

MINUTE ITEM

This Council Item No. 32  
was approved as a Calendar Item  
No. 2 by the State Lands  
Commission by a vote of 1  
to 0 at its 3:30 meeting.

CALENDAR ITEM

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06/26/86  
WP 5131 PRC 5131  
Lipphardt

AMENDMENT AND RENEWAL OF  
GENERAL PERMIT - PROTECTIVE STRUCTURE

APPLICANT: Charles R. and Pearl L. Landers  
1400 Ocean Boulevard  
Pismo Beach, California 93449

AREA, TYPE LAND AND LOCATION:  
An approximate 0.010-acre parcel of coastal  
tidelands located at Shell Beach, San Luis  
Obispo County.

LAND USE: Maintenance of an existing concrete seawall.

TERMS OF ORIGINAL PERMIT:

Initial period: Ten years beginning July 1,  
1976.

Renewal options: Three successive periods of  
ten years each.

Consideration: \$20 per annum; five-year rent  
review.

TERMS OF PROPOSED PERMIT:

Initial period: Ten years beginning July 1,  
1986.

Public liability insurance: Combined single  
limit coverage of \$100,000.

CONSIDERATION: \$50 per annum; with the State reserving the  
right to fix a different rental on each fifth  
anniversary of the permit.

CALENDAR ITEM NO. C 0 8 (CONT'D)

**BASIS FOR CONSIDERATION:**

Pursuant to 2 Cal. Adm. Code 2003.

**APPLICANT STATUS:**

Applicant is owner of upland.

**PREREQUISITE CONDITIONS, FEES AND EXPENSES:**

First year's annual rental has been received.

**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:

N/A.

**OTHER PERTINENT INFORMATION:**

1. On May 27, 1976, the State Lands Commission approved the issuance of a General Permit - Protective Structure to Charles R. and Pearl L. Landers. The permit provided for an option to renew for three successive periods of ten years each. The lease is due to terminate on June 30, 1986. Lessee has requested to renew the permit under the first ten-year option provision.

2. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorical exempt project. The project is exempt under Class 1, Existing Facility, 2 Cal. Adm. Code 2905(a)(2).

Authority: P.R.C. 21084, 14 Cal. Adm. Code 15300, and 2 Cal. Adm. Code 2905.

3. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. but will not affect those significant lands.

CALENDAR ITEM NO. C 0 8 (CONT'D)

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 AS A CATEGORICAL EXEMPT PROJECT, CLASS 1, EXISTING FACILITY, 2 CAL. ADM. CODE 2905(a)(2).
2. FIND THAT THIS ACTIVITY WILL INVOLVE LANDS IDENTIFIED AS POSSESSING SIGNIFICANT ENVIRONMENTAL VALUES PURSUANT TO P.R.C. 6370, ET SEQ., BUT THAT SUCH ACTIVITY WILL HAVE NO DIRECT OR INDIRECT EFFECT ON SLOPE LANDS.
3. AUTHORIZE ISSUANCE TO CHARLES R. AND EARL L. LANDERS OF A TEN-YEAR RENEWAL OF GENERAL PERMIT - PROTECTIVE STRUCTURE BEGINNING JULY 1, 1986; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$50, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$200,000; FOR MAINTENANCE OF A CONCRETE SEAWALL ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

W21073

A parcel of tide and submerged land in the bed of the Pacific Ocean, vicinity of Shell Beach, California, more particularly described as follows:

BEGINNING at the most easterly corner of lot 2, block 1 of Shell Beach Subdivision No. 2, filed May 4, 1926, in map book 3, page 73, San Luis Obispo County Records; thence along the southeasterly line of said lot 2 S 29° 43' 00" W, 41.65 feet; thence N 37° 06' 51" W, 6.92 feet; thence S 78° 51' 33" W, 15.94 feet; thence N 77° 36' 30" W, 32.50 feet; thence N 27° 18' 50" W, 12.50 feet; thence N 78° 36' 36" E, 79.50 feet to the point of beginning.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of the Pacific Ocean.

END OF DESCRIPTION

REVIEWED JANUARY 6, 1986 BY BOUNDARY SERVICES UNIT M. L. SHAFER, SUPERVISOR.

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