

**CALENDAR ITEM
C10**

A	35	02/08/11 WP 7343.9 WP 1431.9
S	19	K. Foster

**ISSUANCE OF A NEW GENERAL LEASE - PUBLIC AGENCY USE
AND APPROVAL OF A SUBLEASE**

APPLICANT:

County of Santa Barbara
105 East Anapamu Street
Santa Barbara, CA 93101

SUBLESSEE:

State of California, Wildlife Conservation Board
1807 13th Street, Suite 103
Sacramento, CA 95814

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in the Pacific Ocean and Goleta Slough, adjacent to Goleta Beach County Park, Santa Barbara County.

AUTHORIZED USE:

Continued use and maintenance of an existing public recreational pier with a small boat access area, boat hoist, restrooms, and rock riprap revetments; and the retention, use and maintenance of an existing restroom building, portion of a restaurant building, paved parking area, wildlife observation platform, vehicular access bridge, and emergency rock riprap revetments.

LEASE TERM:

15 years, beginning July 1, 2004.

CONSIDERATION:

The public use and benefit, with the State reserving the right, at any time, to set a monetary rent as specified in the lease if the Commission finds such action to be in the State's best interest.

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SPECIFIC LEASE PROVISIONS:

Lessee shall provide Lessor with an annual report describing all operations and activities on the Lease Premises for the prior year and report whether or not expenses for the operation and maintenance of the Lease Premises have exceeded the annual gross income generated thereon.

BACKGROUND:

Goleta Beach County Park (Park) is a public park located in the county of Santa Barbara at the mouth of Goleta Slough and the Pacific Ocean near the cities of Goleta and Santa Barbara and the University of California, Santa Barbara. The Park contains various improvements, including an approximately 1,500-foot long public recreational pier, park ranger facilities, a restaurant, restrooms, parking, and picnic areas. The public pier and ancillary improvements have been previously authorized by the Commission under Lease No. PRC 1431.9, and there is a rock riprap revetment located on the Goleta Slough side of the Park that was previously authorized under Lease No. PRC 7343.9.

Historically, the seaward side of the Park has been subject to severe erosion during heavy winter storm surges. Past efforts to protect the Park's infrastructure have included placement of winter sand dikes, sand restoration projects, and rock riprap revetments. During winter storms in 2002 and 2004, sand dikes were repeatedly reconstructed. However, storm surge and wave activity caused further erosion of the parking lot and picnic area, and posed a potential risk to other public park facilities and the underground water, sewer, and gas lines that serve the Park.

In December 2002, Santa Barbara County (County) placed 600 linear feet of emergency rock riprap at the Park's west end to help halt the erosion. The California Coastal Commission (CCC) authorized the placement of the riprap under emergency Coastal Development Permit (CDP) No. 4-02-251. In December 2004, the County placed an additional 350 linear feet of emergency rock riprap at the west end under emergency CDP No. 4-05-005-G. Both permits were to expire on June 14, 2006 but were amended by the CCC in November 2006 to extend the terms an additional 18 months, until January 14, 2008. Conditions in the CDP required the County to conduct comprehensive studies to determine the riprap revetments' impacts at Goleta Beach and to develop potential alternatives to these revetments. The CDP terms were extended to allow the County to incorporate the CDP's revetment study requirements into the Environmental Impact Report (EIR) process and analysis for the Park's long-term protection plans for erosion problems, known as the Goleta Beach County Park Master Plan (Master Plan).

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During this time period, Commission staff conducted a boundary study that determined that in addition to the emergency rock riprap discussed above, there are other Park facilities located on State lands. The other identified facilities include a restroom building, a small portion of the restaurant building, a portion of the paved parking area, additional rock riprap on the west and east ends of the Park and next to the pier, a wildlife observation platform overlooking Goleta Slough, and the vehicular access bridge crossing the Slough.

The County released a Master Plan Draft EIR for the Park to the public on March 26, 2007. The Draft EIR identified and analyzed six alternatives, including two preferred co-equal alternatives for long-term stabilization of the shoreline adjacent to the Park. The first preferred alternative involved the construction of a 'permeable pier' perpendicular to the shoreline and directly adjacent to the east side of the existing pier to diminish wave action and allow sand to accumulate, pre-fill sand nourishment to minimize potential downcoast sediment impacts, the repair and retention of the existing west end rock revetments, and the eventual removal of the east end and emergency rock revetments. The second preferred alternative was a managed retreat alternative, where sections of the Park shoreline, particularly on the east end near the restaurant, restrooms, and paved parking area, would continue to be protected by rock revetments. Utility lines, parking and picnic areas, and other amenities near the Park's west end and mid-section would be relocated behind a new "backstop" rock revetment placed landward of a defined flood buffer zone, and the existing rock revetments in those areas, including the emergency rock revetments, would be removed to allow that section of the shoreline to erode naturally. The County, however, never finalized or adopted the Draft EIR.

In January 2008, the County applied to the CCC for a CDP for the permeable pier project proposed in the Master Plan Draft EIR. Since the existing emergency rock riprap revetments were included in the proposed permeable pier project, the prior January 14, 2008 deadline for their removal was postponed pending CCC action on that project.

The CCC considered the permeable pier project at its July 8, 2009 meeting but voted to deny the project. The CCC also instructed the County to revisit its EIR process and to consider other alternatives to the permeable pile groin option. In voting to deny the project, the CCC also recognized the ambiguous status of the emergency rock revetments and agreed to allow them to remain in place until the County has developed a new plan for long-term park management.

The County will be preparing a new draft EIR which will analyze on-going Park issues and propose a long-term management plan. The EIR is anticipated to be

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completed within the next year, with plan implementation to commence by the Fall of 2012.

While the proposed Lease acknowledges the existence of the emergency rock revetments, any changes to the lease area or the revetment authorized under a subsequent CDP or any subsequent removal of the revetments will require further Commission authorization.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.
2. On October 29, 1979, the Commission authorized Lease No. PRC 1431.9, a General Lease – Public Agency Use, to the County of Santa Barbara and the California Department of Fish and Game for a public recreational pier and related facilities on the pier. That lease expired on June 30, 2004.
3. On September 27, 1989, the Commission authorized Lease No. PRC 7343.9, a General Lease – Public Agency Use to the Santa Barbara County Park Department for a rock riprap revetment located on the Goleta Slough side of the Park. That lease expired on September 30, 2009.
4. To facilitate lease streamlining at Goleta Beach County Park, staff is recommending the improvements previously authorized under Lease No. PRC 7343.9 be merged, along with all other improvements occupying State-owned lands, into Lease No. PRC 1431.9.
5. On December 28, 1979, the County of Santa Barbara entered into a sublease with the California Department of Fish and Game, acting by and through the Wildlife Conservation Board, for purposes of a cost-sharing agreement to finance pier improvements. The sublease expires on August 19, 2019. Staff is recommending that this Commission authorize this existing sublease.
6. The lease term for PRC No. 1431.9 ended June 30, 2004. The Lease has been in holdover pending resolution of the various park management issues, so the new lease term will commence from the end of the prior lease.
7. **Public Recreational Pier and Rock Riprap Revetments:** Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of CEQA as

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a categorically exempt project. The project is exempt under Class 1, Existing Facilities; Title 14, California Code of Regulations, section 15301.

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300.

8. **Restroom Building, Portion of the Restaurant Building, Paved Parking Area, Wildlife Observation Platform, and Vehicular Access Bridge:** Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of CEQA as a categorically exempt project. The project is exempt under Class 3, New Construction or Conversion of Small Structures; Title 14, California Code of Regulations, section 15303.

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300.

9. **Emergency Rock Riprap Revetments:** Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of CEQA as a categorically exempt project. The project is exempt under Class 4, Minor Alterations to Land; Title 14, California Code of Regulations, section 15304.

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300.

10. **Sublease:** Pursuant to the Commission's delegation of authority and State CEQA Guidelines [Title 14, California Code of Regulations, section 15060 (c)(3)], the staff has determined that this activity is not subject to the provisions of CEQA because it is not a "project" as defined by CEQA and State CEQA Guidelines.

Authority: Public Resources Code section 21065 and Title 14, California Code of Regulations, sections 15060 (c)(3) and 15378.

11. 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.

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EXHIBITS:

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

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Public Recreational Pier and Rock Riprap Revetments: Find that the activity is exempt from the requirements of CEQA pursuant to Title 14, California Code of Regulations, section 15061 as a categorically exempt project, Class 1, Existing Facilities; Title 14, California Code of Regulations, section 15301.

Restroom Building, Portion of the Restaurant Building, Paved Parking Area, Wildlife Observation Platform, and Vehicular Access Bridge: Find that the activity is exempt from the requirements of CEQA pursuant to Title 14, California Code of Regulations, section 15061 as a categorically exempt project, Class 3, New Construction or Conversion of Small Structures; Title 14, California Code of Regulations, section 15303.

Emergency Rock Riprap Revetments: Find that the activity is exempt from the requirements of CEQA pursuant to Title 14, California Code of Regulations, section 15061 as a categorically exempt project, Class 4, Minor Alterations to Land; Title 14, California Code of Regulations, section 15304.

Sublease: Find that the activity is not subject to the requirements of CEQA pursuant to Title 14, California Code of Regulations, section 15060(c)(3) because the activity is not a project as defined by Public Resources Code section 21065 and Title 14, California Code of Regulations, section 15378.

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.

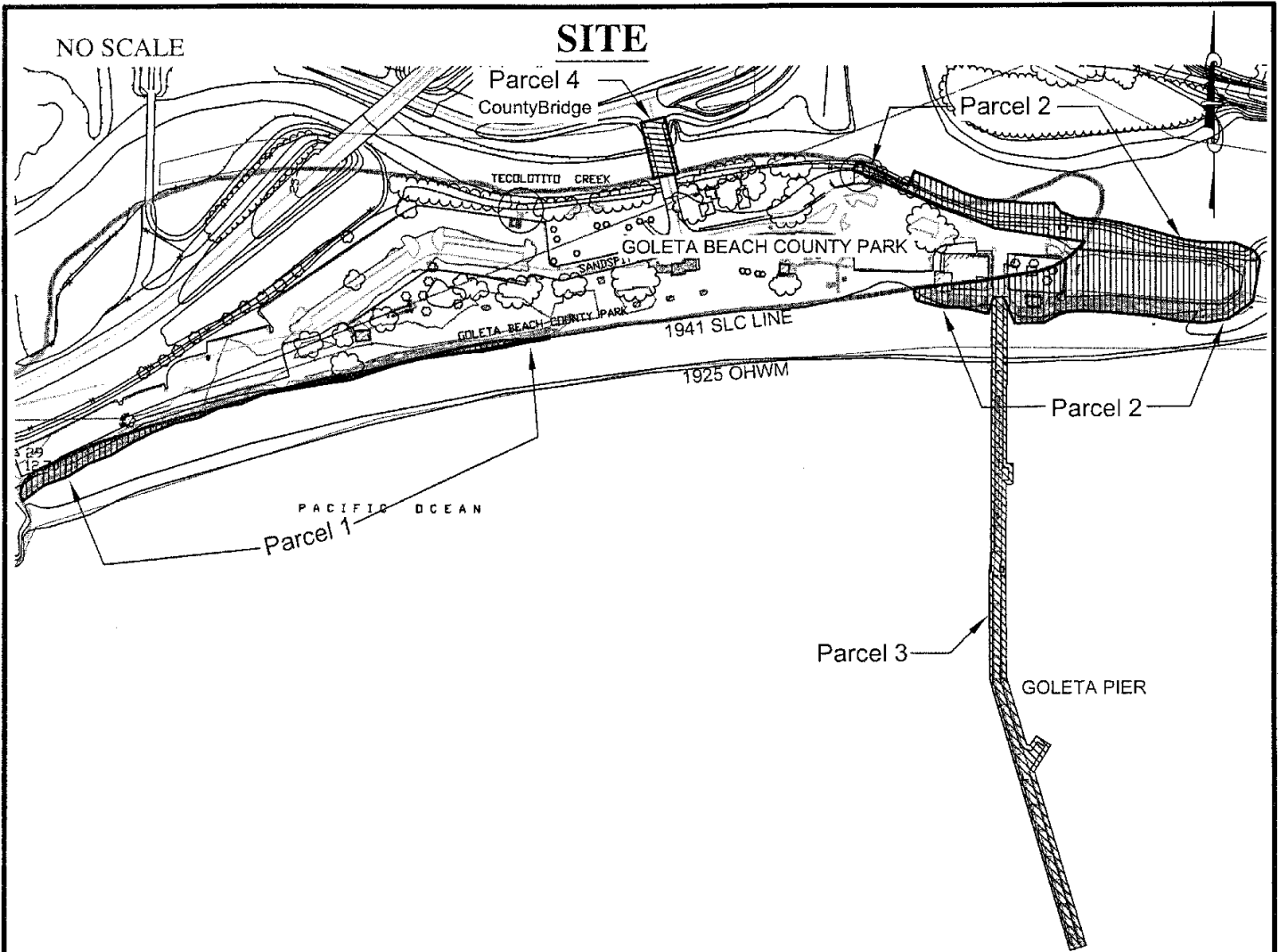
AUTHORIZATION:

1. Authorize issuance of a General Lease – Public Agency Use to the County of Santa Barbara beginning July 1, 2004, for a term of 15 years, for the continued use and maintenance of an existing public recreational pier with a small boat access area, boat hoist, and

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restrooms, and rock riprap revetments; and the retention, use and maintenance of an existing restroom building, portion of a restaurant building, paved parking area, wildlife observation platform, vehicular access bridge, and emergency rock riprap revetments, as shown on Exhibit A (for reference purposes only) and as described on Exhibit B 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 rent as specified in the lease if the Commission finds such action to be in the State's best interest.

2. Authorize the existing sublease from the County of Santa Barbara to the Wildlife Conservation Board.



GOLETA BEACH COUNTY PARK
APN 071-200-017, 009

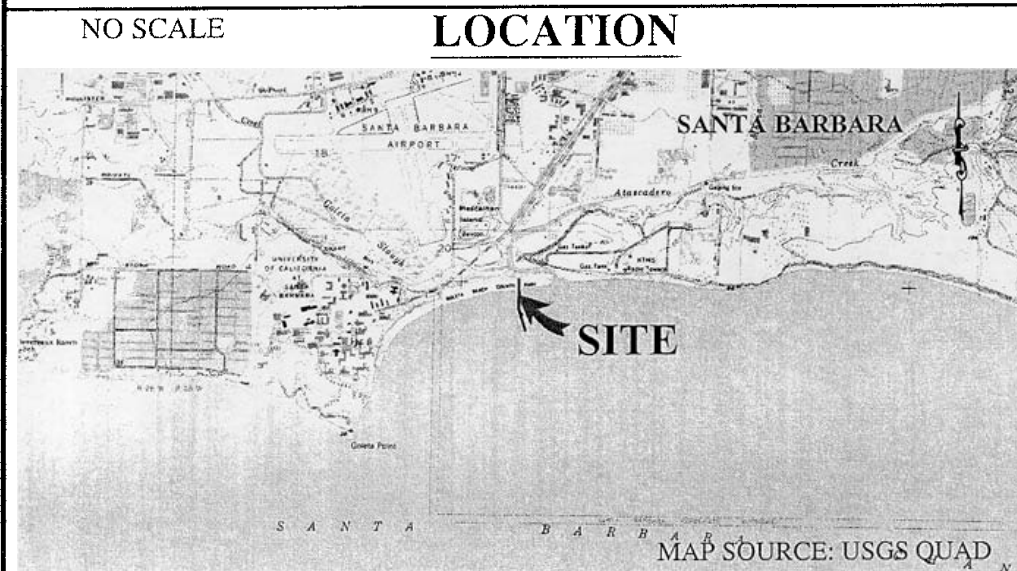


Exhibit A

WP 1431.9
GENERAL LEASE-
PUBLIC AGENCY USE
COUNTY OF
SANTA BARBARA



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 1431

Land Description

Four parcels of tide and submerged land situate in the County of Santa Barbara, State of California and described as follow:

Parcel 1

COMMENCING at USGLO monument "T4N,R28W,S20AMC" as shown on that map "Survey of the Mean High Tide Line Along the Shore of Santa Barbara Channel", dated April, 1958 filed in the office of the California State Lands Commission (CSLC), said monument having CCS 27(1958), Zone 5 coordinates Northing 338092.67 feet, Easting 1446493.53 feet, thence N 67° 23' 34" W 1337.95 feet to the POINT OF BEGINNING, N 09° 53' 16" W 5.49 feet more or less to the Ordinary High Water Mark, said water mark depicted as the CSLC January 25, 1941 Line, as shown on that map "Comparison of Areas Goleta Sand Spit", dated December 15, 1941 filed in the office the CSLC, thence along said OHWM the following thirty-four (34) courses:

- 1) S 78° 37' 40" W 28.79 feet,
- 2) S 84° 17' 37" W 18.36 feet,
- 3) S 87° 40' 46" W 45.09 feet,
- 4) S 86° 14' 41" W 19.31 feet;
- 5) S 81° 56' 33" W 24.60 feet,
- 6) S 78° 15' 50" W 20.94 feet,
- 7) S 79° 42' 11" W 15.88 feet,
- 8) S 78° 07' 18" W 11.82 feet,
- 9) S 77° 00' 34" W 111.78 feet,
- 10) S 75° 51' 56" W 106.20 feet,
- 11) S 79° 47' 24" W 58.90 feet,
- 12) S 80° 19' 44" W 32.56 feet,
- 13) S 77° 57' 29" W 22.64 feet,
- 14) S 77° 05' 51" W 43.87 feet,
- 15) S 75° 32' 12" W 102.52 feet,
- 16) S 70° 36' 13" W 27.69 feet,
- 17) S 75° 17' 33" W 30.35 feet,
- 18) S 71° 46' 30" W 23.05 feet,
- 19) S 82° 57' 19" W 11.26 feet,
- 20) S 66° 26' 33" W 14.93 feet,
- 21) S 75° 58' 29" W 14.36 feet,
- 22) S 83° 39' 50" W 11.26 feet,
- 23) S 74° 31' 15" W 116.43 feet
- 24) S 72° 21' 12" W 58.22 feet,
- 25) S 72° 37' 01" W 18.76 feet,

26) S 72° 47' 00" W 41.15 feet,
27) S 66° 25' 23" W 94.46 feet,
28) S 62° 47' 05" W 19.02 feet,
29) S 65° 29' 37" W 43.75 feet,
30) S 52° 31' 12" W 13.48 feet,
31) S 41° 50' 42" W 19.02 feet,
32) S 25° 20' 36" W 15.05 feet,
33) S 09° 05' 53" W 15.66 feet and
34) S 18° 27' 08" E 15.42 feet;
thence leaving said OHWM, the following twenty-three (23) courses:
1) N 53° 47' 45" E 60.75 feet,
2) N 69° 57' 17" E 54.46 feet,
3) N 58° 29' 58" E 55.41 feet,
4) N 68° 52' 56" E 50.90 feet,
5) N 59° 48' 21" E 55.32 feet,
6) N 63° 26' 37" E 50.19 feet,
7) N 67° 58' 30" E 53.29 feet,
8) N 77° 06' 40" E 53.76 feet,
9) N 65° 16' 39" E 54.34 feet,
10) N 80° 25' 56" E 50.54 feet,
11) N 65° 58' 31" E 52.97 feet,
12) N 80° 43' 57" E 94.41 feet,
13) N 80° 53' 51" E 49.95 feet,
14) N 82° 10' 00" E 50.71 feet,
15) N 71° 24' 41" E 52.46 feet,
16) N 71° 40' 18" E 50.78 feet,
17) N 74° 45' 55" E 51.30 feet,
18) N 83° 00' 48" E 47.70 feet,
19) N 80° 53' 43" E 49.21 feet,
20) N 85° 14' 04" E 51.44 feet,
21) N 79° 50' 12" E 54.94 feet,
22) N 78° 06' 07" E 46.55 feet and
23) N 80° 06' 44" E 49.67 feet to the POINT OF BEGINNING.
Containing 17576.03 square feet more or less.

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

Parcel 2

COMMENCING at USGLO monument "T4N,R28W,S20AMC" as shown on that map "Survey of the Mean High Tide Line Along the Shore of Santa Barbara Channel", dated April, 1958 filed in the office of the California State Lands Commission (CSLC), said monument having CCS 27(1958), Zone 5 coordinates Northing 338092.67 feet, Easting 1446493.53 feet, thence N 73° 21' 21" W

2135.82 feet to the POINT OF BEGINNING, N 05° 55' 54" E 13.24 feet more or less to the Ordinary High Water Mark, said water mark depicted as the CSLC January 25, 1941 Line, as shown on that map "Comparison of Areas Goleta Sand Spit", dated December 15, 1941 filed in the office the CSLC, thence along said OHWM the following eight (8) courses:

- 1) N 80° 39' 15" E 8.19 feet,
- 2) N 83° 50' 58" E 138.14 feet,
- 3) N 79° 31' 01" E 36.97 feet,
- 4) N 80° 24' 51" E 96.96 feet,
- 5) N 72° 15' 16" E 35.34 feet,
- 6) N 56° 50' 38" E 41.82 feet,
- 7) N 45° 01' 29" E 41.88 feet,
- 8) N 26° 38' 41" E 2.60 feet to the intersection of said SLC 1941 Line with the Ordinary High Water Mark as established under Boundary Line Agreement 3 between Pacific Lighting Corporation and the California State Lands Commission, executed on April 30, 1942 filed in the office of the CSLC, thence along said OHWM of BLA 3 the following three (3) courses:

- 1) N 81° 17' 32" W 203.74 feet,
- 2) N 67° 34' 50" W 329.56 feet,
- 3) N 76° 03' 26" W 8.17 feet,

thence leaving said OHWM of BLA 3, the following thirty-nine (39) courses:

- 1) N 25° 37' 28" E 21.85 feet,
- 2) S 65° 06' 02" E 89.67 feet,
- 3) S 63° 09' 11" E 23.48 feet,
- 4) S 62° 37' 54" E 12.44 feet,
- 5) N 22° 35' 40" E 35.38 feet,
- 6) S 68° 39' 43" E 29.31 feet,
- 7) S 67° 02' 21" E 34.46 feet,
- 8) S 64° 33' 07" E 57.11 feet,
- 9) S 71° 19' 34" E 31.17 feet,
- 10) S 77° 44' 23" E 17.15 feet,
- 11) S 85° 01' 10" E 99.22 feet,
- 12) N 89° 47' 04" E 53.98 feet,
- 13) S 37° 52' 56" E 26.08 feet,
- 14) S 69° 55' 42" E 38.91 feet,
- 15) S 87° 24' 55" E 54.41 feet,
- 16) S 78° 25' 17" E 57.63 feet,
- 17) S 74° 40' 50" E 124.72 feet,
- 18) S 81° 52' 24" E 52.07 feet,
- 19) S 89° 50' 34" E 66.17 feet,
- 20) S 67° 30' 00" E 49.60 feet,
- 21) S 33° 25' 45" E 23.66 feet,
- 22) S 10° 04' 17" W 94.64 feet,
- 23) S 54° 00' 52" W 67.13 feet,
- 24) S 80° 41' 52" W 55.65 feet,

- 25) N 85° 46' 45" W 56.75 feet,
 - 26) N 79° 31' 06" W 53.77 feet,
 - 27) N 83° 16' 07" W 52.34 feet,
 - 28) N 84° 44' 41" W 54.44 feet,
 - 29) N 86° 49' 32" W 49.83 feet,
 - 30) S 85° 51' 54" W 37.20 feet,
 - 31) S 73° 54' 54" W 20.74 feet,
 - 32) S 60° 58' 39" W 38.01 feet,
 - 33) S 89° 23' 37" W 66.31 feet,
 - 34) N 23° 21' 54" W 63.40 feet,
 - 35) N 89° 09' 09" W 22.75 feet to a point herein described a Point A,
 - 36) S 16° 05' 24" W 39.36 feet,
 - 37) N 76° 39' 33" W 55.76 feet,
 - 38) N 87° 34' 08" W 51.69 feet and
 - 39) N 74° 42' 17" W 48.88 feet to the beginning of a tangent curve, to the right through a central angle of 80° 38' 11.7", having a radius of 15.00 feet, and a length of 21.11 feet to the POINT OF BEGINNING.
- Containing 125833.09 square feet more or less.

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

ALSO EXCEPTING THEREFROM any portion, along Goleta Slough, validly patented as Santa Barbara County Tideland Survey 49 filed on record at the offices of the California State Lands Commission.

Parcel 3 – Goleta Pier

BEGINNING at Point A, as described in Parcel 2 of this description, thence along the following twenty-one (21) courses:

- 1) S 16° 05' 24" W 10.71 feet,
- 2) S 00° 20' 38" W 559.09 feet,
- 3) S 04° 16' 33" W 54.75 feet,
- 4) S 00° 27' 51" E 231.89 feet,
- 5) S 16° 27' 05" E 630.88 feet,
- 6) N 73° 32' 55" E 37.50 feet,
- 7) N 16° 27' 05" W 406.13 feet,
- 8) N 32° 01' 24" E 69.44 feet,
- 9) N 57° 19' 40" W 38.17 feet,
- 10) S 35° 01' 38" W 25.85 feet,
- 11) N 74° 32' 46" W 7.99 feet,
- 12) N 16° 27' 05" W 156.47 feet,
- 13) N 00° 27' 51" W 226.14 feet,
- 14) N 00° 23' 53" E 54.23 feet,
- 15) N 00° 20' 38" E 149.79 feet,
- 16) N 89° 39' 22" E 14.78 feet,

17) N 00° 20' 38" E 47.59 feet,
18) S 89° 39' 22" W 14.78 feet,
19) N 00° 20' 38" E 353.62 feet,
20) N 23° 21' 54" W 20.26 feet and
21) N 89° 09' 09" W a distance of 22.75 feet to the POINT OF BEGINNING.
Containing 56027.61 square feet more or less

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

Parcel 4 – County Bridge

COMMENCING at USGLO monument "T4N,R28W,S20AMC" as shown on that map "Survey of the Mean High Tide Line Along the Shore of Santa Barbara Channel", dated April, 1958 filed in the office of the California State Lands Commission (CSLC), said monument having CCS 27(1958), Zone 5 coordinates Northing 338092.67 feet, Easting 1446493.53 feet, N 75° 38' 54" E 55.34 feet; S 13° 20' 22" E 131.72 feet; S 79° 42' 54" W 55.41 feet; thence N 13° 20' 22" W 127.79 feet to the POINT OF BEGINNING.
Containing 7179.86 square feet more or less.

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

ALSO EXCEPTING THEREFROM any portion, along Goleta Slough, validly patented as Santa Barbara County Tideland Survey 49 filed on record at the offices of the California State Lands Commission.

END OF DESCRIPTION

Prepared by the California State Lands Commission Boundary Unit August 14, 2007.

