

**CALENDAR ITEM
C72**

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| A | 37 | 04/23/14 RA# 21513 W 28512, W 30140, W 40575.5 |
| S | 19 | D. Brown, E. Gillies, C. Basavalinganadoddi |

**REQUEST AUTHORITY FOR THE EXECUTIVE OFFICER
TO ENTER INTO AN AGREEMENT WITH THE CITY OF GOLETA TO
RECOVER COSTS ASSOCIATED WITH EMERGENCY BEACH HAZARD
REMOVAL ACTIVITIES ON LANDS IMMEDIATELY ADJACENT TO STATE
TIDELANDS WITHIN GOLETA CITY LIMITS PURSUANT TO
THE SANTA BARBARA CHANNEL HAZARDS REMOVAL PROGRAM**

PARTY:

California State Lands Commission
100 Howe Avenue, Suite 100 South
Sacramento, CA 95825-8202

BACKGROUND:

The Commission has primary jurisdiction over the State's sovereign lands. These lands are held in trust to be used for public purposes such as commerce, navigation, fishing, recreation, and environmental open space and habitat. Staff has identified derelict structures located within the Commission's jurisdiction along the Santa Barbara Channel. These hazards are typically decaying structures from past activities in the tidelands from oil production, erosion control or other activities that impede these uses as well as pose a potential threat to public health and safety.

The objective of the Santa Barbara Channel Hazards Removal Program is to eliminate or mitigate these risks to public health and safety and allow the sites to safely support public trust uses of State sovereign land. On October 1, 2002, the Commission adopted an Initial Study/Draft Mitigated Negative Declaration (IS/MND) for the Program pursuant to the California Environmental Quality Act (CEQA). Staff has previously secured funding of \$700,000 through the Coastal Impact Assistance Program (CIAP) established under Section 384 of the Energy Policy Act of 2005 (the Act). Additionally, with all the required permits, staff has been successful in pursuing some private companies to pay for the hazard removal efforts at sites where the companies were the responsible parties. Staff

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was able to direct its contractor to clear and make safe three sites at a cost of approximately \$2,000,000.

PROPOSED ACTIVITY:

The storms of March 1, 2014 were particularly devastating to the Santa Barbara Channel near the City of Goleta area. Vast amounts of sand were scoured from the beaches exposing several previously unseen hazards. These hazards were known to exist in the area but had been hidden under several feet of sand. With the scouring of the sands, those hazards posed an immediate threat to the public. Staff obtained emergency permit from applicable agencies and, with remaining funds from the CIAP grant, mobilized its contractor to remove these hazards from lands under the Commission's jurisdiction.

Upon our notice to the City of Goleta that the Commission's contractor would be removing hazards within the tidelands, the City inquired as to the possibility for the City to contract for additional work to remove extensive amounts of debris and other hazards from lands immediately adjacent to the State tidelands and within the city limits. In the furtherance of efficient government cooperation and the economies of Commission's contracts and permits being in-place, staffs of the City and Commission have been working together to effectuate the removal of those hazards. The City has agreed to reimburse the Commission for the costs of the contractor to remove the debris and hazards within their jurisdiction. Total costs are not expected to exceed \$75,000.

Consideration of these activities on City property is consistent with the existing IS/MND previously approved by the Commission and all necessary permits Commission staff had secured for the Santa Barbara Channel Hazard Removal Program.

OTHER PERTINENT INFORMATION:

1. A Mitigated Negative Declaration, State Clearinghouse No. 2002071146, was prepared and adopted for this project by the California State Lands Commission on October 1, 2002.
2. A Mitigation Monitoring Program was adopted by the California State Lands Commission on October 1, 2002.
3. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et

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seq., but such activity will not affect those significant lands. 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.

STATUTORY AND OTHER REFERENCES:

- A. Public Resources Code section 6106 (Delegation to execute written instruments)
- B. State Contracts Manual (Rev 01/14)
- C. Public Contract Code section 6106

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

Find that a Mitigated Negative Declaration, State Clearinghouse No. 2002071146, and Mitigation Monitoring Program were prepared and adopted for this project by the California State Lands Commission on October 1, 2002.

Re-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 section 6370 et seq.

AUTHORIZATION:

1. Authorize the Executive Officer or her designee to execute an agreement with the City of Goleta in accordance with state policies and procedures to recover costs for removal of beach hazards from city property adjacent to State tidelands.
2. Authorize and direct the Executive Officer or her designee to take whatever action is necessary and appropriate to implement the provisions of the agreement with the City of Goleta.