

STATE OF CALIFORNIA

Minutes of the meeting of May 31, 1983
of the State Lands Commission
Sacramento, California

APPEARANCES

Commissioners Present

John Jervis, Acting Chairman, Commission-Alternate
for Kenneth Cory, State Controller
Leo T. McCarthy, Lieutenant Governor, Member
Nancy Ordway, Commission-Alternate for Michael
Franchetti, Director of Finance, Member

Staff Members In Attendance

Claire T. Dedrick, Executive Officer
James F. Trout, Assistant Executive Officer
R. C. Hight, Chief Counsel
Lance Kiley, Chief, Division of Land Management
and Conservation
W. M. Thompson, Chief, Extractive Development
Program
D. J. Everitts, Assistant Chief, Extractive Development
Program
D. E. Sanders, Chief, Planning and Environmental
Coordination
A. D. Willard, Supervisor Mineral Resources Engineer

Representing the Office of the Attorney General

N. Gregory Taylor, Assistant Attorney General
Jan Stevens, Deputy Attorney General

Regarding Minute Item 28:

Mr. Marc Borgman
Mr. Carmen Lodise
Ms. Diann Conn
Isla Vista Municipal Advisory Council

MINUTES OF THE STATE LANDS COMMISSION
MEETING OF

MAY 31, 1983

The regular meeting of the State Lands Commission was called to order by Acting Chairman John Jervis, representing Kenneth Cory, State Controller, Chairman at 1:50 p.m. in Room 102, 1020 N Street, Sacramento, California.

Also present were Leo T. McCarthy, Lieutenant Governor, Member; and Nancy Ordway, representing Michael Franchetti, Director of Finance, Member.

The minutes of the meeting of April 28, 1983 were approved as presented.

EXECUTIVE OFFICER'S REPORT:

Attached as Exhibit "A"

STAFF REPORT ON SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION:

Attached as Exhibit "B".

EXHIBIT "A"

EXECUTIVE OFFICER'S REPORT

5/31/83

BY

CLAIRE T. DEDRICK

LETTER OF PERMISSION - WILDLIFE CONSERVATION BOARD

PRC 5879.9

A LETTER OF PERMISSION WAS GRANTED TO THE WILDLIFE CONSERVATION BOARD IN ADVANCE OF AMENDING EXISTING PRC 5879.9 FOR CONSTRUCTION OF A 5,000 SQUARE FOOT PARKING AREA AND A 500 LINEAR FOOT PUBLIC ACCESS ROAD WITHIN THE PRESENT LEASE USED FOR THE LAKE EARL WILDLIFE AREA.

IT IS NECESSARY FOR THE PROPOSED WORK TO BE PERFORMED NOW TO INSURE COMPLETION UNDER THE AUTHORIZED 1982-1983 BUDGET; THE WILDLIFE CONSERVATION BOARD WILL OBTAIN THE REQUIRED MODIFICATION OF THE EXISTING LEASE.

THIS ACTIVITY IS CATEGORICALLY EXEMPT UNDER CEQA AND THE STATE CEQA GUIDELINES BECAUSE IT INVOLVES CONSTRUCTION OF A SMALL NEW FACILITY. AUTHORITY: 14 CAC, Div. 6, SEC. 15103.

FILED	890
DATE	

EXHIBIT "B"

SAN FRANCISCO BAY CONSERVATION
AND DEVELOPMENT COMMISSIONPIER 39

After lengthy debate, on May 19 the San Francisco Bay Conservation and Development Commission unanimously approved an amendment to an application of Pier 39 Limited Partnership and the Port of San Francisco to reconfigure their east side marina and construct a new breakwater to replace the existing floating tire breakwater. To raise the revenue needed to build the new breakwater, Pier 39 proposed to sell long-term subleases (59 years each) of individual marina slips for private recreational uses. This "dockominium" concept raised significant public trust issues during the three hearings.

At the April 19 and May 5 public hearings, the staff of this Commission strongly opposed this proposal because of the long-term exclusive use. The staff contended that the Pier 39 marina project is a very valuable piece of public tide and submerged lands, with important public recreational uses, and would no longer be available to the public. Instead, for the next 59 years, it would be devoted exclusively to the benefit and enjoyment of the 351 "winners" at the Pier 39 auction and their heirs.

After several meetings with the applicant, we were able to reach a compromise that addressed some of our main concerns. This compromise was based on the fact that Pier 39 was unique because an important marina would cease operation if an adequate breakwater was not constructed, and to build the needed breakwater would require millions of dollars which were not immediately available through conventional sources.

BCDC finally approved the amendment to the application subject to Pier 39 maintaining a minimum of 68 slips available for rental on a month-to-month basis with rentals and resales taken from a waiting list maintained by the Pier 39 management on a first come, first served basis.

RECORD OF ACTION TAKEN BY THE
STATE LANDS COMMISSION
AT ITS MEETING OF MAY 31, 1983

During the meeting, the recommendations of the staff relative to Calendar Items C2, C3, C4, C5, C6, C8, C9, C10, C11, C12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27 were adopted as resolutions of the Commission by unanimous vote.

Commission action on Calendar Items C1 and 28 are set forth on pages 893 and 1041.

Calendar Item C7 was withdrawn from the agenda prior to the meeting.

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