

MINUTE ITEM

This Calendar Item No. C14
was approved as Minute Item
No. 14 by the State Lands
Commission by a vote of 2
0 at its 8-26-80
meeting.

CALENDAR ITEM

C14.

8/80
W 22348
Atkins
PRC 5799

RESCISSION OF PRIOR AUTHORIZATION
AND APPROVAL OF A RENT FREE
RECREATIONAL PIER PERMIT

APPLICANT: Robert E. Donald and Sharon V. Donald
9441 Wilshire Boulevard
Beverly Hills, California 90212

TYPE LAND AND LOCATION: Parcel of tide and submerged land in the
State-owned channel at Huntington Harbour,
Orange County.

LAND USE: Recreational Pier and ramps.

TERMS OF THE PROPOSED PERMIT:
Initial period: 10 years.
Renewal option: None.
Filing fee: \$25.
Processing fee: \$45.
Consideration: None.

PREREQUISITE TERMS:
Applicant is littoral landowners as defined
in Section 6503, P.R.C.

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

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S 36

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OTHER PERTINENT INFORMATION:

1. BACKGROUND: On February 28, 1980, the Commission authorized the issuance of a 10-year General Permit - Recreational Use on the parcel of State-owned submerged land shown on Exhibit "A" to the Shapiro Company. A recreational boat dock and ramps, are located in a portion of the permit area. The Shapiro Company constructed a single-family residence on the upland. Subsequent to the Commission's authorization of the above-referenced permit and prior to execution by the staff of the Commission, the Shapiro Company sold the upland lots to Robert E. Donald and Sharon V. Donald, husband and wife.

2. CURRENT SITUATION: The staff has received an application from Mr. and Mrs. Donald for a recreational pier permit covering their facilities. The application was complete and qualifies as a Recreation Pier Permit.

The staff recommends that the Commission rescind its earlier authorization to the Shapiro Company for a General Permit - Recreational Use on the land shown on Exhibit "A", and authorize a Recreational Pier Permit for a recreational boat dock and ramps. The standard Recreational Pier Permit has to be modified to include a provision to accommodate public access pursuant to the Regional Coastal Commission requirements.

3. 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.

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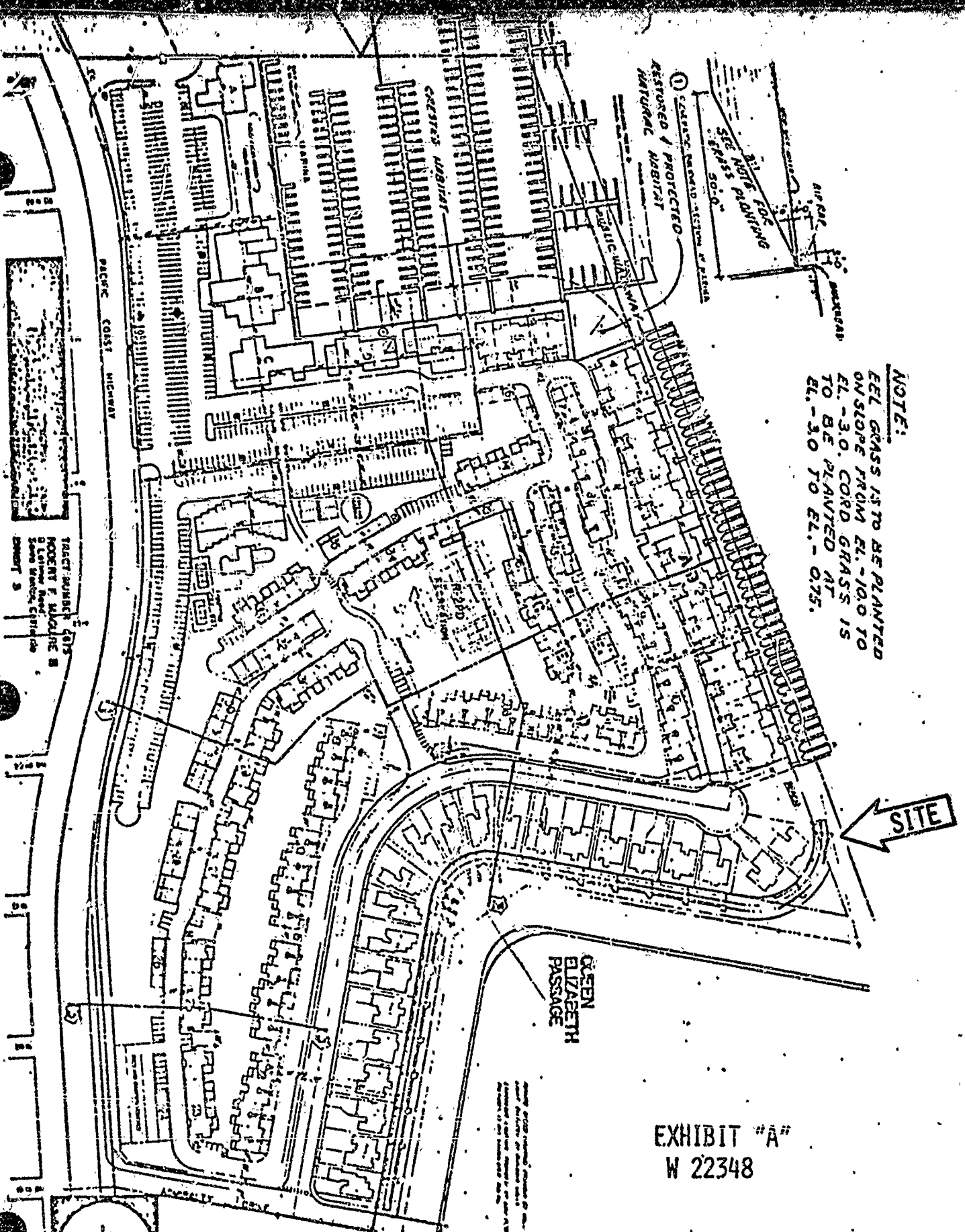
4. This project is situated on land identified as possessing environmental values in that the State Lands Commission stated all waterways under the Commission's jurisdiction have environmental significance. Staff finds this project to be compatible with Commission policy.
5. This structure is existing and was constructed after all necessary permits were secured.
6. This activity is consistent with the Commission's Coastal regulations.

EXHIBITS: A. Parcel Map. B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. RESCIND ITS PRIOR AUTHORIZATION AS CONTAINED IN MINUTE ITEM NO. 9, APPROVED ON FEBRUARY 28, 1980.
2. DETERMINE THAT AN EIR HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21080, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2907.
3. 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.
4. DETERMINE THAT THE PROJECT IS CONSISTENT WITH THE PROVISIONS OF ARTICLE 6.5, OF TITLE 2, OF THE CAL. ADM. CODE.
5. AUTHORIZE ISSUANCE TO ROBERT E. AND SHARON W. DONALD OF A 10-YEAR RENT-FREE RECREATIONAL PIER PERMIT FOR A BOAT DOCK ON THE LAND SHOWN ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

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NOTE:
 EEL GRASS IS TO BE PLANTED
 ON SLOPE FROM EL. -10.0 TO
 EL. -3.0. CORD GRASS IS
 TO BE PLANTED AT
 EL. -3.0 TO EL. -0.75.

SITE ←

EXHIBIT "A"
 W 22348

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TRACT NUMBER 6015
 ROBERT F. MORGAN III
 9 Loring Road
 Stone Harbor, Colorado
 District 3

PACIFIC COAST HIGHWAY

1 RESTORED / PROTECTED
 NATURAL HABITAT

SEE NOTE PLANNING
 GRASS 50'-0"

GREEN
 ELIZABETH
 PASSAGE

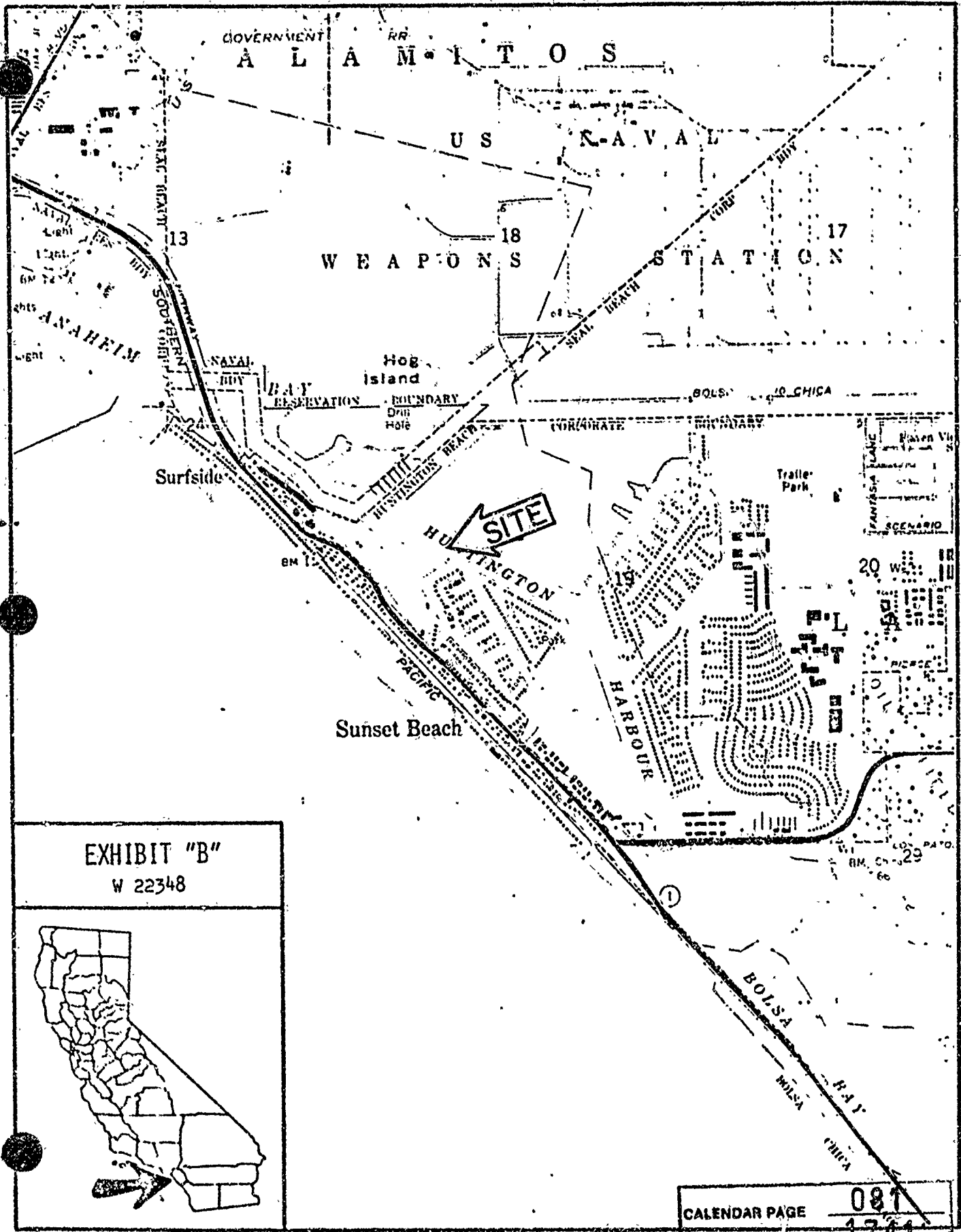


EXHIBIT "B"
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