

MINUTE ITEM
This Calendar Item No. C65 was approved as
Minute Item No. 65 by the California State Lands
Commission by a vote of 3 to 0 at its
6-27-00 meeting.

**CALENDAR ITEM
C65**

A 73

S 38

PRC 8197.9

June 27, 2000

W 25640

J. Smith

GENERAL LEASE - PROTECTIVE STRUCTURE USE

LESSEE:

Peter J. Becker and Angela A. Becker, Trustees of the
Becker Revocable Trust, under agreement dated April 20, 1990
34 Burning Tree Court
Las Vegas, Nevada 89113

AREA, LAND TYPE, AND LOCATION:

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

AUTHORIZED USE:

Filling and maintenance of three seacaves at the base of the coastal bluff.

LEASE TERM:

Ten years, beginning June 1, 2000.

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: Combined single limit coverage of \$1,000,000.

OTHER PERTINENT INFORMATION:

1. Applicants own the uplands adjoining the lease premises.
2. Applicants are proposing to fill three seacaves at the base of the coastal bluff to protect their blufftop residence at 533 Pacific Avenue in Solana Beach. The seacaves extend deep into the bluff and if left unfilled can collapse, resulting in damage to the blufftop residence. The fill will consist of a colored and textured erodible concrete mixture designed to match the

CALENDAR PAGE	0330
MINUTE PAGE	8703

CALENDAR ITEM NO. C65 (CONT'D)

natural appearance of the surrounding bluffs and to erode at the same rate as the bluffs. As a condition of Coastal Development Permit 6-99-91, the applicants are required to provide annual reports for the first three years, and then at three-year intervals thereafter following construction, documenting any differential retreat between the natural bluff face and the seacaves, the stability of the overall bluff face, and the impact of the seacave fills on the bluffs on either side. If the seacave fills are found to extend seaward of the natural bluff face by more than six inches in any location, the report shall include alternatives and recommendations to remove or otherwise correct this condition so that no seaward extension of the fills will remain.

3. On January 12, 2000, the California Coastal Commission (CCC) granted Permit # 6-99-91 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 equivalent in order to comply with the requirements of the CEQA.

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.

APPROVALS OBTAINED:

City of Solana Beach; California Coastal Commission.

EXHIBIT:

- A. Location and Site Map

PERMIT STREAMLINING ACT DEADLINE:

December 13, 2000

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CALENDAR PAGE	0331
MINUTE PAGE	8704

CALENDAR ITEM NO. C65 (CONT'D)

CEQA FINDING:

FIND THAT AN ENVIRONMENTAL ANALYSIS DOCUMENT, CALIFORNIA COASTAL COMMISSION (CCC) PERMIT # 6-99-91, 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 COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION THEREIN AND CONCURS IN THE CCC'S DETERMINATION.

SIGNIFICANT LANDS INVENTORY FINDING:

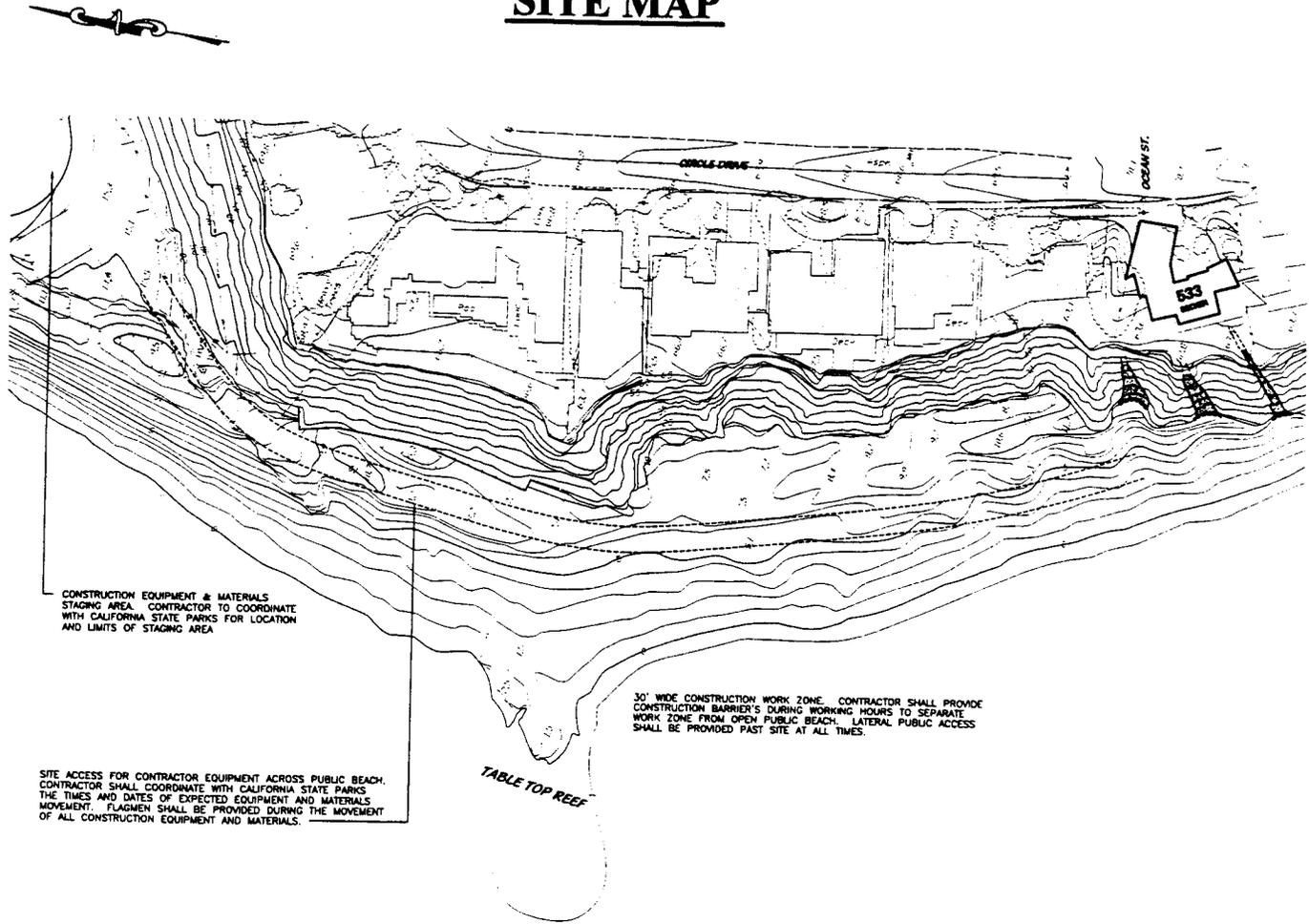
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO PETER J. BECKER AND ANGELA A. BECKER, TRUSTEES OF THE BECKER REVOCABLE TRUST, UNDER AGREEMENT DATED APRIL 20, 1990, OF A GENERAL LEASE - PROTECTIVE STRUCTURE USE, BEGINNING JUNE 1, 2000, FOR A TERM OF TEN YEARS, FOR FILLING AND MAINTENANCE OF THREE SEACAVES 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 FOR COMBINED SINGLE LIMIT COVERAGE OF \$1,000,000.

NO SCALE

SITE MAP



533 PACIFIC AVENUE

LOCATION MAP

NO SCALE

SITE

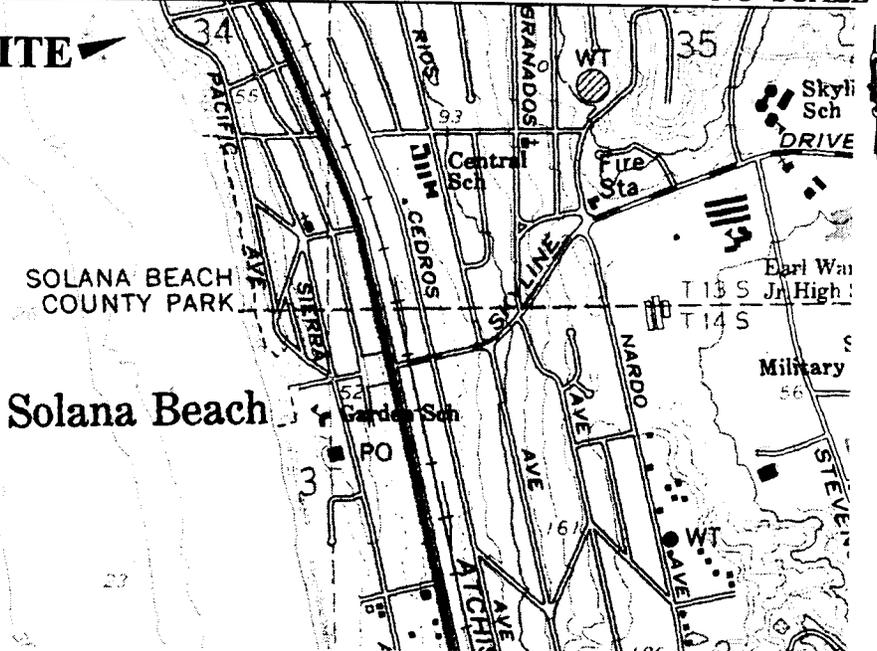


Exhibit A
 W25640
 APN 263-041-01
 Solana Beach
 SAN DIEGO COUNTY

CALENDAR PAGE	0333
MINUTE PAGE	8706

SSG 6/2000 SITE

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.