

**CALENDAR ITEM
C13**

A 35
S 18

08/20/10
WP 8600.9
K. Foster

GENERAL LEASE - PUBLIC AGENCY USE

APPLICANT:

Beach Erosion Authority for Clean Oceans and Nourishment
501 Poli Street
Ventura, CA 93001

LAND TYPE, AND LOCATION:

Sovereign lands in the Pacific Ocean at one receiver site in Santa Barbara County, three receiver sites in Ventura County, and one stockpile site on filled sovereign lands in Ventura County.

AUTHORIZED USE:

Continued implementation of the South Central Coast Beach Enhancement Program (SCCBEP) involving the placement of up to a combined maximum of 741,500 cubic yards (CY) of beach quality fill materials annually at the following four beach receiver sites and the placement of up to 80,000 CY at any given time at the one stockpile site:

Santa Barbara County receiver sites:

- Goleta Beach – 100,000 CY annually

Ventura County receiver sites:

- Oil Piers Beach – 275,000 CY annually
- Surfer's Point Beach – 116,500 CY annually
- Hueneme Beach – 250,000 CY annually

Ventura County stockpile site:

- Adjacent to and across Highway 101 from the Oil Piers Beach receiver site.

LEASE TERM:

Five years, beginning May 1, 2010.

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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.

OTHER PERTINENT INFORMATION:

1. Applicant owns or has the right to use the uplands adjoining the lease premises.
2. On April 26, 2005 the Commission authorized the issuance of Lease No. PRC 8600.9 to the Beach Erosion Authority for Clean Oceans and Nourishment (BEACON) for its South Central Coast Beach Enhancement Program (SCCBEP). BEACON is a joint powers authority that includes the Counties of Santa Barbara and Ventura, and several coastal cities within those two counties, including the city of San Buenaventura (location of the Surfer's Point Beach receiver site), and Port Hueneme (location of the Hueneme Beach receiver site). That lease expired on April 30, 2010. Applicant submitted an application for a new General Lease – Public Agency Use for the continued implementation of its SCCBEP under the same terms and conditions as the prior Lease.
3. The stockpile site across Highway 101 from the Oil Piers receiver site is located on filled sovereign lands under lease to the California Department of Transportation (Caltrans) for highway drainage purposes. Written permission from Caltrans to utilize the site must be maintained at all times.
4. The SCCBEP is an opportunistic beach replenishment program that would place a combined maximum of up to 741,500 cubic yards of beach quality fill materials annually at four receiver sites and up to 80,000 cubic yards of material at any given time at one stockpile site as shown on Exhibit A. Placement on a given site is dependent on the location of the source material. Under the SCCBEP, material suitable for placement is generated as a byproduct of local development projects and is identified either by the local municipality or by independent discovery. Under the SCCBEP, BEACON is typically notified of the availability of suitable materials by the local municipality, which will evaluate the material according to current regulatory requirements prior to notification. Once BEACON has verified that the material is suitable for beach placement, it will submit a Project Notification Report detailing its findings to the Commission and each agency with approval authority over the project a minimum of 90 days prior to any placement activity.

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5. A Mitigated Negative Declaration SCH# 2001031129 was prepared by BEACON and adopted on June 8, 2001 for this project. The California State Lands Commission's staff has reviewed such document.
6. A Mitigation Monitoring Program was adopted by BEACON.
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 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 Port Hueneme, City of San Buenaventura, County of Santa Barbara, County of Ventura, California Regional Water Quality Control Board, and the U.S. Army Corps of Engineers.

FURTHER APPROVALS REQUIRED:

California Coastal Commission.

EXHIBITS:

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

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that a Mitigated Negative Declaration (MND) SCH# 2001031129 and a Mitigation Monitoring Program were prepared by BEACON and adopted for this project on June 8, 2001, and that the Commission reviewed and considered the information contained therein.

Adopt the Mitigation Monitoring Program, on file at the Sacramento office of the California State Lands Commission.

Commission staff reviewed the MND adopted by BEACON for the project and proposed new actions by the Applicant. There will be no significant impact resulting from new actions proposed by the applicant to the project area or on adjacent areas which would require additional review or modification of existing Mitigation Measures (Sec. 15064).

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SIGNIFICANT LANDS INVENTORY FINDING:

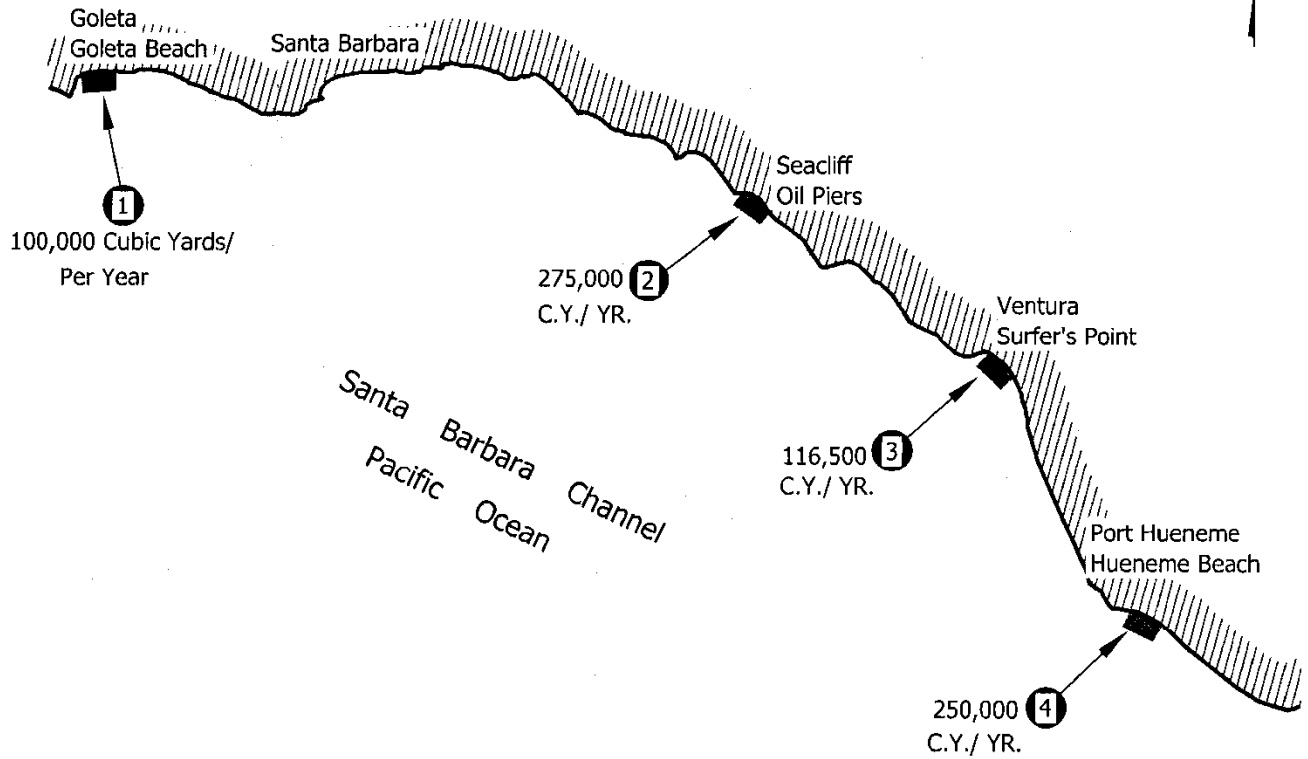
Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code sections 6370, et seq.

AUTHORIZATION:

Authorize Issuance of a General Lease – Public Agency Use to Beach Erosion Authority for Clean Oceans and Nourishment beginning May 1, 2010, for a term of five years, for the placement of up to a combined maximum of 741,500 cubic yards of sand annually at four beach receiver sites and up to 80,000 CY at any given time at the one stockpile site, as shown on Exhibit A (for reference purposes only) 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.

NO SCALE

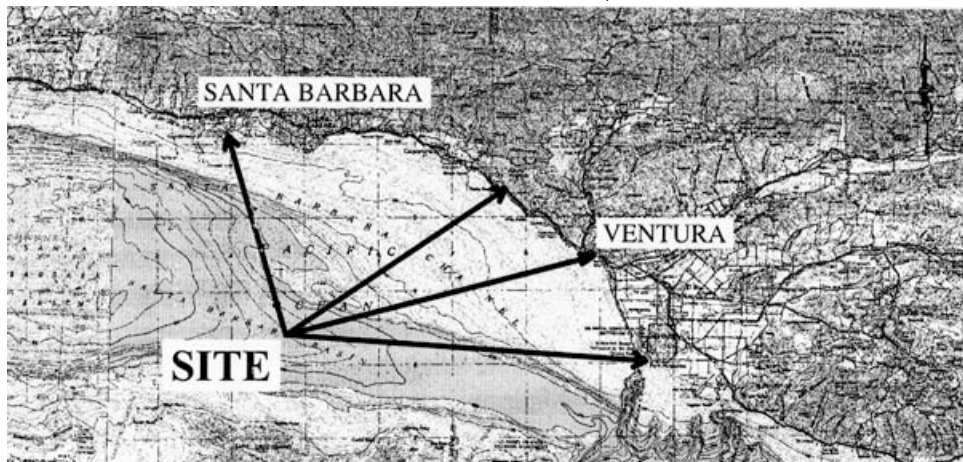
SITE



GOLETA BEACH, OIL PIERS BEACH, SURFER'S POINT BEACH & HUENEME BEACH

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit A

WP 8600.9
 BEACH EROSION AUTHORITY FOR
 CLEAN OCEANS AND
 NOURISHMENT
 GENERAL LEASE -
 PUBLIC AGENCY USE
 SANTA BARBARA COUNTY
 & VENTURA COUNTY



DJF 08/05/10

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.

EXHIBIT B

WP 8600.9

LAND DESCRIPTION

Four strips of tide and submerged lands lying in the bed of the Pacific Ocean west of Santa Barbara and Ventura Counties, State of California, more particularly described as follows:

PARCEL 1:

A strip of submerged land 165 feet in width bounded on the North by the Mean High Tide Line of the Pacific Ocean, bounded on the South by a line lying 165 feet southerly of and measured perpendicular to said Mean High Tide Line, bounded on the West by a line perpendicular to said Mean High Tide Line, said line beginning at a point having a Latitude $34^{\circ} 24' 55''$ North and a Longitude $119^{\circ} 50' 10''$ West, said line also being prolonged or shortened so as to terminate at said North and South lines, and bounded on the East by a line perpendicular to said Mean High Tide Line, said line beginning at a point having a Latitude $34^{\circ} 24' 59''$ North and a Longitude $119^{\circ} 49' 44''$ West, said line also being prolonged or shortened so as to terminate at said North and South lines.

EXCEPTING THEREFROM any portion lying landward of the Ordinary High Water Mark of the Pacific Ocean.

PARCEL 2:

A strip of submerged land 200 feet in width bounded northerly by the Mean High Tide Line of the Pacific Ocean, bounded southerly by a line lying 200 feet southerly of and measured perpendicular to said Mean High Tide Line, bounded westerly by a line perpendicular to said Mean High Tide Line, said line beginning at a point having a Latitude $34^{\circ} 21' 21''$ North and a Longitude $119^{\circ} 26' 07''$ West, said line also being prolonged or shortened so as to terminate at said northerly and southerly lines, and bounded easterly by a line perpendicular to said Mean High Tide Line, said line beginning at a point having a Latitude $34^{\circ} 20' 59''$ North and a Longitude $119^{\circ} 25' 31''$ West, said line also being prolonged or shortened so as to terminate at said northerly and southerly lines.

EXCEPTING THEREFROM any portion lying landward of the Ordinary High Water Mark of the Pacific Ocean.

Also EXCEPTING THEREFROM any portion lying landward of BLA 117, recorded on August 29, 1973 in Book 4159, Page 961, Official Records, Ventura County.

PARCEL 3:

A strip of submerged land 175 feet in width bounded northerly by the Mean High Tide Line of the Pacific Ocean, bounded southerly by a line lying 175 feet southerly of and measured perpendicular to said Mean High Tide Line, bounded westerly by a line perpendicular to said Mean High Tide Line, said line beginning at a point having a Latitude 34° 16' 26" North and a Longitude 119°18' 25" West, said line also being prolonged or shortened so as to terminate at said northerly and southerly lines, and bounded easterly by a line perpendicular to said Mean High Tide Line, said line beginning at a point having a Latitude 34° 16' 25" North and a Longitude 119°18' 12" West, said line also being prolonged or shortened so as to terminate at said northerly and southerly lines.

EXCEPTING THEREFROM any portion lying landward of the Ordinary High Water Mark of the Pacific Ocean.

PARCEL 4:

A strip of submerged land 200 feet in width bounded northerly by the Mean High Tide Line of the Pacific Ocean, bounded southerly by a line lying 200 feet southerly of and measured perpendicular to said Mean High Tide Line, bounded westerly by a line perpendicular to said Mean High Tide Line, said line beginning at a point having a Latitude 34° 08' 41" North and a Longitude 119°12' 22" West, said line also being prolonged or shortened so as to terminate at said northerly and southerly lines, and bounded easterly by a line perpendicular to said Mean High Tide Line, said line beginning at a point having a Latitude 34° 08' 28" North and a Longitude 119°11' 39" West, said line also being prolonged or shortened so as to terminate at said northerly and southerly lines.

EXCEPTING THEREFROM any portion lying landward of the Ordinary High Water Mark of the Pacific Ocean.

Also EXCEPTING THEREFROM any portion lying landward of BLA 129, recorded on June 16, 1972 in Book 3969, Page 588, Official Records, Ventura County.

Geographic Coordinates are based on NAD 83.

END OF DESCRIPTION

Prepared 08/04/2010 by the California State Lands Commission Boundary Unit.

