

**CALENDAR ITEM
C41**

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01/26/12
WP 7034.9
D. Simpkin

GENERAL LEASE – PUBLIC AGENCY USE

APPLICANT:

California Department of Transportation

AREA, LAND TYPE, AND LOCATION:

Sovereign land at Waddell Bluffs, on State Highway 1, near the city of Santa Cruz, Santa Cruz County.

AUTHORIZED USE:

Continued disposal of talus slide material adjacent to State Highway 1 from post mile 36.5 to 37.3.

LEASE TERM:

25 years, beginning January 1, 2012.

CONSIDERATION:

The public health and safety 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.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.
2. On January 22, 1987, the Commission authorized the issuance of a General Permit – Public Agency Use, Lease No. PRC 7034.9, to the California Department of Transportation (Caltrans), for a 25-year term, effective January 1, 1987. The lease expired December 31, 2011. Caltrans is now applying for a new General Lease – Public Agency Use.
3. The Waddell Bluffs is an area in Santa Cruz County on State Highway 1 where talus (mudstone scree) material continually falls onto the Highway from the approximately 300-foot high adjacent cliff face. Caltrans annually disposes of the material on the beach adjacent to the Bluffs from October 15 through December 31. The deposits are reached by wave action

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during storm events and high tide. The annual placement of materials is believed to mimic the natural annual erosional/depositional cycle at this location and appears to contribute to beach replenishment at Waddell Beach.

4. On October 12, 2000, the California Coastal Commission (CCC) granted Permit CDP 3-00-125 for this project under its certified regulatory program (Cal. Code Regs., tit. 14, § 15251, subd. (c)). The CCC has amended the Permit seven times since issuance, most recently on September 16, 2010.

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

5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. 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
Monterey Bay National Marine Sanctuary
U.S. Army Corps of Engineers
Regional Water Quality Control Board – Central Coast Region

EXHIBITS:

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

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that an environmental analysis document, California Coastal Commission (CCC) permit CDP 3-00-125, was adopted for this Project by the CCC under its certified program (Cal. Code Regs., § 15251, subd. (c)), and that the California State Lands Commission has reviewed and considered the information therein and in subsequent amendments and concurs with CCC's determination.

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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 section 6370 et seq.

AUTHORIZATION:

Authorize issuance of a General Lease – Public Agency Use to the California Department of Transportation, beginning January 1, 2012, for a term of 25 years, for the continued disposal of talus slide material adjacent to State Highway 1 from post mile 36.5 to 37.3 as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; consideration is the public health and safety; 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.

EXHIBIT A

PRC 7034.9

LAND DESCRIPTION

A 25 foot wide strip of tide and submerged land lying in the Pacific Ocean, adjacent to fractional Section 34, Township 9 South, Range 4 West, M.D.B. & M., according to official government township plat approved May 14, 1868, County of Santa Cruz, State of California, the northeasterly side of which is described as follows:

BEGINNING at a point on the Ordinary High Water Mark of the Pacific Ocean, said point lying southwesterly of California Department of Transportation Post Mile 36.5, of State Highway 1, as measured at right angles from said State Highway; thence northwesterly along said Ordinary High Water Mark to a point lying southwesterly of California Department of Transportation Post Mile 37.3, of State Highway 1, as measured at right angles from said State Highway, and being the terminus of said strip.

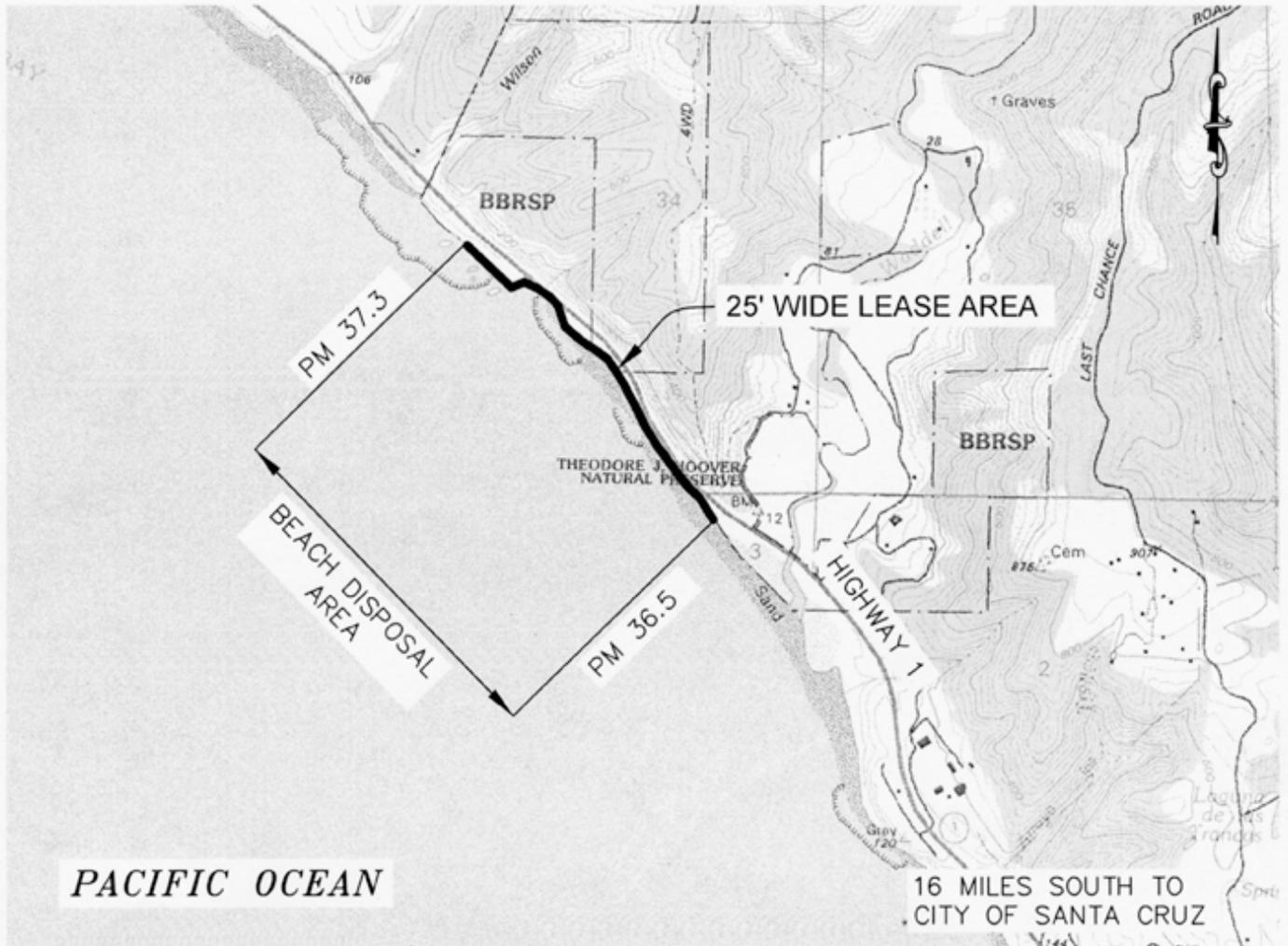
END OF DESCRIPTION

Prepared 11/22/2011 by the California State Lands Commission Boundary Unit.



NO SCALE

SITE



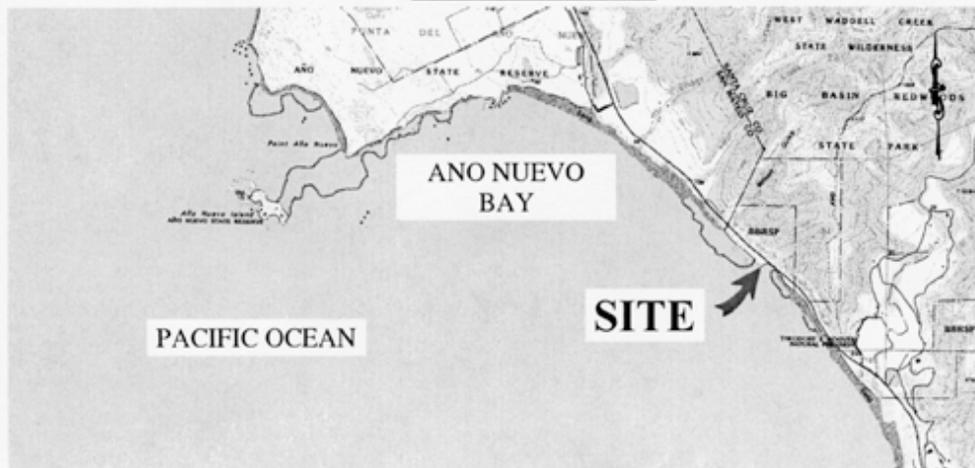
PACIFIC OCEAN

16 MILES SOUTH TO CITY OF SANTA CRUZ

STATE HIGHWAY 1, NORTH OF SANTA CRUZ

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

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.

Exhibit B

PRC 7034.9
CALIFORNIA DEPARTMENT
OF TRANSPORTATION
GENERAL LEASE -
PUBLIC AGENCY USE
SANTA CRUZ COUNTY



DJF 11/22/11