MINUTE ITEM

This Calendar Item No. C3 was [illegible] Item No. 3 [illegible] 2 to 0 at its 6/23/83 meeting.

CALENDAR ITEM

C03

6/23/83
W 22957.1
Louie
PRC 6438

GENERAL LEASE - COMMERCIAL AND RECREATIONAL USE

APPLICANT: Santa Catalina Island Company
P. O. Box 737
Avalon, California 90704

AREA, TYPE LAND AND LOCATION:
Five parcels comprising a 0.748-acre parcel of tideland and submerged land at Isthmus Cove and Catalina Harbor, Santa Catalina Island, Los Angeles County.

LAND USE: Operation of commercial and recreational piers and barge landing facilities.

TERMS OF PROPOSED LEASE:

Initial period: 15 years from January 1, 1982.

Surety bond: $50,000.

Public liability insurance: Combined single limit coverage of $5,000,000.

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Special:

(1) The lease includes a provision that upon execution of the Lease, Lessee shall collect a loading/unloading fee from each carrier transporting passengers for hire or charter and loading or unloading passengers to or from the Isthmus Pier, or to or from boats, ships, vessels, or other transportation facilities on the lease premises. The fee shall be collected for each passenger loaded or unloaded, and shall apply whether or not the carrier is operating under authority granted by the Public Utilities Commission.

(2) The lease provides that should Lessee delegate management of the lease premises to Doug Bombard Enterprises, a California Corporation, the State approves such delegation provided that Doug Bombard Enterprises executes an appropriate document with the State agreeing to be bound by the provisions of this lease. The State shall also be provided with documentary evidence of the delegation by Lessee.

CONSIDERATION: $8,000 for the year beginning January 1, 1982.

Beginning January 1, 1983, annual rental shall be as follows:

Five percent of all gross income from sales of petroleum products including, but not limited to, gasoline, diesel and lubricating oil.

Twenty percent of all other gross income attributable to the lease premises.

The sum of the above percentages less a $10,000 minimum annual rental paid in advance each year.

The State reserves the right to fix a different rental on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:
Pursuant to 2 Cal. Adm. Code 2003.

PREREQUISITE TERMS, FEES AND EXPENSES:
Applicant is owner of upland.

Filing fee has been received.

STATUTORY AND OTHER REFERENCES:
A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884: 2/23/84.

OTHER PERTINENT INFORMATION:
1. The subject pier facilities were previously under Lease PRC 3639.1 dated October 27, 1966, issued to the Santa Catalina Island Company. Upon expiration of the aforesaid lease, a new Lease PRC 3639.1 was issued effective January 1, 1982, to the Santa Catalina Island Company and Santa Catalina Island Conservancy. The new Lease PRC 3639.1 excepts all tidelands and submerged lands in Isthmus Cove and Catalina Harbor lying beneath the existing pier facilities and ramps along with a ten-foot use area surrounding the piers. The Santa Catalina Island Company has made application for the pier and ramp areas so excepted.

Existing operations on these facilities include garbage collection, Harbor Master's Office, weather display station, boat repair, fuel sales, water reprovisioning, boat and ferry passenger

landing, docking of non-commercial, recreational vessels and vessels of Lessor or Lessor's employees, oil spill containment operations, and freight barge landing.

2. This project is exempt from CEQA because it is an existing facility and is exempt pursuant to 2 Cal. Adm. Code 2905, Class 1.

3. The project is situated on lands identified as possessing significant environmental values pursuant to P.R.C. 6370.1 and is classifed in a use category "A" which authorizes Restricted Use. The project as proposed will not have a significant effect upon the identified environmental values.

EXHIBITS: A. Description.
B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL DOCUMENT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH DOCUMENT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21084, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2905; AND FIND THAT THE PROJECT IS CONSISTENT WITH ITS USE CLASSIFICATION.

2. AUTHORIZE ISSUANCE TO SANTA CATALINA ISLAND COMPANY OF A 15-YEAR GENERAL LEASE - COMMERCIAL AND RECREATIONAL USE, FROM JANUARY 1, 1982, IN THE FORM ON FILE IN THE PRINCIPAL OFFICE OF THE STATE LANDS COMMISSION; IN CONSIDERATION OF $8,000 FOR THE YEAR BEGINNING JANUARY 1, 1982. BEGINNING JANUARY 1, 1983, ANNUAL RENTAL SHALL BE AS FOLLOWS: FIVE PERCENT OF ALL GROSS INCOME FROM SALES OF PETROLEUM PRODUCTS INCLUDING, BUT NOT LIMITED TO, GASOLINE, DIESEL AND LUBRICATING OIL. TWENTY PERCENT OF ALL OTHER GROSS INCOME ATTRIBUTABLE TO THE LEASE PREMISES. THE SUM OF THE ABOVE PERCENTAGES LESS A $10,000 MINIMUM ANNUAL RENTAL PAID IN ADVANCE EACH YEAR; WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF $5,000,000; PROVISION OF A $50,000 SURETY BOND FOR OPERATION OF COMMERCIAL AND RECREATIONAL PIERS AND BARGE LANDING FACILITIES ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF $5,000,000; PROVISION OF A $50,000 SURETY BOND FOR OPERATION OF COMMERCIAL AND RECREATIONAL PIERS AND BARGE LANDING FACILITIES ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

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EXHIBIT "A"

LAND DESCRIPTION W 22957.1

Two parcels of tide and submerged land in Isthmus Cove on Santa Catalina Island, Los Angeles County, California, described as follows:

PARCEL 1 (Isthmus Cove)

BEGINNING at a point on the centerline of an existing pier at its landward terminus having approximate geographical coordinates of 33° 26' 29.9" north latitude and 118° 29' 49.4" west longitude; thence the following 15 courses:

1. S 58° E 20 feet;
2. N 32° E 110 feet;
3. S 58° E 73 feet;
4. N 32° E 60 feet;
5. N 58° W 70 feet;
6. N 32° E 238 feet;
7. N 58° W 45 feet;
8. S 32° W 238 feet;
9. N 58° W 105 feet;
10. S 32° W 32 feet;
11. S 58° E 92 feet;
12. S 32° W 25 feet;
13. S 58° E 15 feet;
14. S 32° W 113 feet, and
15. S 58° E 20 feet to the point of beginning.

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

PARCEL 2 (Isthmus Barge Landing)

Said parcel lies 10 feet on each side of a centerline, the landward terminus of which is located at approximate geographical coordinates of 33° 26' 30.4" north latitude and 118° 29' 26" west longitude and extends northwesterly 40 feet therefrom.

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

Three parcels of tide and submerged land in Catalina Harbor on Santa Catalina Island, Los Angeles County, California, described as follows:

PARCEL 3 (Catalina Harbor Dinghy Dock Pier)

BEGINNING at a point on the centerline of an existing pier at its landward terminus having geographical coordinates of 33° 25' 05.4" north latitude and 118° 30' 09" west longitude; thence the following nine courses:

1. S 73° 45' E 13 feet;
2. S 16° 15' W 140 feet;
3. S 73° 45' E 3 feet;
4. S 16° 15' W 38 feet;
5. N 73° 45' W 32 feet;
6. N 16° 15' E 38 feet;
7. S 73° 45' E 3 feet;
8. N 16° 15' E 140 feet, and
9. S 73° 45' E 13 feet to the point of beginning.

EXCEPTING THEREFROM any lands validly patented as Tideland Location No. 197, Los Angeles County.

PARCEL 4 (Catalina Harbor Pier)

Said parcel 36 feet in width lies 18 feet on each side of a centerline extending S 06° W 192 feet along the centerline of an existing pier, the landward terminus of which has geographical coordinates of 33° 26' 55.8" north latitude and 118° 30' 25.15" west longitude.

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

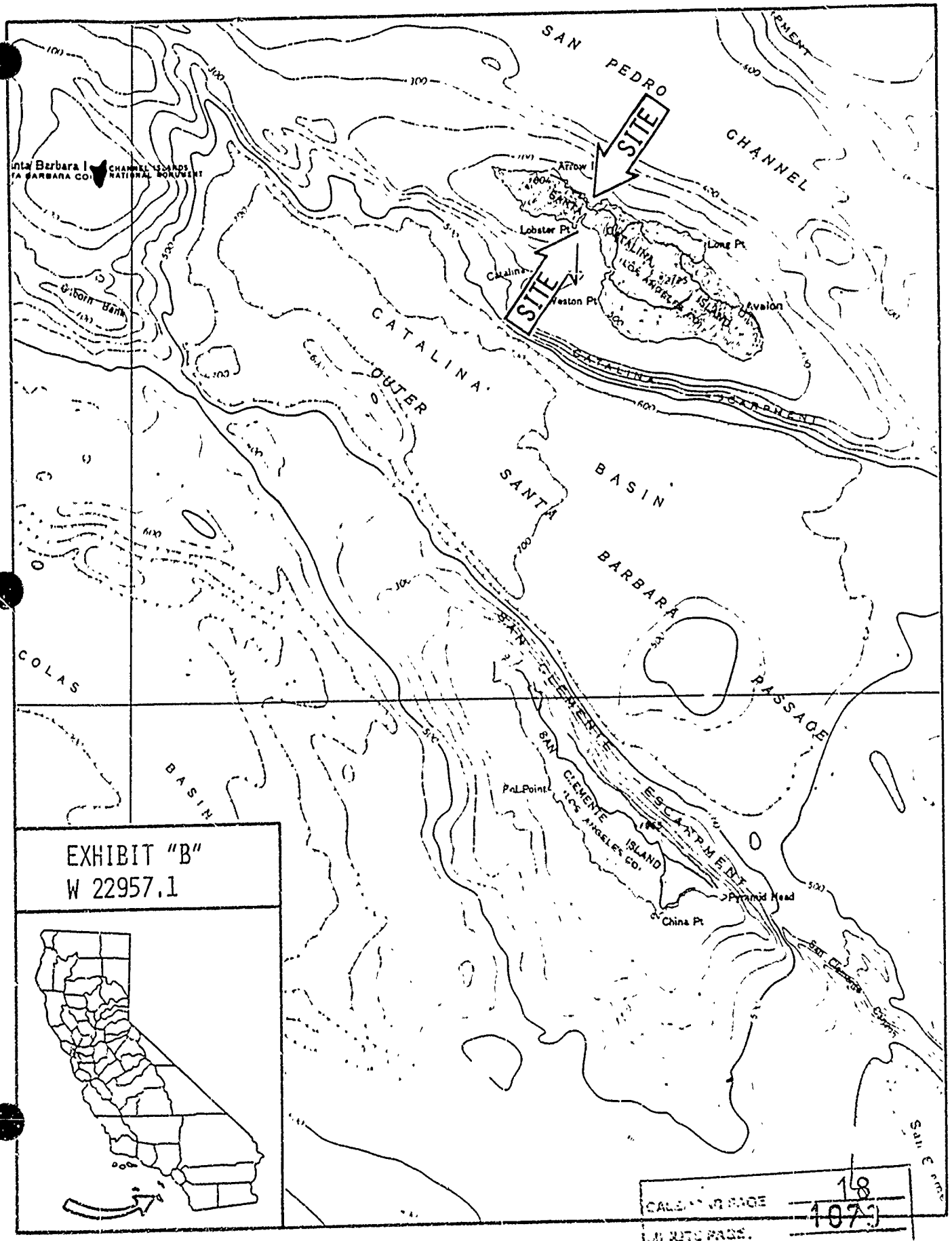
PARCEL 5 (Catalina Harbor Concrete Ramp)

Said parcel 30 feet wide lies 15 feet on each side of a centerline BEGINNING at a point having geographical coordinates of 33° 26' 55.4" north latitude and 118° 30' 28.15" west longitude; thence S 10° 30' E 85 feet.

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

END OF DESCRIPTION

REVISED JUNE 7, 1983 BY BOUNDARY AND TITLE UNIT, LEROY WEED, SUPERVISOR.


SAN PEDRO CHANNEL
SITE
SITE
Arrow I
Lobster Pt
Lone Pt
Catalina
Weston Pt
Avalon
CATALINA ISLAND
LOS ANGELES CO.
CATALINA ESCARPMENT
CATALINA OUTER SANTA BARBARA BASIN
COLAS BASIN
SAN CLEMENTE ESCARPMENT
SAN CLEMENTE ISLAND
LOS ANGELES CO.
Pal Point
China Pt
Pyramid Head
PASSAGE
N
EXHIBIT "B"
W 22957.1
CALIFORNIA
CHANNEL ISLANDS NATIONAL MONUMENT
Santa Barbara I.
SANTA BARBARA CO.
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