

MINUTE ITEM

This Calendar Item No. C38 was approved as
Minute Item No. 38 by the California State Lands
Commission by a vote of 3 to 0 at its
12-3-99 meeting.

**CALENDAR ITEM
C38**

A 74

S 38

PRC 8133.9

12/03/99
W 25440
J. Smith

GENERAL LEASE - PROTECTIVE STRUCTURE USE

LESSEE:

Edward Chu
367 Pacific Avenue
Solana Beach, California 92075

AREA, LAND TYPE, AND LOCATION:

Sovereign lands adjacent to the Pacific Ocean, Solana Beach, San Diego
County.

AUTHORIZED USE:

Maintenance of a seacave fill and shotcrete wall.

LEASE TERM:

Ten years, beginning December 1, 1999.

CONSIDERATION:

The public health and safety; with the State reserving the right at any time to set
a monetary rent if the Commission finds such action to be in the State's best
interest.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance with coverage of no less than \$1,000,000.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.
2. Applicant has submitted an application for the filling of a 22-foot wide, 10-foot high, eight-foot deep seacave. The cave is located at the base of an approximately 80-foot high coastal bluff below an existing single family residence.

CALENDAR ITEM NO. C38 (CONT'D)

3. Subsequent to the issuance of Emergency Permit 6-98-29G by the California Coastal Commission on March 13, 1998, the Applicant completed the filling of the existing seacave and the construction of a shotcrete wall across the face of the seacave.
4. On December 10, 1998, the California Coastal Commission (CCC) granted Permit # 6-98-27 for this project under its certified regulatory program (Title 14, California Code of Regulations, section 15251 (c)). Staff has reviewed the document and determined that the conditions, as specified in Title 14, California Code of Regulations, section 15253 (b), have been met for the Commission to use the environmental analysis document certified by the CCC as a Negative Declaration (EIR) equivalent in order to comply with the requirements of the CEQA.
5. 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:

California Coastal Commission; City of Solana Beach.

EXHIBIT:

- A. Location and Site Map

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT AN ENVIRONMENTAL ANALYSIS DOCUMENT, CALIFORNIA COASTAL COMMISSION (CCC) PERMIT # 6-98-27, WAS ADOPTED FOR THIS PROJECT BY THE CCC UNDER ITS CERTIFIED PROGRAM (TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15251 (c)), AND THAT THE CALIFORNIA STATE LANDS

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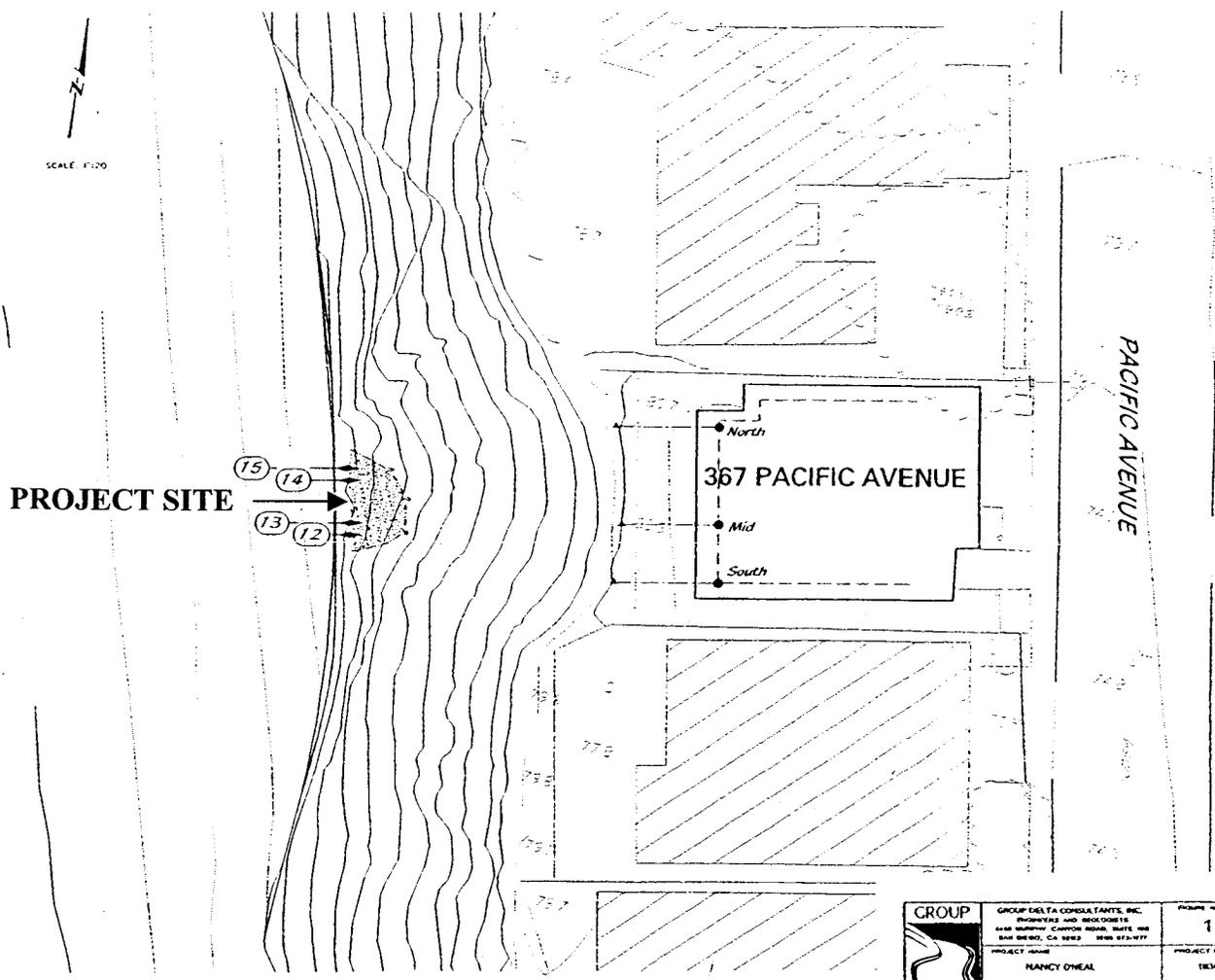
COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION THEREIN AND CONCURS IN THE CCC'S DETERMINATION.

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 EDWARD CHU OF A GENERAL LEASE - PROTECTIVE STRUCTURE USE, BEGINNING DECEMBER 1, 1999, FOR A TERM OF TEN YEARS, FOR MAINTENANCE OF A SEACAVE FILL AND SHOTCRETE WALL ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION BEING THE PUBLIC HEALTH AND SAFETY, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENT IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; LIABILITY INSURANCE WITH COVERAGE OF NO LESS THAN \$1,000,000.



	GROUP DELTA CONSULTANTS, INC. ENGINEERS AND GEODETIC 4545 SHAWNEY CANYON ROAD, SUITE 100 SAN DIEGO, CA 92123 3266 824-7777	Figure Number 1
	PROJECT NAME NANCY O'NEAL	PROJECT NUMBER 1834-1

MONITORING PLAN - 367 PACIFIC AVE

Infill pin #	Northing	Easting	Elev. (Feet, MSL)
12	1943855.57	6247145.87	6.72
13	1943857.87	6247145.60	6.67
14	1943866.23	6247143.47	7.15
15	1943868.48	6247142.54	7.17

Building pin	Northing	Easting	Elev. (Feet, MSL)
North	1943891.63	6247213.85	82.00
Mid	1943872.59	6247217.70	80.39
South	1943861.19	6247220.00	81.27

- LEGEND**
- Location of infill survey pin
 - Survey line
 - Surveyed location of bluff top
 - Survey Station
 - Approximate location of infill (Uncertainties where unknown)

EXHIBIT A
W 25440

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