

**CALENDAR ITEM  
C48**

A 72

02/21/14  
PRC 3170.1  
A. Franzoia

S 34

**GENERAL LEASE – RECREATIONAL USE**

**APPLICANT:**

Del Junco Children's Investments, LLC

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

Sovereign land located in the Main Channel of Huntington Harbour, adjacent to 16592 Somerset Lane, city of Huntington Beach, Orange County.

**AUTHORIZED USE:**

Use and maintenance of a boat dock, access ramp, and cantilevered deck extending no more than five feet waterward of the bulkhead.

**LEASE TERM:**

10 years, beginning February 21, 2014

**CONSIDERATION:**

Annual rent in the amount of \$1,958 with the State reserving the right to fix a different rent periodically during the lease term, as provided for in the lease.

**SPECIFIC LEASE PROVISIONS:**

**Insurance:**

Liability insurance in an amount no less than \$1,000,000 per occurrence.

**Other:**

No permanent roof or other enclosure will be constructed on the Lease Premises. Boats are prohibited from tying up to the channel side edge of the docks. Applicant agrees that any proposed use of the Lease Premises that includes an extension of the actual living quarters constitutes residential use and is prohibited.

**OTHER PERTINENT INFORMATION:**

1. Applicant owns the upland adjoining the lease premises.

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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 between the Commission and the Huntington Harbour Corporation, recorded as Sovereign Lands Location No. 34 dated December 22, 1960, and recorded on January 31, 1961, in Book 5611, Page 470, Official Records, Orange County, California. Projects, including new development or maintenance of existing facilities, extending into these Channels beyond the bulkhead line require a lease from the Commission pursuant to Public Resources Code section 6501.1. The Applicant's upland property is located along the Main Channel of Huntington Harbour.
3. On May 9, 1988, the Commission authorized issuance of Recreational Pier Permit No. PRC 3170.9 to Tirso del Junco (del Junco), for a period of 10 years, for use and maintenance of an existing boat dock. In 1998, staff encouraged del Junco to submit an application for a new lease. Del Junco was not responsive and staff was unable to secure a lease application. In January 2013, staff determined a change in ownership had occurred and contacted two of the new owners, Tirso del Junco, Jr. and Robert del Junco. In June 2013, the owners formed the Del Junco Children's Investments, LLC (Applicant). The Applicant is now applying for a new lease. A portion of the cantilevered deck and access ramp extend over the State's fee owned land in the Main Channel of Huntington Harbour and were not previously authorized by the Commission. Since the cantilevered deck and access ramp are existing and do not currently interfere with public trust needs at this location, staff is recommending that they be included in the lease.
4. The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).  
  
Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.
5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. Based upon

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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. Land Description
- B. Site and Location Map

**RECOMMENDED ACTION:**

It is recommended that the Commission:

**CEQA FINDING:**

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (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 section 6370 et seq.

**AUTHORIZATION:**

Authorize issuance of a General Lease – Recreational Use to Del Junco Children's Investments, LLC, for a term of 10 years, beginning February 21, 2014, for use and maintenance of an existing boat dock, access ramp, and cantilevered deck, as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; consideration to be annual rent in the amount of \$1,958, with the State reserving the right to fix a different rent periodically during the lease term, as provided for in the lease; liability insurance coverage in the amount of no less than \$1,000,000 per occurrence.

**EXHIBIT A**

**PRC 3170.1**

**LAND DESCRIPTION**

A parcel of submerged land in Huntington Harbour, in the City of Huntington Beach, Orange County, California, described as follows:

BEGINNING at the most northerly corner of Lot 34, as said lot is shown and so designated on that certain map of Tract No. 4677 filed in Book 168, Pages 14 through 18 of Miscellaneous Maps, Official Records of said County; thence along the northeasterly prolongation of the northwesterly line of said lot 60.00 feet to the pierhead line, as said pierhead line is described in Resolution No. 5908, passed and adopted August 1, 1988 by the City Council of said City; thence southeasterly along said pierhead line to the northeasterly prolongation of the southeasterly line of said lot; thence southwesterly along said northeasterly prolongation 60 feet to the most easterly corner of said lot; thence northwesterly along northeasterly line of said lot to the point of beginning.

**END OF DESCRIPTION**

Prepared 09/10/13 by the California State Lands Commission Boundary Unit



