

**CALENDAR ITEM
C13**

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S 40

08/22/08
W 26282
K. Foster

GENERAL LEASE – PUBLIC AGENCY USE

APPLICANT:

California Department of Parks and Recreation
301 Caspian Way
Imperial Beach, CA 91932

LAND TYPE AND LOCATION:

Sovereign lands in the Pacific Ocean, adjacent to Border Field State Park, city of Imperial Beach, San Diego County.

AUTHORIZED USE:

Deposit a maximum of 60,000 cubic yards of sediment in the Pacific Ocean, in three phases between October 1, 2008 and February 15, 2009.

LEASE TERM:

Six months, beginning October 1, 2008.

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.

SPECIFIC LEASE PROVISIONS:

Applicant shall be required to conduct a mean high tide line survey within 60 days prior to commencing the first phase of deposition activities and shall provide such survey for Commission staff review and approval.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.
2. Applicant manages the Tijuana River National Estuarine Research Reserve (TRNERR), which includes Border Field State Park (BFSP) and the Tijuana Slough National Wildlife Refuge. Recently constructed catch basins in Goat Canyon trap high volumes of sediment generated from the

CALENDAR ITEM NO. C13 (CONT'D)

Goat Canyon Creek watershed south of the International border and help prevent the sediment from silting up and changing the character of environmentally sensitive marsh areas within BFSP. Previously, material removed from the catch basins has been disposed of at upland disposal sites, depriving local beaches of a natural source of sediment which is needed to prevent a possible future breach of the barrier beach and dune system separating the TRNERR from the ocean.

The Tijuana River Sediment Fate and Transport Study (Study) was designed to investigate the feasibility of utilizing sorted sediments generated at the Goat Canyon catch basins for beach replenishment. Analysis of the current sediment stockpile indicates the material would have a grain size distribution of approximately 50 percent sand and 50 percent fines (silt/clay). However, the US Environmental Protection Agency (USEPA) guidelines for beach replenishment projects limits suitable beach replenishment material to no more than 20 percent fines unless additional information can show that placement of material exceeding the guideline will not result in environmental degradation. The Goat Canyon sediment, along with numerous other sources of coastal sediment that exceed the USEPA guideline, would ordinarily be excluded for beach replenishment use and would be disposed of at upland disposal sites.

The Study proposes to place approximately 60,000 cubic yards of sediment, sorted and tested under existing permits for grain size and contaminants, in the intertidal zone south of the Tijuana River mouth along a 2,600 foot long stretch of beach adjacent to BFSP. Placement would take place in three phases between October 1, 2008, and February 15, 2009. Once placed, sediment dispersion would be monitored by the US Geological Survey as discussed in the Construction Monitoring Plan (attached as Exhibit D), to assess the extent and duration of turbidity and sedimentation and to identify any adverse affects such fine grained sediment might pose to the coastal and marine environment. The resulting data would ultimately be used to help determine if material with a higher percentage of fines than currently allowed can be successfully used for future beach nourishment projects at the Tijuana River estuary and elsewhere.

3. A Mitigated Negative Declaration was prepared and adopted for this project by the California Department of Parks and Recreation. The California State Lands Commission's staff has reviewed such document. A Mitigation Monitoring Program was adopted by the California Department of Parks and Recreation.

CALENDAR ITEM NO. C13 (CONT'D)

4. 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 Parks and Recreation

FURTHER APPROVALS REQUIRED:

California Coastal Commission, US Army Corps of Engineers, California Regional Water Quality Control Board, and the US Fish and Wildlife Service

EXHIBITS:

- A. Site and Location Map
- B. Land Description
- C. Mitigation Monitoring Program
- D. Construction Monitoring Program

PERMIT STREAMLINING ACT DEADLINE:

December 8, 2008

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT A MITIGATED NEGATIVE DECLARATION AND A MITIGATION MONITORING PROGRAM WERE PREPARED AND ADOPTED FOR THIS PROJECT BY THE CALIFORNIA DEPARTMENT OF PARKS AND RECREATION AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN. ADOPT THE MITIGATION MONITORING PROGRAM, AS CONTAINED IN EXHIBIT C, ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF.

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.

CALENDAR ITEM NO. **C13** (CONT'D)

AUTHORIZATION:

AUTHORIZE ISSUANCE OF A GENERAL LEASE – PUBLIC AGENCY USE TO THE CALIFORNIA DEPARTMENT OF PARKS AND RECREATION BEGINNING OCTOBER 1, 2008, FOR A TERM OF SIX MONTHS, TO ALLOW FOR THE DEPOSITION OF GOAT CANYON CATCH BASIN SEDIMENTS ON THE BEACH IN THE PACIFIC OCEAN ADJACENT TO BORDER FIELD STATE PARK BETWEEN OCTOBER 1, 2008, AND FEBRUARY 15, 2009, AS SHOWN IN EXHIBIT A AND AS DESCRIBED IN EXHIBIT B ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION IS 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.