MINUTE ITEM
This Calendar Item No. C35 was approved as Minute Item No. 35 by the California State Lands Commission by a vote of 3 to 0 at its 9-3-99 meeting.

CALENDAR ITEM
C35

A 70

S 35

PRC 4513.1

09/03/99
WP 4513.1
J. Smith

LEASE RENEWAL

APPLICANT:
Emerald Bay Community Association
600 Emerald Bay
Laguna Beach, California 92651

AREA, LAND TYPE, AND LOCATION:
Sovereign lands in the Pacific Ocean, Gulf of Santa Catalina, Laguna Beach, Orange County.

AUTHORIZED USE:
Continued use and maintenance of seven buoys and three swimmer safety lines.

PREVIOUS LEASE TERM(S):
Ten years, beginning March 30, 1989.

PROPOSED LEASE TERM:
Ten Years, beginning March 30, 1999.

CONSIDERATION:
$515 per year; with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

SPECIFIC LEASE PROVISIONS:
Insurance:
Liability insurance: Combined single limit coverage of $1,000,000.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.

2. The Commission has been issuing leases to the Applicant since 1969 for one buoy and a swimmer safety line. Sometime since the issuance of the most recent lease that expired March 29, 1999, the Association installed

an additional six buoys and two swimmer safety lines. Two of the seven buoys are marker buoys located 150 feet seaward of the swim area to warn approaching watercraft of the swim area. Three of the remaining buoys have attached swimmer safety lines. The additional swim lines were needed as a safety measure given the length of the beach and swim distance to a single, central line. The buoys are installed on an annual basis from May 1 to October 1.

California Coastal Commission staff determined that the annual placement of the seven buoys and three swimmer safety lines does not require a coastal development permit.

3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 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 1, Existing Facilities; Title 2, California Code of Regulations, section 2905 (a)(2).

   Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 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.

EXHIBIT:

A. Location and site Map.

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:
IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

SIGNIFICANT LANDS INVENTORY FINDING:

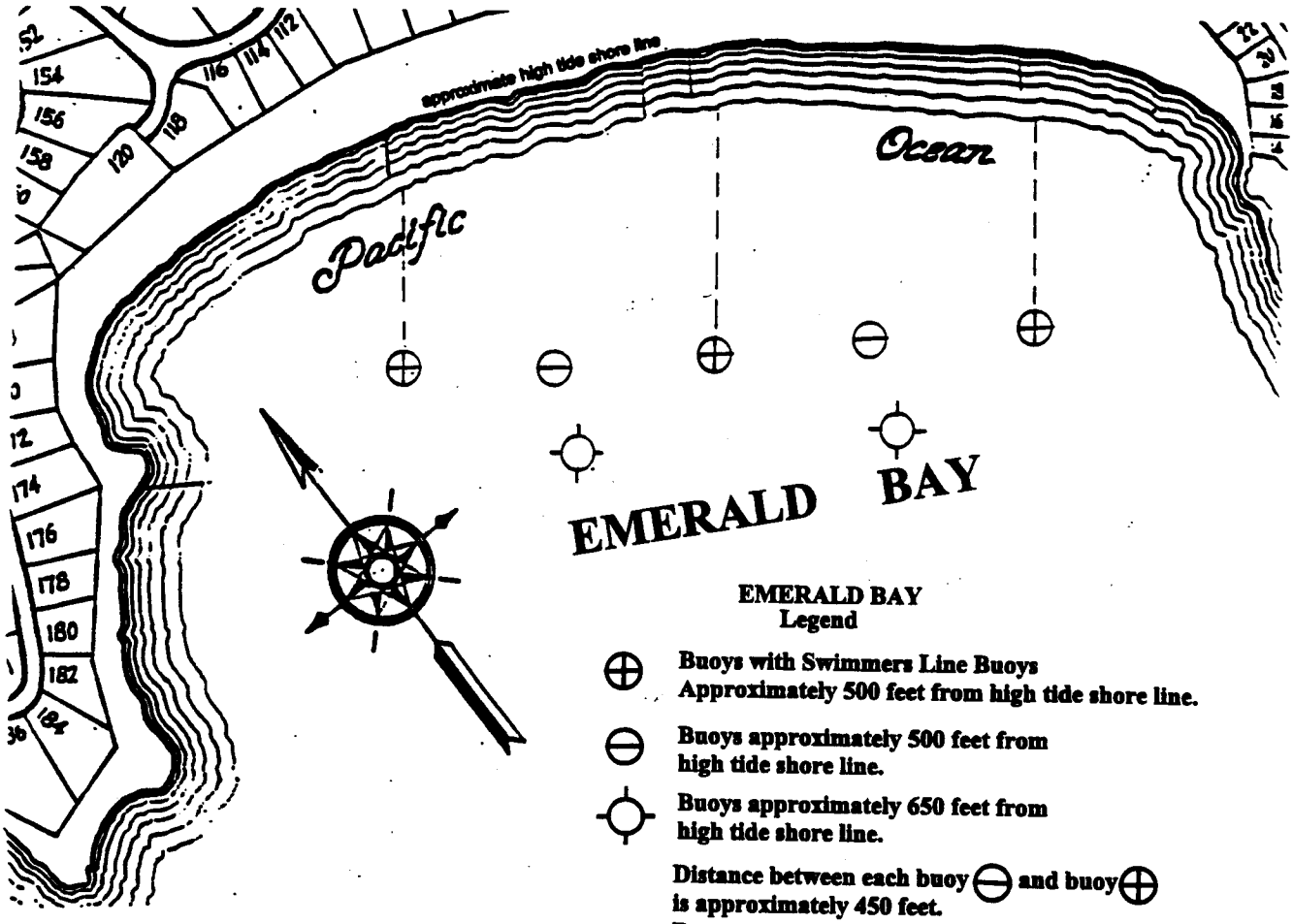
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO EMERALD BAY COMMUNITY ASSOCIATION OF A GENERAL LEASE - RECREATIONAL USE, BEGINNING MARCH 30, 1999, FOR A TERM OF TEN YEARS, FOR CONTINUED USE AND MAINTENANCE OF SEVEN MARKER BUOYS AND THREE SWIMMER SAFETY LINES ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF $515; WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF $1,000,000.

NO SCALE

SITE MAP



NO SCALE

LOCATION MAP

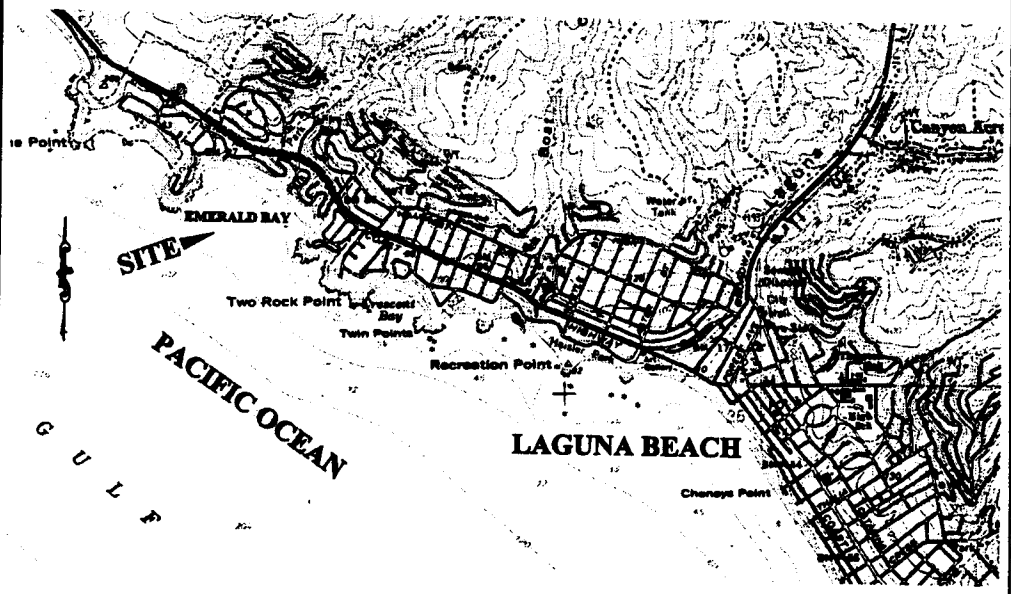


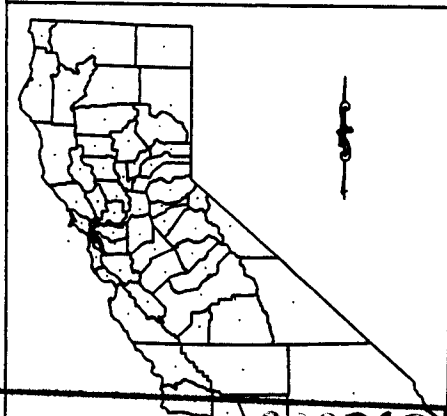
Exhibit A
WP 4513

Emerald Bay Community Assoc.

Emerald Bay/Pacific Ocean

vicinity
Laguna Beach

ORANGE COUNTY



This Exhibit is solely for purposes of generally defining the lease premises, and is not intended to be, nor shall it be construed as, a waiver of limitation of any state interest in the subject or any other property.

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