MINUTE ITEM
This Calendar Item No. C34 was approved as Minute Item No. 34 by the California State Lands Commission by a vote of 3 to 0 at its 6-18-02 meeting.

CALENDAR ITEM
C34

A 74

S 35

PRC 8408

06/18/02
W 25851
J. Smith

GENERAL LEASE - PUBLIC AGENCY USE

LESSEE:
City of Del Mar
1050 Camino Del Mar
Del Mar, California 92014

AREA, LAND TYPE, AND LOCATION:
Sovereign lands adjacent to the San Dieguito River, Del Mar, San Diego County.

AUTHORIZED USE:
Construction and maintenance of a pedestrian trail and landscaping improvements.

LEASE TERM:
Five years, beginning July 1, 2002.

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.

SPECIFIC LEASE PROVISIONS:
Insurance:
Liability insurance with coverage of no less than $1,000,000.

OTHER PERTINENT INFORMATION:

1. Applicant owns and has a right to use the uplands adjoining the lease premises.

2. The Applicant proposes to construct a pedestrian trail and landscaping improvements for passive public use along the south side of the San Dieguito River. The trail consists of a five-foot wide ADA accessible decomposed granite path, two ADA accessible viewing areas, and an

ADA accessible picnic table. Landscaping improvements would consist of both native and naturalized species compatible with coastal lagoon wetland and upland coastal sage scrub habitats. The City's project is consistent with the proposed San Dieguito Wetland Restoration Project.

A portion of the trail will be located on sovereign lands. It is the intent of Commission staff and the City to formally resolve title interests through a title settlement agreement. Commission staff has recently completed a survey of this area to delineate the extent of the state's sovereign interests. The Applicant would like to begin construction of the project as soon as possible. As it will not be possible to prepare and finalize the title settlement agreement prior to the anticipated date for construction, Commission staff is recommending the issuance of a short-term lease to facilitate construction of the project. The lease will terminate upon the recordation of the approved title settlement agreement.

3. A Mitigated Negative Declaration was prepared and adopted for this project by the city of Del Mar. The Commission's staff has reviewed such document. A Mitigation Monitoring Program was adopted by the city of Del Mar.

4. 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, in consistent with its use classification.

APPROVALS OBTAINED:

City of Del Mar; California Coastal Commission.

EXHIBIT:

A. Location and Site Map
B. Mitigation Monitoring Program

PERMIT STREAMLINING ACT DEADLINE:

December 11, 2002

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 DEL MAR AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

ADOPT THE MITIGATION MONITORING PROGRAM, ATTACHED AS EXHIBIT B.

SIGNIFICANT LANDS INVENTORY FINDING:

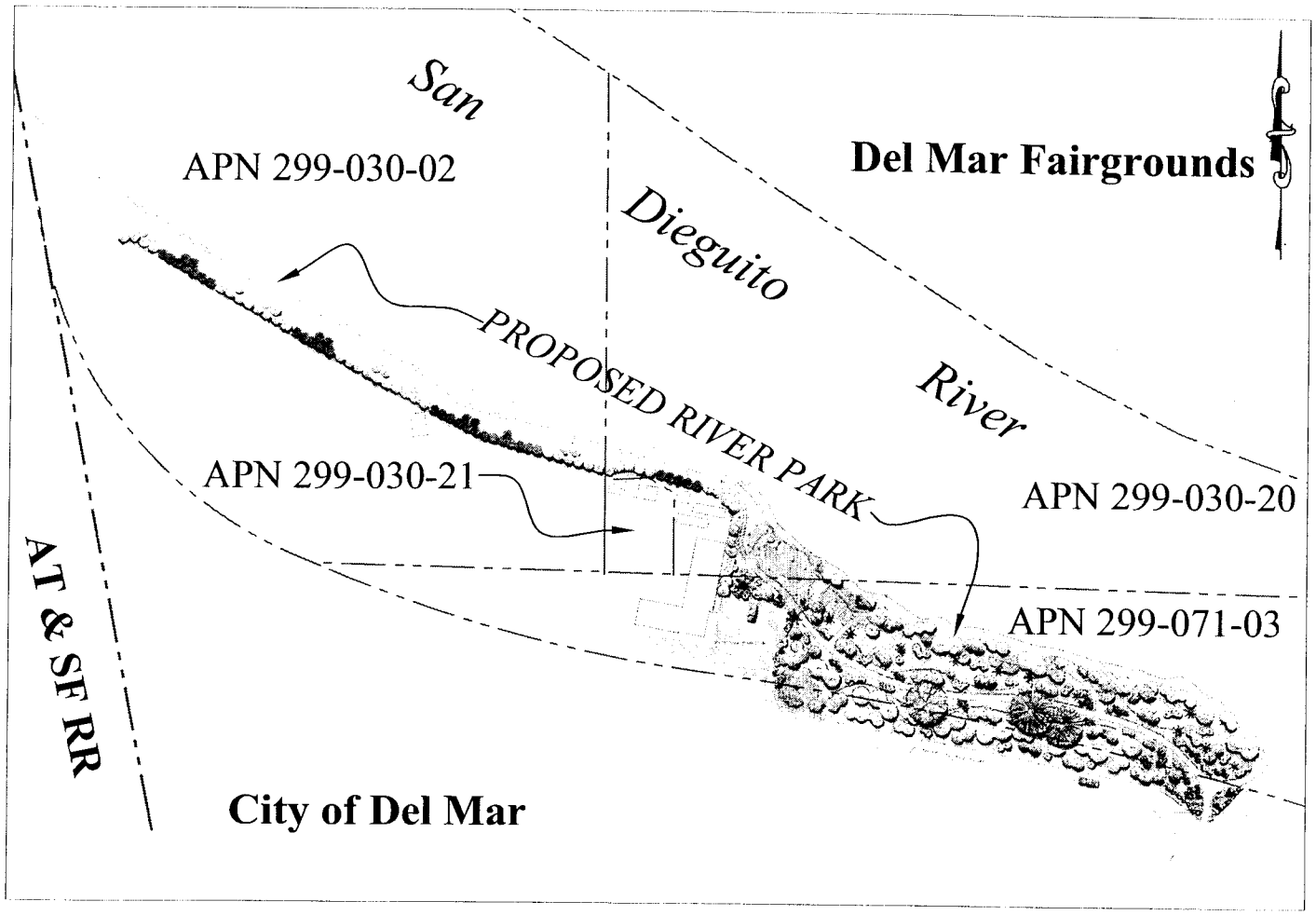
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO CITY OF DEL MAR OF A GENERAL LEASE - PUBLIC AGENCY USE, BEGINNING JULY 1, 2002, FOR A TERM OF FIVE YEARS, FOR CONSTRUCTION AND MAINTENANCE OF A PEDESTRIAN TRAIL AND LANDSCAPING IMPROVEMENTS ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; 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; LIABILITY INSURANCE WITH COVERAGE OF NO LESS THAN $1,000,000.

NO SCALE

SITE MAP



PROPOSED RIVER PARK, CITY OF DEL MAR

NO SCALE

LOCATION MAP

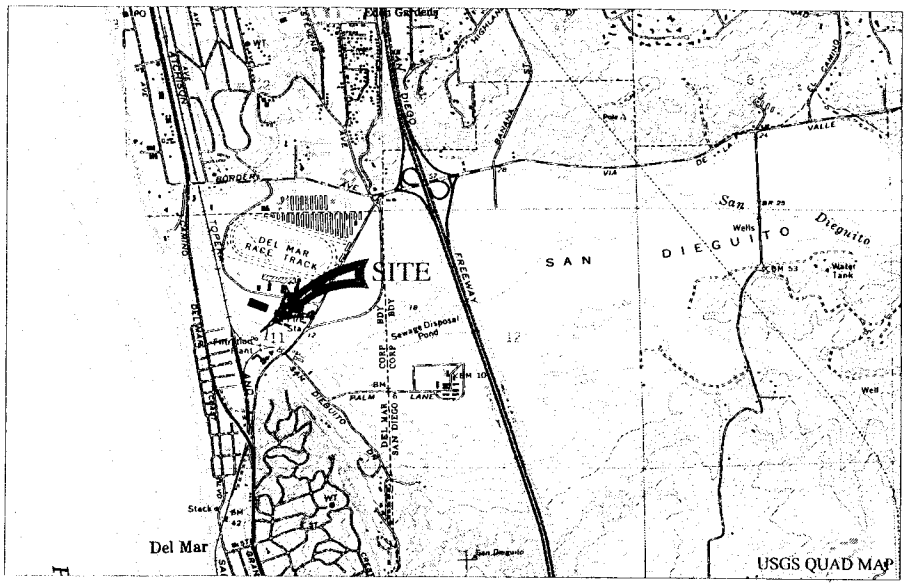


Exhibit A
W 25851
APN 299-030-02,20,21
and APN 299-071-03
City of Del Mar
SAN DIEGO COUNTY

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any state interest in the subject or any other property.

CALENDAR PAGE 00229

MINUTE PAGE 001236

SCL 05/02

Mitigation Monitoring and Reporting Program

The following mitigation measures shall be completed and incorporated into final plans and construction documents as appropriate to the satisfaction of the Planning Director and City Engineer.

The final landscape plan shall be revised to: (1) not extend to the north of the top of the existing berm along the San Dieguito River; (2)include a note that any hand clearing of exotic vegetation on the river side of the berm shall only be done under the direction of a qualified biologist: and (3) not include the invasive coastal statice (*Limonium perezii*).

Orange safety fencing and silt curtains shall be installed at the top of the bank along the San Dieguito River channel during implementation of the landscape plan to prevent sediment from entering river wetland habitat.

Prior to any ground disturbance a monitoring and maintenance program shall be approved which ensures that the landscape plan is implemented in accordance with final plans and construction drawings and is successful over the long-term.