

Staff Report 33

LESSEE:

County of Santa Barbara

PROPOSED ACTION:

Revision of Rent.

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the Pacific Ocean, located southwest of Sand Point Road, near Carpinteria, Santa Barbara County (as shown in Figure 1).

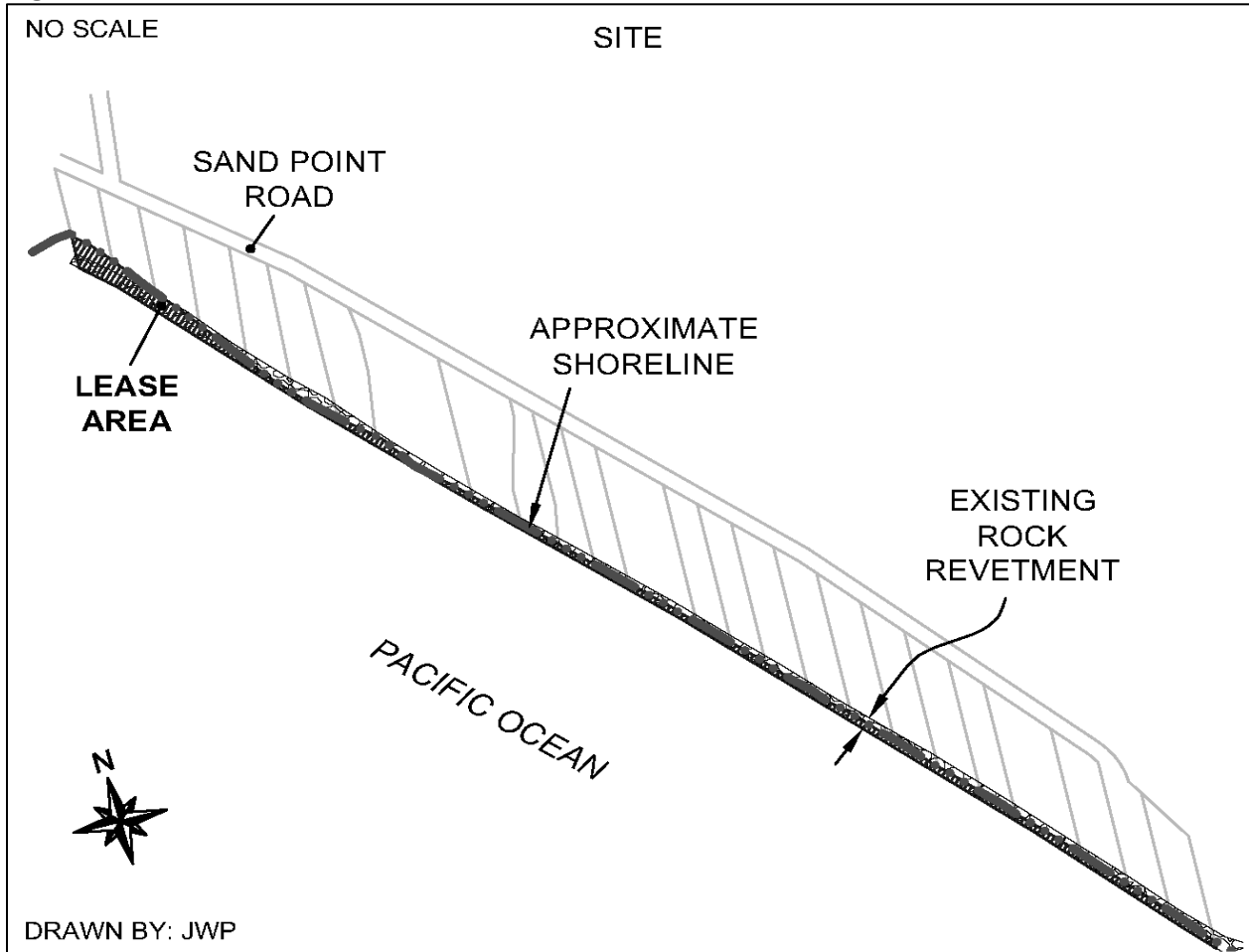
Figure 1. Location



AUTHORIZED USE:

Continued use and maintenance of a rock revetment (as shown in Figure 2).

Figure 2. Site Map



NOTE: This depiction of the lease premises is based on unverified information provided by the Applicant or other parties and is not a waiver or limitation of any State interest in the subject or any other property.

TERM:

10 years, beginning December 11, 2018.

CONSIDERATION:

The lease provides that Lessor may modify the rent periodically during the lease term. Pursuant to this provision, staff has conducted a review of the rent under this lease and recommends that the rent be revised from \$125 per year to \$140 per year, to reflect the current minimum rental rate, effective December 11, 2023.

OTHER PERTINENT INFORMATION:

1. Approval or denial of the revision of rent is a discretionary action by the Commission. Each time the Commission approves or rejects a revision of rent, it exercises legislatively delegated authority and responsibility as trustee of the State's Public Lands as authorized by law. The Lessee has no right to a new lease or to renewal of any previous lease.
2. On December 3, 2018, the Commission authorized a 10-year General Lease – Public Agency Use ([Item C54, December 3, 2018; the staff recommendation for a 49-year lease term was amended by the Commission to 10 years](#)) for the operation, maintenance, and repair of an existing rock revetment. The lease will expire on December 10, 2028.
3. The lease states that the public benefit provided by the lease is the avoidance of potential costly and protracted litigation, and the lease requires only the minimum rental rate. Staff is recommending that rent be increased to reflect the new minimum rent required by Commission regulations. Staff and the Commission will reevaluate appropriate consideration when considering a new lease for the revetment.
4. This action is consistent with the “Meeting Evolving Public Trust Needs” Strategic Focus Area of the Commission's 2021-25 Strategic Plan.
5. Approving the revision of rent is not a project as defined by the California Environmental Quality Act because it is an administrative action that will not result in direct or indirect physical changes in the environment.

Authority: Public Resources Code section 21065 and California Code of Regulations, title 14, section 15378, subdivision (b)(5).

RECOMMENDED ACTION:

It is recommended that the Commission:

AUTHORIZATION:

Approve the revision of rent for Lease PRC 9527 from \$125 per year to \$140 per year, effective December 11, 2023.