

MINUTE ITEM

This Calendar Item No. 17
was approved as Minute Item
No. 17 by the State Lands
Commission by a vote of 3
to 0 at its 5/24/84
meeting.

CALENDAR ITEM

A 58

17

05/24/84
W 23004
Louie
Sekelsky

S 27

DENIAL OF APPLICATION

APPLICANT: City of Avalon
P. O. Box 707
Avalon, California 90704

BACKGROUND: I. The City of Avalon has applied for a lease of 10.356-acres of submerged land in Hamilton Cove, Santa Catalina Island. The parcel is immediately adjacent to lands which have been granted to the City for administration.

The application requests authorization to install up to 61 moorings. The City proposes to make the mooring site subleases available to the general public on a first come-first served basis and would first utilize the waiting list currently maintained for Avalon Harbor. The potential sublessees would be required to install and maintain their own mooring and would be required to pay a yearly lease fee consistent with the City's code as well as a daily use fee for each day the mooring is utilized by the Sublessee. The City has further proposed that there would be no tie-in to any upland development as far as the area under State lease is concerned.

II. The City has entered into an agreement with Hamilton Cove, a California general partnership, a joint venture composed of Daon Corporation, a Delaware Corporation, and Peninsula Cove Corporation, a California Corporation (hereinafter referred to as "the Partnership"), for installation of moorings on the adjacent granted lands. The Partnership is the developer of 330 condominiums on the uplands adjacent to Hamilton Cove. The sale prices of the condominiums have been advertised at \$199,000 to \$1.2 million.

The agreement provides that the Partnership will install and maintain 52 moorings. On a daily basis, the Partnership has the right to reserve up to 39 moorings for its use and that of its guests. Those moorings not reserved by the Partnership for any given day may be assigned by the City to the general public. The remaining 13 moorings will be available at all times to the general public on a daily basis. The Partnership is required to pay an annual fee for all 52 moorings as well as a daily use fee for the moorings utilized by the Partnership. The agreement will expire on March 19, 1992.

III. The City plans to operate, patrol and manage the moorings on the granted and ungranted lands as a single unitized operation. The Negative Declaration circulated by the City covers the entire project located on granted and ungranted lands. In discussions with staff, the City has indicated that it wishes to further negotiate the rental and construction limiting dates proposed by staff. Due to time constraints, the staff recommends denial of the application without prejudice to the City's right to reapply.

(Revised 5/23/84)

CALENDAR ITEM NO. 17 (CONT'D)

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 CEQA because it involves public agency disapproval of a project.

Authority: P.R.C. 21080(o)(5) and
14 Cal. Adm. Code 15270.

AB 884: 06/22/84 (x 90).

EXHIBIT: A. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 BECAUSE IT INVOLVES PUBLIC AGENCY DISAPPROVAL OF A PROJECT AS DEFINED IN P.R.C. 21080(b)(5) AND 14 CAL. ADM. CODE 15270.
2. DENY THE APPLICATION SUBMITTED BY THE CITY OF AVALON FOR A LEASE OF STATE LAND AT HAMILTON COVE WITHOUT PREJUDICE TO ANY FUTURE APPLICATION SUBMITTED BY THE CITY.

(Revised 5/23/84)

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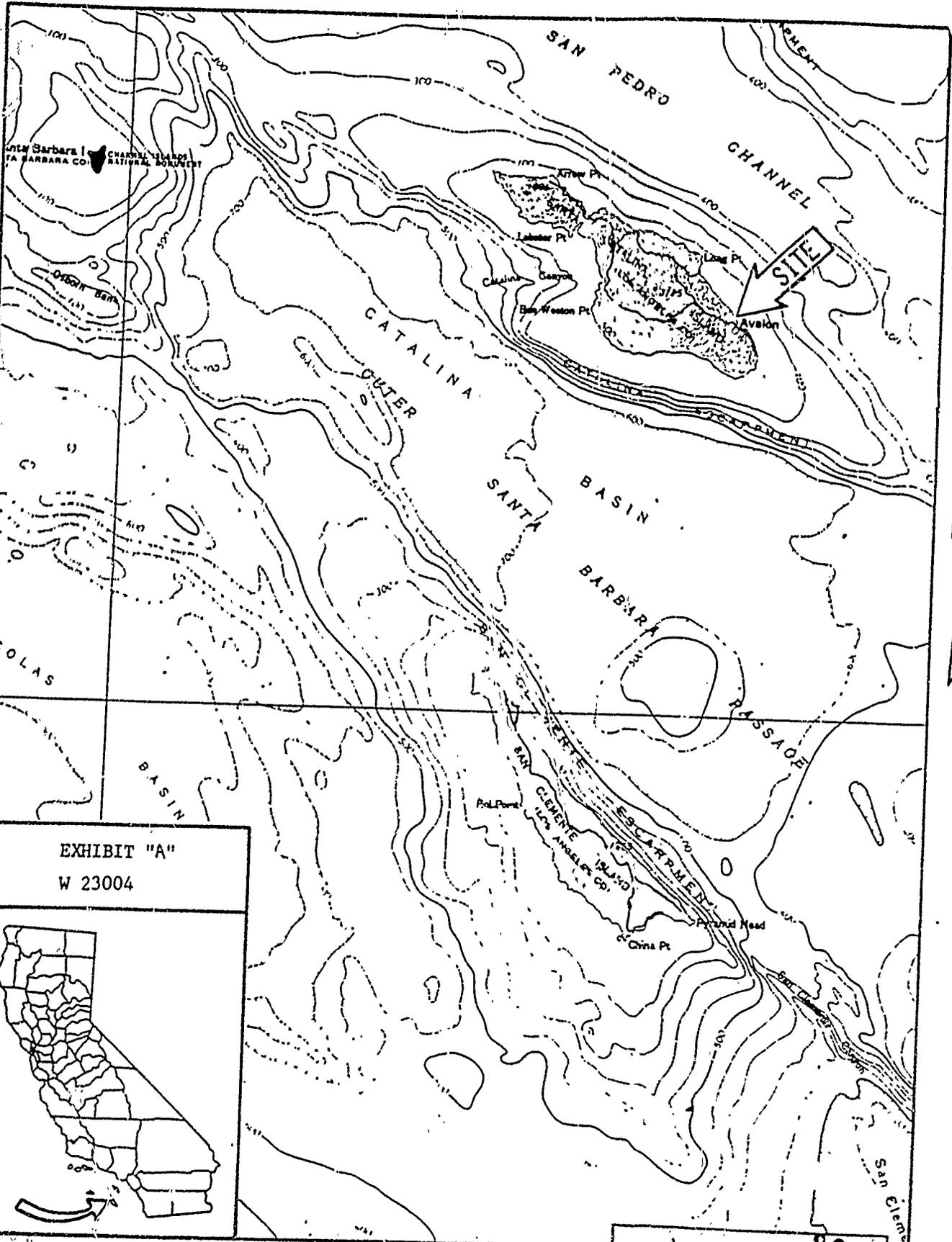


EXHIBIT "A"
W 23004



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