

Staff Report 39

LESSEE:

Portofino Cove Yacht Association

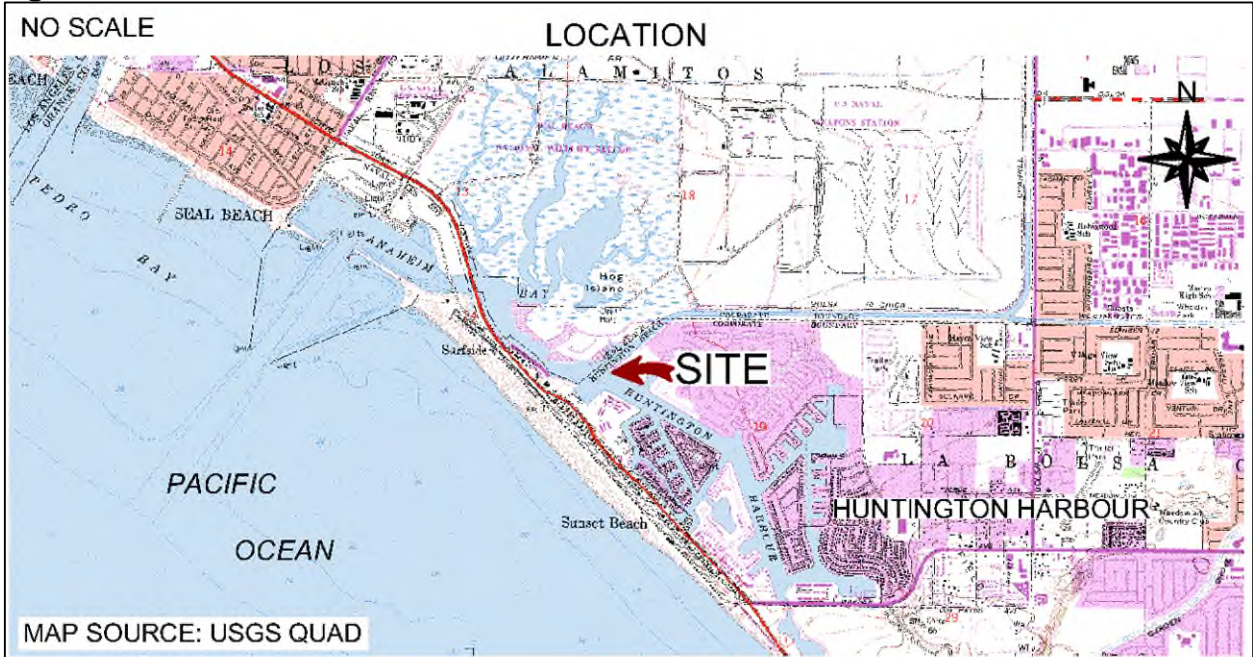
PROPOSED ACTION:

Revision of Rent.

AREA, LAND TYPE, AND LOCATION:

2.58 acres, more or less, of sovereign land in the Main and Bolsa Chica Channels of Huntington Harbour, adjacent to 16291 Countess Drive, Huntington Beach, Orange County (as shown in Figure 1).

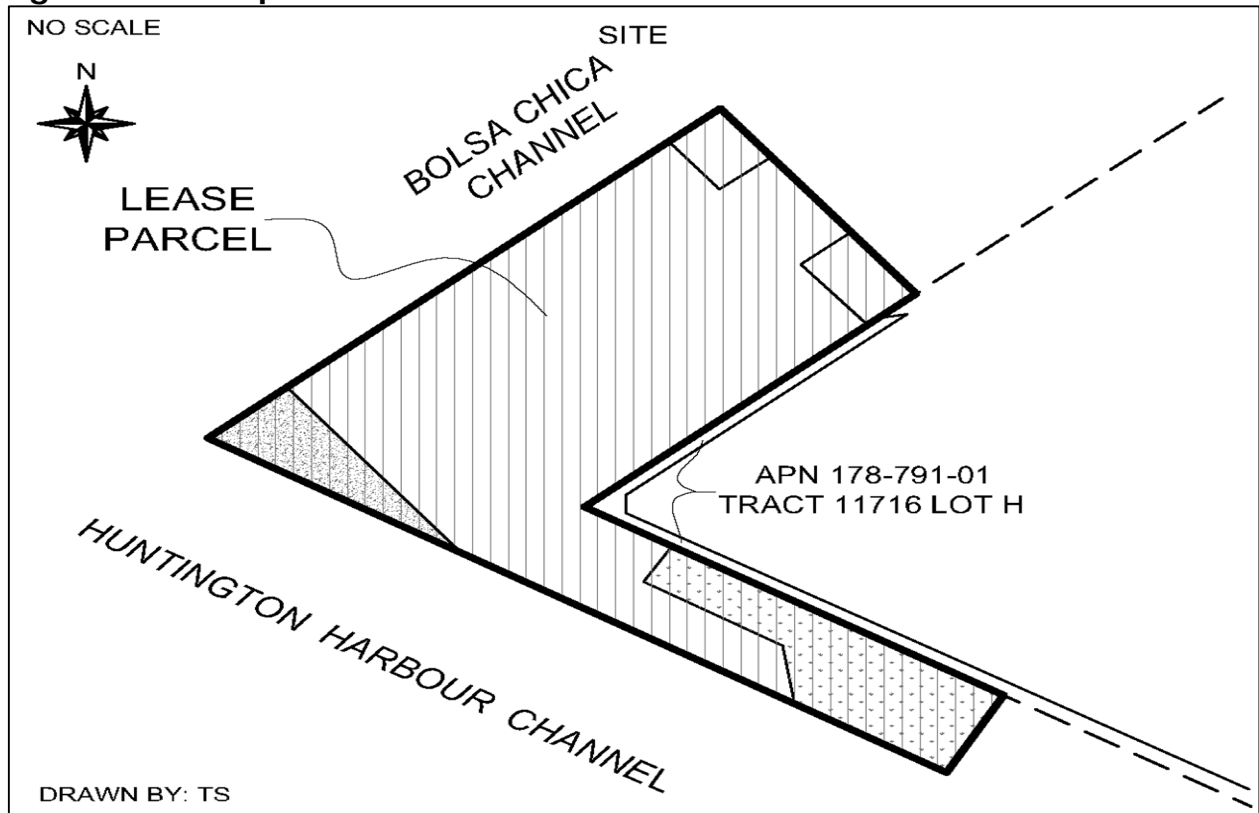
Figure 1. Location



AUTHORIZED USE:

Continued use and maintenance of a 47-slip marina, reinforced concrete pilings, two gangways, walkways, dock boxes, lighting, water and electrical utilities, a protected eel grass bed, an emergency mooring line/barrier with buoys, and maintenance dredging (as shown in Figure 2).

Figure 2. Site Map



NOTE: This depiction of the lease premises is based on unverified information provided by the Applicant or other parties and is not a waiver or limitation of any State interest in the subject or any other property.

TERM:

20 years, beginning May 1, 2015.

CONSIDERATION:

The 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 \$42,836.31 per year to \$50,686 per year, effective May 1, 2025.

OTHER PERTINENT INFORMATION:

1. Approval or denial of the revision of rent is a discretionary action by the Commission. Each time the Commission approves or rejects a revision of rent, it exercises legislatively delegated authority and responsibility as trustee of the State's Public Lands as authorized by law. The Lessee has no right to a new lease or to renewal of any previous lease.
2. On April 23, 2015, the Commission authorized a 20-year General Lease – Other ([Item 82, April 23, 2015](#)) to Portofino Cove Yacht Association, A California Non-Profit Mutual Benefit Corporation for the continued use and maintenance of a 47-slip marina, forty-four 18-inch-diameter reinforced concrete pilings, two gangways, walkways, 47 dock boxes, lighting, water and electrical utilities, a protected eel grass bed, an emergency mooring line/barrier with buoys, and maintenance dredging not to exceed 14,000 cubic yards per year on 2.07 acres, more or less, of sovereign land in the Main and Bolsa Chica Channels of Huntington Harbour, adjacent to 16291 Countess Drive, Huntington Beach, Orange County. On April 20, 2017, the Commission authorized a correction and amendment ([Item 58, April 20, 2017](#)) correcting the lease area from 2.07 acres to 2.58 acres and amending the lease to include an additional 0.16 acres for a one-time maintenance dredging. Upon completion of the dredging operation, this area was to be eliminated from the lease area.
3. This action is consistent with the "efficient and effective management of the revenue generation portfolio" elements in the "Meeting Evolving Public Trust Needs" Strategic Focus Area of the Commission's 2021-25 Strategic Plan.
4. Approving the revision of rent is not a project as defined by the California Environmental Quality Act because it is an administrative action that will not result in direct or indirect physical changes in the environment.

Authority: Public Resources Code section 21065 and California Code of Regulations, title 14, sections 15060, subdivision (c)(3), and 15378, subdivision (b)(5).

RECOMMENDED ACTION:

It is recommended that the Commission:

AUTHORIZATION:

Approve the revision of rent for Lease PRC 7304 from \$42,836.31 per year to \$50,686 per year, adjusted annually by the CPI, effective May 1, 2025.