MINUTE ITEM

This Calendar Item No. C63 was approved as Minute Item No. 63 by the California State Lands Commission by a vote of 2 to 0 at its 12-08-05 meeting.

CALENDAR ITEM
C63

A 41

S 23

PRC 6470

12/08/05
WP 6470.1
S.Young

GENERAL LEASE - PROTECTIVE STRUCTURE USE

APPLICANT:

Michael W. LaFetra, as Trustee of the Michael W. LaFetra Revocable Trust dated 8/12/2000, as amended

AREA, LAND TYPE, AND LOCATION:

0.006 acres, more or less, of sovereign lands in the Pacific Ocean, city of Malibu, Los Angeles County.

AUTHORIZED USE:

Continued use and maintenance of an existing rock revetment previously authorized by the Commission.

LEASE TERM:

Ten years, beginning December 8, 2005.

CONSIDERATION:

$1,650 per annum 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 for combined single limit coverage of no less than $1,000,000.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.

2. On October 28, 1996, the Commission authorized a ten-year General Lease – Protective Structure Use, effective July 1, 1993, to Robert and Palomba Weingarten, for an existing rock revetment adjacent to their upland parcel at Point Lechuza, within the city of Malibu. On

October 7, 1999, the upland parcel was deeded to Michael Wolcott LaFetra, and subsequently quitclaimed on August 20, 2000 to Michael W. LaFetra, Trustee of the Michael W. LaFetra Revocable Trust dated 8/12/2000, as amended (Applicant). Applicant is now applying for a new General Lease – Protective Structure Use for the existing rock revetment.

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.

EXHIBITS:

A. Site and Location Map
B. Land Description

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:

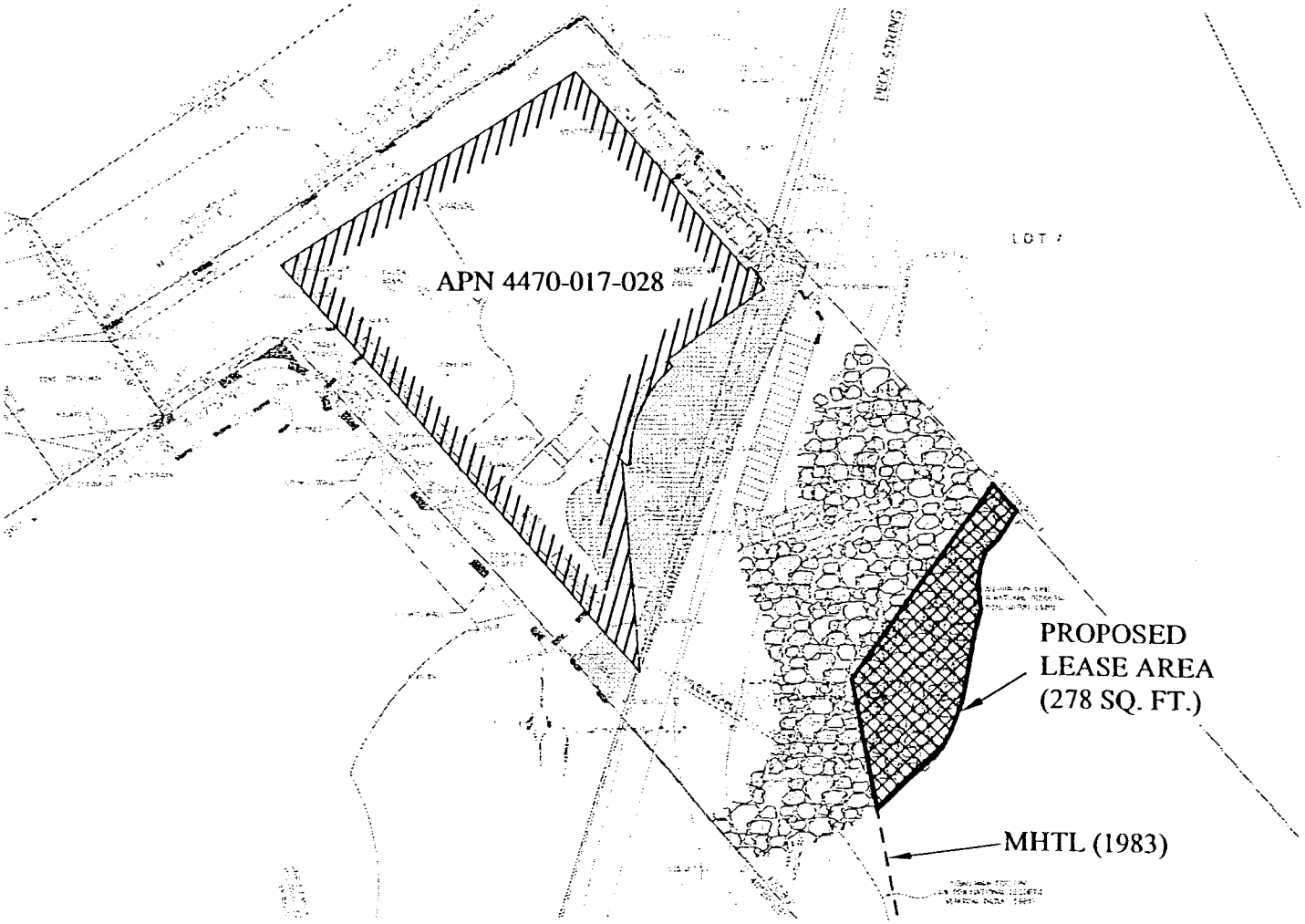
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO MICHAEL W. LAFETRA, AS TRUSTEE OF THE MICHAEL W. LAFETRA REVOCABLE TRUST DATED 8/12/2000, AS AMENDED, OF A GENERAL LEASE - PROTECTIVE STRUCTURE USE, BEGINNING DECEMBER 8, 2005, FOR A TERM OF TEN YEARS, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING ROCK REVETMENT ON THE LAND SHOWN ON ON EXHIBIT A AND AS DESCRIBED ON EXHIBIT B ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF $1,650 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 NO LESS THAN $1,000,000.

NO SCALE

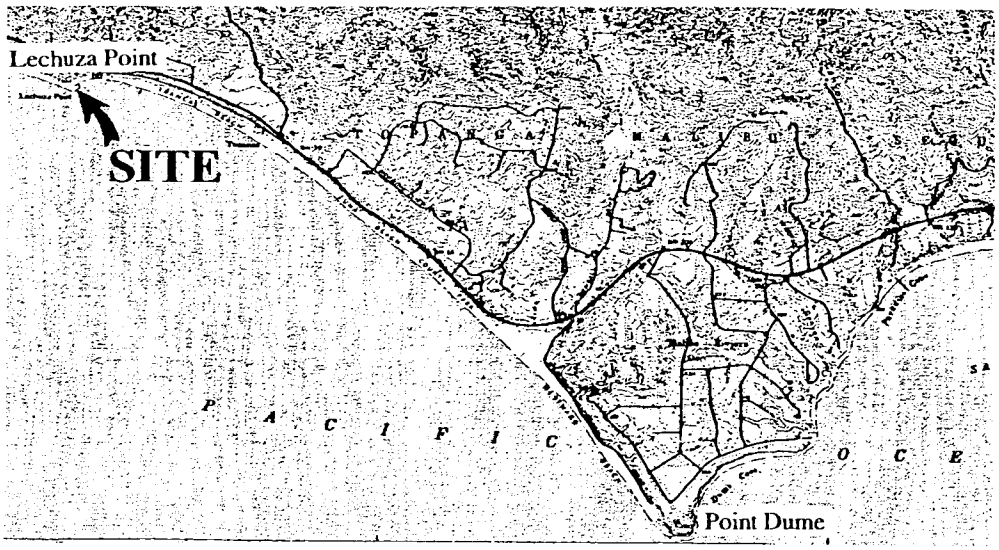
SITE



6525 POINT LECHUZA,
APN 4470-017-028

NO SCALE

LOCATION



This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties 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.

MAP SOURCE: USGS QUAD

Exhibit A

WP 6470
LAFETRA
GENERAL LEASE
PROTECTIVE STRUCTURE
MALIBU AREA
LOS ANGELES COUNTY

RAB 10/05

CALENDAR PAGE

EXHIBIT B **WP 6470**

LAND DESCRIPTION

All those tide and submerged lands of the Pacific Ocean lying beneath the existing rock revetment adjacent to Lot 6 of Tract 25166 per map recorded in Book 695 of Maps, pages 29 through 31, Los Angeles County Records.

EXCEPTING THEREFROM any portion lying landward of the Ordinary High Water Mark of the Pacific Ocean.

END OF DESCRIPTION

Prepared 10-18-2005 by the Boundary Unit of the California State Lands Commission.

LICENSED LAND SURVEYOR
STEVE C. LEHMAN
Exp. 12/31/05
No. 7377
STATE OF CALIFORNIA