

Meeting Date: 10/21/26

Lease Number: 4585

Staff: K. Foster

P. Huber

Staff Report I(a)

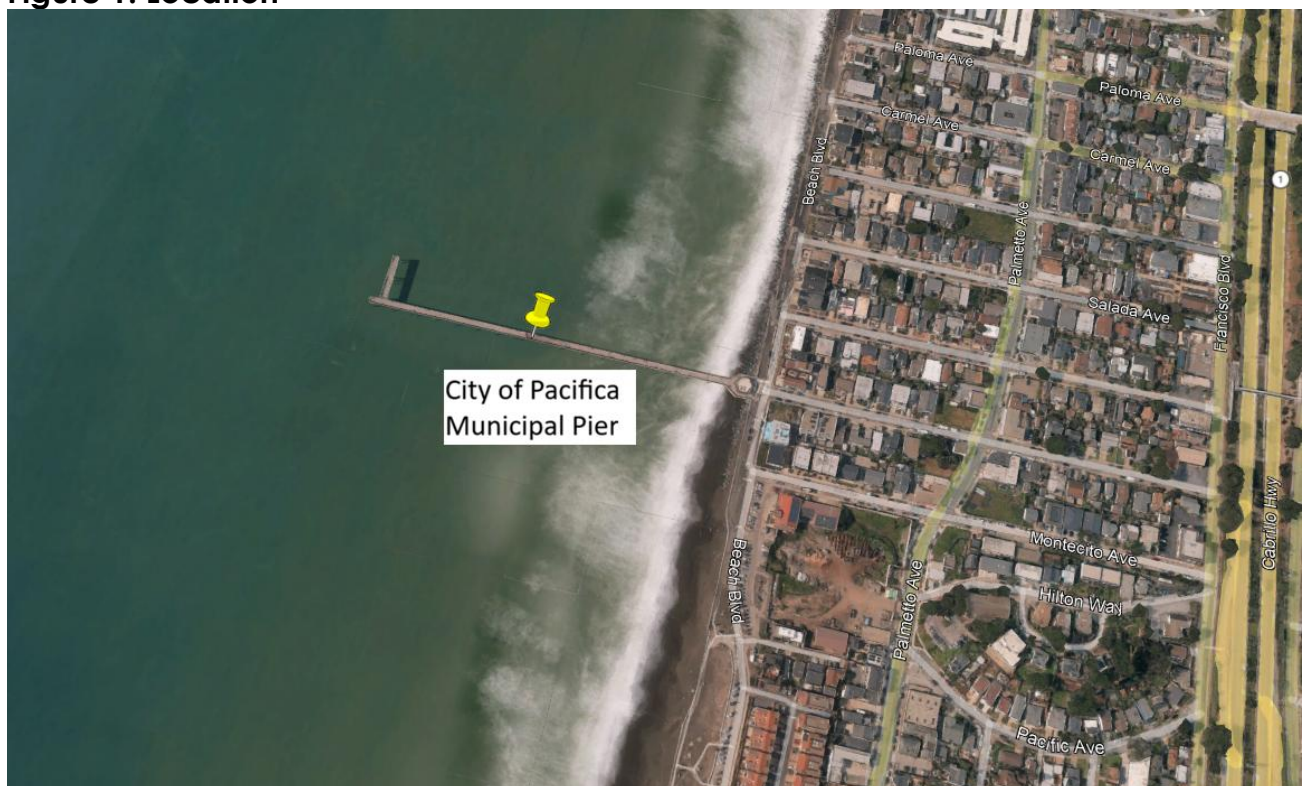
PARTY:

City of Pacifica

PROPOSED ACTION:

Emergency Authorization for proposed repairs to the City of Pacifica public fishing pier and protective structures.

Figure 1. Location



BACKGROUND:

On August 25, 1971, the Commission authorized the issuance of Lease PRC 4585.9 to the City of Pacifica (City) for a 49-year term beginning June 1, 1971, to construct a public fishing pier, sanitary sewer outfall, and seawall ([Item 21](#)). Construction was completed in 1973 and the City has owned and operated the pier and appurtenant facilities since that time. The prior lease expired on May 30, 2020, and on April 27, 2021, the Commission authorized Lease 4585, a new General Lease – Public Agency Use to the City of Pacifica for a 20-year term beginning June 1, 2020, for the use and maintenance of a public fishing pier, non-operational sewer pipeline, and seawall ([Item 27](#)). The City did not execute the new 20-year lease. In the absence of a valid lease, the City is seeking authorization for its proposed emergency repair project described below.

The City's public fishing pier (municipal pier) suffered damage from wave action in early June 2026. This damage resulted in the demolition of a visitor-serving café, the Chit Chat Café, on the pier and in the closure of the pier to all public access pending a structural evaluation and completion of all necessary repairs. The City proposes to begin emergency repairs to its pier and adjacent shoreline protective structures starting the week of October 19, 2026, to stabilize the structures in anticipation of a historic El Niño event and other severe coastal conditions over the 2026-27 winter season. With the City's prior lease expired and no new lease currently in place, this action is necessary to provide the City with emergency authorization to continue occupying State land while completing necessary repairs to respond to the emergency and the time to determine whether to rehabilitate the pier or to plan for its removal. The proposed project is not intended to rehabilitate the pier, but to secure it in its existing state to help prevent additional damage and the potential collapse of portions of the pier, as well as to protect City infrastructure along Beach Boulevard from erosion damage that could occur during the 2026-27 winter season.

STAFF ANALYSIS AND RECOMMENDATION:

AUTHORITY:

Public Resources Code sections 6005, 6216, 6301, 6321, 6321.2, and 6501.1;
California Code of Regulations, title 2, sections 2000 and 2003.

PUBLIC TRUST AND STATE'S BEST INTERESTS:

The City's municipal pier was closed to the public on June 4, 2026, for an indefinite period when cracks formed in the pier's abutment at the head-end adjacent to and underlying the Chit Chat Café. The Café was subsequently demolished and no longer exists. The City relocated some existing riprap waterward in mid-June to protect the abutment from further damage and possible collapse.

Wave action undermined the pier's concrete abutment, compromising the structure's steel seawall. Subsequent erosion allowed the abutment to sag and open a gap between the abutment and the pier's first over-water span at Bent B, a pile and cross-brace member supporting the over-water span.

The First Phase of the City's proposed emergency response is to install temporary supports at the pier's head-end to help prevent the span at Bent B from collapsing.

The proposed Second Phase will be to install a combination wall (COMBI wall) composed of 10 steel king piles and interlocking steel sheets along Beach Boulevard, a main thoroughfare running along the City waterfront at the pier entrance, to protect existing utilities from erosion and create a working platform for abutment repairs. An alternative Second Phase, weather conditions and other restrictions permitting, would install a larger 20-pile COMBI wall to protect utilities and the abutment and approach structure that connects the pier to Beach Boulevard.

The City ratified an Emergency Proclamation on June 8, 2026, and San Mateo County issued an Emergency Proclamation on June 18, 2026, to address the emergency. The City has obtained, among other permits, an Emergency Coastal Development Permit (ECDP) from the California Coastal Commission (ECDP G-2-26-0020, June 8, 2026) and a United States Army Corps of Engineers authorization dated September 16, 2026, under Regional General Permit 5 for Repair and Protection Activities in Emergency Situations. On July 30, 2026, the City filed a Notice of Exemption under the California Environmental Quality Act (CEQA) for the emergency stabilization work. On September 21, 2026, the Governor's Office issued an Emergency Proclamation pursuant to the California Emergency Services Act and Government Code section 8625. This proclamation directed state agencies to "...prioritize work to help local agencies prepare for anticipated impacts from the El Nino event."

The Emergency Authorization letter, attached as Exhibit A, would provide the City with limited authorization to continue occupying State land and complete repairs

minimally necessary to respond to the emergency and to provide the City with the time needed to determine whether to rehabilitate the pier or to plan for its removal. The letter provides a 12-month window from the authorization date to complete the proposed emergency repairs. The Emergency Authorization also allows for one subsequent 6-month extension, at the Executive Officer's discretion, if the City demonstrates that the emergency is still ongoing.

Staff recommends that the Commission approve the Emergency Authorization letter to allow the City to secure its pier and shoreline protective structures to help prevent additional damage during the 2026-27 winter season, including the potential collapse of already damaged components onto sovereign land in the Pacific Ocean.

OTHER PERTINENT INFORMATION:

1. Staff recommends that the Commission find that this activity is exempt from the requirements of CEQA as a statutorily exempt project. The project is statutorily exempt pursuant to Public Resources Code section 21080, subdivision (b)(4), and California Code of Regulations, title 14, section 15269, subdivision (c), specific actions necessary to prevent or mitigate an emergency.

EXHIBIT:

A. Emergency Authorization letter

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that issuance of the Emergency Authorization letter is exempt from the requirements of CEQA pursuant to Public Resources Code section 21080, subdivision (b)(4), and California Code of Regulations, title 14, section 15269, subdivision (c), specific actions necessary to prevent or mitigate an emergency.

PUBLIC TRUST AND STATE'S BEST INTERESTS:

Find that issuance of the proposed Emergency Authorization letter is necessary to respond to the emergency for repairs to prevent further damage to City-owned

infrastructure that is consistent with the common law Public Trust Doctrine; and is in the best interests of the State.

AUTHORIZATION:

Authorize issuance of an Emergency Authorization letter substantially as shown in Exhibit A, to the City of Pacifica, beginning October 21, 2026, for a twelve-month period with one optional six-month extension, under the terms and conditions as described in the letter.



CALIFORNIA
STATE LANDS
COMMISSION

100 Howe Avenue, Suite 100 South
Sacramento, CA 95825-8202

STATE OF CALIFORNIA
GAVIN NEWSOM, Governor

MATTHEW DURLAO, PhD, Executive Officer
Reception: 916.574.1900
TTY: 711

October 21, 2026

Sent via electronic mail only

File Ref.: L4585

Sean Charpentier
City Manager
c/o City of Pacifica
170 Santa Maria Avenue
Pacifica, CA 94044
scharpentier@pacificagov

Subject: California State Lands Commission Emergency Authorization, City of Pacifica Pier and Shoreline Structure Repairs

Mr. Charpentier:

California State Lands Commission (Commission) staff understand that the City of Pacifica's (City) municipal pier suffered damage in early June 2026. This damage resulted in the demolition of a visitor-serving structure on the pier and the pier being closed to all public access pending a structural evaluation and completion of any undetermined future repairs or removal. Staff also understands that in the interim, the City proposes to begin emergency repairs to the pier and adjacent shoreline protective structures starting the week of October 19, 2026, to stabilize the structures in anticipation of a historic El Niño event and severe coastal conditions over the 2026-27 winter season. The City's prior lease has expired, and no new lease is currently in place, pending the City's rescission of the authorization for the last lease offered by the Commission. This letter is intended to provide the City with emergency authorization to complete minimally necessary repairs needed to respond to the emergency, in the absence of a valid lease and to provide the City with the necessary time to determine whether to rehabilitate the pier or to plan for its removal.

The City's proposed emergency project, as Commission staff understands it, includes the following elements:

- The pier was closed to the public on June 4, 2026, for an indefinite period when cracks formed in the pier's abutment at the head-end adjacent to and underlying the Chit Chat Café. The Café was subsequently demolished and

no longer exists. Some existing riprap was relocated waterward in mid-June to protect the abutment from further damage and possible collapse.

- The current pier damage resulted from its concrete abutment being undermined by wave action that compromised the structure's steel seawall. Subsequent erosion allowed the abutment to sag and open a gap between the abutment and the pier's first over-water span at Bent B.
- To address the emergency, the City's project First Phase is to install temporary supports at the pier's head-end to help prevent the span at Bent B from collapsing.
- The emergency project Second Phase will be to install a COMBI wall (combination wall) composed of 10 steel king piles and interlocking steel sheets along Beach Boulevard, a main thoroughfare running along the City waterfront at the pier entrance, to protect existing utilities and create a working platform for abutment repairs.
- An alternative Second Phase, weather conditions and other restrictions permitting, would install a larger 20-pile COMBI wall to protect utilities and the abutment approach structure that connects the pier to Beach Boulevard.
- The City ratified an Emergency Proclamation on June 8, 2026, and San Mateo County issued an Emergency Proclamation on June 18, 2026, to address the emergency. The City has obtained among other permits, an Emergency Coastal Development Permit (ECDP) from the California Coastal Commission (ECDP G-2-26-0020, June 8, 2026) and a United States Army Corps of Engineers authorization dated September 16, 2026, under Regional General Permit 5 for Repair and Protection Activities in Emergency Situations. On July 30, 2026, the City filed a CEQA Notice of Exemption for the emergency stabilization work. On September 21, 2026, the Governor's Office issued an Emergency Proclamation pursuant to the California Emergency Services Act, and in particular, Government Code section 8625 to address a state of emergency that exists statewide to, among other specified purposes, direct state agencies to "...prioritize work to help local agencies prepare for anticipated impacts from the El Niño event."

The Commission recognizes that the circumstances described above qualify as an emergency and that immediate action is necessary to avoid substantial harm to public health and welfare, to the environment, or to private or public property.

The Commission hereby approves this Emergency Authorization to the City of Pacifica for its proposed emergency pier stabilization project, insofar as this authorization applies only to such actions that are minimally necessary to avoid or respond to the emergency, and are subject to the following terms and conditions:

- 1) That the State of California, its officers, agents, and employees shall not be liable for any claims, damages, or injuries of any kind arising out of or connected in any way with the proposed action, except to the extent caused by the active negligence, sole negligence, willful misconduct, or violation of law of the State, its officers, agents, or employees. The City shall indemnify, hold harmless, and, upon the City's acceptance of tender and at the City's election to control the defense, defend the State, its officers, agents, and employees, against and for any and all liability for any claims, damages, or injuries of any kind arising out of or connected in any way with the proposed action, to the extent caused by the negligence, recklessness, or willful misconduct of the City or its contractors in continuing to occupy State land with the City's pier or performing the proposed action; provided, however, that the City's obligations under this paragraph shall not extend to, and shall be reduced in proportion to, any claims, damages, or injuries caused by the active negligence, sole negligence, willful misconduct, or violation of law of the State, its officers, agents, or employees; and
 - a. Commission staff may agree to alternative methods of indemnification only if the alternative option protects the Commission and the state as well as or better than the term above.
- 2) That the City shall comply with all terms and conditions imposed by the Commission staff in this Emergency Authorization or that are reasonably related to the emergency work authorized by this Emergency Authorization and the protection of State lands, and of which the City has received prior written notice and a reasonable opportunity to comply; and
- 3) That the City shall obtain and secure, prior to commencement of work, all approvals necessary or appropriate from all other agencies or governmental entities having jurisdiction; and
- 4) That disturbance of the property under the Commission's jurisdiction shall be kept to a minimum area consistent with the nature and purpose of the event emergency action, and that the City shall take all necessary and appropriate precautions to prevent littering or pollution on State lands, waterways, and adjoining properties; and

- 5) That the City shall be responsible for any damage, destruction, or loss to State lands, waterways, adjoining property, the State's lessees, or other members of the public to the extent caused by the City or its contractors in performing the proposed action or using state land in connection with the emergency project; and
- 6) That the City shall provide the Commission staff timely notice of the proposed response time and work windows and shall provide to the Commission staff any information requested as to the work completed; and
- 7) That the City shall provide the Commission staff satisfactory evidence of insurance coverage as requested by the Commission staff with the Commission named as an additional insured; and
- 8) That once efforts have shifted from emergency work to evaluating the pier's long-term disposition, the City will engage Commission staff in a good-faith effort to agree upon and expeditiously implement a new short- or long-term lease for the pier and other improvements that occupy state-owned land; provided that nothing in this paragraph obligates the City to enter into any particular lease or lease terms, or waives, limits, or prejudices the City's rights, positions, claims, or defenses regarding the pier, or the prior lease.
- 9) Continued use of the pier will require a new lease.
- 10) This Emergency Authorization has a starting date of October 21, 2026, and expires after 12 months of issuance but may be extended up to six months by the Commission's Executive Officer, upon a showing of a continuing emergency, which extension shall not be unreasonably withheld.

This letter is not intended, nor shall it be construed as, a waiver or any limitation of any right, title, or interest of the California State Lands Commission in any lands under its jurisdiction. Reciprocally, this Emergency Authorization, and the City's execution and performance of it, is not intended, nor shall it be construed, as a waiver, limitation, admission, or relinquishment of any right, title, or interest of the City of Pacifica in the pier, or the City's position that its prior lease remains valid, or of any claim, defense, or right the City may have regarding its authority to occupy, use, maintain, and repair the pier. The City enters into this Emergency Authorization solely to permit the timely performance of urgent emergency work and without prejudice to the parties' respective positions regarding the pier's leasing and long-term disposition.

The Commission finds that the activity is exempt from the California Environmental Quality Act as a statutorily exempt project. The project is statutorily exempt pursuant to

Public Resources Code section 21080, subdivision (b) (4), and California Code of Regulations, title 14, section 15269, subdivision (c), specific actions necessary to prevent or mitigate an emergency.

This Emergency Authorization is effective upon the City's execution and, subject to the expiration and extension provisions of Condition 10 above, shall remain in effect for a reasonable period until such time as the emergency project described above has been completed and the stated emergency has passed. Please arrange for an authorized City representative to sign this Emergency Authorization on the City's behalf in the space below. Additionally, please provide proof of signatory authority for said authorized representative. You may provide a digital or scanned copy of the executed document, but an original wet-signed copy must be returned to this office within 14 days of receipt. If not returned within the 14-day period, this authorization will be void.

If you have any questions please contact Ken Foster, Public Land Manager, at (916) 574-2555 or at Kenneth.Foster@slc.ca.gov.

Signed,

Brian Bugsch,
Chief, Land Management Division
California State Lands Commission

Accepted by:

City of Pacifica

Sign: _____

Print: _____

S. Charpentier
October 21, 2026
Page 6

Title: _____

Date: _____

cc: Ken Foster, SLC, Land Management
Nicole Dobroski, SLC, DESPM
Patrick Huber, SLC, Legal