MINUTE ITEM

This Calendar Item No. 15 was approved as Minute Item No. 15 by the State Lands Commission by a vote of 2 to 0 at its 3/27/86 meeting.

CALENDAR ITEM

A 58

15

03/27/86
WP 4193
WP 4626
Louie
J. Sekelsky

S 29

ACCEPTANCE OF RENTAL FOR TIDE AND SUBMERGED LANDS
PREVIOUSLY INCLUDED IN LEASES PRC 4193 AND PRC 4626
GENERAL LEASE - INDUSTRIAL USE

APPLICANT: Connolly-Pacific Company
1925 Water Street
Long Beach, California 90802

AREA, TYPE LAND AND LOCATION:
Six parcels totalling 4.414 acres of tide and submerged land in the Pacific Ocean near Jewfish Point and Empire Landing, Santa Catalina Island, Los Angeles County.

LAND USE: Six moorings for barge and tugboat tie-ups.

TERMS OF ORIGINAL LEASE PRC 4193:

Initial period: Six years, ten months, 16 days beginning January 4, 1974.

Surety bond: $1,000.

Public liability insurance: Combined single limit coverage of $1,000,000.

Consideration: $550 per annum; five-year rent review.

TERMS OF ORIGINAL LEASE PRC 4626.

Initial period: Five years beginning November 19, 1980.

Surety bond: $1,000.

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

Consideration: $550 per annum; five-year rent review.

PROPOSED CONSIDERATION: $7,840, CALCULATED AS FOLLOWS:
A negotiated rental of $1,500 per annum for tide and submerged lands previously included in PRC 4193, prorated for the period November 20, 1980 through December 31, 1985; and a negotiated rental of $1,500 per annum for the tide and submerged lands previously included in PRC 4626, prorated for the period November 20, 1985 through December 31, 1985.

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

APPLICANT STATUS:
Applicant is lessee 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. Lease PRC 4193 at Jewfish Point expired on November 19, 1980. In the process of negotiating a new lease with Connolly-Pacific, the staff discovered that tide and submerged lands had been filled at Jewfish Point and Empire Landing as well as at other sites at Santa Catalina Island. There is a dispute as to the extent and ownership of these filled lands between the State and the Santa Catalina Island Company, owner of the adjacent upland, from whom Connolly-Pacific leases the quarry site. Lease PRC 4626 at Empire Landing expired November 19, 1985.

In addition, the City of Avalon and County of Los Angeles have been conducting a feasibility study for construction of a commercial airport on the island which included consideration of Jewfish Point as a possible site. The staff has been informed that the City does not plan further consideration of Jewfish Point as an airport site.

2. Processing a lease for Connolly-Pacific has been held in abeyance during the title and boundary studies and determination by the City and County of airport site feasibility.

3. This negotiated rental covers use of the sites under PRC 4193 from November 20, 1980 through December 31, 1985 and under PRC 4626 from November 20, 1985 through December 31, 1985. Beginning January 1, 1986 the two Leases will be combined into one new lease which is being negotiated and will be considered in another Commission action.

4. Because delays in processing a new lease for the moorings have been due to title and boundary disputes between the State and the Santa Catalina Island Company, the staff recommends that penalty and interest be waived on rental for the period through December 31, 1985.

5. 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 because there is no possibility that this activity may have a significant effect on the environment.

   Authority: P.R.C. 21084 and 14 Cal. Adm. Code 15061(b)(3).

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(b)(3), BECAUSE THERE IS NO POSSIBILITY THAT THIS ACTIVITY MAY HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.

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 ACCEPTANCE OF $7,840 FROM CONNOLLY-PACIFIC COMPANY AS CONSIDERATION FOR THE USE OF SITES PREVIOUSLY LEASED UNDER PRC 4193 FROM NOVEMBER 20, 1980 THROUGH DECEMBER 31, 1985 AND UNDER PRC 4626 FROM NOVEMBER 20, 1985 THROUGH DECEMBER 31, 1985 FOR MAINTENANCE OF SIX MOORING BUOYS FOR USE AS BARGE AND TUGBOAT TIE-UPS ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

4. WAIVE PENALTY AND INTEREST ON RENTAL FOR THE ABOVE PERIODS.

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EXHIBIT "A"

LAND DESCRIPTION

WP 4193

Four parcels of tide and submerged land near Jewfish Point, Santa Catalina Island, Los Angeles County, California, said parcels being more particularly described as follows:

PARCEL 1

BEGINNING at a point having coordinates of N = 3,864,340 and E = 4,196,240; thence S 68° 49' 07" W, 214.49 feet; thence S 74° 03' 17" W, 72.80 feet; thence N 0° 00' 00" E, 195.00 feet; thence S 74° 03' 17" E, 72.80 feet; thence S 68° 49' 07" E, 214.49 feet to the point of beginning.

PARCEL 2

BEGINNING at a point having coordinates of N = 3,864,050 and E = 4,196,320; thence S 70° 10' 39" W, 228.54 feet; thence S 74° 03' 17" W, 72.80 feet; thence N 00° 00' 00" E, 195.00 feet; thence S 74° 03' 17" E, 72.80 feet; thence S 70° 10' 39" E, 228.54 feet to the point of beginning.

PARCEL 3

A circular parcel of submerged land 164 feet in diameter, the center of said circle having coordinates of N = 3,864,280 and E = 4,197,460.

PARCEL 4

A circular parcel of submerged land 164 feet in diameter, the center of said circle having coordinates of N = 3,862,730 and E = 4,197,210.

This description is based on the California Coordinate System, Zone 7.

END OF DESCRIPTION

REVISED JANUARY 31, 1985 BY BOUNDARY SERVICES UNIT, M. L. SHAFER, SUPERVISOR.

EXHIBIT "A"

LAND DESCRIPTION WP 4626

Two circular parcels of submerged land in San Pedro Channel, both having a radius of 150 feet, situate southeasterly of Blue Cavern Point, Santa Catalina Island, Los Angeles County, State of California, described as follows:

The radius points of the two circular parcels being the following bearings and distances from the USC & GS Station "QUARRY, 1933", Latitude 33° 26' 24".782, Longitude 118° 27' 43".281:

1. S 60° 55' E 1,980 feet;
2. S 60° 30' E 1,905 feet, EXCEPTING any portion within Parcel 1.

END OF DESCRIPTION

LICENSED LAND SURVEYOR DAVID SCHUMANN #LS. 4017 STATE OF CALIFORNIA

Prepared M L Chap Checked D Schumann

Reviewed _____ Date 4-23-79

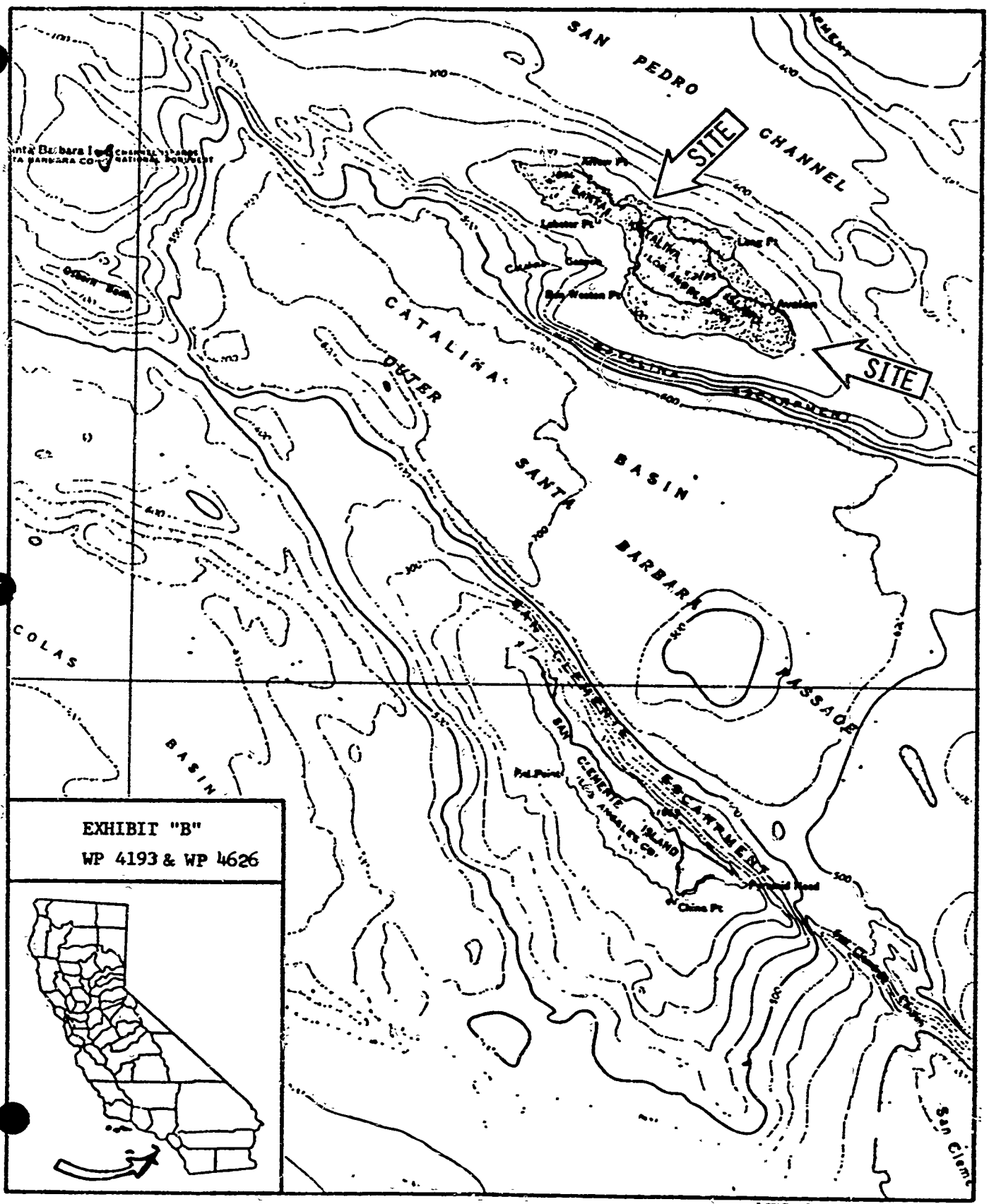

EXHIBIT "B"
WP 4193 & WP 4626