

MINUTE ITEM

This Calendar Item No. C3
was approved as Minute Item
No. 3 by the State Lands
Commission by a vote of 3
to 0 at its 10-29-79
meeting.

CALENDAR ITEM
C3.

10/79
PRC 4953.1
Atkins

CONVERSION OF NON-COMMERCIAL LEASE TO
RECREATIONAL PIER PERMIT

BACKGROUND:

On October 3, 1974 the Commission approved PRC 4953.1 a 16-year Non-Commercial Lease, effective October 1, 1974, to Huntington Harbour Corporation, covering a 0.53 acre parcel of tide and submerged land in Huntington Harbour, Orange County. The State land was to be used for construction, operation and maintenance of boat berthing facilities. The rental rate was set at \$4,875.67 per annum, with the State reserving the right to fix a different rental on each fifth anniversary of the lease. On December 1, 1975 the Commission authorized the assignment of this lease from Huntington Harbour Corporation to Sea Harbour State Channel Slip Owners Association, with the terms of the lease remaining unchanged.

CURRENT SITUATION:

Pursuant to Senate Bill 1937, approved by the Governor on September 29, 1978 this association qualifies for a rent-free Recreational Pier Permit.

The Commission staff has received from the Sea Harbour State Channel Slip Owners Association an application for a rent free Recreational Pier Permit. The staff's analysis of this application indicates that it is complete and does qualify for the rent-free status.

The staff proposes that the existing 16-year non-Commercial Lease be converted to a 10-year rent-free Recreational Pier Permit beginning October 1, 1978.

STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 & 2.
- B. Cal. Adm. Code: Title 2, Div.3.

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OTHER PERTINENT INFORMATION:

1. An EIR is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907, Class 1(B), which exempts an existing structure or facility that is in an acceptable state of repair and there is no evidence of record to show injury to adjacent property, shoreline erosion, or other types of environmental degradation.

2. This project is situated on State land identified as possessing significant environmental values pursuant to P.R.C. 6370.1, and is classified in a use category, Class B, which authorizes Limited Use.

Staff review indicates that there will be no significant effect upon the identified environmental values. This is an existing facility for which no adverse comments have been received.

3. This facility is an existing facility which is exempt from further review under the Coastal Act.

EXHIBITS: A. Project Description. B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN EIR HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS PRC 21065, 14 CAL. ADM. CODE 15037 AND 2 CAL. ADM. DE 2903(d).

2. DETERMINE THAT THIS PROJECT IS EXEMPT FROM THE REQUIREMENTS OF ARTICLE 6.5 OF TITLE 2, OF THE CAL. ADM. CODE BECAUSE THIS PROJECT IS NOT A DEVELOPMENT WITHIN THE MEANING OF SECTION 2503, OF TITLE 2, OF THE CAL. ADM. CODE AND SECTION 30105 OF THE P.R.C.

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3. FIND THAT THE CONVERSION OF THE PERMIT WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE P.R.C.
4. AUTHORIZE THE TERMINATION OF PRC 4953.1 BEGINNING OCTOBER 1, 1974 AND SUBSTITUTION OF A 10-YEAR RECREATIONAL PIER PERMIT BEGINNING OCTOBER 1, 1978 WITH THE SEA HARBOUR STATE CHANNEL SLIP OWNERS ASSOCIATION FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF BOAT BERTHING FACILITIES ON THE LAND SHOWN ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

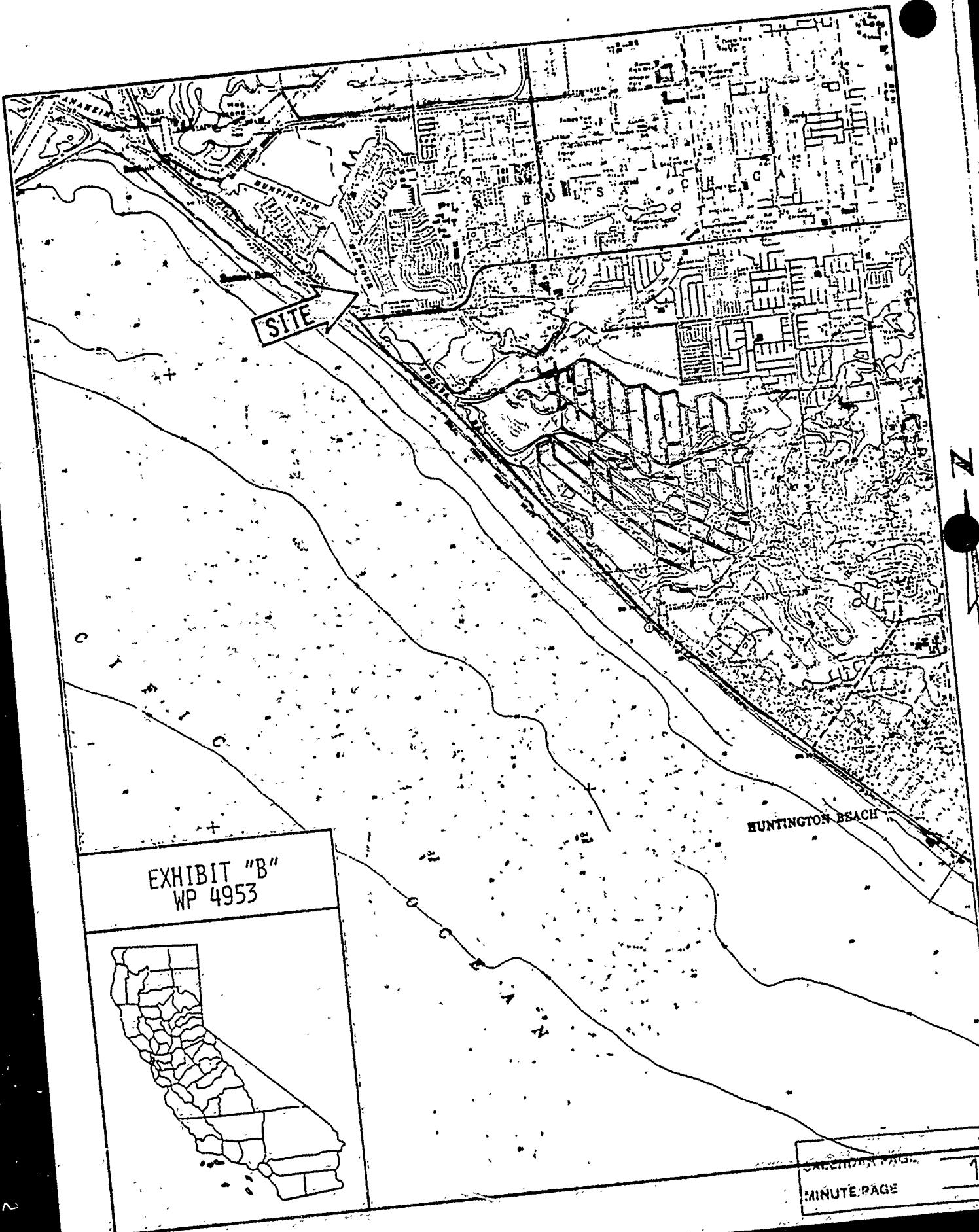


EXHIBIT "B"
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