

CALIFORNIA COASTAL COMMISSION

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September 13, 2019

Laurie Monarres
Project Manager
Dudek
1630 San Pablo Avenue, Suite 30
Oakland, CA 94612

Re: Consistency Certification No. CC-0009-18 – Ventura Shellfish Enterprise

Dear Ms. Monarres:

In an emailed letter dated August 16, 2019, the California Coastal Commission (Commission) staff received supplemental information from you regarding the consistency certification from the Ventura Port District for the proposed installation and operation of a 2,000 acre facility in open coastal waters for aquaculture production of Mediterranean mussels (*Mytilus galloprovincialis*). This supplemental information was provided in response to an information request letter from Commission staff dated November 2, 2018.

The Commission staff has reviewed the supplemental information and determined that the consistency certification remains incomplete and cannot be filed pursuant to Section 930.58 of the Coastal Zone Management Act (CZMA) until the following additional information is provided.

Project Description

1. *Fouling Organisms.* In response to Commission staff's request for additional information regarding proposed shellfish planting and harvest activities, Dudek notes in its August 16, 2019 letter that

Any fouling organisms that have the potential to cover the sea floor will be removed and disposed of at an identified upland facility. Growers and growers' employees operating within the project area must receive training regarding how to identify potential invasive species and how to properly dispose of such invasive species if discovered. Benthic monitoring will also ensure there are no adverse impacts to the seafloor, including changes to the sediment chemistry.

Please provide the following information related to this response: (a) a list of examples of fouling organisms that would be considered to have the potential to cover the sea floor; (b) a description of the training methods and proposed training materials proposed to be used to enable growers and their employees to identify potential invasive species; (c) the manner in which growers would be trained to dispose of such species; (d) how adherence

to this proposed protective measure would be assessed and ensured; (e) examples of benthic monitoring results that would be considered evidence of “adverse impacts to the seafloor;” and (f) the types of responses that would be triggered by such monitoring results.

2. *Inspection and maintenance activities.* In response to Commission staff’s request for additional information regarding proposed inspection and maintenance activities, Dudek notes in its August 16, 2019 letter that

Building on information provided on page 16 of the Consistency Certification Application and the Proposed Best Management Practices, maintenance and inspection of gear will be carried out at least twice per month and include inspection of all gear: longlines, buoys, cultivation lines, anchors, anchor ropes, etc.) Inspectors will be required to submit an annual report.

Please describe how completion of the proposed twice monthly gear inspections would be documented and confirmed as well as the proposed actions that would be triggered for growers that do not carry out or complete these required inspections.

3. *Installation.* Please describe: (a) how proper and complete installation of anchoring devices and cultivation equipment would be assessed and determined; and (b) the proposed actions that would be triggered if a grower fails to properly or completely install anchoring devices or cultivation equipment.
4. *Alterations to equipment and designs.* In response to Commission staff’s request for additional information regarding the structural stability of the proposed cultivation equipment, Dudek notes in its August 16, 2019 letter that

...the scope of the anchoring system, buoy placement and number of buoys, the specific configuration of grow ropes, and final design specifications may vary depending on the specific farm requirements and grower preferences; however, the equipment used will be consistent with the engineering analysis to ensure proper gear maintenance and to minimize gear loss.

Regarding this response, please describe (a) how modified cultivation equipment designs and installation configurations would be determined to be consistent with the engineering analysis; (b) how these changes and alterations would be reported to and authorized by the regulatory agencies; and (c) Ventura Port District’s response if the alterations are not consistent with the engineering analysis or authorized by the regulatory agencies.

5. *Removal Bond.* Please provide additional information about how \$65,000 was determined to represent “110% of the estimated cost of gear removal and site cleanup for a 100-acre farm site.” For example, please provide the scope and amount of removal activities that were used to establish this estimate as well as the entity that developed the estimate and relevant experience or expertise that qualify this entity to make an accurate estimate.

6. *Predator Control.* Please clarify which methods of predator control, if any, are proposed to be used as part of the project.
7. *Compliance and Enforcement.* Please clarify and provide additional information about what Dudek and the Ventura Port District intends by noting that the responsibilities associated with monitoring, oversight, enforcement and project management would be shared with the National Oceanic and Atmospheric Administration and U.S. Army Corps of Engineers. Please specifically clarify which management, monitoring, oversight, and enforcement activities would be carried out by each entity and the manner in which these activities would be coordinated, documented, and reported.

Navigation Safety Risk Assessment

8. Please describe the current status of the Navigation Safety Risk Assessment review process with the U.S. Coast Guard.

Substrate Survey Results

9. Please provide the results of site specific substrate surveys of the proposed anchoring/mooring device installation sites and adjacent areas. This survey should document the substrate type(s) and biological resources present at the proposed anchoring/mooring locations and adjacent areas.

Pursuant to 15 CFR §930.60(a), the 6-month time period for review of this submittal has not begun and will not begin until the Commission staff receives all of the information discussed in this letter. If you need any further assistance or have any additional questions, please contact me at (805) 585-1825.

Sincerely,



CASSIDY TEUFEL
Senior Environmental Scientist
Energy, Ocean Resources and Federal Consistency Division