

**CALENDAR ITEM  
C15**

A 74  
S 38

10/16/08  
WP 7938.9  
K. Foster

**AMENDMENT OF LEASE**

**LESSEE:**

City of Solana Beach  
635 South Highway 101  
Solana Beach, CA 92075

**LAND TYPE AND LOCATION:**

Tide and submerged lands in the Pacific Ocean, at Fletcher Cove and Tide Beach Park, city of Solana Beach, San Diego County.

**AUTHORIZED USE:**

Deposition of 55,000 cubic yards of sand at Fletcher Cove and Tide Beach Park; repair of beach access stairway and construction of pier support platform; and seacave/notch infill.

**LEASE TERM:**

12 years, beginning September 1, 1997.

**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 expiration date of Lease PRC No. 7938.9 to October 15, 2013, and authorize the deposition of a maximum of 150,000 cubic yards of sand annually on the beach under the City of Solana Beach Opportunistic Beach Fill Program. All other terms and conditions of the lease shall remain in effect without amendment.

**OTHER PERTINENT INFORMATION:**

1. Lessee owns the uplands adjoining the lease premises.

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2. On February 12, 1997, the Commission authorized the issuance of a two-year lease to the city of Solana Beach (City) for placement of sand at Fletcher Cove. The lease was subsequently amended to extend the term of the lease and increase the amount of sand that could be placed and also included repairs to a beach access stairway, pier support platform and a sea cave/notch fill.
3. The City is requesting an amendment to its existing Lease No. PRC 7938.9 to implement the City of Solana Beach Opportunistic Beach Fill Program (Program). The Program is intended to take advantage of opportunities to obtain suitable beach fill material generated from construction, development, or dredging projects occurring periodically within the City. The Program proposes to place up to a maximum of 150,000 cubic yards of beach quality sand annually at Fletcher Cove in the city of Solana Beach.
4. The Program would be implemented according to the guidelines specified in the March 2006 Sand Compatibility and Opportunistic Use Program (SCOUP) plan adopted by the San Diego Association of Governments (SANDAG) and the Coastal Sediment Management Workgroup (CSMW). The SCOUP plan was prepared to assist in streamlining the permitting and regulatory approval process for beach replenishment projects using opportunistic materials in volumes up to 150,000 cubic yards in order to ensure that suitable beach fill materials are not lost due to the timing and cost associated with obtaining separate permits for each project.
5. Under the Program, the City would identify potential beach fill material, which would then be tested according to current regulatory requirements to confirm its suitability. A Project Notification Report detailing such findings would be submitted to each agency with approval authority over the project a minimum of 30 days prior to any placement activity. Written concurrence of suitability would be required from each agency or the material would not be allowed to be used for beach replenishment.
6. A Mitigated Negative Declaration and Mitigation Monitoring Program were prepared and adopted for this project by the city of Solana Beach on June 11, 2008. The California State Lands Commission's staff has reviewed such document.
7. 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

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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:**

City of Solana Beach

**FURTHER APPROVALS REQUIRED:**

California Coastal Commission; Regional Water Quality Control Board; and the U.S. Army Corps of Engineers

**EXHIBITS:**

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

**PERMIT STREAMLINING ACT DEADLINE:**

November 14, 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 CITY OF SOLANA BEACH ON JUNE 11, 2008 AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN. ADOPT THE MITIGATION MONITORING PROGRAM, 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 THE AMENDMENT OF LEASE NO. PRC 7938.9, A GENERAL LEASE – PUBLIC AGENCY USE, OF LANDS IN THE PACIFIC OCEAN ADJACENT TO FLETCHER COVE IN THE CITY OF SOLANA BEACH, AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF, EFFECTIVE OCTOBER 16, 2008, TO EXTEND THE EXPIRATION DATE OF THE LEASE TO

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OCTOBER 15, 2013, AND TO AUTHORIZE THE DEPOSITION OF A MAXIMUM OF 150,000 CUBIC YARDS OF SAND ANNUALLY ON THE BEACH UNDER THE CITY OF SOLANA BEACH OPPORTUNISTIC BEACH FILL PROGRAM; ALL OTHER TERMS AND CONDITIONS OF THE LEASE WILL REMAIN IN EFFECT WITHOUT AMENDMENT.