

This Calendar Item No. C27 was approved as Minute Item No. 27 by the California State Lands Commission by a vote of 2 to 0 at its 06/07/04 meeting.

CALENDAR ITEM

C27

A 35

06/07/04

S 18

G15-01.3

J. Lucchesi

CONSIDERATION OF APPROVAL OF AN AMENDMENT TO A PRIOR APPROVAL OF EXPENDITURE OF TIDELANDS TRUST FUNDS BY THE CITY OF SANTA BARBARA FOR THE SANTA BARBARA BREAKWATER CAP REPAIR PROJECT ON LEGISLATIVELY GRANTED TIDELANDS, IN THE CITY OF SANTA BARBARA, SANTA BARBARA COUNTY PURSUANT TO CHAPTER 193, STATUTES OF 1975

GRANTEE:

City of Santa Barbara
Waterfront Department
P. O. Box 1990
Santa Barbara, CA 93102-1990

BACKGROUND:

On August 19, 2003, the California State Lands Commission (Commission) approved the expenditure of approximately \$438,000 in tidelands trust funds by the city of Santa Barbara for the maintenance and repair project at the Santa Barbara Breakwater (Exhibit A).

The originally proposed project is the first phase of a ten-year plan to repair the Breakwater. The phases are scheduled to take place every other year: in Year 1 replacing 16 sections of the Breakwater cap and grouting; Year 3 replacing 16 sections of the Breakwater cap; Year 5 replacing 16 sections of the Breakwater cap; Year 7 replacing 15 sections of the Breakwater cap; and Year 9 replacing the entire walkway surface.

Since the Commission's original approval, changes have been made to the scope of work, resulting in an increase in project costs. The original scope of work included demolition and replacement of 384 lineal feet of concrete wall segment, which includes 2 feet of wall "toe" that extends onto the walkway. The design engineer determined that structurally, the wall "toe" should be 5 feet wide, rather than the original 2 feet wide. The design engineer, with City concurrence, feels that the section of concrete sidewalk should be replaced in its entirety with each corresponding concrete wall segment. In addition, while the original scope of work included replacing 16 sections of the Breakwater Cap, as stated above,

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the revised scope of work includes replacing approximately 20 sections of both the Breakwater Cap and the pedestrian sidewalk.

Pursuant to Chapter 193, Statutes of 1975, Section 6, the City is now seeking Commission authorization to amend the prior approval of expenditure to spend an additional \$125,000 on the Santa Barbara Cap Repair project. The Commission has the authority to review the proposed expenditure of tidelands trust fund pursuant to Chapter 193, Statutes of 1975, section 6, which requires Commission review of capital expenditures of trust funds by the city of Santa Barbara in excess of \$250,000.

Commission staff has reviewed the proposed project and the City's financial status and believes the proposed project is consistent with the public trust and statutory trust under which these lands are held, and recommends that the Commission consent to the proposed expenditure.

OTHER PERTINENT INFORMATION:

1. On May 20, 2003, the United States Army Corps of Engineers issued a Certification of Compliance with Department of the Army Permit for the Project (#200-00798-MWV). On May 28, 2003, the California Coastal Commission issued a Waiver of Coastal Development Permit Requirement for the project (Waiver #4-03-030). The city of Santa Barbara, the CEQA lead agency, filed a Notice of Exemption dated June 9, 2003, that states that the project is exempt from the requirements of the CEQA pursuant to State CEQA Guidelines sections 15301(d), repair of damaged structures, and 15302(c), reconstruction of existing structures. Staff concurs in the City's determination.
2. In taking action on this staff recommendation, the Commission is acting pursuant to its authority pursuant to Chapter 193, Statutes of 1975.

EXHIBIT:

- A. Location and Site Map

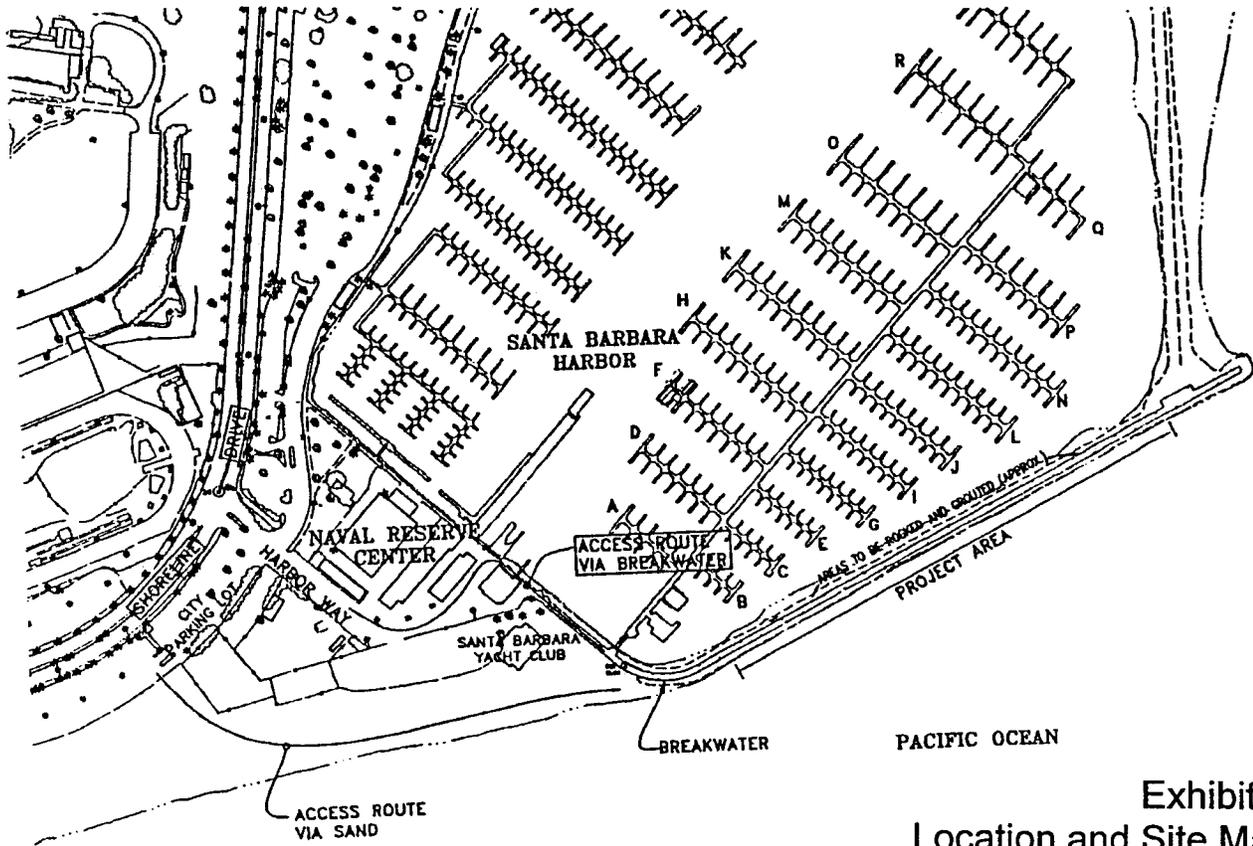
IT IS RECOMMENDED THAT THE COMMISSION:

1. CONCUR WITH THE CITY OF SANTA BARBARA'S DETERMINATION THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT SECTION 15301(d) AND SECTION 15302(c) OF THE STATE CEQA GUIDELINES.

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2. FIND THAT THE CITY OF SANTA BARBARA HAS SUFFICIENT TIDELANDS TRUST FUNDS FOR THE PROJECT PROPOSED.
3. FIND THAT THE BREAKWATER CAP REPAIR PROJECT, AS AMENDED, WILL ENHANCE PUBLIC ACCESS, IS CONSISTENT WITH THE PUBLIC'S TRUST NEEDS IN THE HARBOR AND IS IN THE BEST INTERESTS OF THE PEOPLE OF THE STATE.
4. APPROVE THE AMENDMENT, WHICH CONSISTS OF AN ADDITIONAL EXPENDITURE AMOUNTING TO \$125,000, FROM THE WATERFRONT DEPARTMENT'S CAPITAL RESERVE FUND, TO THE PRIOR APPROVAL OF EXPENDITURE OF TIDELANDS TRUST FUNDS, BY THE CITY OF SANTA BARBARA FOR THE BREAKWATER CAP REPAIR PROJECT ON LEGISLATIVELY GRANTED TIDELANDS, IN THE CITY OF SANTA BARBARA, SANTA BARBARA COUNTY, PURSUANT TO CHAPTER 193, STATUTES OF 1975.

NO SCALE



**Exhibit A
Location and Site Map**

LOCATION AND SITE MAP
G15-01.3
Santa Barbara Breakwater Cap Repair
and Grouting Project
Santa Barbara Harbor
City of Santa Barbara
County of Santa Barbara



This Exhibit is solely for purpose of generally defining the lease premise, is based on unverified information provided by 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. J.L. 8/18/03