

**CALENDAR ITEM
C72**

A 37
S 19

10/14/14
PRC 6822.1
K. Foster

GENERAL LEASE - PROTECTIVE STRUCTURE USE

APPLICANT:

Peter V. Sperling and Stephanie G. Sperling, Trustees of the 1461 Edgecliff Lane Trust, u/d/t 2/23/2005.

AREA, LAND TYPE, AND LOCATION:

0.009 acre, more or less, of sovereign land in the Pacific Ocean, adjacent to 1461 Edgecliff Lane, near the city of Santa Barbara, Santa Barbara County..

AUTHORIZED USE:

Continued use and maintenance of an existing rock riprap shoreline protective structure.

LEASE TERM:

10 years, beginning October 14, 2014.

CONSIDERATION:

\$4,050 per year, 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 PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.
2. On March 28, 1985, the Commission authorized the issuance of Lease No. PRC 6822.1, a General Permit – Protective Structure Use, to Edward M. Medvene for a 15-year term ending October 31, 1999.
3. The Applicants acquired the upland property in 2005 and are now applying for a General Lease – Protective Structure Use.

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,

CALENDAR ITEM NO. **C72** (CONT'D)

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

4. 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).

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 - Protective Structure Use to Peter V. Sperling and Stephanie G. Sperling, Trustees of the 1461 Edgecliff Lane Trust u/d/t 2/23/2005, beginning October 14, 2014, for a term of 10 years, for the continued use and maintenance of an existing rock riprap shoreline protective structure as described in Exhibit A and as shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; annual rent in the amount of \$4,050, with an annual Consumer Price Index adjustment; and liability insurance in an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 6822.1

LAND DESCRIPTION

A parcel of tide and submerged land in Santa Barbara County, California, said parcel lying immediately beneath rock riprap placed for bank protection and adjacent to the south line of Parcel B as shown on Parcel Map 11349 filed for record in Book 8 of Parcel Maps, Page 10, Santa Barbara County Records.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark.

END OF DESCRIPTION

PREPARED SEPTEMBER 27, 1984, BY BOUNDARY AND TITLE UNIT.

