

MINUTE ITEM

This Calendar Item No. C20
was approved as Minute Item
No. 20 by the State Lands
Commission by a vote of 2
to 0 at its 12-16-80
meeting.

CALENDAR ITEM

C 2 0

12/80
W 22270(S.)-80-9-1:
Louie
Stevenson
PRC 5930

PUBLIC AGENCY LEASE

A title dispute exists between the City of San Buenaventura (City) and the State of California in its sovereign capacity (State) as to that land described in Exhibit "A" and depicted in its approximate location in Exhibit "B". The State contends that all or a portion of the land was, in its last natural condition, below the line of mean high tide and is either subject to a public trust easement or is held by the State in fee in its sovereign capacity. The City contends that it owns the land in fee simple and denies that the State has any interest whatsoever in the property.

At present, the land involved is used by the City for its Eastside Water Renovation Facility. The operation of the plant increases the quality of the waste water discharged into the ocean and into a nearby estuary and ponds which provide a habitat for birds and fish.

The staff of the State Lands Commission has negotiated a proposed lease of the property described in Exhibit "A" and depicted in its general location on Exhibit "B". The proposed lease is now on file in the Commission's offices and is incorporated herein by this reference. The staff recommends that the Commission approve this lease because it makes possible continued use of this land for a statewide public benefit without prejudice to the State's sovereign interest to the property.

OTHER PERTINENT INFORMATION:

1. A final EIR was prepared by the City of San Buenaventura, pursuant to CEQA and the State EIR Guidelines.
2. 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 has coordinated this project with those agencies and organizations who nominated the site as containing significant environmental values. They have found this project to be compatible with their nomination.

A 36

S 18

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CALENDAR ITEM NO. 20 (CONTD)

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

IT IS THEREFORE RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE PROPOSED RENT-FREE 49-YEAR PUBLIC AGENCY LEASE IS IN THE BEST INTERESTS OF THE STATE AND THAT THE OPERATION OF THE EASTSIDE WATER RENOVATION FACILITY PROVIDES A STATEWIDE PUBLIC BENEFIT.
2. AUTHORIZE THE STAFF OF THE STATE LANDS COMMISSION TO TAKE ALL NECESSARY AND APPROPRIATE ACTION ON BEHALF OF THE COMMISSION FOR ENTRY INTO THIS LEASE INCLUDING, BUT NOT LIMITED TO, EXECUTION OF THE PROPOSED LEASE IN A FORM SUBSTANTIALLY SIMILAR TO THAT NOW ON FILE IN THE OFFICES OF THE COMMISSION AND THE EXECUTION OF ANY OTHER DOCUMENTS AS ARE REQUIRED TO IMPLEMENT THE LEASE.
3. DETERMINE THAT AN EIR HAS BEEN PREPARED AND CERTIFIED FOR THIS PROJECT BY THE CITY OF SAN BUENAVENTURA.
4. CERTIFY THAT THE INFORMATION CONTAINED IN THE EIR HAS BEEN REVIEWED AND CONSIDERED BY THE COMMISSION.
5. DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
6. DETERMINE THAT THE PROJECT IS CONSISTENT WITH THE PROVISIONS OF ARTICLE 6.5, OF TITLE 2, OF THE CAL. ADM. CODE.
7. FIND THAT ADEQUATE PROVISIONS HAVE BEEN MADE FOR THE PERMANENT PROTECTION OF THE SIGNIFICANT ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE P.R.C.

EXHIBIT "A"

VENTURA WATER RENOVATION FACILITY

LEGAL DESCRIPTION

That portion of Subdivision No. 7, West one-half of Rancho San Miguel as per map recorded in Book 5, page 32 of Miscellaneous Records, in the Office of the County Recorder of Ventura County, State of California, more particularly described as follows:

Beginning at the intersection of the Mean High Tide Line of the Pacific Ocean with the westerly prolongation of the southerly line of that land described in the Deed to A. L. Hobson, et al, dated June 12, 1912, recorded in Book 133, Page 270 of Deeds in the Office of said Recorder; thence, easterly along said prolongation

1st: South 76° East to the most southwesterly corner of that parcel as per map recorded in Book 28, page 3 of the Record of Surveys in the office of said County Recorder, said corner also being Corner No. 1 of said recorded map; thence, easterly along the following 6 courses as per map recorded in Book 13, page 36 of Parcel Maps in the office of said County Recorder

2nd: South $74^{\circ} 56' 20''$ East, 99.92 feet to a point, said point also lying on the westerly right-of-way line of Spinnaker Drive as per said recorded Parcel Map; thence,

3rd: South $10^{\circ} 41' 30''$ East, 106.28 feet to a point, said point being the beginning of a tangent curve, concave northeasterly, having a radius of 485.00 feet; thence,

4th: Easterly along said curve through a central angle of $64^{\circ} 14' 50''$, with an arc distance of 543.84 feet; thence, tangentially

5th: South $74^{\circ} 56' 20''$ East, 601.75 feet to a point, said point being the beginning of a tangent curve, concave northwesterly, having a radius of 485.00 feet; thence,

6th: Easterly along said curve through a central angle of $76^{\circ} 17' 02''$, with an arc distance of 645.73 feet to a point, said point also lying on the most southerly line of the Ventura Port District as per map recorded in Book 28, page 3 of the Record of Surveys in the office of said County Recorder; thence, along said line

7th: South $74^{\circ} 56' 20''$ East, 114.85 feet to a point, said point being Corner No. 31 of said recorded Record of Surveys; thence,

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8th: South $74^{\circ} 56' 20''$ East, 541.99 feet to a point, said point also being the most southerly corner of said land of A. L. Hobson; thence, along the easterly line of said land

9th: North $16^{\circ} 47'$ East 1017.69 feet to the northwesterly corner of land as per Deed recorded in Book 362, page 15 of Official Records in the office of said County Recorder; thence, along the northerly line of said land

10th: South $89^{\circ} 35' 30''$ East 304.97 feet to the westerly right-of-way line of Harbor Boulevard, 120 feet wide, as described in Parcel "A" in the Deed to Ventura County, recorded September 21, 1955 as Document No. 39411 in Book 1337, page 499 of Official Records in said County Recorder's Office; thence, along said westerly line

11th: South $2^{\circ} 05' 30''$ East 1532.8 feet, more or less, to the northerly line of that certain strip of land, 200 feet wide, described as Parcel "B" in the Deed to Ventura County, recorded September 21, 1955 as Document No. 39411 in book 1337, page 499 of Official Records in said County Recorder's Office; thence, along said northerly line

12th: South $87^{\circ} 54' 30''$ West 40.00 feet to the northwesterly corner of said Parcel; thence, along the westerly line of said Parcel

13th: South $2^{\circ} 05' 30''$ East 548.5 feet more or less, to the southerly line of said Subdivision; thence, along said southerly line

14th: South $87^{\circ} 00'$ West to said Mean High Tide Line; thence,

15th: Northerly along said Mean High Tide Line, to the Point of Beginning.

DL/ve/060

REVIEWED DECEMBER 12, 1980 BY TECHNICAL SERVICES UNIT, ROY MINNICK, SUPERVISOR.

(Added, 12/12/80)

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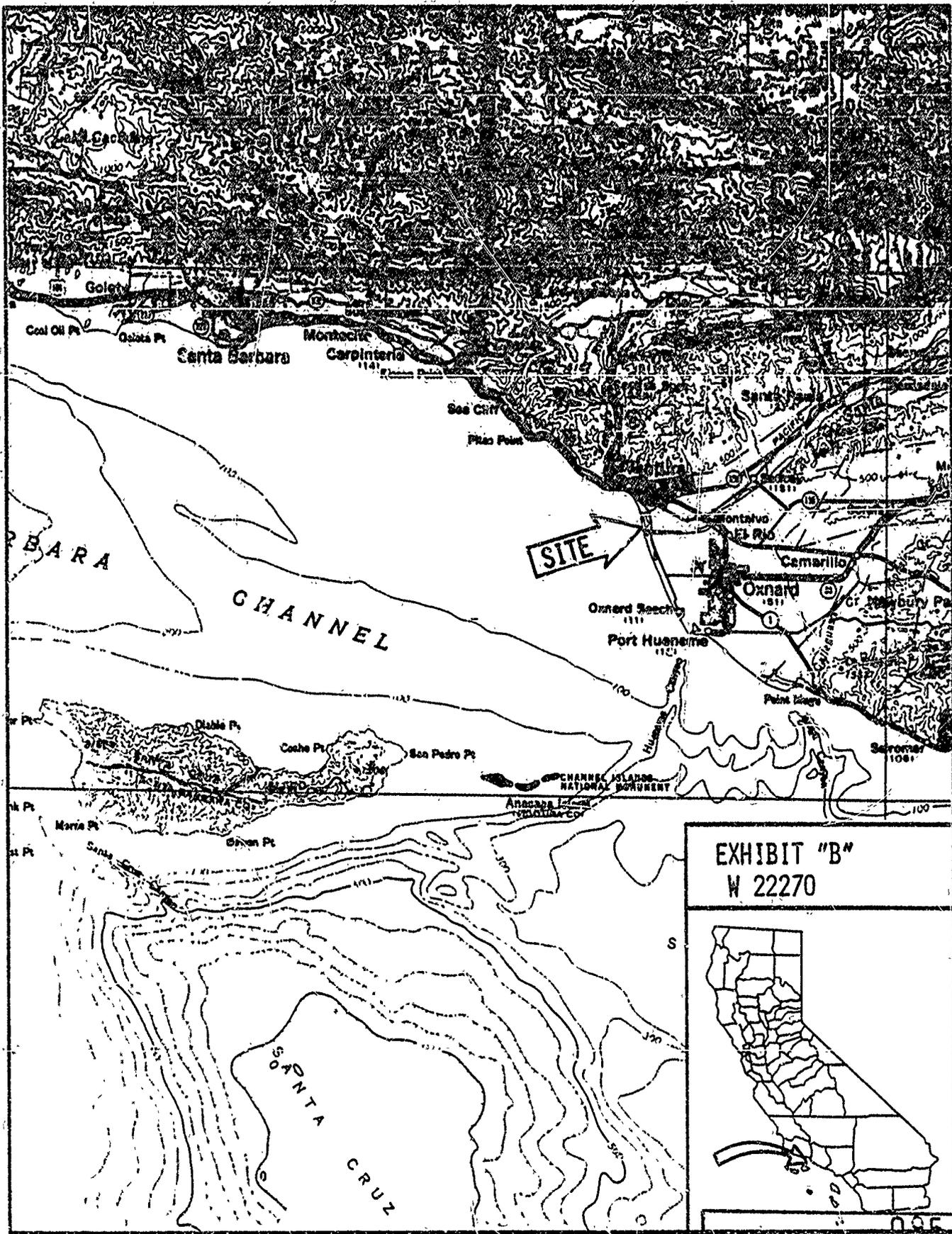


EXHIBIT "B"
W 22270



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(Added, 12/12/80)