

MINUTE ITEM

This Calendar Item No. C15
was approved as Minute Item
No. 15 by the State Lands
Commission by a vote of 2
to 0 at its 7/24/86
meeting.

CALENDAR ITEM

C15

A 29

S 14

07/24/86
WP 1603 PRC 1603
Lipphardt

ACCEPTANCE OF A LEASE QUITCLAIM DEED
TERMINATION OF ORIGINAL LEASE PRC 1603 AND
APPROVAL OF REPLACEMENT GENERAL PERMIT - PUBLIC AGENCY USE

APPLICANTS: County of San Luis Obispo
Attn: Curtis Sorg
County Government Center
San Luis Obispo, California 93408

California Department of Parks and Recreation
Attn: Carleton H. Greenwood
1416 Ninth Street, 14th Floor
Sacramento, California 95814

AREA, TYPE LAND AND LOCATION:

An approximate 0.987-acre parcel of tide and
submerged land located in the Pacific Ocean
near William Randolph Hearst Memorial State
Park, San Luis Obispo County.

LAND USE: Operation and maintenance of the existing
San Simeon Pier.

TERMS OF ORIGINAL PERMIT:

Initial period: 49 years beginning
December 20, 1955.

Consideration: Public Use and benefit so
long as the public is allowed
free access to and use of the
pier.

TERMS OF PROPOSED PERMIT:

Initial period: 25 years beginning May 1,
1986.

CALENDAR ITEM NO. C15 (CONT'D)

The public use and benefit as long as the public is allowed free access to and use of the pier; 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 or should a charge for access or use of the pier be made during the term of the lease.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Adm. Code 2003.

APPLICANT STATUS:

Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Processing costs have 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 August 8, 1957 the State Lands Commission approved the issuance of a lease to the County of San Luis Obispo (County) for a recreational pier. The County operated the pier in conjunction with the upland county-owned park property. In 1970, the County transferred the upland park property to the California Department of Parks and Recreation (DPR). DPR operates and maintains the pier and the park, now called the William Randolph Hearst Memorial State Beach. The pier lease was never assigned to DPR and staff contacted the County requesting an assignment of the lease to DPR. The County prefers terminating the pier lease and signing a lease quitclaim deed, which requires the issuance of a replacement lease to DPR.

CALENDAR ITEM NO. C 15 (CONT'D)

2. As to the lease quitclaim from the County of San Luis Obispo, 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 because the activity is not a "project" as defined by CEQA and the State CEQA Guidelines.

Authority: P.R.C. 21065 and 14 Cal. Adm. Code 15378.

3. As to the lease to the DPR, 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.

4. 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.

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. AS TO THE LEASE QUITCLAIM FROM THE COUNTY OF SAN LUIS OBISPO, FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. ADM. CODE 15378.
2. AS TO THE LEASE TO THE CALIFORNIA DEPARTMENT OF PARKS AND RECREATION, 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).

CALENDAR ITEM NO. 615 (CONT'D)

3. 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 SUCH LANDS.

4. AUTHORIZE 1) THE ACCEPTANCE OF A LEASE QUITCLAIM DEED ON FILE IN THE PRINCIPAL OFFICE OF THE STATE LANDS COMMISSION; 2) TERMINATION OF ORIGINAL LEASE PRC 1603, EFFECTIVE MAY 1, 1986; AND 3) ISSUANCE TO THE CALIFORNIA DEPARTMENT OF PARKS AND RECREATION OF A 25-YEAR GENERAL PERMIT - PUBLIC AGENCY USE BEGINNING MAY 1, 1986; IN CONSIDERATION OF THE PUBLIC USE AND BENEFIT SO LONG AS THE PUBLIC IS ALLOWED FREE ACCESS TO AND USE OF THE PIER, 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 OR SHOULD A CHARGE FOR ACCESS OR USE OF THE PIER BE MADE DURING THE TERM OF THE LEASE; FOR OPERATION AND MAINTENANCE OF THE SAN SIMEON PIER ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

WP 1603

A strip of tide and submerged land 50 feet wide in San Simeon Bay, San Luis Obispo County, California, lying 25 feet on each side of the following described centerline:

COMMENCING at a 1.5 inch iron pipe monument tagged L.S. 2391 and shown on the map filed in Book 6 of Licensed Surveys at Page 61, Records of San Luis Obispo County; situated 79.32 feet left of highway centerline station 486 + 43.87, as said centerline is shown on the plans for State Highway Route 1, dated May 2, 1966, on file in the State Division of Highways, District 5 Office, San Luis Obispo, California: thence S 14°15'W, 402.75 feet to a 1 inch iron pipe monument; thence S 86°00'W, 56.42 feet; thence S 10°00'E, 54.87 feet to a point on the bluff of San Simeon Bay and the centerline of the existing pier, said point being the TRUE POINT OF BEGINNING; thence along the centerline of said pier S 30°00'W 210.00 feet; thence S 56°00'W 700.00 feet.

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

END OF DESCRIPTION

REVIEWED FEBRUARY 4, 1986 BY BOUNDARY SERVICES UNIT, M. L. SHAFER, SUPERVISOR.

CALENDAR PAGE	77
MINUTE PAGE	1863

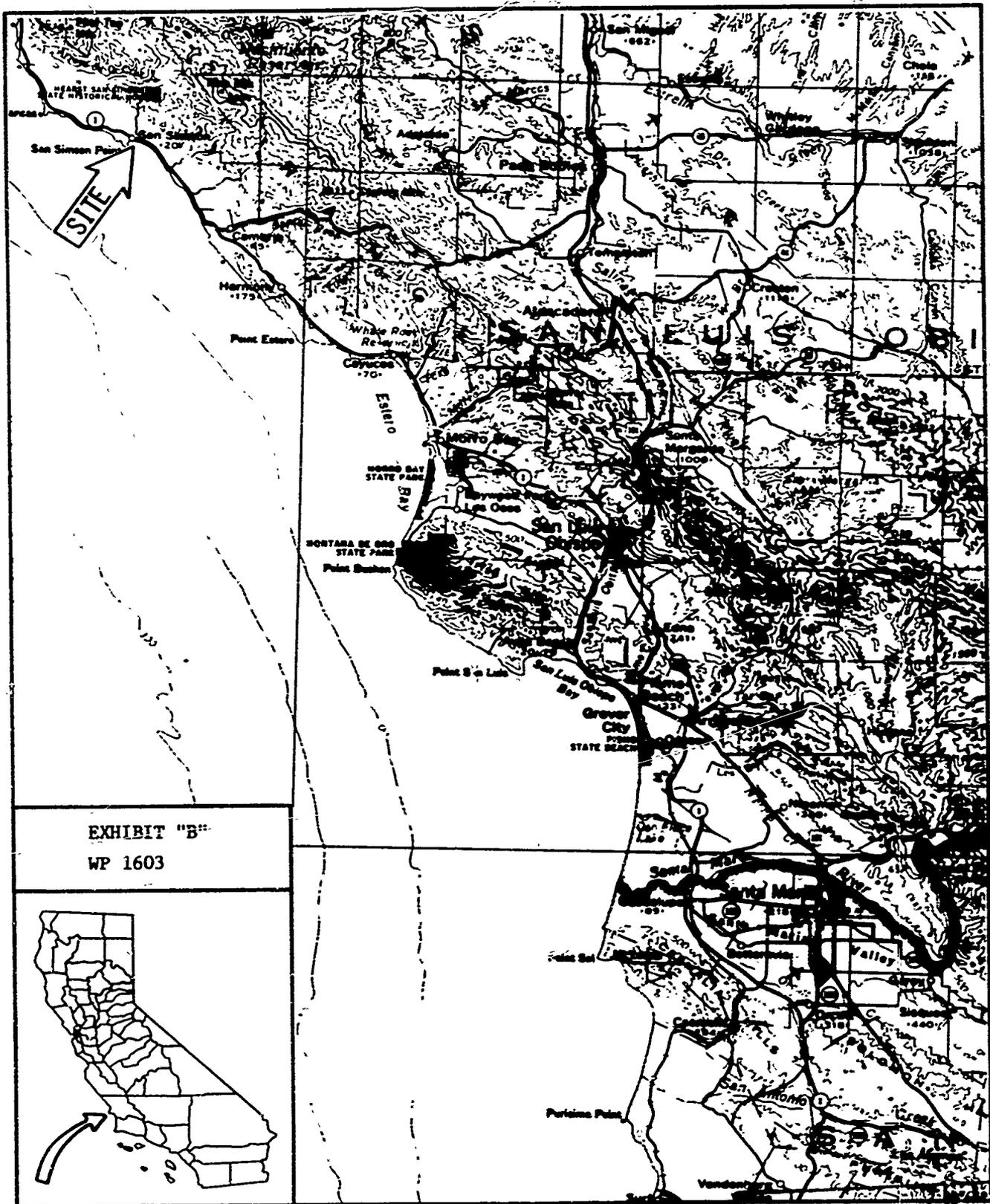


EXHIBIT "B"
WP 1603



CALENDAR PAGE
MINUTE PAGE 1664