

MINUTE ITEM

This Calendar Item No. C21 was approved as Minute Item No. 21 by the California State Lands Commission by a vote of 8 to 0 at its 12-08-05 meeting.

**CALENDAR ITEM
C21**

A 67

12/08/05
WP 6900.9
S.Young

S 35

RECREATIONAL PIER LEASE

APPLICANT:

Portofino Cove Patio Homes Association
c/o Huntington West Properties
13812 Goldenwest Street, Suite 100
Westminister, CA 92683

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Huntington Harbor, city of Huntington Beach, Orange County.

AUTHORIZED USE:

Continued use and maintenance of 14 existing boat docks, adjacent floating dock walkway and ramps, previously authorized by the Commission.

LEASE TERM:

Ten years, beginning December 15, 2005.

CONSIDERATION:

No monetary consideration pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance in the amount of no less than \$1,000,000 Combined Single Limit.

OTHER PERTINENT INFORMATION:

1. Applicant has the right to use the uplands adjoining the lease premises.
2. On May 3, 1995, the Commission authorized a ten-year Recreational Pier Lease, effective December 15, 1995, to the Portofino Cove Patio Homeowners Association. Applicant is now applying for a new Recreational Pier Lease. Applicant qualifies for a Recreational Pier Lease because Applicant is an association, all of whose members are natural

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persons who own parcels of land, each of which is zoned or used solely for a single family dwelling.

3. 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. 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.

EXHIBIT:

- A. Site and Location Map

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).

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.

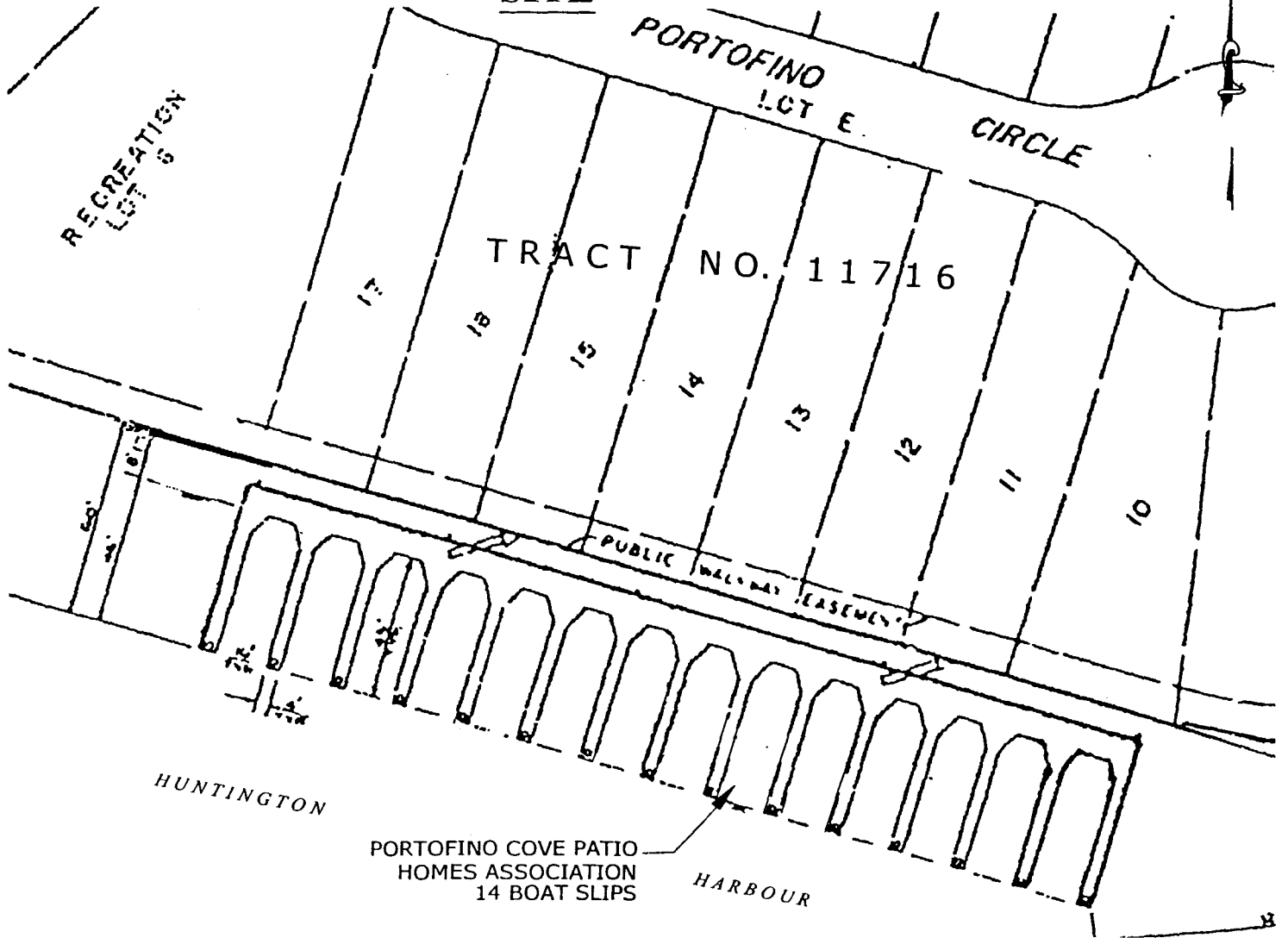
CALENDAR ITEM NO. C21 (CONT'D)

AUTHORIZATION:

AUTHORIZE ISSUANCE TO THE PORTOFINO COVE PATIO HOMES ASSOCIATION OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING DECEMBER 15, 2005, FOR THE CONTINUED USE AND MAINTENANCE OF 14 EXISTING BOAT DOCKS, FLOATING DOCK WALKWAY AND RAMPS ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 6503.5; LIABILITY INSURANCE IN THE AMOUNT OF NO LESS THAN \$1,000,000 COMBINED SINGLE LIMIT.

NO SCALE

SITE



PORTOFINO CIRCLE, HUNTINGTON HARBOUR
 APN 178-791-15

NO SCALE

LOCATION

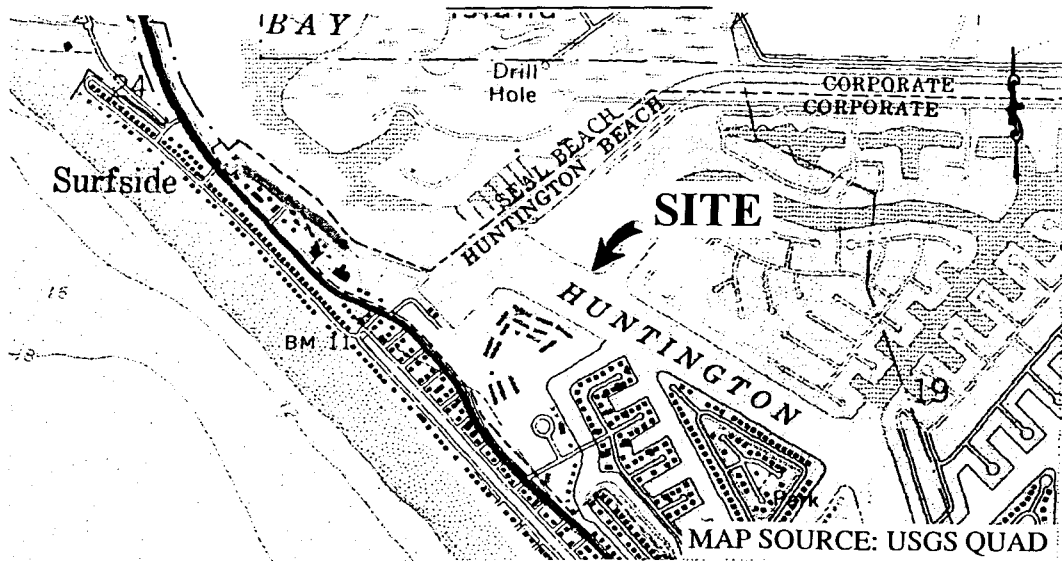


Exhibit A

WP6900.9
 PORTOFINO COVE PATIO HOA
 APN 178-791-15
 RECREATIONAL PIER USE
 HUNTINGTON BEACH
 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.

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