MINUTE ITEM

This Calendar Item No. C16 was approved as Minute Item No. 16 by the State Lands Commission by a vote of 2 to 0 at its 5/22/86 meeting.

CALENDAR ITEM

C16

A 75

S 38

05/22/86
W 23628 PRC 6982
Townsend

APPROVAL OF A PUBLIC AGENCY PERMIT
AND RIGHT-OF-WAY MAP

APPLICANT: California Department of Transportation, District 11
Attn: Robert C. Tyler
P. O. Box 85406
San Diego, California 92138-5406

AREA, TYPE LAND AND LOCATION:
Approximately 0.20 acres of sovereign land located in the San Dieguito River; San Diego County.

LAND USE: Highway purposes pursuant to Section 101.5 of the Streets and Highways Code, specifically to widen Interstate Highway 5, including the San Dieguito River Bridge, and rock slope protection at the north bridge abutment.

TERM: Indefinite period from May 22, 1986.

CONSIDERATION: As set forth by Section 101.5, Streets and Highways Code, and the public use and benefit.

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

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

C. Streets and Highways Code: Section 101.5.

AB 884: N/A.

OTHER PERTINENT INFORMATION:

1. The State Department of Transportation has submitted an application for the required right-of-way over State sovereign lands to widen Interstate Highway 5, including the San Dieguito Bridge, and rock slope protection at the north bridge abutment in the City of San Diego.

2. The annual rental value of the site is estimated to be $270.

3. An environmental analysis document was prepared, circulated, [illegible] adopted for this project by Californic [illegible]tal Commission as provided under P.R.C. [illegible]080.5 and 14 Cal. Adm. 15251(c).

   The staff of the State Lands Commission has reviewed such environmental analysis document and believes that the conditions have been met for the Commission to use the document as an EIR substitute as a Responsible Agency as provided under 14 Cal. Adm. Code 15253.

4. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

APPROVALS OBTAINED:

California Coastal Commission.

EXHIBITS:

A. Right-of-Way Map.
B. Location Map.
C. California Coastal Commission Permit.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT AN ENVIRONMENTAL ANALYSIS DOCUMENT WAS PREPARED, CIRCULATED, AND ADOPTED FOR THIS PROJECT BY CALIFORNIA COASTAL COMMISSION UNDER ITS CERTIFIED STATE REGULATORY PROGRAM (14 CAL. ADM. CODE 15251(c)); AND THAT THE CONDITIONS AS SPECIFIED IN 14 CAL. ADM. CODE 15253(b) HAVE BEEN MET FOR THE COMMISSION TO USE SUCH ENVIRONMENTAL ANALYSIS DOCUMENT AS AN EIR SUBSTITUTE AS A RESPONSIBLE AGENCY.

   DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.

2. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.

3. AUTHORIZE ISSUANCE TO CALIFORNIA DEPARTMENT OF TRANSPORTATION OF A PUBLIC AGENCY PERMIT FOR AN INDEFINITE PERIOD, BEGINNING MAY 22, 1986; FOR HIGHWAY PURPOSES ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

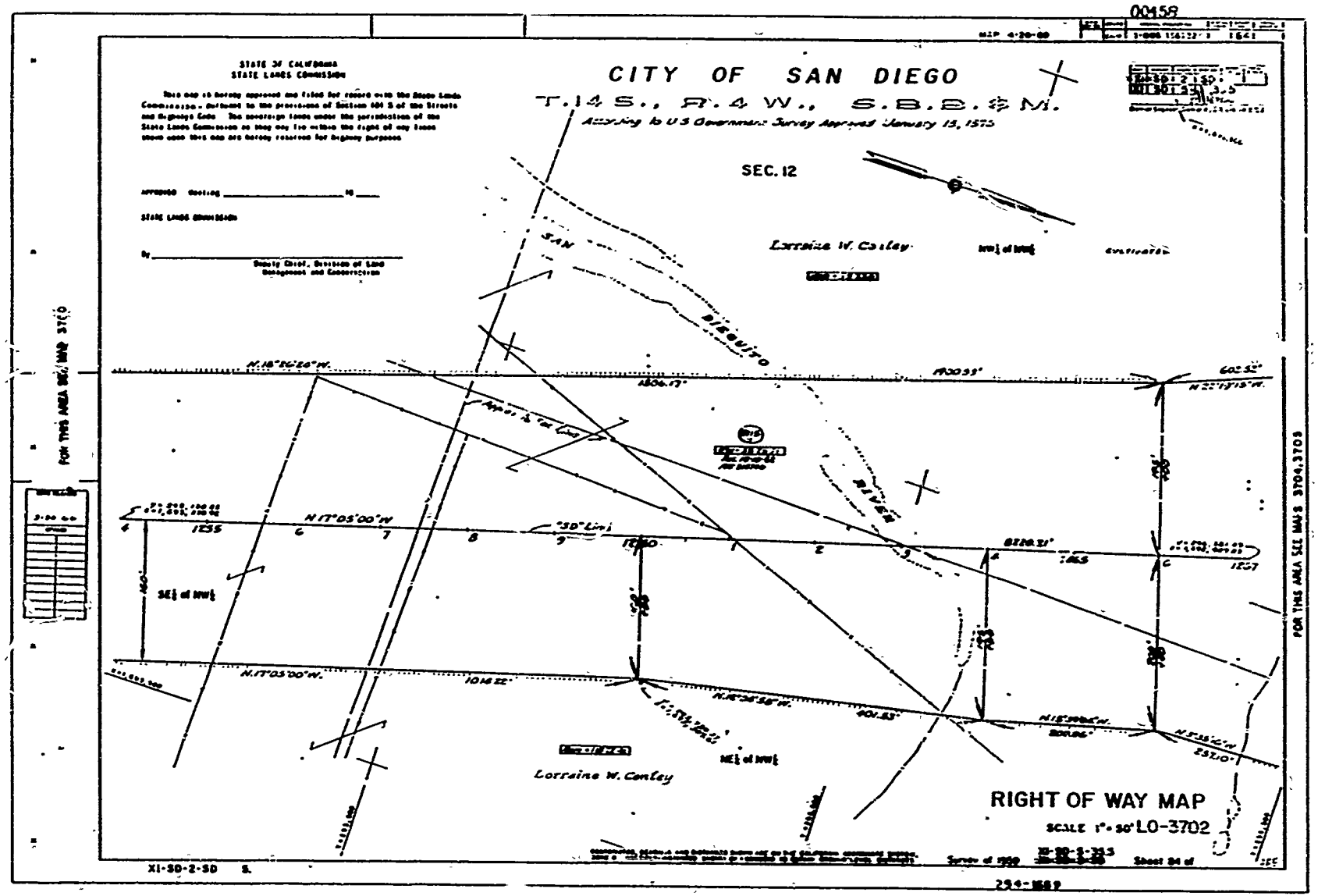

EXHIBIT "A"

W 23628

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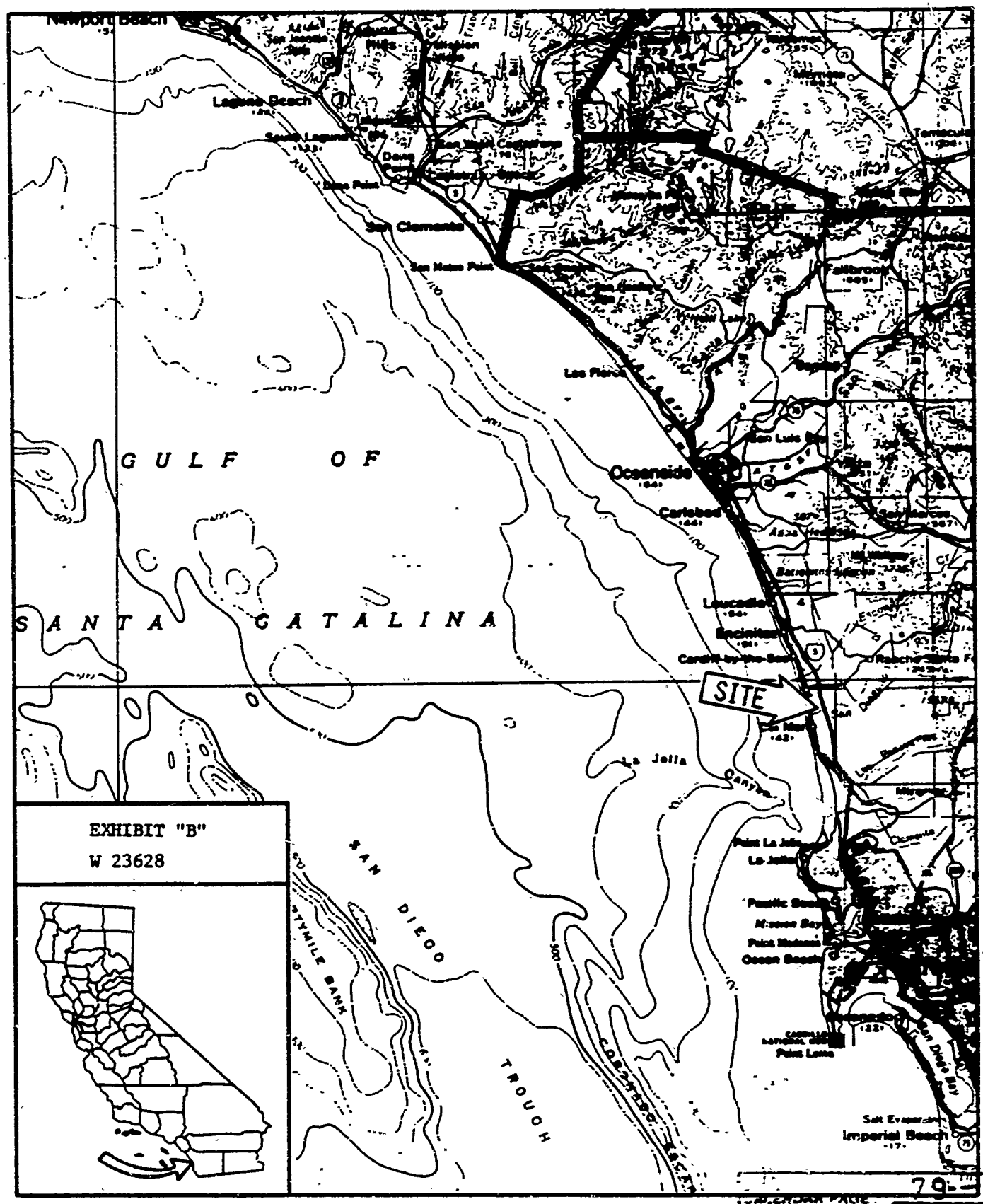
Newport Beach
Laguna Beach
South Laguna
Dana Point
San Clemente
San Mateo Point
Fallbrook
Oceanside
Carlsbad
Encinitas
Cardiff-by-the-Sea
SITE
La Jolla
Point La Jolla
Pacific Beach
Mission Bay
Point Loma
Ocean Beach
Imperial Beach
GULF OF
SANTA CATALINA
SAN DIEGO
TROUGH
EXHIBIT "B"
W 23628

State of California, George Deukmejian, Governor

California Coastal Commission
SAN DIEGO COAST DISTRICT
6154 Mission Gorge Road, Suite 220
San Diego, CA 92120
(619) 280-6992

EXHIBIT "C"
AMENDMENT TO
COASTAL DEVELOPMENT PERMIT NO. 6-84-499-A
Page 1 of 2

COPY

RECEIVED
CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

On May 9, 1985, the California Coastal Commission granted to California Department of Transportation this permit for the development described below, subject to the attached Standard and Special Conditions.

Original Project:	Widen Interstate Hwy. 5 including San Dieguito River Bridge by one lane, from south of bridge to Via de la Valle offramp.
Proposed Amendment:	Placement of rock slope protection at the north bridge abutment. About 1,200 cubic yards of excavation and 1,400 cubic yards of rock placement are required.
Site:	Interstate 5 from 200 feet south of San Dieguito River Bridge to terminus of Via de la Valle offramp.

Issued on behalf of the California Coastal Commission by

MICHAEL L. FISCHER
Executive Director
and

IMPORTANT: THIS PERMIT IS NOT VALID UNLESS AND UNTIL A COPY OF THE PERMIT WITH THE SIGNED ACKNOWLEDGEMENT HAS BEEN RETURNED TO THE COMMISSION OFFICE.

ACKNOWLEDGEMENT

The undersigned permittee acknowledges receipt of this permit and agrees to abide by all terms and conditions thereof.

11/24/85
Date

Signature of Permittee

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STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgement. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.

2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.

3. Compliance. All development must occur in strict compliance with the proposal as set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.

4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.

5. Inspections. The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.

6. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.

7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

SPECIAL CONDITIONS:

1. Wetlands Restoration. Prior to the transmittal of the amendment for the subject development, the applicant shall submit for the review and approval in writing of the Executive Director, a delineation and biological survey covering the precise limits of any herein affected wetlands area. The biological survey shall be reviewed for comments by the State Dept. of Fish and Game. Further, prior to the transmittal of the amendment for the subject development, the applicant shall submit for the review and approval in writing of the Executive Director, in consultation with the State Dept. of Fish and Game, a candidate area for wetlands restoration, and a detailed restoration plan for that area. The total area for restoration shall not be less than one (1) acre and shall be provided at a ratio of restored area to impacted area of not less than 4:1.

(0092P)

State of California, George Deukmejian, Governor

CALIFORNIA COASTAL COMMISSION
SAN DIEGO COAST DISTRICT
1333 CAMINO DEL RIO SOUTH, SUITE 125
SAN DIEGO, CA 92108-3520
(619) 297-9740

COPY

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DEC 02 1985
CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

AMENDMENT TO PERMIT

Date: November 20, 1985

Permit Number 6-84-499 issued to California Department of Transportation has been amended to include the following change: Revised restoration plan, limiting the area to be restored. Restoration will occur at a rate of 4:1.

This amendment was determined by the Executive Director to be immaterial, was duly noticed, and no objections were received.

This amendment will become effective upon return of a signed copy of this form to the District office. Please note that the remaining conditions are still in effect.

Sincerely,

Peter Douglas
Executive Director

By: Paul B. Webb

Paul B. Webb

I have read and understand the above amendment and agree to be bound by its conditions and the remaining conditions of permit number 6-84-499

Date 11/26/85 Signature [illegible]

6/82

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