

MINUTE ITEM

This Calendar Item No. 18
was approved as Minute Item
No. 18 by the State Lands
Commission by a vote of 2
0 at its 12/12/1989
meeting.

CALENDAR ITEM

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12/12/89
PRC 391
Grimmett

GENERAL PERMIT - RECREATIONAL USE

APPLICANT: The Kissel Company, Inc., dba
Paradise Cove Land Company
28128 Pacific Coast Highway
Malibu, California 90265

AREA, TYPE LAND AND LOCATION:
A 0.24-acre parcel of tide and submerged land
at Paradise Cove in Santa Monica Bay,
Los Angeles County.

LAND USE: Maintenance of an existing pier for
recreational purposes.

TERMS OF ORIGINAL PERMIT:

Initial period: Fifteen years beginning
February 25, 1974.

Renewal options: One successive period of ten
years each.

Surety bond: \$5,500.

Public liability insurance: Combined single
limit coverage of \$1,000,000.

Special: Annual rental was \$1,562.40
from February 25, 1974
through February 24, 1976 and
\$5,960 per annum thereafter.

CALENDAR ITEM NO. 18 (CONT'D)

TERMS OF PROPOSED PERMIT:

Initial period: Ten years beginning
February 25, 1989.

Surety bond: \$5,500.

Public liability insurance: Combined single
limit coverage of \$1,000,000.

CONSIDERATION: \$2,100 per annum, with the State reserving the
right to fix a different rental on each
fifth anniversary of the permit.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Code Regs. 2003.

APPLICANT STATUS:

Applicant is the owner of the upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee has been received.

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

B. Cal. Code Regs.: Title 2, Div. 3;
Title 14, Div. 6.

AB 884: N/A.

OTHER PERTINENT INFORMATION:

1. The presently expiring lease for the Paradise Cove pier at Malibu was for commercial uses. Much of this pier was destroyed in the 1983 winter storms. Although the lease provided for a ten-year renewal option, the pier owner elected to remove the outer damaged pier remains and to convert the remaining pier segment, approximately 260 feet, to recreational uses only. This pier is currently open to the public for fishing.

CALENDAR ITEM NO. 18 (CONT'D)

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

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

3. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

APPROVALS OBTAINED:

United States Army Corps of Engineers.

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. CODE REGS. 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITY, 2 CAL. CODE REGS. 2905(a)(2).
2. AUTHORIZE ISSUANCE TO THE KISSEL COMPANY, INC., dba PARADISE COVE LAND COMPANY OF A TEN-YEAR GENERAL PERMIT - RECREATIONAL USE, BEGINNING FEBRUARY 25, 1989; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$2,100, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT; PROVISION OF A \$5,500 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$1,000,000; FOR THE MAINTENANCE OF AN EXISTING PIER APPROXIMATELY 260 FEET LONG FOR RECREATIONAL PURPOSES ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"
LAND DESCRIPTION

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A strip of tide and submerged land, 49 feet wide, near Point Dume in Santa Monica Bay, Los Angeles County, California and in an area known as Paradise Cove and lying 24.5 feet on each side of the following described centerline:

COMMENCING at NGS triangulation station "TRESTLE 1933"; thence N30°18'47"E, 640.46 feet; thence N 55°05'43"E, 373.47 feet to the TRUE POINT OF BEGINNING of the herein described centerline; thence S 43°46'59" E, 259.0 feet to the point of termination.

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

END OF DESCRIPTION

REVISED JULY 6, 1988, BY BIU 1.

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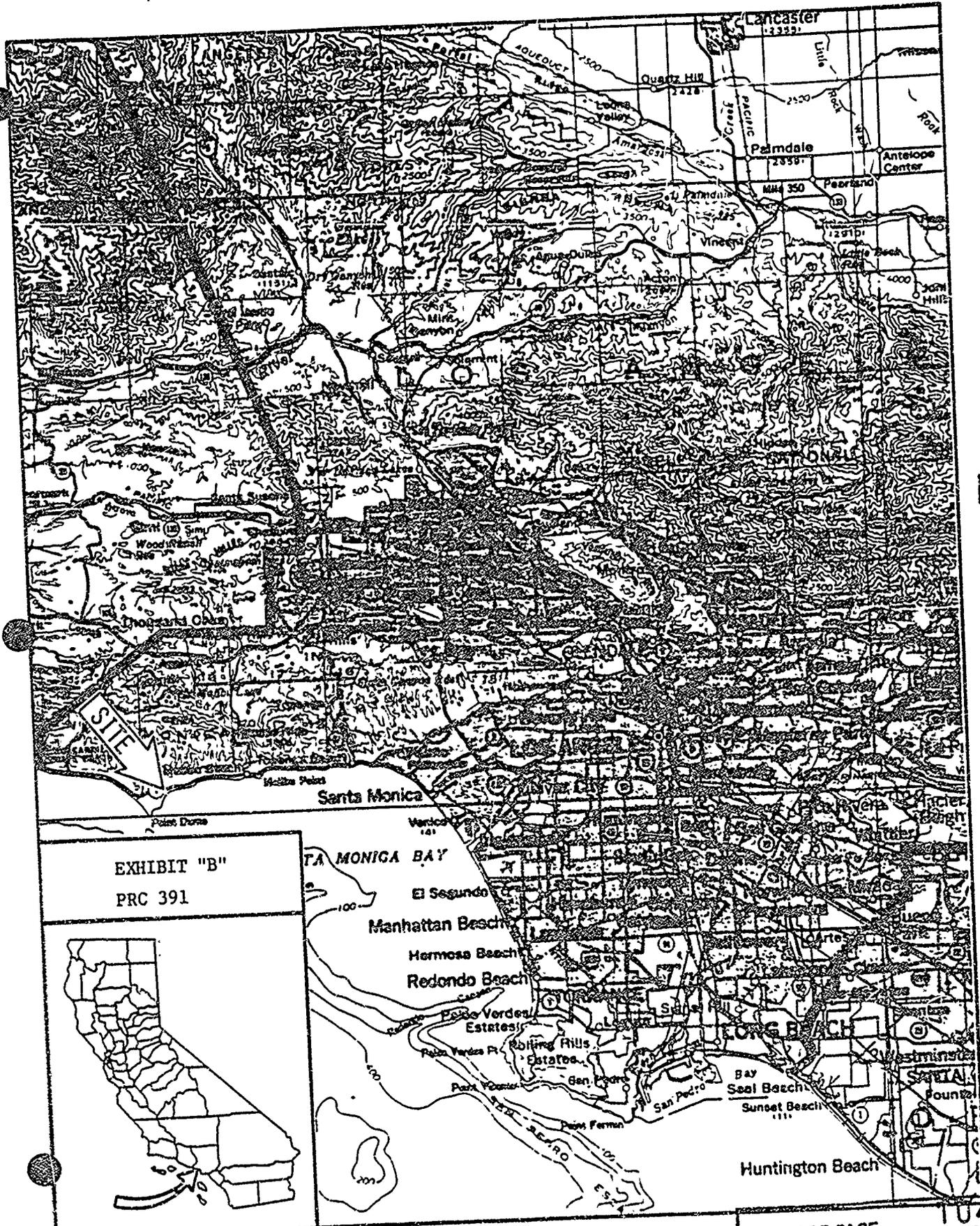


EXHIBIT "B"
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