

MINUTE ITEM

This Calendar Item No. 31
was approved as Minute Item
No. 31 by the State Lands
Commission by a vote of 3
0 at its 4/24/80
meeting.

CALENDAR ITEM

31.

4/80
WP 3691
Louie
PRC 3691

GENERAL PERMIT
PUBLIC AGENCY USE

APPLICANT:

City of Coronado
1825 Strand Way
Coronado, California 92118

Attn: Ms. Janet Dykstra

AREA, TYPE LAND AND LOCATION:

A 91.83 acre parcel of tide and submerged
lands in the bed of the Pacific Ocean in
the City of Coronado, San Diego County.

LAND USE:

Public recreation, including lifeguarding
and beach maintenance.

TERMS OF ORIGINAL PERMIT:

Initial period: 15 years from May 27,
1963.

Renewal option: 1 period of 10 years.

Consideration: Compliance with the terms
and conditions of the
lease and a one-time
payment of \$10.

TERMS OF PROPOSED PERMIT:

Initial period: 49 years from May 27,
1978.

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, FEES AND EXPENSES:

Applicant is owner of upland.

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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 \$5,000.
2. 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.
3. 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.

4. This beach area will continue to be used as in the past and no Coastal Permit is required.
5. Processing fees were waived because this permit replaces a prior lease which expired and this public beach area is of Statewide benefit to all Californians, as well as nationwide visitors, who use it for recreational purposes. The proposed permit contains specific language relative to the Lessee displaying, on any signs or printed notices, the fact that "The land for this project was provided by the State Lands Commission".

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6. The staff recommends terminating the original Lease PRC 3691.1 dated May 23, 1963 and issuing the proposed new permit, which better reflects actual use area and the Commission's current permitting requirements.
7. The provisions of the proposed new permit are subject to a Supplementary Agreement, on file in the principal office of the Commission, which covers the portions of the tidelands in which a question may still exist as to the State's title. The Supplementary Agreement is similar to that approved agreement, by the Commission on December 14, 1966 except for changes which reflect concurrence with the proposed new permit.

EXHIBIT: A. 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 THIS PROJECT IS EXEMPT FROM THE REQUIREMENTS OF ARTICLE 6.5, OF TITLE 2, OF THE CAL. ADM. CODE BECAUSE THIS PROJECT IS NOT A DEVELOPMENT WITHIN THE MEANING OF SECTION 2503, OF TITLE 2, OF THE CAL. ADM. CODE AND SECTION 30105 OF THE P.R.C.
3. FIND THAT GRANTING OF THE PERMIT WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT OF SECTION 6370.1, OF THE P.R.C.
4. AUTHORIZE THE TERMINATION OF LEASE PRC 3691 DATED MAY 1, 1967 AND SUPPLEMENTARY AGREEMENT DATED MAY 1, 1967, AND SUBSTITUTING THE ISSUANCE TO THE CITY OF CORONADO OF A 49-YEAR GENERAL PERMIT - PUBLIC AGENCY USE FROM MAY 27, 1978 AND SUPPLEMENTARY AGREEMENT; 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 PUBLIC RECREATION, INCLUDING LIFEGUARDING AND BEACH MAINTENANCE; ON THE LAND SHOWN ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

