

**CALENDAR ITEM  
C30**

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W26320  
A. Scott

**GENERAL LEASE - PUBLIC AGENCY USE**

**APPLICANT:**

City of Pacifica  
170 Santa Maria Avenue  
Pacifica, California 94044

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

A 0.04 acre parcel, more or less, of sovereign lands in the Pacific Ocean, city of Pacifica, San Mateo County.

**AUTHORIZED USE:**

Continued operation and maintenance of an existing 24" diameter storm water outfall pipeline.

**LEASE TERM:**

20 years, beginning January 1, 2008.

**CONSIDERATION:**

Public health and safety with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's interest.

**SPECIFIC LEASE PROVISIONS:**

Other:

1. The city must maintain a current National Pollution Discharge Elimination System permit during the term of the lease

**OTHER PERTINENT INFORMATION:**

1. Applicant owns the uplands adjoining the lease premises.
2. This lease covers an existing storm water outfall pipeline that was originally constructed in the late 1960s or early 1970s. The outfall pipeline provides storm water runoff from surrounding surface streets into the Ocean. It is not used for sewage or waste water discharge. The 24-inch diameter steel pipeline was originally 300 feet long, but during the winter

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of 2005-2006 heavy wave action damaged the most waterward 20 feet, as well as the flap gate and 12 support pilings. The pipeline was repaired under an emergency permit issued the California Coastal Commission. During the repair, the damaged section of the pipeline was removed, the missing flap gate was replaced by a pinch valve, the remaining 280 feet of pipeline was lined with a 20-inch polyethylene pipe, six damaged pilings were completely removed and six other pilings were excavated and cut as low as possible and then capped with concrete. The repair also included the placement of three new support pilings. The City is now applying for a Public Agency lease to authorize the retention of the existing outfall and appurtenant improvements.

3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a statutorily exempt project. The project is exempt because it involves emergency repairs to public service facilities necessary to maintain service.

Authority: Public Resources Code section 21080 (b) (2) and Title 14, California Code of Regulations, section 15269 (b).

4. This activity involves lands which have NOT been identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. However, the Commission has declared that all tide and submerged lands are "significant" by nature of their public ownership (as opposed to "environmentally significant"). Since such declaration of significance is not based upon the requirements and criteria of Public Resources Code sections 6370, et seq., use classifications for such lands have not been designated. Therefore, the finding of the project's consistency with the use classification as required by Title 2, California Code of Regulations, section 2954 is not applicable.

**EXHIBITS:**

- A. Site Map
- B. Land Description

**RECOMMENDED ACTION:**

IT IS RECOMMENDED THAT THE COMMISSION:

**CEQA FINDING:**

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF

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REGULATIONS, SECTION 15061 AS A STATUTORILY EXEMPT PROJECT PURSUANT TO PUBLIC RESOURCES CODE SECTION 21080 (b) (2) AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15269 (b), EMERGENCY REPAIRS TO PUBLIC SERVICE FACILITIES NECESSARY TO MAINTAIN SERVICE.

**AUTHORIZATION:**

AUTHORIZE ISSUANCE OF A GENERAL LEASE - PUBLIC AGENCY USE TO THE CITY OF PACIFICA BEGINNING JANUARY 1, 2008, FOR A TERM OF 20 YEARS, FOR THE CONTINUED OPERATION AND MAINTENANCE OF AN EXISTING 24 INCH STORM WATER OUTFALL PIPELINE AS SHOWN ON EXHIBIT A (FOR REFERENCE PURPOSES ONLY) AND AS DESCRIBED IN EXHIBIT B ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; IN CONSIDERATION OF THE PUBLIC HEALTH AND SAFETY, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENT IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST.