

MINUTE ITEM

This Calendar Item No. C17
was approved as Minute item
No. 17 by the State Lands
Commission by a vote of 3
to 0 at its 12/22/83
meeting.

CALENDAR ITEM

C17 -4

12/22/83
W 23233
Lipphardt
PRC 5542

GENERAL PERMIT - PUBLIC AGENCY USE

APPLICANT: State Department of Parks and Recreation
P. O. Box 2390
Sacramento, California 95811

AREA, TYPE LAND AND LOCATION:
A 0.103-acre parcel of tide and submerged
land near Oso Flaco Creek, Pismo Beach,
San Luis Obispo County.

LAND USE: Maintenance of an existing vehicle barrier.

TERMS OF PROPOSED PERMIT:
Initial period: 20 years from October 1,
1983.

CONSIDERATION:
The public use and benefit, with the State
reserving the right at any time to set
a monetary rental if the Commission finds
such action to be in the State's best interest.

BASIS FOR CONSIDERATION:
Pursuant to 2 Cal. Adm. Code 2003.

PREREQUISITE TERMS, FEES AND EXPENSES:
Applicant is owner of upland.
Filing fee and processing costs have been
received.

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PERMIT NO.	2800

STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

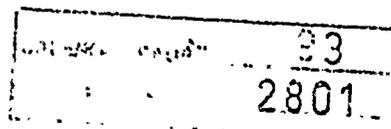
AB 884: 9/6/84.

OTHER PERTINENT INFORMATION:

1. In June 1982, the Coastal Commission issued a permit to the Department of Parks and Recreation (DPR) to operate an Off-Highway-Vehicle Area on Pismo Beach north of Oso Flaco Creek in San Luis Crispo County. As a condition of the permit, DPR was required to erect an east/west aligned vehicle barrier north of Oso Flaco Creek running seaward to the mean low water line. The purpose of the barrier was to prohibit vehicle access to the dune area south of Oso Flaco Creek and thereby serve to protect the dunes, archaeological resources, and the wet environments of the area. Pedestrian traffic is not impeded by the vehicle barrier. The vehicle barrier was to be erected prior to August 31, 1983 and this construction has been accomplished.

In July 1983, staff notified DPR that a permit would be required for that portion of the vehicle barrier which crosses over State property.

2. The annual rental value of the site is estimated to be \$100.
3. This project is exempt from CEQA because it involves existing facilities pursuant to 2 Cal. Adm. Code, Sec. 2905, Class 1.
4. The project is situated on lands identified as possessing significant environmental values pursuant to P.R.C. 6370.1 and is classified in a use category "B" which authorizes Limited Use. The project as proposed will not have a significant effect upon the identified environmental values.



CALENDAR ITEM NO. 17 (CONTD)

EXHIBITS: A. Land Description.
 B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THIS ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AS CATEGORICALLY EXEMPT UNDER THE PROVISIONS OF F.R.C. 21084, 14 CAL. ADM. CODE 15300.1, AND 2 CAL. ADM. CODE 2905; AND FIND THAT THE PROJECT IS CONSISTENT WITH ITS LAND USE CLASSIFICATION, PURSUANT TO PRC 6370.1.
2. AUTHORIZE ISSUANCE TO THE CALIFORNIA DEPARTMENT OF PARKS AND RECREATION OF A 20-YEAR GENERAL PERMIT - PUBLIC AGENCY USE FROM OCTOBER 1, 1983; IN CONSIDERATION OF THE PUBLIC USE AND BENEFIT, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENTAL IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; FOR MAINTENANCE OF AN EXISTING VEHICLE BARRIER ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Revised 12/19/82.

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EXHIBIT A

LAND DESCRIPTION

W 23233

A strip of tide and submerged land 10 feet in width in the Pacific Ocean at Oso Flaco Creek, Pismo State Beach; San Luis Obispo County, California, lying 5 feet on each side of an existing vehicle barrier extending waterward 450 feet, more or less, from the ordinary high water mark.

END OF DESCRIPTION

REVISED NOVEMBER 2, 1983 BY BOUNDARY AND TITLE UNIT, LEROY WEED, SUPERVISOR.

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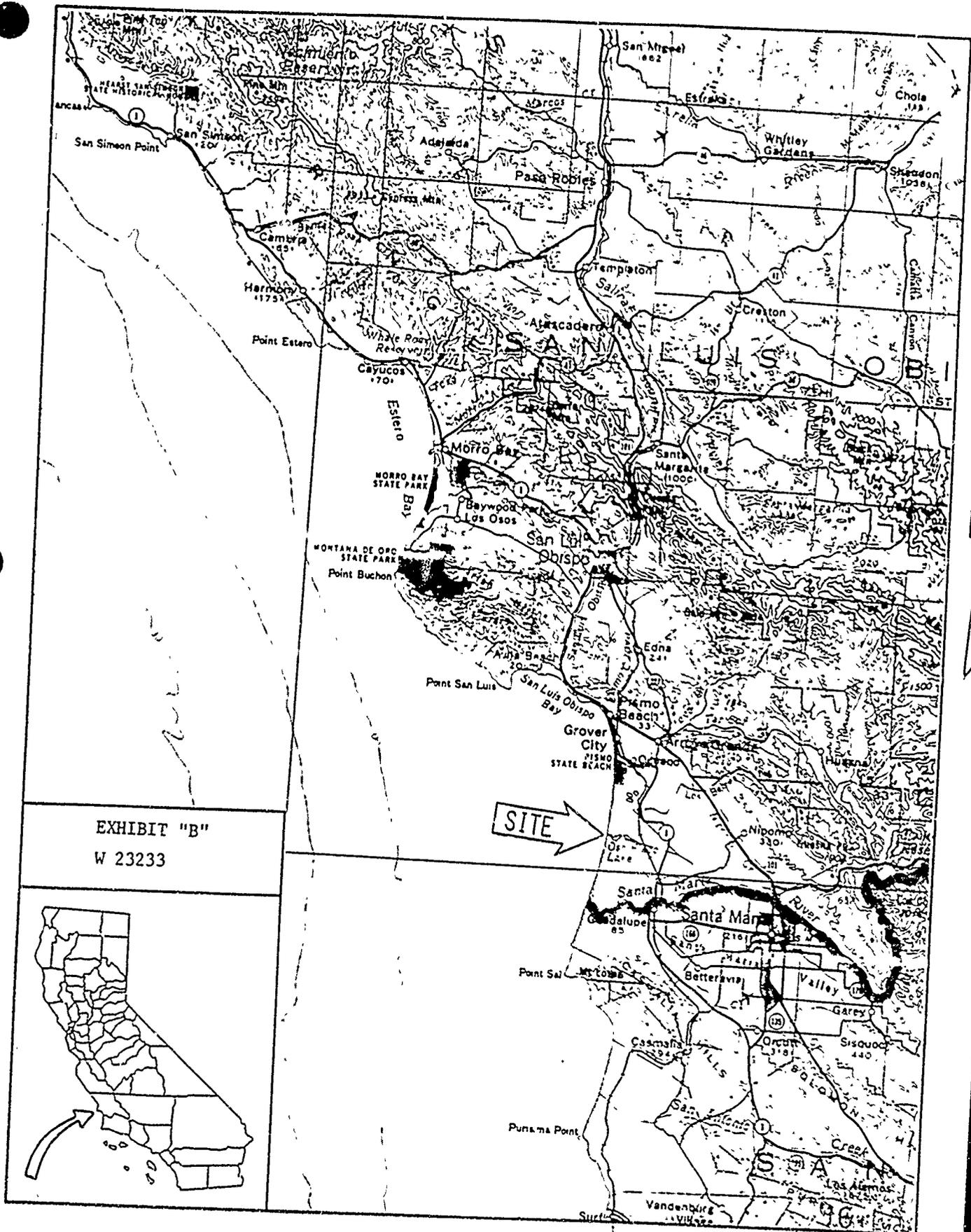


EXHIBIT "B"
W 23233



SITE