

MINUTE ITEM

This Calendar Item No. C9.
was approved as Minute Item
by the State Lands
Commission by a vote of 3
to 0 at its 2-28-80
meeting.

CALENDAR ITEM

C9.

2/80
WP 4737
W 22348
Atkins
PRC 5799.1
PRC 4737.1

ACCEPTANCE OF QUITCLAIM DEED FROM
The Huntington Partnership
c/o Mr. John Cope
Peter's Landing
16400 Pacific Coast Highway
Huntington Beach, California 92647
AND

ISSUANCE OF GENERAL PERMIT - RECREATIONAL USE

APPLICANT: The Shapiro Company
234 East 13th Street
Costa Mesa, California 92626

AREA, TYPE LAND AND LOCATION:
A 0.186 acre parcel of tide and submerged
land in the State-owned channel at Huntington
Harbour, Orange County.

LAND USE: Dock and boardwalk.

TERMS OF PROPOSED PERMIT:
Initial period: 10 years from February 1,
1980.

Public liability insurance: \$100,000 for
combined single limit
coverage.

CONSIDERATION: \$17) per annum with the State reserving
the right to fix a different rental on
each fifth anniversary of the permit.

BASIS FOR CONSIDERATION:
\$170 fixed rental for this type of permit.

PREREQUISITE TERMS, FEES AND EXPENSES:
Applicant is owner of upland.

Filing fee has been received.

STATUTORY AND OTHER REFERENCES:
A. P.R.C.: Div. 6, Parts 1 & 2.
B. Cal. Adm. Code: Title 2, Div. 3.

A 73
S 36

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OTHER PERTINENT INFORMATION:

1. The lease area covered by the Proposed General Permit - Recreational Use was previously included in the Commission's Commercial Lease PRC 4737.1 with The Huntington Partnership. The uplands adjacent to the proposed permit were recently sold to The Shapiro Company which is constructing a single family residence on the site. The improvements in the proposed lease area are already constructed and are for private recreational use, but do not qualify for a Rent Free Recreational Pier Permit, as the upland owner is a company. For these reasons, The Huntington Partnership has executed a Lease Quitclaim Deed for the portion of lease PRC 4737.1 that will subsequently be included in the permit to The Shapiro Company.
2. An EIR is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907, Class 1(B), which exempts an existing structure or facility that is in an acceptable state of repair and there is no evidence of record to show injury to adjacent property, shoreline erosion, or other types of environmental degradation.
3. This project is situated on land identified as possessing environmental values in that the State Lands Commission stated all waterways under the Commission's jurisdiction have environmental significance. Staff finds this project to be compatible with Commission policy.
4. This structure is existing and was constructed after all necessary permits were secured.
5. This activity is consistent with the Commission's Coastal regulations.

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APPROVALS OBTAINED:

Corps of Engineers, Coastal Commission,
City of Huntington Beach.

FURTHER APPROVALS REQUIRED:

None.

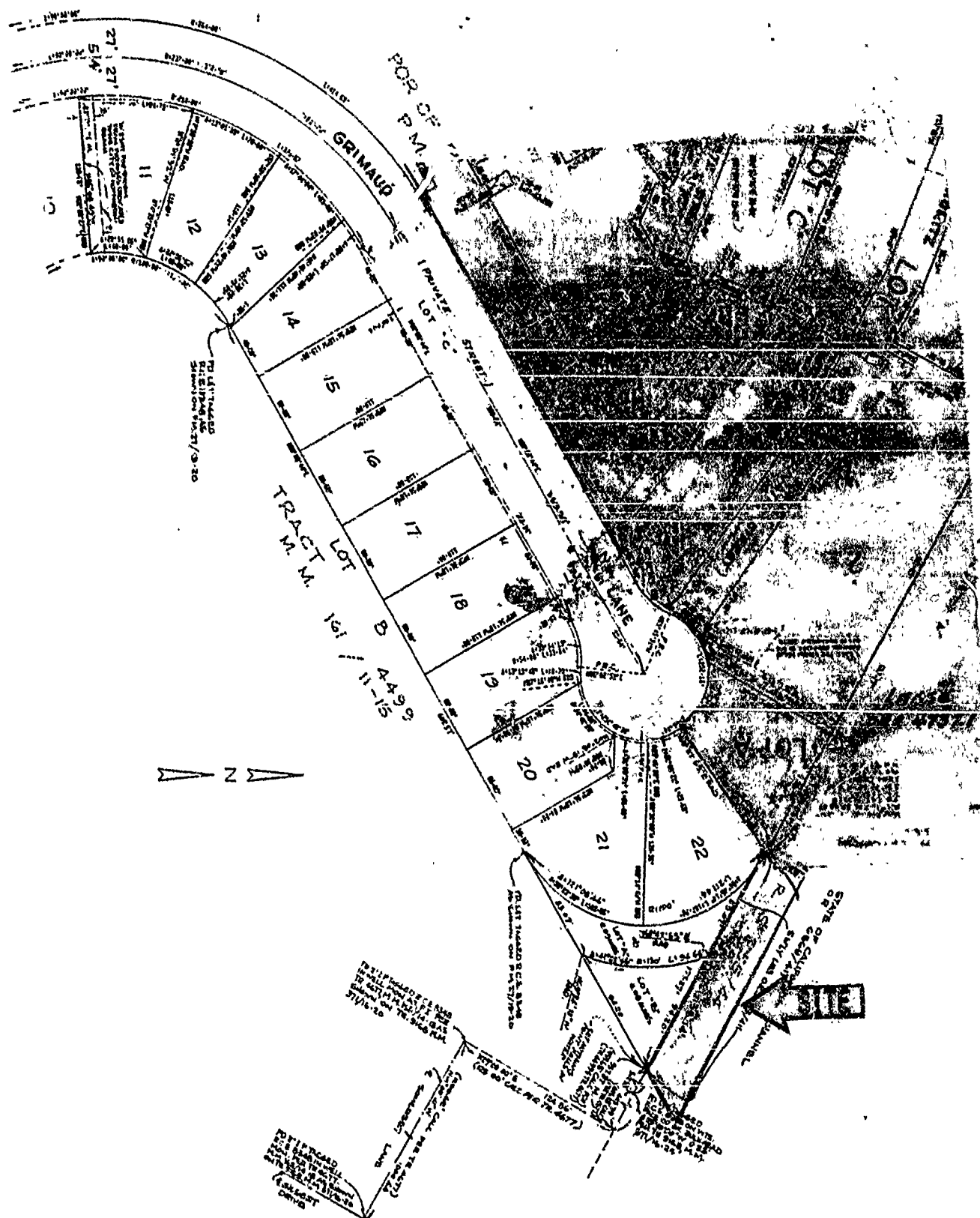
EXHIBITS:

A. Parcel Map. B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN EIR HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21085, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2907.
2. FIND THAT THIS PROJECT IS SITUATED ON LAND IDENTIFIED AS POSSESSING SIGNIFICANT ENVIRONMENTAL VALUES IN THAT THE STATE LANDS COMMISSION STATED THAT ALL WATERWAYS HAVE ENVIRONMENTAL SIGNIFICANCE, BUT THAT THIS PROJECT IS COMPATIBLE WITH SUCH COMMISSION FINDING AS IT APPLIES TO THE SUBJECT LAND.
3. DETERMINE THAT THE PROJECT IS CONSISTENT WITH THE PROVISIONS OF ARTICLE 6.5, OF TITLE 2, OF THE CAL. ADM. CODE.
4. AUTHORIZE ACCEPTANCE OF A QUITCLAIM DEED FROM THE HUNTINGTON PARTNERSHIP FOR THE SITE COVERED UNDER LEASE PRC 4737.1 AND, CONCURRENTLY, ISSUANCE TO THE SHAPIRO COMPANY OF A 10-YEAR GENERAL PERMIT - RECREATIONAL USE; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$170, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT FOR THE USE AND MAINTENANCE OF A DOCK AND BOARDWALK ON THE LAND SHOWN ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"



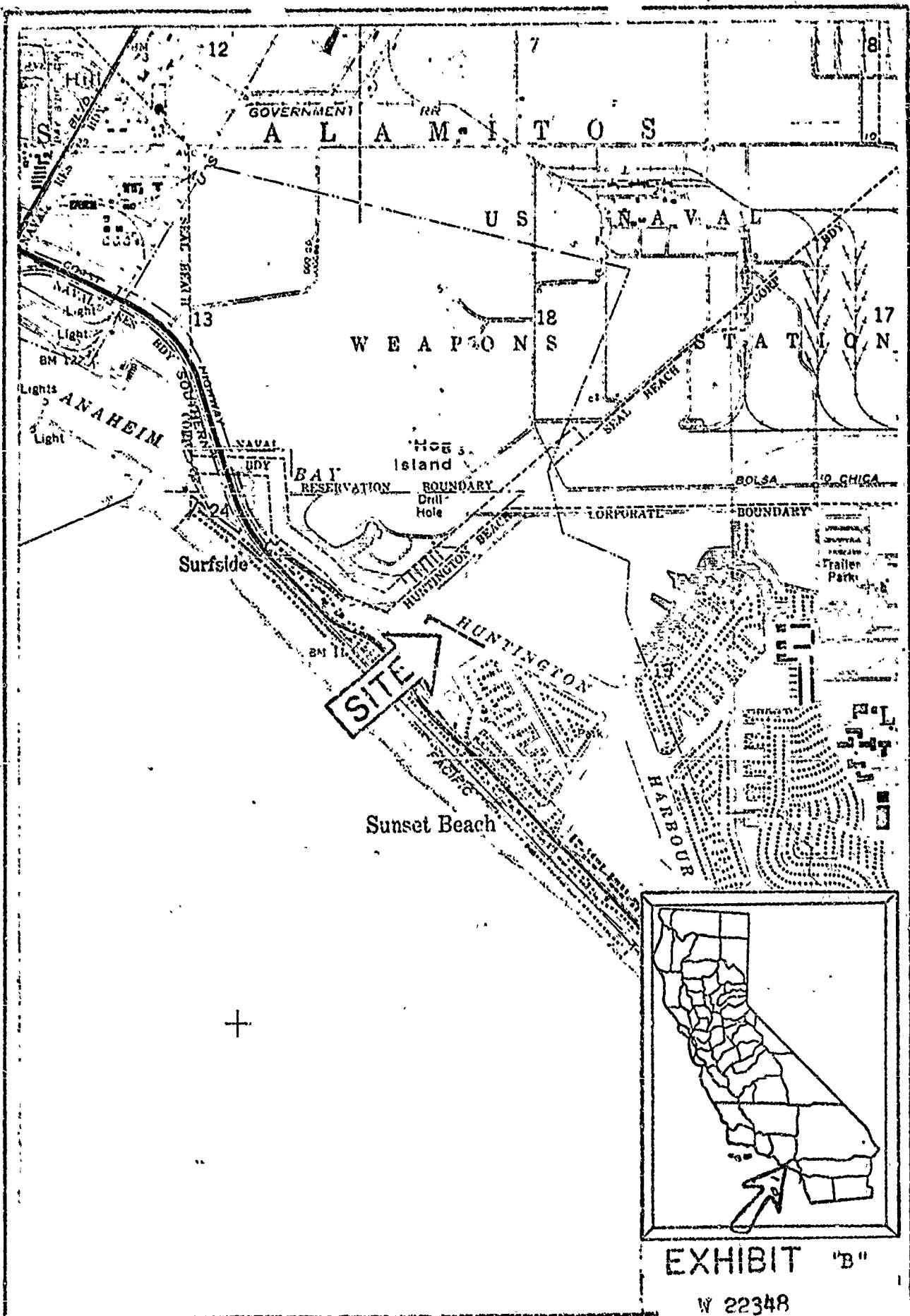


EXHIBIT "B"

W 22348

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