MINUTE ITEM

This Calendar Item No. C4 was approved as Minute Item No. 4 by the State Lands Commission by a vote of 3 to 0 at its 4/25/85 meeting.

CALENDAR ITEM

C04

A 58

S 37

04/25/85
PRC 5807
Townsend

AMENDMENT OF CONSTRUCTION LIMITING DATES
GENERAL PERMIT - RECREATIONAL USE

LESSEE: J. B. and D. Enterprises
5400 The Toledo
Long Beach, California 90803

BACKGROUND:

On March 19, 1980 (Minute Item 9), the State Lands Commission authorized the issuance of a ten-year General Permit - Recreational Use, to Joseph and Barbara Noble for incidental dredging and construction of a bulkhead, pedestrian ramp, and seven boat docks for private recreational use in the Huntington Harbour Main Channel, Orange County. The Lease was subsequently amended to change the name of the Lessee to J. B. and D. Enterprises, and again amended by Commission action on June 23, 1983 (Minute Item 15) for the following purposes: 1) reduce the number of boat slips to five; 2) provide for a new land description; 3) increase in consideration; 4) provide for a surety bond; and 5) provide for construction limiting dates of November 1, 1983 to November 1, 1984.

PRESENT SITUATION:

Lessee has informed staff that construction of the seawall is complete, and all docks are virtually complete. Due to delays of the original contractor, however, some additional dredging remains, and the artificial fish habitats need construction. Lessee further informed staff that a new contractor has been engaged and it is anticipated that construction will be completed approximately June 30, 1985. Staff recommends that the construction limiting dates be amended to provide for a construction completion date of June 30, 1985.

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884: N/A.

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA under the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The staff believes there is no possibility that this project may have a significant effect on the environment.

   Authority: 14 Cal. Adm. Code 15061(b)(3).

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 BECAUSE THERE IS NO POSSIBILITY THAT THE ACTIVITY MAY HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT. (14 CAL. ADM. CODE 15061(b)(3)).

2. AUTHORIZE AN AMENDMENT OF A TEN-YEAR GENERAL PERMIT - RECREATIONAL USE (PRC 5807) TO J. B. AND D. ENTERPRISES, EFFECTIVE NOVEMBER 1, 1984, TO EXTEND THE CONSTRUCTION COMPLETION DATE TO JUNE 30, 1985, FOR INCIDENTAL DREDGING AND CONSTRUCTION OF A BULKHEAD, PEDESTRIAN RAMP AND FIVE BOAT DOCKS ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION PRC 5807.1

A parcel of tide and submerged land in projected Section 24, T5S, R12W, SBM, City of Seal Beach, Orange County, California, described as follows:

BEGINNING at the northwest corner of Parcel No. 2 of the Parcel Map filed in Book 44, Page 24, Official Records of Orange County, said corner also being the point of beginning of Boundary Line Agreement No. 60 recorded in Book 9634, Page 613, Official Records of Orange County; thence N 46° 32' 00" E 60.00 feet; thence S 72° 57' 57" E 147.37 feet; thence S 15° 48' 50" W 88.00 feet to said agreement line; thence along said line N 73° 45' 00" W 110.76 feet; thence N 44° 15' 00" W 77.58 feet to the point of beginning.

END OF DESCRIPTION

PREPARED NOVEMBER 26, 1982 BY BOUNDARY AND TITLE UNIT, LEROY WEED, SUPERVISOR

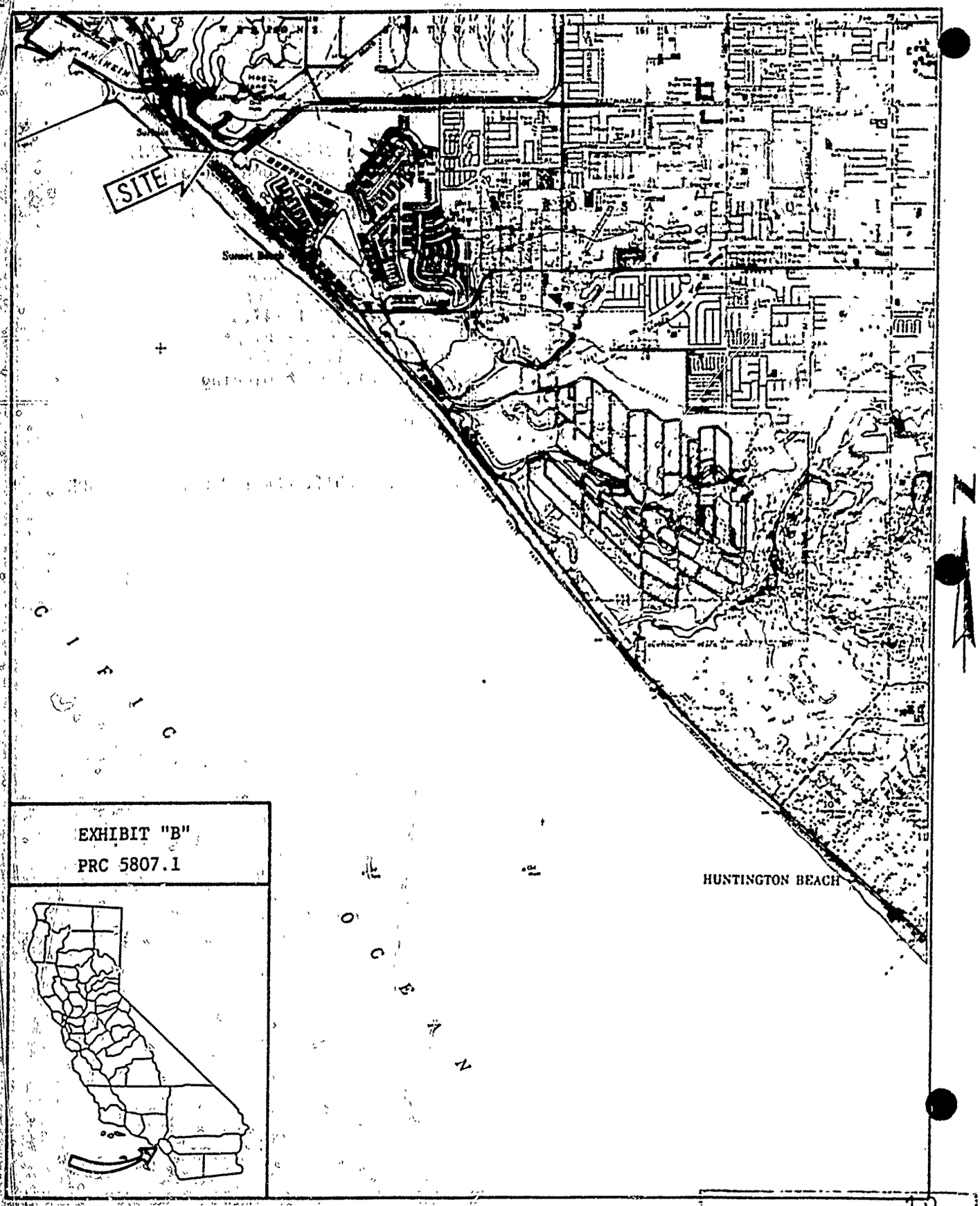

EXHIBIT "B"
PRC 5807.1