

**STAFF REPORT
C80**

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08/23/18
PRC 9032.9
K. Connor

GENERAL LEASE – PUBLIC AGENCY USE

APPLICANT:

Beach Erosion Authority for Clean Oceans and Nourishment (BEACON)

PROPOSED LEASE:

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Goleta Bay, near Goleta, Santa Barbara County

AUTHORIZED USE:

Monitoring and maintenance of 212 granite anchor columns used for the Goleta Bay Kelp Anchor Demonstration Project.

LEASE TERM:

Five years, beginning December 5, 2017.

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 interests.

SPECIFIC LEASE PROVISIONS:

Bond: \$5,000

STAFF ANALYSIS AND RECOMMENDATION:

Authority:

Public Resources Code sections 6005, 6216, 6301, 6501.1, and 6503;
California Code of Regulations, title 2, sections 2000 and 2003.

Public Trust and State's Best Interests Analysis:

On December 5, 2012, the Commission authorized a General Lease – Public Agency Use for the placement, monitoring, and maintenance of 212 granite anchor columns to be used for the Goleta Bay Kelp Anchor Demonstration Project (Project) ([Item C46, December 5, 2012](#)). Prior to the expiration of the lease, the Lessee communicated with staff its desire to continue the Project. On November 29, 2017, the Lessee submitted an

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application requesting a new General Lease – Public Agency Use for the Project.

Fields of giant kelp plants have historically occupied the seafloor off the coast of Santa Barbara in the vicinity of Goleta Bay. Kelp spores would attach themselves to naturally-occurring worm tubes and thrive in the sandy bottom habitat. However, in 1982 and 1983, an El Niño event severely damaged the kelp population by bringing warmer waters to the region, and strong storm and wave conditions dislodged the worm tubes from the Goleta Bay floor and the attached giant kelp. By the late 1980s, the sand-dwelling giant kelp field was gone.

Since the giant kelp field's disappearance, juvenile giant kelp has been observed growing on worm tubes in Goleta Bay. However, because of the buoyancy and drag of the giant kelp plants, dislodgement occurs before the worm tubes can establish themselves.

The Lessee's Project is designed to mimic naturally occurring worm tubes, but provides a more robust attachment structure for giant kelp to take hold by placement of 212, 2-inch by 2-inch by 30-inch granite anchor columns over three test sites in Goleta Bay, offshore of Goleta Beach County Park and the University of California, Santa Barbara. A water jet was used to create a series of holes to insert the columns vertically approximately 24 inches into the bay floor, leaving approximately 6 inches protruding for juvenile giant kelp plant attachment.

In June 2016, installation of the columns was completed. The test sites have been monitored periodically over the past 3 years to determine whether giant kelp plants have successfully attached, established, and continued to grow on the granite anchor columns. Currently, giant kelp fronds are growing from the granite anchor columns to the surface and along the seafloor, creating their own holdfast system. Additionally, giant kelp is continuing to attach to the columns naturally with no invasive algae observed within the test sites. With the Project's current success, the Lessee is requesting a new 5-year lease for continued monitoring and maintenance.

Climate Change Analysis:

The Project is a research/monitoring project located in Goleta Bay at an approximate water depth of 30 to 35 feet. Due to the nature of the Project and its offshore location, the effects of sea-level rise are not expected to impact the Project.

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Conclusion:

For all the reasons above, staff believes the issuance of this lease will not substantially interfere with Public Trust needs at this location, at this time, and for the foreseeable term of the proposed lease, is consistent with the common law Public Trust Doctrine, and is in the best interests of the State.

OTHER PERTINENT INFORMATION:

1. This action is consistent with Strategy 1.1 of the Commission's Strategic Plan to deliver the highest levels of public health and safety in the protection, preservation, and responsible economic use of the lands and resources under the Commission's jurisdiction.
2. Staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, title 2, section 2905, subdivision (a)(2).

Authority: Public Resources Code section 21084 and California Code of Regulations, title 14, section 15300 and California Code of Regulations, title 2, section 2905.

APPROVALS REQUIRED:

California Coastal Commission
California Department of Fish and Wildlife
U.S. Army Corps of Engineers

EXHIBITS:

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

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, title 2, section 2905, subdivision (a)(2).

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PUBLIC TRUST AND STATE'S BEST INTERESTS:

Find that the proposed lease will not substantially impair the public rights to navigation and fishing or substantially interfere with the Public Trust needs and values at this location, at this time, and for the foreseeable term of the lease, is consistent with the common law Public Trust Doctrine, and is in the best interests of the State.

AUTHORIZATION:

Authorize issuance of a General Lease – Public Agency Use to BEACON beginning December 5, 2017, for a term of 5 years, for monitoring and maintenance of 212 granite anchor columns, as described in Exhibit A and shown on Exhibit B (for reference purposes only), 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 interests.

EXHIBIT A

PRC 9032.9

LAND DESCRIPTION

Three parcels of submerged land in the Pacific Ocean, County of Santa Barbara, State of California; said parcels lying in the vicinity of Goleta Point, which is shown on that certain map depicting Kelp Beds filed in Book 41 of Miscellaneous Maps at Page 85, Santa Barbara County Records; said parcels more particularly described as follows:

PARCEL ONE (Test Site One)

COMMENCING at Control Monument Number 2000, as shown on that certain map filed in Book 170 of Records of Surveys at Page 47, Santa Barbara County Records; said monument bears S49°07'53"W from Control Monument Number 2002, shown on said map; thence from said point of commencement, S 40°35'12" E 9,010.06 feet to the POINT OF BEGINNING; thence from said point of beginning the following twelve (12) courses:

- 1) N 01°02'39" E 620.00 feet,
- 2) N 88°57'21" W 100.00 feet,
- 3) N 01°02'39" E 220.00 feet,
- 4) S 88°57'21" E 100.00 feet,
- 5) N 01°02'39" E 620.00 feet,
- 6) S 88°57'21" E 20.00 feet,
- 7) S 01°02'39" W 620.00 feet,
- 8) S 88°57'21" E 100.00 feet,
- 9) S 01°02'39" W 220.00 feet,
- 10) N 88°57'21" W 100.00 feet,
- 11) S 01°02'39" W 620.00 feet, and
- 12) N 88°57'21" W 20.00 feet to the point of beginning.

Described parcel containing 1.68 acres more or less.

PARCEL TWO (Test Site Two)

A 10 foot wide strip of land, the center line of said strip more particularly described as follows:

COMMENCING at Control Monument Number 2000, as shown on that certain map filed in Book 170 of Records of Surveys at Page 47, Santa Barbara County Records; said monument bears S49°07'53"W from Control Monument Number 2002, shown on said map; thence from said point of commencement, S28°28'29"E 7699.60 feet to the POINT OF BEGINNING; thence from said point of beginning, N01°02'54"E 240.00

feet to the terminus of said 10 foot wide strip in the Pacific Ocean, from which control monument Number 2002 bears N00°59'38"E.

The sidelines of said 10 foot wide strip shall be lengthened or shortened so as to terminate at lines perpendicular to the beginning and terminus of said centerline.

Described parcel containing 0.06 acres more or less.

PARCEL THREE (Test Site Three)

A 10 foot wide strip of land, the center line of said strip more particularly described as follows:

COMMENCING at Control Monument Number 2000, as shown on that certain map filed in Book 170 of Records of Surveys at Page 47, Santa Barbara County Records; said monument bears S49°07'53"W from Control Monument Number 2002, shown on said map; thence from said point of commencement, S23°01'21"E 7835.66 feet to the POINT OF BEGINNING; thence from said point of beginning, N01°02'58"E 240.00 feet to the terminus of said 10 foot wide strip in the Pacific Ocean, from which control monument Number 2002 bears N04°19'00"E.

The sidelines of said 10 foot wide strip shall be lengthened or shortened so as to terminate at lines perpendicular to the beginning and terminus of said centerline.

Described parcel containing 0.06 acres more or less.

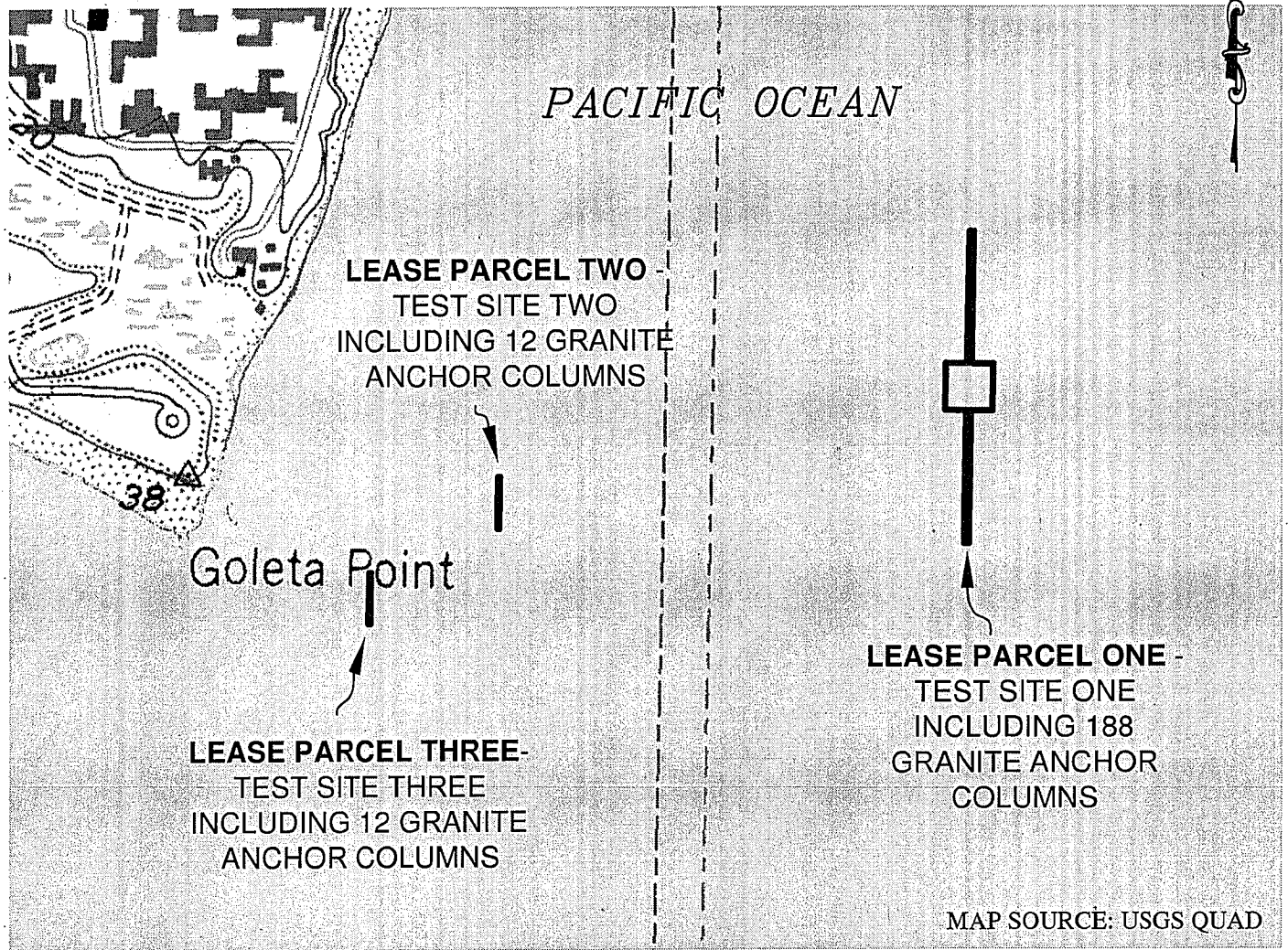
END OF DESCRIPTION

Prepared 04/10/2018 by the California State Lands Commission Boundary Unit.



NO SCALE

SITE



PACIFIC OCEAN, VICINITY OF GOLETA POINT

NO SCALE

LOCATION

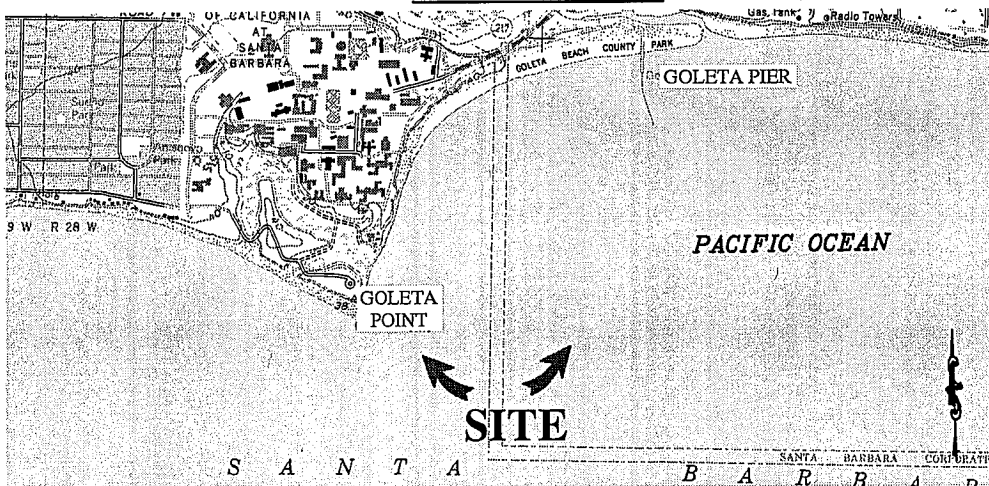


Exhibit B

PRC 9032.9
 BEACON KELP
 DEMONSTRATION PROJECT
 GENERAL LEASE - PUBLIC
 AGENCY USE
 SANTA BARBARA COUNTY



JWP 04/10/18

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.