

In the upcoming months, Ventura will commence its review of the Coastal Plan for a potential update. The PBCC Board feels it is important that you have a summary of beach history so that you can have an understanding of what has occurred.

The City owns 40 feet of land (Shore Drive) immediately west of and contiguous to the lane ends. Up until 1998 the City would maintain the beach. Sand would blow in the direction of the lanes and accrue until such time as the City would push it back toward the ocean to its origin thus maintaining the “flat beach” which was always the norm.

In 1998 the Coastal Commission took notice and mandated a maintenance moratorium subject to a study to be provided by the City. The then Public Works Director declined the order on the basis of its expense. As a result, the maintenance ended. The result was an accrual of sand spilling into the streets and over property owners’ walls. A lawsuit resulted in a judgment declaring the situation a legal “nuisance.” To accommodate the mandate, and prevent an appeal by the City, 15 affected property owners signed a settlement agreement, which essentially mirrors the judgment mandate for maintenance.

The following is a portion of an email from Joe Yahner to Murray Robertson on May 9, 2017 . . . “Inquiries were made to the State about pushing some or all of the sand out onto its (the State’s) portion of the beach, but we were informed that it would not issue the City an encroachment permit for that purpose in light of the Coastal Commission’s continuing objections. As a result, the City moves the sand to other locations where it is needed, such as Surfer’s Point and adjacent to the Ventura pier. Please note that due to breeding season for the endangered Western Snowy Plover which runs from March 2 through September 20th every year, pushing the sand onto the State beach during the spring sand removal would require a level of oversight that may make it problematic.”

As to the issue of Pierpont’s use designation, paragraph 2 of the court’s judgment outlines it best . . . “The Court finds that Pierpont Beach is zoned as a public park and has customarily been used as a public park for the last sixty (60) years and is designated as a recreational beach in the City’s coastal plan. The Court finds that the City of San Buenaventura never abandoned Shore Drive or lane ends.”

In 2008, the Coastal Commission and the State proposed a Sand Management Plan which contemplated native planted dunes along the majority of the Pierpont Beach and designating the beach as an “environmentally sensitive habitat area (ESHA).” The Pierpont area is zoned “P” (Parks) and there is not a sensitive habitat overlay designated for the area. In the City of Ventura, the designated sensitive habitat overlay areas include the Ventura river area, Alessandra Lagoon, and the areas adjacent to the Santa Clara river area. These “sensitive” areas are well documented in the City Local Coastal Program and Land Use Plan (LCP/LUP). The California Coastal Commission has certified the City LCP/LUP. The California Coastal Commission does not have the authority to declare the

Pierpont Beach an ESHA if that designation was not previously identified as such by the City in their LCP/LUP. The proposed Sand Management (SMP) was overwhelmingly rejected by the community at town hall meetings as it contemplated creating dunes and planting the front and back areas with native plants. Pierpont Beach from San Pedro to Marina Park is recreational and this plan would have foreclosed on beachgoers use of over 50% of the beach. Roped off dune areas and designated walking corridors to the ocean from the ends of the lanes would clearly have been an extreme reduction in recreational opportunities resulting in greater density of occupancy. This begged the question as to how would lifeguard and emergency vehicle navigate the beach. On a beach as small and tight as Pierpont, vehicle movement would no longer be safe or, for the most part, feasible.

Stakeholder representatives attended 17 meetings between late 2008 and mid-2013 to discuss the proposed sand management plan. During the course of these discussions a above-described Court ruling and settlement agreement occurred and ultimately it was concluded that perhaps a consultant should be commissioned to give suggestions and advice relating to beach management. This did not occur. It has also been suggested that what is needed is advice from a geologist as this is an issue related to the movement of sand.

At the onset of 2012, the City commenced its biannual removal and relocation of sand as per the settlement agreement. The first renewal effort relocated an enormous amount of sand that had been accruing over time and an acceptable “baseline” was established. Biannual subsequent removal has maintained the baseline sand levels by removing the ongoing and reoccurring buildup of windblown sand over the last 7 years. The preponderance of opinion has been that the sand that is being removed twice a year should be returned to its origin. The counter to that seems to be that the beach continues to automatically replenish itself as it returns from the north via the tides. This may be the case as the general level and quantity of sand over the last seven years of ongoing sand relocation has not dissipated.

Thank you,

**Dan Scully
PBCC Beach Committee Chairman**