

CALENDAR ITEM  
**C37**

MINUTE ITEM  
This Calendar Item No. C37  
was approved as Minute Item  
No. 37 by the State Lands  
Commission by a vote of 3  
to 0 at its 02/12/97  
meeting.

A 27  
S 15

02/12/97  
PRC 7934 W 25354  
J. Lam

**GENERAL LEASE - PUBLIC AGENCY USE**

**LESSEE:**

County of Santa Cruz, Public Works Department  
701 Ocean Street, Room 410  
Santa Cruz, California 95060

**AREA, LAND TYPE, AND LOCATION:**

34.08 acres, more or less, of tide and submerged lands in the Pajaro River, near  
Watsonville, Monterey and Santa Cruz counties.

**AUTHORIZED USE:**

Conduct periodic breaching of the sandbar barrier at the Pajaro River mouth to  
create an outlet channel for flood control purposes.

**LEASE TERM:**

Five years, beginning December 15, 1996.

**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.

**OTHER PERTINENT INFORMATION:**

1. Applicant is permittee of the uplands adjoining the lease premises.
2. Each year, the mouth of the Pajaro River at Monterey Bay is subject to  
closure by the formation of a sandbar barrier. The sandbar usually forms  
during the early summer months and remains until late fall or early winter  
when the outflows from the river are sufficient to overtop the barrier. The  
sandbar closure causes water levels behind the barrier to rise and creates  
flooding on adjacent agricultural and residential lands, roads, and  
drainage system. During the past 40 years, Santa Cruz County has been

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performing artificial breaching of the sandbar barrier whenever it is necessary to prevent extensive flooding.

3. In 1993, a Pajaro River Lagoon Management Plan was prepared for the County of Santa Cruz in response to concerns expressed by the California Department of Fish and Game and the California Coastal Commission over the potential adverse impacts the breaching project may cause to the lagoon habitats for fish and other aquatic organisms. The Lagoon Management Plan defines and initiates a program that enhances the resource value of the lagoon and surrounding habitats, and minimizes the flooding problems that have necessitated the breaching project. Shortly after the completion of the Lagoon Management Plan, a five-year Memorandum of Understanding and subsequent amendment were agreed upon between the Department of Fish and Game and the County to manage the activities associated with the sandbar breaching project.
4. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a statutorily exempt project. The project is exempt because it involves an "ongoing project" as defined by the CEQA and the State CEQA Guidelines.  
Authority: Public Resources Code section 21169 and Title 14, California Code of Regulations, section 15261.
5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 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.

**APPROVALS OBTAINED:**

California Department of Fish and Game, Monterey County Water Resources Agency, Santa Cruz County Planning Department.

**FURTHER APPROVALS REQUIRED:**

California Coastal Commission, California Department of Parks and Recreation, Regional Water Quality Control Board, United States Army Corps of Engineers, California State Lands Commission.

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**EXHIBITS:**

- A. Land Description
- B. Location Map

**PERMIT STREAMLINING ACT DEADLINE:**

N/A

**RECOMMENDED ACTION:**

IT IS RECOMMENDED THAT THE COMMISSION:

**CEQA FINDING:**

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A STATUTORILY EXEMPT PROJECT PURSUANT TO PUBLIC RESOURCES CODE SECTION 21169 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15261, AN ACTIVITY INVOLVING AN ONGOING PROJECT.

**SIGNIFICANT LANDS INVENTORY FINDING:**

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

**AUTHORIZATION:**

AUTHORIZE ISSUANCE TO THE COUNTY OF SANTA CRUZ PUBLIC WORKS DEPARTMENT OF A FIVE-YEAR GENERAL LEASE - PUBLIC AGENCY USE, EFFECTIVE DECEMBER 15, 1996; IN CONSIDERATION OF THE PUBLIC HEALTH AND SAFETY, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENT IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; FOR PERIODIC BREACHING OF THE SANDBAR BARRIER TO CREATE AN OUTLET CHANNEL ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

# EXHIBIT A

W25354

## LAND DESCRIPTION

A parcel of tide and submerged land situate in the Counties of Santa Cruz and Monterey, State of California:

Being a portion of the projected North 1/2 of Section 36, T 12 S, R 1 E MDM, and the projected South 1/2 of Section 25, T 12 S, R 1 E MDM, more directly described as follows:

**COMMENCING** at the U.S.C.&G.S. triangulation station "Pajaro Mouth #3 as shown on Record of Survey Map Volume 52, page 31 recorded in County of Santa Cruz Surveyor files; thence S 03° 11' 35" E, 553.49 feet, to the **TRUE POINT OF BEGINNING**, said point is marked by a 1-1/2" Iron pipe with 4" B&P cap as shown on State Park Map No. A80-335 filed in the County of Santa Cruz Surveyors files, thence leaving said point of beginning N 64° 01' 50" E, 735.09 feet to the center of Watsonville Slough as described in the above-mentioned State Park Map; thence S 13° 02' 15" E, 2650.00 feet; thence S 75° 00' 00" W, 280.00 feet; thence N 27° 04' 09" W, 2378.70 feet; thence N 23° 43' 55" E, 233.89 feet to the true point of beginning.

END OF DESCRIPTION

REVISED NOV, 1996 BY SFBCC

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OREGON

JOSEPHINE JACKSON KLAMATH LAKE  
CURRY

W25354  
EXHIBIT "B"  
LOCATION MAP



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