on original construction costs. There shall be no time restrictions on parking in these spaces.
  - b. In Parcel X-2 a landside vehicle loading-unloading zone shall be provided for active commercial fishermen. The loading-unloading zone shall be located in close proximity to the area in which the fishing vessels are moored.  
  
No time restrictions may be placed on the vehicles used by active commercial fishermen.
8. A permanently designated public parking lot area within the Harbor, having a minimum of 80,000 square feet, shall be restricted from automobile use on non-holiday weekdays to allow active commercial fishermen to spread out nets for drying and repair. Active commercial fishermen may reserve this area upon 24 hour advance notice. A reasonable deposit, refundable upon satisfactory performance, may be charged by the applicant to a user of this area to insure that the user will appear and that the reserved area is left in the same condition as it was prior to use by the fisherman. If a special event requires use of

COUNTY OF VENTURA  
APPL. NO. 178-15

this reserved area then said area may be temporarily located elsewhere. The commercial fishermen shall be given adequate notice of such an event and relocation and shall be relocated for no more than a total of 30 days per calendar year.

9. A fuel dock available 24 hours/day shall be provided in the harbor. A reasonable surcharge may be added to the cost of fuel pumped during off-hours.
  10. A pump-out facility adequate for all marine needs (i.e. bilges, holds, oil changes) shall be provided for at any location within Channel Islands Harbor.
- B. A berthing and mooring allocation system providing for the equitable determination of active commercial fishing status and enforcement of the provisions above shall be included. A plan for this system shall be sent to the Executive Director for review and approval.

### III. Detailed Development Plan - Landside Facilities

- A. A detailed development plan for landside facilities on Parcels X-1-A, X-1-B, X-2, X-3, Y-1, Y-2A, Y-2B, Y-3 and Y-4 in Exhibit VII shall be submitted to the Executive Director for review and approval, unless such a plan has already been incorporated into Ventura County's certified Local Coastal Plan, and shall provide for and be limited to all of the following:

1. All tenants of the theme village, located on Parcel Y-2-A of the lease parcel and use plan submitted by the applicant, shall be either marine oriented or visitor serving recreational and commercial in nature. The theme village shall include at least two low to moderate cost eating establishments, if these are not included elsewhere in the project area, as identified in Exhibit VII.

The applicant shall submit to the Executive Director for review and approval a list of acceptable future marine oriented and visitor serving commercial and recreational facilities similar to those presently permitted in the Ventura County Harbor Planned Development Zone to be located within the theme village that are consistent with the Coastal Act.

2. The community/convention center located on Parcel X-3 of the lease parcel and use plan submitted by the applicant may include one major restaurant in addition to the two low to moderate priced restaurants as described in Condition No. III-A-1 above.
3. The proposed yacht club development shall be subject to the following as part of their lease agreement:
  - a. To provide public access to the water edge by means of pathways and sidewalks,

COUNTY OF VENTURA  
APPL. NO. 178-15

- b. To provide facilities which are available to the general public via such public service groups as the United States Coast Guard Auxiliary, the United States Power Squadrons, and the associations of yacht clubs.
  - c. The Yacht Club occupying the facilities must be a non-profit, recreational boating oriented organization.
  - d. The fee structure for any slips which may be controlled by the Yacht Club shall provide the same fee structure to all members of the public, and shall be offered to the public on a non-discriminatory basis, except as otherwise provided for in the conditions of this permit.
4. A landscaped buffer strip averaging 15 feet in width, but no less than 10 feet at any point in width between the pedestrian-bike path and the parking areas to minimize conflicts between walkway/bicycle traffic and auto traffic.
  5. The exclusive use of drought resistant plantings.
  6. Undergrounding of all utilities.
  7. Public benches and viewing areas in the pedestrian promenade and bikeway to provide the public an opportunity to view the harbor activities continuously throughout the harbor.
  8.
    - a. No building shall contain more than two stories.
    - b. No building shall be greater than 25 feet in height except in the area located adjacent to the Channel Islands Boulevard Bridge, but in no case higher than 35 feet.
  9. Adequate public parking, consistent with Coastal Act Policies and a final grading plan which incorporates detailed drainage measures that will minimize run-off into coastal waters from the parking lots and surrounding development, and will prevent contamination and siltation, as per Section 208 of the Federal Water Pollution Control Act.

#### IV. Overall Conditions

- A. The theme village, community/convention center, and yacht club shall not be permitted until:
  1. Conditions No. I, II, and III are satisfactorily completed and,
  2. All commercial fishing slips have been constructed, as per Condition No. II-A, 1 and 2. However the recreational boating slips located in the project area may be developed.

COUNTY OF VENTURA  
APPL. NO. 178-15

- B. Nothing in this permit shall be construed as authorizing the development listed under Conditions II and III and separate permits shall be required for such development.
- C. All construction and operation approved under this permit shall occur in accord with the approved plans, programs and conditions as set forth above.
- D. The document identified as Lease Parcel and Use Plan and dated February 1, 1979, submitted as a part of the application, and as modified by these terms and conditions as incorporated herein by reference.

## **APPENDIX E**

### **Master Plan Marina Map**



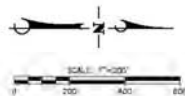
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 PLOT BY: Michael Uink  
 PLOT DATE: 02/20/07 2:16:43 PM

**NOTES**

- 1 THE PHOTOGRAPHY SHOWN HEREIN WAS TAKEN IN SEPTEMBER 2004 AND IS FOR GENERAL REFERENCE ONLY. THE SITE AND PHOTOGRAPHY HAVE NOT BEEN REVIEWED FOR CHANGES IN FIELD CONDITIONS.
- 2 THE LINE WORK SHOWN HEREIN IS NOT BASED ON A FIELD OR BOUNDARY SURVEY AND IS FOR EXHIBIT USE ONLY. THIS DOES NOT REPRESENT A BOUNDARY ESTABLISHED SURVEY.

**MAPPING LEGEND**

- EXISTING LEASE LINE
- - - PROPOSED LEASE LINE
- COMMERCIAL FISHING HOIST
- PUMP-OUTS
- DAY STORAGE HOIST
- BILGE PUMP-OUT



**CHANNEL ISLANDS HARBOR  
 PUBLIC WORKS PLAN AMENDMENT NO. 3  
 EXHIBIT "A"**


**Penfield & Smith**  
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 Construction Management  
 111 Low Street, Suite 200, Santa Barbara, CA 93101  
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