



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: General Services/
Community Services
Department No.: 063/ 057
For Agenda Of: August 25, 2015
Placement: Administrative
Estimated Tme: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: General Services Matthew P. Pontes, Director, 560-1011
Community Services George Chapjian, Director, 568-2467
Contact Info:
General Services Greg Chanis, Assistant Director 568-3096
Community Services: Paddy Langlands, Deputy Director of Parks Division
568-2475

SUBJECT: Replacement Lease with California State Lands Commission at Goleta Beach
County Park for the State Lands Commission Authorization for the Goleta Beach
Park Bridge 51C-0158 Replacement Project, Goleta, Second District (R/P File No.:
003757)

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- a) Approve and authorize the Chair to execute the attached Lease PRC 1431.9 (Attachment 1) between the County of Santa Barbara and the State of California, acting by and through the California State Lands Commission, for the use and maintenance of certain state lands that comprise part of Goleta Beach County Park, a public recreational park that includes an existing public recreational pier, public facilities and protective structures; as well as the demolition of an existing vehicular access bridge; and the construction, use, and maintenance of a new vehicular access bridge; for a term of twenty (20) years, beginning July 1, 2015, and ending June 30, 2035; and
- b) Determine that the approval of the Lease is statutorily exempt from the California Environmental Quality Act pursuant to California Public Resources Code Section 21080.5 and California Environmental Quality Act (CEQA) Guidelines for Implementation of CEQA, 14 CCR Section 15002(l) and 15251(c) (certified regulatory plan in lieu of EIR), and direct staff to post the attached Notice of Exemption (Attachment 2) on that basis.

Summary Text:

The Board's approval of Lease PRC 1431.9 with the California State Lands Commission will allow the County's continued use and maintenance of certain state lands that comprise part of Goleta Beach County Park, including an existing public recreational pier, public facilities, and protective structures; as well as the demolition of an existing vehicular access bridge and the construction, use, and maintenance of a new vehicular access bridge, located at 5986 Sandspit Road, Goleta 93117, also known as Assessor Parcel Numbers 071-200-017, and 071-200-009. The term of the Lease will be for a period of twenty (20) years commencing July 1, 2015, and ending on June 30, 2035. The consideration provided to the California State Lands Commission for granting this Lease is the use, benefit, health and safety provided to the visiting public.

Background:

The majority of Goleta Beach County Park (Goleta Beach) was conveyed to the County of Santa Barbara by the State of California in 1970 as part of a series of land transfers between the County, State, and Federal governments. However, approximately 4.74 acres of tidelands and submerged lands remain under ownership by the State of California, and are governed by long term leases between the County and the California State Lands Commission (State Lands). The County and State Lands have executed separate leases that encompass a total of four parcels. These leases have subsequently expired. Staff is recommending that the County execute a new lease with State Lands to consolidate all four parcels into one master lease (Lease PRC 1431.9), which also includes State Lands' authorization for demolition of the old bridge and construction of the new bridge (the Goleta Beach Park Bridge 51C-0158 Replacement Project).

The Goleta Beach Park Bridge 51C-0158 Replacement Project is for the replacement of the existing 34 ft. wide, 137 ft. long, bridge with a new 53.5 ft. wide and 168 ft. long bridge. This bridge provides the only vehicular access to the popular Goleta Beach County Park. Bridge inspection reports in 2008 identified cracks in several piles of the existing bridge, necessitating temporary fixes until the bridge could be replaced. On October 3, 2008, the California Coastal Commission (Coastal Commission) approved Emergency Permit No. 4-08-073-G for driving two new temporary steel support pilings into the slough and adding an I-beam cross member to support the bridge which was in imminent danger of failure. On July 8, 2015, the Coastal Commission approved Coastal Development Permit (CDP) No. 4-14-1976 (<http://documents.coastal.ca.gov/reports/2015/7/w26d-7-2015.pdf>) for the new replacement bridge and demolition of the existing bridge, as well as restoration activities related to the bridge project. This new replacement bridge will be approximately 60 feet upstream from the existing bridge, and will allow improved non-vehicular access including a wider pedestrian walkway as well as a bicycle path, both of which would be segregated from the traffic lanes, and is necessary to ensure that safe public access is maintained to Goleta Beach.

In addition to the emergency work for the bridge, areas around Goleta Beach County Park and adjacent slough channels have been subject to several previous actions addressing problems of wave erosion on park facilities and flooding in surrounding areas. Most recently, on May 13, 2015, the Coastal Commission approved CDP No. 4-14-0687 (<http://documents.coastal.ca.gov/reports/2015/5/w22a-5-2015.pdf>) for the permanent authorization of a 1,200 ft. long, 11 ft. high as-built western rock revetment, which is intended to protect existing structures and upland park facilities from erosion during storm events.

On March 27, 2015, the County submitted an application for renewal of Lease PRC 1431.9 to State Lands with changes to accommodate the new park access bridge. This application intentionally did not include the western rock revetment, which was then pending approval of Coastal Development Permit application No. 4-14-0687. Pursuant to the Coastal Commission's May 13, 2015 authorization of the revetment, a request to amend the application to include the revetment in the renewal of Lease PRC 1431.9 was submitted on May 19, 2015. As such, a new lease with State Lands will now include the current and proposed bridge, as well as the permanent rock revetment and existing improvements. Execution of Lease PRC 1431.9 is vital to the construction of the replacement bridge at Goleta Beach, as this Lease is a prior issuance condition of CDP No. 4-14-1976.

Although the Coastal Commission has previously certified a Local Coastal Program for Santa Barbara County, the majority of the bridge replacement project is within an area where the Coastal Commission has retained jurisdiction over the issuance of coastal development permits. Pursuant to Section 30601.3(a) of the California Coastal Act (Public Resources Code sections 30000 et seq.), the applicant, appropriate local government, and the Coastal Commission Executive Director may agree to consolidate a permit action for a project that spans local and state jurisdictions, thus allowing the Coastal Commission to process a single application covering the entire project. In this case, the County, in a letter to Coastal Commission staff dated March 4, 2015, requested that the Coastal Commission assume jurisdiction over all activities associated with the proposed project. The County of Santa Barbara, as the applicant, both consented to, and facilitated this consolidated jurisdictional process, and the Coastal Commission's Executive Director agreed. Pursuant to Section 30601.3(b) of the Coastal Act, the standard of review for this project is found in the Chapter 3 policies of the Coastal Act (commencing with Public Resources Code section 30200), with the County of Santa Barbara's certified Local Coastal Program used as guidance.

Execution of this Lease Agreement is in compliance with the California Environmental Quality Act (CEQA), pursuant to California Public Resources Code section 21080.5 and CEQA Guidelines for Implementation of CEQA, 14 CCR Section 15002(l) and 15251(c) (certified regulatory plan in lieu of EIR). Page 35 of the 06/25/15 Coastal Commission Staff Report for CDP No. 4-14-1796 and 46 of the 04/24/15 Coastal Commission Staff Report for CDP No. 4-14-0687 stated:

“Section 13096(a) of the Commission's administrative regulations requires Commission approval of a Coastal Development Permit application to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect that the activity may have on the environment.

The Commission incorporates its findings on Coastal Act consistency at this point as if set forth in full. These findings address and respond to all public comments regarding potential significant adverse environmental effects of the project that were received prior to preparation of the staff report. As discussed above, the proposed development, as conditioned, is consistent with the Chapter 3 policies of the Coastal Act. Feasible mitigation measures, which will minimize all adverse environmental effects, have been required as special conditions....

As conditioned, there are no feasible alternatives or feasible mitigation measures available, beyond those required, which would substantially lessen any significant adverse impact that the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, can be found to be consistent with the requirements of the Coastal Act to conform to CEQA.”

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

Narrative: There are no fiscal impacts associated with this action. These items were and are budgeted as part of the Goleta Beach Project budget.

Staffing Impacts:

Legal Positions: 0

FTEs: 0

No staffing impacts are associated with this action.

Special Instructions:

After Board action, please distribute as follows:

1. Original and Duplicate Original Lease and copy of minute order:
General Services, Real Property
Attn: A. Kinsella
2. Copies of Lease and Minute Order:
 - Auditor-Controller, Financial Reporting Division
Attn: Betsy Schaffer
 - Community Services, Parks Division
Attn: Jeff Lindgren
 - Clerk of the Board Files*
3. After Board action, please post the Notice of Exemption

* Upon final execution of the Lease by the California State Lands Commission, a fully executed original will be delivered to the Clerk of the Board for their files.

Attachments:

1. Lease PRC 1431.9
2. Notice of Exemption