

MINUTE ITEM

This Calendar Item No. 28
was approved as Minute Item
No. 28 by the State Lands
Commission by a vote of 3
to 0 at its 9/27/89
meeting.

CALENDAR ITEM

A 35
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09/27/89
PRC 7350 PRC 2830.9A
Townsend

AMENDMENT OF PRC 2830.9A LIFE OF STRUCTURE PERMIT
(COUNTY OF VENTURA)
AND ISSUANCE OF GENERAL PERMIT - PUBLIC AGENCY USE
(CITY OF SAN BUENAVENTURA)

LESSEE: County of Ventura
Attn: Jerry Nowak, Deputy Director
Department of Public Works
800 South Victoria Avenue
Ventura, California 93009

APPLICANT: City of San Buenaventura
501 Poli Street
Ventura, California 93002-0099

COUNTY OF VENTURA

AREA, TYPE LAND AND LOCATION: (Existing)
A 3.087-acre parcel of sovereign tide and
submerged land in the Pacific Ocean at Pierpont
Bay near San Buenaventura State Park along
Shore Drive, Ventura County.

LAND USE: Maintenance of three groins.

TERMS OF EXISTING PERMIT:
Initial period: Continuous use plus one year,
beginning January 22, 1962.

CALENDAR ITEM NO. 28 (CONT'D)

MINUTE
This Calendar Item No. 28
was approved as a Minute Item
No. 28 by the State Lands
Commission by vote of 3 to 0
on 02/26/90.

PROPOSED AMENDMENT:

1. The County proposes to relinquish all interest in and responsibility for the groin identified as Groin No. 1.
2. The land description of the lease premises to the County is superseded by the new land description which deletes Groin No. 1 containing 1.051 acres.
3. All other terms and conditions of permit PRC 2830.9A shall remain unchanged and in full force and effect.

CITY OF BUENAVENTURA

AREA, TYPE LAND AND LOCATION:

A 1.051-acre parcel of sovereign tide and submerged land in the Pacific Ocean at Pierpont Bay near San Buena Ventura State Park along Shoreline Drive.

LAND USE: Repair and maintenance of Groin No. 1.

TERMS OF PROPOSED PERMIT TO CITY OF SAN BUENAVENTURA:

Initial period: 24 years beginning
September 27, 1989.

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. Code Regs. 2003.

APPLICANT STATUS:

City is owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee and processing costs have been received.

STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Code Regs.: Title 2, Div. 3;
Title 14, Div. 6.

AB 884: 02/26/90.

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CALENDAR ITEM NO. 28 (CONT'D)

OTHER PERTINENT INFORMATION:

1. By its action on January 22, 1962 (Minute Item 3), the State Lands Commission authorized the issuance of a Life of Structure Permit PRC 2830.9A to the County of Ventura for the maintenance of three groins located on State-owned land in the Pacific Ocean at Pierpont Bay near San Buenaventura State Park.

Groin No. 1 of the Pierpont Bay groinfield was severely damaged during the winter coastal storms of 1988. Repair of the groin is necessary to protect public and private property in the vicinity of Marina Park. Under emergency legislation (Public Law 99), the United States Army Corps of Engineers, together with the State Departments of Parks and Recreation and Boating and Waterways, propose to share in the costs of repair of Groin No. 1. The City has agreed to become the local sponsor for the repair. The Corps is prepared to proceed with the emergency repair work on the groin. The work will be completed by November 15, 1989. Upon completion of the project, State Parks and Recreation and the City will equally share the ongoing maintenance and repair responsibilities pursuant to a Memorandum of Understanding.

The County, by Resolution of the Board of Supervisors, has relinquished all right, interest, and obligations it may have for Groin No. 1. The County has requested that its permit be amended to delete Groin No. 1 from the agreement. The City has filed an application with staff of the Commission for the issuance of a General Permit - Public Agency Use for the structure. A term of 24 years has been proposed, based on the remaining life of the groin as indicated by the Corps of Engineers.

2. The annual rental value of the site is estimated to be \$76,400.

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3. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.
4. A Finding Of No Significant Impact (FONSI) was prepared and adopted for this project by United States Army Corps of Engineers. The document was circulated for public review as broadly as State and local law may require and notice was given meeting the standards in 14 Cal. Code Regs. 15072(a). Therefore, pursuant to 14 Cal. Code Regs. 15225, the staff recommends the use of the federal FONSI in place of the Negative Declaration.

FURTHER APPROVALS REQUIRED:

United States Army Corps of Engineers and
California Coastal Commission.

EXHIBITS:

- A. Amended Land Description - County of Ventura.
- A-1. Land Description - City of San Buenaventura.
- B. Location Map.
- C. Final EA/FONSI.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE FINDING OF NO SIGNIFICANT IMPACT (FONSI) PREPARED AND ADOPTED FOR THIS PROJECT BY UNITED STATES ARMY CORPS OF ENGINEERS MEETS THE REQUIREMENTS OF THE CEQA; THEREFORE, PURSUANT TO 14 CAL. CODE REGS. 15225, ADOPT SUCH FEDERAL DOCUMENT FOR USE IN PLACE OF THE NEGATIVE DECLARATION.
2. DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
3. AUTHORIZE THE AMENDMENT OF LEASE PRC 2830.9A, EFFECTIVE SEPTEMBER 27, 1989, PROVIDING (A) FOR THE DELETION OF GROIN NO. 1 FROM THE PERMIT AGREEMENT; (B) A NEW LAND DESCRIPTION AS SHOWN ON EXHIBIT "A" ATTACHED, AND BY REFERENCE MADE A PART HEREOF; AND (C) THAT ALL OTHER TERMS AND CONDITIONS OF PERMIT PRC 2830.9A SHALL REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.

CALENDAR ITEM NO. 28 (CONT'D)

4. AUTHORIZE ISSUANCE TO CITY OF SAN BUENAVENTURA OF A 24-YEAR GENERAL PERMIT - PUBLIC AGENCY USE, BEGINNING SEPTEMBER 27, 1989; 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; WITH CONSTRUCTION TO COMMENCE OCTOBER 12, 1989 AND BE COMPLETED BY NOVEMBER 15, 1989, FOR REPAIR AND MAINTENANCE OF THE EXISTING GROIN NO. 1 LOCATED ON THE LAND DESCRIBED ON EXHIBIT "A-1" ATTACHED, AND BY REFERENCE MADE A PART HEREOF.

COUNTY OF VENTURA

EXHIBIT "A"

PRC 2830.9A

LAND DESCRIPTION

Two parcels of tide and submerged land in the Santa Barbara Channel in the City of Ventura, Ventura County, California, described as follows:

Parcel 1 - Groin

A strip of tide and submerged land 80 feet wide lying 40 feet on each side of the following described line:

COMMENCING at a point in the centerline of Shore Drive, forty (40) feet wide, distant thereon N 18°46' 11" W, 103.00 feet from the intersection of said centerline with the centerline of Nantucket Court, thirty (30) feet wide as shown on the Map of Pierpont Bay Unit No. 2, recorded in the Office of the County Recorder of said County in Book 15 of Miscellaneous Records (Maps) at page 26 et seq.; thence at right angles to said centerline of Shore Drive, N 71°15' 49" E, 20.00 feet to a point in the northwesterly prolongation of the northeasterly line of said Shore Drive; thence S 71°00' 00" W, 40 feet more less to the mean high tide line of the Santa Barbara Channel and the POINT OF BEGINNING of this description; thence S 71°00' 00" W, 560.0 feet to the end of this description.

Parcel 2 - Groin

A strip of land 80 feet wide lying 40 feet on each side of the following described line:

COMMENCING at a point in the centerline of Shore Drive, forty (40) feet wide, distant thereon N 28°16' 11" W, 100.41 feet from the intersection of said centerline with the centerline of Brighton Court, thirty (30) feet wide as shown on the Map of Pierpont Bay Unit No. 2, recorded in the Office of the County Recorder of said county on Book 15 of Miscellaneous Records (Maps) at page 26 et. seq.; thence S 61°00' 00" W, 51.0 feet more less to the mean high tide line of the Santa Barbara Channel and the POINT OF BEGINNING of this description; thence S 61°00' 00" W, 549.0 feet to the end of this description.

END OF DESCRIPTION

PREPARED AUGUST 31, 1989 BY BIU 1.

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CITY OF SAN BUENAVENTURA

EXHIBIT "A-1"

LAND DESCRIPTION

A parcel of tide and submerged land in the Santa Barbara Channel, in the City of Ventura, Ventura County, California, described as follows:

A strip of land 80 feet wide lying 40 feet on each side of the following described line:

COMMENCING at the intersection of the centerline of Shore Drive, forty (40) feet wide with the centerline of Whitehaven Court, thirty (30) feet wide as said intersection is shown on the Map of Pierpont Bay Unit No. 3, recorded in the Office of the County Recorder of said County in Book 18 of Miscellaneous Records (Maps) at page 42 et seq.; thence along the centerline of said Whitehaven Court, N 79° 16' 30" E, 20.00 feet to a point in the northwesterly prolongation of the northeasterly line of said Shore Drive; thence, leaving said centerline and along said northeasterly prolongation, S 18° 46' 11" E, 7.27 feet; thence S 71° 00' 00" W, 28.0 feet more less to the mean high tide line of the Santa Barbara Channel and the POINT OF BEGINNING of this description; thence S 71° 00' 00" W, 572.0 feet to the end of this description.

END OF DESCRIPTION

PREPARED AUGUST 31, 1989 BY BIU 1

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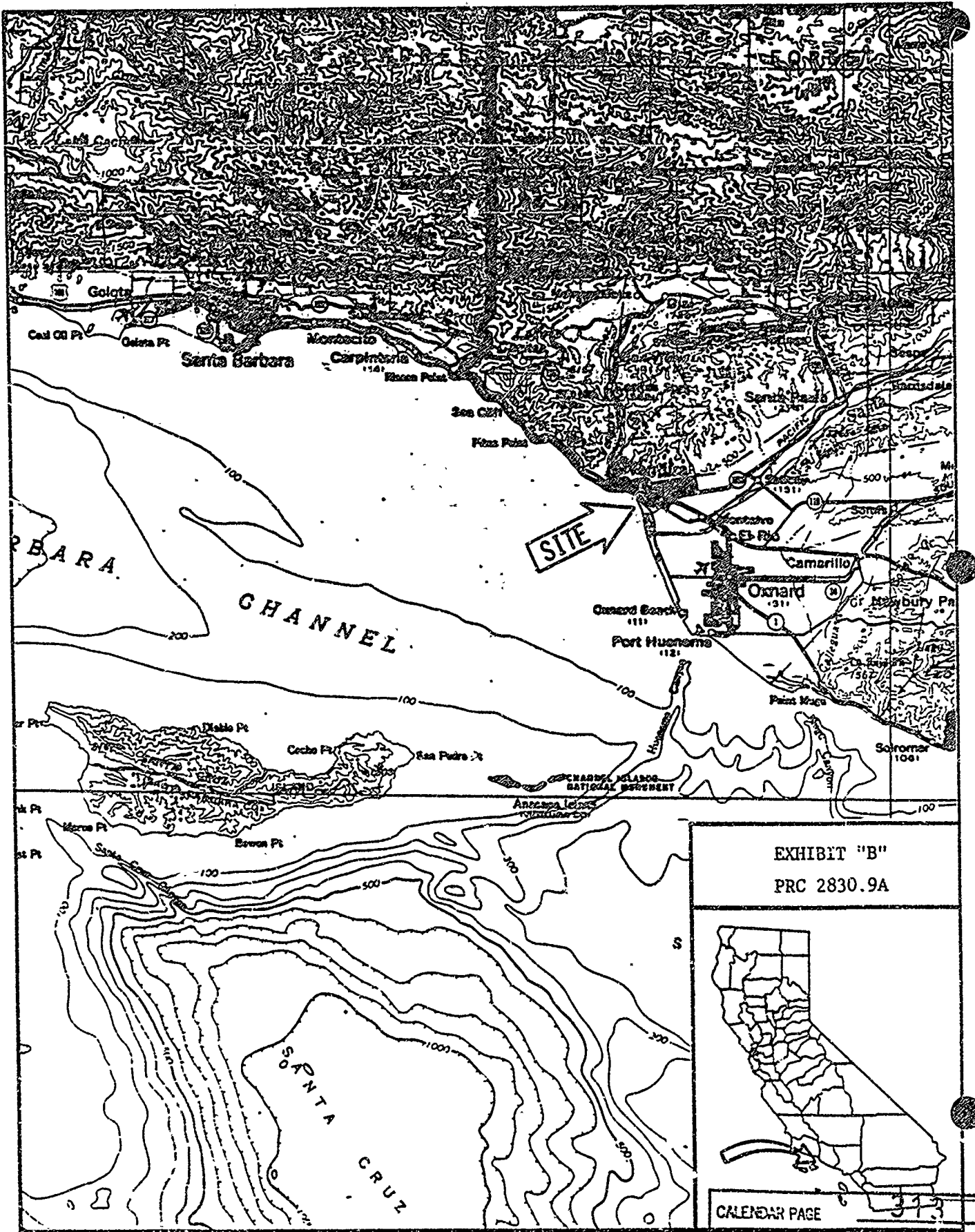


EXHIBIT "B"
 PRC 2830.9A



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EXHIBIT "C"
DEPARTMENT OF THE ARMY
LOS ANGELES DISTRICT, CORPS OF ENGINEERS
P.O. BOX 2711
LOS ANGELES, CALIFORNIA 90053-2721

REPLY TO
ATTENTION OF

FINDING OF NO SIGNIFICANT IMPACT

VENTURA-PIERPONT GROIN NUMBER ONE

EMERGENCY REHABILITATION

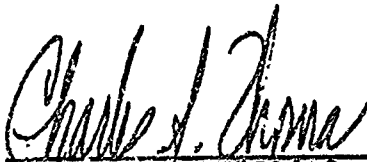
VENTURA COUNTY, CALIFORNIA

I have reviewed the attached Draft Environmental Assessment that has been prepared for the emergency rehabilitation of Ventura-Pierpont Groin Number One, Ventura County, California. The recommended plan involves the reconstruction of the groin, damaged by past winter storms, to its original size and configuration.

The potentially significant resources affected by the proposed project include benthic and other marine habitats, endangered wildlife species, water quality, air quality, noise, land use and recreation, esthetics, and cultural resources.

I have considered the available information in the assessment and it is my determination that the impacts resulting from the proposed project will not have a significant effect on the physical, biological, cultural, or socio-economic environment, or the quality of the human environment, and that the preparation of an Environmental Impact Statement is not required.

26 Sep 89
DATE


CHARLES S. THOMAS
Colonel, Corps of Engineers
District Engineer

(ADDED pgs. 314-314.1)

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FACSIMILE HEADER SHEET
(ER 105-1-5)

FROM (Name) <i>Dave Patterson</i>	OFFICE SYMBOL <i>CESPLED-DC</i>	TELEPHONE NO. <i>874-0933</i>	RELEASER'S SIGNATURE <i>[Signature]</i>		
TO (Name) <i>Jebbie Townsend</i>	OFFICE SYMBOL <i>State Lands Comm</i>	TELEPHONE NO. <i>916-322-3568</i>	# PAGES <i>1</i>	PRECEDENCE	DTG

SUBJECT
FONSE For ~~Subside~~ ~~Forest~~ Ventura Pierpont

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FOR FACSIMILE TRANSMISSION
NO. 307 3111
DEPARTMENT OF THE ARMY

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