

J. Matthew Carroll
Assistant County Executive Officer

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County Chief Financial Officer

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Assistant County Executive Officer/
Human Resources Director
Labor Relations

August 25, 2017

Greg Nyhoff, City Manager
Office of the City Manager
300 West 3rd Street
Oxnard, CA 93030

Dear Mr. Nyhoff

Subject: Response to Letter Dated August 16, 2017, Regarding Fisherman's Wharf

Dear Mr. Nyhoff,

I am writing in response to your letter dated August 16, 2017 responding to the County's question regarding processing of the proposed Fisherman's Wharf project. You are correct that the County has requested that the Commission continue this matter from June to September 2017. This continuance was requested by the County in deference to the Commission's Executive Director, who requested additional time to try to assist in resolving the dispute among us. Given the City's decision to decline to accept the proposed development standards and the County's offer of settlement, the County has requested that the matter be heard at the Commission's September hearing.

I also appreciate your commitment to continue working together. As you say, there are disagreements as to the details of what has occurred over the past two to three years related to this project proposal. However, in the County's view, the main issue is the City's position that with this amendment to the County's Public Works Plan, and corresponding amendment to the City's Local Coastal Plan, the City obtains full jurisdiction over matters in the Harbor, including full permitting authority. This position is clearly articulated in both your City Attorney's letter to County Counsel dated November 15, 2016, and your City Attorney's letter to the Commission, also dated August 16, 2017.

It remains the County's position that while this may generally be true in a coastal zone where a Local Coastal Plan is the sole document (or first in time), the Coastal Act and accompanying regulations make it clear that the County's first in time PWP grants sole project approval authority to the Commission, with all subsequent permitting by the County. It is our view that the role of the City in this case is to determine whether or not to process a land use LCP amendment to enable the project to move forward.

Greg Nyhoff, City Manager
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The County regrets that we have reached this point, and remains open to resolution of this matter.

Sincerely,



Michael Powers

C: Members of the Board of Supervisors
 Members of the Oxnard City Council
 Members of the California Coastal Commission
 Jack Ainsworth, Executive Director, California Coastal Commission
 Lyn Krieger, Harbor Director
 Ruth Osuna, Asst. City Manager, City of Oxnard
 Ashley Golden, Director of Community Development, City of Oxnard
 Leroy Smith, County Counsel, County of Ventura
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 Barbara Carey, District Manager
 Deanna Christensen, Supervising Coastal Planner
 Wesley Horn, Coastal Program Analyst
 Stephen Fischer, City Attorney
 Kathleen Mallory, Planning Manager
 Kenneth Rozell, Assistant City Attorney