

**CALENDAR ITEM
C76**

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S 19

04/26/13
PRC 7350.9
R. Collins

GENERAL LEASE - PUBLIC AGENCY USE

APPLICANT:

City of Ventura (a.k.a., San Buenaventura)

AREA, LAND TYPE, AND LOCATION:

Sovereign tide and submerged land in Pacific Ocean, Pierpont Bay, City of Ventura, Ventura County.

AUTHORIZED USE:

Use and maintenance of a groin and spur groin.

LEASE TERM:

20 years, beginning September 27, 2013.

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.

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.
2. By its action on January 22, 1962 (Minute Item No. 3), the State Lands Commission authorized the issuance of a Life of Structure Permit, PRC 2830.9 to the County of Ventura for the maintenance of three groins, Groin Nos. 1, 2, and 3, located on State-owned land in the Pacific Ocean in Pierpont Bay near San Buenaventura State park.
3. Winter storms during 1988 severely damaged Groin No. 1 and the United States Army Corps of Engineers, together with the State Departments of Parks and Recreation, and Boating and Waterways proposed to share in the costs of repair with the City of Ventura becoming the local sponsor. On September 27, 1989 (Minute Item No. 28), Ventura County relinquished all right, interest, and obligation to Groin No. 1 and the

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Commission deleted the groin from Lease PRC. 2830.9. Simultaneously, the Commission authorized Lease PRC 7350.9, with a 24 year term effective September 27, 1989, to the City of Ventura for the repair and maintenance of Groin No. 1.

4. After repairs were completed in 1989, it was found that the reconstructed groin did not function adequately and an additional groin, perpendicular and attached to the original groin, was necessary to achieve the desired goal of retaining sand north of Groin No. 1. On March 8, 1994 (Minute Item 41), the Commission authorized an amendment to Lease PRC. 7350.9 to increase the size of the leased area from 1.051 acres to 1.356 acres and to authorize the reconstruction of Groin No. 1 and the construction, use, and maintenance of a spur groin. The lease will expire on September 26, 2013.
5. The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

6. 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.

EXHIBITS:

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

RECOMMENDED ACTION:

It is recommended that the Commission:

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CEQA FINDING:

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

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 City of Ventura (a.k.a., San Buenaventura) beginning September 27, 2013, for a term of 20 years, for the continued use and maintenance of a groin and spur groin as described in Exhibit A attached and by this reference made a part hereof; and shown on Exhibit B (for reference purposes only); consideration to be 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 best interest of the State.

EXHIBIT A

PRC 7350.9

LAND DESCRIPTION

Two parcels of tide and submerged land situated in the Santa Barbara channel, in the City of Ventura, Ventura County, California, as shown in that Drawing Number 92- B-037, "Marina Park Beach Stabilization Groin No. 1 Description", City of San Buenaventura, dated July 9, 1992, more particularly described as follows:

PARCEL 1 - Groin #1

A strip of tide and submerged land 80 feet wide lying 40 feet on each side of the following described centerline:

COMMENCING at the intersection of the centerline of Shore Drive, 40 feet wide, with the centerline of Whitehaven Court, 30 feet wide, as shown on the Map of Pierpont Bay Unit No. 3, 18 MR 42, records of said county; thence N 79° 16' 30" E, 20.20 feet along said centerline of Whitehaven Court to a point in the northwesterly prolongation of the northeasterly line of said Shore Drive; thence S 18° 46' 11" E, 7.27 feet to the POINT OF BEGINNING; thence S 71° 00' 00" W, 28.00 feet; thence S 71° 00' 00" W, 322.00 feet to a point hereafter known as "Point A", thence continuing S 71° 00' 00" W, 250.00 feet to the end of this herein described centerline.

EXCEPTING THEREFROM any portion lying landward of the mean high tide line of the Pacific Ocean.

PARCEL 2 - Spur Groin

A strip of submerged land 95.00 feet wide lying 47.50 feet on each side of the following described centerline:

BEGINNING at a point known as "Point A" as described in the abovementioned Parcel 1, thence S 19° 00' 00" E, 180.00 feet to the end of this herein described centerline.

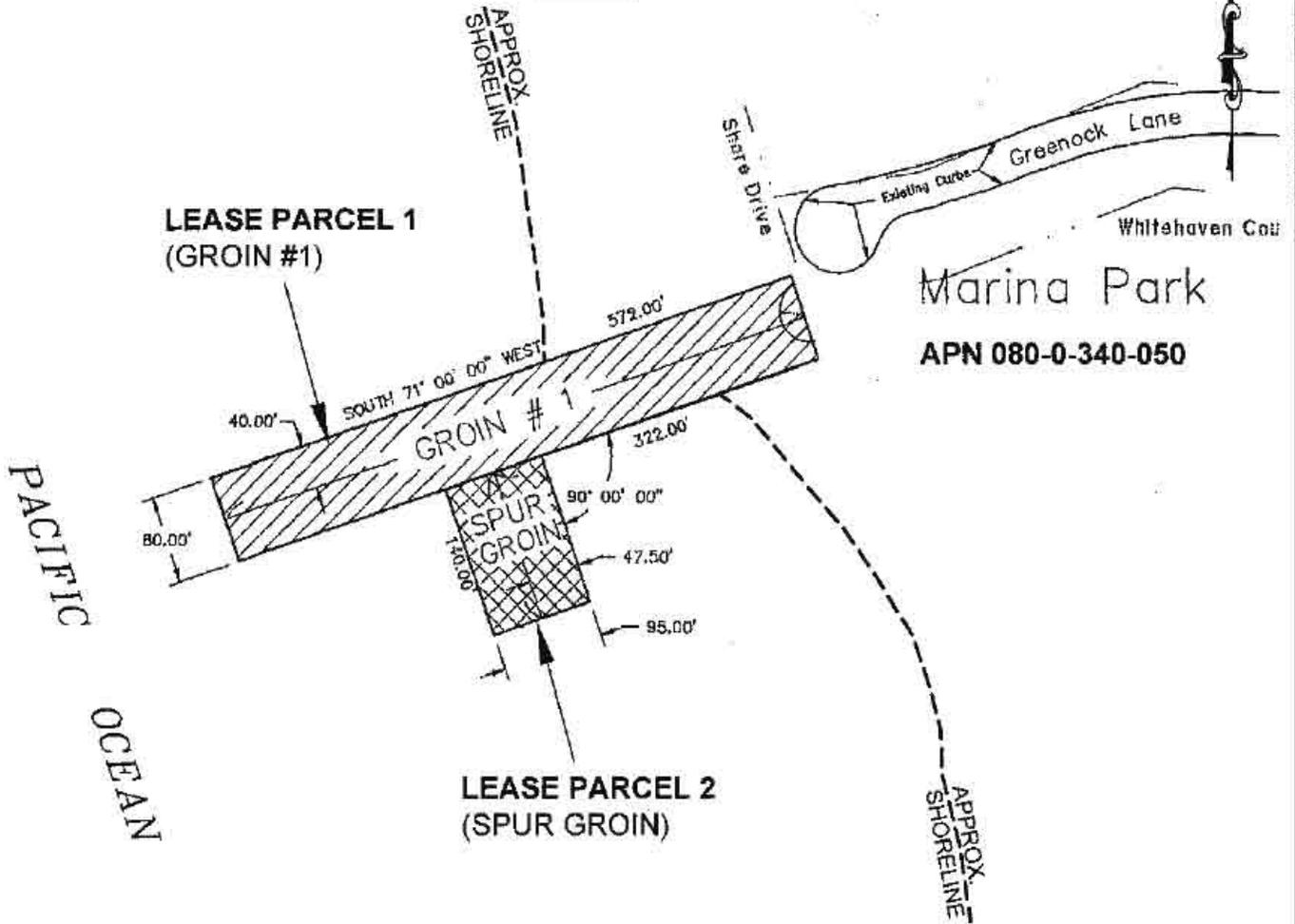
EXCEPTING THEREFROM any portion lying within Parcel 1.

END OF DESCRIPTION

REVISED JULY, 1992 BY LLB.

NO SCALE

SITE

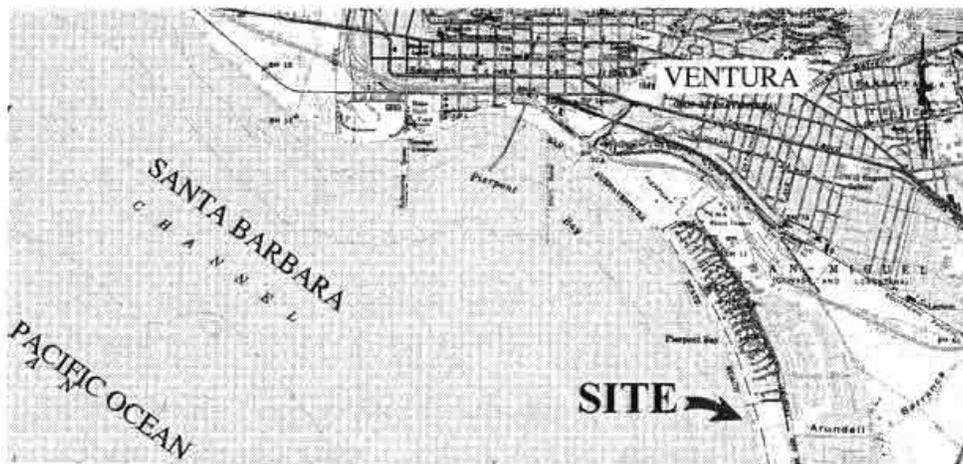


Marina Park
APN 080-0-340-050

PIERPONT BAY, VENTURA

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 7350.9
 CITY OF VENTURA
 APN 080-0-340-050
 GENERAL LEASE -
 PUBLIC AGENCY USE
 VENTURA COUNTY



SITE

TS 03/14/13

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.