

**CALENDAR ITEM
C05**

A 67
S 35

04/09/09
WP 4953.9
J. Smith

RECREATIONAL PIER LEASE

APPLICANT:

Sea Harbour State Channel Slip Owners Association
c/o Anthony Vilona, President
17138 Bluewater Lane
Huntington Beach, California 92649

AREA, LAND TYPE, AND LOCATION:

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

AUTHORIZED USE:

Continued use and maintenance of 30 existing boat slips, Numbers 28-57, and continued use and maintenance of a portion of an existing boat slip, Number 58, as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning October 1, 2008.

CONSIDERATION:

No monetary consideration pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

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

OTHER PERTINENT INFORMATION:

1. Applicant is an association comprised of the owners of the uplands adjoining the lease premises.

2. On June 19, 1998, the Commission authorized a Recreational Pier Lease to the Sea Harbor State Channel Slip Owners Association. That lease expired on September 30, 2008. The Applicant is applying for a new Recreational Pier Lease.

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3. The Applicant maintains 35 boat slips adjacent to the Main Channel in Huntington Harbour. A small number of the slips, (a portion of Slip 58 and all of Slips 59 - 62), are located outside of the State-owned Main Channel, within an artificial channel owned by the City of Huntington Beach, and are not included in this lease.
4. Applicant qualifies for a Recreational Pier Lease because the Applicant represents natural persons who own the littoral land that is improved with a single-family dwelling.
5. 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.

6. 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.

EXHIBITS:

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

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).

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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 SEA HARBOUR STATE CHANNEL SLIP OWNERS ASSOCIATION BEGINNING OCTOBER 1, 2008, FOR CONTINUED USE AND MAINTENANCE OF 30 EXISTING BOAT SLIPS, NUMBERS 28 THROUGH 57, AND CONTINUED USE AND MAINTENANCE OF A PORTION OF AN EXISTING BOAT SLIP, NUMBER 58, AS 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.