

MINUTE ITEM

This Calendar Item No. C13
was approved as Minute Item
13 by the State Lands
Commission by a vote of 3
to 0 at its 9/23/82
meeting.

CALENDAR ITEM

C 13

9/23/82
W 23100
Louie
PRC 6326

GENERAL PERMIT - PUBLIC AGENCY USE

APPLICANT: City of Oceanside
320 North Horne Street
Oceanside, California 92054

AREA, TYPE LAND AND LOCATION:
A 0.027-acre parcel of tidelands and submerged
lands at the mouth of the Buena Vista Lagoon,
San Diego County.

LAND USE: Maintenance of a weir and riprap for flood
control purposes.

TERMS OF PROPOSED PERMIT:
Initial period: 49 years from September 1,
1982.

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. Adm. Code 2003.

PREREQUISITE TERMS, FEES AND EXPENSES:
Applicant is permittee of upland.

STATUTORY AND OTHER REFERENCES:
A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
B. Cal. Adm. Code: Title 2, Div. 3; Title 14,
Div. 5.

A 76
S 38

(Revised 9/14/82)

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AB 884: N/A.

OTHER PERTINENT INFORMATION:

1. The subject project involves the widening of an existing 50-foot wide weir to an 80-foot width for flood control purposes.
2. The annual rental value of the site is estimated to be \$50.
3. This project is exempt from CEQA pursuant to 14 Cal. Adm. Code 15101 Class 1 because it involves the minor alteration of a structure.
4. This project is situated on land identified as possessing environmental values in that the State Lands Commission stated all waterways under the Commission's jurisdiction have environmental significance. Staff finds this project to be compatible with Commission policy.
5. The staff recommends that the filing fee and processing fee be waived since the exact extent of State interest has not yet been established.

APPROVALS OBTAINED:

California Coastal Commission and the California Department of Fish and Game.

FURTHER APPROVALS REQUIRED:

The United States Army Corps of Engineers.

EXHIBITS:

- A. Land Description.
- B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL DOCUMENT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH DOCUMENT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21084, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2905; AND FIND THAT THE PROJECT IS CONSISTENT WITH ITS USE CLASSIFICATION.

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2. FIND THAT THIS ACTIVITY IS SITUATED ON LAND IDENTIFIED AS POSSESSING ENVIRONMENTAL VALUES IN THAT THE STATE LANDS COMMISSION FOUND ALL WATERWAYS UNDER THE COMMISSION'S JURISDICTION HAVE ENVIRONMENTAL SIGNIFICANCE, BUT THAT THIS ACTIVITY IS COMPATIBLE WITH THAT FINDING AS IT APPLIES TO THE SUBJECT LAND.
3. WAIVE THE FILING AND PROCESSING FEES.
4. AUTHORIZE ISSUANCE TO THE CITY OF OCEANSIDE OF A 49-YEAR GENERAL PERMIT - PUBLIC AGENCY USE FROM SEPTEMBER 1, 1982; 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; FOR THE MAINTENANCE OF A WEIR AND RIPRAP FOR FLOOD CONTROL PURPOSES ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

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Exhibit "A"

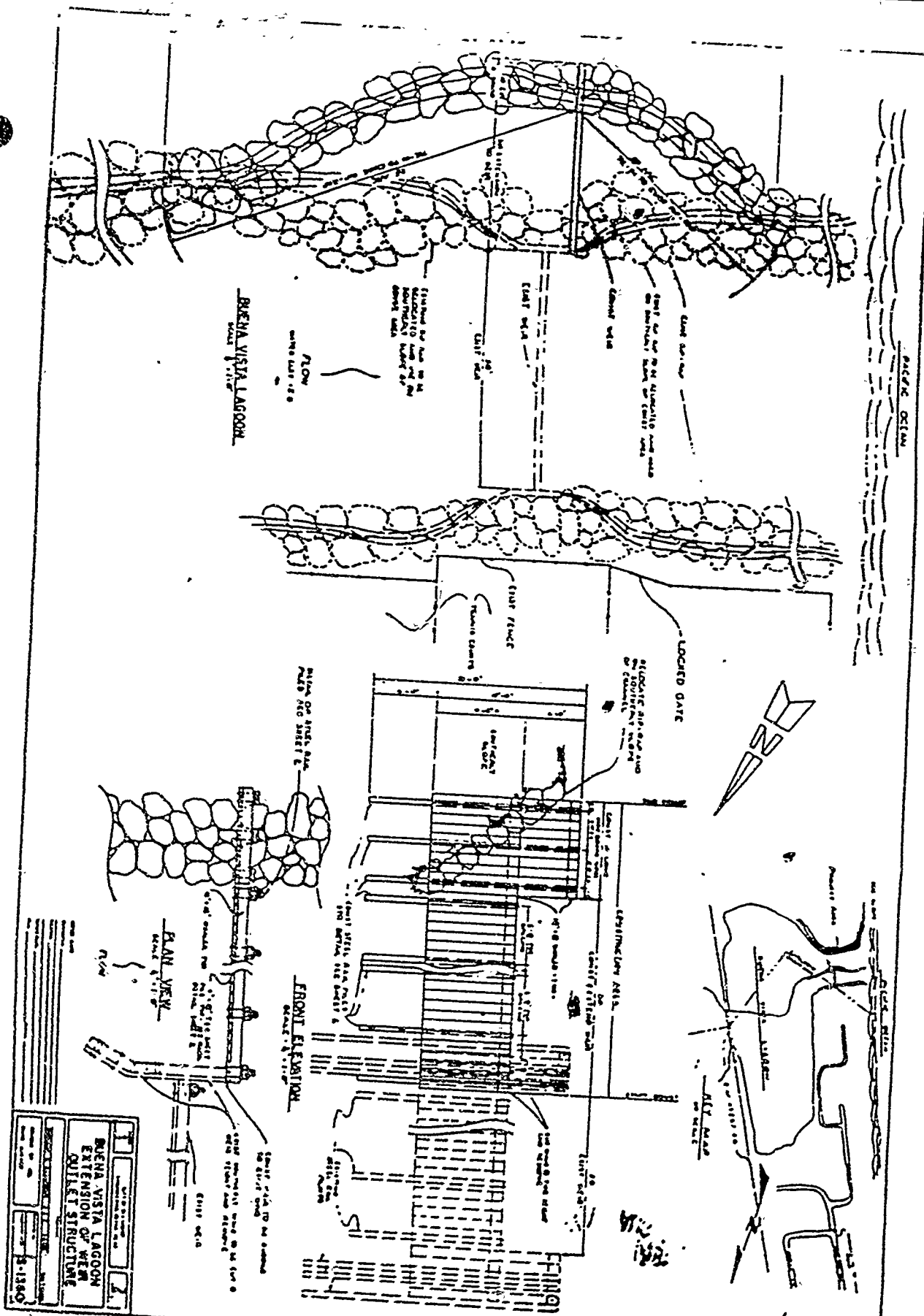
Description of Lease Promises

Those sovereign tide and submerged lands, whether filled or unfilled, which are to be occupied by the project as depicted on Exhibit "A-1" attached hereto and, by reference, made a part hereof.

END OF DESCRIPTION

(Revised 9/20/82)

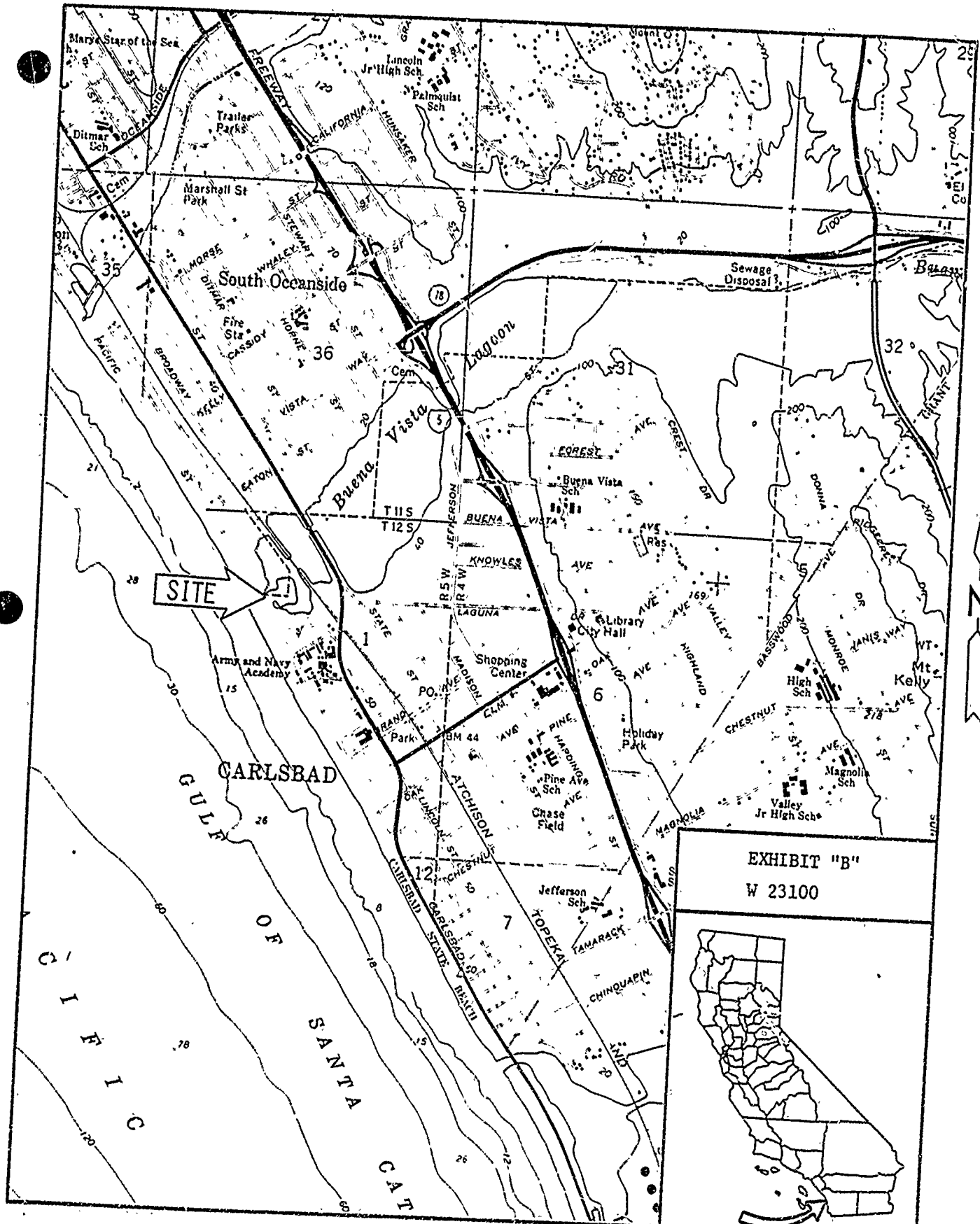
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(Added 9/20/82)

Exhibit "A-1"

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(Added 9/16/82)

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EXHIBIT "B"
W 23100