

**CALENDAR ITEM  
C61**

A 67  
S 35

06/28/10  
W 26375  
D. Simpkin

**GENERAL LEASE – RECREATIONAL USE**

**APPLICANTS:**

Robert G. Sebring and Gail Sebring

**AREA, LAND TYPE, AND LOCATION:**

Sovereign land in Huntington Harbour, adjacent to 16402 Grimaud Lane, city of Huntington Beach, Orange County.

**AUTHORIZED USE:**

The retention, use, and maintenance of an existing cantilevered deck extending no more than five feet waterward of the bulkhead.

**LEASE TERM:**

Ten years, beginning June 28, 2010.

**CONSIDERATION:**

Cantilevered deck: Annual rent in the amount of \$360, 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:

Combined single limit liability insurance coverage in the amount of no less than \$1,000,000.

Other:

No permanent roof or other enclosure will be constructed on the Lease Premises. Applicants agree that any proposed use of the Lease Premises that includes a residential extension of the actual living quarters constitutes residential use and is prohibited.

**OTHER PERTINENT INFORMATION:**

1. Applicants own the uplands adjoining the lease premises.
2. The State of California acquired fee ownership of the Huntington Harbour Main and Midway Channels in 1961 as a result of a land exchange entered into and recorded as Boundary Line Agreement 18, between the Commission and the Huntington Harbour Corporation. Appurtenances extending into these Channels are subject to lease pursuant to Public

CALENDAR ITEM NO. **C61** (CONT'D)

Resources Code section 6501, et seq. The Applicant's upland property is located along the Main Channel of Huntington Harbour.

3. The cantilevered deck does not qualify for rent-free status because it is not used for the mooring of boats. Therefore, that portion of the deck extending over State fee ownership within the Harbour is subject to annual rent pursuant to Title 2, California Code of Regulations, sections 2002 (b)(3) and 2003 (a)(4).
4. **Cantilevered Deck:** 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 CEQA as a categorically exempt project. The project is exempt under Class 3, New Construction or Conversion of Small Structures; Title 14, California Code of Regulations, section 15303.

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

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.

**EXHIBITS:**

- A. Location and Site Map
- B. Land Description

**RECOMMENDED ACTION:**

It is recommended that the Commission:

**CEQA FINDING:**

**CANTILEVERED DECK:** Find that the activity is exempt from the requirements of CEQA pursuant to Title 14, California Code of Regulations, section 15061 as a categorically exempt project, Class 3, New Construction or Conversion of Small Structures; Title 14, California Code of Regulations, section 15303.

CALENDAR ITEM NO. **C61** (CONT'D)

**SIGNIFICANT LANDS INVENTORY FINDING:**

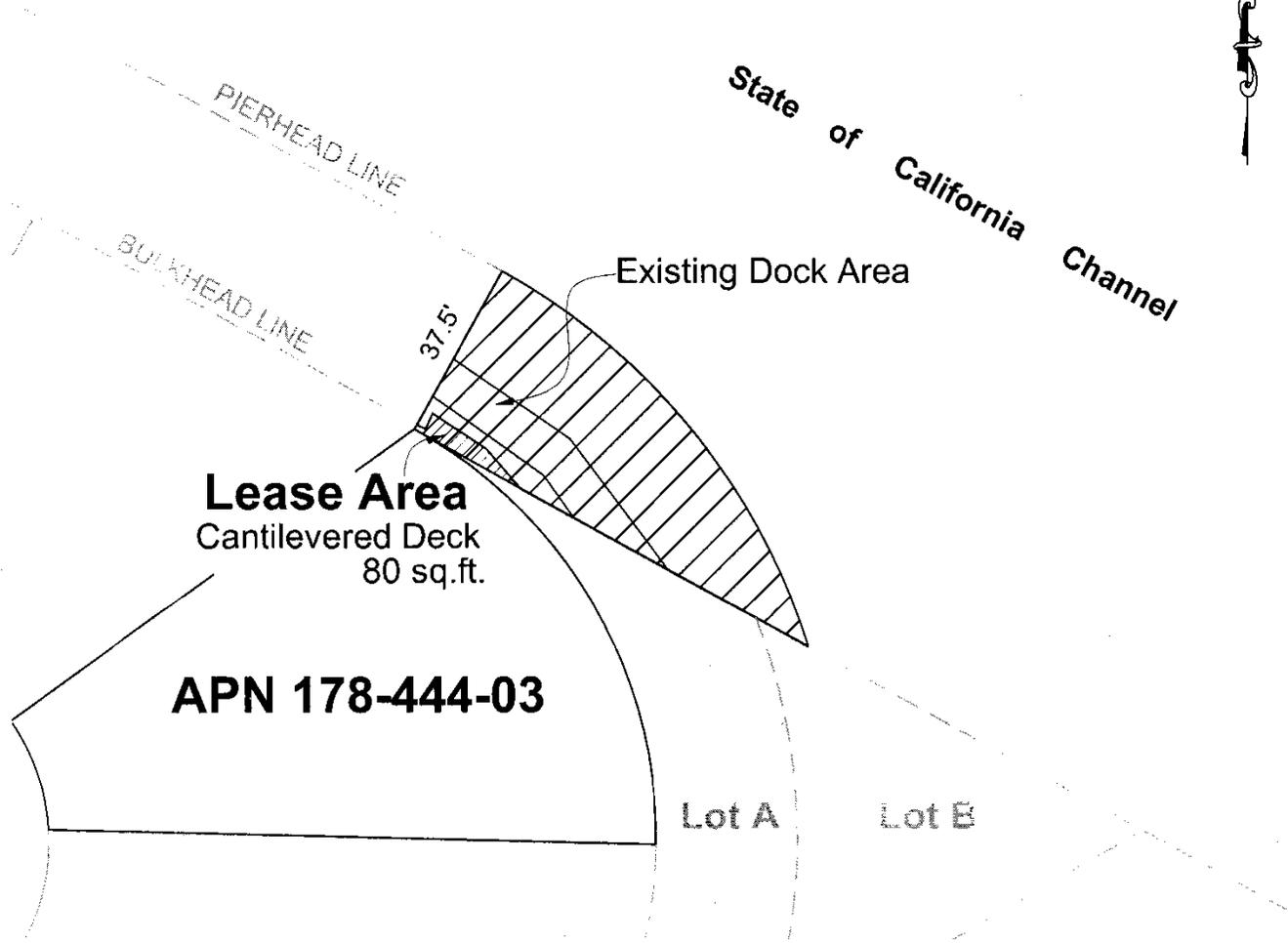
Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code sections 6370, et seq.

**AUTHORIZATION:**

Authorize issuance of a General Lease - Recreational Use to Robert G. Sebring and Gail Sebring, beginning June 28, 2010, for a term of ten years, for the retention, use, and maintenance of an existing cantilevered deck as shown on Exhibit A attached (for reference purposes only) and described on Exhibit B attached and by this reference made a part hereof; annual rent in the amount of \$360, with the State reserving the right to fix a different rent periodically during the lease term as provided in the lease; combined single limit liability insurance coverage in the amount of no less than \$1,000,000.

NO SCALE

### SITE



**Lease Area**  
 Cantilevered Deck  
 80 sq.ft.

**APN 178-444-03**

State of California Channel

16402 GRIMAUD LANE, HUNTINGTON BEACH

NO SCALE

### LOCATION



MAP SOURCE: USGS QUAD

### **Exhibit A**

W 26375  
 SEBRING  
 APN 178-444-03  
 GENERAL LEASE  
 RECREATIONAL USE  
 ORANGE COUNTY

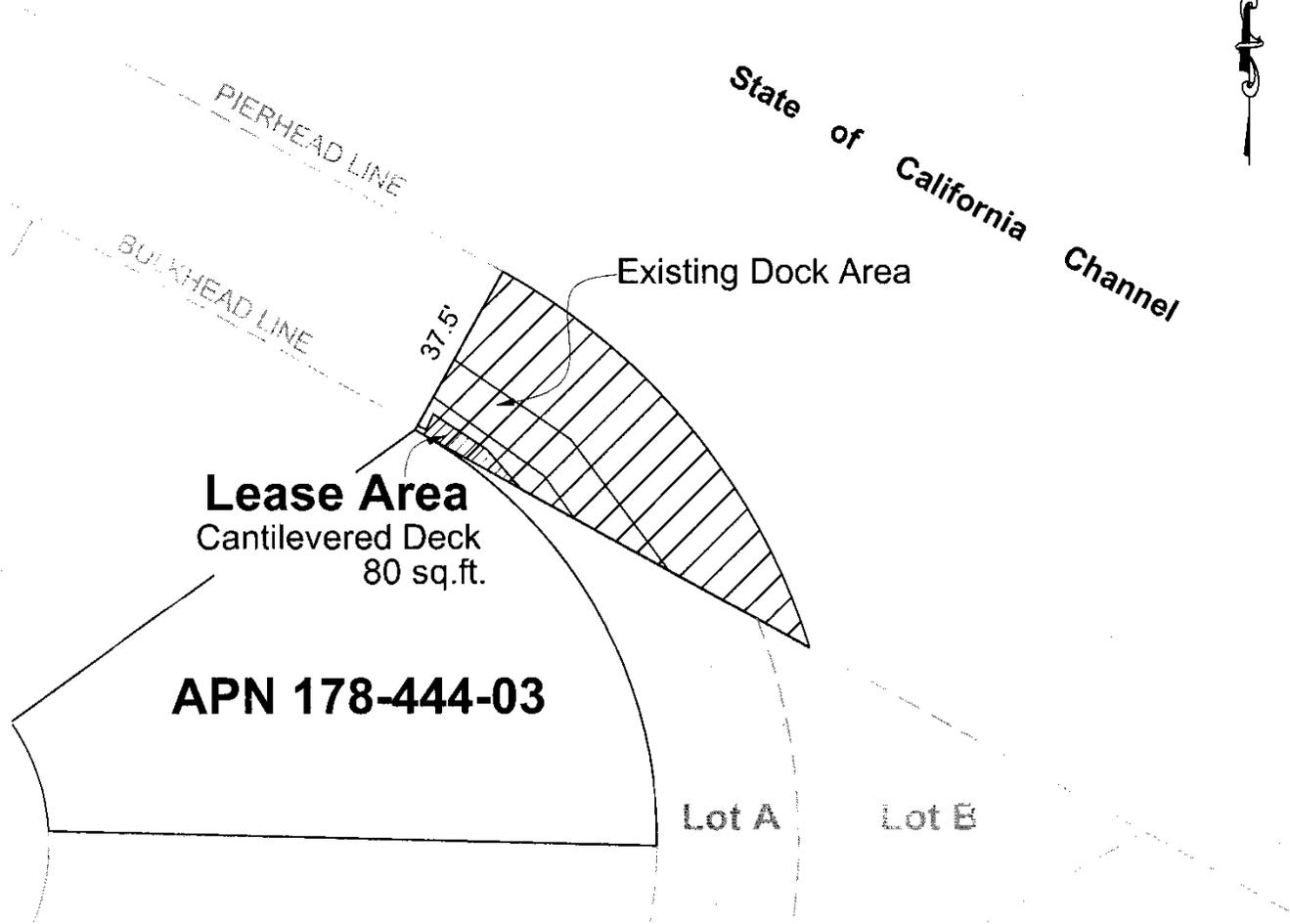


MJJ 06/10

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.

NO SCALE

### SITE



16402 GRIMAUD LANE, HUNTINGTON BEACH

NO SCALE

### LOCATION



MAP SOURCE: USGS QUAD

### **Exhibit B**

W 26375  
 SEBRING  
 APN 178-444-03  
 GENERAL LEASE  
 RECREATIONAL USE  
 ORANGE COUNTY



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