

MINUTE ITEM

2/28/74
HAM

4. AMENDMENT OF PUBLIC AGENCY PERMIT PRC 2431.9, TIDE AND SUBMERGED LANDS, HALF MOON BAY, SAN MATEO COUNTY; CITY OF HALF MOON BAY, AS SUCCESSOR TO THE HALF MOON BAY SANITARY DISTRICT - WP 2431, PRC 2431.9.

After consideration of Calendar Item 3 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. DETERMINES THAT AN ENVIRONMENTAL IMPACT REPORT WAS PREPARED COVERING THIS PROJECT AND CERTIFIED BY THE CITY OF HALF MOON BAY ON MARCH 23, 1973.
2. CONSIDERS THE ENVIRONMENTAL IMPACT REPORT REFERRED TO IN NO. 1 ABOVE.
3. DETERMINES THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. APPROVES THE PROJECT.
5. AUTHORIZES THE ISSUANCE TO THE CITY OF HALF MOON BAY, AS SUCCESSOR TO THE HALF MOON BAY SANITARY DISTRICT, EFFECTIVE FEBRUARY 1, 1974, OF AN AMENDMENT TO LEASE PRC 2431.9; IN CONSIDERATION OF THE PUBLIC USE AND BENEFIT, WITH THE STATE RESERVING THE RIGHT TO SET A MONETARY RENTAL IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; FOR A 350-FOOT EXTENSION OF THE EXISTING SEWER OUTFALL LINE ON THE LAND DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment:

Calendar Item 3 (4 pages)

CALENDAR ITEM

3.

2/74
HAM
WP 2431

AMENDMENT OF PUBLIC AGENCY PERMIT PRC 2431.9

APPLICANT: City of Half Moon Bay, as successor to the Half Moon Bay Sanitary District.

AREA, TYPE LAND AND LOCATION:

A 20-foot wide and 1,950-foot long easement, including the proposed extension, in tide and submerged lands, Half Moon Bay, San Mateo County.

LAND USE: Existing outfall line, together with a 350-foot proposed extension thereof.

TERMS OF ORIGINAL LEASE:

Initial period: 49 years, from July 30, 1959.

Consideration: The public use and benefit.

TERMS OF PROPOSED AMENDMENT:

The amended easement will not change the termination date provided in the original grant of easement.

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.

PREREQUISITE TERMS:

Applicant is owner of upland.

Final environmental impact report received.

Notice of Determination received.

STATUTORY AND OTHER REFERENCES:

- a. Public Resources Code: Div. 6, Parts 1 and 2.
- b. Administrative Code: Title 2, Div. 3, Arts. 1, 2 and 10;
Title 14, Sections 15000, et seq.
- c. Public Resources Code: Div. 13, Ch. 4, Section 21151.

OTHER PERTINENT INFORMATION:

1. The annual rental value of the site is estimated to be \$20.
2. To comply with the California Water Quality Control Board, San Francisco Bay Region, in its Order No. 72-34, the City of Half Moon Bay is required to extend its outfall line and to install diffusers therein to reduce effluent

CALENDAR ITEM NO. 3. (CONTD)

concentrations in the waters of the Bay. The City, as successor to the now defunct Half Moon Bay Sanitary District, has accordingly submitted an application for State Lands Commission approval of an additional 350 feet of line to be added to the waterward terminal point of the existing line. The easement for the existing line was granted by the Commission under Minute Item No. 7 on July 30, 1959. The work currently proposed has been approved by the California Coastal Commission and the Environmental Protection Agency.

The legal description for the easement has been revised in two ways. It adds the requested 350 foot extension, and it also reaches inland 250 feet more than the original description. This was done to reflect the constantly fluctuating location of the high water mark and to preserve claims to any land under the Commission's jurisdiction. This revision is not adverse to the upland owners since the description excepts any property lying landward of the ordinary high water mark.

As of December 18, 1973, the Corps of Engineers informed us that its permit for this project will not issue until the project is approved by the State Lands Commission, and until the State Water Quality Control Board certifies the project. The certification papers are now in preparation and will be issued within 14 days. The proposed easement amendment requires the lessee to obtain clearances from these agencies prior to the commencement of construction.

3. In conformance with Section 21151 of the Public Resources Code, the City of Half Moon Bay approved an environmental impact report for this project under Resolution No. 5-73, said resolution dated February 20, 1973.

In place of a Notice of Determination, the applicant has provided a copy of a letter dated April 9, 1973, signed by Barry C. Roth, City Engineer of the City of Half Moon Bay. The letter, filed with the County Clerk of San Mateo County, declares that all reports and proceedings for this project were prepared and undertaken pursuant to the provisions of Division 13 of the Public Resources Code. Since this letter predates the promulgation of the State Lands Division implementing rules, as to environmental guidelines, the staff believes that the letter of April 9, 1973, may be accepted in place of a Notice of Determination.

EXHIBITS:

- A. Land Description. B. Location Map.

CALENDAR ITEM NO. 3. (CONTD)

IT IS RECOMMENDED THAT THE COMMISSION:

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Attachment: Exhibit "A"

EXHIBIT "A"

WP 2431

A strip of tide and submerged land 20 feet wide lying in Half Moon Bay, adjacent to the City of Half Moon Bay, San Mateo County, State of California, being 10 feet on each side of the following described centerline:

COMMENCING at the most westerly corner of that certain parcel of land as described in a Notice of Pendency of Action, filed in Book 3588, page 112, Official Records of San Mateo County; thence S 53° 04' 20.00 feet; thence S 88° 09' 32" W, 419.32 feet to the TRUE POINT OF BEGINNING; thence S 84° 32' 30" W, 1,950 feet into Half Moon Bay to the terminus of the herein-described centerline.

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

END OF DESCRIPTION