

**CALENDAR ITEM
C58**

A 35
S 19

8/14/12
G 15-01.3
M. Andersen

**CONSIDER APPROVAL OF A PROPOSED EXPENDITURE OF \$400,000 OF PUBLIC
TIDELANDS TRUST FUNDS BY THE CITY OF SANTA BARBARA FOR PHASE IV OF
THE BREAKWATER CAP REPAIR PROJECT WITHIN LEGISLATIVELY GRANTED
SOVEREIGN LAND IN THE CITY OF SANTA BARBARA,
SANTA BARBARA COUNTY**

TRUSTEE:

City of Santa Barbara
P.O. Box 1990
Santa Barbara, California 93102

The City of Santa Barbara (City) is trustee of sovereign tide and submerged lands granted to it by the Legislature pursuant to Chapter 78, Statutes of 1925, and as amended, minerals reserved.

BACKGROUND:

The existing breakwater cap, consisting of a walkway and wall, was constructed in the mid 1970's and has since deteriorated. Due to the high cost of repairing the breakwater cap, the City has had to perform the repairs over a period of time. The Commission approved an expenditure of \$438,000 for Phase I on June 7, 2004, an expenditure of \$615,000 for Phase II on June 26, 2006, and an expenditure of \$800,000 for Phase III on December 3, 2008. The Waterfront Department has allocated \$400,000 in its capital reserve/Harbor Preservation Fund for Phase IV of the project for fiscal year 2013.

THE PROJECT:

The City is requesting approval for the expenditure of \$400,000 from the tidelands trust fund for Phase IV of the Breakwater Cap Repair Project. Phase IV includes the demolition and replacement of approximately 227 lineal feet (9 panels) of concrete wall and sidewalk. The wall and sidewalk sections will be replaced with quick-curing concrete and reinforcing steel. All construction access will take place on top of the breakwater and access to the breakwater will be from Harbor Way. Demolition of the concrete wall and sidewalk are expected to be by concrete saw and pneumatic jackhammer. The contractor will be required to use methods that will minimize dust, noise, and runoff; including the use of a containment boom and 6 millimeter thick plastic sheeting around each section while work is being performed. The containment boom will be placed in the

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water on the harbor side and a plywood barrier will be attached to the breakwater ocean side to prevent debris from falling into the ocean. Once the deteriorated wall and sidewalk sections have been removed, the contractor will place framework for the sidewalk and then the parapet wall. Reinforcing steel will be placed and concrete will be poured from the existing walkway. Once the concrete has cured, the forms will be removed and reused on the remaining wall and sidewalk sections. No hazardous materials will be used during the demolition and construction of this project. Construction of this fourth and final phase is scheduled for the mid to late Fall of 2012 and expected to approximately last 45 days. This work is expected to give the breakwater a 30 to 40 year service life.

STAFF ANALYSIS:

The Commission has the authority to review the proposed expenditures of tidelands trust funds pursuant to Chapter 78, Statutes of 1925, and as amended, minerals reserved. Approximately \$11.3 million is available in the City's tidelands trust account. Commission staff has reviewed the information submitted by the City for the proposed expenditure and believes the project is consistent with the public trust and statutory trust under which the lands are held. Staff recommends the Commission approve the expenditure as described herein.

OTHER PERTINENT INFORMATION:

1. Applicant is the trustee of the legislatively granted sovereign lands, in the City of Santa Barbara, pursuant to Chapter 78, Statutes of 1925, and as amended, minerals reserved.
2. In taking action on this staff recommendation, the Commission is exercising its authority pursuant to Chapter 78, Statutes of 1925, and as amended, minerals reserved.
3. Find that the City of Santa Barbara has sufficient public trust funds for the proposed project.
4. On May 1, 2006, the City, acting as the lead agency under the provisions of the California Environmental Quality Act (CEQA), determined that the Breakwater Cap Repair Project, as described above, was categorically exempt from CEQA pursuant to California Code of Regulations, Title 14, sections 15301, subdivision (d), under Class 1, Existing Facilities, and 15302, subdivision (c), under Class 2, Replacement or Reconstruction. Staff concurs with the City of Santa Barbara's determination.

Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, sections 15060, subdivision (c)(3), and 15378.

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5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. 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.

EXHIBIT:

- A. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

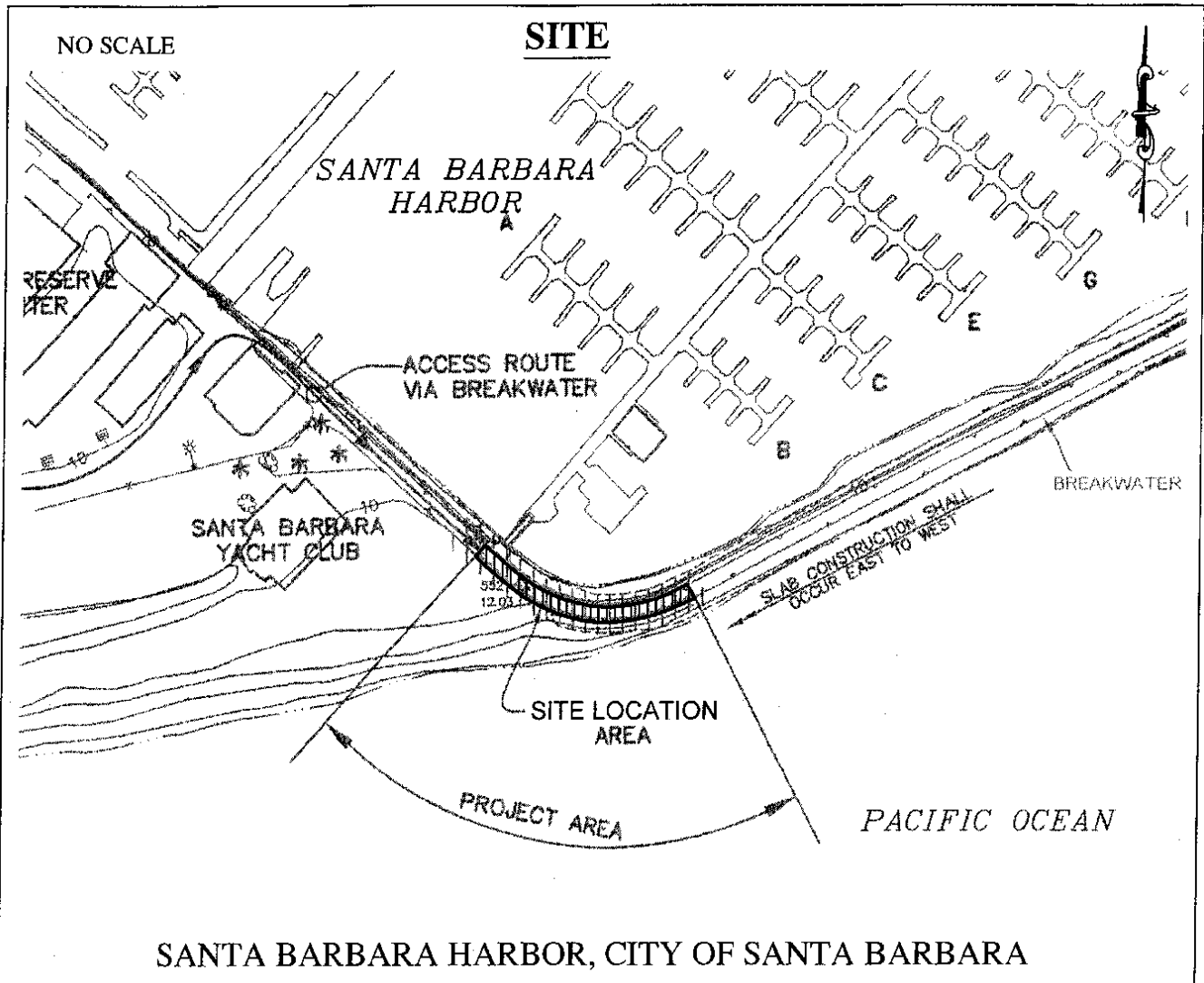
Concur with the City's determination that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, under Class 1, Existing Facilities; California Code of Regulations, Title 14, section 15301, subdivision (d), and Class 2, Replacement or Reconstruction; California Code of Regulations, Title 14, section 15302, subdivision (c).

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 section 6370 et seq.

AUTHORIZATION:

1. Find that the Breakwater Cap Repair Project is consistent with the Public Trust and the City's statutory trust grant and is in the best interest of the people of the State of California.
2. Approve the proposed expenditure of approximately \$400,000 of tidelands trust funds for Phase IV of the Breakwater Cap Repair Project, City of Santa Barbara, Santa Barbara County.



MAP SOURCE: USGS QUAD

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

Exhibit A

G15-01.3
 CITY OF SANTA BARBARA
 REQUEST TO EXPEND
 TIDELANDS TRUST FUNDS
 SANTA BARBARA COUNTY

