

MINUTE ITEM

This Calendar Item No. C02  
was approved as Minute Item  
No. 2 by the State Lands  
Commission by a vote of 3  
to 0 at its 5/31/89  
meeting

CALENDAR ITEM

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05/31/89  
W 24123 PRC 7296  
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GENERAL PERMIT - PUBLIC AGENCY USE

APPLICANT: City of San Francisco  
Recreation and Park Department  
Attn: Deborah Learner  
McClaren Lodge  
Golden Gate Park  
San Francisco, California 94117

AREA, TYPE LAND AND LOCATION:  
Approximate aggregate area of 0.37 acre,  
sovereign lands, portion of Lake Merced,  
San Francisco County.

LAND USE: Five fishing piers.

TERMS OF PROPOSED PERMIT:  
Initial period: Forty-nine (49) years  
beginning May 15, 1989.

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:  
Pursuant to 2 Cal. Code Regs. 2003.

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: 07/18/89.

CALENDAR ITEM NO. C 02 (CONT'D)

OTHER PERTINENT INFORMATION:

1. A Negative Declaration was prepared and adopted for this project by City/County of San Francisco. The State Lands Commission's staff has reviewed such document and believes that it complies with the requirements of the CEQA.
2. The permit provides that all improvements and structures within Lake Merced, north and south, except for that part of said lake within Rancho Laguna de la Merced, are subject to the permit jurisdiction of the State Lands Commission, but that there has been no final determination of the westerly boundary of the Rancho at the lake.
3. For the sake of efficient lease administration, the permit additionally provides, pending a final determination of the location of the westerly boundary of the Rancho, and without limiting or deciding upon the extent of the State's sovereign interest within Lake Merced, that the fishing pier designated as site "F" on the City's Negative Declaration, and a small bridge structure lying easterly of site "F", may both be retained, altered, or removed at the Permittee's discretion without involvement by the Lands Commission. The City has also agreed to provide and maintain waste receptacles at each pier site.
4. The Applicant has requested a waiver of the \$450 minimum expense deposit on the grounds that the project improvements will be serving and benefitting a broad segment of the general public, and not just the citizens of the City and County of San Francisco. Staff agrees with the Applicant and believes that a waiver of the fee is appropriate.

APPROVALS OBTAINED:

United States Army Corps of Engineers and  
California Coastal Commission.

CALENDAR ITEM NO. C 02 (CONT'D)

- EXHIBITS:
- A. Land Description.
  - B. Location Map.
  - C. Negative Declaration and Site Map.
  - D. Notice of Determination.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT A NEGATIVE DECLARATION WAS PREPARED AND ADOPTED FOR THIS PROJECT BY CITY/COUNTY OF SAN FRANCISCO AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
2. DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
3. WAIVE THE STANDARD MINIMUM NON-REFUNDABLE EXPENSE DEPOSIT.
4. AUTHORIZE ISSUANCE TO THE CITY AND COUNTY OF SAN FRANCISCO, RECREATION AND PARK DEPARTMENT, OF A 49-YEAR GENERAL PERMIT - PUBLIC AGENCY USE, BEGINNING MAY 15, 1989; 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; FOR FIVE FISHING PIERS LOCATED ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

**EXHIBIT "A"**

**W 24123**

**LAND DESCRIPTION**

Five parcels of land in the bed of Lake Merced, San Francisco City and County, California, lying immediately beneath 5 floating fishing piers, TOGETHER WITH necessary use areas extending 10 feet from the extremities of said piers, said parcels are described as sites A, B, C, D, and E in the Negative Declaration published October 9, 1987, by the lead agency of City of San Francisco Department of City Planning as project title "85.565E: Fishing Piers", a copy on file in W 24123 in the records of the State Lands Commission, in Sacramento, California.

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

**END OF DESCRIPTION**

**PREPARED MARCH 1, 1989 BY BIU 1.**

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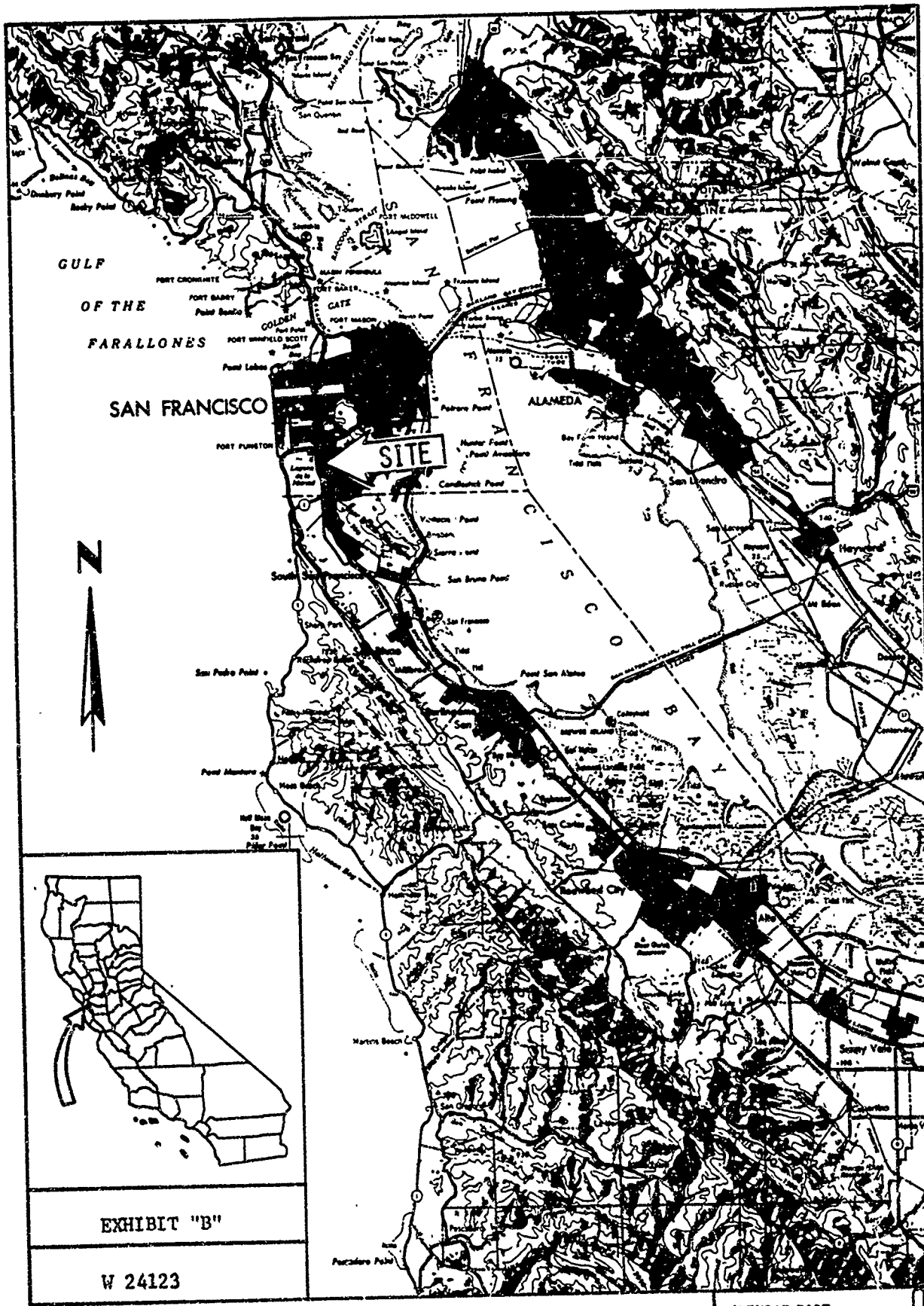


EXHIBIT "B"

W 24123

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NEGATIVE DECLARATION

Date of Publication of  
Preliminary Negative Declaration: October 9, 1987

Lead Agency: City and County of San Francisco, Department of City Planning  
450 McAllister Street, 5th Floor, CA 94102

Agency Contact Person: Ivan M. Christie Telephone: (415) 558-6306

Project Title: 85.565E: Fishing Piers Project Sponsor: San Francisco Recreation & Park Department

Project Contact Person: Ms. Debra Learner

Project Address: North and South Lake Merced

Assessor's Block(s) and Lot(s): Lot 1 in Assessor's Block 7283

City and County: San Francisco

Project Description: Proposed placement of six floating fishing piers at sites on North Lake Merced west of the footbridge, and two sites on South Lake Merced (Note: This is an alteration of a previous proposal made in 1985)

Building Permit Application Number, if Applicable: N/A

THIS PROJECT COULD NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT. This finding is based upon the criteria of the Guidelines of the State Secretary for Resources, Sections 15064 (Determining Significant Effect), 15065 (Mandatory Findings of Significance) and 15070 (Decision to Prepare a Negative Declaration), and the following reasons as documented in the Initial Evaluation (Initial Study) for the project, which is attached:

The Recreation and Park Department is examining six sites for construction of floating fishing piers on Lake Merced. Of the six sites, four or five would be chosen for actual construction. Four of the sites are on the North Lake and two are on the South Lake. The project would include rehabilitation of those parts of the shoreline which have experienced erosion problems over the years from use by the public for fishing. A public hearing on the project would be required before the Recreation and Park Commission. The project would require a Coastal Zone permit from the Department of City Planning as well as a building permit.

-Over-

Mitigation measures, if any, included in this project to avoid potentially significant effects:  
None

Final Negative Declaration adopted and issued  
on December 23, 1987

cc: Robert Passmore  
Paul Rosetter  
Distribution List  
Bulletin Board  
Master Decision File

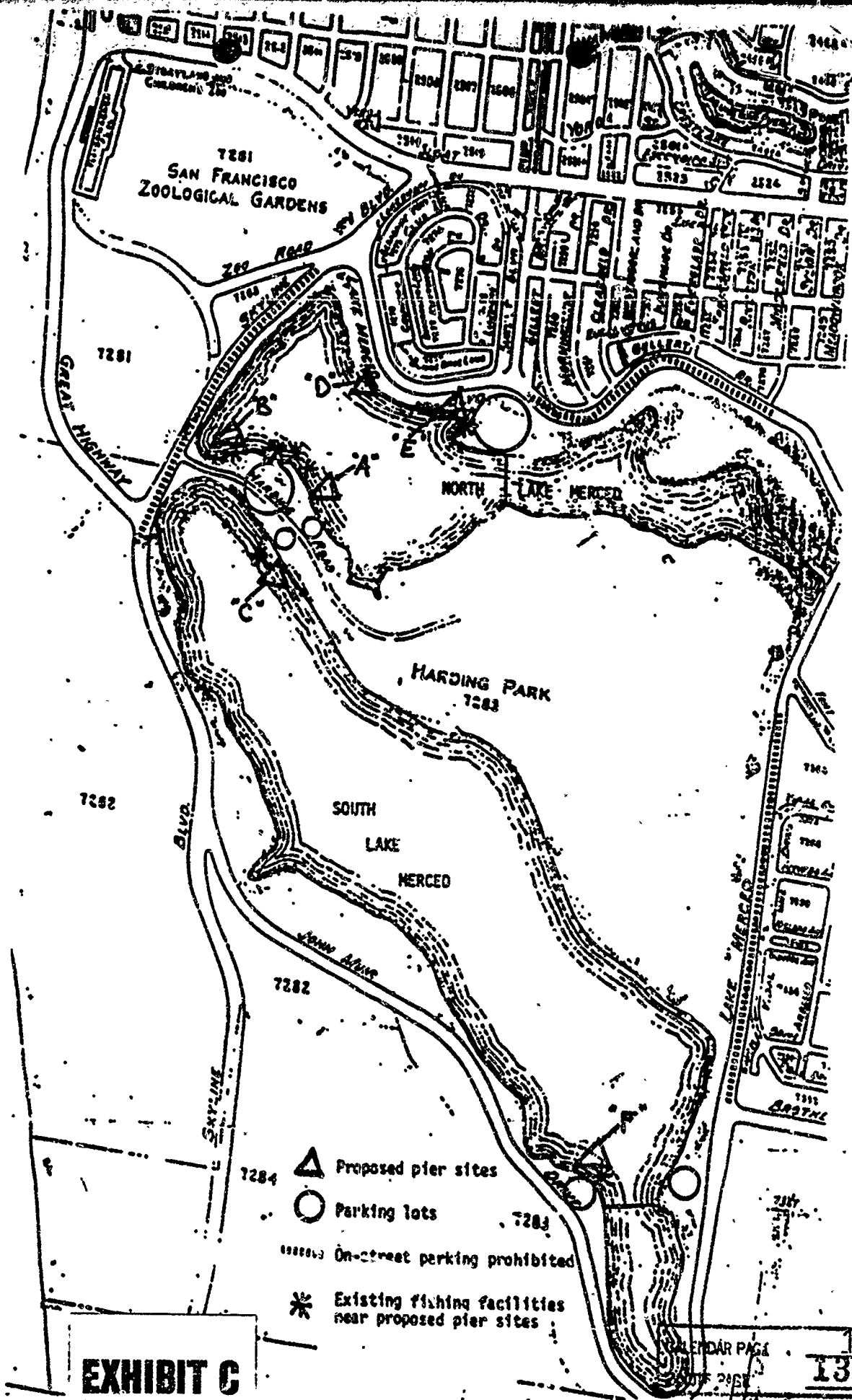
*Barbara W. Sahn*  
BARBARA W. SAHN  
Environmental Review Officer

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INC:112

**EXHIBIT C**

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- ▲ Proposed pier sites
- Parking lots
- On-street parking prohibited
- \* Existing fishing facilities near proposed pier sites

**EXHIBIT C**



DEPARTMENT OF CITY PLANNING 480 McALLISTER STREET • SAN FRANCISCO, CALIFORNIA 94

NOTICE OF DETERMINATION

State of California  
 Office of Planning and Research  
1400 Tenth Street  
Sacramento, CA 94814

State Clearinghouse No.:

County Clerk  
 City and County of San Francisco  
317 City Hall  
San Francisco, CA 94102

**FILED**  
San Francisco County Superior Court

MAR 10 1988

DONALD W. DICKINSON, Clerk  
BY *Edelman* Deputy Clerk

Pursuant to the California Environmental Quality Act (CEQA), the Guidelines of the Secretary for Resources and San Francisco requirements, this Notice of Determination is transmitted for filing with your office. Following completion of the posting period, please return this Notice to the Department of City Planning with a notation of the period it was posted.

Lead Agency: City and County of San Francisco by Department of City Planning,  
450 McAllister Street, 5th Floor, San Francisco, CA 94102

Contact Person: Ivan Christie Phone: (415) 558-5261

Project Title (including common name, if any): 85.565E: Fishing Piers

Address: North and South Lake Merced City/County: San Francisco

Project Description: Proposed placement of six floating fishing piers at sites on North Lake Merced west of the footbridge, and two sites on South Lake Merced.

The City and County of San Francisco decided to carry out or approve the project on January 21, 1988 (date). A copy of the document(s) may be examined at Recreation & Park Department, McLaren Lodge, Golden Gate Park

1. An environmental document has been prepared pursuant to CEQA, AS FOLLOWS:  
 Certificate of Exemption  Negative Declaration  
 Environmental Impact Report (certified pursuant to the provisions of CEQA).

The environmental document is available to the public and may be examined at the Department of City Planning, Office of Environmental Review, 450 McAllister Street, 5th Floor, San Francisco, CA.

2. A determination has been made that the project in its approved form  will  will not have a significant effect on the environment.  
3. Mitigation Measures  were  were not made a condition of approval  
4. A statement of overriding considerations  was  was not adopted for this project.

Sincerely,

*Barbara W. Sahm*

BARBARA W. SAHM  
Environmental Review Officer

For  
Dean I. Macris  
Director of Planning

cc: Project Sponsor: Deborah Learner  
Address: Recreation & Park Department  
McLaren Lodge  
Golden Gate Park

BWS:IMC:emb  
IMC:124

**EXHIBIT D**

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