

MINUTE ITEM

This Calendar Item No. 61
was approved as Minute Item
1 by the State Lands
Commission by a vote of 3
to 0 at its 12/15/76
meeting.

CALENDAR ITEM

CL.

12/76
W 9494
GRH
PRG 5208

PUBLIC AGENCY PERMIT

APPLICANT:

San Simeon Acres Community
Services District
Route 1, Box S-17
San Simeon, California 93452

AREA, TYPE LAND AND LOCATION:

An 0.341 acre parcel of coastal, tide and sub-merged land offshore from San Simeon, San Luis Obispo County.

LAND USE:

For the continued maintenance of an 840-foot long ocean outfall.

TERMS OF PROPOSED LEASE:

Initial period: 49-years from January 1, 1965.

CONSIDERATION:

The public health and safety 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, FEES AND EXPENSES:

Applicant is owner of upland.

STATUTORY AND OTHER REFERENCES:

- A. Public Resources Code: Div. 6, Parts 1 & 2.
- B. Administrative Code: Title 2, Div. 3, Arts. 1, 2, 10 & 11.

OTHER PERTINENT INFORMATION:

1. The annual rental value of the site is estimated to be \$500.
2. The subject outfall was constructed in 1965. The Division became aware of the outfall in 1970 when a Corps of Engineers Public Notice was received on changes to the outfall. Timely processing of the application was held up by Division priorities.
3. This project is situated on State land identified as environmentally significant, pursuant to Public Resources Code 6370.1, and is classified in a significant use category, Class B: Limited Use. Staff review indicates that the project will be

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a compatible use consistent with identified significant environmental values.

4. An Environmental Impact Report is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907(a) 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.

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21085, 14 CAL. ADM. CODE 15100 ET SEQ. AND 2 CAL. ADM. CODE 2907.
2. FIND THAT GRANTING OF THE APPLICATION WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE PUBLIC RESOURCES CODE.
3. AUTHORIZE ISSUANCE TO THE SAN SIMEON ACRES COMMUNITY SERVICES DISTRICT OF A 49-YEAR PUBLIC AGENCY PERMIT FROM JANUARY 1, 1965; IN CONSIDERATION OF THE PUBLIC HEALTH AND SAFETY; 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 THE CONTINUED MAINTENANCE OF AN 840-FOOT LONG OCEAN OUTFALL ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

W 9494

A strip of tide and submerged land, 20 feet wide, situated in the Pacific Ocean, San Luis Obispo County, State of California, said strip being 10 feet on each side of the following described centerline:

COMMENCING at the intersection of the southeast line of that parcel recorded in Book 1375, page 747 of Official Records of San Luis Obispo County and the ordinary high water mark of the Pacific Ocean; thence northerly along said ordinary high water mark, 9 feet more or less to the TRUE POINT OF BEGINNING; thence S 64° 30' W, 742 feet more or less.

END OF DESCRIPTION

Prepared *M. J. [Signature]* Checked *Neil [Signature]*
Reviewed *H. H. Runnecke* Date *9/29/76*
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