

**CALENDAR ITEM  
C51**

A 72  
S 34

08/15/14  
W 26775  
A. Franzoia

**GENERAL LEASE-RECREATIONAL USE**

**APPLICANT:**

Roger J. Buffington and Debora L. Buffington

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

Sovereign land located in the Main Channel of Huntington Harbour, adjacent to 16892 Coral Cay Lane, Huntington Beach, Orange County.

**AUTHORIZED USE:**

Use and maintenance of an existing boat dock, access ramp, and cantilevered deck not previously authorized by the Commission.

**LEASE TERM:**

10 years, beginning August 15, 2014.

**CONSIDERATION:**

Annual rent in the amount of \$2,408, with an annual Consumer Price Index adjustment.

**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. Applicants agree 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. Applicants own the upland 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 between the Commission and the Huntington Harbour

CALENDAR ITEM NO. **C51** (CONT'D)

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 Applicants' upland property is located along the Main Channel of Huntington Harbour.

4. The boat dock, access ramp, and cantilevered deck have been in place for many years. The applicants are applying for a lease and staff recommends bringing the authorized facilities under lease.
5. 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.

6. 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 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).

CALENDAR ITEM NO. **C51** (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 section 6370 et seq.

**AUTHORIZATION:**

Authorize issuance of a General Lease-Recreational Use to Roger J. Buffington and Debora L. Buffington beginning August 15, 2014, for a term of 10 years, for the use and maintenance of a boat dock, access ramp, and cantilevered deck as described in Exhibit A and shown on Exhibit B attached and by this reference made a part hereof; consideration to be annual rent in the amount of \$2,408, with an annual Consumer Price Index adjustment; and liability insurance in an amount no less than \$1,000,000 per occurrence.

**EXHIBIT A**

**W 26775**

**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 easterly corner of Lot 32, as said lot is shown and so designated on that certain map of Tract No. 8040 filed November 22, 1974, in Book 350, Pages 27 through 37 of Miscellaneous Maps, Official Records of said County; thence along the northeasterly extension of the southeasterly line of said lot 60.00 feet to the pierhead line, as said pierhead line is described in Resolution No. 5197, passed and adopted December 6, 1982 by City Council of said City; thence northwesterly and parallel with the northeasterly line of said lot to the northeasterly extension of the northwesterly line of said lot; thence southwesterly along said northeasterly extension 60.00 feet to the most northerly corner of said lot; thence southeasterly along said northeasterly line of said lot to the point of beginning.

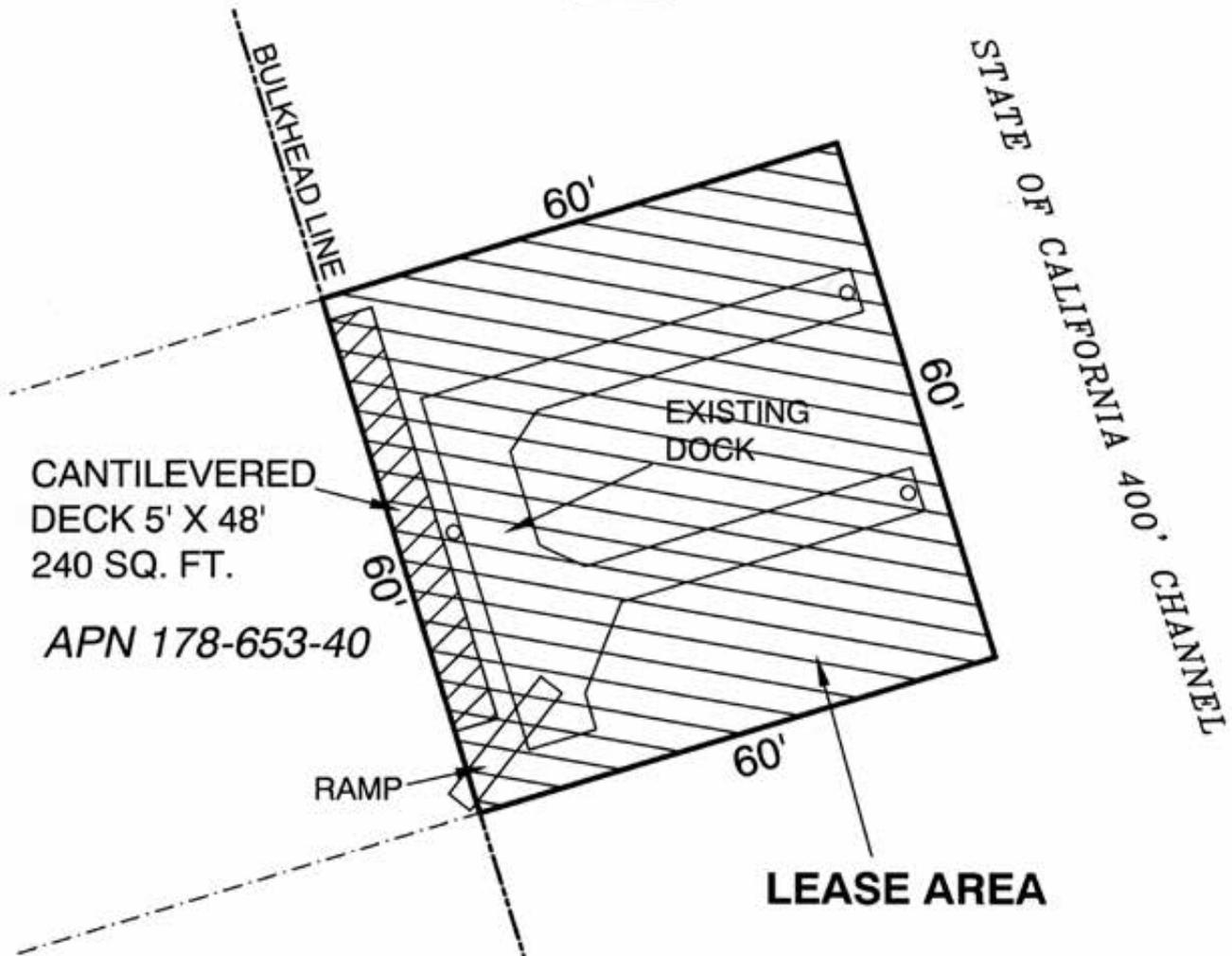
**END OF DESCRIPTION**

Prepared 07/15/14 by the California State Lands Commission Boundary Unit



NO SCALE

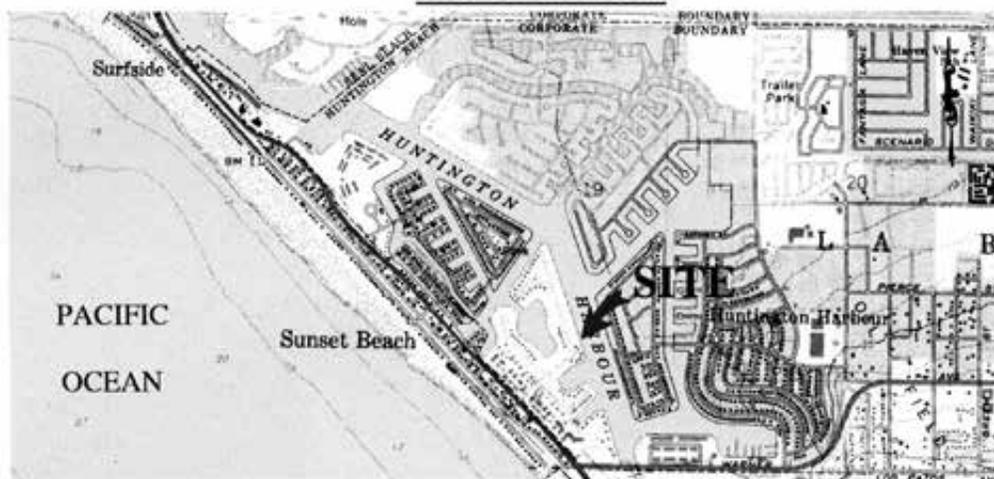
### SITE



16892 CORAL CAY LANE, HUNTINGTON HARBOUR

NO SCALE

### LOCATION



MAP SOURCE: USGS QUAD

### **Exhibit B**

W 26775  
 BUFFINGTON  
 APN 178-653-40  
 GENERAL LEASE -  
 RECREATIONAL USE  
 ORANGE COUNTY



TS 07/15/14

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.