

MINUTE ITEM

This Calendar Item No. C5  
was approved as Minute Item  
No. 5 by the State Lands  
Commission by a vote of 3  
to 0 at its 11/27/78  
meeting.

CALENDAR ITEM

C5.

GENERAL PERMIT  
PUBLIC AGENCY USE

11/78  
W 21787  
Gordon  
PRC 5589

APPLICANT: County of San Luis Obispo  
1009 Monterey Street  
San Luis Obispo, California 93408

AREA, TYPE LAND AND LOCATION:  
A 0.634 acre parcel of tide and submerged  
lands in the Pacific Ocean at Cayucos,  
San Luis Obispo County.

LAND USE: Maintenance of 1 existing pier utilized  
as a recreational fishing facility coincident  
with the operation of Cayucos Beach State  
Park.

TERMS OF PROPOSED PERMIT:  
Initial period: 22 years from August 7,  
1978.

Public liability insurance: \$900,000 per  
occurrence for bodily  
injury and \$100,000 for  
property damage, combined  
single limit coverage  
of \$1,000,000.

CONSIDERATION: The public use and benefit, 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.

BASIS FOR CONSIDERATION:  
2 Cal. Adm. Code 2005.

PREREQUISITE TERMS, FEES AND EXPENSES:  
Applicant is lessee of upland.

This is an existing facility which has  
been the property of the State since 1940.  
Staff recommends that the Commission find  
it to be in the State's best interest because  
of the public benefit of the project, to  
waive any applicable fees for bringing  
this structure into the Commission's records.

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STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 & 2.
- B. Cal. Adm. Code: Title 2, Div. 3.

OTHER PERTINENT INFORMATION:

1. The annual rental value of the site is estimated to be \$2,500.
2. This facility and the adjacent upland are assets of the State Park System to which a statewide public benefit accrues. Applicant maintains, controls and cares for the facilities pursuant to an agreement with the State Park Commission dated August 28, 1944, a copy of which is on file in the office of the State Lands Commission. Staff has been advised that the pier provides no income to applicant and is utilized solely for public use and benefit.
3. An EIR is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907, Class 1(B), which exempts an existing structure or facility that is in an acceptable state of repair and there is no evidence of record to show injury to adjacent property, shoreline erosion, or other types of environmental degradation.
4. This project is situated on State land identified as possessing significant environmental values pursuant to P.R.C. 6370.1, and is classified in a use category, Class B, which authorizes Limited Use.

Staff review indicates that there will be no significant effect upon the identified environmental values. This is an existing facility for which no adverse comments have been received.

APPROVALS REQUIRED AND OBTAINED:

This facility is subject to the jurisdiction of the California Coastal South Central

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Regional Commission, United States Army Corps of Engineers, California Department of Fish and Game, California Central Coast Regional Water Quality Control Board, and the County of San Luis Obispo. The proposed permit is conditioned on the approval of all agencies having jurisdiction.

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN EIR HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21085, 14 CAL. ADM. CODE. 15100 ET SEQ., AND 2 CAL. ADM. CODE 2907.
2. DETERMINE THAT THE PROJECT IS CONSISTENT WITH THE PROVISIONS OF ARTICLE 6.5, OF TITLE 2, OF THE CAL. ADM. CODE.
3. FIND THAT GRANTING OF THE PERMIT WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1 OF THE P.R.C.
4. FIND THAT IT IS IN THE STATE'S BEST INTEREST DUE TO THE PUBLIC BENEFIT OF THE PROJECT TO WAIVE ANY APPLICABLE FEES FOR BRINGING THIS STRUCTURE INTO THE COMMISSION'S RECORDS.
5. AUTHORIZE ISSUANCE TO THE COUNTY OF SAN LUIS OBISPO OF A 22-YEAR GENERAL PERMIT - PUBLIC AGENCY USE FROM AUGUST 7, 1978; IN CONSIDERATION OF THE PUBLIC USE AND BENEFIT, 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; AND WITH PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$900,000 PER OCCURRENCE FOR BODILY INJURY AND \$100,000 FOR PROPERTY DAMAGE, OR COMBINED SINGLE LIMIT COVERAGE OF \$1,000,000; FOR MAINTENANCE OF 1 EXISTING PIER UTILIZED AS A RECREATIONAL FISHING FACILITY ON THE LAND DESCRIBED ON EXHIBIT "A" AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

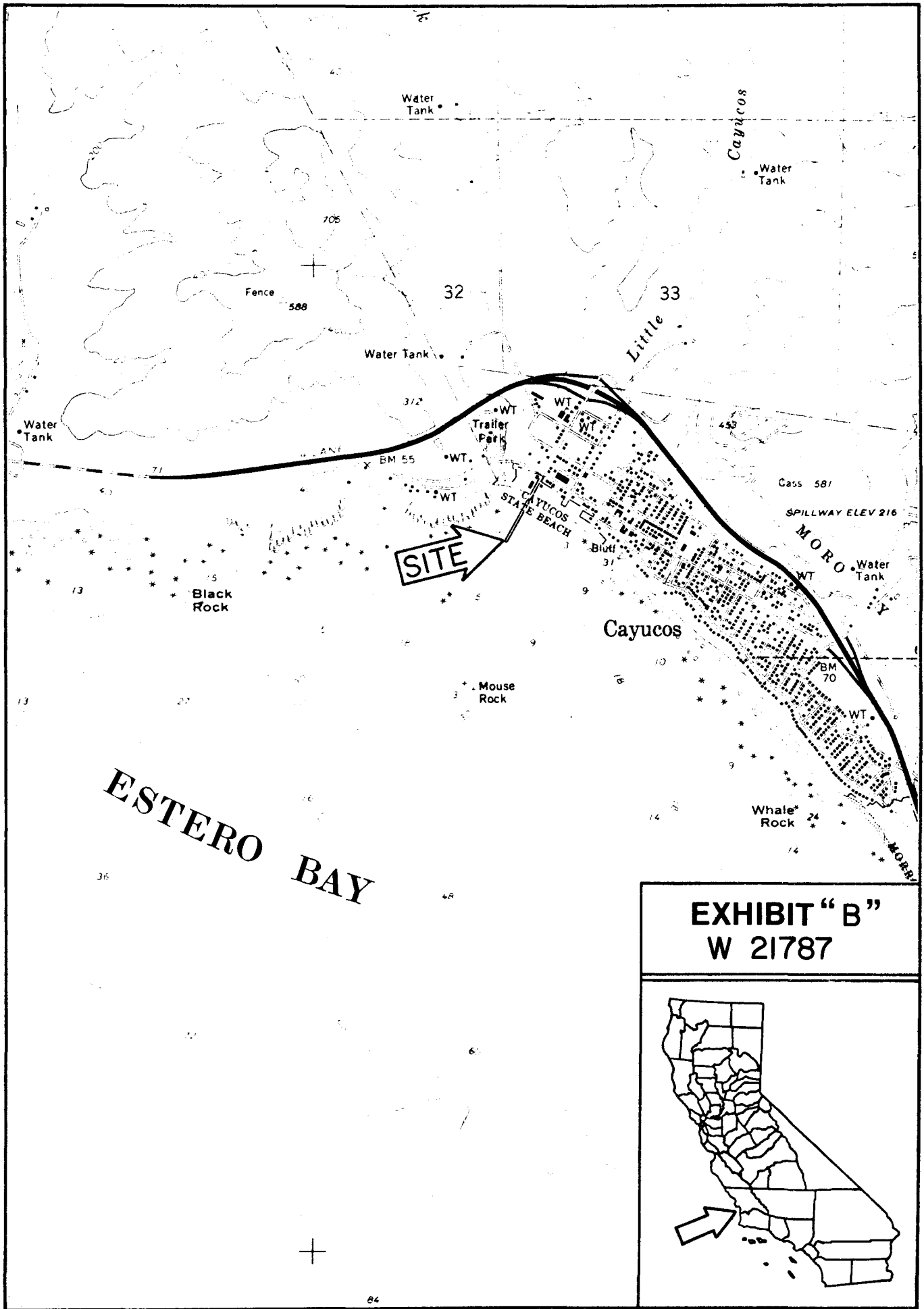
W 21787

A parcel of tide and submerged land in the bed of Estero Bay, situated in the town of Cayucos, County of San Luis Obispo, State of California, said parcel being all that land immediately beneath and extending 10 feet on all sides of an existing pier, said pier being adjacent to the Cayucos Beach State Park and extending southwesterly of "C" Street in the town of Cayucos.

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

END OF DESCRIPTION

Prepared *M. L. Shap*      Checked *C. N. Perry*  
Reviewed *Ray Hink*      Date *6/27/78*



**EXHIBIT "B"**  
**W 21787**

