

MINUTE ITEM

This Calendar Item No. C24
was approved as a Calendar Item
No. 24 by the State Lands
Commission by a vote of 3
0 at its 44th
meeting.

CALENDAR ITEM

C 24

9/29/81
G 16-01
Horton

CONSIDERATION OF PROPOSED WHARF IMPROVEMENTS
WITHIN GRANTED LANDS, CITY OF SANTA CRUZ

When the City of Santa Cruz was granted certain tide and submerged lands pursuant to Chapter 1291, Statutes of 1969, the act provided, among other conditions, that the State Lands Commission approve "any plan for development involving filling, dredging or other improvement. . . 90 days prior to commencement of work thereon" occurring within this grant.

The City Manager submitted an application on July 15, 1981 for authority to construct three buildings, some adjacent viewing deck area, and an elevated pedestrian ramp and an elevator connecting two of the buildings. The buildings are to be built upon existing deck area, which has been completed in conformance with a previous United States Army Corps of Engineers permit, Coastal Permit, and State Lands Commission approval. Existing buildings will be removed in the area to be occupied by two of the proposed buildings and the observation deck area and pilings under them will be repaired or replaced prior to the construction of the new buildings.

Staff of the State Lands Commission visited the wharf August 4, 1981 and viewed amenities for recreational fishing as well as commercial support. Buildings to be removed are reportedly in poor condition and do not offer clear views of the shoreline and vistas of the Monterey Bay. A model of the new buildings, showing design features which provide physical access to both sides of the wharf and clear window views was provided for the numerous public hearings on this proposed project. The elevator will serve, in particular, the disabled. A fish market, restaurants and food facilities and other related visitor-serving ocean-related business will be accommodated. The new buildings will encompass approximately 18,700 square feet; the observation deck, 9,700 square feet.

The uses proposed are consistent with Section (a) of the grant statute. The wharf draws increasing numbers of families, young and old, from the greater San Francisco Bay area since the high fuel prices and shortages have reduced other travel.

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A conceptual plan for wharf development was included in the City's Lands Use Plan that was approved by the State Coastal Commission July 8, 1981. The City has applied to the Coastal Commission for a permit for this project. The United States Army Corps of Engineers has decided the City may apply for an extension of their previous permit rather than a new permit. The City gave Notice of Intent to issue a Negative Declaration of Environmental Impact on July 20, 1981, based on the findings of a detailed Initial Study. The Notice of Intent and Initial Study were circulated pursuant to CEQA and the EIR Guidelines. A Notice of Determination was filed with the Secretary for Resources on September 2, 1981.

The purpose of State Lands Commission review is stated in Section (b) of the granting statute, as follows: "to insure that the provisions of Chapter 1642, Statutes of 1967, are being carried out and that any developments by local agencies pursuant to legislative grants or otherwise will be in accord with policies and plans included in the California Comprehensive Ocean Area Plan (COAP)." The COAP legislation provided for appointment of a California Advisory Commission on Marine and Coastal Resources and for an annual report updating activities in connection with the plan. The original plan contains some provisions concerning Coastal Zone amenities and public access. However, the legislation was repealed pursuant to Chapter 988, Statutes of 1973, and the inventory has not been updated for ten years. While the City's local coastal plan was in the process of being prepared and adopted, State Lands Commission review considered the COAP plan and supplement, together with any regulatory agency permits and the grant statute in its findings on the City applications. Current regulation and review of the City's compliance with coastal resource issues is through the local coastal planning processes.

AB 884: N/A.

EXHIBIT: A. Site Map.
B. Negative Declaration.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT A NEGATIVE DECLARATION HAS BEEN PREPARED FOR THIS PROJECT BY THE CITY OF SANTA CRUZ.
2. CERTIFY THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED IN THE NEGATIVE DECLARATION.

CALENDAR ITEM NO. C 24 (CONTD)

3. DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. FIND THAT THE PROPOSED WHARF IMPROVEMENTS ARE CONSISTENT WITH COASTAL PLANNING POLICY IN THE CITY'S LAND USE PLAN AND THE TERMS OF ITS GRANT OF TIDE AND SUBMERGED LANDS PURSUANT TO CHAPTER 1291, STATUTES OF 1969, AND WITH ITS GRANT OF TIDELANDS PURSUANT TO CHAPTER 342, STATUTES OF 1977.
5. AUTHORIZE THE EXECUTIVE OFFICER TO TRANSMIT A LETTER STATING SUCH FINDING AND APPROVING THE CONSTRUCTION OF THREE NEW BUILDINGS AND AN OBSERVATION DECK ON THE WESTERLY SIDE OF THE SANTA CRUZ MUNICIPAL WHARF.
6. SPECIFY THAT SUCH APPROVAL OF THE PROJECT IS CONTINGENT ON THE CITY OBTAINING APPROVALS FROM ALL OTHER REGULATORY AGENCIES WITH JURISDICTION OVER THE PROJECT.

NEGATIVE DECLARATION

Case No. DP-81-201 Location of Project SANTA CRUZ MUNICIPAL WHARF
Description of Project CONSTRUCT THREE (3) NEW STRUCTURES, OBSERVATION DOCK AND REQUIRED APPURTENANCES

Applicant CITY OF SANTA CRUZ
Applicant's Mailing Address 809 CENTER ST. SANTA CRUZ, CA.

Based on the Initial Study attached hereto and for the reasons therein, it has been determined that the project will not have a significant effect on the City or regional environment and will not require the preparation of an environmental impact report (EIR).

Mitigation Measures

This Negative Declaration has been prepared under the assumption that the following conditions of approval will be stipulated for the project to mitigate potential impacts identified in the Initial Study.

Staff Report w/ conditions will be available June 18, 1981

Also note mitigation measures incorporated within project as noted in initial study

PETER KATZBERGER 6/18/81 JRC
ADMINISTRATOR OF ENVIRONMENTAL QUALITY DATE BY

Staff Check List

- Preliminary consultation initiated. Send Notice of Intent to Issue Negative Declaration to Coastal Commission or other Responsible Agency, at least seven (7) calendar days before adoption. 6/18/81 JRC
- State Agency review initiated (if required). Send proposed Negative Declaration to State Clearing House at least thirty (30) calendar days before adoption. 6/18/81 JRC
- Public notice provided at least seven (7) calendar days before adoption as follows:
 - publication, or
 - posting on- and off-site, and 6-16-81
 - direct mailing to property owners, and 6-16-81
 - posting at Planning Department offices. 6-16-81
- Special notice provided, at least seven (7) calendar days before adoption. 6/16/81 JRC
- Negative Declaration adopted. 7/19/81 JRC
- Notice of Determination filed with County Clerk. 7/19/81 JRC
- City-initiated project referred to other City Departments. 6/16/81 CR

EXHIBIT B

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