

MINUTE ITEM

This Calendar Item No. C46 was approved as Minute Item No. 46 by the California State Lands Commission by a vote of 3 to 0 at its 5/12/97 meeting.

**CALENDAR ITEM
C46**

A 74
S 38

05/12/97
PRC 7830.9
J. Smith

AMENDMENT OF LEASE

LESSEE:

California Department of Parks and Recreation
8885 Rio San Diego Drive, Suite 270
San Diego, California 92108

AREA, LAND TYPE, AND LOCATION:

Tide and submerged lands in the Pacific Ocean, Carlsbad State Beach, San Diego County.

AUTHORIZED USE:

Beach nourishment project involving the deposition of approximately 20,000 cubic yards of material on Carlsbad State Beach.

LEASE TERM:

One year, beginning May 3, 1995.

CONSIDERATION:

The public use and benefit; 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.

PROPOSED AMENDMENT:

Extend the term of the lease for two years beginning May 3, 1996; and amend the land use to provide for experimental discharge of up to 10,000 cubic yards of the previously deposited material into the surfzone. All other terms and conditions of the lease shall remain in effect without amendment.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.
2. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061),

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the staff has determined that this activity is exempt from the requirements of the CEQA under the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The staff believes, based on the information available to it, that there is no possibility that this project may have a significant effect on the environment.

Authority: Title 14, California Code of Regulations, section 15061 (b)(3).

3. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. Based upon 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:

United States Army Corps of Engineers

EXHIBIT:

- A. Location and Site 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, BECAUSE THERE IS NO POSSIBILITY THAT THE ACTIVITY MAY HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT. TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTIONS 15061(b)(3).

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SIGNIFICANT LANDS INVENTORY FINDING:

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

AUTHORIZATION:

AUTHORIZE THE AMENDMENT OF LEASE NO. PRC 7830.9, A GENERAL LEASE - PUBLIC AGENCY USE, TO THE CALIFORNIA DEPARTMENT OF PARKS AND RECREATION, OF LANDS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF, EFFECTIVE MAY 3, 1996, TO EXTEND THE TERM FOR TWO YEARS AND AMEND THE LAND USE TO PROVIDE FOR EXPERIMENTAL DISCHARGE OF UP TO 10,000 CUBIC YARDS OF THE PREVIOUSLY DEPOSITED MATERIAL INTO THE SURFZONE SEAWARD OF CARLSBAD STATE BEACH; ALL OTHER TERMS AND CONDITIONS OF THE LEASE WILL REMAIN IN EFFECT WITHOUT AMENDMENT.

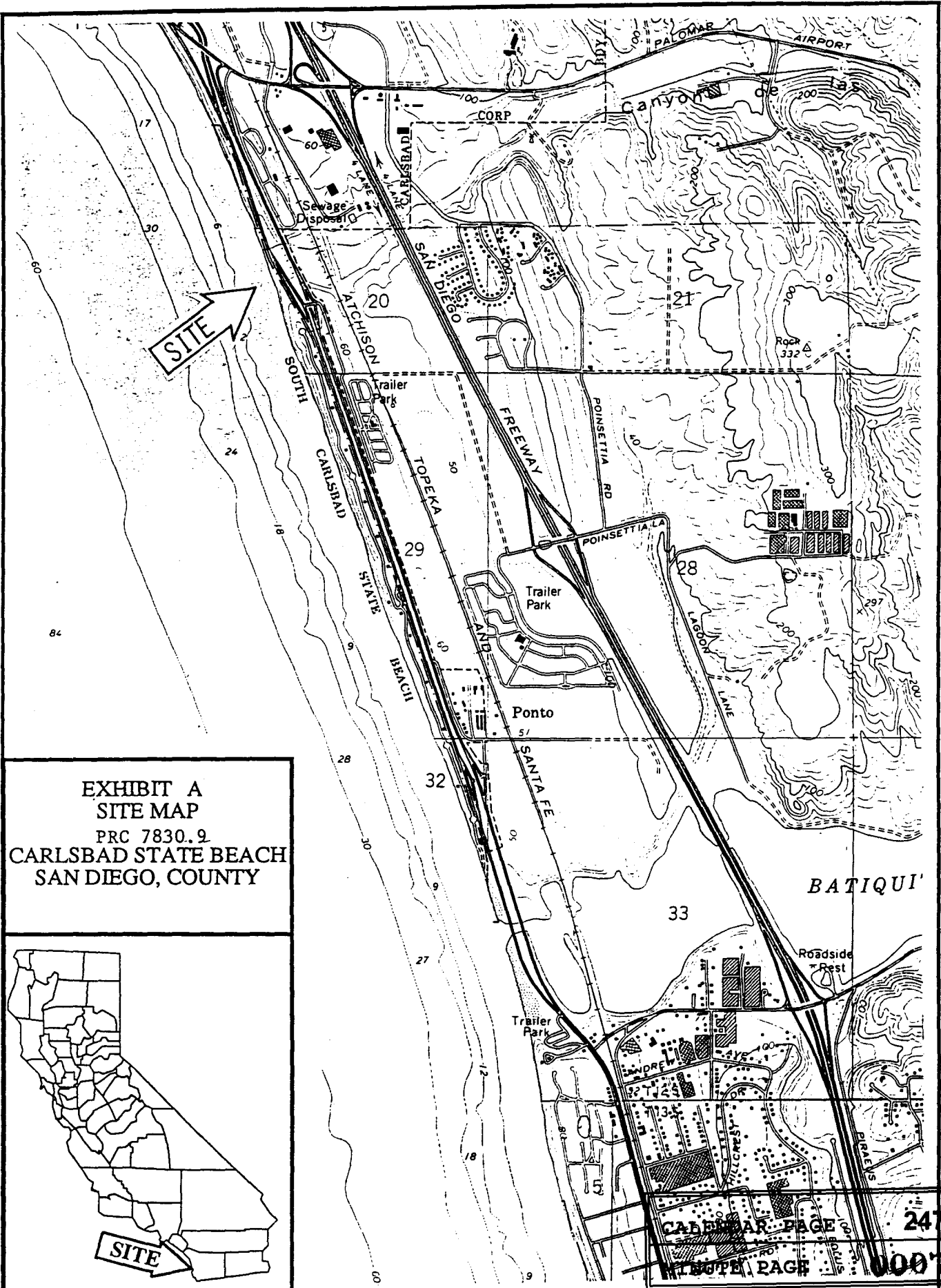


EXHIBIT A
 SITE MAP
 PRC 7830.9
 CARLSBAD STATE BEACH
 SAN DIEGO, COUNTY



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