

MINUTE ITEM

This Calendar Item No. C12 was approved as Minute Item No. 12 by the California State Lands Commission by a vote of 3 to 0 at its 11/07/97 meeting.

CALENDAR ITEM

C12

A 35, 37

11/07/97

S 18, 19

PRC 5930.9

B. Dugal

AMENDMENT OF LEASE

LESSEE:

City of San Buenaventura
P. O. Box 99
Ventura, California 93002-0099

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in the Pacific Ocean, near Ventura Harbor, city and county of Ventura.

AUTHORIZED USE:

Operation and maintenance of a sewer treatment plant and a water renovation facility and the disposal of dredge material at an upland disposal site.

LEASE TERM:

49 years, beginning January 1, 1981.

CONSIDERATION:

The public use and benefit; with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interest.

PROPOSED AMENDMENT:

Amend the lease to allow for the deposition of material dredged from within Ventura Keys into the following areas:

- 1) The surf zone at the Pierpont Bay Groin Field Cell No. 1, and as shown on the attached Exhibit B.
- 2) The Santa Clara River Mouth Surf Zone, and as shown on the attached Exhibit C.
- 3) The Santa Clara River Near Shore Zone, and as shown on the attached Exhibit D.

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All other terms and conditions of the lease shall remain in effect without amendment.

OTHER PERTINENT INFORMATION:

1. Applicant has a right to use the uplands adjoining the lease premises.
2. The overall project consists of maintenance dredging, to design depths, up to 100,000 cubic yards of material per year from the Ventura Keys, a waterfront residential community adjacent to Ventura Harbor. The Ventura Keys area does not involve lands owned by California State Lands Commission (CSLC). The purpose of the project is to maintain channel configurations, and to restore and assure safe navigability within the Ventura Keys waterways. Deposition of the dredged material would occur in the surf zone at Cell 1 of the Pierpont Bay Groin Field and in the surf zone or near shore waters of the mouth of the Santa Clara River. No more than 350,000 cubic yards of material would be dredged over a ten-year period.
3. The CSLC issued a 49-year lease to the City for a sewer treatment plant and water renovation facility and for the disposal of dredge material at an upland disposal site. The City is now involved in another dredging project and needs additional State lands to dispose of the dredged material. Therefore, the City has requested that their current lease be amended to include these additional State lands.
4. A Mitigated Negative Declaration was prepared and adopted for this project by the city of San Buenaventura. The CSLC's staff has reviewed such document. A Mitigation Monitoring Program was adopted by the city of San Buenaventura.
5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 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 Department of Parks and Recreation

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FURTHER APPROVALS REQUIRED:

United States Army Corps of Engineers; California State Lands Commission; California Coastal Commission; California Regional Water Quality Control Board, Los Angeles Region.

EXHIBITS:

- A. Location Map
- B. Site Map - Pierpont Bay Groin Field Cell No. 1
- C. Site Map - Santa Clara River Mouth Surf Zone
- D. Site Map - Santa Clara River Near Shore Zone
- E. Mitigation Monitoring Plan

PERMIT STREAMLINING ACT DEADLINE:

April 12, 1998

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT A MITIGATED NEGATIVE DECLARATION AND A MITIGATION MONITORING PROGRAM WERE PREPARED AND ADOPTED FOR THIS PROJECT BY THE CITY OF SAN BUENAVENTURA AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

ADOPT THE MITIGATION MONITORING PROGRAM, AS CONTAINED IN EXHIBIT E, ATTACHED HERETO.

SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

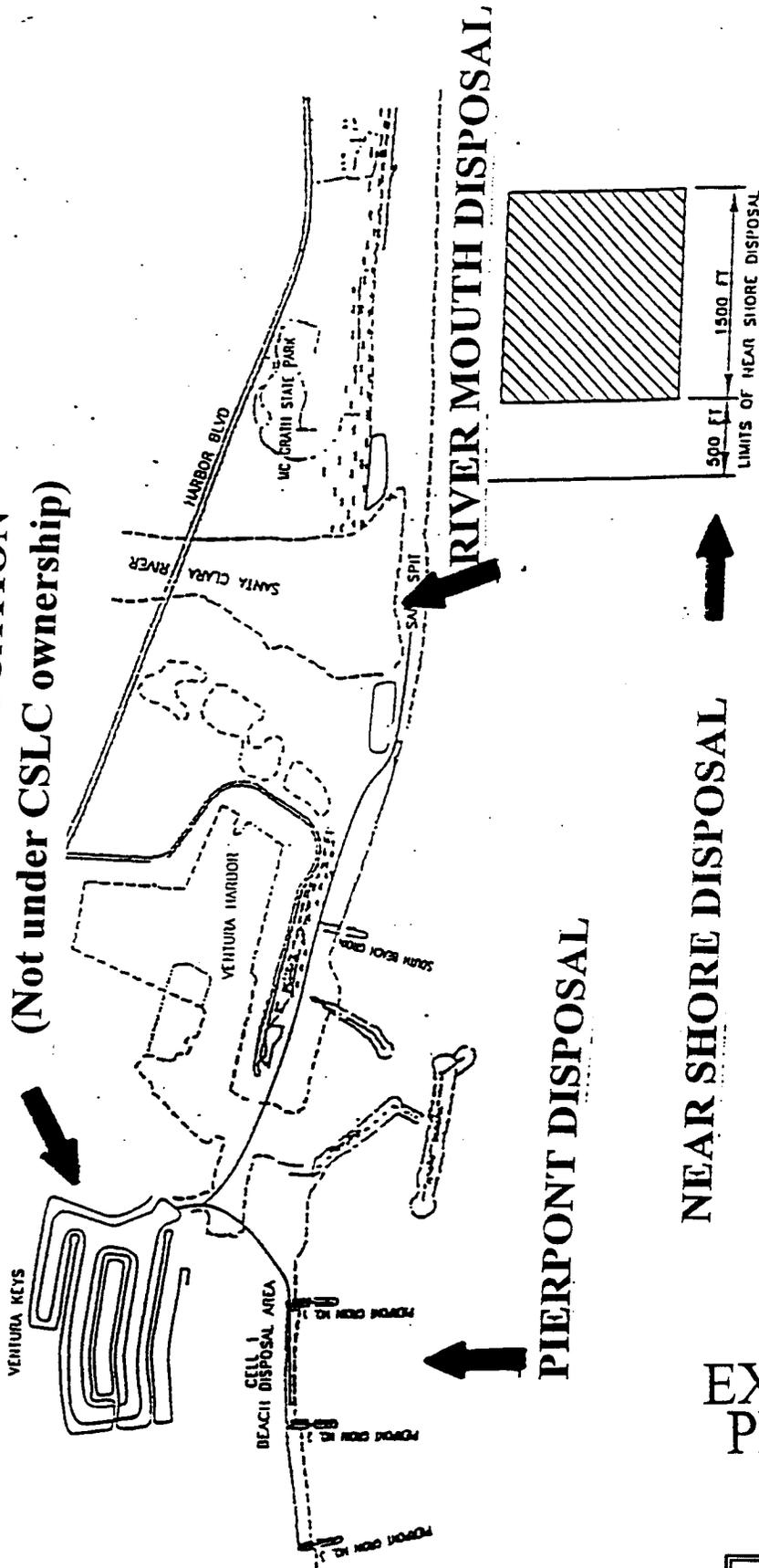
AUTHORIZE THE AMENDMENT OF LEASE NO. PRC 5930.9, A GENERAL LEASE - PUBLIC AGENCY USE, TO INCLUDE SOVEREIGN LANDS SHOWN ON EXHIBITS B, C, AND D ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF, EFFECTIVE DECEMBER 1, 1997, TO ALLOW FOR DEPOSITION OF MATERIAL DREDGED FROM

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VENTURA KEYS INTO THE SURF ZONE AT THE PIERPONT BAY GROIN
FIELD CELL NO. 1, THE SANTA CLARA RIVER MOUTH SURF ZONE, AND
THE SANTA CLARA RIVER NEAR SHORE ZONE FOR A PERIOD NOT TO
EXCEED 10 YEARS; ALL OTHER TERMS AND CONDITIONS OF THE
LEASE WILL REMAIN IN FULL FORCE AND EFFECT.

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**DREDGING LOCATION
(Not under CSLC ownership)**



NEAR SHORE DISPOSAL

PIERPONT DISPOSAL

RIVER MOUTH DISPOSAL

**EXHIBIT A
PRC 5930**

DISPOSAL SITES OF EXCAVATED MATERIAL
Ventura Keys
Ventura, California

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GROIN NO. 4

GROIN NO. 3

GROIN NO. 2

CELL 1

GROIN NO. 1

6"-16" DREDGE PIPE

PIERPONT BEACH DISPOSAL AREA

- MHW

- MLLW

- -5'

VENTURA HARBOR

TYPICAL SECTION
NOT TO SCALE

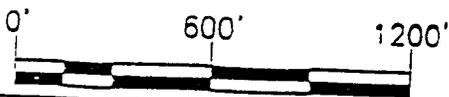


EXHIBIT B

Pierpont Bay Groin Field Cell No. 1



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Ventura, California

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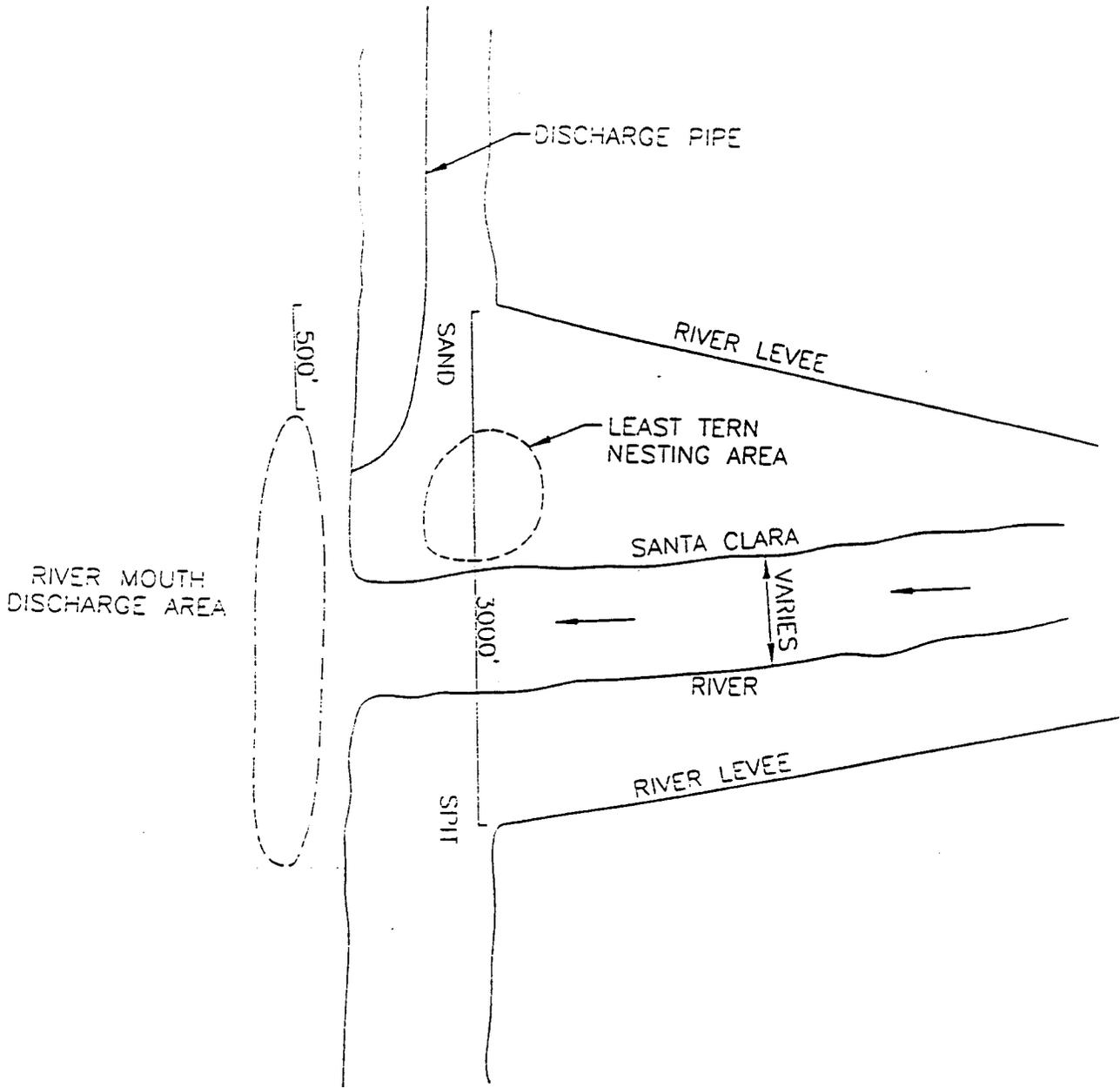


EXHIBIT C
 Santa Clara River Mouth Surf Zone

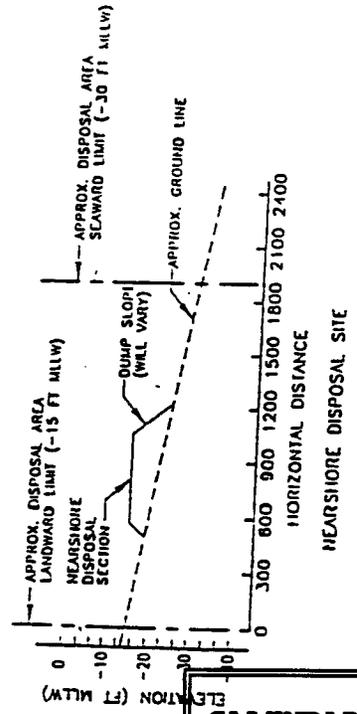
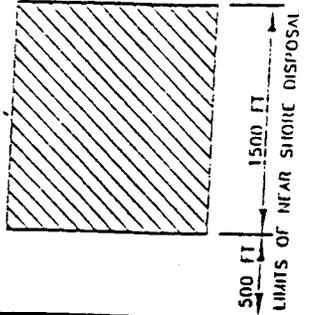
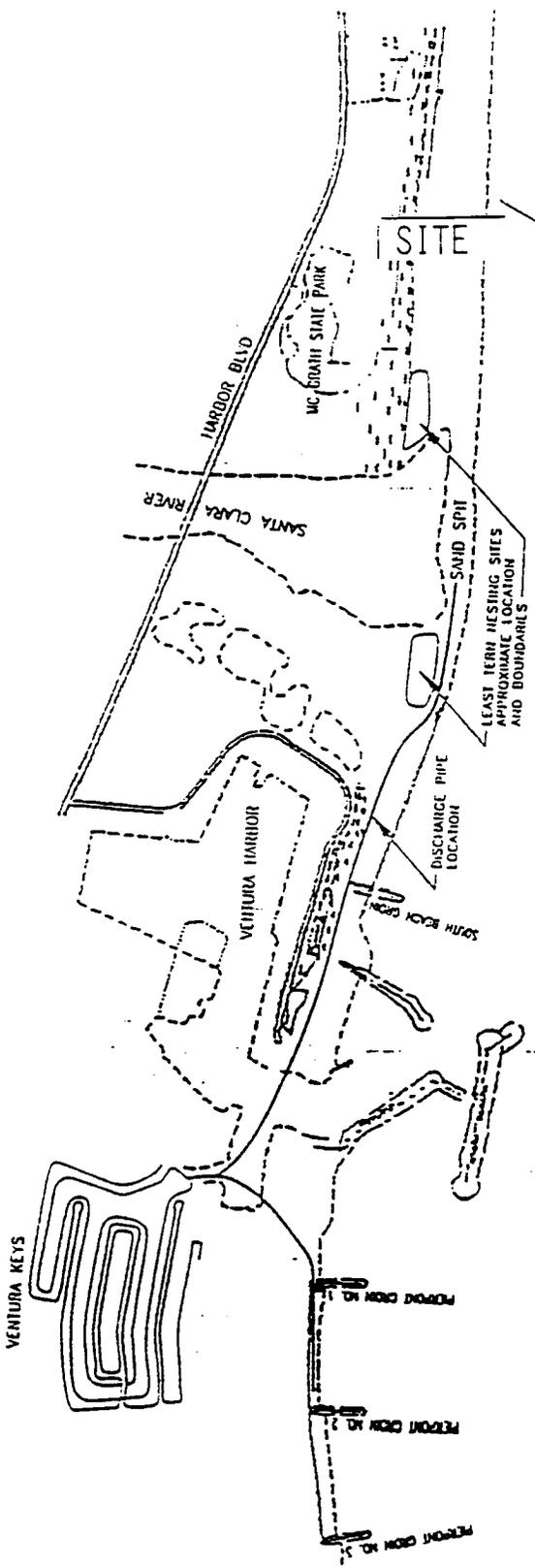
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EXHIBIT E

VIII. RECOMMENDED MITIGATION MEASURE AND RELATED REPORTING MONITORING PROGRAM:

The Mitigation Measure(s), including the Reporting/Monitoring Program, adopted for Case No. EIR-2202, filed by City of San Buenaventura, Engineering Division, with the City of San Buenaventura having lead agency status, shall be fully complied with. These measure(s) shall be included as conditions of required permit action, and compliance would result in potential impacts reduced to a level of less than significant and there would be no residual impacts from the proposed project.

1. MITIGATION MEASURE:

In order to mitigate potential significant impacts related to Water Resources, disposal of spoils in either the surf zone or near shore area at the mouth of the Santa Clara River shall not occur unless that water is flowing at 100 c.f.s or greater.

REPORTING/MONITORING PROGRAM:

Implementation Responsibility:	Applicant
Timing:	Ongoing
Monitoring Division:	Engineering Division
Funding:	Applicant
Standard for Success:	Water flows shall be determined prior to any disposal to assure it is at 100 c.f.s. or greater.

2. MITIGATION MEASURES:

In order to mitigate potential impacts related to water quality, periodic testing of the water shall occur during the dredge operation per standard sets forth by the Regional Water Quality Control Board. If quality drops below accepted standard, dredging shall stop until impact is eliminated

REPORTING/MONITORING PROGRAM:

Implementation Responsibility:	Applicant
Timing:	Ongoing
Monitoring Division:	Engineering Division
Funding:	Applicant
Standard for Success:	During dredge operations the water shall be tested to assure it meets the standards required by the Regional Water Quality Board. If quality drops below accepted standard, dredging shall stop until impact is eliminated.

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3. MITIGATION MEASURES:

In order to mitigate potential significant impacts related Water Resources, the contractor shall be required to implement the Best Management Practices as established by the National Discharge System Permit and/or as required by the Regional Water Quality Control Board, as appropriate to prohibit entry of pollutants to the storm water runoff.

REPORTING/MONITORING PROGRAM:

Implementation Responsibility:	Applicant
Timing:	Ongoing
Monitoring Division:	Engineering Division
Funding:	Applicant
Standard for Success:	The applicant shall apply for and obtain a permit from the Regional Water Quality Control Board and comply with conditions of the permit.

4. MITIGATION MEASURES:

In order to mitigate any potential impact to Biological Resources, dredging and surf zone disposal plans shall be designed to carry out the activity in compliance with requirements of all regulatory agencies. In addition, the dredging and disposal is to occur only between September 1 and March 31, to avoid times critical to California least tern nesting and grunion spawning.

REPORTING/MONITORING PROGRAM:

Implementation Responsibility:	Applicant
Timing:	Ongoing
Monitoring Division:	Engineering Division
Funding:	Applicant
Standard for Success:	Proof of permits and compliance with conditions from other regulatory agencies shall be provided to the City prior to commencement of the operation. Work shall be scheduled only during the allowed time period, and inspections shall take place during all activity to assure ongoing compliance.

5. MITIGATION MEASURES:

In order to mitigate potential noise impacts, adjacent property owner shall be notified prior to commence work, signs shall be posted in the project area, and all equipment shall have appropriate mufflers in good working conditions.

REPORTING/MONITORING PROGRAM:

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Implementation Responsibility:

Applicant

Timing:

Ongoing

Monitoring Division:

Engineering Division

Funding:

Applicant

Standard for Success:

Two weeks prior to commencing operation, written notification shall be given to adjacent residents advising of the work and time the equipment will be near there location, as well as indication the potential of some noise disturbance. Signs are to be posted in the areas throughout the operation advising of the dredging operation, and all equipment used for the operation shall be properly muffled.

c::word:Advance:dredge:mjt