MINUTE ITEM
This Calendar Item No. C28
was approved as Minute Item
No. 28 by the State Lands
Commission by a vote of 3
to Ø at its 9/23/92
meeting.

CALENDAR ITEM

C 28

A 70

S 37

09/23/92
PRC 2844
Maricle

ACCEPTANCE OF QUITCLAIM DEED RELATIVE TO
EASEMENT AGREEMENT PRC 2844

LESSEE:

Emerald Bay Service District
Attn: Mr. William R. McCrea
600 Emerald Bay
Laguna Beach, California 92651

TERMS OF ORIGINAL EASEMENT AGREEMENT:

Initial period:
Forty-nine (49) years beginning February 27, 1962.

STATUTORY AND OTHER REFERENCES:

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

B. Cal. Code Regs.: Title 3, 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. In recent efforts to secure data regarding the condition of existing outfall lines as a consequence of sewage spills in the State's coastal waters, the Permittee of record has advised the staff that a

previously contemplated outfall line, authorized by the Commission on February 27, 1962, under Minute Item 6, has never been constructed. At staff's request in June of this year, the permittee executed a quitclaim deed, effective February 27, 1962, releasing the demised lands to the State as of that date.

3. The declarations in the quitclaim deed executed by the Permittee and Permittee's Resolution No. 214, expressly confirm that the previously authorized outfall project was not, and will not be, executed. Said deed and resolution are on file in the records of the Commission.

EXHIBIT:

A. 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 THE ACCEPTANCE AND RECORDING OF A QUITCLAIM DEED FROM EMERALD BAY SERVICE DISTRICT, EFFECTIVE FEBRUARY 27, 1962, RELEASING TO THE STATE THOSE TIDE AND SUBMERGED LANDS DESCRIBED IN EASEMENT AGREEMENT PRC 2844.

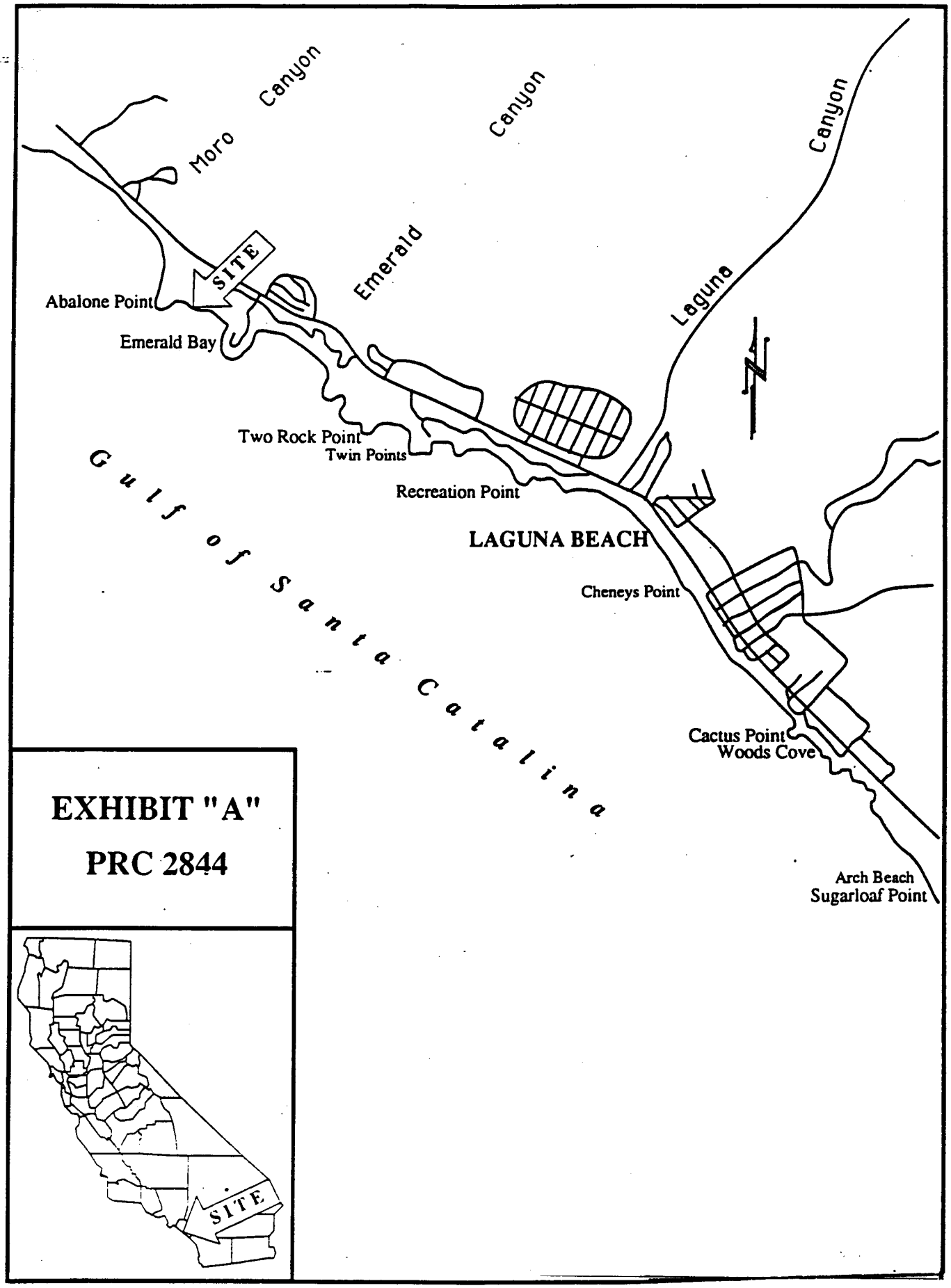

EXHIBIT "A"

PRC 2844

CALENDAR PAGE 329

MINUTE PAGE 2945