

**CALENDAR ITEM
C13**

A 35
S 19

05/05/08
PRC 8390.9
K. Foster

AMENDMENT OF LEASE

LESSEE:

National Park Service
Channel Islands National Park
1901 Spinnaker Drive
Ventura, CA 93001

AREA, LAND TYPE, AND LOCATION:

Sovereign lands offshore of Anacapa, Santa Barbara, Santa Cruz, and Santa Rosa Islands within Channel Islands National Park, Santa Barbara County.

AUTHORIZED USE:

Use and maintenance of docks on Anacapa, Santa Barbara, and Santa Cruz Islands; use and maintenance of piers on Santa Cruz and Santa Rosa Islands; use and maintenance of steel mooring buoys offshore of Anacapa, Santa Barbara, Santa Cruz, and Santa Rosa Islands.

LEASE TERM:

20 years, beginning March 1, 2002.

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.

PROPOSED AMENDMENT:

Authorize the demolition of the existing pier at Becher's Bay, Santa Rosa Island, and the construction, use, and maintenance of a new pier. All other terms and conditions of the lease shall remain in effect without amendment.

OTHER PERTINENT INFORMATION:

1. Lessee owns the uplands adjoining the lease premises.

CALENDAR ITEM NO. **C13** (CONT'D)

2. Santa Rosa Island is located within Channel Islands National Park, a group of five islands located offshore of Santa Barbara, Ventura, and Los Angeles counties. The 574 foot long, 20 foot wide pier at Becher's Bay on Santa Rosa Island was originally constructed in the 1870's, and was first authorized by the Commission in 1953 under Lease PRC 617.9 to the US Army Corps of Engineers.

The National Park Service acquired the upland property in 1986 and completed a reconstruction of the pier in 1988/1989. The Commission at its June 18, 2002, meeting issued Lease PRC 8390.9 to the National Park Service for the Becher's Bay pier and other previously unauthorized improvements within Channel Islands National Park.

Despite emergency repairs in 2002 and 2004 to replace failed pilings, the pier is in a state of advanced deterioration and the most recently completed repairs are expected to provide only an additional five years of service, after which time further failures may occur. As the pier is the primary means of access to Santa Rosa Island, the National Park Service has proposed to demolish the existing pier and replace it with a new pier to be constructed within the same general footprint as the existing pier.

Construction is anticipated to occur during the summer and fall seasons over a two year period, during which time the Island may be accessed via aircraft or small watercraft transport from boats moored offshore. The new pier would be the same length as the existing pier, but its height would be increased from 16 to 23 feet above mean lower low water level, and the end of the pier, where loading and unloading occurs, would be widened from 40 to 50 feet.

3. The State Lands Commission proposes to use the Environmental Assessment (EA)/ Finding of No Significant Impact (FONSI), prepared and adopted for this project by the National Park Service and identified as State Clearinghouse No. 2007091020, in place of a Mitigated Negative Declaration. The document was circulated for public review as broadly as state and local law may require and notice was given meeting the standards in Title 14, California Code of Regulations, section 15072 (a). Therefore, pursuant to Title 14, California Code of Regulations, sections 15221 and 15225, the staff recommends the use of the federal EA/FONSI in place of a mitigated Negative Declaration.
4. 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

CALENDAR ITEM NO. **C13** (CONT'D)

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:

Central Coast Regional Water Quality Control Board, Channel Islands National Marine Sanctuary, US Army Corps of Engineers, California Coastal Commission, NOAA National Marine Fisheries Service, California Department of Parks and Recreation – Office of Historic Preservation, US Fish and Wildlife Service

EXHIBITS:

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

PERMIT STREAMLINING ACT DEADLINE:

October 8, 2008

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ENVIRONMENTAL ACCESSMENT/FINDING OF NO SIGNIFICANT IMPACT, PREPARED AND ADOPTED FOR THIS PROJECT BY THE NATIONAL PARK SERVICE, MEETS THE REQUIREMENTS OF THE CEQA. THEREFORE, PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTIONS 15221 AND 15225, ADOPT SUCH FEDERAL DOCUMENT FOR USE IN PLACE OF A MITIGATED NEGATIVE DECLARATION.

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 THE AMENDMENT OF LEASE NO. PRC 8390.9, A GENERAL LEASE – PUBLIC AGENCY USE, OF LANDS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF, EFFECTIVE MAY 5, 2008, FOR THE DEMOLITION OF THE EXISTING PIER AT BECHER'S BAY, SANTA ROSA ISLAND, CHANNEL ISLANDS NATIONAL PARK, AND THE CONSTRUCTION, USE, AND MAINTENANCE OF A NEW PIER; ALL OTHER TERMS AND

CALENDAR ITEM NO. **C13** (CONT'D)

CONDITIONS OF THE LEASE WILL REMAIN IN EFFECT WITHOUT AMENDMENT.