

MINUTE ITEM

This Commission meeting was held on 11/27/78 at 3 o'clock in the afternoon in the 37 meeting room of the 37 Commission on State Lands.

CALENDAR ITEM

37.

11/78
W 21809
Horn

ADDITION TO APPLICATION
LISTS AND CRITERIA

At it's April 27, 1978 meeting (Minute Item No. 12) the Commission adopted application lists and criteria for projects requiring Commission approval. At the time the application lists and criteria were adopted, there were no specific requirements regarding protective structures located on State lands. Because the staff has received numerous inquiries relative to the placement of seawalls and other protective structures on State lands to protect against the effects littoral processes, a separate list of requirements for such structures is warranted.

Staff is recommending adoption of the proposed protective structure requirements attached hereto as Exhibit "A".

Section 65942 of the Government Code and Section 1082 of the State Administrative Manual (SAM) provide that adopted lists and criteria may be amended as often as necessary provided that adequate notice and opportunity to comment is given. To date, staff has received no comments on the proposed additional requirement.

EXHIBIT: A. Proposed Form.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT THE NOTICE PROVISIONS OF SAM 1082 HAVE BEEN MET.
2. ADOPT THE ADDITION TO THE LISTS AND CRITERIA AS SHOWN ON EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

INFORMATION REQUIREMENTS FOR PROCESSING APPLICATIONS FOR
SHORE PROTECTION TO BE FURNISHED BY APPLICANT

1. ALTERNATIVES STUDY-- A concise study comparing alternative methods of dealing with shoreline erosion at the subject location. Discuss the nature of the erosion problem and its impact on the subject property. State current use of the upland property, and of surrounding properties. Note the appraised values of upland development to be protected. Discuss the costs, advantages and disadvantages of each alternate solution, along with the potential upcoast and downcoast effects which would be caused by the recommended solution. This should include a discussion of existing upcoast and downcoast structures, and how the proposed structure will tie into the system. Alternatives should include at least: (a) artificial structures. This category includes rock barriers, (b) no action. This might involve moving an existing or planned building landward on the lot to avoid the need for protective structures, and (c) artificial sand replenishment. Discuss the sources of sand in the area, and the estimated cost of placement. The report should be prepared by a registered civil engineer, or a person equally qualified by education and experience.

This information will be used by State Lands Commission staff to compare and evaluate options, and to determine which solution would best serve the overall needs of the public, consistent with protection of the applicant's property rights. Generally, non-structural alternatives will be favored where feasible.

2. ENGINEERING GEOLOGY REPORT-- An engineering geology report discussing the geology at the site and at the areas immediately upcoast and downcoast, and the relationship of this geology to the planned structure. The history of shoreline erosion at the site should be reviewed and the chances of success of each alternative discussed in the above study should be assessed. This report and the alternatives study may be combined if convenient. This report should be prepared by a registered civil engineer, a registered engineering geologist, or equivalent.

This report will be used by State Lands Commission staff to ensure that the method selected will have a reasonable chance of success, and that the cure does not become a worse problem than the erosion itself.

3. ENVIRONMENTAL IMPACT ASSESSMENT-- An environmental assessment, which may consist of a categorical exemption, a negative declaration, or a fullfledged environmental impact report, depending on the nature and extent of the project.

This assessment is needed to enable State Lands Commission staff to ensure that the project conforms with the requirements of the CEQA, in that potentially adverse impacts of the project will be mitigated where possible.

The Commission's staff should be consulted early to determine the extent of study required. This, too, may be combined with #1, above, where convenient.

4. SURVEY DATA-- A cross-section survey of the beach at 50-foot intervals along the beach line and extending from the mean low tide line to 5 vertical feet above the mean high tide line, or to the line of vegetation, or to the base of a steep cliff, whichever is nearer the water. This survey should be performed by a licensed land surveyor or a registered civil engineer, and it must be tied to some substantial upland structure in at least 2 places. If possible, the survey should tie to 2 record survey monuments or property corners.

This information is needed because under present California law, an artificial structure constructed along the ordinary high water line fixes the State/upland boundary line permanently at the last natural high water line. The survey information will enable State Lands Commission staff to map this boundary line and eventually to enter into an agreement with the upland owner.

5. GENERAL DATA-- A site plan (scaled) showing the proposed structure(s) to be installed, along with photographs of the existing site. Title report or other evidence of ownership, indicating all interests in the upland property. Copies of available maps, both current and historical, or the area surrounding the subject location.