

MINUTE ITEM

This Calendar Item No. C17 was approved as Minute Item No. 17 by the California State Lands Commission by a vote of 3 to 2 at its 2/27/98 meeting.

**CALENDAR ITEM
C17**

A 35

02/27/98
PRC8010 W 24832
P. Pelkofer
B. Dugal

S 18

GENERAL LEASE - PUBLIC AGENCY USE

APPLICANT:

State of California
Department of Parks and Recreation
P. O. Box 942896
Sacramento, California 95825

AREA, LAND TYPE, AND LOCATION:

727 acres, more or less, of sovereign lands in the Pacific Ocean, adjacent to Refugio State Beach, Santa Barbara County.

AUTHORIZED USE:

Management of an underwater recreation area.

LEASE TERM:

20 years, beginning February 1, 1998.

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 uplands adjoining the lease premises.
2. The proposed underwater recreation area will be managed by the Department of Parks and Recreation (Parks) and will provide for the preservation, through management by Parks, of the natural underwater resources that provides a public benefit which includes underwater recreation. The proposed underwater recreation area includes kelp beds and shallow reefs that offer the public outstanding diving opportunities.

CALENDAR PAGE	96
MINUTE PAGE	002737

CALENDAR ITEM NO. C17 (CONT'D)

3. The Advisory Board on Underwater Parks and Reserves approved the proposed underwater recreation area on October 19, 1991. The inclusion of the sovereign lands as part of the underwater recreation area will allow Parks to allocate funding to develop the required onshore facilities to support the proposed underwater recreation area. The proposed onshore facilities include the construction of wash down stations, outdoor showers and gear drop-off areas. Parks does not intend to construct any structures within the proposed underwater recreation area.
4. Commission records indicate there is one existing oil and gas lease that extends into the proposed recreation area. The lease involved is Lease No. PRC 2991.1, and is issued to Union Oil Company of California. The Lessee has been advised of the planned underwater recreation area activity and has provided a letter of no objection to the proposed activity.
5. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 16, Transfer of Ownership of Land in Order to Create Parks; Title 2, California Code of Regulations, section 2905 (g).

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

6. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. 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 Map
- C. Location Map

PERMIT STREAMLINING ACT DEADLINE:

N/A

CALENDAR PAGE	97
MINUTE PAGE	002738

CALENDAR ITEM NO. C17 (CONT'D)

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 16, TRANSFER OF OWNERSHIP OF LAND IN ORDER TO CREATE PARKS; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (g).

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 SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO THE STATE OF CALIFORNIA, DEPARTMENT OF PARKS AND RECREATION, OF A GENERAL LEASE - PUBLIC AGENCY USE, BEGINNING FEBRUARY 1, 1998, FOR A TERM OF 20 YEARS, FOR THE ESTABLISHMENT OF AN UNDERWATER RECREATION AREA ON THE LAND DESCRIBED ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION BEING 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.

EXHIBIT "A"

LAND DESCRIPTION

A parcel of tide and submerged land in the Pacific Ocean adjacent to Refugio State Beach in the County of Santa Barbara, State of California, described as follows:

Bounded on the North by the Ordinary High Water Mark of the Pacific Ocean and on the West, South and East by the following described line:

BEGINNING at the Northwest Corner of the lands shown as Parcel C on that certain Record of Survey filed January 8, 1965 in Book 68 at Page 96, Records of said County, said corner being on the Southerly line of the Southern Pacific Railroad Right of Way as shown on said Record of Survey;


THENCE along the West line of said Parcel C,
South 01°44'26" West 148.54 feet;

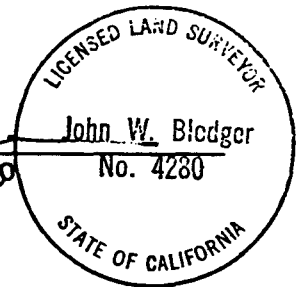
thence leaving said West line South 45° West 3300.00 feet;

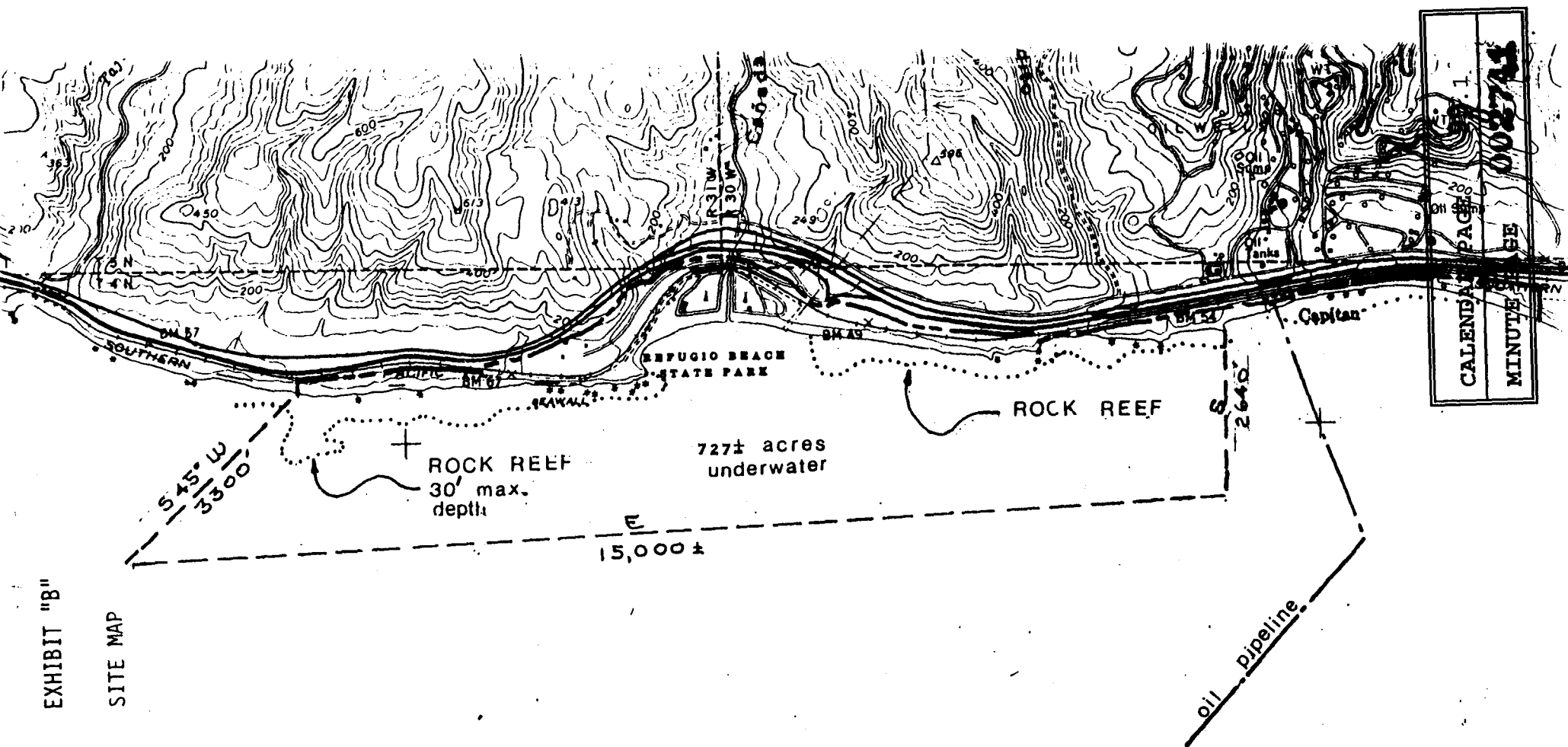
thence Easterly 15,000.00 feet, more or less, to a point on the line defining 120°02'45" West Longitude, distant along said line of Longitude South 2640.00 feet from the center line of the lands described in the Deed to the Southern Pacific Railroad Company recorded November 4, 1899 in Book 68 of Deeds at Page 277, Records of said County;

thence North 2640 feet along said line of Longitude to said previously recited centerline and the end of the herein described line.

DESCRIPTION APPROVED BY:


JOHN W. BLODGER L.S. 4280
Exp. 6/30/96





REFUGIO STATE BEACH

A N T A B A R B A R A C H A N



LEGEND

- EXIST. STATE BEACH
- PROPOSED ADDITION
- RESOURCE

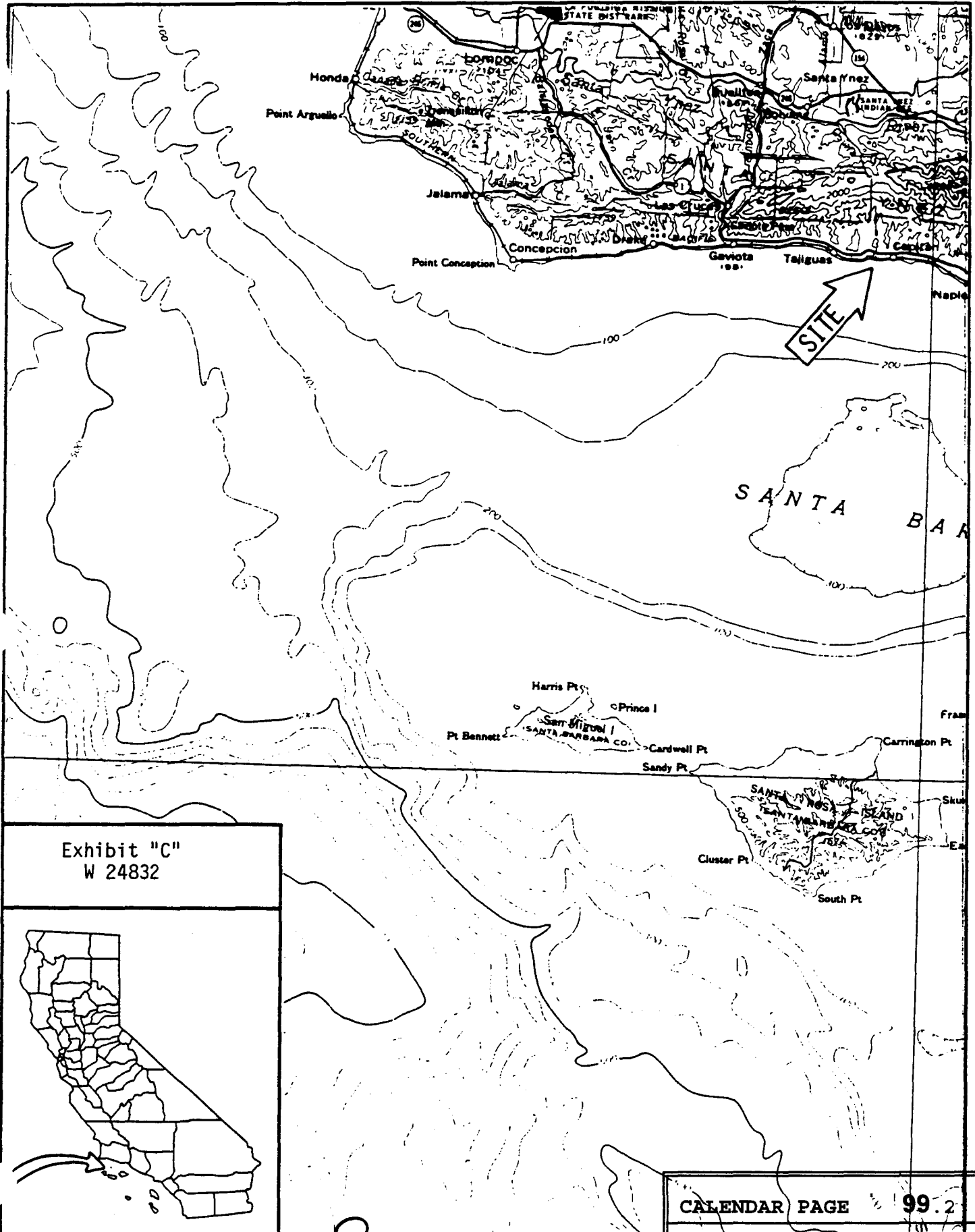


Exhibit "C"
W 24832



CALENDAR PAGE 99.2
MINUTE PAGE 002742