

**CALENDAR ITEM  
C53**

A 33  
S 15

01/26/12  
WP 1603.9  
S. Paschall

**GENERAL LEASE – PUBLIC AGENCY USE**

**APPLICANT:**

California Department of Parks and Recreation

**AREA, LAND TYPE, AND LOCATION:**

Sovereign land located in the Pacific Ocean, adjacent to Hearst San Simeon State Park, San Luis Obispo County.

**AUTHORIZED USE:**

Continued use and maintenance of the existing 880-foot public San Simeon Pier, and retention of existing fire-suppression wharf heads, 3-inch diameter water line, fish cleaning station, and water bib.

**LEASE TERM:**

25 years, beginning May 1, 2011.

**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.

**OTHER PERTINENT INFORMATION:**

1. Applicant owns the upland adjoining the lease premises.
2. On August 8, 1957, the Commission authorized the issuance of a life of structure lease to the County of San Luis Obispo, which operated the pier in conjunction with the county-owned upland park property. On April 27, 1967, the Commission amended the lease to a 49-year lease term beginning December 20, 1955. In 1970, the county transferred the upland park property to the California Department of Parks and Recreation (DPR). The pier was never assigned to DPR.
3. On July 24, 1986, the Commission accepted a lease quitclaim from the County of San Luis Obispo and authorized issuance of General Lease –

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Public Agency Use to DPR for a period of 25 years, for operation and maintenance of the existing San Simeon Pier. The California Department of Parks and Recreation is now applying to renew this lease.

4. On February 6, 1991, the Commission approved an amendment to the lease authorizing the installation of a submersible sea water pump, electrical conduit, and intake and discharge pipelines to be located on the pier. These facilities were to supply water to a reverse-osmosis desalination plant located on the upland. The water pump, electrical conduit, intake and discharge pipelines have been removed from the lease premises, as the reverse-osmosis desalination filters located on the upland were decommissioned and removed within a year of construction due to clogging and general failed operation.
5. An overhead lighting system, boat launch, and boat lift have also been removed from the pier, while, the electrical conduit for the removed overhead lighting remains abandoned in place. Though these facilities were not explicitly named in the previous lease, staff considers these operations to have been ancillary to the use of the pier.
6. While not explicitly named in the previous lease, staff finds the fire suppression wharf heads, 3-inch diameter water line, fish cleaning station, and water bib to be consistent with public trust's needs and in the best interest of public safety. These facilities directly contribute to the public use and benefit of San Simeon Pier and San Simeon State Park. Staff is recommending these facilities be expressly authorized in the new lease.
7. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Cal. Code Regs., tit. 14, § 15061), the staff has determined that this activity is exempt from the requirements of CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

8. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. Based upon the staff's consultation with the persons nominating such lands and

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through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

**EXHIBITS:**

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

**RECOMMENDED ACTION:**

It is recommended that the Commission:

**CEQA FINDING:**

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

**SIGNIFICANT LANDS INVENTORY FINDING:**

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370 et seq.

**AUTHORIZATION:**

Authorize issuance of a General Lease – Public Agency Use to the California Department of Parks and Recreation, beginning May 1, 2011, for a term of 25 years, for use and maintenance of the existing 880-foot public San Simeon Pier, fire-suppression wharf heads, 3-inch diameter water line, fish cleaning station, and water bib, as described in Exhibit A and as shown on Exhibit B (for reference purposes only) attached and by the reference made a part hereof; consideration to be the public use and benefit with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the best interest of the State.

EXHIBIT A

LAND DESCRIPTION

WP 1603.9

A strip of tide and submerged land 50 feet wide in San Simeon Bay, San Luis Obispo County, California, lying 25 feet on each side of the following described centerline:

COMMENCING at a 1.5 inch iron pipe monument tagged L.S. 2391 and shown on the map filed in Book 6 of Licensed Surveys at Page 61, Records of San Luis Obispo County; situated 79.32 feet left of highway centerline station 486 + 43.87, as said centerline is shown on the plans for State Highway Route 1, dated May 2, 1966, on file in the State Division of Highways, District 5 Office, San Luis Obispo, California: thence S 14°15'W, 402.75 feet to a 1 inch iron pipe monument; thence S 86°00'W, 56.42 feet; thence S 10°00'E, 54.87 feet to a point on the bluff of San Simeon Bay and the centerline of the existing pier, said point being the TRUE POINT OF BEGINNING; thence along the centerline of said pier S 30°00'W 210.00 feet; thence S 5°00'W 700.00 feet.

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

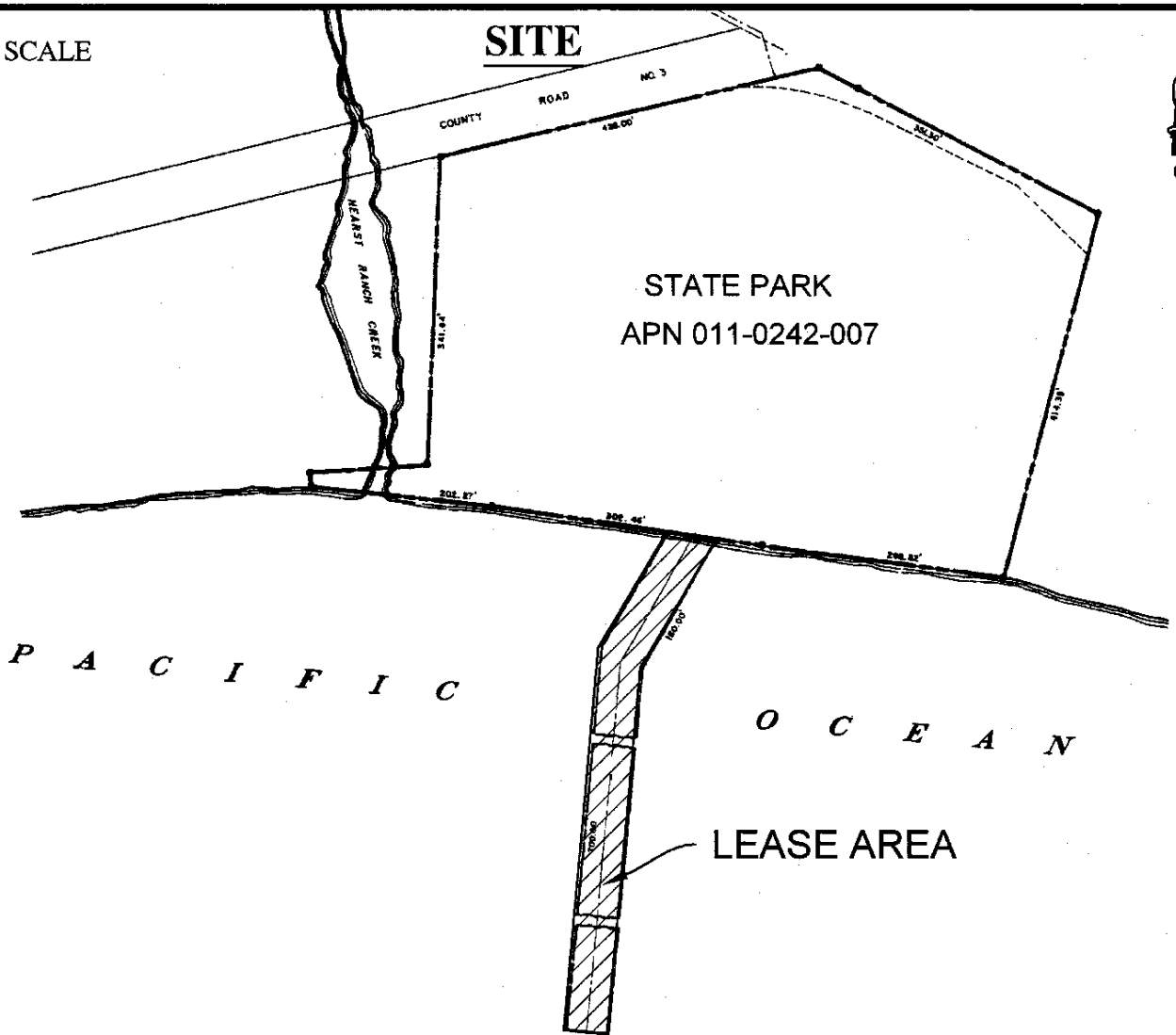
END OF DESCRIPTION

REVIEWED FEBRUARY 4, 1986 BY BOUNDARY SERVICES UNIT, M. L. SHAFER, SUPERVISOR.

0023b

NO SCALE

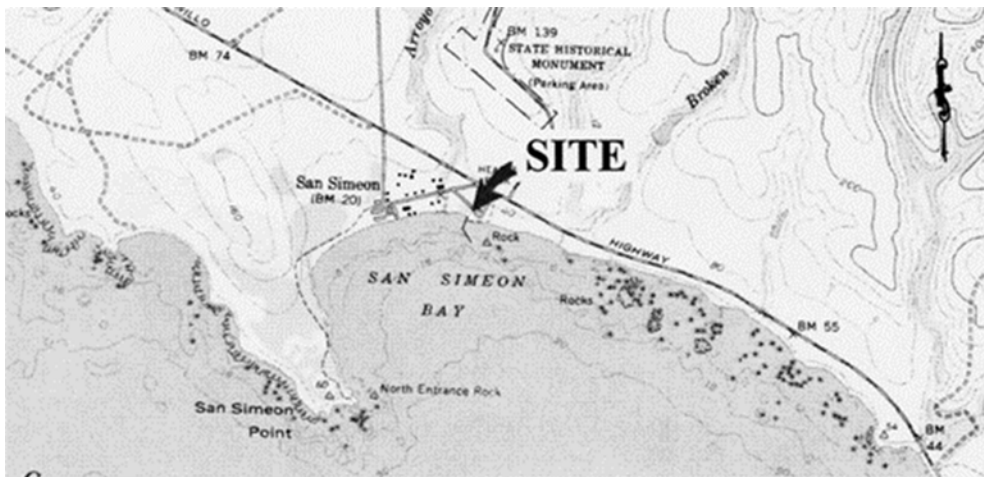
# SITE



750 HEARST CASTLE ROAD, NEAR SAN SIMEON

NO SCALE

## LOCATION



MAP SOURCE: USGS QUAD

## Exhibit B

WP 1603.9  
 SAN SIMEON PIER  
 APN 011-242-007  
 PUBLIC AGENCY LEASE  
 SAN LUIS OBISPO COUNTY



This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.