

**CALENDAR ITEM  
C62**

A 72  
S 34

08/19/15  
PRC 4094.1  
D. Simpkin

**REVISION OF RENT**

**LESSEE:**

Edward Leroy Clark, Jr., Trustee of the Ed Clark Family Trust dated September 8, 2010

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

Sovereign land in Huntington Harbour, adjacent to 17061 Bolero Lane, city of Huntington Beach, Orange County.

**AUTHORIZED USE:**

The continued use and maintenance of an existing boat dock, access ramp, boat lift and cantilevered deck extending no more than five feet waterward of the bulkhead.

**LEASE TERM:**

10 years, beginning September 1, 2010.

**CONSIDERATION:**

This lease provides that Lessor may modify the rent periodically during the lease term. Pursuant to this provision, staff has conducted a review of the rent under this lease, and recommends that the rent be revised from \$1,274 per year to \$1,528 per year, effective September 1, 2015.

**OTHER PERTINENT INFORMATION:**

1. On December 17, 2014, the Commission authorized a Settlement of Litigation and Reauthorization of a General Lease – Recreational Use to Edward Leroy Clark, Jr., Trustee of the Ed Clark Family Trust dated September 8, 2010, for the continued use and maintenance of a boat dock and access ramp, boat lift and cantilevered deck located in the Main Channel of Huntington Harbour.
2. The staff conducted the rent review called for in the Lease and recommends that the annual rent be increased.
3. The staff recommends that the Commission find that the subject revision of rent does not have a potential for resulting in either a direct or a

CALENDAR ITEM NO. **C62** (CONT'D)

reasonably foreseeable indirect physical change in the environment, and is, therefore, not a project in accordance with the California Environmental Quality Act (CEQA).

Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, sections 15060, subdivision (c)(3), and 15378.

**EXHIBIT:**

- A. Site and Location Map

**RECOMMENDED ACTION:**

It is recommended that the Commission:

**CEQA FINDING:**

Find that the subject revision of rent is not subject to the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c)(3), because the subject activity is not a project as defined by Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.

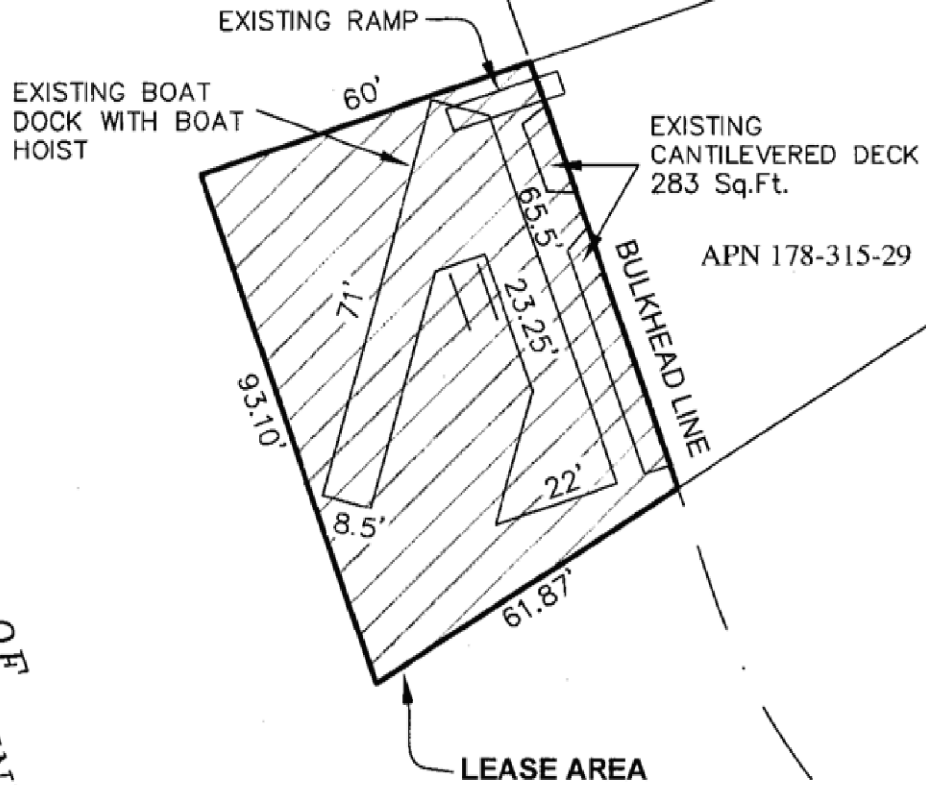
**AUTHORIZATION:**

Approve the revision of rent for Lease No. PRC 4094.1 from \$1,274 per year to \$1,528 per year, effective September 1, 2015.

NO SCALE

### SITE

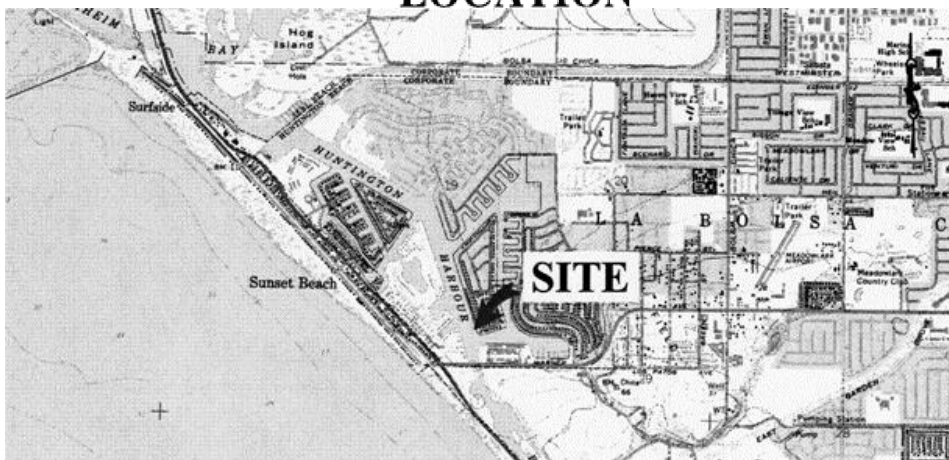
CALIFORNIA STATE OF CHANNEL



17061 BOLERO LANE, HUNTINGTON BEACH

NO SCALE

### LOCATION



MAP SOURCE: USGS QUAD

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.

### Exhibit A

PRC 4094.1  
 ED CLARK FAMILY TRUST  
 APN 178-315-29  
 GENERAL LEASE -  
 RECREATIONAL USE  
 ORANGE COUNTY



DJF 05/25/2011