MINUTE ITEM
This Calendar Item No. C91 was approved as Minute Item No. 91 by the California State Lands Commission by a vote of 3 to Ø at its 4-24-01 meeting.

CALENDAR ITEM
C91

A 74

S 38

04/24/01
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PRC 871 WP 871
K. Walker, D. Brown, A. Cueva

REQUEST DELEGATION OF AUTHORITY FOR EXECUTIVE OFFICER TO SOLICIT PROPOSALS, NEGOTIATE FAIR AND REASONABLE PRICE, AWARD AND EXECUTE AGREEMENT FOR PREPARATION OF ENVIRONMENTAL DOCUMENTATION REGARDING THE RESTORATION OF THE EXISTING TIDAL INLET STRUCTURE AT THE MOUTH OF THE LAGOON IN CARLSBAD, CALIFORNIA

PARTY:

California State Lands Commission
100 Howe Avenue, Siute 100 South
Sacramento, CA 95825-8202

BACKGROUND:

The Northern Inlet Jetty Restoration Project at Agua Hedionda Lagoon is being proposed by Cabrillo Power, LLC to address sedimentation/shoaling impacts within the outer portion of the Lagoon.

Since 1954, the management strategy at Agua Hedionda has consisted of frequent and regular maintenance dredging events to ensure adequate tidal flow for overall Lagoon health. Today, the Lagoon is a prominent community resource and asset. The Lagoon currently supports numerous land uses and activities including: Cabrillo Power's Encina Generating Station (Station); the Hubbs-Seaworld Research Institute; an aquaculture farming and research venture; a YMCA camp for children; commercial water sports entities; a residential boat harbor; private residences; and many other uses including, kayaking, fishing, water skiing, and boating.

Based on current data and future projections, the current frequency of dredging may be inadequate in consideration of potential increased Lagoon sedimentation associated with the SANDAG Regional Beach Sand Project, sand by passing requirements, and longer-term regional beach nourishment strategies. A supplemental long-term engineering approach is being proposed to reduce the frequency of maintenance dredging while maintaining the appropriate level of tidal circulation within the Lagoon.

PROPOSED ACTIVITY:

The proposed Project would restore the northern arm of the existing tidal inlet structure (consisting of two jetties) at the mouth of the Lagoon in Carlsbad, California. When initially constructed in 1954, both inlet jetties were longer. The Proposed Project would restore approximately 200 linear feet of the northern inlet jetty. The restored portion of the north jetty would match the original historical footprint of the north jetty and would be visually compatible with the existing south jetty, being constructed in the same manner and of similar materials. Project construction would occur over a period of approximately three months during the off-season winter months.

Consultant selection shall be conducted consistent with procedures as specified in CSLC Regulations and in the State Contracting Manual on the basis of demonstrated competence and qualifications for the types of services to be performed and at a fair and reasonable price. All costs shall be recovered from project applicant.

STATUTORY AND OTHER REFERENCES:

A. Public Resources Code Section 6106 (Delegation to execute written instruments)
B. State Contracts Manual Section 11.00 (A & E method)
C. Public Contract Code Section 6106
D. Government Code Section 4526
E. California Administrative Code Title 2 Article 13 Section 2980.0 - 2990.0

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THESE ACTIVITIES ARE EXEMPT FROM THE REQUIREMENTS OF CEQA PURSUANT TO 14 CAL CODE REGS. 15061 BECAUSE THESE ACTIVITIES ARE NOT PROJECTS AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND 14 CAL CODE REGS. 15378.

2. FIND THAT SELECTION OF CONSULTANT UNDER THIS PROCESS DOES NOT AFFECT SMALL BUSINESSES AS DEFINED IN GOVERNMENT CODE SECTION 11342, SUB. (H), BECAUSE THEY WILL BE ACCORDED EQUAL OPPORTUNITY TO SUBMIT STATEMENTS OF QUALIFICATIONS AND PERFORMANCE DATA.

3. AUTHORIZE THE EXECUTIVE OFFICER OR HIS DESIGNEE TO SOLICIT PROPOSALS, NEGOTIATE FAIR AND REASONABLE PRICE, AWARD AND EXECUTE CONTRACT IN ACCORDANCE WITH STATE POLICIES AND PROCEDURES.