

**CALENDAR ITEM
C52**

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06/01/09
W 26303
S.Young

GENERAL LEASE – PUBLIC AGENCY USE

APPLICANT:

City of Los Angeles
Bureau of Engineering
1149 S. Broadway, Suite 600
Los Angeles, CA 90015-2213

AREA, LAND TYPE, AND LOCATION:

A 0.107 acre parcel, more or less, of filled sovereign land at Will Rogers State Beach Parking Lot 1, near Pacific Palisades, Los Angeles County.

AUTHORIZED USE:

A temporary construction area that will be used in connection with the Santa Monica Canyon and Palisades Park Low Flow Diversion Upgrades and the Coastal Interceptor Relief Sewer (CIRS) project within the community of Pacific Palisades and the northern limits of the city of Santa Monica.

LEASE TERM:

Three years, beginning June 1, 2009.

CONSIDERATION:

The public health and safety; 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.

SPECIFIC LEASE PROVISION:

The city of Los Angeles, Bureau of Engineering, will coordinate with the County of Los Angeles Beach and Harbors Division to minimize construction related impacts to the existing multiuse path and will provide a temporary re-route or alternate route to minimize impacts to the multiuse path.

OTHER PERTINENT INFORMATION:

1. Applicant has a right to use the uplands adjoining the lease premises.

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2. The city of Los Angeles' (City) proposed project consists of the upgrade of two existing low flow diversion (LFDs) and construction of the 4,500-foot long Coastal Interceptor Relief Sewer. The project is funded by Proposition O, a Clean Water Bond Measure, which was approved by voters on November 5, 2004. The LFD divert dry-weather flows from the storm drain system to the sanitary sewer, where they are subsequently treated at the Hyperion Treatment Plant near El Segundo. The treated runoff is then discharged into the ocean via an existing storm drain terminus. The storm drain terminus is subject to General Lease-Public Agency Use, No. PRC 4729.9, issued to the Los Angeles County Flood Control District. The project will help the City meet the winter dry-weather bacteria Total Maximum Daily Load requirements for the Santa Monica Bay.

The Pacific Palisades LFD will be upgraded at its current location and a new LFD system will be installed near the mouth of the Santa Monica Canyon Channel. Construction of the Santa Monica Canyon LFD will be a joint effort between the City and the Los Angeles County Flood Control District (LACFCD). Construction of the CIRS will consist of approximately 4,500 total lineal feet of pipe of varying diameters (30, 36, 42, and 48 inch), of which approximately 1,400 lineal feet will be located within Will Rogers Parking Lot 2 East and Lot 1.

However, none of the proposed CIRS improvements will be located on sovereign lands; the sovereign lands will only be used for staging and other construction related activities. The City is now applying for a General Lease – Public Agency Use for a limited three year construction area within filled sovereign lands of Lot 1 and adjacent to an existing multiuse (pedestrian/bike) path. The construction start date is January 9, 2010.

In regards to the multiuse path, the Mitigated Negative Declaration (MND) adopted by the City identified temporary but no significant impacts to Will Rogers State Beach parking and the multiuse (pedestrian/bike) path. The MND also states that construction is anticipated to occur during the off-peak beach season when demand for parking and other beach facilities is lower. The City will also coordinate with the County of Los Angeles Beach and Harbors Division to minimize construction related impacts and a temporary re-route or alternate route will be provided to minimize impacts to the multiuse path.

3. A Mitigated Negative Declaration (SCH# 2008081044) was prepared and adopted for this project by the city of Los Angeles on September 5, 2008.

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The California State Lands Commission's staff has reviewed such document. A Mitigation Monitoring Program was adopted by the city of Los Angeles.

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 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:

City of Los Angeles

APPROVALS REQUIRED:

California Department of Parks and Recreation
California Department of Transportation, District 7
Los Angeles County Beaches and Harbors
Los Angeles Regional Water Quality Control Board
Los Angeles County Department of Public Works
California Coastal Commission
City of Santa Monica

EXHIBITS:

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

PERMIT STREAMLINING ACT DEADLINE:

June 18, 2009

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT A MITIGATED NEGATIVE DECLARATION (SCH# 2008081044) AND A MITIGATION MONITORING PROGRAM WERE PREPARED AND ADOPTED FOR THIS PROJECT BY CITY OF LOS ANGELES ON SEPTEMBER 5, 2008 AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

ADOPT THE MITIGATION MONITORING PROGRAM, AS CONTAINED IN THE ENVIRONMENTAL DOCUMENT ON FILE IN THE SACRAMENTO OFFICE OF THE COMMISSION.

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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 OF A GENERAL LEASE – PUBLIC AGENCY USE TO THE CITY OF LOS ANGELES, BUREAU OF ENGINEERING BEGINNING JUNE 1, 2009, FOR A TERM OF THREE YEARS, FOR A TEMPORARY CONSTRUCTION AREA TO BE USED IN CONNECTION WITH THE UPGRADE OF TWO EXISTING LOW FLOW DIVERTERS AND THE INSTALLATION OF SEWER PIPE AS PART OF THE COASTAL INTERCEPTOR RELIEF SEWER PROJECT ON THE LAND DESCRIBED ON EXHIBIT B AND AS SHOWN ON EXHIBIT A (FOR REFERENCE PURPOSES ONLY) ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION BEING THE PUBLIC HEALTH AND SAFETY; 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.