

MINUTE ITEM

This Calendar Item No. C45 was approved as Minute Item No. 45 by the California State Lands Commission by a vote of 3 to 0 at its 06/26/06 meeting.

CALENDAR ITEM
C45

A 67

06/26/06

S 35

PRC 3076

S. Young

GENERAL LEASE - RECREATIONAL USE

APPLICANT:

Robin A. Beeso

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Huntington Harbour, Huntington Beach, Orange County

AUTHORIZED USE:

(1) The continued use and maintenance of an existing boat dock and access ramp; and (2) the use and maintenance of a cantilevered deck extending no more than five feet waterward of the existing bulkhead.

LEASE TERM:

Ten years, beginning June 1, 2006

CONSIDERATION:

As to the boat dock and access ramp, no monetary consideration pursuant to Public Resources Code section 6503.5; as to the use and maintenance of the existing cantilevered deck, \$1,125 per year, effective June 1, 2006, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance in the amount of no less than \$1,000,000

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.
2. On October 28, 1996, the Commission authorized a Recreational Pier Lease for a ten-year term, effective June 1, 1996, to William P. and Doreen G. Aiello. On July 23, 2004, the littoral land, Lot 9 of Tract 4677, was deeded to Robin A. Beeso. Ms. Beeso is now applying for a new

CALENDAR ITEM NO. C45 (CONT'D)

General Lease - Recreational Use. The proposed lease would cover the existing boat dock and access ramp, and an existing deck that cantilevers five feet waterward of the existing bulkhead. A five-foot portion of the deck extends over the State's fee title ownership in the Midway Channel of Huntington Harbour. As the cantilevered deck does not qualify for a rent-free lease, that portion of the deck extending over State fee ownership within the Harbour is subject to annual rent. The boat dock and access ramp will remain rent-free.

4. 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 categorically exempt project. The project is exempt under Class 1, Existing Facilities: Title 2, California Code of Regulations, section 2905 (a)(2).

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

5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

EXHIBITS:

- A. Site and Location 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 REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905(a)(2).

CALENDAR ITEM NO. C45 (CONT'D)

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 SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO ROBIN A. BEESO OF A GENERAL LEASE - RECREATIONAL USE, BEGINNING JUNE 1, 2006, FOR A TERM OF TEN YEARS, FOR THE USE AND MAINTENANCE OF AN EXISTING BOAT DOCK , ACCESS RAMP, AND AN EXISTING CANTILEVERED DECK AS SHOWN ON EXHIBIT A AND AS DESCRIBED ON EXHIBIT B ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; AS TO THE BOAT DOCK AND ACCESS RAMP, NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 6503.5; AS TO THE CANTILEVERED DECK, \$1,125 PER YEAR, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; LIABILITY INSURANCE OF NO LESS THAN \$1,000,000.

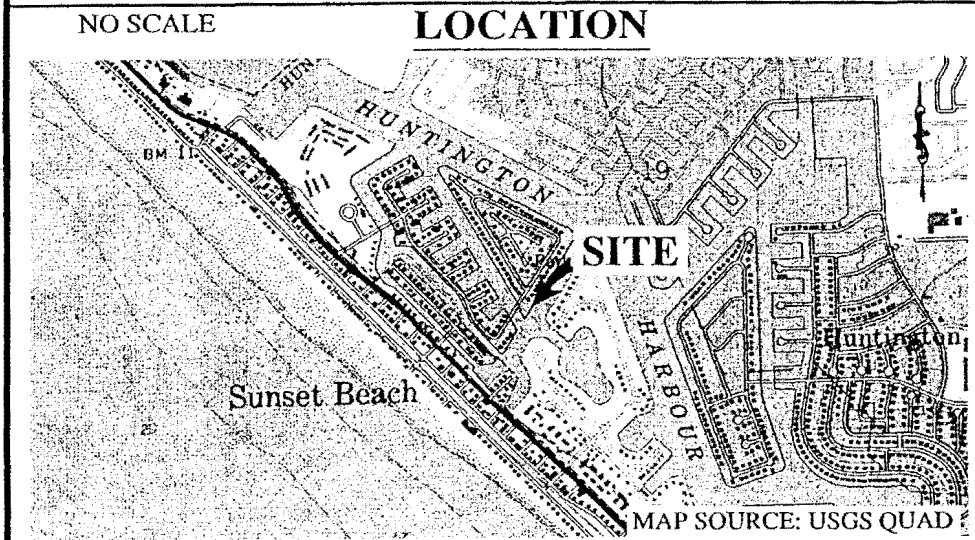
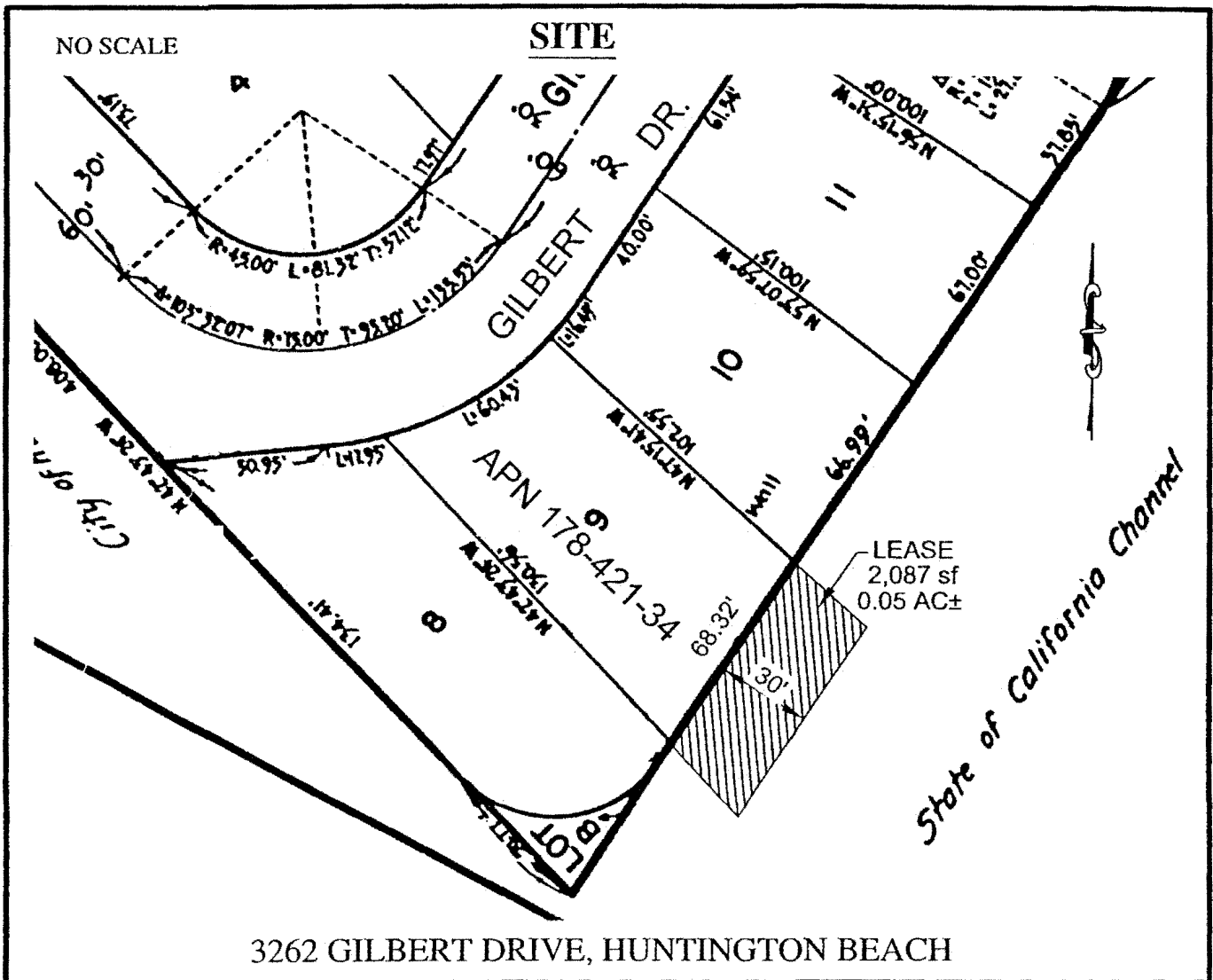
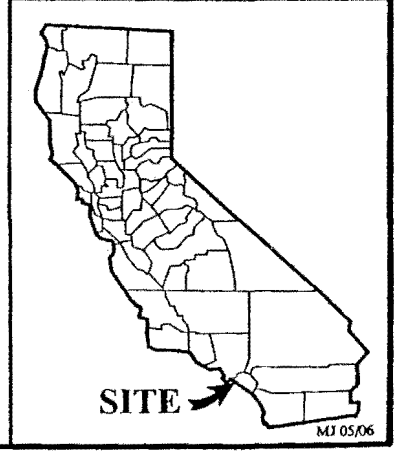


Exhibit A
 PRC 3076
 BEESO
 APN 178-421-34
 RECREATIONAL PIER LEASE
 HUNTINGTON HARBOUR
 ORANGE COUNTY



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.

EXHIBIT B

PRC 3076

LAND DESCRIPTION

A parcel of submerged land in Huntington Harbour, in the City of Huntington Beach, Orange County, California, described as follows:

BEGINNING at the most southerly corner of Lot 9, as said lot is shown and so designated on that certain map of Tract No. 4677 filed in Book 168, Pages 14 through 18 of Miscellaneous Maps, Official Records of said County; thence southeasterly along the southeasterly extension of the southwesterly line of said lot to a line parallel with and 30.00 feet southeasterly, measured at a right angle, of the southeasterly line of said lot; thence northeasterly along said parallel line to the southeasterly extension of the northeasterly line of said lot; thence northwesterly along said southeasterly extension to the most easterly corner of said lot; thence along said southeasterly line of said lot to the point of beginning.

END OF DESCRIPTION

Prepared 05/18/2006 by the California State Lands Commission Boundary Unit

