MINUTE ITEM
This Calendar Item No. C11
was approved as Minute Item
No. 11 by the State Lands
Commission by a vote of 3
to 0 at its 9/27/89
meeting.

CALENDAR ITEM

C11

A 36

S 18

09/27/89
W 24270 PRC 7345
Townsend

GENERAL PERMIT - PUBLIC AGENCY USE

APPLICANT: City of San Buenaventura
Attn: Jim K. Walker,
Superintendent of Parks
501 Poli Street
Ventura, California 93002-0099

AREA, TYPE LAND AND LOCATION:
A 2.101-acre parcel of tide and submerged land lying immediately beneath a riprap revetment at Marina Park in the City of San Buenaventura; Ventura County.

LAND USE: Extension, improvement, and maintenance of existing riprap revetment.

TERMS OF PROPOSED PERMIT:
Initial period: 49 years beginning October 1, 1989.

CONSIDERATION: The public health and safety; with the State reserving the right at any time to set a monetary rental if the Commission finds such action to be in the State's best interest.

BASIS FOR CONSIDERATION:
Pursuant to 2 Cal. Code Regs. 2003.

APPLICANT STATUS:
Applicant is owner and lessee of upland.

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PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee and processing costs have been received.

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

B. Cal. Code Regs.: Title 2, Div. 3; Title 14, Div. 6.

AB 884: 01/02/90.

OTHER PERTINENT INFORMATION:

1. The City of San Buenaventura has filed an application with staff of the Commission for a General Permit - Public Agency Use for the extension, improvement, and maintenance of an existing riprap revetment at Marina Park between Greenock Lane and the northwesterly jetty of Ventura Marina in the City of San Buenaventura. The extension of the existing revetment shall consist of a new section of stone placed between the northern end of the existing riprap structure and Groin No. 1. The 320-foot-long segment follows the original alignment of the coastline and connects the north end of the existing revetment with the root of Groin No. 1. The existing revetment shall be rehabilitated to upgrade the structure to design standard. This structure was originally constructed in 1984 and January 1986 under emergency action to mitigate serious erosion damage. Some existing stone shall be removed and reset to rebuild the toe and crest. Construction of the proposed project shall begin by November 1, 1989 and be completed by February 28, 1990.

2. The annual rental value of the site is estimated to be $13,743.

3. An EIR was prepared and adopted for this project by the City of San Buenaventura. The State Lands Commission's staff has reviewed such document.

4. The Pacific Ocean within the vicinity of the project site has been identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq.

   The project has been determined to be located waterward of the mean high tide line as such mean high tide line would have been located in its last natural state (prior to the construction of structures affecting the natural tidelines). The project area, at the time of the Environmental Inventory, was already "filled" lands and, therefore, not included as part of the significant lands.

APPROVALS OBTAINED:
City of San Buenaventura, United States Army Corps of Engineers, and California Coastal Commission.

FURTHER APPROVALS REQUIRED:
None.

EXHIBITS:
A. Land Description.
B. Location Map.
C. EIR Summary.
D. CEQA Findings/and Statement of Overriding Considerations.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT AN EIR WAS PREPARED AND ADOPTED FOR THIS PROJECT BY THE CITY OF SAN BUENAVENTURA (CITY) AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

2. ADOPT THE FINDINGS AND THE STATEMENT OF OVERRIDING CONSIDERATIONS AS ADOPTED BY THE CITY AS REQUIRED BY THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND ITS GUIDELINES (SECTIONS 15091 AND 15093).

3. DETERMINE THAT THE PROJECT, AS APPROVED, WILL HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT, AND THAT THE COMMISSION CONCURS WITH THE ADOPTED STATEMENT OF OVERRIDING CONSIDERATIONS.

CALENDAR ITEM NO. C 11 (CONT'D)

4. AUTHORIZE ISSUANCE TO THE CITY OF SAN BUENAVENTURA OF A 49-YEAR GENERAL PERMIT - PUBLIC AGENCY USE, BEGINNING OCTOBER 1, 1989, WHICH INCORPORATES ALL MITIGATION MEASURES SPECIFIED IN ATTACHMENT "A" WITHIN EXHIBIT "D"; IN CONSIDERATION OF THE PUBLIC HEALTH AND SAFETY, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENTAL IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; CONSTRUCTION SHALL COMMENCE NOVEMBER 1, 1989 AND BE COMPLETED FEBRUARY 28, 1990; FOR THE EXTENSION, IMPROVEMENT, AND MAINTENANCE OF AN EXISTING RIPRAP REVETMENT ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

(REVISED 9/26/89)

EXHIBIT "A"

W 24270

LAND DESCRIPTION

A parcel of tide and submerged land lying immediately beneath a rip-rap revetment at Marina Park between Greenock Lane and the northwesterly jetty of Ventura Marina in the City of San Buenaventura, Ventura County, California.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of the Pacific Ocean.

END OF DESCRIPTION

PREPARED JUNE 23, 1989 BY BIU 1.

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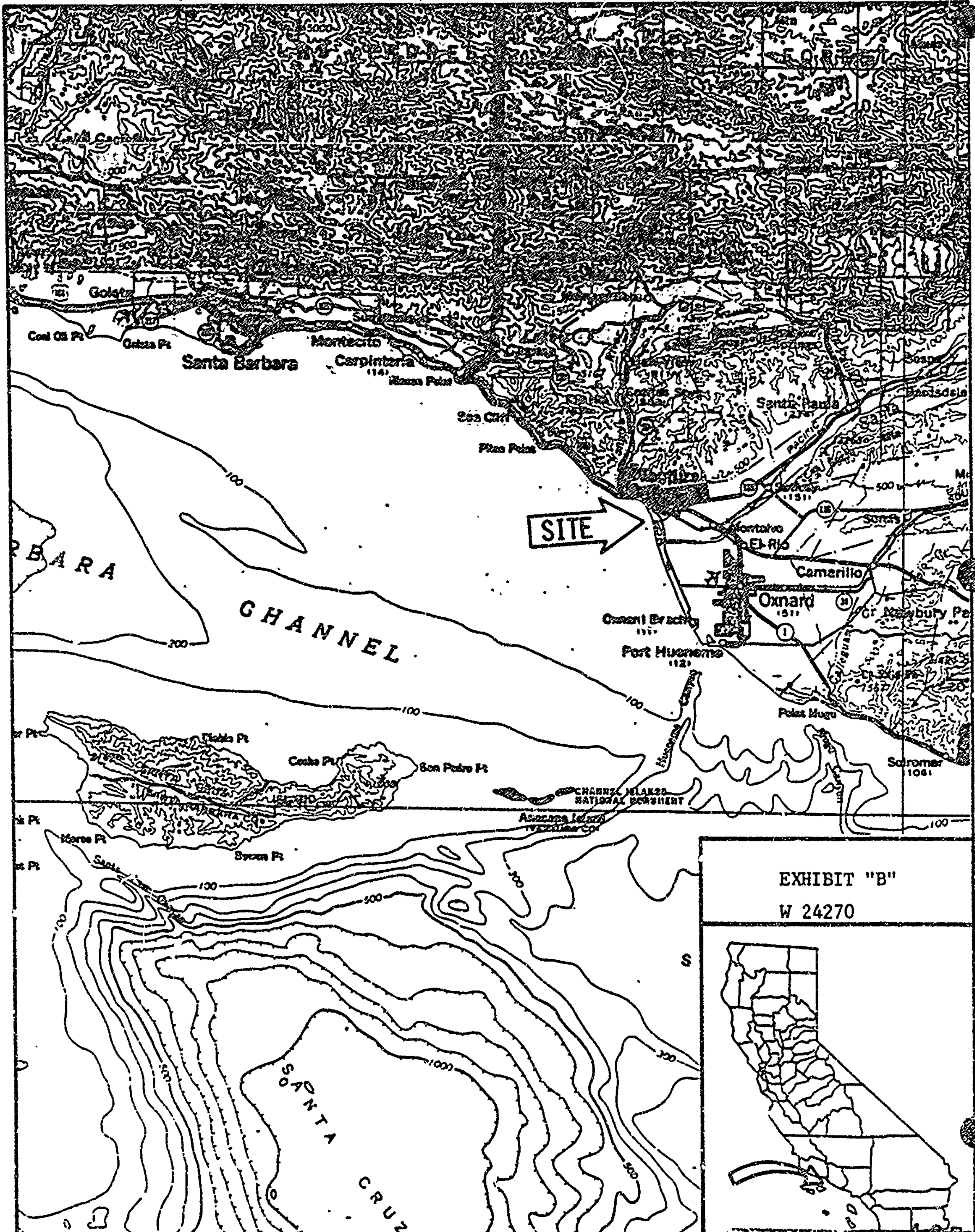

EXHIBIT "B"

W 24270

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EXHIBIT "C"

NARRATIVE SUMMARY

The Marina Park Revetment project is a proposal to develop a shoreline protection structure to protect and reclaim parkland lost to erosion and to prevent erosion damage to Ventura Harbor. During the past decade, destructive winter storms have periodically contributed to the erosion and destruction of land and facilities within Marina Park, an important neighborhood recreational center situated adjacent to the Ventura Harbor in the Pierpont Keys community. In response to emergency conditions, a temporary revetment was constructed to retard erosion. Subsequently, The City of San Buenaventura contracted with several engineering consultants to study alternative methods for protecting the coastline adjacent to the Park and Harbor. As a result of these evaluations, a revetment design was selected that would achieve two important objectives: longterm prevention of further erosion and reclamation of land and amenities within the Park that have been lost and destroyed over the past decade.

The proposed construction would involve three principal construction activities: upgrading of the existing revetment and completion of the revetment segment between the north Harbor jetty and Groin No.1, creation of three access corridors to the beach, and reclamation and restoration of park and dunelands.

Most of the impacts associated with this project can be reduced to insignificance with proper planning. However, several impacts related to construction and one minor visual resource impact cannot be entirely mitigated. The short-term unavoidably significant environmental effects of the proposed project are related to construction activities. The arrival and departure of trucks hauling quarry gravel and fill soil will create significant noise impacts on residences on the north side of Greenock Lane for a period of 30 to 45 days. Particulate generation may exceed State thresholds for PM(10) for several days during the fill importation phase of the project. Visual resource impacts from a single view corridor would be modified by the presence of the reconstructed and expanded revetment.

Impacts to biological resources can be reduced to insignificance through proper construction timing, restoration of dunelands, and careful management of sand replenishment programs (currently coordinated in consultation with the Corps of Engineers). Similarly, proper planning and management can reduce geologic hazards and the project's effects on oceanographic processes to acceptable levels. The consulting geologist has recommended that the design be reviewed to assure that scour during winter conditions is properly accounted for in the engineering of the structure. Further, the structure should be designed to withstand a peak ground accelleration of .7 g. Construction should be done during clear weather to avoid effects on nearshore benthic organisms. The City should coordinate monitoring and management of dredging and sand replenishment in consultation with the Corps of Engineers.

Recreational effects of the proposed construction would be balanced by the long-term beneficial effects of the project. Although about 40,000 square feet of beach area would be displaced by the revetment, several acres of parklands would be reclaimed and restored. Moreover, the Master Plan for management of the Marina Park beach area recommends the addition of a small spur groin adjacent to Groin No. 1 which would essentially replace all beach area lost to construction of the revetment. The project includes an access plan which will assure adequate beach access over the revetment in three important locations.

(ADDED pgs. 127.1-127.24)

Several alternatives to the proposed project were considered including the no project alternative, beach replenishment without the revetment, an alternative revetment alignment, seawall construction, and a mitigated project alternative. The consultants determined that the project as proposed with the incorporation of all mitigation measures was the environmentally superior alternative.

The project was determined to be consistent with Coastal Act, Local Coastal Plan, and Comprehensive Plan Policies.

SUMMARY OF ENVIRONMENTAL IMPACTS, MITIGATION MEASURES, ALTERNATIVES, AND CUMULATIVE EFFECTS

CLASS I. SIGNIFICANT UNAVOIDABLE ENVIRONMENTAL IMPACTS of the project for which the decision makers must issue a statement of overriding considerations under Section 15093 of the State CEQA Guidelines if the project is approved.

ISSUE	DESCRIPTION OF IMPACT	MITIGATION	RESIDUAL IMPACT
Visual Resources	The onshore view corridor from the beach area immediately in front of the proposed revetment would be significantly blocked	Implement a beach nourishment program at Marina Park beach to bury the revetment to the greatest extent feasible.	Sigaificant
	Visual dominance impacts from the beach area in front of the project site looking onshore are considered significant.	Implement a beach nourishment program at Marina Park beach which would bury the revetment to the greatest extent feasible.	Significant
Construction Effects	Estimated noise generation of 70 decibels associated with construction equipment would significantly impact Greenock Lane residences within 300 feet of the project site for a period of 30 to 45 days.	All construction shall only occur between the hours of 7:30 a.m. to 5:30 p.m. Monday through Friday. Mufflers shall be provided for all heavy construction equipment. Stationary noise sources shall be located at least 300 feet from occupied residences. Equipment warm up and storage areas shall be centralized as far from existing residences as feasible. Require stationary noise sources to be shielded from surrounding non-senstive users.	Significant

CLASS I. **SIGNIFICANT UNAVOIDABLE ENVIRONMENTAL IMPACTS of the project for which the decision makers must issue a statement of overriding considerstions under Section 15093 of the State CEQA Guidelines if the project is approved.**

ISSUE	DESCRIPTION OF IMPACT	MITIGATION	RESIDUAL IMPACT
Construction Effects Cont.	Short term PM10 emissions generated during the grading and construction phase would exceed the State 24-hour standard of 50 ug/m3 (micrograms per cubic meter) for about two or three days of construction activity.	All exposed soils areas shall be sprinkled with water treated with reagent soil binder a minimum of once an hour during grading operations All trucks importing fill to the site shall use tarps to cover the load and shall operate between the hours of 9 a.m. to 4 p.m. on weekdays only. Any dust generated during the grading phase would be controlled by watering either by sprinkler truck or hose.	Significant

CLASS II. SIGNIFICANT ENVIRONMENTAL IMPACTS which can be mitigated for which the decision maker must make "findings" under Section 15091 of the State EIR Guidelines if the project is approved.

ISSUE	DESCRIPTION OF IMPACT	MITIGATION	RESIDUAL IMPACT
Biological Resources	Habitat loss and degradation due to revetment construction and filling associated with land reclamation.	Implement coastal sand dune revegetation program.	Not Significant
	Shoreline construction and potential sand nourishment efforts could affect spawning behavior and reproductive success of the California Grunion for a single season.	Schedule construction and sand replenishment during the non-breeding season.	Not Significant
	Cumulative impacts of revetment development and associated loss of habitat used by wildlife for roosting, foraging, or spawning is significant.	Implement coastal dune revegetation program.	Not Significant
Geologic Hazards	Wind, heavy rainfall, and associated runoff could cause significant erosion of exposed earth during grading if construction activities are improperly timed.	To the extent feasible, schedule construction activities during clear weather.	Not Significant
	Seismic hazards from earthquake potential.	Design revetment to withstand .7g acceleration.	Not Significant

CLASS II. SIGNIFICANT ENVIRONMENTAL IMPACTS which can be mitigated for which the decision maker must make "findings" under Section 15091 of the State EIR Guidelines if the project is approved.

ISSUE	DESCRIPTION OF IMPACT	MITIGATION	RESIDUAL IMPACT
Geologic Hazards Cont.	Sand transport processes may be modified by revetment constuction.	Monitor long term sand transport processes in consultation wish the Corps of Enginers.	Not Significant
	Scour may be intensified during winter conditions resulting in undercutting of revetment base.	Review engineering for maximum scour and redesign as necessary.	Not Significant
Construction Effects	Potential for silt transport to occur along the nearshore areas in the vicinity of the project site would result from soil or spoil material being incidentally washed into the ocean during project grading.	Stockpile all materials excavated during project grading on high ground above the maximum tide line. Schedule excavation activity during low tides.	Not Significant
Recreation	Approximately 40,000 square feet of beach area would be lost due to construction of the proposed revetment.	Pursue construction of the programmed improvements specified in the Noble Consultants Master Plan to create additional beach area.	Not Significant
	Loss of unobstructed beach access from the upland park property due to revetment construction.	Access to the beach area shall be provided over the revetment within specified access corridors.	Not Significant

PLANNING COMMISSION RESOLUTION NO. 6831

GRANTING A PLANNED DEVELOPMENT PERMIT AND A COASTAL DEVELOPMENT PERMIT

CASE NOS. PD-523 AND CDP-147

BE IT RESOLVED by the Planning Commission of the City of San Buenaventura as follows:

SECTION 1: An application has been filed for a Planned Development Permit and a Coastal Development Permit pursuant to the San Buenaventura Ordinance Code for property located in the P Zone and located along the beach on the western boundary of Marina Park.

SECTION 2: The final EIR for the subject project having been certified by the City to have been completed in compliance with the State CEQA Guidelines and the Planning Commission having certified that it has read and considered the information contained therein, and the Commission having considered the staff materials presented to it in conjunction with the hearing, the final EIR, testimony given at the public hearing held on July 11, 1989, as well as other pertinent information, and all proceedings having been duly taken as required by law, the Planning Commission finds the following:

1. The proposed use and particular plan, as conditioned, is in conformance with the Comprehensive Plan because the site is designated as a park site.

2. The proposed use and particular plan, as conditioned, is permitted in the zone in which the proposal is to be located because parks are allowed in the P Zone.

3. The proposed use and particular plan, as conditioned, is not detrimental to the public interest, safety, health, morals and general welfare because the proposed revetment project will safeguard the public welfare and property.

4. The proposed zone is in conformance with the Land Use Element of the Comprehensive Plan.

5. The development does not significantly obstruct public views of the coastline, views from any public road or from a public recreation area.

6. The development is compatible with the established physical scale and character of the area.

7. The development is in conformance with the public access and recreational policies of this Code and the Coastal Land Use Plan.

8. The development is in conformance with all other applicable policies of the Coastal Land Use Plan.

9. The proposed development is of a kind permitted within both the Coastal Land Use Plan designation and the zone in the area where the development is to be located.

10. The proposed use and particular plan, as conditioned, is not contrary to or in conflict with the general purposes or intent of the Zoning Ordinances.

Biological Resources:

11. The significant biological resources impacts identified in the EIR have been mitigated and substantially lessened by incorporating conditions into the proposed project imposing all of the identified mitigation measures set forth below:

    a. Upon completion of the revetment, the City will implement a Coastal Sand Dune Restoration Program.

    b. During construction, temporary fencing will be installed around the portions of the dune area that will not be filled. Equipment operations will be restricted to predefined access routes, work space, and staging areas.

    c. Construction will be scheduled during the months of September through mid-March to avoid grunion spawning season. Sand replenishment activities will not occur during April, May, or June to prevent destruction of grunion eggs; if feasible, sand nourishment activities will be limited to September through mid-March to avoid the destruction of grunion eggs.

Geologic and Oceanographic Processes:

12. The significant geologic and oceanographic process impacts identified in the EIR have been mitigated and substantially lessened by incorporating conditions into the proposed project imposing all of the identified mitigation measures set forth below:

    a. Because net sand loss could undermine the revetment, the Army Corps of Engineers and the City will continue to annually monitor the existing sand transport conditions and identify changes in replenishment and supply that occur once the revetment is in place. The remedial measures to maintain adequate sand supply will be coordinated annually with the Corps of Engineers. If a sand deficit is created, adequate dredging spoils will be transported from Sand Trap B to the beach adjacent to Marina Park. This dredging work will not be done during California grunion spawning season (March through September).

b. Prior to construction, the engineering design will be reviewed by the City Engineering Division to assure that adequate footing depths are planned to prevent adverse effects from wave scour.

c. The revetment design should withstand peak ground accelerations of 0.7 g. Plans documenting that this design standard has been incorporated into the proposed structure will be reviewed and approved by the City Engineering Division prior to construction.

d. The revetment will be inspected by the City for stability after major storm episodes. Damage to the large armor rock comprising the core of the structure will be repaired in an expedited manner.

Construction Effects:

13. The significant construction effects impacts identified in the EIR are (1) short term noise impacts for the Greenock Lane residences within 300 feet of the project site, approximately 12-20 residences, for a period of only 30 to 45 days; and (2) short term PM10 emissions generated during the grading and construction phase that exceed the State 24-hour standard for approximately 2 or 3 days of construction activity. These short term impacts have been mitigated by incorporating conditions into the proposed project by imposing all of the identified mitigation measures set forth below:

a. No less than two weeks prior to construction, the City will notify residents along Greenock Lane that a parking restriction will exist during construction.

b. To assure public safety, a traffic control plan (including signage and assurance of adequate traffic control) will be submitted to the City Transportation section for review and approval prior to the beginning of construction. The public will be temporarily prohibited from beach use during construction.

c. To control silt transport into the tideline, all materials excavated and removed during the grading portion of the construction will be stockpiled above the maximum tide line. During the grading phase of the construction, stockpiled soil or spoil material will be stored inland from the construction zone. No stockpiled material will remain on the beach at the conclusion of each workday. Excavation activity will be scheduled during low tides.

d. Construction, including equipment warm-up, will occur at the site only between the hours of 7:30 a.m. to 5:30 p.m., Monday through Friday. Construction equipment maintenance and servicing will be confined to the same hours. (This condition will be placed on the grading permit).

e. Mufflers will be provided for all heavy construction equipment and all stationary noise sources (such as diesel generators). Stationary noise sources will be located at least 300 feet from occupied residences or contractors will be required to provide appropriate noise reducing engine housing enclosures.

f. Equipment warm up areas and equipment storage areas will be placed in a central area as far away from existing residences as is feasible.

g. During construction, generators and other stationary noise sources will be shielded to reduce effects on surrounding noise sensitive uses.

h. Contractors will properly maintain and operate construction equipment and use direct injection diesel engines if feasible.

i. Contractors will water exposed graded areas on a daily basis.

j. Dust generation produced during grading will be controlled by the the following activities:

(1) All exposed soil areas will be sprinkled with water.
(2) All trucks importing fill to the site will use tarps to cover the load and will operate between the hours of 9 a.m. to 4 p.m. on weekdays only.
(3) Any dust generated during the grading phase would be controlled by watering either by sprinkler truck or hose.

14. To the extent that any of the significant construction effects impacts have not been substantially lessened, and we believe that they have been substantially lessened, the Planning Commission finds that all of the mitigation measures identified in the EIR have been imposed on the project, that no further mitigation measures have been identified to further reduce short term construction impacts, that the project alternatives identified in the EIR are infeasible (see paragraphs 18 to 21 below), that any such remaining impacts are thus unavoidable, and that there are overriding considerations for approval of this project in any event based upon a weighing of any such remaining adverse impacts against the benefits of the project as noted in paragraph 22 below.

Scenic and Visual Impacts:

15. The EIR identified the significant scenic and visual impacts as occurring from onshore view points, that is, the view from the beach in front of the revetment looking onshore would be dominated by the mass of the proposed revetment, and as having the potential to occur with respect to onsite views. The impacts with respect to onsite views have been mitigated and substantially lessened and the impacts with respect to the onshore view points have been mitigated by incorporating conditions into the proposed project by imposing all of the identified mitigation measures set forth below:

a. After completion of the revetment, the City will consider implementing a beach nourishment program designed to cover the lower portions of the proposed revetment.

b. Plans for the proposed revetment will include overlooks on the landward side of the revetment to ensure unobstructed offshore views.

c. If beach erosion continues after completion of the revetment, the City will consider constructing a new spur groin adjacent to Groin No. 1 (Priority 4 of the Noble Report) which will replace beach lost to the revetment.

d. The fill slope descending from the revetment to the current park elevation (a four foot descent in 200') shall be contoured with hummocks and slight elevation changes to encourage natural dune formation. Plans illustrating how this concept will be implemented and will be reviewed and approved by the City Parks and Engineering Divisions prior to construction.

16. To the extent that any of the significant scenic and visual impacts have not been substantially lessened, and we believe that they have been substantially lessened, the Planning Commission finds that all of the mitigation measures identified in the EIR have been imposed on the project, that no further mitigation measures have been identified to further reduce the onshore view impacts, that the project alternatives identified in the EIR are infeasible (see paragraphs 18 to 21 below), that any such remaining impacts are thus unavoidable, and that there are overriding considerations for approval of this project in any event based upon a weighing of any such remaining adverse impacts against the benefits of the project as noted in paragraph 22 below.

Parks and Recreation:

17. The significant parks and recreation impacts identified in the EIR have been mitigated and substantially lessened by incorporating conditions into the proposed project imposing all of the identified mitigation measures set forth below:

a. After completion of the revetment, the City will annually monitor beach erosion and if beach erosion continues, the City will expediently pursue construction of the two additional programmed improvements in the Noble Consultants Master Plan. These improvements could result in the replacement of a considerable portion of the beach lost to revetment construction.

b. The project will include public access over the revetment in three (3) separate locations as recommended in Figure 17 of the EIR. Within the specified access corridors, the City shall construct and maintain some form of public beach access structure for the life of the project. The ultimate design and location of these access corridors will be developed in consultation with City and Coastal Commission staff.

c. The lifeguard tower will be repositioned or relocated to assure adequate access to the beach and adequate visibility of the strand. The telephone line should also be relocated.

Infeasibility of Project Alternatives:

18. While significant adverse impacts, with respect to biological resources, scenic and visual resources, and beach and coastal access, would not occur in the short run if the No Project alternative was chosen, this alternative would leave the Marina Park coastal area unprotected from future erosion by storm waves which could create significant adverse environmental impacts in habitat destruction and beach loss in the long run. Additionally, according to the EIR, this alternative would leave this area unprotected and would very likely allow high sea waves to breach the sand bar and enter Ventura Harbor. The proposed revetment project's objectives of restoring eroded park lands, protecting the beach and coastal area from erosion forces, and protection of the Ventura Harbor would not be met by the No Project alternative. Based on the consideration that this alternative does not increase the amount of existing park land, does not protect the harbor, and does not conserve and protect the existing park land and beach for a greater public use and benefit, the Planning Commission hereby finds that this alternative is infeasible.

19. While significant adverse impacts, with respect to biological resources, scenic and visual resources and beach and coastal access, would not occur if the Beach Nourishment Without a Revetment alternative was chosen, the EIR indicates that this alternative would not significantly modify sand transport processes nor would it offer significant direct protection or stabilization to the coastal park property or significantly retard severe storm waves that could possibly breach the sand bar and enter Ventura Harbor as would the proposed project. The proposed revetment project's objectives of restoring eroded park lands, protecting the beach and coastal areas from erosion forces, and protection of the Ventura Harbor would not be met by the Beach Nourishment Without a Revetment alternative. Based on the consideration that this alternative does not increase the amount of existing park land, does not protect the harbor and the parkland during severe storm surges, does not conserve and protect the existing park land for a greater public use and benefit, and does not protect the beach from erosion, but rather keeps depositing new sand following its erosion, the Planning Commission hereby finds that this alternative is infeasible.

20. The Alternative Revetment Alignment alternative would result in equivalent significant adverse impacts with respect to biological resources. While the EIR indicates that impacts to scenic and visual resources and beach and coastal access may be somewhat reduced by the construction of this alternative, the EIR points out that the impacts resulting from this alternative are nearly identical. (EIR, pg. 70). In addition, the EIR points out that this alternative has the potential for creating significant impacts with respect to the sand transport process in that the curved revetment may cause a focusing of wave energy which could result in a higher rate of sand loss on the ocean side of the revetment which would interfere with the navigational goals of maintaining a safe harbor and could increase required dredging of the Harbor. The proposed revetment project's objectives of restoring eroded park lands would also not be met by construction of the proposed Alternative Revetment Alignment alternative. Under the Alternative Revetment Alignment alternative, the existing eroded area, which is presently covered with beach sand, would

only be available during the summer months, whereas the proposed project would result in the restoration of the area making the land available for year-round use. Based on the consideration that this alternative does not increase the amount of existing park land, may not protect the harbor, and does not substantially reduce any significant environmental impacts, the Planning Commission hereby finds that this alternative is infeasible.

21. While the construction of the Timber or Concrete Seawall alternative would meet all of the objectives of the proposed project, this alternative would result in equivalent significant adverse impacts with respect to biological resources, and, according to the EIR, would result in a more significant adverse impact with respect to scenic and visual resources due to its unnatural appearance. In addition, the EIR points out that this alternative would create significant impacts with respect to the sand transport process due to the impervious flat surface which transforms wave energy into turbulent water, and could cause greater biological resources impacts with respect to seasonal grunion spawning. Conversely, the proposed project is a rock revetment which is designed to absorb rather than reflect wave energy. Moreover, its appearance would be more natural and consistent in design with the adjacent jetty and groins. Based on the consideration that this alternative would result in an increase in environmental impacts, and based on the consideration that this type of project is more costly than the rock revetment currently proposed, the Planning Commission hereby finds that this alternative is infeasible.

Benefits of the Project:

22. The benefits of the proposed rock revetment project to the public and community at large include, among other things, the following:

    a. Stabilization of the remaining unprotected shoreline at Marina Park which could significantly reduce the amount of beach nourishment that would be required in the future to maintain the condition of the beach and which could reduce the amount of sand which enters the sand trap resulting in additional dredging operations.

    b. Restoration of park land previously lost due to beach erosion which will enhance recreational opportunities for the community and the public at large;

    c. The existing dunes will be restored and revegetated;

    d. Protection of storm water penetration into the Ventura Harbor; and

    e. Short-term employment opportunities for local construction workers.

Statement of Overriding Considerations:

23. Based on all of the foregoing findings, the Planning Commission hereby finds, to the extent that such a finding is required, the long term benefits to the community in general outweigh any residual short term construction impacts which may affect a small number of residences

located near the park. In addition, the Planning Commission finds that the benefits to the community and the public at large in increasing recreational opportunities and reducing or substantially eliminating sand transport processes which affect destruction of park land, habitat, and beach access and which have a negative impact on the safe navigation of boats entering Ventura Harbor, as well as the other benefits specifically identified above outweigh any other significant environmental effects remaining after the imposition of all the identified mitigation measures.

SECTION 3: Based on the above findings, a Planned Development Permit and a Coastal Development Permit are HEREBY APPROVED for the repair and construction of a rock revetment at Marina Park subject to the following conditions:

PLANNING CONDITIONS

1. This Permit is granted for the land or land use as described in the application and any attachments thereto, and as shown on the plot plan submitted, labeled PD-523/CDP-147 Exhibits A and B.

2. All buildings, fences, signs, roadways, parking areas, and other facilities or features shall be located and maintained substantially as shown on the plot plan labeled PD-523/CDP-147 Exhibits A and B.

3. All buildings and structures shall be substantially of the design as shown on the elevation plan labeled PD-523/CDP-147 Exhibits A and B.

4. Compliance with and execution of all conditions listed hereon shall be necessary prior to obtaining final building inspection clearance and/or prior to obtaining any occupancy clearance. Deviation from this requirement shall be permitted only by written consent of the Director of Community Development.

5. Prior to obtaining a building permit and within 30 days hereof, the applicant and property owner shall file with the Secretary of the Planning Commission written acknowledgment of the conditions stated herein on forms provided by the Planning Division.

6. Unless start of construction is commenced not later than 12 months after this approval is granted and is diligently pursued thereafter, this approval will automatically become null and void. However, if the approved plot plan, elevation plans, and adjacent areas are unchanged (except as allowed under Planning Commission Resolution No. 5467), the Director of Community Development may grant one additional 12 month extension of time for start of construction, provided the initial 12 month period has not already expired.

   Start of construction is defined as:

   a. All zoning and related permits are effective; and

b. All required building and grading permits for the project have been issued; and

c. The "foundation inspection" and "concrete slab or underfloor inspection" as defined in the Uniform Administrative Code, Section 305(e), have been made and received approval from the Division of Building and Safety, i.e., all trenches must be excavated, forms erected, and all materials for the foundation delivered on the job and all in-slab or underfloor building service equipment, conduit, piping accessories and other ancillary equipment items must be in place. The Uniform Administrative Code is the currently adopted edition commencing with Section 3111 of the City of San Buenaventura Ordinance Code. Nothing in this definition shall be construed to alter the applicable legal standards for determining when vested property rights to complete the project have arisen.

7. Any minor changes may be approved by the Director of Community Development subject to Planning Commission Resolution No. 5467. Any substantial change will require the filing of an Application for Amendment to be considered by the Planning Commission.

8. All requirements of any law, ordinance, or regulation of the State, City of San Buenaventura, and any other governmental entity shall be complied with.

9. Approval is subject to the applicant paying all fees and assessments to the City of San Buenaventura as required by Ordinance.

10. All landscape areas adjacent to parking, circulation, and vehicle storage areas shall be enclosed by a raised six (6) inch concrete curb or low wall. All planters adjacent to the street right-of-way shall be constructed with weep holes as per specifications of the City Engineer's Office.

11. No signs of any type are approved as a part of this action.

12. All landscaping and irrigation plans submitted to the Architectural Review Board shall be prepared by a State licensed landscape architect.

13. An approval granted by the Planning Commission does not constitute a building permit or authorization to begin any construction. An appropriate permit issued by the Division of Building and Safety must be obtained prior to constructing, enlarging, moving, converting, or demolishing any building or structure within the City.

14. In the event the City determines that it is necessary to take legal action to enforce any of the provisions of these conditions, and such legal action is taken, the applicant shall be required to pay any and all costs of such legal action, including reasonable attorney's fees, incurred by the City, even if the matter is not prosecuted to a final judgment or is amicably resolved, unless City should otherwise agree with applicant to waive said fees or any part thereof.

15. During construction, in order to minimize vibration, boulders should be dumped on the sand and not on the pavement whenever possible.

ENVIRONMENTAL CONDITIONS:

16. All mitigation measures which are outlined in Attachment A of PD-523/CDP-147/EIR-1461 are incorporated herein as conditions of these permits. All such mitigation measures shall be complied with as outlined therein.

17. The Marina Park Rock Revetment Project Mitigation Monitoring/Reporting Program, in its entirety, as outlined in Attachment A of PD-523/CDP-147/EIR-1461 are incorporated herein as conditions of these permits. The reporting/monitoring program for each mitigation measure shall be complied with as outlined therein.

SECTION 4: The Planning Commission hereby adopts the Mitigation Monitoring/Reporting Program attached hereto as Attachment A in compliance with Public Resources section 21081.6.

SECTION 5: This Planned Development Permit and Coastal Development Permit shall be void if the applicant fails to comply with the conditions thereof at any time.

PASSED AND ADOPTED this 11th day of July, 1989.

Acting Secretary, Ann Chaney

AC:FG:7-440

ATTACHMENT A

CITY OF SAN BUENAVENTURA

MARINA PARK ROCK REVETMENT PROJECT

MITIGATION MONITORING AND REPORTING PROGRAM

CASE NOS. PD-523/CDP-147/EIR-1461

BIOLOGICAL IMPACTS

MITIGATION MEASURE #1:

Upon completion of the revetment, the City shall implement a Coastal Dune Restoration Program.

Monitoring/Reporting Program: This is both a one-time and an ongoing activity to be conducted by the City Parks Division. Upon completion of the revetment, the City Parks Division will commence implementation of the dune restoration program.

The Parks Division will maintain the dunes per the dune restoration program which they will monitor annually. A report will be filed annually and maintained in the Parks Division office on the condition of the dunes and what measures have been taken to maintain the dunes.

MITIGATION MEASURE #2:

During construction, temporary fencing shall be installed around the portion of the dune area that will not be filled. Equipment operations shall be restricted to predefined access routes, work space, and staging areas.

Monitoring/Reporting Program: This is a one-time activity to be conducted by the Engineering Division. The Engineering Division will include provisions in the contract with the contractor constructing the revetment that the above mitigation is included. The Engineering Division will conduct an on-site inspection during construction and will file a report upon completion of this mitigation measure.

MITIGATION MEASURE #3:

Construction shall be scheduled during the months of September through mid-March to avoid grunion spawning season. Sand replenishment activities shall not occur during April, May, or June to prevent destruction of gruninon eggs; if feasible, sand nourishment activities shall be limited to September through mid-March to avoid the destruction of grunion eggs.

Monitoring/Reporting Program: This is a one-time and an ongoing activity during the construction phase to be implemented by the Engineering Division.

GEOLOGIC AND OCEANOGRAPHIC IMPACTS

MITIGATION MEASURE #1:

Because net sand loss could undermine the revetment, the Army Corps of Engineers and the City will continue to annually monitor the existing sand transport conditions and identify changes in replenishment and supply that occur once the revetment is in place. The remedial measures to maintain adequate sand supply shall be coordinated annually with the Corps of Engineers. If a sand deficit is created, adequate dredging spoils will be transported from Sand Trap B to the beach adjacent to Marina Park. This dredging work shouldnot be done during California grunion season (March - September).

Monitoring/Reporting Program: This is an ongoing activity after completion of construction to be conducted by the City Public Works Department and the Army Corps of Engineers. The Public Works Department will prepare a report annually regarding the monitoring of the sand transport conditions including measures that have been undertaken to mitigate sand loss.

MITIGATION MEASURE #2:

Prior to construction, the engineering design shall be reviewed by the City Engineering Division to assure that adequate footing depths are planned to prevent adverse effects from wave scour.

Monitoring/Reporting Program: This is a one-time activity to be conducted by the Engineering Division.

MITIGATION MEASURE #3:

The revetment design will withstand peak ground accelerations of 0.7g. Plans documenting this shall be reviewed and approved by the City Engineering Division prior to construction.

Monitoring/Reporting Program: This is a one-time activity to be conductd by the Engineering Division. The Engineering Division will incorporate this mitigation measure in the design plans.

MITIGATION MEASURE #4:

The revetment will be inspected by the City for stability after major storm episodes. Damage to the large armor rock comprising the core of the structure shall be repaired in an expedited manner.

Reporting/Monitoring Program: This is an ongoing activity conducted by the City Parks Division and Public Works Department after each major storm episode. The Parks Division or Public Works Department will prepare an annual report on the status of the revetment and will make any necessary repairs to the structure.

CONSTRUCTION EFFECTS

PUBLIC SAFETY MITIGATION MEASURES (#1 & #2):

1. No less than two weeks prior to construction, the City will notify residents along Greenock Lane that a parking restriction will exist during construction.

2. To assure public safety, a traffic control plan (including signage and assurance of adequate traffic control) should be submitted to the City Transportation Section for review and approval prior to beginning construction.

Monitoring/Reporting Program: These mitigation measures are one-time activities to be implemented by the City Transportation Section who will maintain a record of the implementation of this mitigation.

SILT & SEDIMENT CONTROL MITIGATION MEASURE (#3):

3. To control silt transport into the tideline, all materials excavated and removed during the grading portion of the construction shall be stockpiled above the the maximum tide line. During the grading phase of the construction, stockpiled soil or spoil material shall be stored inland from the construction zone. No stockpiled material shall remain on the beach at the conclusion of each workday. Excavation activity will be scheduled during low tides.

Monitoring/Reporting Program: This is an ongoing activity during construction to be monitored by the Engineering Division who will incorporate the above mitigation in the contract with the contractor constructing the revetment.

NOISE MITIGATION MEASURES (#4 - #7):

4. Construction, including equipment warm-up, will occur at the site only between the hours of 7:30 a.m. and 5:30 p.m., Monday through Friday. Construction equipment maintenance and servicing shall be confined to the same hours.

5. Mufflers will be provided for all heavy construction equipment and all stationary noise sources (such as diesel generators). Stationary noise sources will be located at least 300 feet from occupied residences or contractors will be required to provide appropriate noise reducing engine housing enclosures.

6. Equipment warm up areas and equipment storage areas will be placed in a central area as far away from existing residences as feasible.

7. During construction, generators and other stationary noise sources will be shielded to reduce efects on surrounding noise sensitive uses.

Monitoring/Reporting Program: These ongoing activities during construction to be monitored by the Engineering Division who will incorporate the above mitigation measuresin the contract with the contractor constructing the revetment.

AIR QUALITY MITIGATION MEASURES (#8.- #10)

8. The contractor will properly maintain and operate construction equipment and use direct injection diesel engines or gasoline powered engines if feasible.

9. The contractor will water exposed graded areas on a daily basis.

10. Dust generation produced during grading will be controlled by the following activities:

    - All exposed soil areas to be sprinkled with water.
    - All trucks importing fill to the site shall use tarps to cover the load and will operate between the hours of 9 a.m. to 4 p.m. on weekdays only.
    - Any dust generated during the grading phase would be controlled by watering either by sprinkler truck or hose.

Monitoring/Reporting Program: These are ongoing activities to be monitored by the Engineering Division who will incorporate the above mitigation measures in the contract with the contractor constructing the revetment.

IMPACTS ON SCENIC & VISUAL RESOURCES

MITIGATION MEASURE #1:

The City should consider implementing a beach nourishment program designed to cover the lower portions of the proposed revetment.

Monitoring/Reporting Program: This is an ongoing activity that should be considered after annual monitoring of beach erosion by the City.

MITIGATION MEASURE #2:

Plans of the proposed revetment should include overlooks on the landward side of the revetment to ensure unobstructed offshore views.

Monitoring/Reporting Program: This is a one time activity to be monitored by the Engineering Division who will include the overlooks in the revetment design.

MITIGATION MEASURE #3:

The City should consider constructing a new spur groin adjacent to Groin #1 which could replace beach lost to the revetment.

Monitoring/Reporting Program: This is an ongoing activity that should be considered after annual monitoring of beach erosion by the Parks Division.

MITIGATION MEASURE #4:

The fill slope descending from the revetment to the current park elevation (a four foot descent in 200') should be contoured with hummocks and slight elevation changes to encourage natural dune formation. Plans showing this should be reviewed and approved by the City Parks Division and Engineering Division prior to construction.

Monitoring/Reporting Program: This is a one-time activity to be conducted by the Engineering Division and Parks Division who should incorporate this mitigation measure in the design plans. The Engineering Division shall submit a report to the Planning Division that this mitigation has been included in the design plans.

PARKS & RECREATION IMPACTS

MITIGATION MEASURE #1:

After completion of the revetment, the City should annually monitor the beach erosion, and if the beach erosion continues, the City should consider construction of the two additional programmed improvements in the Noble Consultants Master Plan. These improvements could result in the replacement of a considerable portion of the beach lost to revetment construction.

Monitoring/Reporting Program: This is an ongoing activity that will be conducted by the Parks Division and Engineering Division. The Parks Division or the Engineering Division should prepare an annual beach erosion monitoring report. Said report should include recommendations on whether the two additional programmed improvements in the Noble Study should be implemented.

MITIGATION MEASURE #2

The project should include public access over three separate locations as recommended in the EIR prepared for the project. Within the specified access corridors, the City will construct and maintain some form of public beach access structure for the life of the project. The ultimate design and location of these access corridors should be developed in consultation with City staff and Coastal Commission staff.

Monitoring/Reporting Program: This is a one time and an ongoing activity to be implemented by Engineering Division and Parks Division. Upon consultation with Coastal Commission staff on the design and location of the access corridors, the Engineering Division will include the access corridors on the design plans prior to construction. The Parks Divisions inspect the condition of the access corridors at least once a year and file a report on their status.

MITIGATION MEASURE #3

The lifeguard tower will be repositioned or relocated to assure adequate access to the beach and adequate visibility of the strand. The telephone line to the tower should also be relocated.

Monitoring/Reporting Program: This is a one time activity to be conducted by the Engineering Division and/or Parks Division after construction of the revetment.

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PLANNING COMMISSION RESOLUTION NO. 6830

CERTIFYING THAT THE PLANNING COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED IN THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE MARINA PARK ROCK REVETMENT PROJECT

CASE NO. EIR-1461

BE IT RESOLVED by the Planning Commission of the City of San Buenaventura as follows:

SECTION 1: In accordance with City Council Resolution No. 85-75, as amended, the Environmental Impact Report Committee has certified that the Final Environmental Report submitted for Case No. EIR-1461 is accurate, objective, and in compliance with the California Environmental Quality Act (CEQA) Guidelines and procedures for the State of California and the City of San Buenaventura.

SECTION 2: The Final Environmental Impact Report having been presented to the Planning Commission for certification, and all procedures having been duly taken as required by law, the Commission certifies that it has reviewed and considered the information contained in Final Environmental Impact Report No. EIR-1461, in conjunction with its deliberation regarding Case Nos. PD-523/CDP-147, in accordance with the adopted Environmental Impact Report Guidelines and Procedures of the State of California and the City of San Buenaventura.

PASSED AND ADOPTED this 11th day of July, 1989.

Acting Secretary, Ann Chaney

AC:FG:7-440C

STATE OF CALIFORNIA)
COUNTY OF VENTURA) SS
CITY OF SAN BUENAVENTURA)

I, Ann Chaney, Acting Secretary of the Planning Commission of the City of San Buenaventura, do hereby certify that the above and foregoing Resolution Nos. 6830 and 6831 for Case Nos. EIR-1461, PD-523, and CDP-147 was duly passed and adopted by the Planning Commission of said City at a regular meeting thereof, held on the 11th day of July, 1989, by the following vote, to wit:

AYES: Commissioners Nasalroad, Collart, Downey, Owens, Viles, Pihlaja

NOES: None

ABSENT: Commissioner Laing-Pease

NOT VOTING: None

IN WITNESS WHEREOF, I have hereunto set my hand this 12th day of July, 1989.

Ann Chaney

Acting Secretary, Planning Commission
City of San Buenaventura, California

FG:7-440B

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