

MINUTE ITEM

This Calendar item No. 1
was approved as minute item
No. 2 by the State Lands
Commission by a vote of 3
to 0 at its 8-20-87
meeting.

CALENDAR ITEM

A 35
S 18

C 08

08/20/87
WP 4300 PRC 4300
Lipphardt

AMENDMENT OF GENERAL PERMIT - PUBLIC AGENCY USE

APPLICANT: Department of Parks
and Recreation
Gaviota District
Attn: Daniel C. Preece
Superintendent
10 Refugio Road
Goleta, California 93117

AREA, TYPE LAND AND LOCATION:
An approximate 0.545-acre parcel of tide and
submerged land, located in the Pacific Ocean
near Gaviota State Beach, Santa Barbara County.

LAND USE: Operation and maintenance of Gaviota Pier.

TERMS OF ORIGINAL PERMIT:
Initial period: 49 years beginning March 1,
1969.

Special: Public use and benefit

TERMS OF PROPOSED AMENDMENT:
This amendment expands the land use to allow
limited non-recreational use of the pier and
reserves the right to the State to set a
monetary rental for any reporting period where
revenues from the pier operations exceed
expenses.

APPLICANT STATUS:
Applicant is owner of upland.

CALENDAR ITEM NO. C 08 (CONT'D)

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: N/A.

OTHER PERTINENT INFORMATION:

1. Lessee was granted a 49-year General Permit - Public Agency Use for operation and maintenance of a public use recreational pier in 1969. Over the years, numerous requests for occasional non-recreational use of the pier have been made of Lessee. Lessee has now requested an amendment to the permit to allow Lessee to grant such use. Staff recommends the amendment to eliminate the time, expense, and delays of State Lands Commission staff processing of every non-recreational use request. The County of Santa Barbara has approved the change in use, conditional upon such use not exceeding 60 times per year. Lessee has agreed to limit approval of non-recreational uses to no more than 60 per year.
2. The annual rental value of the site is estimated to be \$2,943.
3. Due to the minimum staff time expended in processing the amendment, staff recommends a waiver of the processing fees.
4. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA because the activity is not a "project" as defined by CEQA and the State CEQA Guidelines.

Authority: P.R.C. 21065 and 14 Cal. Adm. Code 15378.

CALENDAR ITEM NO. C 0.8 (CONT'D)

5. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq.

APPROVALS OBTAINED:

County of Santa Barbara.

FURTHER APPROVALS REQUIRED:

None.

EXHIBITS:

- A. Land Description.
B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. ADM. CODE 15378.
2. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.
3. WAIVE THE PROCESSING FEES FOR THIS TRANSACTION.
4. AUTHORIZE ISSUANCE TO THE DEPARTMENT OF PARKS AND RECREATIONAL OF AN AMENDMENT TO GENERAL PERMIT - PUBLIC AGENCY USE EFFECTIVE MARCH 1, 1986, WHICH ALLOWS LIMITED NON-RECREATIONAL USE OF GAVIOTA PIER AND RESERVES THE RIGHT TO THE STATE LANDS COMMISSION TO SET A MONETARY RENTAL; FOR OPERATION AND MAINTENANCE OF GAVIOTA PIER ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

WP 4300

A strip of tide and submerged land 50 feet wide in the Pacific Ocean at Gaviota Pier, Santa Barbara County, California, said strip lying 25 feet on each side of the following described centerline:

BEGINNING at a point in the centerline of Gaviota Pier from which USC&GS triangulation station "Tank" bears N89°31'18"E a distance of 3,150.53 feet; thence from said point of beginning S06°05'37"E along the centerline of Gaviota Pier and the prolongation thereof a distance of 600 feet.

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

This description is based on the California Coordinate System, Zone 5.

END OF DESCRIPTION

REVIEWED FEBRUARY 19, 1986 BY BOUNDARY SERVICES UNIT,
M. L. SHAFER, SUPERVISOR.

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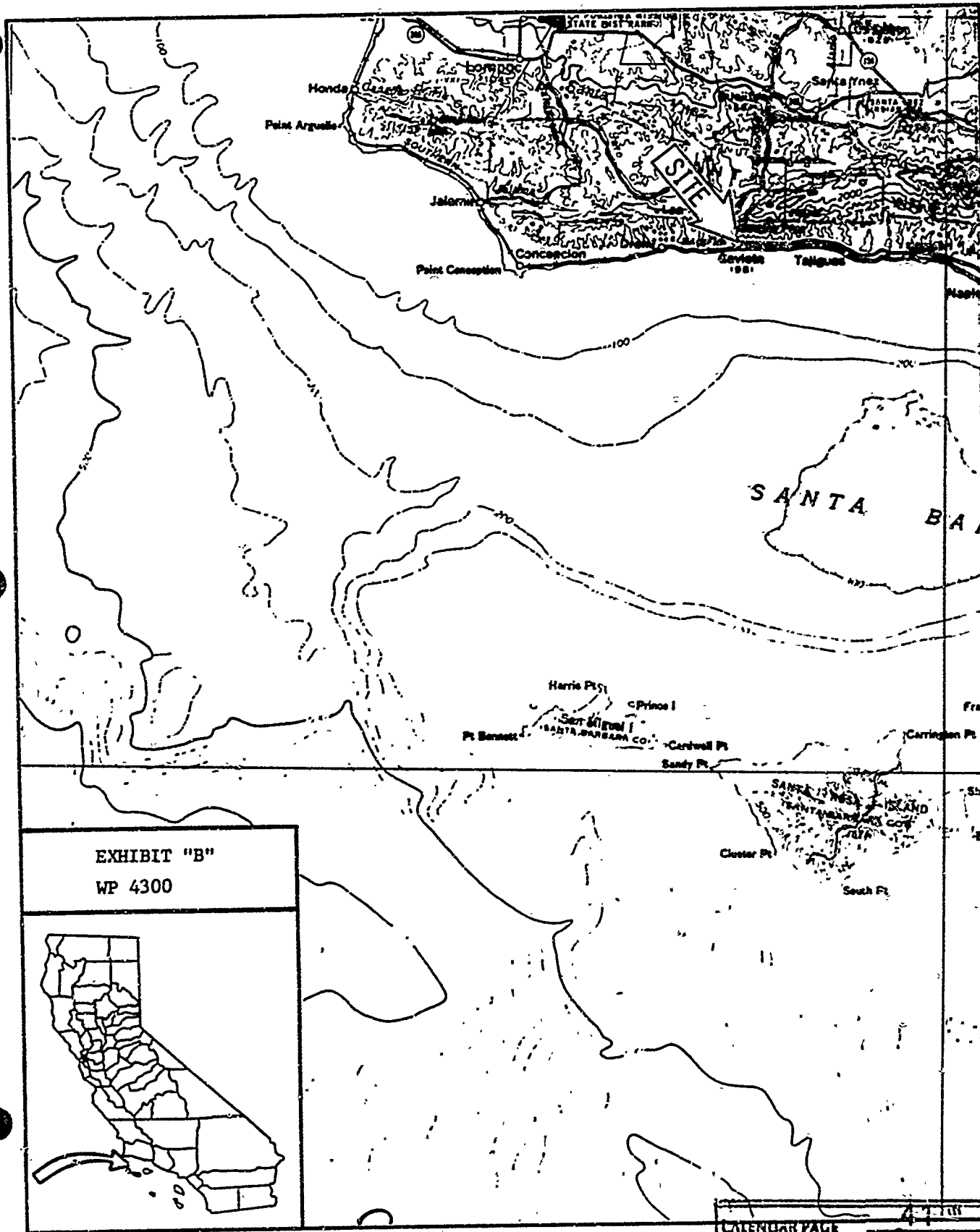


EXHIBIT "B"
WP 4300



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