MINUTE ITEM
This Calendar Item No. C1
was approved as Minute Item
No. 1 by the State Lands
Commission by a vote of 2
to 0 at its 10-30-80
meeting.

CALENDAR ITEM

10/80
W 22554
Louie
PRC 5908

C1.

GENERAL PERMIT - PROTECTIVE STRUCTURE

APPLICANT: Lester A. Berman and Joanne E. Berman
1483 Edgecliff Lane
Montecito, California 93108

AREA, TYPE LAND AND LOCATION:
0.06-acre tide and submerged land in the Pacific Ocean at Montecito, Santa Barbara County.

LAND USE: Shore protection.

TERMS OF PROPOSED PERMIT:
Initial period: 10 years from November 1, 1980.

CONSIDERATION: No monetary consideration required in that public benefit will accrue.

The State reserves 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:
Pursuant to 2 Cal. Adm. Code 2005.

PREREQUISITE TERMS, FEES AND EXPENSES:
Applicant is owner of upland.

STATUTORY AND OTHER REFERENCES:
A. P.R.C.: Div. 6, Parts 1 & 2; Div. 13; Div. 20.

B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

OTHER PERTINENT INFORMATION:
1. The annual rental value of the site is estimated to be $40.

2. Staff feels that shore protection at this location will be of mutual benefit

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to both the public and the applicant. The shoreline will have additional protection at no cost to the public.

3. An EIR is not required. A portion of this transaction is within the purview of Title 14 Cal. Adm. Code Section 15101, which exempts an existing structure or facility that is in an acceptable state of repair and there is no evidence of record to show injury to adjacent property, shoreline erosion, or other types of environmental degradation.

   The remaining portion of the project is exempt from CEQA because it involves minor alteration in the condition of land and water and construction of a new small structure.

   Authority: Title 14 Cal. Adm. Code Sections 15103 and 15104.

4. This project is situated on State land identified as possessing significant environmental values pursuant to P.R.C. 6370.1, and is classified in a use category, Class B, which authorizes Limited Use. Staff feels this activity is compatible with the significant environmental values.

5. The project includes construction of a cement baluster on top of an existing cobblestone shoreline revetment and construction of a cement base revetment three feet seaward of the existing revetment.

6. This project has been approved with conditions by the California Coastal Commission.

7. Because of the uncertainty of the State's title in this area, it is recommended that expense and processing fees be waived.

APPROVALS OBTAINED:
California Coastal Commission - Approval with conditions.

EXHIBITS: A. Land Description. B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL DOCUMENT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH DOCUMENT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21084, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2907.

2. DETERMINE THAT THE PROJECT IS CONSISTENT WITH THE PROVISIONS OF ARTICLE 6.5, OF TITLE 2, OF THE CAL. ADM. CODE.

3. FIND THAT GRANTING OF THE PERMIT WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE P.R.C.

4. AUTHORIZE ISSUANCE TO LESTER A. BERMAN AND JOANNE E. BERMAN OF A 10-YEAR GENERAL PERMIT - PROTECTIVE STRUCTURE FROM NOVEMBER 1, 1980; IN CONSIDERATION OF THE PUBLIC 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 AN EXISTING COBBLESTONE SHORELINE REVETMENT AND CONSTRUCTION AND MAINTENANCE OF A CEMENT BALUSTER AND BASE REVETMENT ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION W 22554

A parcel of tide and submerged land in the Pacific Ocean at Montecito, Santa Barbara County, California, identified as follows:

All those lands lying beneath the cobblestone, shoreline, and concrete base revetment according to the application on file in the Office of the State Lands Commission in Sacramento, California, said revetment is located along the seaward line of that property located at 1483 Edgecliff Lane, Montecito, California.

END OF DESCRIPTION

PREPARED OCTOBER 21, 1980 BY TECHNICAL SERVICES UNIT, ROY MINNICK, SUPERVISOR.

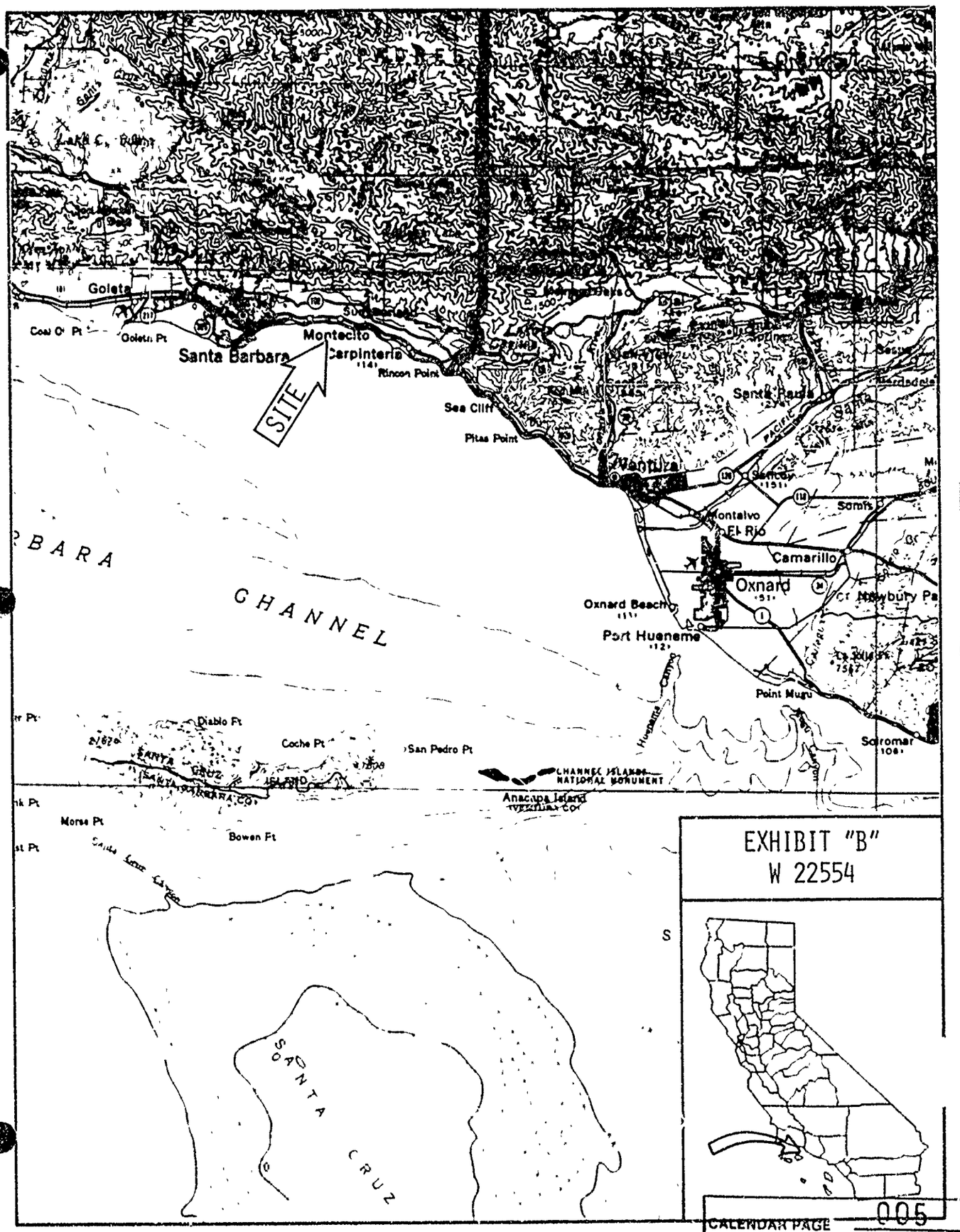

EXHIBIT "B"
W 22554

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