

MINUTE ITEM

This Calendar Item No. 65
was approved as Minute Item
No. 5 by the State Lands
Commission by a vote of 3
to 0 at its 5/21/86
meeting.

CALENDAR ITEM

C05

A 28

S 17

06/26/86
PRC 2406
Townsend

TERMINATION OF PUBLIC AGENCY PERMIT TO
FREEDOM COUNTY SANITATION DISTRICT AND
APPROVAL OF GENERAL PERMIT - PUBLIC AGENCY USE TO
CITY OF WATSONVILLE

CURRENT LESSEE: Freedom County Sanitation District
County of Santa Cruz
Attn: Scott Loichirger, Chief
Real Property Division
701 Ocean Street
Santa Cruz, California 95060

APPLICANT: City of Watsonville
City Hall
Attn: Mr. David Koch
Assistant Public Works Director
P.O. Box 430
Watsonville, California 95077

AREA, TYPE LAND AND LOCATION:
7.891-acre parcel of tide and submerged lands
located in Monterey Bay, Santa Cruz County.

LAND USE: Operation and maintenance of ocean wastewater
outfall line and extension thereof.

TERMS OF ORIGINAL PERMIT TO COUNTY:
Initial period: 49 years beginning April 28,
1959.

Consideration: Public health and safety 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.

CALENDAR ITEM NO. C 05 (CONT'D)

TERMS OF PROPOSED PERMIT TO CITY:

Initial period: 49 years beginning August 1, 1986.

CONSIDERATION: The public health and safety; 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.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Adm. Code 2003.

APPLICANT STATUS:

Applicant is permittee of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee and processing costs have been received.

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.

AB 884:

11/04/86.

OTHER PERTINENT INFORMATION:

1. The State Lands Commission presently has a 49-year Public Agency Permit to Freedom County Sanitation District for a 3,400-foot ocean wastewater outfall line situate at the mouth of the Pajaro River in Monterey Bay, Santa Cruz County. The County initially advised Commission staff that the improvements are jointly owned with the City of Watsonville; however, the permit was issued solely to the County to be consistent with the United States Army Corps of Engineers permit.

2. Commission staff has received an application from the City of Watsonville for a permit to extend the outfall line 3,500 feet. The City advised staff that the County has a "capacity rights

agreement" with the City, but does not "jointly own" the improvements. The County concurs and has presented staff with an executed lease quitclaim deed. Staff, therefore, proposes to terminate the permit to the County and issue a new permit to the City for the existing outfall line and construction of the extension. The proposed permit provides for construction limiting dates commencing September 1, 1986 and ending August 31, 1988.

3. The annual rental value of the site is estimated to be \$5,733.
4. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. The project, as proposed, is consistent with its use classification.
5. An EIR was prepared and adopted for this project by the City of Watsonville. The State Lands Commission's staff has reviewed such document and have identified the significant environmental effects which involve the part of the project that the Commission will be considering for approval. Findings addressing such effects are attached as Exhibit "C".

APPROVALS OBTAINED:

California Coastal Commission, Regional Water Quality Control Board, California Department of Fish and Game, and Federal Environmental Protection Agency.

FURTHER APPROVALS REQUIRED:

United States Army Corps of Engineers.

EXHIBITS:

- A. Land Description.
- B. Location Map.
- C. CEQA Findings.

CALENDAR ITEM NO. C 0 5 (CONT'D)

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT AN EIR WAS PREPARED AND ADOPTED FOR THIS PROJECT BY THE CITY OF WATSONVILLE AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
2. ADOPT THE FINDINGS REQUIRED BY THE CEQA AND ITS GUIDELINES WHICH ARE HEREIN ATTACHED AS EXHIBIT "C".
3. DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.
5. TERMINATE LEASE PRC 2406 TO THE FREEDOM COUNTY SANITATION DISTRICT, EFFECTIVE AUGUST 1, 1986, AND AUTHORIZE ACCEPTANCE AND RECORDATION OF A LEASE QUITCLAIM DEED FROM LESSEE.
6. AUTHORIZE ISSUANCE TO THE CITY OF WATSONVILLE OF A 49-YEAR GENERAL PERMIT - PUBLIC AGENCY USE BEGINNING AUGUST 1, 1986; IN CONSIDERATION OF THE PUBLIC HEALTH AND SAFETY, 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 OPERATION AND MAINTENANCE OF THE EXISTING OCEAN WASTEWATER OUTFALL LINE, AND EXTENSION THEREOF TO COMMENCE ON SEPTEMBER 1, 1986 AND BE COMPLETED AUGUST 31, 1988, ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

WP 2406.9

A strip of tide and submerged land 50 feet wide in Monterey Bay, Santa Cruz County, California, the centerline of said strip being described as follows:

BEGINNING at a point from which the USC&GS triangulation station "PAJARO MOUTH 3" as shown upon the map entitled "Record of Survey made for City of Watsonville" filed in Volume 29, Page 56 of Maps, Santa Cruz County Records, bears N 28° 02' W, 121.9 feet; thence from said point of beginning S 72° 00' W, 3850 feet; thence S 62° 00' W, 4500 feet to the end of the herein described line.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of the Pacific Ocean.

END OF DESCRIPTION

REVISED APRIL 8, 1986 BY BOUNDARY SERVICES UNIT, M. L. SHAFER,
SUPERVISOR.

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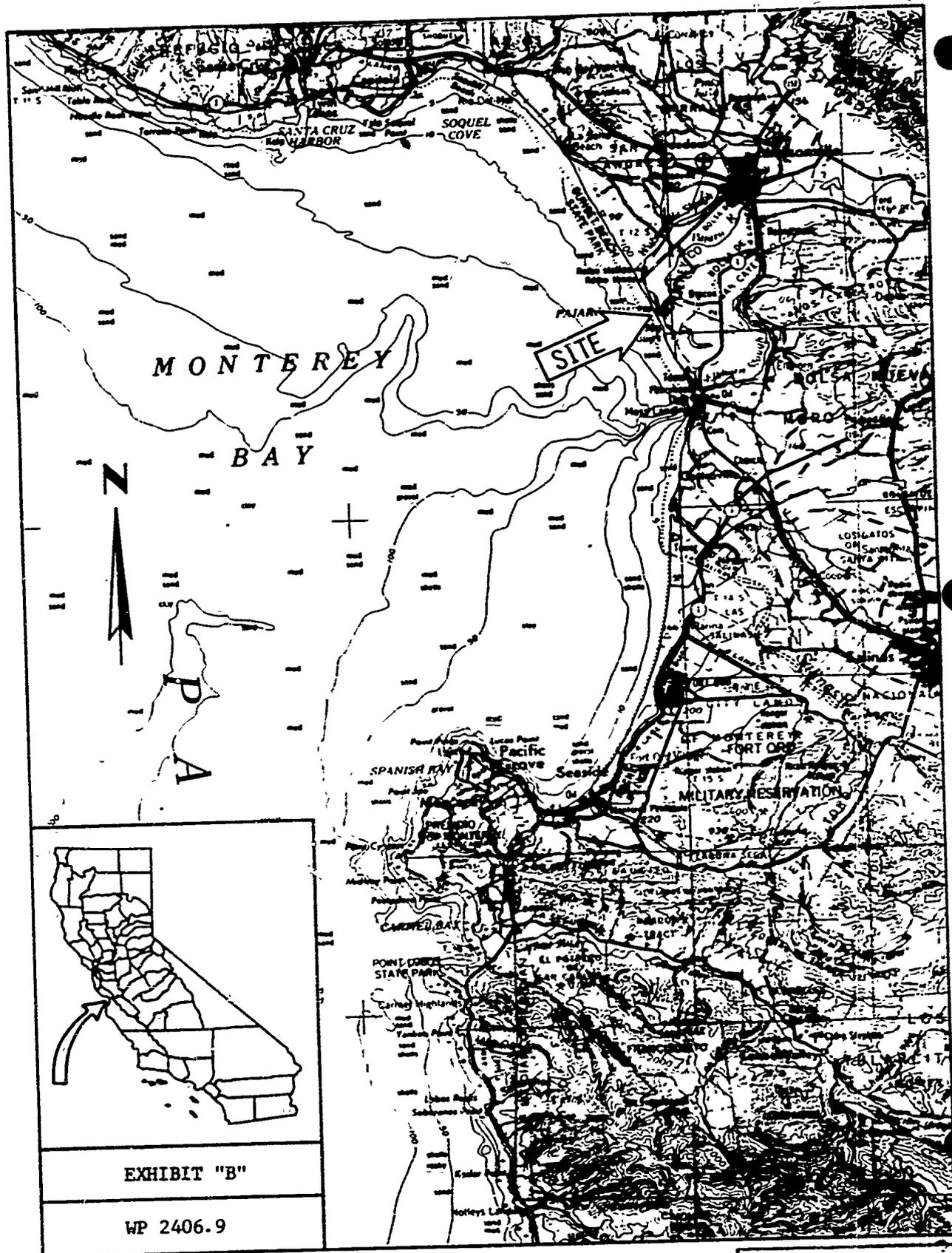


EXHIBIT "B"

WP 2406.9

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EXHIBIT "C"

The following finding relates to the potential significant effect identified in the final environmental impact report prepared for the project which relates to the Commission as a Responsible Agency under the provisions of the CEQA:

Geology and Seismicity

IMPACT: The outfall disposal facilities are susceptible to seismic activity. However, no known active faults are immediately adjacent to the outfall and, as such, ground offset is unlikely.

FINDING: a) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect thereof as identified in the final EIR.

FACTS SUPPORTING FINDING:

A report from a registered soils engineer will be provided to Commission staff. This report and the pipeline design will be evaluated by technical staff of the Commission to verify that the impact as described above has been adequately considered. The lease for the facility will not be transmitted to the applicant until such review is completed.