

MINUTE ITEM

This Calendar Item No. C5
was approved as Minute Item
No. 5 by the State Lands
Commission by a vote of 3
0 at its 9/23/82
meeting.

CALENDAR ITEM

C 0 5

9/23/82
W 22449
Louie
Townsend
PRC 6322

GENERAL LEASE - COMMERCIAL USE

APPLICANT: California Abalone Association
P. O. Box 4272
Santa Barbara, California 93103

AREA, TYPE LAND AND LOCATION:
A 1.68-acre parcel of tide and submerged
land in the Pacific Ocean at Gaviota Beach
State Park, Santa Barbara County.

LAND USE: Launching and retrieval of commercial abalone
dive boats of less than three-ton weight
from Gaviota Pier.

TERMS OF PROPOSED LEASE:
Initial period: One year from October 1,
1982.

Public liability insurance: Combined single
limit coverage of \$100,000.

Special: Lessee agrees to establish
a maintenance fund with
the Department of Parks
and Recreation in the
amount of \$250 for necessary
repair or maintenance

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of Gaviota Pier. Lessee is also subject to all daily park use fees in effect.

CONSIDERATION: \$250 per annum.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Adm. Code 2003.

PREREQUISITE TERMS, 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. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884:

10/15/82.

OTHER PERTINENT INFORMATION:

1. The California Abalone Association has requested a lease covering commercial use of Gaviota Pier, Santa Barbara County. The pier is located on tide and submerged land presently under Lease P.R.C. 4300.9, issued to the Department of Parks and Recreation, for public recreational use. The Department of Parks and Recreation does not feel the applicant's proposed use will be inconsistent with the Department's use of the lease premises provided certain conditions are met. These are:

- A. The Abalone Association agrees to comply with all rules and regulations of the Department of Parks and Recreation, including, but not limited to, those pertaining to weight limit for use of an existing boat hoist and restrictions on tying up or mooring adjacent to Gaviota Pier.
- B. The Abalone Association agrees that Gaviota Pier shall only be used for activities associated

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with transport of abalone, and further agrees that no cargo shall be loaded or unloaded from the boats to Gaviota Pier or from said Pier to boats.

- C. The Abalone Association agrees that this lease is on a trial basis only, and that approval of this lease by the State Lands Commission shall not guarantee approvals of future leases.
- D. The Abalone Association agrees to establish a maintenance fund with the California Department of Parks and Recreation in the amount of \$250. Said maintenance fund shall be made available to the Park Area Manager for necessary repair or maintenance of Gaviota Pier. The Association shall also be subject to all other daily park use fees in effect including, but not limited to, parking fees and boat launching fees.
- E. Prior to use of the proposed Lease Premises, the Abalone Association agrees to provide the Park Area Manager, Department of Parks and Recreation, with a schedule for use of the pier. Such schedule must be approved by the Park Area Manager and must be compatible with the recreational use of the pier by the general public.

The above conditions are included in the proposed lease to the Abalone Association.

- 2. This project is exempt from CEQA because it involves use of an existing facility and equipment pursuant to 2 Cal. Adm. Code, Div. 3, Section 2905, Class 1.

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3. The project is situated on lands identified as possessing significant environmental values pursuant to P.R.C. 6370.1, and is classified in use category "B" which authorizes Limited Use. The project as proposed will not have a significant effect upon the identified environmental values.

APPROVALS OBTAINED:

The Department of Parks and Recreation.

EXHIBITS:

- A. Land Description.
- B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL DOCUMENT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH DOCUMENT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21084, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2907; AND FIND THAT THE PROJECT IS CONSISTENT WITH ITS USE CLASSIFICATION.
2. AUTHORIZE ISSUANCE TO THE CALIFORNIA ABALONE ASSOCIATION OF A ONE-YEAR GENERAL LEASE - COMMERCIAL USE FROM OCTOBER 1, 1982, ON FILE IN THE PRINCIPAL OFFICE OF THE STATE LANDS COMMISSION; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$250; PROVISION OF PUBLIC LIABILITY INSURANCE COMBINED SINGLE LIMIT COVERAGE OF \$100,000; FOR LAUNCHING AND RETRIEVAL OF COMMERCIAL ABALONE DIVE BOATS OF LESS THAN THREE-TON WEIGHT FROM GAVIOTA PIER, ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"
LAND DESCRIPTION

ALL THAT PORTION OF THE FOLLOWING-DESCRIBED PARCEL LYING BELOW THE MEAN HIGH TIDE LINE OF THE PACIFIC OCEAN, BEING A STRIP OF TIDE AND SUBMERGED LAND IN THE PACIFIC OCEAN, 50 FEET IN WIDTH, LYING 25 FEET ON EACH SIDE OF THE FOLLOWING-DESCRIBED CENTERLINE:

BEGINNING AT A POINT IN THE CENTERLINE OF GAVIOTA PIER FROM WHICH U.S.C. & G.S. TRIANGULATION STATION "TANK" BEARS NORTH 89° 31' 18" EAST A DISTANCE OF 3,160.53 FEET, THENCE FROM SAID POINT OF BEGINNING SOUTH 06° 05' 37" EAST ALONG THE CENTERLINE OF GAVIOTA PIER AND THE PROLONGATION THEREOF A DISTANCE OF 600 FEET.

ALL BEARINGS ARE GRID, CALIFORNIA STATE COORDINATE SYSTEM, ZONE 5.

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