

U.S. Department of  
Homeland Security

United States  
Coast Guard



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3530  
February 3, 2021

Dudek  
Attn: Ms. Laurie Monarres  
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Oakland, CA 94612  
lmonarres@dudek.com


Subj: USCG SECTOR LA-LB WATERWAYS MANAGEMENT DIVISION REVIEW OF THE  
VENTRURA PORT DISTRICT AQUACULTURE NAVIGATION RISK ASSESSMENT


Ref: (a) Ventura Port District Aquaculture Navigation Risk Assessment, version 003, 62 pages, dated  
July 2020


Dear Ms. Monarres:


I have reviewed reference (a), which addresses the comment 2 (a) of Enclosure (1) regarding the Ventura Shellfish Enterprise's permit application status with the Army Corps of Engineers. Upon review of reference (a), there were additional items of note requiring resolution prior to USCG acceptance. The following comments apply:

Reference (a)


1. Section 1 states: "The surface buoys will...provide visual identification of the area." Please provide more specific information on the marking configuration of the buoys, to include the number of buoys that will be used, and the distance between them. 


2. Section 1 states: "Any sinking ropes that break loose will be retrieved as part of the project's gear maintenance program." Please provide more specific information to include information on who will be overseeing and enforcing the maintenance program. 

3. Section 2 states: "The installation of the 2,000 acres is proposed to be phased such that 500 acres per year will be installed, on condition that the project meets certain environmental requirements as established by regulatory agencies as part of approval of project permits and monitoring plans." Please provide additional information on the aforementioned requirements for our review. 


4. Risk No. 1.2 'Local third party vessels become entangled when unintentionally enter project site' of Section 5.3.1 states: "It is assumed that once the farm is operational, trawling by other vessels with a draft more than 15 ft will choose to navigate a safe distance from the project determined by the vessel's captain. Further, it is assumed that they will exercise proper caution to the extent feasible try to avoid any impact with the aquaculture farm." It is not advisable to make assumptions such as these as part of safety evaluation without additional information to ensure parameters are met. Please provide specific information on what measures will be taken by VSS to promote vessel adherence to the proposed parameters, to include a definition of what is considered a safe distance from the farm. 


Need  
letterhead  
statement from  
COWI

5. Table 5-2 in Section 5.2.2 identifies a risk reducing measure in place to be “routine patrol by Ventura Harbor Patrol to ensure aquaculture farms properly maintained.” Is there is an established agreement between VSE and Ventura Harbor Patrol? Please explain. 


6. Section 5.5 ‘Additional mitigation measures’ states: “One way to lower the potential consequence from entanglement (see risks 1.1, 1.2 and 2.1) is by imposing a speed restriction for vessels who are inside project site. A reduced speed would presumably reduce the likelihood of capsizing in case of entanglement with the ropes.” Such speed restrictions are not enforceable in federal waters. Additionally, there are some vessels that may not be able to operate at reduced speeds. Please provide more specific information on how the issue of speed will be mitigated at the project site. 

Robert add info


7. Section 5.5 ‘Additional mitigation measures’ states creating an exclusion zone may serve as an additional mitigation measure. At this time, we do not consider this an additional mitigation measure, since no Regulated Navigation Area has been established for the project. 


8. Section 5.2.4 states: “... only visible object at the project site are surface buoys with a 16-inch diameter. Corner buoys are equipped with radar reflectors and AIS transmitter but are generally not expected to cause shadowing or other significant adverse radar interference.” Has District 11 Waterways Management been engaged to ensure the appropriate Private Aids to Navigation (PAtoN) and AIS transmitters have been identified for the project? Please explain. 

Enclosure (1)

9. Comment 2 (b) recommends that you provide documented proof of coordination with the commercial fishing industry, commercial vessel shipping industry, and other stakeholders to include comments received and responses. I am unable to find such documented information to my office for our records. 

Include meetings for operations plan; 3 public meetings related to Ops Plan; 3 for Nav Risk; + excerpt from BP letter re: meeting with NGOs. Cut/paste old response + add more

10. Comments 2 (c) and 4 recommends that you coordinate with Coast Guard District Eleven Waterways Management Office with permitting requirements for PAtoN. What is the current status of your application regarding PAtoN? Please provide an update. 

11. Comment 3 recommends that a small scale test area be studied prior to the application, in addition to a phased development construction schedule to monitor the impact on navigation, marine aquaculture, previous established marine life and marine life habitat, fishing, boater safety and total impact to federal waterway prior to full implementation. Have you developed such plans? Please provide an update. 

Robert Add Info

If you have any question or concerns regarding this review, please contact me at maria.c.wiener@uscg,mil.

Sincerely,



M. C. Wiener  
Lieutenant Commander, U. S. Coast Guard  
Chief, Waterways Management Division  
By direction

Enclosure: (1) Sector LA-LB Memo “Review of U.S. Army Corps of Engineers Section 10 Permit Application,” dated November 1, 2019