

**CALENDAR ITEM
C102**

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D. Simpkin

**APPROVAL OF A PUBLIC AGENCY PERMIT AND RIGHT-OF-WAY MAPS
PURSUANT TO SECTION 101.5 OF THE STREETS AND HIGHWAYS CODE AND
OF THE CALIFORNIA PUBLIC RESOURCES CODE SECTION 6210.3**

PERMITEE:

California Department of Transportation

LAND TYPE AND LOCATION:

Sovereign land along State Highway 1, located near Solimar Beach, Ventura County.

AUTHORIZED USE:

For highway purposes, pursuant to section 101.5 of the Streets and Highways Code and Public Resources Code section 6210.3, the use and maintenance of a right-of-way including the replacement of two seawalls along State Highway 1 near Solimar Beach.

PERMIT TERM:

Continuous use, plus one year, beginning June 23, 2011.

CONSIDERATION:

Reasonable value of the right-of-way to be deposited into the State Parks and Recreation Fund.

OTHER PERTINENT INFORMATION:

1. The California Department of Transportation (Caltrans) owns or has the right to use the uplands adjoining the lease premises.
2. Caltrans is proposing to replace two existing seawalls near Solimar Beach along the southbound lane of State Highway 1 (known as Old Rincon Highway) in Ventura County. The existing seawalls, built in 1934 and retrofitted in 1966, have deteriorated and are in need of repair. During staff's review of the permit application, it was determined that portions of the existing right-of-way, the highway shoulders, encroach on sovereign

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lands. Accordingly the Permit will include the new reinforced concrete seawalls as well as the shoulder sections.

3. The project involves the removal of the existing seawall as well as the rock rip-rap at the base at the seawall. These will be replaced with concrete piles supporting a curved seawall face with an aesthetic design. One of the seawall locations is located adjacent to Emma Wood State Beach and the other is adjacent to Faria County RV Park, which is managed by the County of Ventura. As part of the project, Caltrans will construct an access ramp and access stairs from the highway to Emma Wood State Beach and access stairs to the beach at the RV Park. No heavy equipment or machines will be used on the beach. Construction is planned to commence in early 2012 and will take approximately two years to complete.
4. Caltrans has filed maps showing the right of way area with the Commission.
5. Section 101.5 of the Streets and Highways Code requires Caltrans to determine the reasonable value of the proposed right-of-way and to deposit such amount in the State Parks and Recreation Fund.
6. Pursuant to the Commission's delegation of the authority and the State CEQA Guideline (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of CEQA as a categorically exempt project. The project is exempt under Class 2, Replacement of Reconstruction; Title 2, California Code of Regulations, section 2906 (b).

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

7. This activity involves lands which have NOT been identified as possessing significant environmental values pursuant to Public Resources Code section 6370, et seq. However, the Commission has declared that all tide and submerged lands are "significant" by nature of their public ownership (as opposed to "environmentally significant"). Since such declaration of significance is not based upon the requirements and criteria of Public Resources Code section 6370, et seq., use classifications for such lands have not been designated. Therefore, the finding of the project's consistency with the use classification as required by Title 2, California Code of Regulations, section 2954 is not applicable.

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FURTHER APPROVALS REQUIRED:

California Coastal Commission, California Department of Parks and Recreation, California Regional Water Quality Control Board - Los Angeles Region, California Department of Fish and Game, California Reclamation Board, United States Army Corps of Engineers, County of Ventura

EXHIBITS:

- A. Site and Location Map
- B. Section 101.5 Right-of-Way Maps

PERMIT STREAMLINING ACT DEADLINE:

July 19, 2011

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is exempt from the requirements of CEQA pursuant to Title 14, California Code of Regulations, section 15061 as a categorically exempt project, class 2, Replacement or Reconstruction; Title 2, California Code of Regulations, section 2905 (b).

AUTHORIZATION:

Approve a Public Agency Permit and right-of-way maps as shown on Exhibit B attached and by this reference made a part hereof, submitted by the California Department of Transportation pursuant to section 101.5 of the Streets and Highways Code and as authorized by section 6210.3 of the Public Resources Code, for continuous use plus one year, of a right-of-way including the replacement of two seawalls along State Highway 1 near Solimar Beach as shown on Exhibit A attached (for reference purposes only).