

MINUTE ITEM

This Calendar Item No. 30
was approved as Minute Item
No. 30 by the State Lands
Commission by a vote of 2
to 0 at its 4/26/79
meeting.

CALENDAR ITEM

30.

4/79
W 9301
Sekelsky

DELEGATION OF AUTHORITY
RECREATIONAL PIER PERMITS

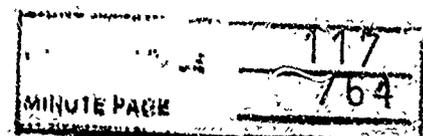
Senate Bill 349 (Nejedly) which became law on January 1, 1978 amended Section 6503 of the P.R.C. and restored the "rent-free" use of State tide and submerged lands by littoral land owner under limited conditions. The conditions are that the private recreational piers be constructed for the use of the littoral land owner and that the littoral land owner be a natural person or persons, using the littoral land solely for private single-family dwelling house. The bill does provide that the Commission shall be reimbursed for the expense of issuing a recreational pier permit. On September 29, 1978, SB 1937 became law and amended Sections 6503 and 6507 and added Section 6503.5 to the P.R.C. The amendment expands the definition of littoral land owner to include certain associations and nonprofit corporations consisting of natural persons who are within a 1 mile radius of a private recreational pier owned by such association or corporation. The new law extends the rent-free status to such recreational pier permits.

The regulations in Title 2, Division 3 of the Cal. Adm. Code, Articles 1 and 2 have been revised to incorporate the provisions of SB 349 and SB 1937.

Staff now requests that the Executive Officer or his designee be delegated the authority to issue recreational pier permits under criteria listed below, in order to expedite the processing time for such permits and to reduce staff time on non-revenue producing permits.

OTHER PERTINENT INFORMATION:

1. The Executive Officer or his designee will issue private recreational pier permits for those existing and proposed fixed facilities that are exempt from EIR/ND requirements of CEQA. The Executive Officer (and/or his designee) was delegated the authority to determine a project to be exempt for the EIR/ND requirements of CEQA at the April 27, 1978 meeting of the Commission (Item No. 12).



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2. The Executive Officer shall report to the State Lands Commission on a monthly basis all those permits issued.

IT IS RECOMMENDED THAT THE COMMISSION IN ORDER TO EXPEDITE THE PROCESSING TIME FOR SUCH PERMITS, DELEGATE TO THE EXECUTIVE OFFICER OR HIS DESIGNEE THE AUTHORITY TO ISSUE PRIVATE RECREATIONAL PIER PERMITS TO APPLICANTS QUALIFYING FOR SUCH PERMITS UNDER P.R.C. 6503 AND 6503.5 AND THE COMMISSION'S RULES AND REGULATIONS, BUT EXPRESSLY SUBJECT TO THE FOLLOWING CONDITIONS:

- A. THAT ONLY PERMITS INVOLVING PROJECTS WHICH ARE DETERMINED TO BE EXEMPT FROM THE EIR/ND REQUIREMENTS OF CEQA BE ISSUED;
- B. THAT THE EXECUTIVE OFFICER SHALL REPORT TO THE COMMISSION AT THE NEXT MONTHLY MEETING ALL THOSE PERMITS ISSUED SINCE THE LAST MEETING.