MINUTE ITEM
This Calendar Item No. C13
was approved as Minute Item
No. 13 by the State Lands
Commission by a vote of 3
to 0 at its 7/15/91
meeting.

CALENDAR ITEM

A 28

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C 1 3

07/15/91
W 23066 PRC 7549
J. Ludlow

APPROVE A GENERAL PERMIT - PROTECTIVE STRUCTURE USE

APPLICANT:
James A. Young and Betty J. Young
4200 Opal Cliff Drive
Santa Cruz, California 95062

AREA, TYPE LAND AND LOCATION:
A 0.01-acre parcel of tide and submerged land located in the Bay of Monterey, City and County of Santa Cruz.

LAND USE:
Construction and maintenance of a twenty-foot reinforced concrete erosion control wall.

TERMS OF PROPOSED PERMIT:
Initial period:
Ten (10) years beginning April 1, 1991.

Public liability insurance:
Combined single limit coverage of $300,000.

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. Code Regs. 2003.

APPLICANT STATUS:
Applicant is owner 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. Code Regs.: Title 3, Div. 3; Title 14, Div. 6.

AB 884:

09/03/91

OTHER PERTINENT INFORMATION:

1. A Negative Declaration was prepared and adopted for this project by the County of Santa Cruz. The State Lands Commission's staff has reviewed such document.

2. The proposed seawall is designed to protect the Applicant's existing residence and two adjacent residences where the bluff below has suffered erosion in past storms. The wall is designed to dissipate the wave action as it runs up the wall, rather than throw the wave back onto the beach as is done in a standard recurve wall which tends to erode the beach in front of the wall. While the total length of the wall will be approximately 340 linear feet, only 120 feet, more or less, are within the Commission's jurisdiction.

3. 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:

Santa Cruz County and United States Army Corps of Engineers.

FURTHER APPROVALS REQUIRED:

California Coastal Commission.

EXHIBITS:

A. Land Description
B. Location Map
C. Negative Declaration

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT A NEGATIVE DECLARATION WAS PREPARED AND ADOPTED FOR THIS PROJECT BY COUNTY OF SANTA CRUZ AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

2. AUTHORIZE ISSUANCE TO WELLS FARGO BANK, N.A., TRUSTEE OF THE ROBERT G. AXFORD TRUST, OF A GENERAL PERMIT - PROTECTIVE STRUCTURE USE, EFFECTIVE APRIL 1, 1991, FOR THE CONSTRUCTION AND MAINTENANCE OF A TWENTY-FOOT HIGH EROSION CONTROL WALL ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED, AND BY REFERENCE MADE A PART HEREOF.

W 23066

EXHIBIT "A"

LAND DESCRIPTION

That portion of the Pacific Ocean lying beneath the proposed shore protection adjacent to 4200 Opal Cliffs Drive, City of Santa Cruz, Santa Cruz County, California, said shore protection is shown on "PLAN AND NOTES BLUFF TOE PROTECTION FROM WAVE WASH", Dated May 1987, Job no. 18961-1, a copy of said plan is on file in file no. W 23066 in the office of the State Lands Commission, Sacramento, California.

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

END OF DESCRIPTION

PREPARED MARCH 8, 1991 BY LLB.

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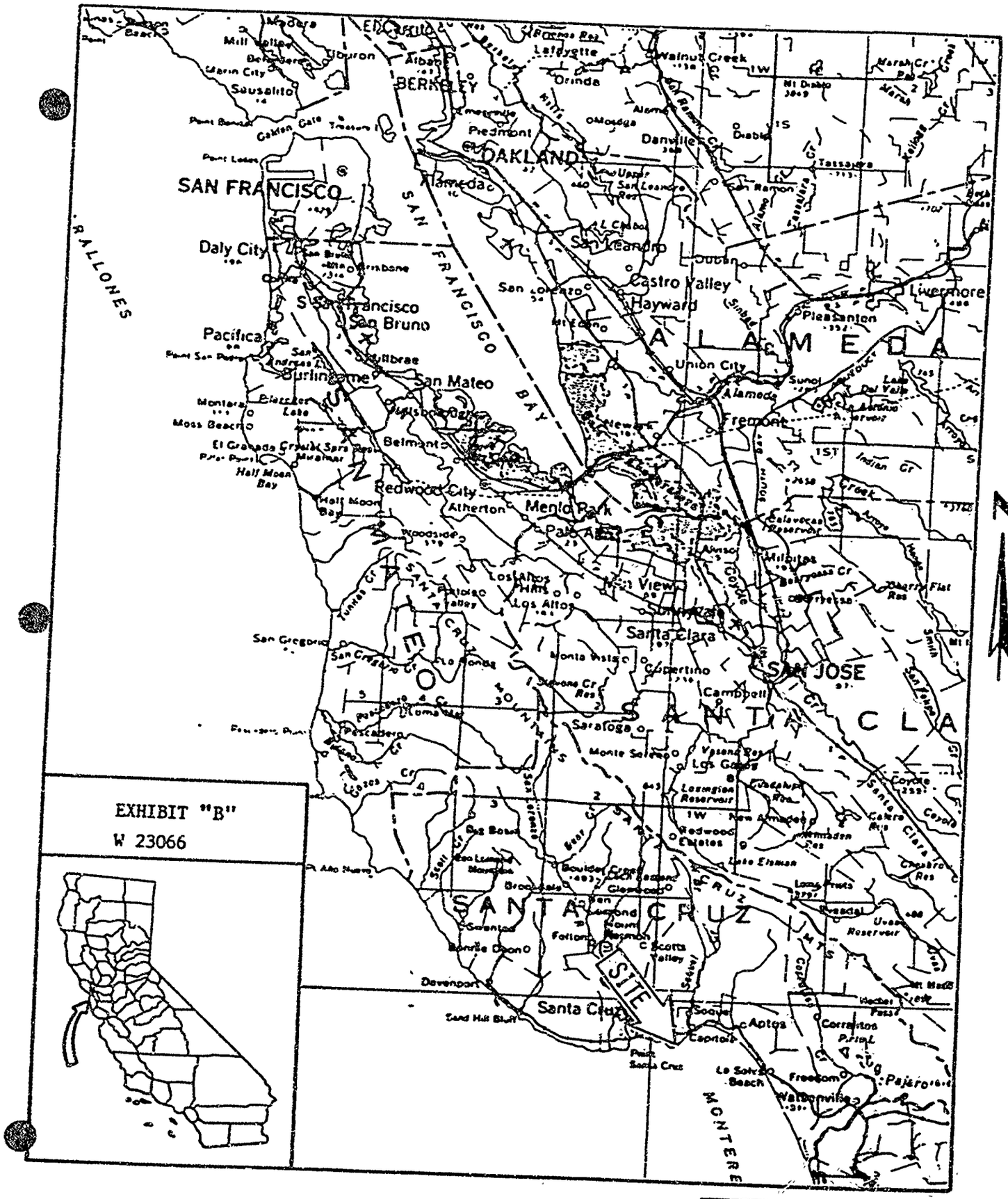

EXHIBIT "B"

W 23066

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EXHIBIT "C"

PLANNING DEPARTMENT

GOVERNMENTAL CENTER

COUNTY OF SANTA CRUZ

701 OCEAN STREET SANTA CRUZ, CALIFORNIA 95060

NEGATIVE DECLARATION AND NOTICE OF DETERMINATION

7. 88-0364 BRYAN PAYNE for PINO, PLINOR AND YOUNG
Proposal to construct about 340 feet of concrete seawall to protect three existing residences (#4170, #4190 and #4200 Opal Cliffs Drive) from further coastal bluff erosion. Requires a Grading Permit. Property located at 4200 Opal Cliff Drive. Live Oak Planning Area.

DIETER BEERMANN, Planner
R-1-6 Zone District

APN: 33-171-07, -08, & -09

Findings:

This project, if conditioned to comply with required mitigation measures or conditions shown below, will not have a significant effect on the environment. The expected environmental impacts of the project are documented in the Initial Study on this project attached to the original of this notice on file with the Planning Department, County of Santa Cruz, 701 Ocean Street, Santa Cruz, California.

Required Mitigation Measures or Conditions:

____None

x Are Attached

Date Approved By Environmental Coordinator 1-13-90.
Review/Appeal Period Ends 2-12-90.

PETE PARKINSON
Environmental Coordinator
425-2852 or 688-2033, ext. 2852

If this project is approved, complete and file this notice with the Clerk of the Board:

NOTICE OF DETERMINATION

The Final Approval of This Project was Granted by Pete Parkinson, Environmental Coordinator/Principal Planner

on 2/14/90. No EIR was prepared under CEQA.

THE PROJECT WAS DETERMINED TO NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.

Date completed notice filed with Clerk of the Board:

4/15/91

By: Dieter Beermann
(Decision-Making Body)

Title: Senior Civil Engineer

negdec/027

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Bryan Payne for Pino, Pinor and Young
Application: 88-0364
APN: 33-171-07, -08, & -09

NEGATIVE DECLARATION CONDITIONS

1. Meet all the recommendations of the geologic report prepared by Rogers Johnson dated December 22, 1988.

2. An earthen tone color additive shall be added to the concrete to make the wall blend in with the appearance of the surrounding coastal bluffs to the greatest extent possible.

3. The complete exterior of the top side and seaward side of the wall shall be treated with a "graffiti-guard" epoxy coating to facilitate the removal of graffiti or other unwanted painting.

4. All construction materials shall be completely removed from the beach and bluff after completion of wall construction. The applicant/owners shall post a $3,000. security bond, Time Certificate of Deposit or other security as approved by the Planning Department to ensure compliance with this condition.

5. No structures, signs, fences or other obstructions shall be erected upon the seawall, on the adjoining bluffs or seaward of the wall on the beach.

6. The applicant/owners shall obtain an approved Coastal Zone Permit from the California Coastal Commission for this project prior to the issuance of a Grading Permit and commencement of construction.