

**CALENDAR ITEM  
C57**

A 37  
S 19

04/23/14  
PRC 8126.1  
R. Collins

**GENERAL LEASE –  
PROTECTIVE STRUCTURE USE**

**APPLICANTS:**

Ronald J. and Melissa P. Sanders

**AREA, LAND TYPE, AND LOCATION:**

Sovereign tide and submerged land in the Pacific Ocean, adjacent to 3398 Pacific Coast Highway; near the city of San Buenaventura, Ventura County.

**AUTHORIZED USE:**

Use and maintenance of a concrete seawall with a wave deflection cap waterward of the seawall.

**LEASE TERM:**

10 years, beginning May 15, 2013.

**CONSIDERATION:**

\$3,503 per year, 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 an amount no less than \$1,000,000 per occurrence.

**OTHER PERTINENT INFORMATION:**

1. Applicants own the upland adjoining the lease premises.
2. On December 3, 1999, the Commission authorized a General Lease – Protective Structure Use 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, for the construction of a concrete seawall for a 10-year term beginning December 1, 1999, and ending November 30, 2009.

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3. The lease expired on November 30, 2009. On May 15, 2013 the Applicants acquired the property and have applied for a new lease.
4. The vertical concrete seawall with a wave deflection cap is approximately 107 feet in length and has a height of approximately 15.5 feet. The seawall also features a stairway from the beach to the residence. On October 12, 1999, the California Coastal Commission granted permit #4-99-117 for the construction of the seawall and no modification or repairs have been required since its original construction.
5. The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

6. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. 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. Land Description
- B. Site and Location Map

**RECOMMENDED ACTION:**

It is recommended that the Commission:

**CEQA FINDING:**

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

CALENDAR ITEM NO. **C57** (CONT'D)

**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 section 6370 et seq.

**AUTHORIZATION:**

Authorize issuance of a General Lease – Protective Structure Use to Ronald J. and Melissa P. Sanders beginning May 15, 2013, for a term of 10 years, for use and maintenance of a concrete seawall with a wave deflection cap as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; annual rent in the amount of \$3,503, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease; and liability insurance in an amount no less than \$1,000,000 per occurrence.

**EXHIBIT A**

**PRC 8126.1**

**LAND DESCRIPTION**

All of those tide and submerged lands situate in the Pacific Ocean, adjacent to Lot 109 as said lot is shown on that Map of the Record of Survey of FARIA RINCON BEACH COLONY, filed for record on September 29, 1967 in Book 36 of Record of Surveys, at Pages 27-33, Ventura County Records, State of California described as follows:

BEGINNING at a point on the southeasterly line of said Lot 109, said point bears South 32° 02' 53" West 60.00 feet from the northeast corner of said lot; thence North 60° 41' 59" West 102.43 feet to a point on the northwesterly line of said lot; thence along said northwesterly line North 29° 35' 49" East 20.00 feet; thence leaving said line South 60° 41' 13" East 103.29 feet to a point on the southeasterly line of said lot; thence along said southeasterly line South 32° 02' 53" West 20.00 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of said ocean.

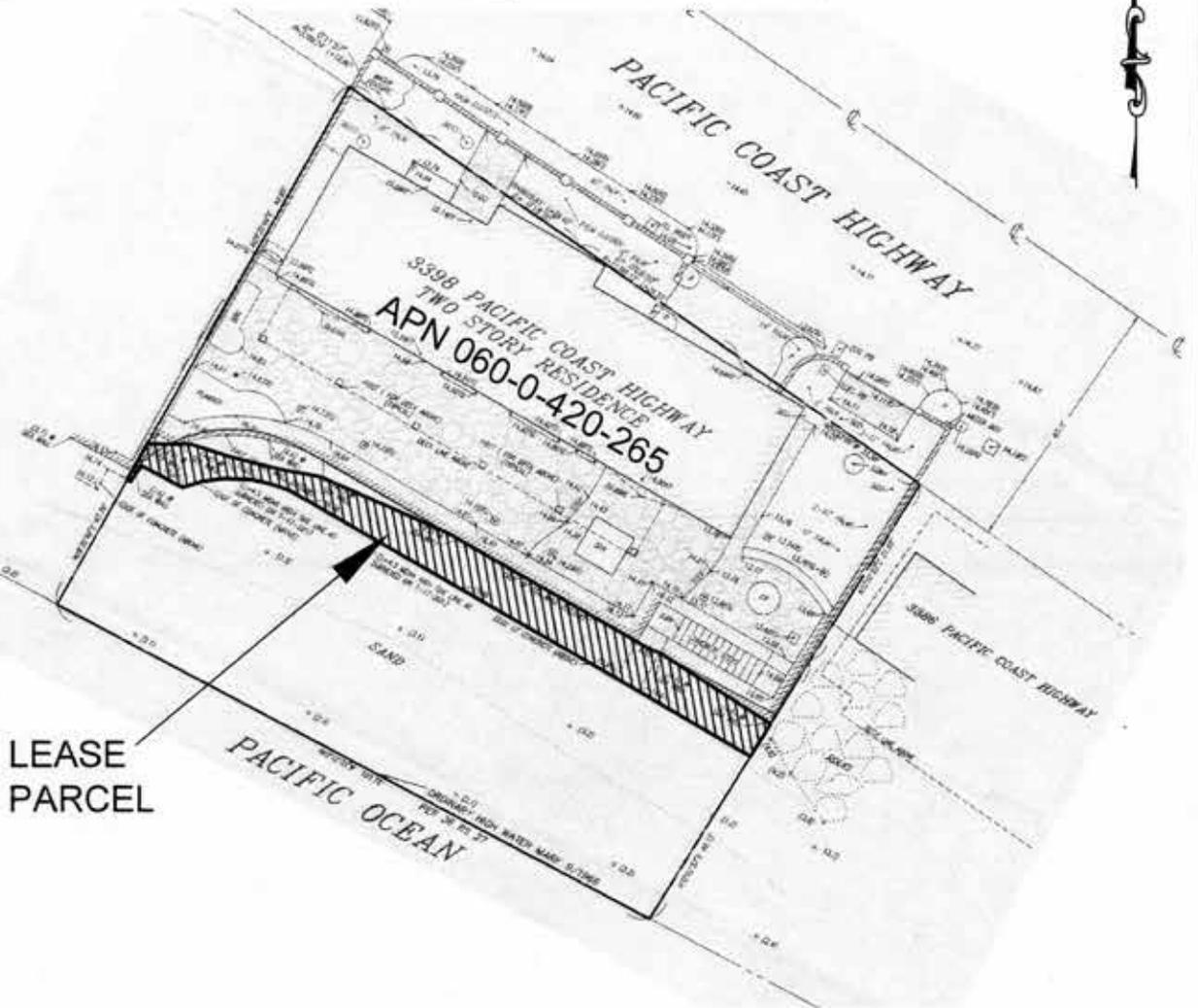
**END OF DESCRIPTION**

Prepared 03/21/14 by the California State Lands Commission Boundary Unit



NO SCALE

# SITE



3398 PACIFIC COAST HWY., VENTURA

NO SCALE

# LOCATION



MAP SOURCE: USGS QUAD

## **Exhibit B**

PRC 8126.1  
SANDERS  
APN 060-0-420-265  
GENERAL LEASE -  
PROTECTIVE  
STRUCTURE USE  
VENTURA COUNTY



TS 03/21/14

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.