MINUTE ITEM

This Calendar Item No. C06 was approved as Minute Item No. 6 by the State Lands Commission by a vote of 3 to 0 at its 5/24/84 meeting.

CALENDAR ITEM

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C06

05/24/84
WP 5254
Lane
PRC 5254

APPROVAL OF A GENERAL LEASE -
PUBLIC AGENCY USE

APPLICANT: City of Trinidad and Robert Hallmark as co-lessees
P. O. Drawer "N"
Trinidad, California 95570

AREA, TYPE LAND AND LOCATION:
A 73.5 acre parcel of tide and submerged land at Trinidad Bay in the Pacific Ocean, Humboldt County.

LAND USE: For seasonal installation and maintenance of 400 anchored mooring buoys to provide anchorage for commercial and sport fishing boats.

TERMS OF PROPOSED LEASE:
Initial period: Five years from May 1, 1984.

Public liability insurance: combined single limit coverage of $300,000.

CONSIDERATION: $1,000 per annum; with the State reserving the right to fix a different rental on the first anniversary of the lease.

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

APPLICANT STATUS:
Robert Hallmark is owner of upland.

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: N/A.

OTHER PERTINENT INFORMATION:

1. The proposed lease is requested to replace expiring Lease PRC 5254.1, covering a 73.5 acre parcel of tide and submerged land in Trinidad Bay designated as a mooring buoy field by the United States Coast Guard. The former lease was issued solely to the City of Trinidad with Mr. Hallmark holding a sublease. However, Mr. Hallmark's situation has changed and he plans to sell the adjacent upland property which includes a fishing pier facility (PRC 745.1) that is inter-related with the buoy field. The City believes that by obtaining a joint leasehold interest with the owner it can retain the necessary control since much of the area's economy is based on the harbor and its related activities.

   Because the silver salman season has been closed for this year the anchorage demand will be reduced, therefore a lower rental rate was set with a one year rent review.

2. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. 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

3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA, as a

categorical exempt project. The project is exempt under Class 1 (existing facilities), 2 Cal. Adm. Code 2905.

Authority: P.R.C. 21084 and 14 Cal. Adm. Code 15300 and 2 Cal. Adm. Code 2905.

EXHIBITS:
A. Land Description.
B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1.. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061, AS A CATEGORICAL EXEMPT PROJECT, CLASS 1 (EXISTING FACILITIES), 2 CAL. ADM. CODE 2905.

2.. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.

3.. AUTHORIZE ISSUANCE TO THE CITY OF TRINIDAD AND ROBERT D. HALLMARK AS CO-LESSEES OF A FIVE-YEAR GENERAL LEASE - PUBLIC AGENCY USE FROM MAY 1, 1984, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF $1,000, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON THE FIRST ANNIVERSARY OF THE LEASE; PROVISION OF PUBLIC LIABILITY INSURANCE IN THE AMOUNT OF THE $300,000; FOR COMBINED SINGLE LIMIT COVERAGE; FOR SEASONAL INSTALLATION AND MAINTENANE OF 400 ANCHORED MOORING BUOYS, TO PROVIDE ANCHORAGE FOR COMMERCIAL AND SPORT FISHING BOATS ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

WP 5254

All that portion of Trinidad Bay, Humboldt County, California, adjacent to Fractional Section 26, T8N, R1W, HM, described as follows:

COMMENCING at Monument 2 at the intersection of East Street and View Avenue as shown on the Map of the City of Trinidad prepared by Larson and MacMillan in 1961 and on file with the City Engineer for the City of Trinidad, California, said monument being 535.69 feet North and 786.95 feet West from the Northeast corner of said Section 26 and running thence S 4° 28' 30" E along the southerly extension of the centerline of said View Avenue 730 feet, more or less, to the ordinary high water mark of Trinidad Bay and the POINT OF BEGINNING of the area herein described:

thence from said point of beginning westerly and southerly following said ordinary high water mark to its southern most point on Trinidad Head;

thence northeasterly along a straight line 1600 feet more or less to the ordinary high water mark on the southern most point on Prisoner Rock

thence East 1850 feet, more or less, to the southerly extension of the east line of fractional Section 26;

thence North along said east line 1350 feet, more or less, to the ordinary high water mark of Trinidad Bay;

thence northwesterly along said ordinary high water mark 800 feet, more or less, to the point of beginning.

EXCEPTING THEREFROM:

1. Any portion of the above described lands lying landward of the ordinary high water mark.

2. Those tide and submerged lands described in that certain lease to Robert Hallmark, Executor of the estate of Neva Hallmark, filed under State Lands Commission lease P745.

3. Those tide and submerged lands identified as EXHIBIT "A" dated June 9, 1976 filed in W21053 in the office of the State Lands Commission, further described as follows:

A parcel of tide and submerged land lying in the bed of the Pacific Ocean, within Trinidad Bay, Humboldt County, State of California, said parcel also being within protracted Section 26, T8N, R1W, HM, and more particularly described as follows:

COMMENCING at an iron pipe designated "22" as shown on the Record of Survey filed for record in Book 19 of Surveys at page 126, records of said county, said iron pipe also lying within the intersection of Van Wycke Street and Galindo Street as shown on said map; thence S 05° 05' 56" E a distance of 295.39 feet to the POINT OF BEGINNING; thence S 64° 30' E a distance of 248.75 feet; thence S 25° 30' W a distance of 120.00 feet; thence N 64° 30' W a distance of 248.75 feet; thence N 25° 30' E a distance of 120.00 feet to the point of beginning.

END OF DESCRIPTION

REVIEWED APRIL 5, 1984 BY BOUNDARY AND TITLE UNIT, LEROY WEED SUPERVISOR.

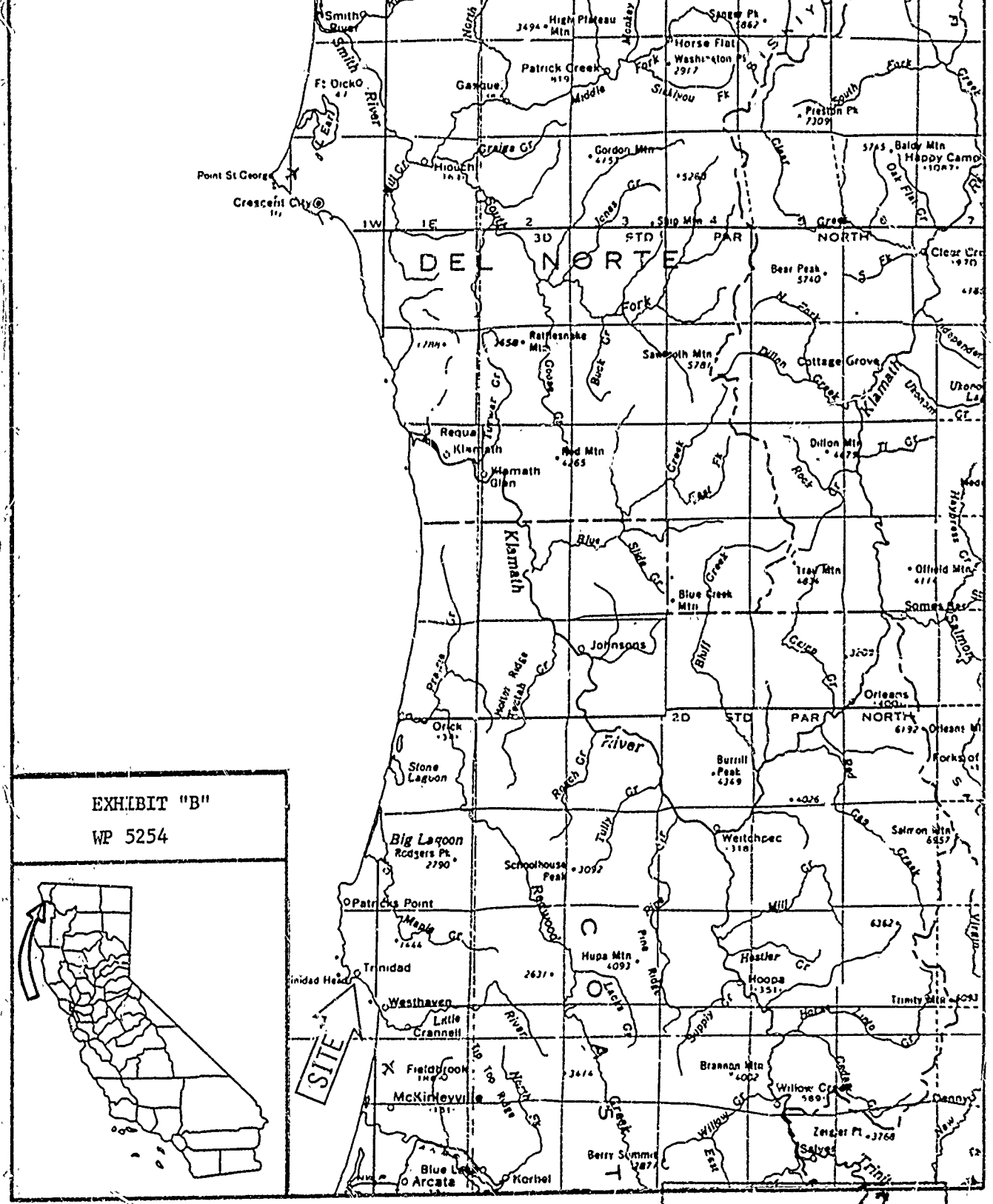

EXHIBIT "B"

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