MINUTE ITEM
This Calendar Item No. C09
was approved as Minute Item
No. 9 by the State Lands
Commission by a vote of 3
to 0 at its 5/31/89
meeting

CALENDAR ITEM

A 75

S 38

C09

05/31/89
PRC 6198
PRC 6199
Grimmett

AMEND LEGAL DESCRIPTIONS OF
LEASE NUMBERS 6198 AND 6199 TO
CONFORM TO BLA 253

PARTY: Beach Colony One, Ltd. and
Beach Colony No. Two, Ltd.
c/o Douglas Allred Company
1660 Hotel Circle North
San Diego, California 92108

The owners of the upland along the San Dieguito Lagoon in the City of Del Mar, being Beach Colony One, Ltd. (PRC 6198) and Beach Colony No. Two, Ltd. (PRC 6199), were issued 30-year General Permits - Protective Structure Use to install rock riprap bank protection which were approved by the Commission on August 26, 1982.

After these permits were issued, Commission staff completed a study of the area and reached an agreement with the above private parties on the location of the ordinary high water mark boundary. This boundary is fully described in Boundary Line Agreement No. 253 which was approved by the Commission on February 28, 1985. This agreement also provided a time to complete certain construction and mapping, which mapping has been approved by staff.

As the agreed boundary does not coincide with the present legal descriptions in the above permits, it is necessary to revise these permit descriptions and to conform them to BLA 253 in order to have a common boundary line.

STATUTORY AND OTHER REFERENCES:

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

B. Cal. Code Regs.: 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. Code Regs. 15061), the staff has determined that this activity is exempt from the requirements of the CEQA because the activity is not a "project" as defined by CEQA and the State CEQA Guidelines.

   Authority: P.R.C. 21065 and 14 Cal. Code Regs. 15378.

2. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. 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.

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. CODE REGS. 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. CODE REGS. 15378.

2. AUTHORIZE AMENDING THE LEGAL DESCRIPTIONS IN THE GENERAL PERMITS - PROTECTIVE STRUCTURE USE, LEASE NUMBERS 6198 AND 6199, BY DELETING THE EXISTING SECTION 3 LAND DESCRIPTIONS AND SUBSTITUTING IN THEIR PLACE THE ATTACHED EXHIBIT "A" LAND DESCRIPTIONS.

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EXHIBIT "A"

PRC 6198

LAND DESCRIPTION

A strip of State-owned land 40 feet wide in Lot 2, Section 11, T14S, R4W, SBM, in the city of Del Mar, San Diego County, California, said strip lying northeasterly of and contiguous to that boundary line described in that agreement (BLA 253), recorded February 11, 1986 as Document 86-054469 in the office of the County Recorder of said county, said boundary line being the northeasterly boundary of Parcel B as shown on Record of Survey Map no. 10040 filed in said recorders office, May 3, 1985, as File No. 85-156596 in Book of Record of Survey Maps; described as follows:

BEGINNING at the most northerly corner of Parcel B of said Record of Survey; thence along said northeasterly boundary as follows:

S 44° 04' 10" E, 227.08 feet; S 53° 48' 32" E, 123.87 feet; S 45° 33' 03" E, 249.68 feet; and S 33° 58' 55" E, 59.44 feet to the most easterly corner of said Parcel B, being also the most northerly corner of Parcel A of said Record of Survey Map and the end of the herein described line.

END OF DESCRIPTION

REVISED

EXHIBIT "A"

LAND DESCRIPTION

PRC 6199

A strip of State-owned land 40 feet wide in Lot 2, Section 11, T14S, R4W, SBM, in the city of Del Mar, San Diego County, California, said strip lying northeasterly of and contiguous to that boundary line (BLA 253) described in that agreement, recorded February 11, 1986 as Document 86-054469 in the office of the County Recorder of said county, said boundary line being the northeasterly boundary of Parcel A as shown on Record of Survey Map no. 10040 filed in said recorders office, May 3, 1985, as File No. 85-156596 in Book of Record of Survey Maps; described as follows:

BEGINNING, at the most northerly corner of said Parcel A, being also the most easterly corner of Parcel B of said Record of Survey Map; thence along the northeasterly boundary of said Parcel A, S 33° 58' 55" E, 6.68 feet to the westerly right of way line of Atchison, Topeka and Santa Fe Railroad Company and the end of the herein described line.

END OF DESCRIPTION

REVISED

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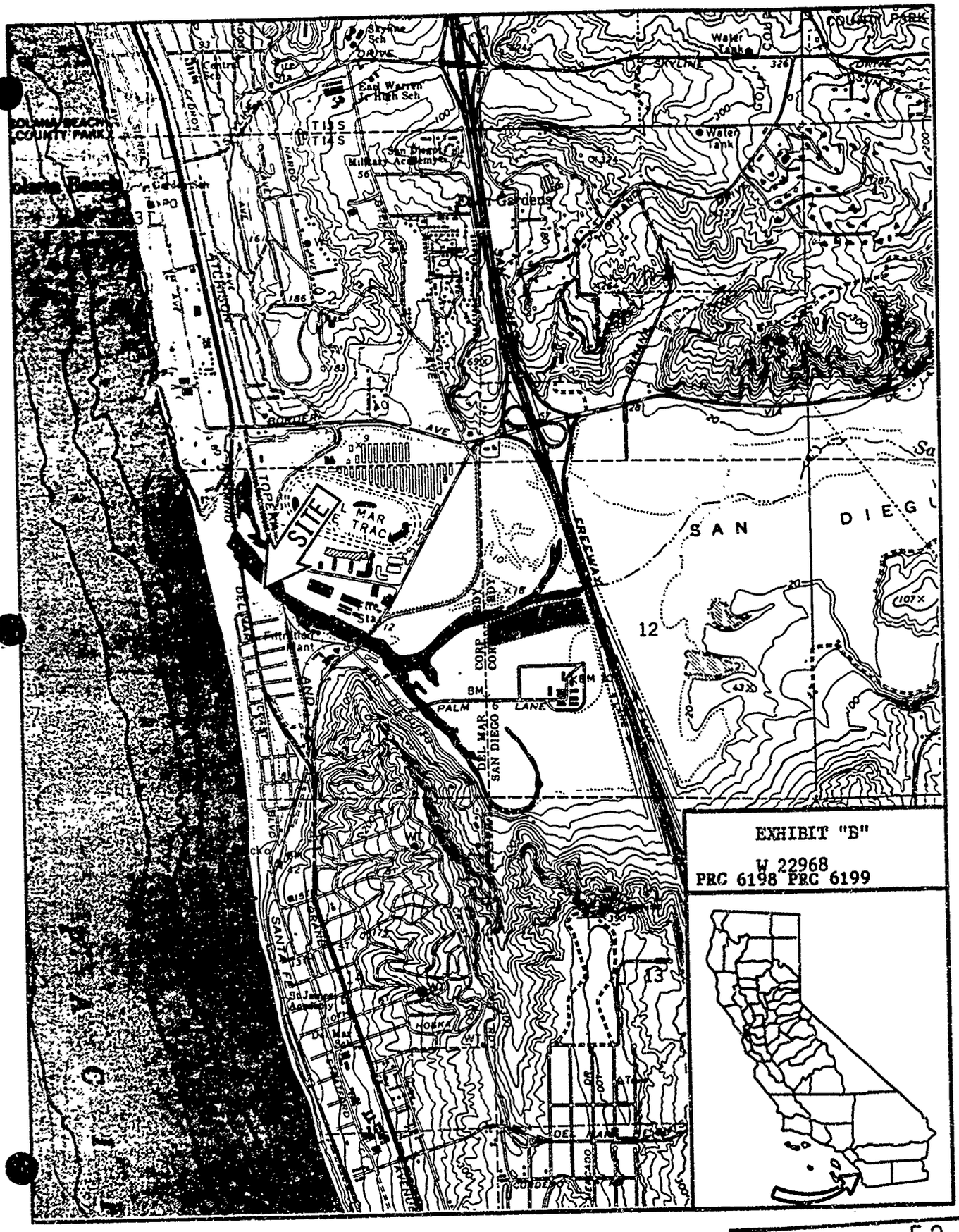

EXHIBIT "B"

W 22968
PRC 6198 PRC 6199

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