MINUTE ITEM
This Calendar Item No. C42 was approved as Minute Item No. 42 by the California State Lands Commission by a vote of 3 to 0 at its 9399 meeting.

CALENDAR ITEM
C42

A 67

S 35

09/03/99
PRC 4076.1 WP 4076.1
J. Smith

TERMINATION OF EXISTING LEASE
ISSUANCE OF
GENERAL LEASE - PUBLIC AGENCY USE AND SUBLEASE APPROVAL

LESSEE:

County of Orange
300 No. Flower Street
Orange, California 92703

AREA, LAND TYPE, AND LOCATION:

44 acres, more or less, of tide and submerged lands in Anaheim Bay, Seal Beach, Orange County.

EXISTING LEASE:

Authorized Use: Beaches, marina, bulkheads, piers, dredging and related facilities.

Lease Term: 49 years, beginning December 1, 1968.

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

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

Other: Annual reports due on or before September 30th of each year detailing the utilization of the leased premises; a list of the owners and holder of subleases, permits and franchises; and a statement as to future plans.

The County is required to establish a separate trust fund for deposition of revenues. The revenues and expenses shall be

apportioned between County funds and trust funds based upon the percentage of the facility located on leased premises and the portion located on lands owned by the County.

PROPOSED LEASE:

Authorized Use:	Boat slips, boat launch ramps, beaches, waterways, causeway and a previously authorized dredging project.
Lease Term:	40-years, beginning January 1, 2000.
Consideration:	8.5 percent of the gross income per year generated from boat berthing located on the lease premises included within Sunset Harbour Marina; which for purposes of calculating the annual rent is agreed to be three (3) percent of the total gross income per year from boat berthing within Sunset Harbour Marina; with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.
Insurance:	Combined single limit coverage of $1,000,000 or an approved self-insurance program.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.

2. The existing 49-year lease between the County of Orange and the Commission, entered into in 1968, allows the leased premises and revenues therefrom to be used for beaches, marine parks, marinas, small boat harbors, bulkheads, piers, marine transportation facilities, public utilities, earthfills, buildings, structures, recreational facilities, landscaping, parking lots, streets and roadways for public access. The lease was amended in 1979 to accommodate dredging activities within a specific area.

3. The existing lease also authorized the County to enter into sublease(s) for uses consistent with those previously cited. In 1994, the County entered into a sublease with Goldrich and Kest (G & K) for operation and maintenance of Sunset Harbour Marina, including those tide and submerged lands contained in the existing lease. The County extended

the term of the sublease for an additional year. A provision of the sublease allows G & K to exercise the option to extend the term of the sublease for a period of 35-years. However, G & K's ability to exercise that option is conditioned, among other things, upon an amendment of the existing State lease or issuance of a new lease between the Commission and the County that coincides with the term of the sublease, and the completion of the landside and water improvements pursuant to the Sunset Harbour Marina Improvement Plan dated December 11, 1998.

4. The existing lease is for the maximum 49-year term and, therefore, cannot be extended beyond its current expiration date of November 30, 2017. The County is requesting, and Commission staff is recommending, that the existing lease be terminated effective December 31, 1999 and a new 40-year lease be issued effective January 1, 2000. Staff is also recommending that the Commission approve the sublease between the County and G & K entitled "Amended and Restated Lease and Option" dated December 20, 1994.

5. The new lease will conform to the Commission's current standards and leasing practices. The existing lease contains language similar to language used in legislative trust grants concerning the uses of the leased lands and the reporting and expenditure of trust revenues. Staff is proposing that the new lease not include this language.

6. In 1997, the Commission authorized an amendment of the existing lease to accommodate a dredging project involving the removal of 107,000 cubic yards of sediment from the entrance channel, main channel, access channel, Sunset Marina, Bolsa Channel and Portofino Cove. That dredging project has not taken place due to the lack of bids received. Staff is recommending that the new lease incorporate this previously approved dredging project as an authorized use.

7. The County is proposing an improvement plan (Sunset Harbour Marina Improvement Plan dated December 11, 1998) for the Marina that will include removal and replacement of all existing docks and the reconfiguration of the dock adjacent to the Bolsa Chica Channel to accommodate larger boats. The basic footprint of the Marina will remain the same. The slip configuration for the 76 slips in the Main Channel area will not change. In the Bolsa Chica Channel, the existing slip area will increase from 28.5 feet to 31.7 feet, while the number of slips will

decrease from 176 to 161. This reconfiguration results in a loss in the number of slips but an increase in total rentable slip length. Additional work is proposed for the County's fee-owned portion of the Marina, including improvements to the existing parking areas and rehabilitation of restrooms.

8. A Mitigated Negative Declaration was prepared and adopted for this project by the County of Orange. The Commission's staff has reviewed such document. A Mitigation Monitoring Program was adopted by the County of Orange.

9. 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.

APPROVALS OBTAINED:

U.S. Army Corps of Engineers; Regional Water Quality Control Board; California Department of Fish and Game.

FURTHER APPROVALS REQUIRED:

California Coastal Commission.

EXHIBITS:

A. Location and Site Map.
B. Land Description.
C. Mitigation Monitoring Plan.
D. Notice of Determination.

PERMIT STREAMLINING ACT DEADLINE:

February 14, 2000

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT A MITIGATED NEGATIVE DECLARATION AND A MITIGATION MONITORING PROGRAM WERE PREPARED AND ADOPTED FOR THIS PROJECT BY THE COUNTY OF ORANGE AND

THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

ADOPT THE MITIGATION MONITORING PROGRAM, AS CONTAINED IN EXHIBIT C, ATTACHED HERETO.

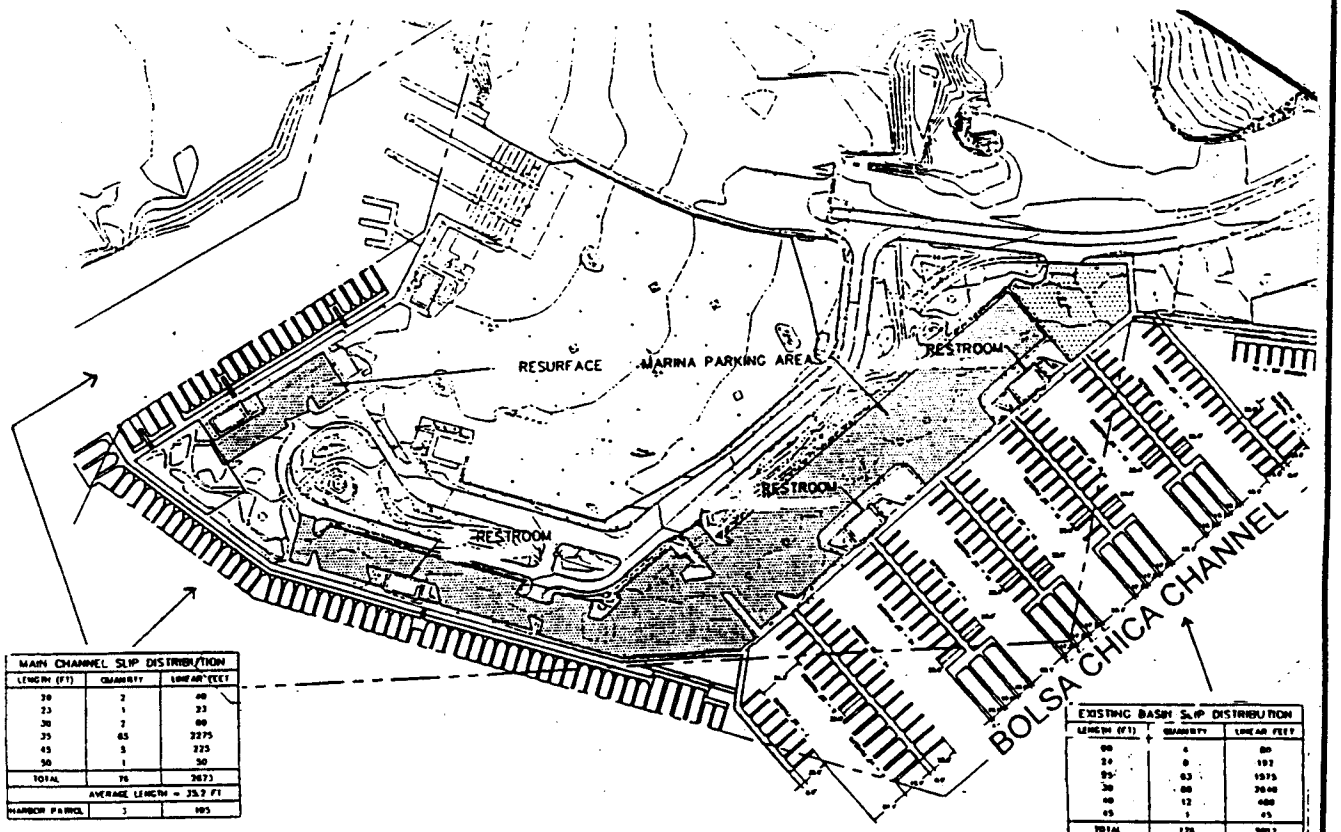
SIGNIFICANT LANDS INVENTORY FINDING:

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 (1) TERMINATION OF EXISTING LEASE NO. PRC 4076.9 EFFECTIVE DECEMBER 31, 1999; (2) ISSUANCE TO THE COUNTY OF ORANGE OF A GENERAL LEASE - PUBLIC AGENCY USE, BEGINNING JANUARY 1, 2000, FOR A TERM OF FORTY YEARS, FOR BOAT SLIPS, BOAT LAUNCH RAMPS, BEACHES, WATERWAYS, CAUSEWAY, AND A PREVIOUSLY AUTHORIZED DREDGING PROJECT; CONSIDERATION BEING 8.5 PERCENT OF THE GROSS INCOME PER YEAR GENERATED FROM BOAT BERTHING LOCATED ON THE LEASE PREMISES INCLUDED WITHIN SUNSET HARBOUR MARINA; WHICH FOR PURPOSES OF CALCULATING THE ANNUAL RENT AMOUNT IS AGREED TO BE THREE PERCENT OF THE TOTAL GROSS INCOME FROM BOAT BERTHING WITHIN SUNSET HARBOUR MARINA; WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; AND (3) APPROVE THE SUBLEASE BETWEEN THE COUNTY OF ORANGE AND GOLDRICH AND KEST, ON THE LAND DESCRIBED ON EXHIBIT B ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF $1,000,000 OR AN APPROVED SELF-INSURANCE PROGRAM.

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 or limitation of any State interest in the subject or any other property.



MAIN CHANNEL SLIP DISTRIBUTION		
LENGTH (FT)	QUANTITY	LINEAR FEET
30	2	60
23	1	23
30	2	60
35	65	2275
45	5	225
50	1	50
TOTAL	76	2673
AVERAGE LENGTH = 35.2 FT		
HARBOR PATROL	3	105

EXISTING BASIN SLIP DISTRIBUTION		
LENGTH (FT)	QUANTITY	LINEAR FEET
20	4	80
24	8	192
25	63	1575
30	80	2400
40	12	480
45	1	45
TOTAL	170	3817
AVERAGE LENGTH = 30.5 FT		

PROPOSED BASIN SLIP DISTRIBUTION		
LENGTH (FT)	QUANTITY	LINEAR FEET
23	30	990
30	60	1800
35	40	1400
42	8	336
48	9	432
TOTAL	161	3958
AVERAGE LENGTH = 30.0 FT		

S A M MARINA IMPROVEMENT PLAN
HARBORS, BEACHES AND PARKS
SUNSET HARBOUR MARINA

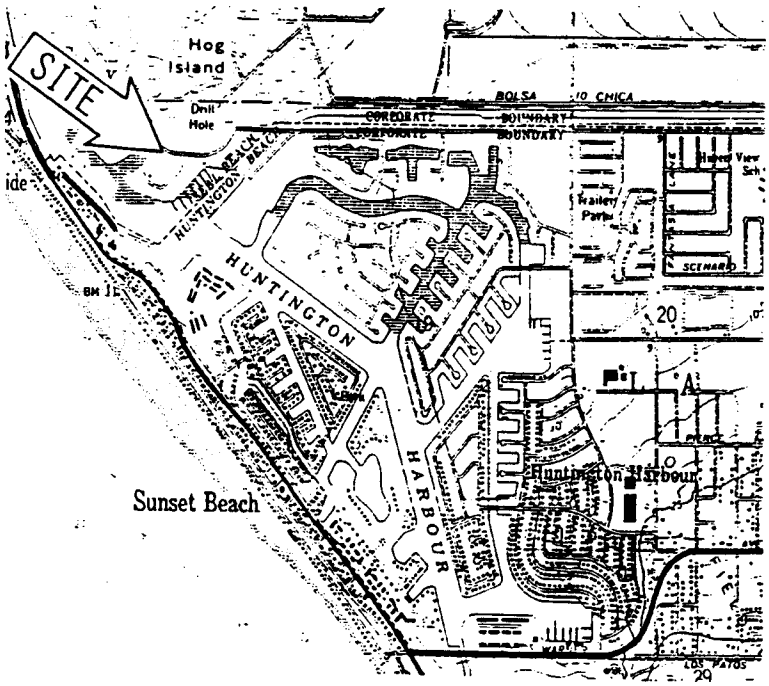


EXHIBIT "A"
SITE MAP WP4076
SUNSET HARBOUR MARINA
ORANGE COUNTY, CA.

CALENDAR PAGE 000250
MINUTE PAGE 005397

CNP 99

EXHIBIT B
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;

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

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

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)

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°32'00"E, 60.00 feet; thence S72°57'57"E, 147.37 feet; thence S15°48'50"W, 88.00 feet to said agreement line; thence along said line N73°45'00"W, 110.76 feet; thence N44°15'00"W, 77.58 feet to the point of beginning.

(Basis of Bearings for the above described parcel is the Bearing S43°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

EXHIBIT "C"

MITIGATION MONITORING AND REPORTING PROGRAM SUMMARY
Sunset Harbour Marina Improvement Plan
NEGATIVE DECLARATION NO. IP 99-053

• MITIGATION MEASURE	IMPLEMENTING ACTION	METHOD OF VERIFICATION	TIMING OF VERIFICATION	RESPONSIBLE PERSON	DATE COMPLETED
• 6.1. Prior to the approval of the project plans and specifications by the Director, Public Facilities and Resources Department, the Chief Engineer, PF&RD, or designee, in consultation with the Manager, PDSD/Environmental and Project Planning Services Division, or designee, shall confirm that the plans and specifications stipulate that the applicant is required to comply with the County NPDES. In addition, the applicant will be required to comply with Appendix G sections N2 and N7 of the Drainage Area Management Plan (DAMP) regarding restriction of chemical entering the water and the development of a Spill Contingency Plan.	Approval of Plans and Specifications	Verify inclusion in Plans and Specifications Visual inspection by County Construction Engineer	On a regular basis during construction	County Construction Engineer	
• 6.2. Prior to the approval of the project plans and specifications by the Director, Public Facilities and Resources Department, the Chief Engineer, PF&RD, or designee, in consultation with the Manager, PDSD/Environmental and Project Planning Services Division, or designee, shall confirm that the plans and specifications stipulate that the construction contractor shall use floating booms to contain debris and divers to recover any misplaced non-bouyant debris, as soon as possible, after loss.	Approval of Plans and Specifications	Verify inclusion in Plans and Specifications Visual inspection by County Construction Engineer	As soon as possible after loss.	County Construction Engineer	

SAL ENDORSED 000256
MINUTE PAGE 006373

• MITIGATION MEASURE	IMPLEMENTING ACTION	METHOD OF VERIFICATION	TIMING OF VERIFICATION	RESPONSIBLE PERSON	DATE COMPLETED
• 7.1: Prior to commencement of the project, a draft haul route access plan developed by the contractor will be submitted to the Cities of Huntington Beach and Seal Beach for review and approval to ensure impacts to surrounding land uses are minimized, if required by the Cities. The plan will include access routes on public streets for heavy equipment and construction materials import and export operations. The plan will also show staging area(s) for storage of equipment, materials, construction and workers' personal vehicles as well as provide safe crossing for pedestrians and bicyclist..	Award of contract	Approval of Plan by Cities of Huntington Beach and Seal Beach.	Prior to commencement of the project	County Construction Engineer	
• 8-1: Prior to the approval of the project plans and specifications by the Director, Public Facilities and Resources Department, Chief Engineer, PF&RD or his designee, in consultation with the Manager, PDSD/ Environmental and Project Planning Services Division , shall confirm that the plans and specifications stipulate that, in compliance with SCAQMD Rule 403, fugitive dust throughout the site shall be controlled by the use of a watering truck as necessary, and/or the use of an environmentally-safe chemical dust suppressant. Controls shall be applied to all onsite unpaved roads and ramps, stockpile areas, actively excavated or exposed sites and all areas that may be temporarily inactive but include exposed (unvegetated) or disturbed surfaces.	Approval of Plans and Specifications	Verify inclusion in Plans and Specifications Visual inspection by County Construction Engineer	On a regular basis during construction	County Construction Engineer	

CALENDAR PAGE 000257
MINUTE PAGE 006374

• MITIGATION MEASURE	IMPLEMENTING ACTION	METHOD OF VERIFICATION	TIMING OF VERIFICATION	RESPONSIBLE PERSON	DATE COMPLETED
• 8-2: Prior to the approval of the project plans and specifications by the Director, Public Facilities and Resources Department, the Chief Engineer, PF&RD, or his designee, in consultation with the Manager, PDSD/ Environmental and Project Planning Services Division , shall confirm that the plans and specifications stipulate that, in compliance with SCAQMD Rule 403, that all grading and excavation should be curtailed during periods of high winds (e.g. over 25 miles per hour) if dust is being generated and cannot be controlled by watering alone.	Approval of Plans and Specifications	Verify inclusion in Plans and Specifications Visual inspection by County Construction Engineer	On a regular basis during construction	County Construction Engineer	
• 8-3: Prior to the approval of the project plans and specifications by the Director, Public Facilities and Resources Department, the Chief Engineer, PF&RD, or his designee, in consultation with the Manager, PDSD/Environmental and Project Planning Services Division , shall confirm that the plans and specifications stipulate that, in compliance with SCAQMD Rule 403, all materials transported offsite shall be sufficiently watered or covered to prevent excessive fugitive dust.	Approval of Plans and Specifications	Verify inclusion in Plans and Specifications Visual inspection by County Construction Engineer	On a regular basis during construction	County Construction Engineer	
• 8-4: Prior to the approval of the project plans and specifications by the Director, Public Facilities and Resources Department, Public Facilities and Resources Department, the Chief Engineer, PF&RD, or designee, in consultation with the Manager, PDSD/Environmental and Project Planning Services Division , shall confirm that the plans and specifications stipulate that mobile heavy equipment (e.g. scrapers, haul trucks) on unpaved surfaces shall be limited to an onsite speed that avoids dust impacts offsite. •	Approval of Plans and Specifications	Verify inclusion in Plans and Specifications Visual inspection by County Construction Engineer	On a regular basis during construction	County Construction Engineer	

CALENDAR PAGE 000258
MINUTE PAGE 006375

• MITIGATION MEASURE	IMPLEMENTING ACTION	METHOD OF VERIFICATION	TIMING OF VERIFICATION	RESPONSIBLE PERSON	DATE COMPLETED
• 9-1: Prior to the approval of the project plans and specifications by the Director, Public Facilities and Resources Department, the Chief Engineer, PF&RD, or designee, in consultation with the Manager, PDSD/Environmental and Project Planning Services Division , or designee, shall confirm that the plans and specifications stipulate that the construction contractor shall incorporate feasible muffling features into construction vehicles and equipment and into construction methods, and shall maintain all construction vehicles and equipment in efficient operating condition. The County inspector will be responsible for ensuring that contractors comply with this measure during construction.	Approval of Plans and Specifications	Verify inclusion in Plans and Specifications Visual inspection by County Construction Engineer	On a regular basis during construction	County Construction Engineer	
• 9-2: Prior to the approval of the project plans and specifications by the Director, Public Facilities and Resources Department, the Chief Engineer, PF&RD, or designee, in consultation with the Manager, PDSD/Environmental and Project Planning Services Division , or designee, shall confirm that the plans stipulate that construction activities shall be limited to daylight hours (7 a.m. and 8 p.m. Monday through Friday) with no construction on weekdays and holidays. The County inspector will be responsible for ensuring that contractors comply with this measure during construction.	Approval of Plans and Specifications	Verify inclusion in Plans and Specifications Visual inspection by County Construction Engineer	On a regular basis during construction	County Construction Engineer	

MINUTE PAGE 006376
CALENDAR PAGE 000259

19998500908 10:06am 08/19/99 EH21758

856 6239290 06 10
Z03 1 1250.00

EXHIBIT "D"

NOTICE OF DETERMINATION

TO: COUNTY CLERK COUNTY OF ORANGE

Sent to OPR? Yes
If yes, SCH Number 99061024

FROM: County of Orange Planning & Development Services Department

SUBJECT: Filing of Notice of Determination in Compliance with Section 21108 or 21152 of the Public Resources Code

Project Title: Sunset Harbour Marina Improvement Plan	File No. IP 99-053
Type of Environmental Document: (ND, Addendum, EIR, Etc.) Mitigated Negative Declaration	Previously Certified or adopted? No If yes, date:
Project Contact Person: Rich Adler CEQA Contact Person: Lisa Cibellis	Telephone: (714) 834-6792 Telephone: (714) 834-2089
Project Location: Where Edinger Avenue ends at Huntington Harbor in the City of Seal Beach	
Project Description: The proposal involves improvements and maintenance of the existing facilities that includes replacement of all slips in the marina, resurfacing and re striping the existing parking areas and rehabilitation of the restrooms. The improvements involve no expansion of use.	

Notice is hereby given that the County of Orange as a X Lead Agency ☐ Responsible Agency has made the following determination on the above-described project:

1. The project was approved by Director of Public Facilities and Resources Department (B/Supv, Sbdv, Plng. Comm, Z.A., Etc.) on 8/18/99 (Date)

2. The project ☐ will have a significant effect on the environment.
   X will not have a significant effect on the environment.

   ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
   X A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.

3. Mitigation Measures X were incorporated into the project through conditions of approval and project design.
   ☐ were not required.

4. For this project a Statement of Overriding considerations was ☐ adopted.
   X not adopted.

5. Findings ☐ were made pursuant to CEQA Guidelines 15091 (Statement of Facts and Findings).
   X were not

6. A copy of the EIR or Negative Declaration and the record of the project approval is on file and may be examined at the Planning & Development Services Department, Environmental & Project Planning Services Division, 300 N. Flower, Room 321 Santa Ana, California 92702-4048. (714) 834-5550.

POSTED
AUG 19 1999
GARY L. GRANVILLE, Clerk-Recorder
By DD DEPUTY

Signature Michael Hunter

Date: 8/15/99

Title: Real Property Agent

CALENDAR PAGE 000280
MINUTE PAGE 006377

Fish and Game Fee Finding: De Minimus ND $1,250 EIR $850 Previously Paid Receipt No. _____