

**CALENDAR ITEM
C05**

A 67
S 35

03/25/08
WP 3312.9
K. Foster

RECREATIONAL PIER LEASE

APPLICANT:

Anthony J. Sotelo

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Huntington Harbour, Huntington Beach, Orange County.

AUTHORIZED USE:

Continued use and maintenance of an existing boat dock and access ramp.

LEASE TERM:

Ten years, beginning August 1, 2007.

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 \$300,000.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.
2. On August 26, 1997, the Commission approved the issuance of a Recreational Pier Lease to Anthony J. Sotelo for a ten-year term for the continued use and maintenance of an existing boat dock and access ramp, effective as of August 1, 1997. Applicant is now applying for a new Recreational Pier Lease.
3. The Applicant qualifies for a Recreational Pier Lease because he is a natural person who owns the littoral land that is improved with a single family dwelling.

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4. 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.

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.

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.

AUTHORIZATION:

AUTHORIZE ISSUANCE OF A TEN-YEAR RECREATIONAL PIER LEASE TO ANTHONY J. SOTELO, BEGINNING AUGUST 1, 2007, FOR AN EXISTING BOAT DOCK AND ACCESS RAMP AS SHOWN ON

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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 \$300,000.

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