**MINUTE ITEM**
This Calendar Item No. C22 was approved as Minute Item No. 22 by the California State Lands Commission by a vote of 3 to 0 at its 12-16-98 meeting.

# CALENDAR ITEM
# C22

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PRC 6620.9 12/16/98
WP 6620
B. Dugal

## AMENDMENT OF LEASE

**LESSEE:**

City of Santa Barbara
P. O. Box 1990
Santa Barbara, California 93102

**AREA, LAND TYPE, AND LOCATION:**

Granted sovereign lands with minerals reserved in Santa Barbara Harbor, city of Santa Barbara, Santa Barbara County.

**AUTHORIZED USE:**

Dredge a maximum of 638,500 cubic yards of material from Santa Barbara Harbor. The material is dredged from the following nine areas within the Harbor: Seawall and Marinas Two, Three, and Four, Sand Spit, Cabrillo Landing, Skiff Row, Mooring Area, Rock Groin, Marina One Fairway, Small Boat Sailing Area and Stearns Wharf.

The material is used for beach replenishment at the authorized primary, alternative, or emergency sites on lands granted to the city of Santa Barbara.

**LEASE TERM:**

Five years, beginning July 1, 1995.

**CONSIDERATION:**

No royalty will be charged as the project will result in a public benefit; however, $0.25 per cubic yard will be charged for any material used for private benefit or commercial sale purposes.

**PROPOSED AMENDMENT:**

Allow the City to dredge an additional maximum of 50,000 cubic yards of material per year from the Marina One and Four Expansion Areas. All other terms and conditions of the lease shall remain in effect without amendment.

**OTHER PERTINENT INFORMATION:**

1. Applicant is the Trustee of the legislatively granted sovereign lands.

2. The City is proposing to expand the existing marina facilities located on the legislatively granted sovereign lands in Santa Barbara Harbor. Marina One is proposed to be expanded to accommodate an additional 67 to 69 new slips and Marina Four is proposed to be expanded to accommodate seven new slips. The purpose of the Marina One and Four expansion project is to accommodate the increased demand for recreational and commercial fishing and boating opportunities in the Harbor.

3. As part of the Marina One and Four Expansion Project, the City is requesting an amendment to their existing five-year dredging lease to include the Marina One and Four Expansion Areas as dredging sites. The City proposes to dredge up to 50,000 cubic yards of material from these sites per year to maintain the new boat slips.

4. A Mitigated Negative Declaration was prepared and adopted for this project by the city of Santa Barbara. The California State Lands Commission's staff has reviewed such document. A Mitigation Monitoring Program was adopted by the city of Santa Barbara.

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 Coastal Commission and United States Army Corps of Engineers.

**FURTHER APPROVALS REQUIRED:**

California Regional Water Quality Control Board
California State Lands Commission

**EXHIBITS:**

A. Dredge Location/Site Map
B-1. Deposition Sites
B-2. Deposition Sites
C. Notice of Determination
D. Mitigation Monitoring Program

**PERMIT STREAMLINING ACT DEADLINE:**

March 29, 1999.

**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 SANTA BARBARA AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

**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 6620.9, A GENERAL LEASE - DREDGING USE, OF LANDS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF, EFFECTIVE OCTOBER 1, 1998, TO ADD THE MARINA ONE AND FOUR EXPANSION AREAS AND AUTHORIZE THE REMOVAL OF AN

ADDITIONAL MAXIMUM OF 50,000 CUBIC YARDS OF MATERIAL PER YEAR FROM THE MARINA ONE AND FOUR EXPANSION AREAS; ALL OTHER TERMS AND CONDITIONS OF THE LEASE WILL REMAIN IN EFFECT WITHOUT AMENDMENT.

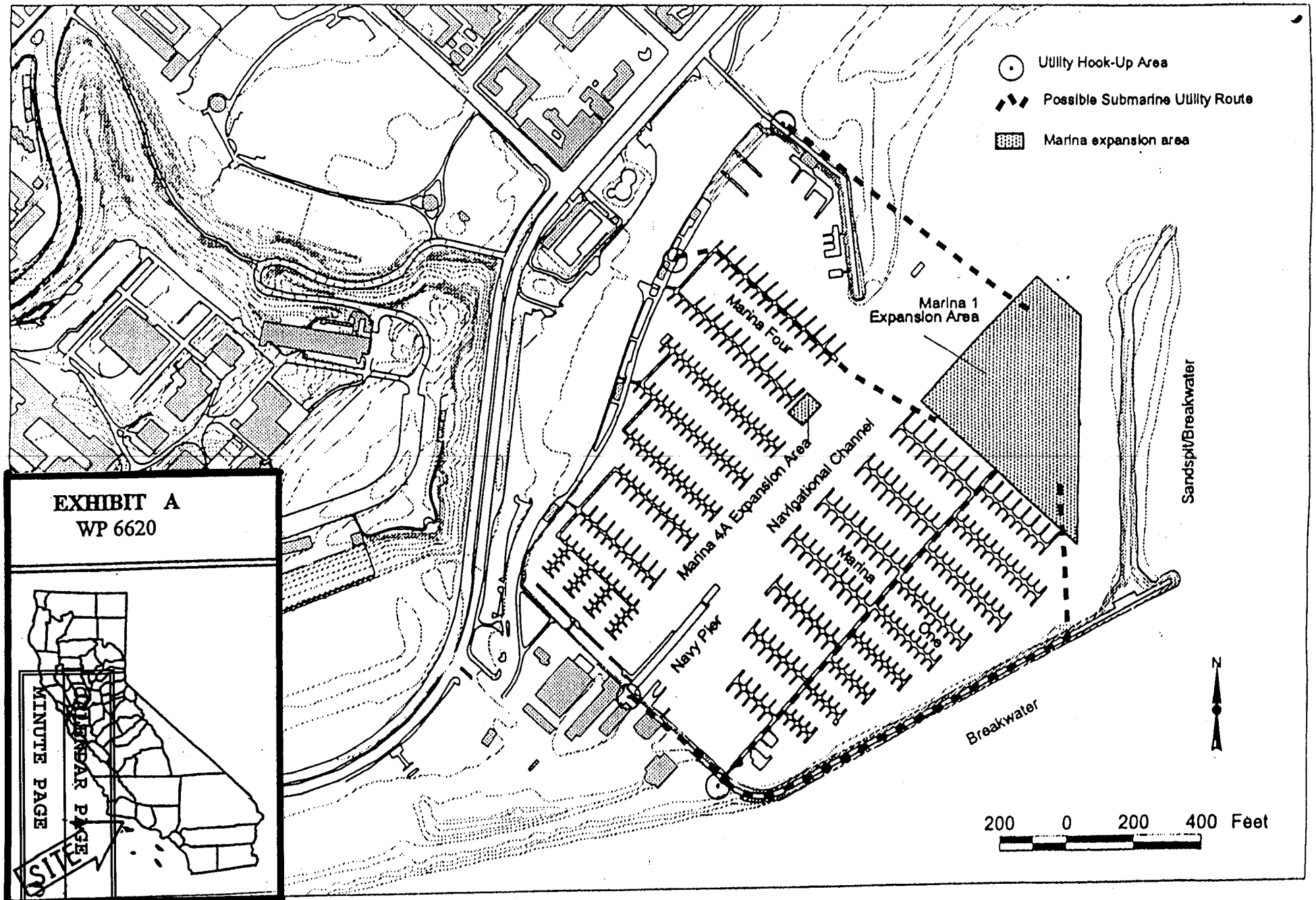


EXHIBIT A
WP 6620




Figure 1: Santa Barbara Harbor Marinas One and Four Expansion Site Map

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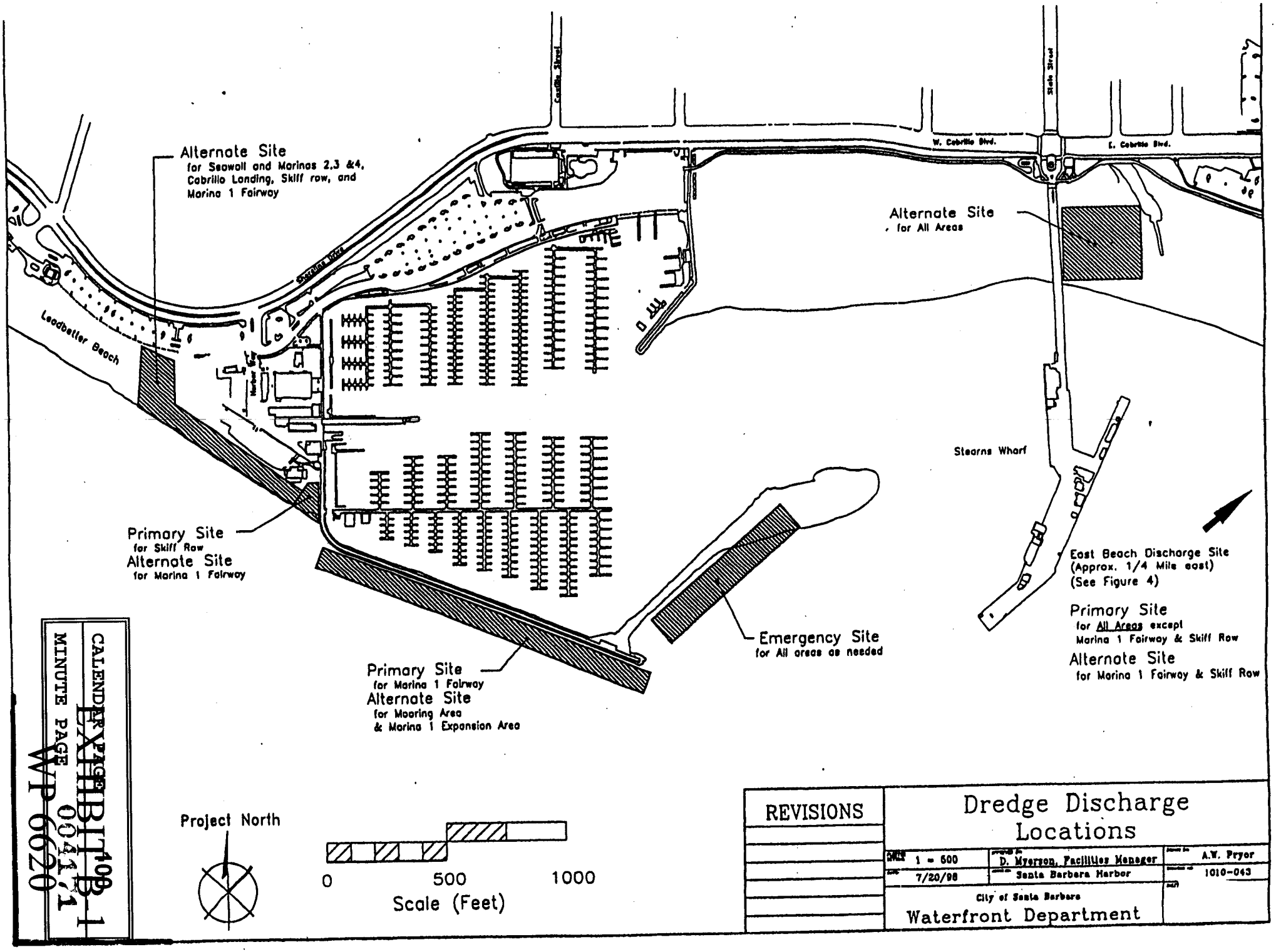


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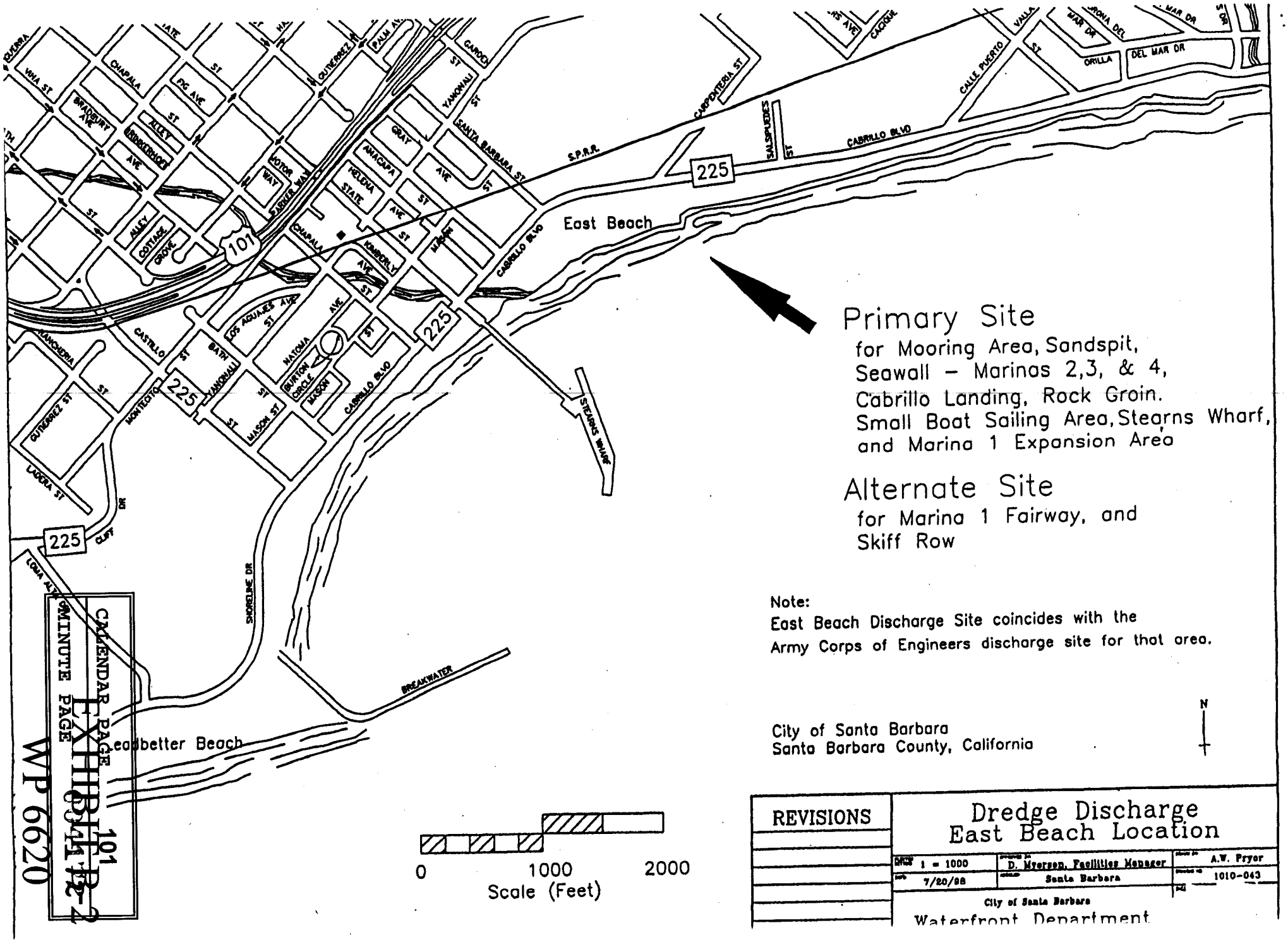


Primary Site
for Mooring Area, Sandspit, Seawall – Marinas 2,3, & 4, Cabrillo Landing, Rock Groin. Small Boat Sailing Area, Stearns Wharf, and Marina 1 Expansion Area

Alternate Site
for Marina 1 Fairway, and Skiff Row

Note:
East Beach Discharge Site coincides with the Army Corps of Engineers discharge site for that area.

City of Santa Barbara
Santa Barbara County, California

| REVISIONS | Dredge Discharge East Beach Location | | |
|---|---|---|---|
| | 1 = 1000 | D. Myerson, Facilities Manager | A.W. Pryor |
| | 7/20/98 | Santa Barbara | 1010-043 |
| | City of Santa Barbara Waterfront Department | | |

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MINUTE PAGE 004172
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# EXHIBIT C
# WP 6620
# City of Santa Barbara
## California

# Notice of Determination

To: X Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

X County Clerk of the Board
County of Santa Barbara

From: City of Santa Barbara
Planning Division
Post Office Box 1990
Santa Barbara, CA 93102-1990

**Subject:** **Filing of Notice of Determination in compliance with Section 21152 of the Public Resources Code.**

134 Marina Way (Marina 4) and 307 Shoreline Drive (Marina 1) - Marina Expansion Project
**Project Title**

| N/A | Bettie Hennon, Senior Planner | (805) 564-5470 |
|---|---|---|
| State Clearinghouse Number (If submitted to Clearinghouse) | Lead Agency Contact Person | Area Code/Telephone/Extension |

Santa Barbara Harbor - Marinas 1 & 4, City of Santa Barbara, County of Santa Barbara
**Project Location** (include county)

**Project Description:** The project is a proposal to expand existing marina facilities at the Santa Barbara Harbor. Marina One is proposed to be expanded to accommodate an additional 67 to 69 new slips. Construction will include the installation of 80 concrete piles, 15,900 square feet (sq.ft.) of floating dock, 67 to 69 utility boxes, and installation of new submarine utility lines. The area proposed for expansion of Marina One with 67 to 69 new slips is currently used for boat mooring and has been subject to dredging operations in the past. O finger of Marina One will be replaced. In addition, the proposed project includes the expansion of existing Marina Four to accommodate seven new slips. Construction for this portion of the project will include the installation of nine piles, 1,300 sq.ft. of floating dock, and seven utility boxes. The area proposed for expansion of Marina Four with seven new slips is adjacent to an end tie where several boats can be side tied several abreast.

This is to advise that the Council of the City of Santa Barbara (Lead Agency) made decisions relative to the above described project on May 26, 1998 and has made the following determinations regarding the above described project:

1. The project will not have a significant effect on the environment.
2. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. The Negative Declaration and record of project approval may be examined at the City of Santa Barbara Community Development Department, Planning Division located at 630 Garden Street, Santa Barbara.
3. Mitigation measures have been made part of the project.
4. A statement of Overriding Considerations was not adopted for this project.
5. Findings were made pursuant to the provisions of CEQA.

| Janice M. Hubbell | 5/26/98 | ACTING ENVIRONMENTAL ANALYST |
|---|---|---|
| Signature (Public Agency) | Date | Title |

Project No.: ENV96-0209
APN: 33-120-18
Zone: HC/PR/SD-3, Harbor Commercial/Park & Recreation/Coastal Overlay Zones

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WATERFRONT

EXHIBIT D
WP 6620

MARINAS ONE AND FOUR EXPANSION
MITIGATION MONITORING AND REPORTING PROGRAM MATRIX

| MITIGATION MEASURE | MONITORING REQUIREMENT | RESPONSIBLE ENTITY | MONITOR | ACTION BY MONITOR | TIMING/ FREQUENCY | COMPLIANCE CHECK | VERIF-ICATION |
|---|---|---|---|---|---|---|---|
| BIO-1 | Construction of marina facilities during the months of July and August shall be limited to those activities which do not require pile driving, towing, or the general use of heavy equipment which cause excessive noise, odors, or vibrations. | Applicant; Contractor | Planning Division; PEC | Ensure that mitigation measure is shown on building plans and that any construction occurring during the months of July and August does not involve the use of heavy equipment. | During building plan check and during July and August. | Planning Division and Building and Safety Inspector | |



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MARINAS ONE AND FOUR EXPANSION
MITIGATION MONITORING AND REPORTING PROGRAM MATRIX

| MITIGATION MEASURE | MONITORING REQUIREMENT | RESPONSIBLE ENTITY | MONITOR | ACTION BY MONITOR | TIMING/ FREQUENCY | COMPLIANCE CHECK | VERIF-ICATION |
|---|---|---|---|---|---|---|---|
| CR-1 | If utility routes and hook-up areas are chosen which cause ground disturbance in the vicinity of the foot of the rock groin or at the entrance to the gangway to Marina Four (as shown on site Plan, Exhibit 1), then the following shall be completed:<br><br>1. The Owner shall complete the following prior to the issuance of building permits:<br><br>Contract with a City-approved archaeologist for monitoring during all ground disturbing activities associated with the project, including, but not limited to, grading, excavation, trenching, vegetation or paving removal and ground clearance in the areas identified in the Phase I Archeological Resources Evaluation prepared for the Harbor Master Plan Improvements by Dames and Moore, dated | Applicant | Archeological Monitor; Environmental Analyst | Ensure contract is executed; that mitigation measure requirements are shown on building plans; that monitoring occurs; and, that a final monitoring report is submitted. | Prior to building permit issuance; during plan check; during construction; and prior to issuance of a Certificate of Occupancy. | Environmental Analyst; Planning Division; archaeological monitor. | |

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MARINAS ONE AND FOUR EXPANSION
MITIGATION MONITORING AND REPORTING PROGRAM MATRIX

| MITIGATION MEASURE | MONITORING REQUIREMENT | RESPONSIBLE ENTITY | MONITOR | ACTION BY MONITOR | TIMING/ FREQUENCY | COMPLIANCE CHECK | VERIF-ICATION |
|---|---|---|---|---|---|---|---|
| CR-1 (Cont.) | September 1991. The contract shall establish a schedule for monitoring and a report to the City Environmental Analyst on the findings of the monitoring. The contract shall be subject to the review and approval of the Environmental Anaylst.<br><br>2. The following information shall be specified on the construction plans submitted for building permits:<br><br>• Schedule for the City-approved archaeologist/s presence during grading and/or construction activities which disturb the area described above. | | | | | | |



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MARINAS ONE AND FOUR EXPANSION
MITIGATION MONITORING AND REPORTING PROGRAM MATRIX

| MITIGATION MEASURE | MONITORING REQUIREMENT | RESPONSIBLE ENTITY | MONITOR | ACTION BY MONITOR | TIMING/ FREQUENCY | COMPLIANCE CHECK | VERIF-ICATION |
|---|---|---|---|---|---|---|---|
| CR-1 (cont.) | • The archaeologist's monitoring shall include the following provisions. If cultural resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified. The archaeologist shall assess the nature, extent and significance of any discoveries and develop appropriate management recommendations for archaeological resource treatment, including but not limited to redirection of grading and/or excavation activities. If the findings are potentially significant, a Phase 3 recovery program shall be prepared and accepted by the Environmental Analyst and the Historic Landmarks Commission. That portion of the Phase 3 program which requires work on-site shall be completed prior to continuing construction in the affected area. If prehistoric or other | | | | | | |

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MARINAS ONE AND FOUR EXPANSION
MITIGATION MONITORING AND REPORTING PROGRAM MATRIX

| MITIGATION MEASURE | MONITORING REQUIREMENT | RESPONSIBLE ENTITY | MONITOR | ACTION BY MONITOR | TIMING/ FREQUENCY | COMPLIANCE CHECK | VERIF-ICATION |
|---|---|---|---|---|---|---|---|
| | Native American remains are encountered, a Native American representative shall be contacted and shall remain present during all further subsurface disturbance in the area of the find.<br><br>3. Prior to issuance of the Certificate of Occupancy (Final Inspection), the owner of the Real Property shall complete the following:<br><br>A final report on the results of the archaeo-logical monitoring shall be submitted to the Environmental Analyst within 180 days of completion of the moni-toring and prior to the issuance of the Certificate of Occupancy (Final Inspection), whichever is earlier. | | | | | | |

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MARINAS ONE AND FOUR EXPANSION
MITIGATION MONITORING AND REPORTING PROGRAM MATRIX

| MITIGATION MEASURE | MONITORING REQUIREMENT | RESPONSIBLE ENTITY | MONITOR | ACTION BY MONITOR | TIMING/ FREQUENCY | COMPLIANCE CHECK | VERIF-ICATION |
|---|---|---|---|---|---|---|---|
| CR-2 | If utility routes and hook-up area are chosen which do not cause ground disturbance to occur in archaeological sensitivity areas identified in the Phase I Archaeological Resources Evaluation prepared for the Harbor Master Plan, then the following shall be implemented:<br><br>1. The following information shall be specified on the construction plans submitted for building permits:<br><br>•If any archaeological artifacts, exotic rock (non-native) or unusual amounts of shell or bone are uncovered during any on-site grading, trenching or construction activities, all work must stop immediately in the area and a City-approved archaeologist retained to evaluate the deposit. The City of Santa Barbara Environmental Analyst must also be | Applicant; Contractor | Planning Division; PEC (during construction) | Ensure that mitigation measure is shown on building plans; PEC to monitor for compliance during construction. | Prior to issuance of building permit; during construction. | Planning Division; Building and Safety Inspector | |

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MARINAS ONE AND FOUR EXPANSION
MITIGATION MONITORING AND REPORTING PROGRAM MATRIX

| MITIGATION MEASURE | MONITORING REQUIREMENT | RESPONSIBLE ENTITY | MONITOR | ACTION BY MONITOR | TIMING/ FREQUENCY | COMPLIANCE CHECK | VERIF-ICATION |
|---|---|---|---|---|---|---|---|
| CR-2 (cont.) | immediately in the area and a City-approved archaeologist retained to evaluate the deposit. The City of Santa Barbara Environmental Analyst must also be contacted for review of the archaeological find(s).<br><br>If the discovery consists of potentially human remains, the Santa Barbara County Coroner and the California Native American Heritage Commission must also be contacted. Work in the area may only proceed after authorization is granted by the Environmental Analyst. | | | | | | |
| Recommended HAZ-1 | All construction related debris should be disposed of properly. Any construction related debris deposited in the Harbor should be promptly removed. | Contractor | PEC | Ensure construction debris is removed promptly. | During construction. | Building and Safety Division Inspector. | |



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MARINAS ONE AND FOUR EXPANSION
MITIGATION MONITORING AND REPORTING PROGRAM MATRIX

| MITIGATION MEASURE | MONITORING REQUIREMENT | RESPONSIBLE ENTITY | MONITOR | ACTION BY MONITOR | TIMING/ FREQUENCY | COMPLIANCE CHECK | VERIF-ICATION |
|---|---|---|---|---|---|---|---|
| **Recommended HAZ-2** | A new restroom facility consistent with the restroom design guidelines for marinas (California Department of Boating and Waterways, 1990) should be installed and maintained at the Marina One expansion project area. | Applicant | Planning Division; Building and Safety Inspector | Ensure provisions for new restroom are shown on building plans and new restroom is constructed. | Prior to building permit issuance; prior to issuance of a Certificate of Occupancy. | Planning Division; Building and Safety Inspector | |
| **Recommended HAZ-3** | If feasible, the Waterfront Department should install and maintain a new waste oil recycling facility in the vicinity of Marina One. Prior to submittal for a building permit, the Waterfront Department should provide the Environmental Analyst with evidence that such a waste oil recycling facility is either infeasible or include provisions for the installation of a waste oil recycling facility on the building plans submitted for review and approval. | Applicant | Environmental Analyst; Planning Division | Review feasibility study and if feasible ensure provisions for waste oil recycling facility are shown on building plans and constructed. | Prior to submittal for building permit and if feasible prior to issuance of a Certificate of Occupancy. | Environmental Analyst; Planning Division; and Building and Safety Inspector. | |

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MARINAS ONE AND FOUR EXPANSION
MITIGATION MONITORING AND REPORTING PROGRAM MATRIX

| MITIGATION MEASURE | MONITORING REQUIREMENT | RESPONSIBLE ENTITY | MONITOR | ACTION BY MONITOR | TIMING/ FREQUENCY | COMPLIANCE CHECK | VERIF-ICATION |
|---|---|---|---|---|---|---|---|
| **Recommended HAZ-4** | Prior to issuance of a building permit, the Waterfront Department should provide the Environmental Analyst with a long-range public education plan which includes annual reminders to boat owners/operators and the installation of a sign program within the marina area to notify users of the following minimum pollution prevention measures: waste oil recycling facilities locations; prohibition against discharges into the Harbor waters; the preferred use of non-biocidal hull paints, and; the hazardous material disposal program at UCSB. | Applicant | Environmental Analyst | Review and approve long-range public education plan. | Prior to issuance of building permit. | Planning Division. | |

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MARINAS ONE AND FOUR EXPANSION
MITIGATION MONITORING AND REPORTING PROGRAM MATRIX

| MITIGATION MEASURE | MONITORING REQUIREMENT | RESPONSIBLE ENTITY | MONITOR | ACTION BY MONITOR | TIMING/ FREQUENCY | COMPLIANCE CHECK | VERIF-ICATION |
|---|---|---|---|---|---|---|---|
| **Recommended HAZ-5** | The construction contract should contain a provision that all construction equipment should be maintained and maintenance verified prior to the commencement of construction and regularly (daily) checked by the contractor for leakage of materials toxic to marine life. In addition, the construction contract should contain a provision that spill containment and cleanup materials should be present at all times at the work site. | Applicant; contractor | Planning Division; PEC | Planning Division to review construction contract and PEC to ensure contractor's equipment is maintained and checked as specified in the contract. | Prior to release of construction contract for bid; prior to commencement of construction; and during construction. | Planning Division and Building and Safety Inspector. | |
| **Recommended WAT-1** | The Waterfront Department shall pursue all necessary permits for dredging of West Beach consistent with the goals of the Harbor Master Plan in connection with the Marina One and Four project and in a reasonable timeframe as feasible with a subsequent report to the Planning Commission. | Applicant | Planning Division | Schedule Planning Commission Discussion Item for Status Report on Dredging Permit. | Either prior to construction of Marina 1 & 4 Project; or as soon as there is new information regarding dredging permit. | Planning Division | |

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