

**CALENDAR ITEM  
C59**

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S 15

06/28/10  
WP 2714.1  
D. Simpkin

**GENERAL LEASE – RECREATIONAL USE  
AND  
APPROVAL OF RULES AND REGULATIONS FOR PUBLIC ACCESS TO AND USE  
OF MULTI-USE PIER**

**APPLICANT:**

Pebble Beach Company  
P.O. Box 1767  
Pebble Beach, CA 93953

**AREA, LAND TYPE, AND LOCATION:**

Sovereign land in Stillwater Cove, Carmel Bay, Monterey County

**AUTHORIZED USE:**

The continued use and maintenance of an existing multi-use pier.

**LEASE TERM:**

Ten years, beginning November 1, 2009.

**CONSIDERATION:**

Annual rent in the amount of \$2,184, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

**SPECIFIC LEASE PROVISIONS:**

Insurance:

Combined single-limit liability insurance coverage in the amount of no less than \$1,000,000.

Other:

Surety Bond in the amount of \$20,000.

**OTHER PERTINENT INFORMATION:**

1. Applicant owns the uplands adjoining the lease premises.
2. On November 29, 1984, the Commission authorized the issuance of a Replacement of General Lease – Recreational Use, PRC 2714.1, to the Pebble Beach Company, for a 25-year term, effective November 1, 1984. The lease expired on October 31, 2009. The Applicant is now applying for a new General Lease – Recreational Use for the existing multi-use pier.

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3. On May 23, 1985, the Commission authorized an Amendment of General Lease – Recreational Use and Approval of Rules and Regulations for Public Access to, and use of, Recreational Pier. The Applicant has also submitted updated Rules and Regulations for Commission consideration.
4. The pier is available for public recreational use year round, and recreational boat launching May 15 through September 15. Public parking is available (reserved and unreserved), but pier access is restricted under certain circumstances. A list of pier rules and regulations is attached on Exhibit C and is posted at the entrance to the pier.
5. The Del Monte Forest Area - Land Use Plan/Local Coastal Program, adopted by Monterey County on July 17, 1984, and certified by the California Coastal Commission on September 24, 1984, provides for public access to Stillwater Cove via an agreement between Monterey County and the Pebble Beach Company. This agreement establishes the public's right to vehicular and pedestrian/bicyclist access through Del Monte Forest subject to reasonable toll, regulations, and hours of operation.
6. The Applicant does not qualify for rent-free status because the Applicant is not a natural person who owns the uplands pursuant to Public Resources Code section 6503.5.
7. **Existing Pier:** Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; Title 2, California Code of Regulations, section 2905 (a)(2).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, Section 15300 and Title 2, California Code of Regulations, section 2905.

8. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 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.

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**EXHIBITS:**

- A. Location and Site Map
- B. Land Description
- C. Pier Rules and Regulations

**RECOMMENDED ACTION:**

It is recommended that the Commission:

**CEQA FINDING:**

**EXISTING PIER:** Find that the activity is exempt from the requirements of CEQA pursuant to Title 14, California Code of Regulations, section 15061 as a categorically exempt project, Class 1, Existing Facilities; Title 2, California Code of Regulations, section 2905 (a)(2).

**SIGNIFICANT LANDS INVENTORY FINDING:**

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code sections 6370, et seq.

**AUTHORIZATION:**

Authorize issuance of a General Lease - Recreational Use to the Pebble Beach Company, beginning November 1, 2009, for a term of ten years, for the continued use and maintenance of an existing multi-use pier as shown on Exhibit A attached (for reference purposes only) and described on Exhibit B attached and by this reference made a part hereof; approve the rules and regulations for public access to and use of the pier, as submitted by the Pebble Beach Company; described on Exhibit C attached and by this reference made a part hereof; consideration for the pier: annual rent in the amount of \$2,184, with the State reserving the right to fix a different rent periodically during the lease term as provided in the lease; combined single-limit liability insurance coverage in the amount of no less than \$1,000,000; and surety bond in the amount of \$20,000.