

MINUTE ITEM

This Calendar Item No. C13
was approved as Minute Item
No. 13 by the State Lands
Commission by a vote of 2
to 0 at its 7/24/86
meeting.

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CALENDAR ITEM

C13 1

07/24/86
PRC 2405
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AMENDMENT TO GENERAL PERMIT - PUBLIC AGENCY USE

APPLICANT: City of Imperial Beach
825 Imperial Beach Boulevard
Imperial Beach, California 92032

BACKGROUND:

In May, 1959, the Commission authorized a 49-year permit for 40,000 sq. ft. of area to the City of Imperial Beach for construction and maintenance of a rockmound groin for protection of a public beach. The groin was constructed and is in place.

In September, 1984, the City applied for an enlarged permit area covering 1.826+ acres, to extend the existing groin and construct a breakwater. The Commission terminated the original permit and authorized issuance of a new 49-year permit covering the enlarged area.

Subsequently, litigation and financing delays, as well as environmental problems have rendered the proposal infeasible, and the project has been abandoned. The City of Imperial Beach and the Commission staff concur that the permit area should be amended, reducing the area to 40,000+ sq. ft. to cover only the area of the existing rock groin.

AREA, TYPE LAND AND LOCATION:

40,000+ sq. ft. parcel of tide and submerged land, located adjacent to the northerly City limits of the City of Imperial Beach, San Diego County.

LAND USE: Existing rock groin, adjacent to a public beach.

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TERMS OF ORIGINAL PERMIT:

Initial period: 49 years beginning
September 15, 1984, covering
1.826 acres for enlarged
groin and breakwater facility.

TERMS OF PROPOSED PERMIT:

Initial period: 49 years beginning
September 15, 1984, covering
40,000+ sq. ft. for an
existing rockmound groin.

CONSIDERATION: The public use and 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.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Adm. Code 2003.

APPLICANT STATUS:

Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Since Commission staff requested applicant to
reduce the permit area to conform to the
existing facility, it is requested that
processing costs be waived for the City in this
instance. Their facility continues to protect
a public beach area. Filing fee has 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: 12/15/86.

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of
authority and the State CEQA Guidelines
(14 Cal. Adm. Code 15061), the staff has
determined that this activity is exempt
from the requirements of the CEQA because

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the activity is not a "project" as defined by CEQA and the State CEQA Guidelines.

Authority: P.R.C. 21065 and 14 Cal. Adm. Code 15378.

2. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. but will not affect those significant lands.

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. ADM. CODE 15378.
2. FIND THAT THIS ACTIVITY WILL INVOLVE LANDS IDENTIFIED AS POSSESSING SIGNIFICANT ENVIRONMENTAL VALUES PURSUANT TO P.R.C. 6370, ET SEQ., BUT THAT SUCH ACTIVITY WILL HAVE NO DIRECT OR INDIRECT EFFECT ON SUCH LANDS.
3. WAIVE THE REQUIREMENT FOR PAYMENT OF PERMIT PROCESSING FEES BY THE APPLICANT; THE EXISTING GROIN FACILITY PROTECTS A PUBLIC BEACH AREA AND IS MAINTAINED BY A PUBLIC AGENCY, AND THE PROPOSED AMENDMENT IS PURSUANT TO COMMISSION STAFF REQUEST.
4. AUTHORIZE AN AMENDMENT OF A 49-YEAR GENERAL PERMIT - PUBLIC AGENCY USE (PRC 2405) TO THE CITY OF IMPERIAL BEACH, TO REDUCE THE AREA UNDER PERMIT TO COVER AN EXISTING ROCKMOUND GROIN, AS DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF. ALL OTHER TERMS AND CONDITIONS OF SAID PERMIT SHALL REMAIN IN FULL FORCE AND EFFECT.

EXHIBIT "A"
LAND DESCRIPTION

PRC 2405.9

A strip of tide and submerged land 50 feet wide at Imperial Beach, San Diego County, California, the centerline of said strip being described as follows:

BEGINNING at a point which bears N 11° 24' 18" E 735.91 feet from a concrete monument designated as "Corner No. 164" on the map of "Silver Strand Beach Gardens Addition to Imperial Beach; Map No. 1902, filed in the San Diego County Recorder's Office; thence from said point of beginning N 89° 56' 51" W 1286 feet to the end of the herein described line.

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

END OF DESCRIPTION

REVIEWED JUNE 12, 1986 BY BOUNDARY SERVICES UNIT, M. L. SHAFER, SUPERVISOR.

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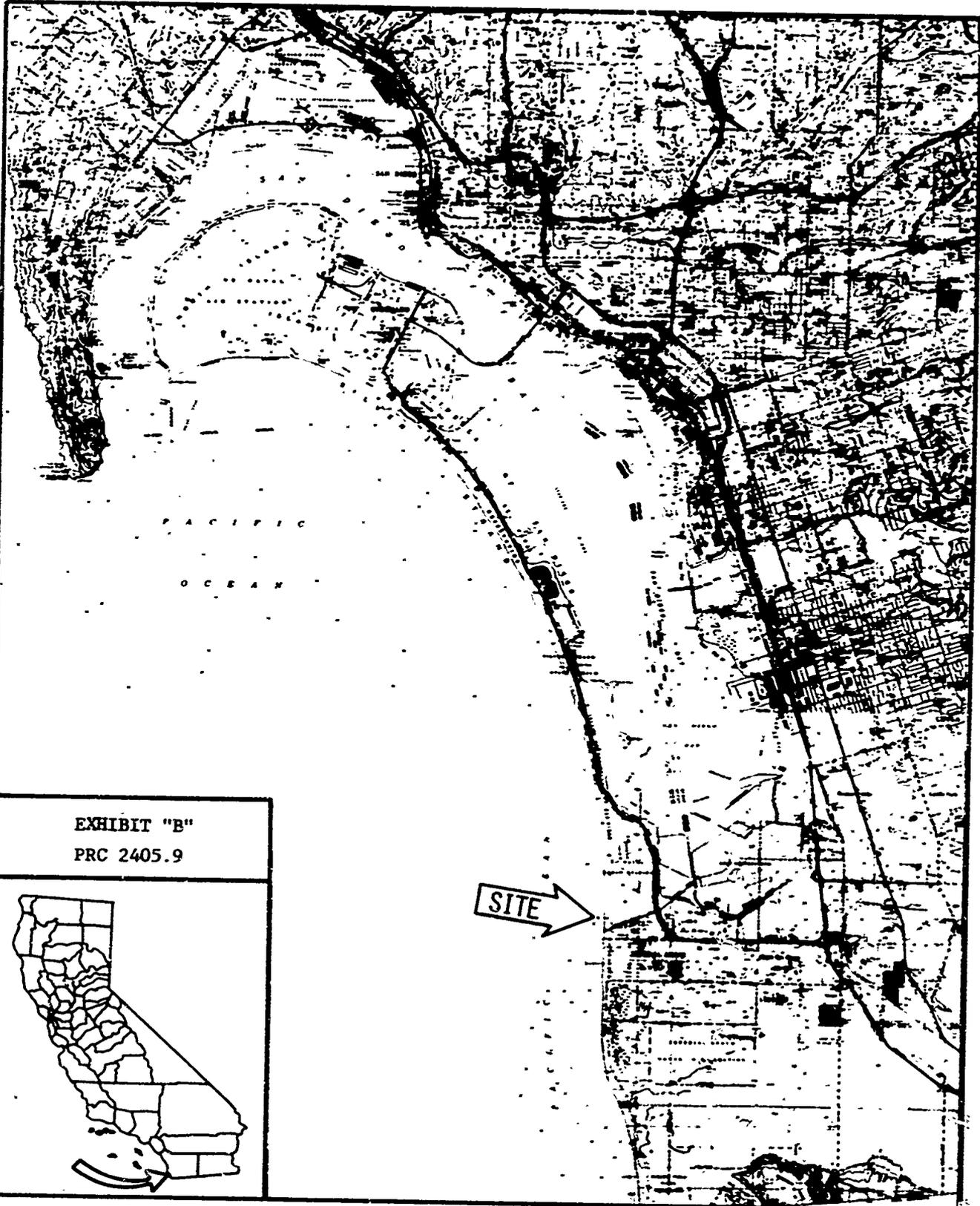


EXHIBIT "B"
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