

MINUTE ITEM

This Calendar Item No. C13 was approved as Minute Item No. 13 by the California State Lands Commission by a vote of 3 to 0 at its 12-3-99 meeting.

**CALENDAR ITEM
C13**

A 35
S 18

PRC 8126.9

12/03/99
W 25584
B. Dugal

GENERAL LEASE - PROTECTIVE STRUCTURE USE

LESSEE:

Rick O'Hara and Jill O'Hara Trustor(s) and Trustee(s)
of the Rick O'Hara and Jill O'Hara Family Trust Dated April 4, 1992
20 Lower Lake Road
Westlake Village, California 91361

AREA, LAND TYPE, AND LOCATION:

Sovereign lands adjacent to the Pacific Ocean, in the community of Faria Beach, near the city of Carpinteria, Ventura County.

AUTHORIZED USE:

Construction of a concrete seawall.

LEASE TERM:

Ten years, beginning December 1, 1999.

CONSIDERATION:

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.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance for combined single limit coverage no less than \$1,000,000.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.
2. The Applicant proposes to construct a vertical concrete seawall with a wave deflection cap. The seawall will be approximately 107 feet in length and will have a height of approximately 15.5 feet. A lip above the wave

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deflection cap will add an additional 2.5 feet to the seawall. The proposed design also includes a stairway that will be built into the seawall near its eastern end.

3. The proposed seawall will protect an existing single family residence that was constructed over 20 years ago. The residence has been severely damaged from waves during various storm events. The project area is located in the southern segment of the community of Faria Beach which is located in the north coast of Ventura County. The majority of the properties in Faria Beach are protected by vertical concrete, or occasionally sheetpile, seawalls with wave deflection caps.
4. On October 12, 1999, the California Coastal Commission (CCC) granted Permit #4-99-117 for this project under its certified regulatory program (Title 14, California Code of Regulations, section 15251 (c)). Staff has reviewed the document and determined that the conditions, as specified in Title 14, California Code of Regulations, section 15253 (b), have been met for the Commission to use the environmental analysis document certified by the CCC as a Negative Declaration equivalent in order to comply with the requirements of the CEQA.
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.

APPROVALS OBTAINED:

California Coastal Commission
County of Ventura

EXHIBITS:

- A. Location map
- B. Site map
- C. Lease description

PERMIT STREAMLINING ACT DEADLINE:

April 9, 2000

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RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT AN ENVIRONMENTAL ANALYSIS DOCUMENT, CALIFORNIA COASTAL COMMISSION (CCC) PERMIT #4-99-117, WAS ADOPTED FOR THIS PROJECT BY THE CCC UNDER ITS CERTIFIED PROGRAM (TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15251 (c)), AND THAT THE CALIFORNIA STATE LANDS COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION THEREIN AND CONCURS IN THE CCC'S DETERMINATION.

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 RICK O'HARA AND JILL O'HARA TRUSTOR(S) AND TRUSTEE(S) OF THE RICK O'HARA AND JILL O'HARA FAMILY TRUST DATED APRIL 4, 1992, OF A GENERAL LEASE - PROTECTIVE STRUCTURE USE, BEGINNING DECEMBER 1, 1999, FOR A TERM OF TEN YEARS, FOR CONSTRUCTION OF A CONCRETE SEAWALL ON THE LAND DESCRIBED IN EXHIBIT C ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF, CONSIDERATION BEING 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; COMBINED SINGLE LIMIT COVERAGE NO LESS THAN \$1,000,000.

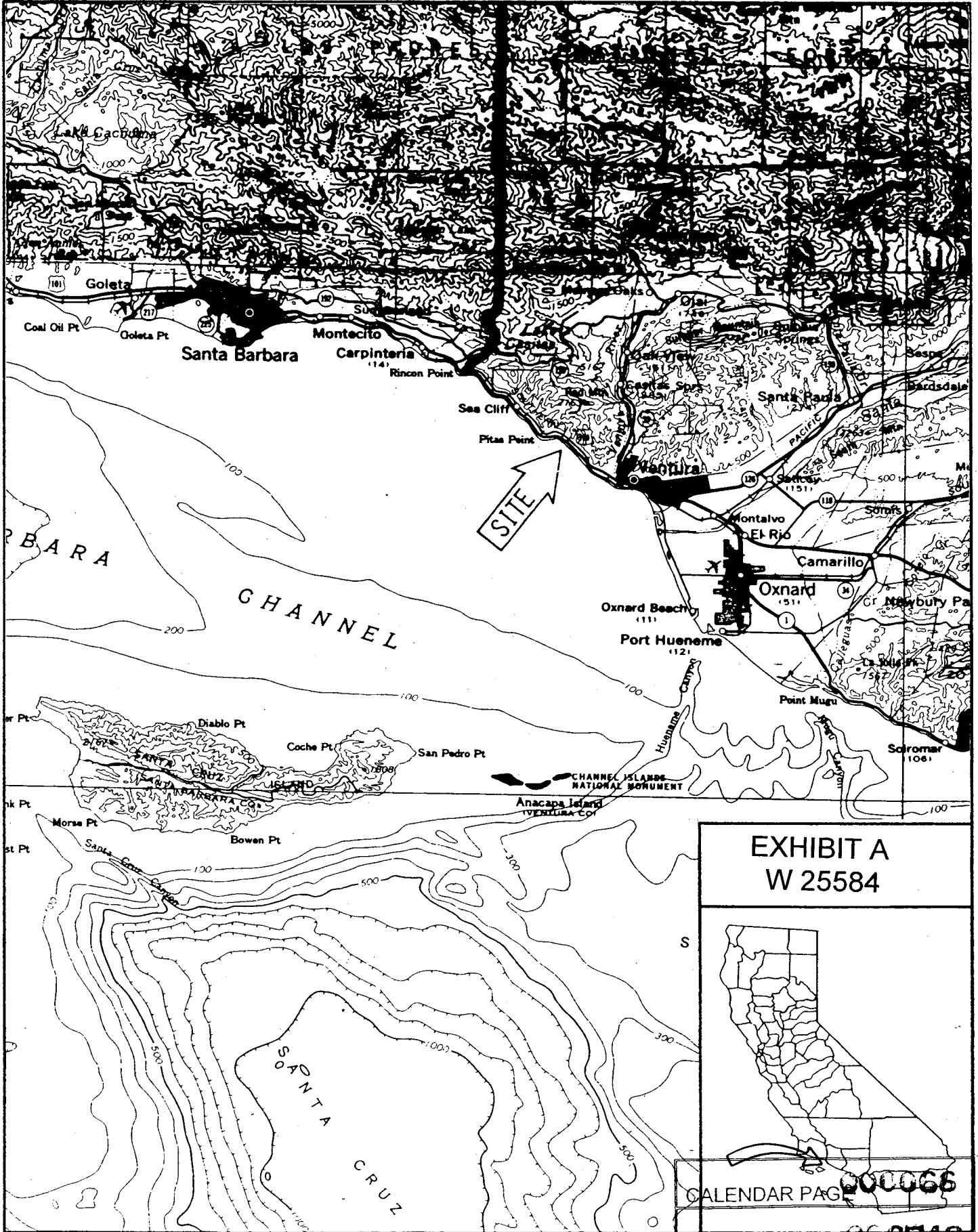
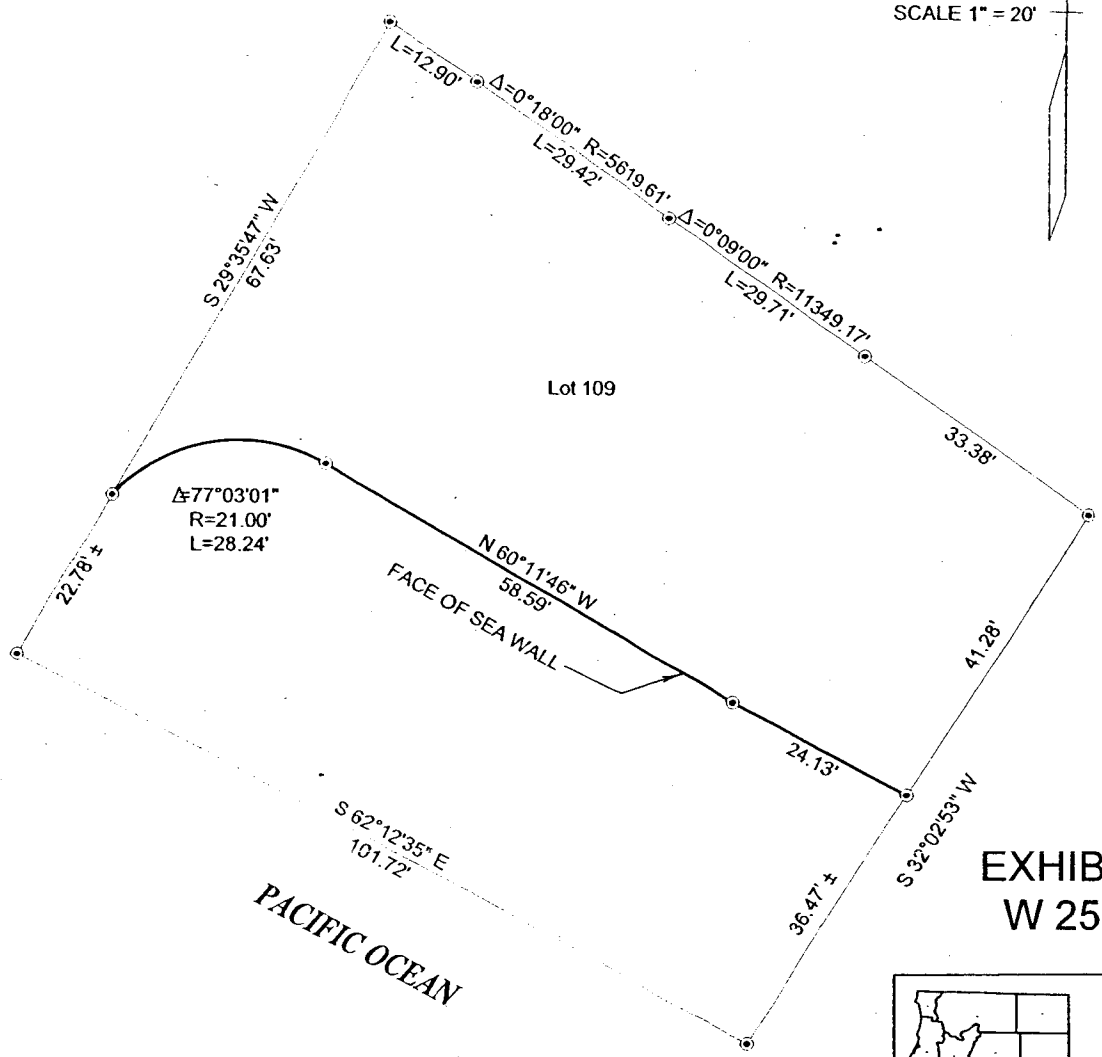


EXHIBIT A
W 25584

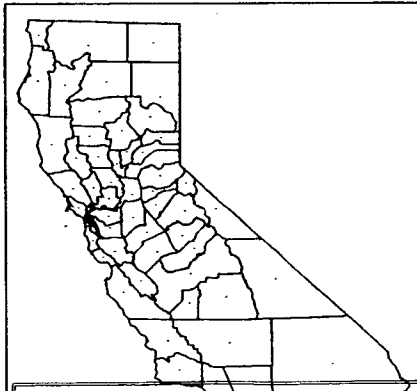
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SCALE 1" = 20'

**EXHIBIT B
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This Exhibit is solely for purposes of generally defining the lease premises, and is not intended to be, nor shall it be construed as, a waiver of limitation of any state interest in the subject or any other property.

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 TITLE

EXHIBIT C
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All of those tide and submerged lands in the County of Ventura, State of California, lying within Lot 109 as said Lot is shown on the Map of the Record of Survey of FARIA RINCON BEACH COLONY, filed for record in Book 36 of Record of Surveys, at Page 27, Ventura County Records and lying northeasterly and northerly of the following described line:

BEGINNING at a point on the easterly line of said Lot 109 distant along said line S 32°02'53" W, 41.28 feet from the northeasterly corner of said Lot 109; thence N 62°26'34" W, 24.13 feet; thence N 60°11'46" W, 58.59 feet to the point of curvature of a tangent curve, concave to the south, having a radius of 21.00 feet and a central angle of 77°03'01"; thence northwesterly along said curve, a distance of 28.24 feet to the westerly line of said Lot 109; distant along said westerly line S 29°35'47" W, 67.63 feet from the northwest corner of said Lot 109.

EXCEPTING THEREFROM any portion thereof lying landward of the Ordinary High Water Mark of the Pacific Ocean.

October 28, 1999

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