

MINUTE ITEM

This Calendar Item No. 17
was approved as Minute Item
No. 17 by the State Lands Commission by a vote of 3
to 2 at its 12/19/77
meeting.

CALENDAR ITEM
17.
GENERAL PERMIT
PUBLIC AGENCY USE

12/77
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Maricle
PRC 5425

APPLICANT: Santa Cruz District
135 Fifth Avenue
Santa Cruz, California 95062

AREA, TYPE LAND AND LOCATION:
A 0.4 acre parcel, partially submerged,
at the foot of 13th Avenue, in the City
of Santa Cruz, County of Santa Cruz.

LAND USE: Spoils site.

TERMS OF PROPOSED PERMIT:
Initial period: 29 months from January 1,
1978 through June 1,
1980.

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

BASIS FOR CONSIDERATION:
Section 2006, Title 2, California Administra-
tive Code.

ADDITIONAL INFORMATION:
The Santa Cruz Small Craft Harbor has been
plagued with significant winter sand shoaling
in its entrance. This is normally alleviated
by dredging the entrance and depositing
the spoils on a parcel of land at Twin
Lakes State Beach. Such dredging is done
under the direction of the U. S. Corps
of Engineers.

In recent months, littoral drifts have
reversed and much of the deposited sand
is drawn back into the waterway, then returning
to block the Harbor entrance.

Through studies, the U. S. Corps of Engineers
has determined that deposits placed further

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east are less affected by littoral shifts and that the sand placed on easterly sites does not find its way back to the Harbor entrance. For this reason, the applicant has identified a site which would serve the desired purpose and such property is the land for which the applicant is now requesting permission from the State Lands Commission.

DEPOSIT PARCEL:

The applicant advises that deposits will be made above and below the present shoreline. It would appear that the deposits will fall on both sides of the mean high tide line as located by the State Lands Commission in 1959 under Work Order 3078.

STATUTORY AND OTHER REFERENCES:

- A. Public Resources Code: Div. 6, Parts 1 & 2.
- B. Administrative Code: Title 2, Div. 3,
Arts. 1, 2, 6.5,
10 & 11.

OTHER PERTINENT INFORMATION:

1. The annual rental value of the site is estimated to be \$100.
2. This project was assessed by a U. S. Corps of Engineers Environmental Impact Study. A subsequent environmental assessment for additional dredging revealed that a supplement to the original EIS was not necessary. Staff has determined that the Federal EIS and supplements meet the requirements of CEQA. We are advised that the State Department of Parks and Recreation has in the past approved similar spoils disposal on their lands in the immediate vicinity.
3. This project is situated on State land identified as possessing significant environmental values pursuant to Public Resources Code 6370.1, and is classified in a use category, Class C, Multiple Use.

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Staff review indicates that there will be no significant effect upon the identified environmental values.

4. Based on a review of the information contained in the EIS, staff has concluded that the project is consistent with the Commission's Coastal Regulations, 2 Cal. Adm. Code, Article 6.5.
5. Approval by other governmental agencies is anticipated. In addition, the short term of the permit and the limited use of the subject land is considered sufficient to conclude that no adverse consequences will result from the applicant's activities. Deposition will be scheduled at off-season periods at the beach. Said deposits at Twin Lakes State Beach have not caused any known environmental problems. The staff believes the project lacks significant environmental effect.

APPROVALS OBTAINED:

Approvals from the State Water Quality Control Board and the State Coastal Commission, Central Coast Region have been requested by the applicant. Both agencies will hold a hearing on January 9, 1978.

EXHIBITS:

A. Land Description. B. Location Map.

LAND OWNERSHIP AND NATURE OF PERMIT:

Ownership of the subject land above the mean high tide line is uncertain. Ownership below the mean high tide line vests in the State Lands Commission. A permit from the Commission to the applicant will authorize deposit of up to 300,000 cubic yards of sand spoils on such property according to whatever right, title and interest the Commission may hold.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT THE FEDERAL ENVIRONMENTAL IMPACT STATEMENT PREPARED FOR THIS PROJECT SUFFICIENTLY ADDRESSES THE ENVIRONMENTAL EFFECTS THEREOF, AND COMPLIES WITH CEQA AND IMPLEMENTING GUIDELINES; 14 CAL. ADM. CODE 15063.

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2. CERTIFY THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED IN SUCH DOCUMENT.
3. DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. DETERMINE THAT THE PROJECT IS CONSISTENT WITH THE PROVISIONS OF ARTICLE 6.5 OF TITLE 2, OF THE CALIFORNIA ADMINISTRATIVE CODE.
5. FIND THAT GRANTING OF THE PERMIT WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE PUBLIC RESOURCES CODE.
6. AUTHORIZE ISSUANCE TO THE SANTA CRUZ PORT DISTRICT OF A 29-MONTH GENERAL PERMIT - PUBLIC AGENCY USE FROM JANUARY 1, 1977 THROUGH JUNE 1, 1980; IN CONSIDERATION OF THE PUBLIC USE AND BENEFIT, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENTAL IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; FOR THE DEPOSIT OF UP TO 300,000 CUBIC YARDS OF SPOILS ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

DESCRIPTION "A"

W 21657

A parcel of land in the Bay of Monterey at Santa Cruz, Santa Cruz County, adjacent to Darling's Subdivision, as said subdivision is shown on that map filed in Map Book 1 at page 77, Santa Cruz County Recorder's Office, said parcel described as follows:

BEGINNING at the most westerly corner of Lot 1, Block 1 as said Lot and Block are shown on said map of Darling's Subdivision, thence southeasterly 350 feet along the southwesterly line of Block 1 and Block 2, and the southeasterly projection thereof, to the southeasterly line of Thirteenth Avenue; thence southwesterly at right angles to said line a distance of 50 feet; thence northwesterly a distance of 350 feet to a point that is distant 50 feet from the point of beginning, measured at right angles from the southwesterly line of said Block 1 of Darling's Subdivision; thence northeasterly 50 feet to the point of beginning.

END OF DESCRIPTION

Prepared Donald Birtbacher Checked A. J. Kunnecke
Reviewed Wm. J. Grant Date 12/7/77