

This Calendar Item No. C42 was approved as
Minute Item No. 42 by the California State Lands
Commission by a vote of 3 to 0 at its
8-8-05 meeting.

**CALENDAR ITEM
C42**

A 67 08/08/05
S 35 PRC 3858 WP 3858.1
S. Young

GENERAL LEASE – RECREATIONAL USE

APPLICANTS:

Bobbie G. Williams and Vallee J. Williams, Trustees Under Trust Dated Oct. 20, 1977

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 an existing cantilevered deck extending no more than five feet waterward of the bulkhead.

LEASE TERM:

Ten years, beginning October 3, 2005

CONSIDERATION:

As to the boat dock and access ramp, no monetary consideration pursuant to Public Resources Code section 6503.3; as to the use and maintenance of the existing cantilevered deck, \$1,463 per year effective October 3, 2005, 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. Applicants own the uplands adjoining the lease premises.
2. On December 7, 1995, the Commission authorized a Recreational Pier Lease for a ten-year term, effective October 3, 1994, to Bobbie G. and Vallee J. Williams, Trustees Under Trust Dated Oct. 20, 1977. The lease

CALENDAR ITEM NO. C42 (CONT'D)

expired on October 2, 2004. Applicants are now applying for a new General Lease – Recreational Use for the existing boat dock and access ramp as well as for the existing cantilevered deck, not previously authorized by the Commission. A five-foot portion of the existing deck extends over the State's fee title ownership in the Main 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 effective October 3, 2005. The existing boat dock and access ramp will remain rent-free because the Applicants are natural persons who have improved the littoral land with and use the upland for a single-family dwelling.

3. **Boat Dock and Access Ramp:** 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.

4. **Cantilevered Deck:** 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 3, New Construction or Conversions of Small Structures; Title 14, California Code of Regulations, section 15303.

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

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.

CALENDAR ITEM NO. C42 (CONT'D)

EXHIBITS:

- A. Land and Site Map
- B. Land Description

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

BOAT DOCK AND ACCESS RAMP: 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).

CANTILEVERED DECK: 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 3, NEW CONSTRUCTION OR CONVERSIONS OF SMALL STRUCTURES; TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15303

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 BOBBIE G. WILLIAMS AND VALLEE J. WILLIAMS, TRUSTEES UNDER TRUST DATED OCT. 20, 1977, OF A GENERAL LEASE – RECREATIONAL USE, BEGINNING OCTOBER 3, 2005, FOR A TERM OF TEN YEARS FOR CONTINUED USE AND MAINTENANCE OF AN EXISTING BOAT DOCK AND ACCESS RAMP AND FOR AN EXISTING CANTILEVERED DECK, ON THE LAND SHOWN ON EXHIBIT A AND AS DESCRIBED ON EXHIBIT B ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; AS

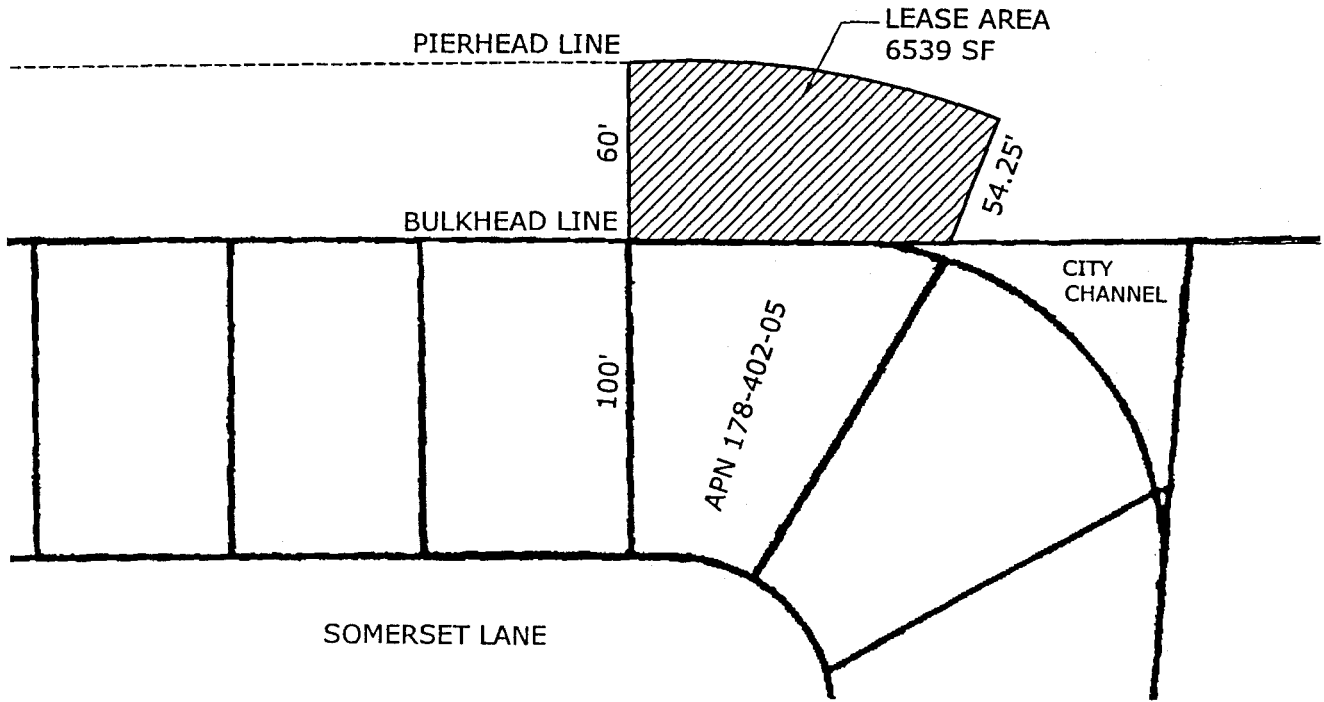
CALENDAR ITEM NO. C42 (CONT'D)

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 CANTILEVERED DECK, \$1,463 PER YEAR EFFECTIVE OCTOBER 3, 2005, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; LIABILITY INSURANCE IN THE AMOUNT OF NO LESS THAN \$1,000,000.

NO SCALE

SITE

HUNTINGTON HARBOUR



16672 SOMERSET LANE, HUNTINGTON HARBOUR

NO SCALE

LOCATION

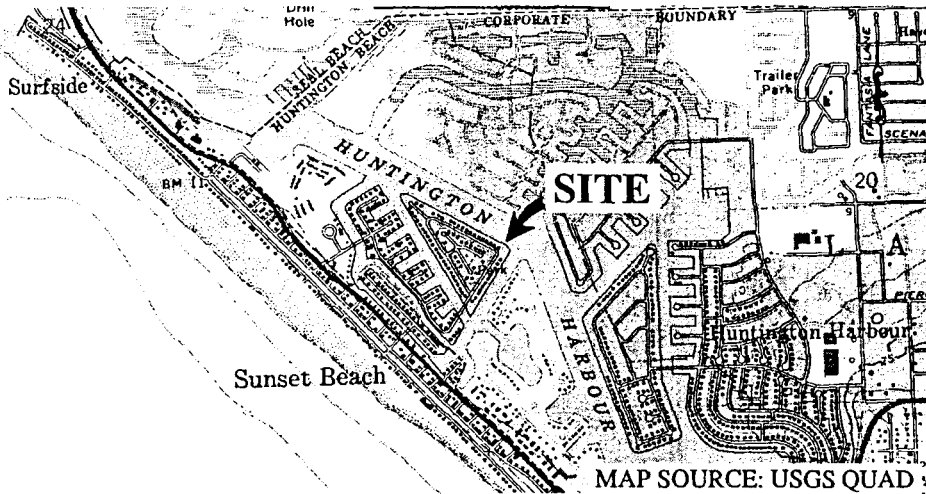


Exhibit A

PRC 3858.1
 GENERAL LEASE
 RECREATIONAL USE
 HUNTINGTON BEACH
 ORANGE COUNTY



MJ 07/05

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.

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CALENDAR PAGE

001357

MINUTE PAGE

EXHIBIT B

PRC 3858.1

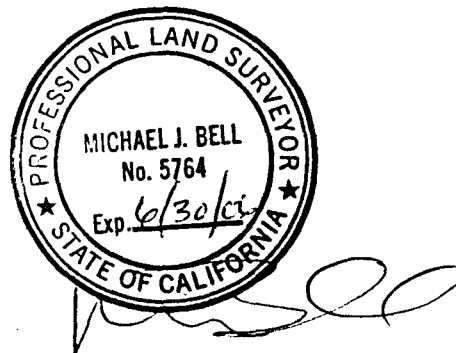
LAND DESCRIPTION

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

Beginning at the most northerly corner of Lot 29, as said lot is shown and so designated on that certain map of Tract No. 4677 filed in Book 168, Pages 14 through 18, Official Records of said County; thence along the northeasterly extension of the northwesterly line of said lot 60.00 feet, more or less, to the pierhead line as said pierhead line is described in Resolution No. 5908, passed and adopted August 1, 1988 by the City Council of said City; thence southeasterly along said pierhead line 66.95 feet to the beginning of a tangent curve to the right, concave southwesterly and having a radius of 160.00 feet; thence 53.03 feet along the arc of said curve, through a central angle of 18°59'21" to the radial line of said curve passing through the most easterly corner of said lot; thence southwesterly along said radial line 54.25 feet to the northeasterly line of Lot C, as said lot is shown and so designated on said map; thence northwesterly along said northeasterly line of said Lot C and the northeasterly line of said Lot 29 101.36 feet to the point of beginning.

END OF DESCRIPTION

Prepared 07/19/2005 by the California State Lands Commission Boundary Unit



000105

CALENDAR PAGE

001368

MINUTE PAGE