

MINUTE ITEM

This Calendar Item No. C32 was approved as Minute Item No. 32 by the California State Lands Commission by a vote of 2 to 0 at its 10/30/07 meeting.

CALENDAR ITEM

C32

A 27

10/30/07

S 11

W 25946
J. McComas

GENERAL LEASE - PUBLIC AGENCY USE

APPLICANT:

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

AREA, LAND TYPE, AND LOCATION:

0.25 acres, more or less, of sovereign lands in the Pacific Ocean, near the city of Santa Cruz, Santa Cruz County.

AUTHORIZED USE:

Construction, use and maintenance of bluff protection structures, two public access stairways, and the removal of concrete rubble as shown on Exhibit A.

LEASE TERM:

20 years, beginning October 30, 2007.

CONSIDERATION:

The public use and benefit; 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 owns the uplands adjoining the lease premises.
2. The Applicant has applied for a 20-year General Lease - Public Agency Use in connection with the East Cliff Drive Bluff and Parkway project. The purpose of the project is to increase the longevity of the public right-of-way; to protect the road and utilities from coastal bluff erosions; and to improve and enhance the public access to the coast. The potential loss of East Cliff Dive has been a concern for many years and it has become clear that continued bluff failures would undermine the road, utilities, and

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public access to the coast. The public right-of-way includes the road (East Cliff Drive), parking areas, pedestrian/bicycle path, coastal access stairways, public utilities and park areas.

3. Applicant proposes to construct a soil nail wall engineered structure, finished with colored concrete sculpted to match the existing bluffs, construct a bluff protection wall, construct two new public access stairways to the beach and the removal of significant portions of concrete rubble and riprap from the beach area.
4. An EIR was prepared and certified for this project by the County of Santa Cruz Planning Department. The California State Lands Commission staff has reviewed such document and Mitigation Monitoring Program (SCH# 2001012097) adopted by the lead agency. Findings made in conformance with the State CEQA Guidelines (Title 14, California Code of Regulations, sections 15091 and 15096) are on file in the Sacramento Office of the California State Lands Commission.
5. A Mitigation Monitoring Program has been prepared in conformance with the provisions of the CEQA (Public Resources Code section 21081.6).
6. 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:

U. S. Army Corps of Engineers, Monterey Bay National Marine Sanctuary; Santa Cruz Redevelopment Agency and Santa Cruz Planning Department

FURTHER APPROVALS REQUIRED:

California Coastal Commission

EXHIBITS:

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

PERMIT STREAMLINING ACT DEADLINE:

January 5, 2008

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RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT AN EIR WAS PREPARED AND CERTIFIED FOR THIS PROJECT BY THE COUNTY OF SANTA CRUZ PLANNING DEPARTMENT AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

ADOPT THE FINDINGS MADE IN CONFORMANCE WITH TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTIONS 15091 AND 15096 (h), AS CONTAINED ON FILE IN THE SACRAMENTO OFFICE OF THE CALIFORNIA STATE LANDS COMMISSION.

ADOPT THE MITIGATION MONITORING PROGRAM, AS CONTAINED ON FILE IN THE SACRAMENTO OFFICE OF THE CALIFORNIA STATE LANDS COMMISSION.

SIGNIFICANT LANDS INVENTORY FINDING:

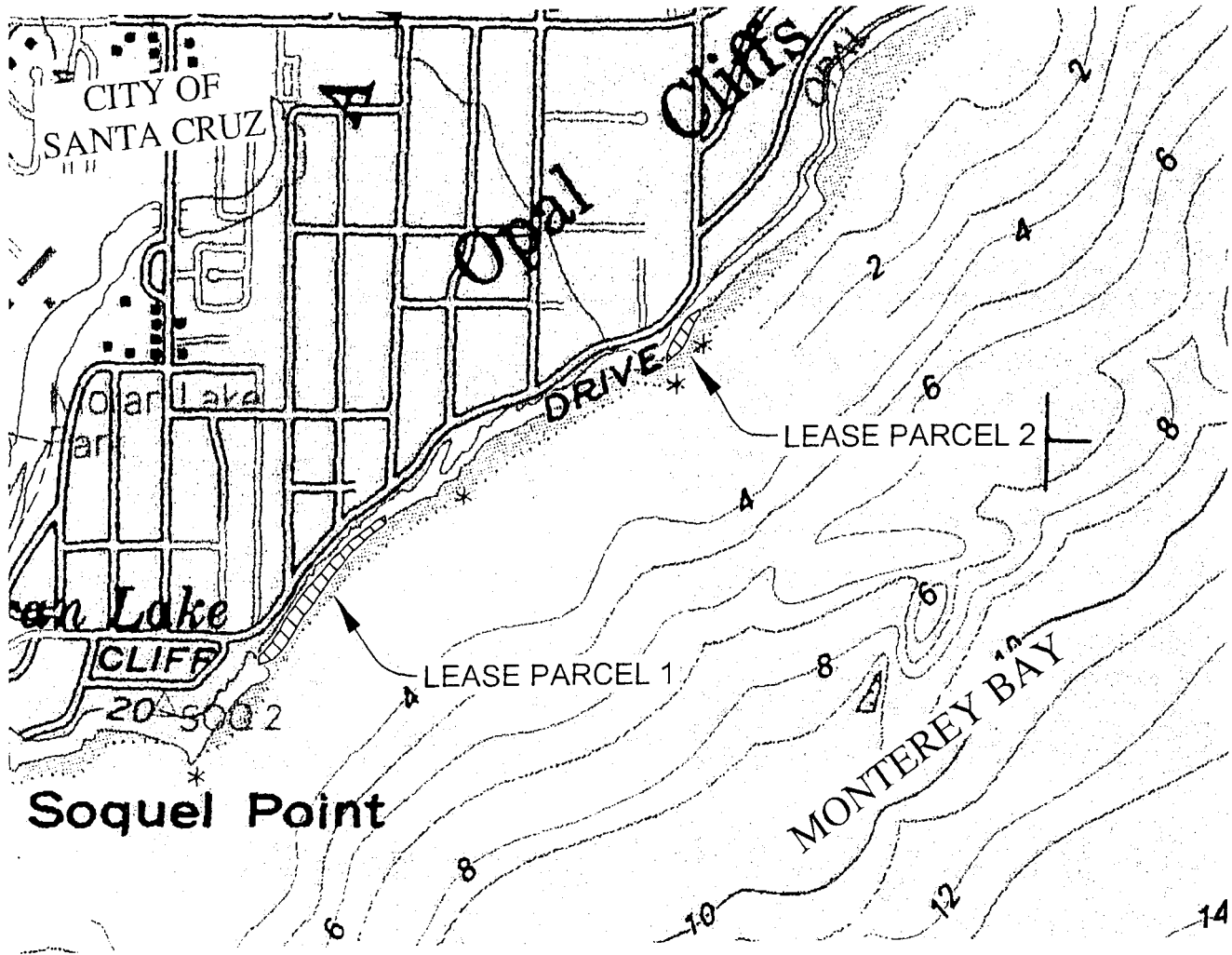
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO THE COUNTY OF SANTA CRUZ OF A GENERAL LEASE - PUBLIC AGENCY USE, BEGINNING OCTOBER 30, 2007 FOR A TERM OF 20 YEARS, FOR THE CONSTRUCTION, USE, AND MAINTENANCE OF BLUFF PROTECTION STRUCTURES, TWO PUBLIC ACCESS STAIRWAYS AND THE REMOVAL OF CONCRETE RUBBLE AND RIPRAP AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION BEING THE PUBLIC USE AND BENEFIT; WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENTAL IF THE COMMISSION FINDS THAT SUCH ACTION WOULD BE IN THE STATE'S BEST INTEREST.

NO SCALE

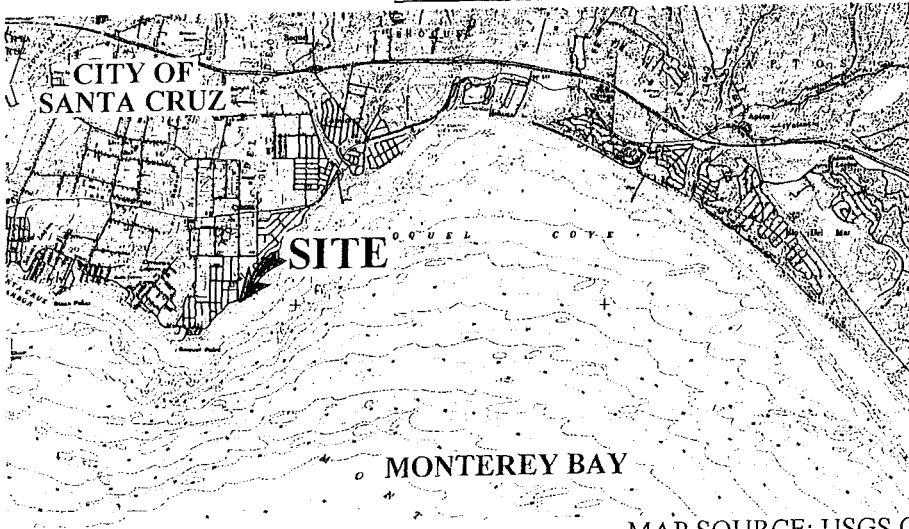
SITE



EAST CLIFF DRIVE
 APN 032-251-01, 032-182-01

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit A

W25946
 COUNTY OF SANTA CRUZ
 PUBLIC AGENCY USE
 GENERAL LEASE
 PROTECTIVE STRUCTURE



This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

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EXHIBIT B

W25946

LAND DESCRIPTION

Two parcels of tide and submerged lands situate in the Bay of Monterey, County of Santa Cruz, State of California, lying adjacent to Rancho Arroyo Del Rodeo as shown on that GLO Plat approved February 11, 1860 and more particularly described as follows:

Parcel 1

A parcel of land bounded on the northeast by the southerly prolongation of the West line of that certain parcel described in that Grant Deed recorded May 19, 1961 in Volume 1395 at Page 237 of Official Records of the County of Santa Cruz; bounded on the southwest by the southerly prolongation of the East line of that certain parcel described in that Grant Deed recorded June 21, 1995 in Volume 5688 at Page 817 of Official Records of the County of Santa Cruz; bounded on the northwest by the Ordinary High Water Mark of the Bay of Monterey; bounded on the southeast by a line running parallel to and 20 feet perpendicular of said Ordinary High Water Mark.

Parcel 2

A parcel of land bounded on the East by the southerly prolongation of the East line of that certain parcel described as Parcel Two in that Grant Deed recorded June 6, 1996 in Volume 5857 at Page 419 of Official Records of the County of Santa Cruz; bounded on the West by the southerly prolongation of the West line of that certain parcel as described in said Grant Deed; bounded on the North by the Ordinary High Water Mark of the Bay of Monterey; bounded on the South by a line running parallel to and 20 feet perpendicular of said Ordinary High Water Mark.

EXCEPTING THEREFROM any portion lying landward of the Ordinary High Water Mark of the Bay of Monterey.

END OF DESCRIPTION

Prepared 10/4/07 by the California State Lands Commission Boundary Unit.

