

MINUTE ITEM
This Calendar Item No. C66 was approved as
Minute Item No. 66 by the California State Lands
Commission by a vote of 3 to 0 at its
6-22-00 meeting.

**CALENDAR ITEM
C66**

A 74
S 38

June 27, 2000
PRC 7938.9 WP 7938.9
J. Smith

AMENDMENT OF LEASE

LESSEE:

City of Solana Beach
635 South Highway 101
Solana Beach, California 92075-2215

AREA, LAND TYPE, AND LOCATION:

Tide and submerged lands in the Pacific Ocean, at Fletcher Cove and Tide Beach Park, Solana Beach, San Diego County.

AUTHORIZED USE:

Deposition of 44,000 cubic yards of sand onto the beach at Fletcher Cove.

LEASE TERM:

Two years, beginning September 1, 1997.

CONSIDERATION:

No rent shall be charged as the project is a public benefit.

PROPOSED AMENDMENT:

Extend the expiration date of Lease No. PRC 7938.9 to August 31, 2009. Authorized uses will include placement of 11,000 cubic yards of additional sand at Fletcher Cove and Tide Beach Park; repair of beach access stairway and construction of pier support platform; and a seacave/notch infill. All other terms and conditions of the lease shall remain in effect without amendment.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.
2. On February 12, 1997, the Commission authorized the issuance of a two-year General Lease - Public Agency Use (Lease No. PRC 7938.9) to the City of Solana Beach for the placement of 44,000 cubic yards of sand on the beach at Fletcher Cove. The sand was being made available by the

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North County Transit District in conjunction with the Lomas Santa Fe Drive Grade Separation Project. The City is now requesting that the Commission amend the lease to extend the term and authorize the placement of 11,000 cubic yards of additional sand from this same project. The City is also requesting that the Commission authorize two additional projects at Tide Beach Park: (1) the repair and reconstruction of a public access stairway and pier supported concrete platform to support a lifeguard tower. The lower portion of the stairway has been undermined by coastal erosion and is considered a hazard to public safety; and (2) a seacave/notch infill that threatens the public access stairway. The fill will be approximately 70 feet long, 18 feet high, and 17 feet deep and will consist of a colored and textured erodible concrete mixture designed to match the natural appearance of the surrounding bluffs and to erode at the same rate as the adjacent bluffs.

3. Sand Placement

On October 10, 1995, and as amended on November 12, 1996, the California Coastal Commission (CCC) granted Permit #6-94-207A Phase II for this project under its certified regulatory program. (Title 14, California Code of Regulations, section 15251(c)).

Staff has reviewed the document and determined that the conditions, as specified in Title 14, California Code of Regulations, section 15253(b), have been met for the Commission to use the environmental analysis document certified by the CCC as a Negative Declaration equivalent in order to comply with the requirements of the CEQA.

Access Stairway/Platform

On January 13, 1999, the CCC granted Permit #6-98-149 for this project under its certified regulatory program. (Title 14, California Code of Regulations, section 15251(c)).

Staff has reviewed the document and determined that the conditions, as specified in Title 14, California Code of Regulations, section 15253(b), have been met for the Commission to use the environmental analysis document certified by the CCC as a Negative Declaration equivalent in order to comply with the requirements of the CEQA.

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Seacave/Notch Infill

On January 12, 2000, the CCC granted Permit #6-99-95 for this project under its certified regulatory program (Title 14, California Code of Regulations, section 15251(c)).

Staff has reviewed the document and determined that the conditions, as specified in Title 14, California Code of Regulations, section 15253(b), have been met for the Commission to use the environmental analysis document certified by the CCC as a Negative Declaration equivalent in order to comply with the requirements of the CEQA.

APPROVALS OBTAINED:

U.S. Army Corps of Engineers; California Coastal Commission.

EXHIBITS:

- A. Location and Site Map
- B. Land Description

PERMIT STREAMLINING ACT DEADLINE:

November 8, 2000

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

SAND PLACEMENT

FIND THAT AN ENVIRONMENTAL ANALYSIS DOCUMENT, CALIFORNIA COASTAL COMMISSION (CCC) PERMIT #6-94-207A PHASE II, WAS ADOPTED FOR THE PROJECT BY THE CCC UNDER ITS CERTIFIED REGULATORY PROGRAM (TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15251(c)), AND THAT THE CALIFORNIA STATE LANDS COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION THEREIN AND CONCURS IN THE CCC'S DETERMINATION.

ACCESS STAIRWAY/PLATFORM

FIND THAT AN ENVIRONMENTAL ANALYSIS DOCUMENT, CALIFORNIA COASTAL COMMISSION (CCC) PERMIT #6-98-149, WAS ADOPTED FOR THE PROJECT BY THE CCC UNDER ITS CERTIFIED

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REGULATORY PROGRAM (TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15251(c)), AND THAT THE CALIFORNIA STATE LANDS COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION THEREIN AND CONCURS IN THE CCC'S DETERMINATION.

SEACAVE/NOTCH INFILL

FIND THAT AN ENVIRONMENTAL ANALYSIS DOCUMENT, CALIFORNIA COASTAL COMMISSION (CCC) PERMIT #6-99-95, WAS ADOPTED FOR THE PROJECT BY THE CCC UNDER ITS CERTIFIED REGULATORY PROGRAM (TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15251(c)), AND THAT THE CALIFORNIA STATE LANDS COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION THEREIN AND CONCURS IN THE CCC'S DETERMINATION.

SIGNIFICANT LANDS INVENTORY FINDING:

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

AUTHORIZATION:

AUTHORIZE THE AMENDMENT OF LEASE NO. PRC 7938.9, A GENERAL LEASE - PUBLIC AGENCY USE, OF LANDS DESCRIBED ON EXHIBIT B ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF, EFFECTIVE JUNE 1, 2000, TO EXTEND THE TERM OF THE LEASE TO AUGUST 31, 2009 TO PROVIDE FOR PLACEMENT OF AN ADDITIONAL 11,000 CUBIC YARDS OF; AUTHORIZE REPAIR OF BEACH ACCESS STAIRWAY AND CONSTRUCTION OF PIER SUPPORT PLATFORM; AND A SEACAVE/NOTCH INFILL; ALL OTHER TERMS AND CONDITIONS OF THE LEASE WILL REMAIN IN EFFECT WITHOUT AMENDMENT.

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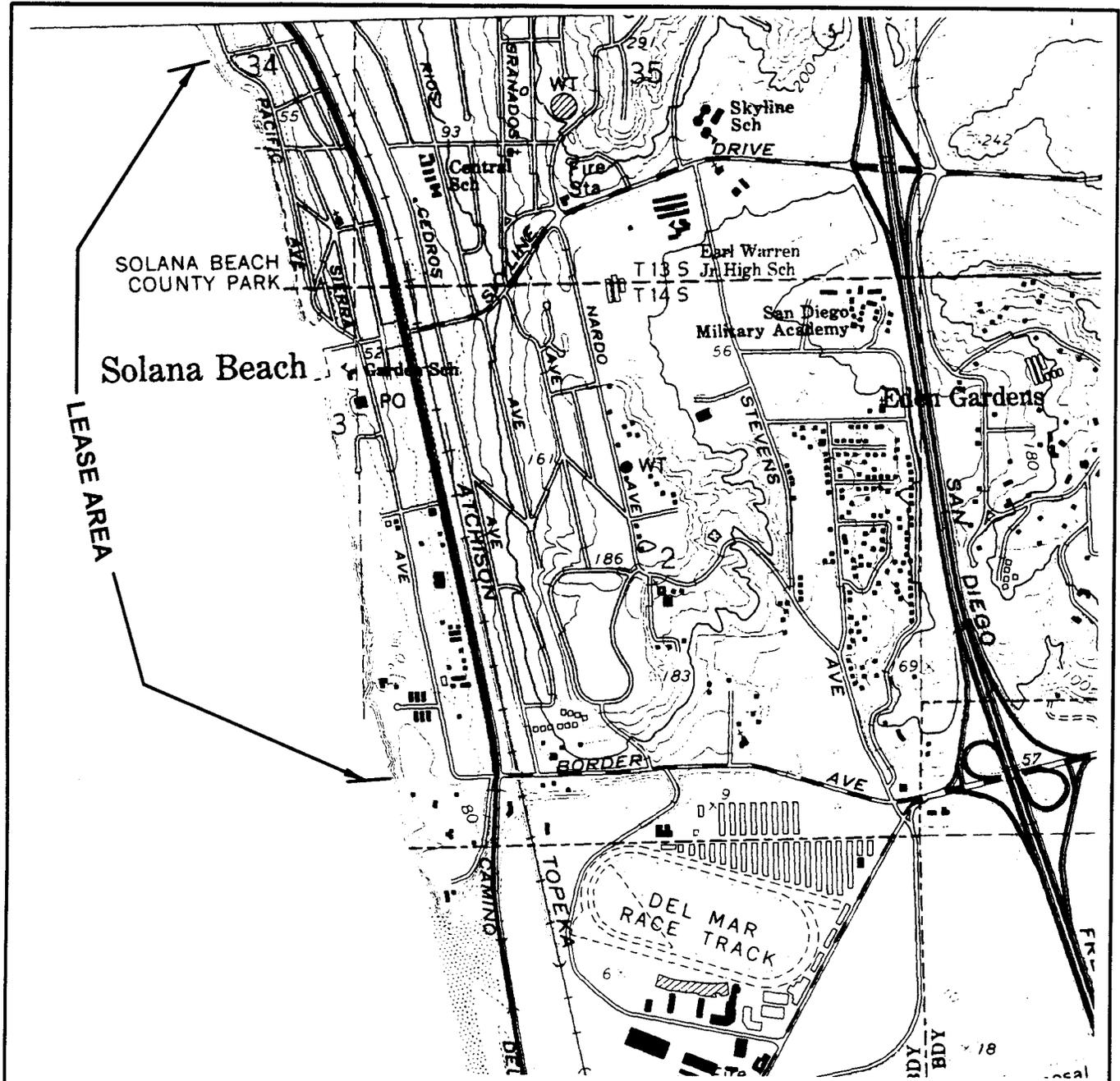


EXHIBIT A
 WP 7938
 CITY OF SOLANO BEACH
 SAN DIEGO COUNTY

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EXHIBIT B
LAND DESCRIPTION

A parcel of tide and submerged land 400 feet wide in the Pacific Ocean near Fletcher Cove Park in the City of Solana Beach, San Diego County, California, described as follows:

Bounded on the north by the westerly projection of Ocean Street; bounded on the east by the Ordinary High Water Mark of the Pacific Ocean; bounded on the south by the westerly projection of South Shore Drive; bounded on the west by a line measured 400 feet westerly of the Ordinary High Water Mark of the Pacific Ocean.

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

