

**CALENDAR ITEM
C42**

A 67
S 35

09/01/11
WP 4098.9
D. Simpkin

RECREATIONAL PIER LEASE

APPLICANT:

Alastair Oldfield

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Huntington Harbour, adjacent to 16571 Carousel Lane, Huntington Beach, Orange County.

AUTHORIZED USE:

The continued use and maintenance of an existing boat dock and access ramp as shown on attached Exhibit A.

LEASE TERM:

10 years, beginning November 21, 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 \$500,000.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.
2. The State of California acquired fee ownership of the Huntington Harbour Main and Midway Channels in 1961 as the result of a land exchange entered into between the Commission and the Huntington Harbour Corporation, recorded as Sovereign Lands Location No. 34 dated December 22, 1960, and recorded on January 31, 1961, in Book 5611, Page 470, Official Records, Orange County, California. Projects, including new development or maintenance of existing facilities, extending into these Channels beyond the bulkhead line require obtaining a lease from the Commission pursuant to Public Resources Code section 6501.1. The

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Applicant's upland property is located along the Main Channel of Huntington Harbour.

3. On December 16, 1998, the Commission authorized the issuance of a Recreational Pier Lease, PRC 4098.9, to Anselmo and Monique Pineda for a 10-year term, effective November 21, 1998. The lease expired November 20, 2008. The upland property was deeded to the Applicant on December 27, 2004. The Applicant is now applying for a new Recreational Pier Lease for the existing boat dock and access ramp.
4. The Applicant qualifies for a Recreational Pier Lease because the Applicant is a natural person who owns the littoral land adjacent to the boat dock and access ramp. The Applicant owns three adjacent upland parcels, one of which 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 determined that this activity is exempt from the requirements of 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 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.

EXHIBIT:

- A. Location and Site Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is exempt from the requirements of CEQA pursuant to Title 14, California Code of Regulations, section 15061 as a

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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 section 6370, et seq.

AUTHORIZATION:

Authorize issuance of a 10-year Recreational Pier Lease to Alastair Oldfield, beginning November 21, 2008, for the continued use and maintenance of an existing boat dock and access ramp 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; and liability insurance in the amount of no less than \$500,000.