

CALENDAR ITEM
C47

MINUTE ITEM
This Calendar Item No. C47
was approved as Minute Item
No. 47 by the State Land
Commission by a vote of 3
to 0 of its 7/6/95
meeting 76.0

A 67
S 35

WP 4076
J. Smith
07/06/95

LESSEE: AMENDMENT TO GENERAL LEASE - PUBLIC AGENCY USE

County of Orange
Harbors, Beaches and Parks
P.O. Box 4048
Santa Ana, California 92702-4048

AREA, TYPE LAND AND LOCATION:

A 44+acre parcel of tide and submerged land in Sunset Bay,
Sunset Marina Park, Cities of Seal Beach and Huntington
Beach, Orange County.

LAND USE:

Beaches, marina, bulkheads, piers, dredging and related
facilities.

LEASE TERM:

49 years, from December 1, 1968.

PUBLIC LIABILITY INSURANCE:

\$300,000/\$500,000 per occurrence for bodily injury and
\$50,000 for property damage.

CONSIDERATION:

The public benefit, with any profit derived from the lease
area accruing to the State at the end of the lease term.

TERMS OF PROPOSED AMENDMENT:

Land use:

Effective July 1, 1995, lessee is authorized to perform
maintenance dredging of a maximum 9,400 cubic yards of
sediment (Phase I of a two-phase dredging project), as
necessary to maintain navigation within the leased area
as described on Exhibit C attached. Future dredging
will require subsequent Commission authorization.

Royalty:

No royalty shall be charged for dredged material as the
project is a public benefit. A minimum of \$0.25 per
cubic yard shall be charged for material used for
private benefit or commercial sale purposes.

Notices:

Paragraph 13 of Lease PRC 4076.9 is amended to provide
for current and future address notifications.

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All other terms and conditions of the lease remain in full force and effect.

APPLICANT STATUS:

Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing and processing fees have been received.

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:

Applicable

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 as a categorically exempt project. The project is exempt under Class 4, Minor Alteration to Land, 14 Cal. Code Regs. 15304.

Authority: P.R.C. 21084 and 14 Cal. Code Regs. 15300.

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.
3. The Commission and the County of Orange entered into a 49-year Public Agency Lease effective December 1, 1968, covering certain tide and submerged lands in Huntington Harbour, for purposes of development of Sunset Marina Park (Exhibit C - Parcel 1). The lease was amended on February 1, 1979 to include three additional parcels to accommodate dredging activities (Exhibit C - Parcels A, B, and C). The lease was further amended on June 1, 1983 to remove a small parcel of land (Exhibit C - Parcel D).

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4. The County now wishes to clarify the area of the lease for which maintenance dredging may be performed. The County proposes to conduct a two-phase dredging project. Phase I involves the dredging of a maximum 9,400 cubic yards of sediment with temporary deposition in existing sediment basins. Phase II will involve the dredging of 65,600 cubic yards of sediment with deposition of both Phase I and II sediment at the EPA-approved offshore disposal site (LA-2). The Commission is being asked to consider authorization of Phase I dredging and temporary sediment deposition only. Subsequent Commission authorization will be required for Phase II dredging and offshore deposition. The County anticipates the need to perform the same total volume (75,000 cubic yards) of maintenance dredging every five years. Commission authorization will be required for any such future dredging.

APPROVALS OBTAINED:

Regional Water Quality Control Board.

FURTHER APPROVALS REQUIRED:

U.S. Army Corps of Engineers; California Coastal Commission; State Lands Commission.

EXHIBITS:

- A. Location
- B. Site Map
- C. Legal Description

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 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 4, MINOR ALTERATION TO LAND, 14 CAL. CODE REGS. 15304.
2. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.
3. AUTHORIZE ISSUANCE OF AN AMENDMENT, EFFECTIVE JULY 1, 1995, TO PRC 4076.9, GENERAL LEASE - PUBLIC AGENCY USE TO: (1) ALLOW PHASE I MAINTENANCE DREDGING OF A MAXIMUM 9,400 CUBIC YARDS OF SEDIMENT AS NECESSARY TO MAINTAIN NAVIGATION WITHIN THE LEASED AREA AS DESCRIBED AS PARCELS 1 (EXCEPTING THEREFROM PARCEL D), A, B, AND C IN EXHIBIT C ATTACHED, WITH

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TEMPORARY DEPOSITION WITHIN EXISTING SEDIMENT BASINS;
SUBSEQUENT COMMISSION AUTHORIZATION WILL BE REQUIRED FOR
PHASE II DREDGING; AND (2) AMEND PARAGRAPH 13 TO PROVIDE FOR
CURRENT AND FUTURE ADDRESS NOTIFICATIONS. ALL OTHER TERMS
AND CONDITIONS OF LEASE PRC 4076.9 REMAIN IN FULL FORCE AND
EFFECT. SUCH PERMITTED ACTIVITY IS CONTINGENT UPON
APPLICANT'S COMPLIANCE WITH APPLICABLE PERMITS,
RECOMMENDATIONS, OR LIMITATIONS ISSUED BY FEDERAL, STATE AND
LOCAL GOVERNMENT AGENCIES.

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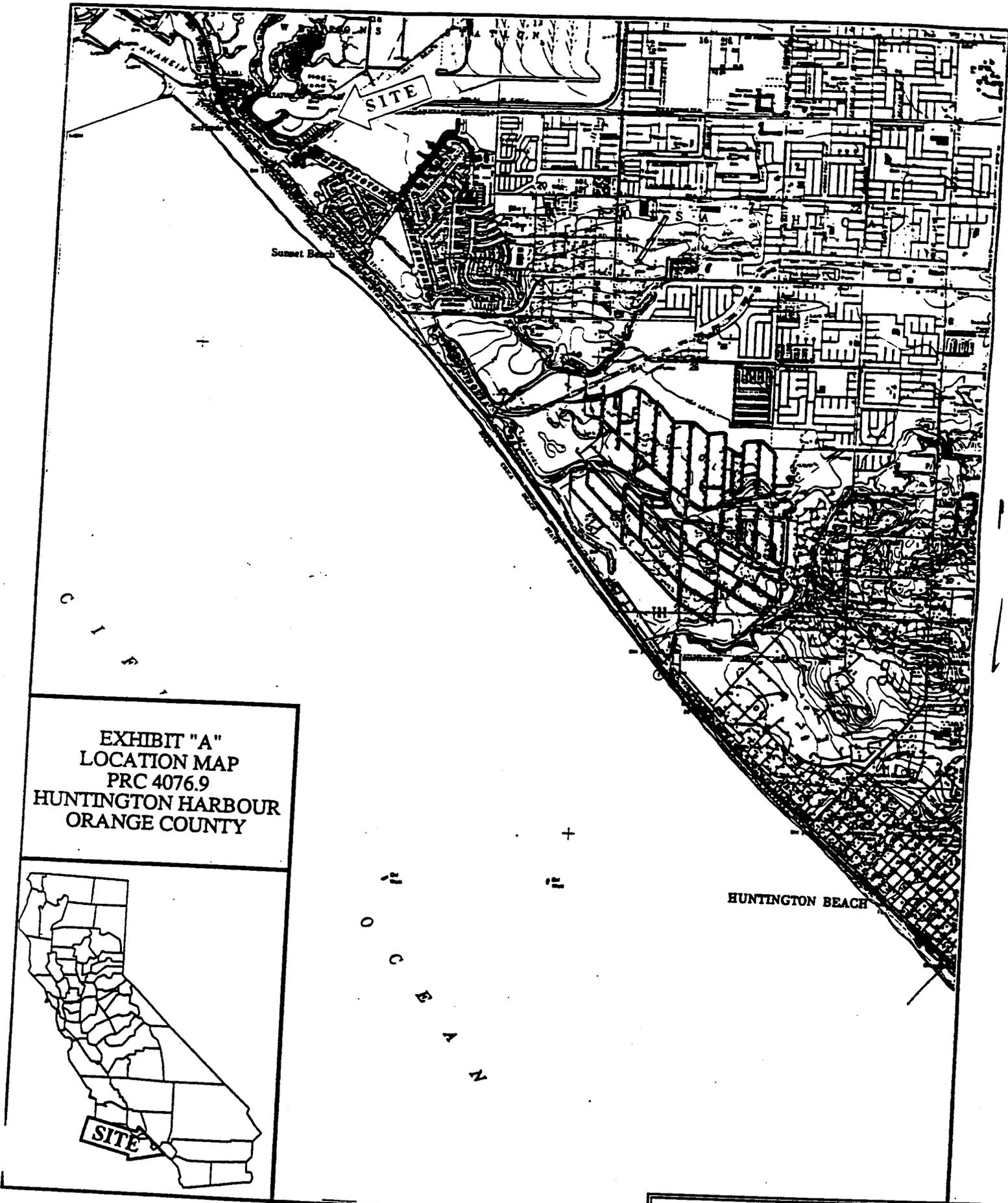
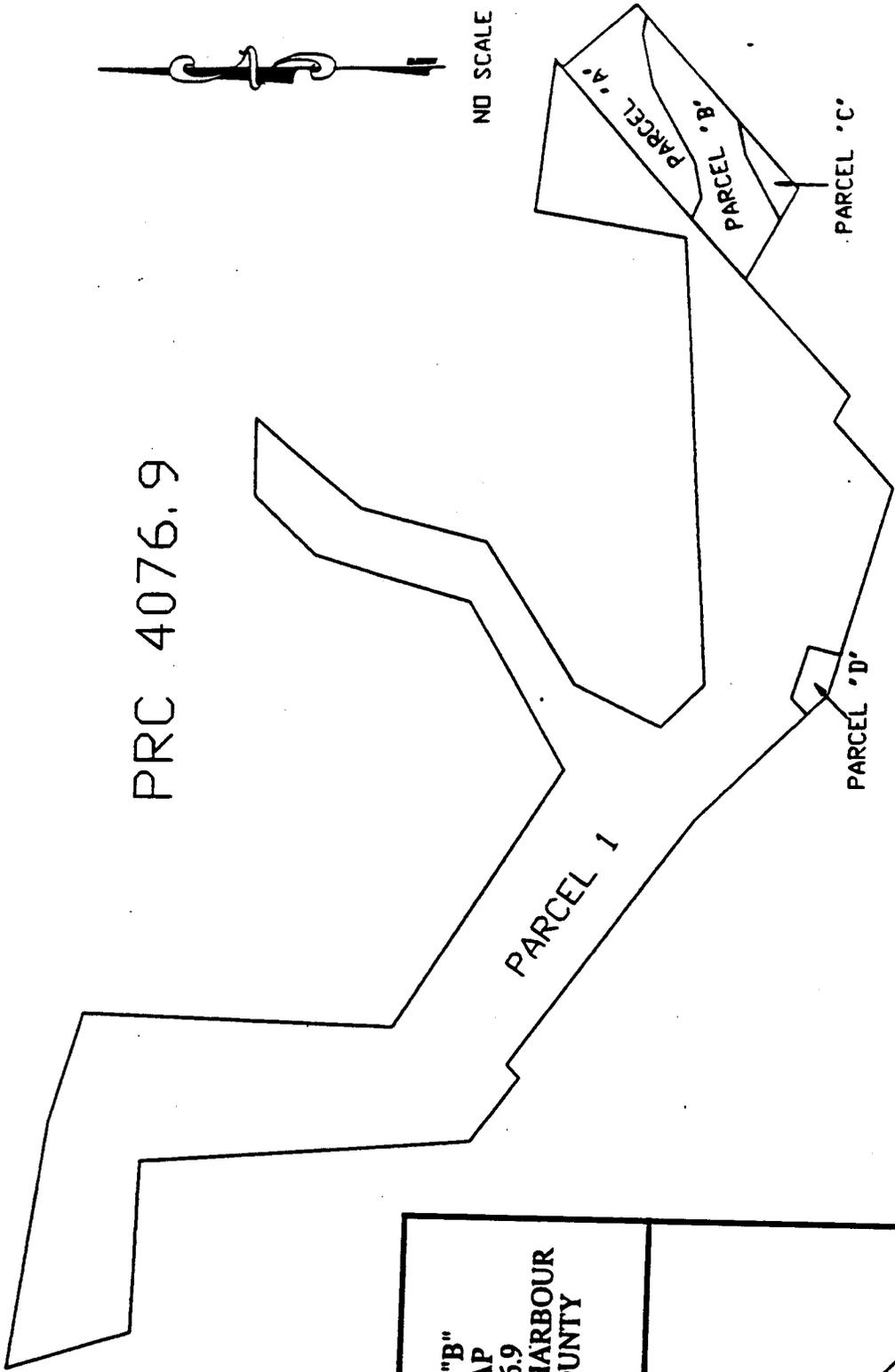


EXHIBIT "A"
 LOCATION MAP
 PRC 4076.9
 HUNTINGTON HARBOUR
 ORANGE COUNTY



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PRC 4076.9



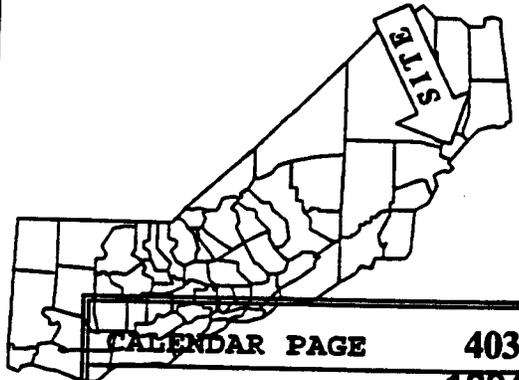
NO SCALE

EXHIBIT "B"

SITE MAP

PRC 4076.9

HUNTINGTON HARBOUR
ORANGE COUNTY



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EXHIBIT "C"
LAND DESCRIPTION

PRC 4076.9

Five parcels of State-owned tide and submerged lands in Sunset Bay, Orange County, inland of Pacific Coast Highway, within Section 19, Township 5 South, Range 11 West and Projected Section 24, Township 5 South, Range 12 West, S.B.M., and more particularly described as follows:

PARCEL 1

A parcel of State-owned tide and submerged lands in Sunset Bay, Orange County, inland of the Pacific Coast Highway, and more particularly described as follows:

BEGINNING at a point, bearing S49°28'W 1244.86 feet from the intersection of the Northerly line of Section 19, T 5 S, R 11 W, S. B. M., and that certain course in the Southeasterly line of Lot 1, Tract 893 as shown by Map recorded in Book 27, Pages 23 and 24 of Maps in the Office of the Recorder of Orange County, which bears S49°28'W; thence from said point of beginning, the following courses and distances:

- | | | |
|-----|-------------|--------------|
| 1. | S49°28'W | 29.48 feet; |
| 2. | S40°32'E | 270.00 feet; |
| 3. | S49°28'W | 681.31 feet; |
| 4. | N61°06'33"W | 288.40 feet; |
| 5. | S49°28'W | 427.26 feet; |
| 6. | N61°00'W | 80.05 feet; |
| 7. | S49°28'W | 241.31 feet; |
| 8. | N73°45'W | 487.04 feet; |
| 9. | N15°48'50"E | 38.00 feet; |
| 10. | N72°57'57"W | 147.37 feet; |
| 11. | S46°32'W | 10.00 feet; |
| 12. | N44°15'W | 421.83 feet; |
| 13. | N52°45'W | 845.74 feet; |

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14. S46°32'W 50.66 feet;
15. N52°45'W 219.01 feet;
16. N03°45'W 904.20 feet;
17. N87°30'W 469.67 feet;
18. N16°55'15"W 350.80 feet;
19. S81°15'E 686.41 feet;
20. S73°00'E 313.41 feet;
21. S02°15'W 851.73 feet;
22. S57°00'E 838.20 feet;
23. N60°00'E 528.00 feet;
24. N17°15'E 442.20 feet;
26. N43°15'E 236.82 feet;
27. S89°56'55"E 215.47 feet;
28. S40°00'W 384.48 feet;
29. S15°45'W 356.40 feet;
30. S57°45'W 462.00 feet;
31. S25°30'W 264.00 feet;
32. S44°00'E 165.00 feet;
33. N87°00'E 1234.20 feet;
34. N10°15'E 422.40 feet;
35. S83°15"E 425.02 feet to the point of beginning.

EXCEPTING THEREFROM Parcel "D" as said parcel is decribed below.

(Basis of bearing for this description is the southeasterly line of Rancho Los Alamitos that bears N49°28'00"E, as shown on the recorded map for Tract No. 893.)

PARCEL "A"

A parcel of land situated in Section 19, T5S, R11W, SBM, in the Rancho Las Bolsa Chica, Orange County, California, as said section is indicated on a map recorded in Book 51, Page 13 of Miscellaneous Maps, Orange County Records, more particularly described as follows:

COMMENCING at the intersection of the northeasterly line of the State of California 400 foot channel, described as "Strip A" in the deed

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recorded in Book 6368, Page 411, Records of Orange County, with the southwesterly prolongation of the Compromise Boundary line between Rancho Los Alamitos and Rancho Las Bolsa Chica, per instrument recorded in Book 115, Page 284, Records of Los Angeles County; thence along said prolongation N50°30'20"E, 224.32 feet to the POINT OF BEGINNING; thence continuing along said prolongation N50°30'20"E, 558.35 feet to the most westerly corner of the Orange County Flood Control District parcel as described in that deed recorded July 28, 1958 in Book 4364, Page 451 of Official Records of Orange County; thence along the southwesterly line of said Orange County Flood Control parcel, S39°29'40"E, 270.00 feet to the most southerly corner of said Orange County Flood Control parcel; thence southwesterly along a line parallel with and 270 feet distant from the above mentioned prolongation of the compromise boundary line between Rancho Los Alamitos and Rancho Las Bolsa Chica, S50°30'20"W, 39.06 feet; thence N79°30'31"W, 55.37 feet; thence S79°27'07"W, 147.49 feet; thence S62°16'28"W, 242.89 feet; thence S79°41'43"W, 100.62 feet; thence N66°13'05"W, 64.48 feet to the point of beginning.

(Basis of Bearings for the above described parcel is the California Lambert Coordinate System, Zone 6)

PARCEL "B"

A parcel of land situated in Section 19, T5S, R11W, SBM, in the Rancho Las Bolsa Chica, Orange County, California, as said section is indicated on a map recorded in Book 51, Page 13 of Miscellaneous Maps, Orange County Records, more particularly described as follows:

BEGINNING at the intersection of the northeasterly line of the State of California 400 foot channel, described as "Strip A" in the deed recorded in Book 6368, Page 411. Records of Orange County, with the southwesterly prolongation of the compromise boundary line between Rancho Los Alamitos and Rancho Las Bolsa Chica per instrument recorded in Book 115, Page 284, Records of Los Angeles County; thence along said prolongation N50°30'20"E, 224.32 feet; thence S66°13'05"E, 64.48 feet; thence N79°41'43"E, 100.62 feet; thence N62°16'23"E, 242.89 feet; thence N79°27'07"E, 147.49 feet; thence S79°30'31"E, 55.37 feet; thence

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southwesterly along a line parallel with and 270 feet distant from the above mentioned prolongation of the compromise boundary line between Rancho Los Alamitos and Rancho Las Bolsa Chica, S50°30'20"W, 391.52 feet; thence S78°53'29"W, 98.15 feet; thence S63°38'50"W, 204.73 feet to the above mentioned northeasterly line of the State of California 400 foot channel; thence northwesterly along said northeasterly line of the 400 foot channel N60°04'13"W, 188.84 feet, to the point of beginning.

(Basis of Bearings for the above described parcel is the California Lambert Coordinate System, Zone 6)

PARCEL "C"

A parcel of land situated in Section 19, T5S, R11W, SBM, in the Rancho Las Bolsa Chica, Orange County, California, as said section is indicated on a map recorded in Book 51, Page 13 of Miscellaneous Maps, Orange County Records, more particularly described as follows:

COMMENCING at the intersection of the northeasterly line of the State of California 400 foot channel, described as "Strip A" in the deed recorded in Book 6368, Page 411, Records of Orange County, with the southwesterly prolongation of the Compromise Boundary line between Rancho Los Alamitos and Rancho Las Bolsa Chica, per instrument recorded in Book 115, Page 284, Records of Los Angeles County; thence along said northeasterly line S60°04'13"E, 188.84 feet to the POINT OF BEGINNING; thence N63°38'50"E, 204.73 feet; thence N78°53'29"E, 98.15 feet; thence southwesterly along a line parallel with and 270 feet distant from the aforementioned prolongation of the compromise line between Rancho Los Alamitos and Rancho Las Bolsa Chica, S50°30'20"W, 250.73 feet to the above mentioned northeasterly line of the 400 foot channel; thence along said northeasterly line N60°04'13"W, 99.56 feet to the point of beginning.

(Basis of Bearings for the above described parcel is the California Lambert Coordinate System, Zone 6)

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PARCEL "D"

A parcel of tide and submerged land in projected Section 24, T5S, R12W, SBM, City of Seal Beach, Orange County and more particularly 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 $N46^{\circ}32'00''E$, 60.00 feet; thence $S72^{\circ}57'57''E$, 147.37 feet; thence $S15^{\circ}48'50''W$, 88.00 feet to said agreement line; thence along said line $N73^{\circ}45'00''W$, 110.76 feet; thence $N44^{\circ}15'00''W$, 77.58 feet to the point of beginning.

(Basis of Bearings for the above described parcel is the Bearing $S43^{\circ}28'E$ shown on the centerline of the California State Highway 101, as shown on Record of Survey Map recorded in Book 65, Page 28 of Maps, Records of Orange County)

END DESCRIPTION

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