

CALENDAR ITEM
C30

MINUTE ITEM
This Calendar Item No. C30
was approved as Minute Item
No. 30 by the State Lands
Commission by a vote of 3
to 0 at its May 3, 1995
meeting. 05/03/95
W 25139
PRC 7802
J. Smith

A 33
S 14, 18

RESCISSION OF PRIOR COMMISSION AUTHORIZATION
FOR GENERAL LEASE - PROTECTIVE STRUCTURE USE

PARTY:

Kathryn L. Fox, Trustee and Joyce Rivers Cusano
c/o Bill Lewis
1801 E. Tropicana, Suite 9
Las Vegas, Nevada 89119

LOCATION:

Tide and submerged land located in the Pacific Ocean, Pismo
Beach, San Luis Obispo County.

**OTHER PERTINENT
INFORMATION:**

On November 15, 1994, pursuant to Minute Item 85, the
Commission authorized the issuance of a ten-year General
Lease - Protective Structure Use for repair and continued
use and maintenance of an existing seawall for protection of
property at 2161/2171 Shoreline Drive, Pismo Beach. This
authorization was based on previously submitted plans from
the applicant's engineer indicating that portions of the
existing structure encroached onto sovereign lands under the
Commission's jurisdiction. A lease document was drafted by
staff but was never executed. The applicants recently
submitted revised plans along with a letter from the
engineer indicating that an error had been made at the time
of the original survey and the wrong reference elevations
were used. Based on staff's review of the revised plans,
the seawall appears to be located landward of Commission
jurisdiction. Staff is therefore recommending that the
Commission rescind its prior authorization under Minute
Item 85.

EXHIBIT:

A. Location Map (with revised elevation)

AB 884:

N/A

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CEQA

FINDING:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. CODE REGS. 15378.

RECOMMENDED

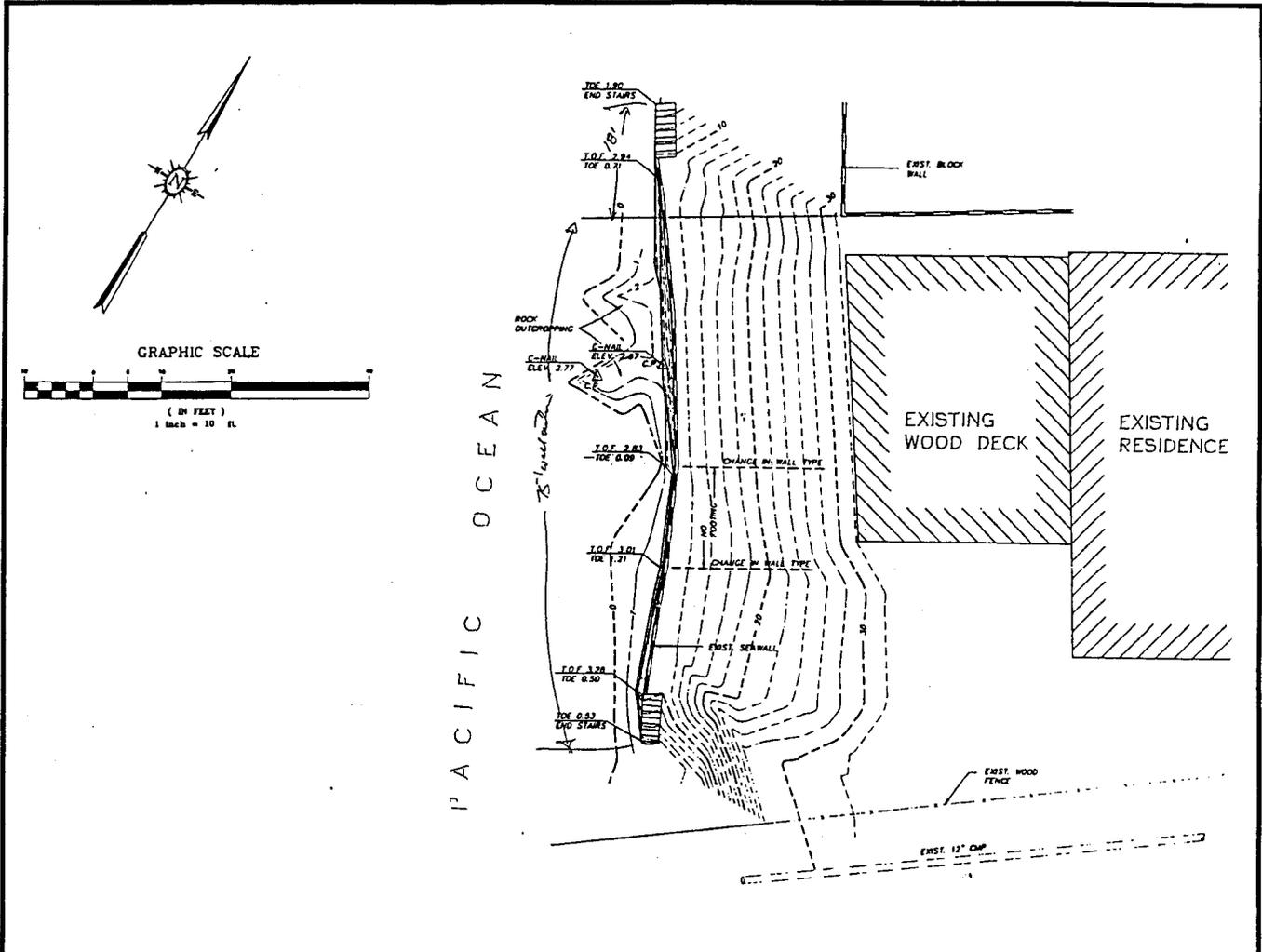
ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

AUTHORIZATION:

RESCIND MINUTE ITEM 85 OF THE NOVEMBER 15, 1994 COMMISSION MEETING, AUTHORIZING A TEN-YEAR GENERAL LEASE - PROTECTIVE STRUCTURE USE TO KATHRYN L. FOX, TRUSTEE AND JOYCE RIVERS CUSANO, FOR REPAIR AND CONTINUED USE AND MAINTENANCE OF AN EXISTING SEAWALL ADJACENT TO THE PACIFIC OCEAN, PROTECTING UPLAND PROPERTY AT 2161/2171 SHORELINE DRIVE, PISMO BEACH, SAN LUIS OBISPO COUNTY.

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2161 & 2171 Shoreline Dr.

LOCATION MAP

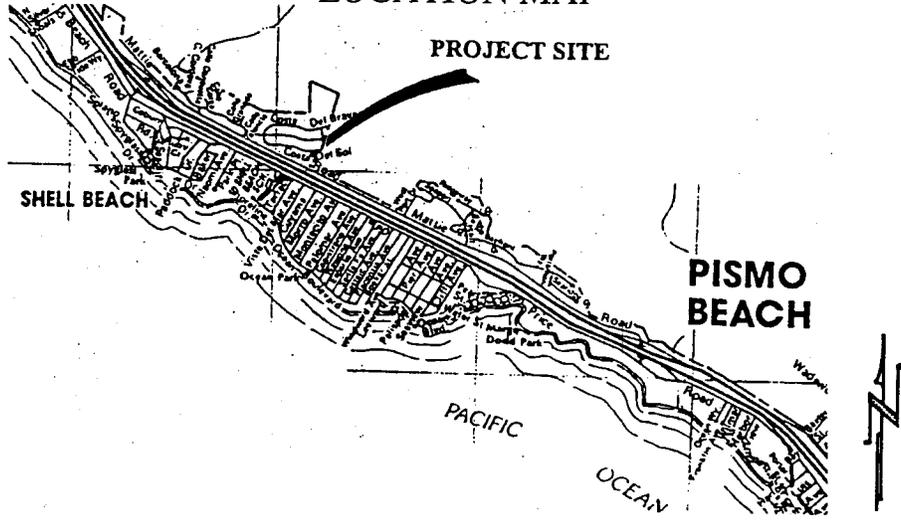


EXHIBIT "A"
 W 25139
 APNs 010 - 521 - 020,021
 General lease
 Protective Structure Use
 Fox / Cusano
 Pismo Beach
 SAN LUIS OBISPO CO.



This Exhibit is solely for purposes of generally defining the lease premises, and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.