

**CALENDAR ITEM
C04**

A 67
S 35

10/29/10
WP 7426.9
D. Simpkin

RECREATIONAL PIER LEASE

APPLICANT:

David Mosher and Maureen Sheila Mosher, Trustees of the Mosher Family Trust, udt July 31, 2004, or any Successor Trustee

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Huntington Harbour, adjacent to 16246 Piedmont Circle, Huntington Beach, Orange County.

AUTHORIZED USE:

The continued use and maintenance of an existing boat dock as shown on attached Exhibit A.

LEASE TERM:

10 years, beginning August 22, 2010.

CONSIDERATION:

No monetary consideration pursuant to Public Resources Code Section 6503.5.

SPECIFIC LEASE PROVISIONS:

Liability insurance in the amount of no less than \$500,000.

OTHER PERTINENT INFORMATION:

1. Applicants owns the uplands adjoining the lease premises.
2. On April 20, 2000, the Commission authorized the issuance of a Recreational Pier Lease, PRC 7426.9, to David Mosher and Maureen Sheila Mosher for a 10-year term, effective August 22, 2000. The lease expired August 21, 2010. The Applicants are now applying for a new Recreational Pier Lease for the existing boat dock.
3. The Applicants qualify for rent-free use of the boat dock because the Applicants are natural persons who own the littoral land that is improved

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with a single-family dwelling pursuant to Public Resources Code Section 6503.5.

4. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), staff has determined this activity is exempt from the requirements of 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.

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 staff's opinion that the project, as proposed, is consistent with its use classification.

EXHIBIT:

- A. Location and Site Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

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 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.

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AUTHORIZATION:

Authorize issuance of a 10-year Recreational Pier Lease to David Mosher and Maureen Sheila Mosher, Trustees of the Mosher Family Trust, udt July 31, 2004, or any Successor Trustee, beginning August 22, 2010, for the continued use and maintenance of an existing boat dock as shown on Exhibit A attached and by this reference made a part hereof; no monetary consideration pursuant to Public Resources Code Section 6503.5; and liability insurance in the amount of no less than \$500,000.