

MINUTE ITEM
This Calendar Item No. C10
was approved as Minute Item
No. 10 by the State Lands
Commission by a vote of 3
to 0 at its 3/23/89
meeting.

CALENDAR ITEM

A 58
S 29

C10

03/23/89
PRC 7030.1
Louie
J. Sekelsky

APPROVAL OF SUBLEASE

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

SUBLESSEE: L. G. Everist, Inc.
c/o Connolly-Pacific Company
1925 Water Street, Berth 39
Long Beach, California 90802

AREA, TYPE LAND AND LOCATION:
Thirty (30) acres filled tide and submerged
land at Jewfish Point and Empire Landing,
Santa Catalina Island, Los Angeles County.

LAND USE: Existing facilities necessary to support rock
quarry operations.

TERMS OF PERMIT PRC 7030:
Initial period: 49 years beginning January 1,
1987.
Surety bond: \$100,000.
Public liability insurance: Combined single
limit coverage of \$5,000,000.
Consideration: \$10,710 per annum; five-year
rent review.

CALENDAR ITEM NO. C10 (CONT'D)

STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
 - B. Cal. Code Regs.: Title 2, Div. 3;
Title 14, Div. 6.
- AB 884: N/A.

BACKGROUND:

On December 23, 1986, the State Lands Commission approved a Boundary Line Agreement with the Santa Catalina Island Company (SCI Co.) which would result in the State having clear title to a total of 30 acres of filled tide and submerged land at Jewfish Point and Empire Landing. The Commission also approved a 49-year lease to the SCI Co., beginning January 1, 1987, for the 30 acres to which the State was receiving clear title.

Prior to Commission approval of the Boundary Line Agreement, the SCI Co. had entered into an agreement with L. G. Everist, Inc. for quarrying operations which included the 19-acre parcel at Jewfish Point and the 11-acre parcel at Empire Landing, that subsequently came under State lease PRC 7030.1.

The quarry operations cover approximately 208± acres at Jewfish Point and 218± acres at Empire Landing. There is no extraction or mining activity on the State's parcels. Materials extracted from adjacent uplands are carried by truck across the State's parcels to an existing loading facility, where they are transferred to barges for transportation to the mainland. The current agreement (called "the Quarrying Agreement") with L. G. Everist is for a term of five years beginning January 1, 1986. Annual rental is based on a royalty for extracted rock with a minimum royalty of \$50,000 per year. Insurance required under the SCI Co.'s agreement with L. G. Everist is \$500,000 per occurrence for bodily injury and \$300,000 for property damage.

SCI Co. has also entered into an Extension Option Agreement dated February 9, 1988 which gives L. G. Everist two additional options to extend the quarrying agreement through December 31, 2005.

CURRENT SITUATION:

Lease PRC 7030 provides that all subleases must be approved by the State Lands Commission. Commission staff recommends approval of the sublease in the form of the aforementioned

CALENDAR ITEM NO. **C10** (CONT'D)

Quarrying Agreement and Extension of Option Agreement between Santa Catalina Island Company and L. G. Everist, Inc.

In the event there is a conflict between the State lease and Lessee's sublease, the State lease shall be controlling.

OTHER PERTINENT INFORMATION:

1. This activity involves lands which have not been identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. However, the Commission has declared that all tide and submerged lands are "significant" by nature of their public ownership (as opposed to "environmental significant"). Since such declaration of significance is not based upon the requirements and criteria of P.R.C. 6370, et seq., use classifications for such lands have not been designated. Therefore, the finding of the project's consistency with the use classification as required by 2 Cal. Code Regs. 2954 is not applicable.
2. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities, 14 Cal. Adm. Code 15301.

Authority: P.R.C. 21084 and 14 Cal. Code Regs. 15300.

Authority: P.R.C. 21065 and 14 Cal. Code Regs. 15301.

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. CODE REGS. 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES, 14 CAL. CODE REGS. 15301.

CALENDAR ITEM NO. C10 (CONT'D)

2. AUTHORIZE APPROVAL OF THE SUBLEASE SUBSTANTIALLY IN THE FORM OF THE QUARRYING AGREEMENT AND EXTENSION OF OPTION AGREEMENT DATED FEBRUARY 9, 1988 BETWEEN SANTA CATALINA ISLAND COMPANY AND L. G. EVERIST, INC., ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION, FOR MAINTENANCE OF EXISTING FACILITIES NECESSARY TO SUPPORT ROCK QUARRY OPERATIONS ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

PRC 7030.1

JEWFISH POINT

A parcel of filled tide and submerged land on Santa Catalina Island within and adjoining Lot 3, of L.A.C.A. Map No. 59, recorded February 28, 1952, in Book 1, Page 7 of Assessor's Maps, Los Angeles County, California, described as follows:

Commencing at the corner common to Lots 2, 3 and 5 of the above mentioned map, being U.S.C. & G.S. Station EAST MOUNTAIN, having California Coordinates System, Zone 7 coordinates of X = 4,191,587.15 feet, Y = 3,864,237.97 feet N.A.D. 27; thence along the line common to Lots 3 and 5, S 00°03'53" W (shown as South on the above mentioned map) 2300.06 feet, to the southwesterly corner of Lot 3; thence along the southerly line of Lot 3 S 89°56'07" E (shown as East on the above mentioned map) 4045.00 feet to the POINT OF BEGINNING; thence leaving the southerly line of Lot 3 the following courses:

1. N 08°19'05" E 279.60 feet;
2. N 03°00'46" E 190.26 feet;
3. N 05°42'38" W 100.50 feet;
4. N 08°07'48" W 141.42 feet;
5. N 13°34'14" W 149.16 feet;
6. N 02°53'55" W 395.51 feet;
7. N 01°18'07" W 220.06 feet;
8. N 17°31'32" E 199.25 feet;
9. N 18°26'06" E 252.98 feet;
10. N 1°32'05" E 250.05 feet;
11. N 01°00'18" E 285.04 feet;
12. N 01°23'50" W 205.06 feet;
13. N 01°21'50" E 210.06 feet;
14. N 00°47'45" W 360.03 feet;
15. N 49°38'08" E 131.24 feet;
16. N 53°07'48" W 50.00 feet;
17. N 54°27'44" W 86.02 feet;
18. N 18°26'06" W 63.25 feet;
19. N 36°52'12" W 250.00 feet;
20. N 44°11'35" W 251.05 feet;
21. N 36°52'12" W, 75.00 feet to a point that bears N 67°36'59" E, 4101.91 feet from said USC&GS station EAST MOUNTAIN, and the corner common to Lots 2, 3 and 5 of the above mentioned map; thence;

JEWFISH POINT (con't)

22. N 17°06'10" W, 272.00 feet, thence;
23. N 90°00'00" E 10 feet more or less to the mean high water line of the Pacific Ocean, thence;
24. Southerly along the mean high water line to a point that bears S 89°56'07" E from the point of beginning, thence;
25. N 89°56'07" W to the point of beginning.

EXCEPTING THEREFROM those interests, if any, which may have passed by virtue of Lease P.R.C. 4193.

END OF DESCRIPTION

REVISED MARCH 7, 1989 BY BIU 1.

CALENDAR PAGE	63
MINUTE PAGE	748

EMPIRE LANDING

A parcel of filled tide and submerged land on Santa Catalina Island within and adjoining Lot 85, of L.A.C.A. Map No. 59, recorded February 28, 1952, in Book 1, page 7 of Assessor's Map, Los Angeles County, California, described as follows:

BEGINNING at a point on the mean high water line of the Pacific Ocean that bears N 79°22'49" E from a point, referred to as Point A, that bears N 76°38'43" E, 1,594.99 feet from USC&GS Station CLIFF 2, having California Coordinate System Zone 7 coordinates of X = 4,148,092.46 feet, Y = 3,906,359.57 feet; said point also being the corner common to Lots 83, 84 and 85 of the above mentioned map; thence from said point of beginning the following courses:

1. S 79°22'49" W 61.39 feet; to the above described Point A.
2. S 86°09'12" W 44.42 feet;
3. N 84°17'22" W 100.50 feet;
4. N 60°56'43" W 102.96 feet;
5. N 45°58'16" W 208.63 feet;
6. N 49°45'49" W 255.44 feet;
7. N 33°16'30" W 191.38 feet;
8. N 66°22'14" W 174.64 feet;
9. N 83°33'30" W 311.97 feet;
10. N 64°13'50" W 161.01 feet;
11. N 63°26'06" W 145.34 feet;
12. N 45°00'00" W 325.27 feet;
13. N 35°45'14" W 154.03 feet;
14. N 18°56'47" W 354.19 feet;
15. N 24°26'38" W 241.66 feet;
16. N 29°03'17" W 102.96 feet;
17. N 49°45'49" W 85.15 feet;
18. N 09°27'44" W 121.66 feet;
19. N 36°52'12" W 75.00 feet;
20. N 73°18'03" W 52.20 feet;
21. S 71°33'54" W 158.11 feet;
22. S 84°05'38" W 145.77 feet;
23. S 72°07'17" W 162.86 feet;
24. N 84°17'22" W 150.75 feet;
25. N 61°41'57" W 147.65 feet;
26. N 88°05'27" W 150.08 feet;
27. N 38°39'35" W 96.05 feet;
28. N 34°59'31" W 61.03 feet;
29. N 29°58'54" W 150.08 feet;
30. N 46°58'30" W 205.18 feet;
31. N 59°02'10" W 291.55 feet;

EMPIRE LANDING (con't)

32. N 71°04'31" W 185.00 feet;
33. N 75°10'25" W 175.86 feet;
34. N 86°30'05" W 125.40 feet;
35. N 78°41'24" W 101.98 feet;
36. S 03°05'20" W 166.21 feet;
37. S 56°18'36" W 234.36 feet;
38. N 63°26'06" W 89.44 feet;
39. S 85°25'34" W, 125.40 feet to a point that bears S 49°59'15" E, 2749.93 feet from USC&GS station CHANNEL, said station having Zone 7 coordinates X = 4,142,768.82, Y = 3,911,088.09; said point also being on the westerly line of Lot 85 from which the corner common to Lots 84, 85 and 86 bears S 02°24'24" W (shown as S 02°20'27" W on the above mentioned map) 2744.28 feet; thence;
40. N 62°06'10" W, 77 feet, more or less to the mean high water line of the Pacific Ocean, thence;
41. Southeasterly along the mean high water line to the point of beginning.

EXCEPTING THEREFROM those interests, if any, which may have passed by virtue of Lease P.R.C. 4193 (formerly P.R.C. 4626).

Coordinates, bearings and distances used in the above two parcels are based on the California Coordinate System, Zone 7, 1927 N.A.D.

END OF DESCRIPTION

REVISED MARCH 7, 1989 BY BIU 1.

0468b

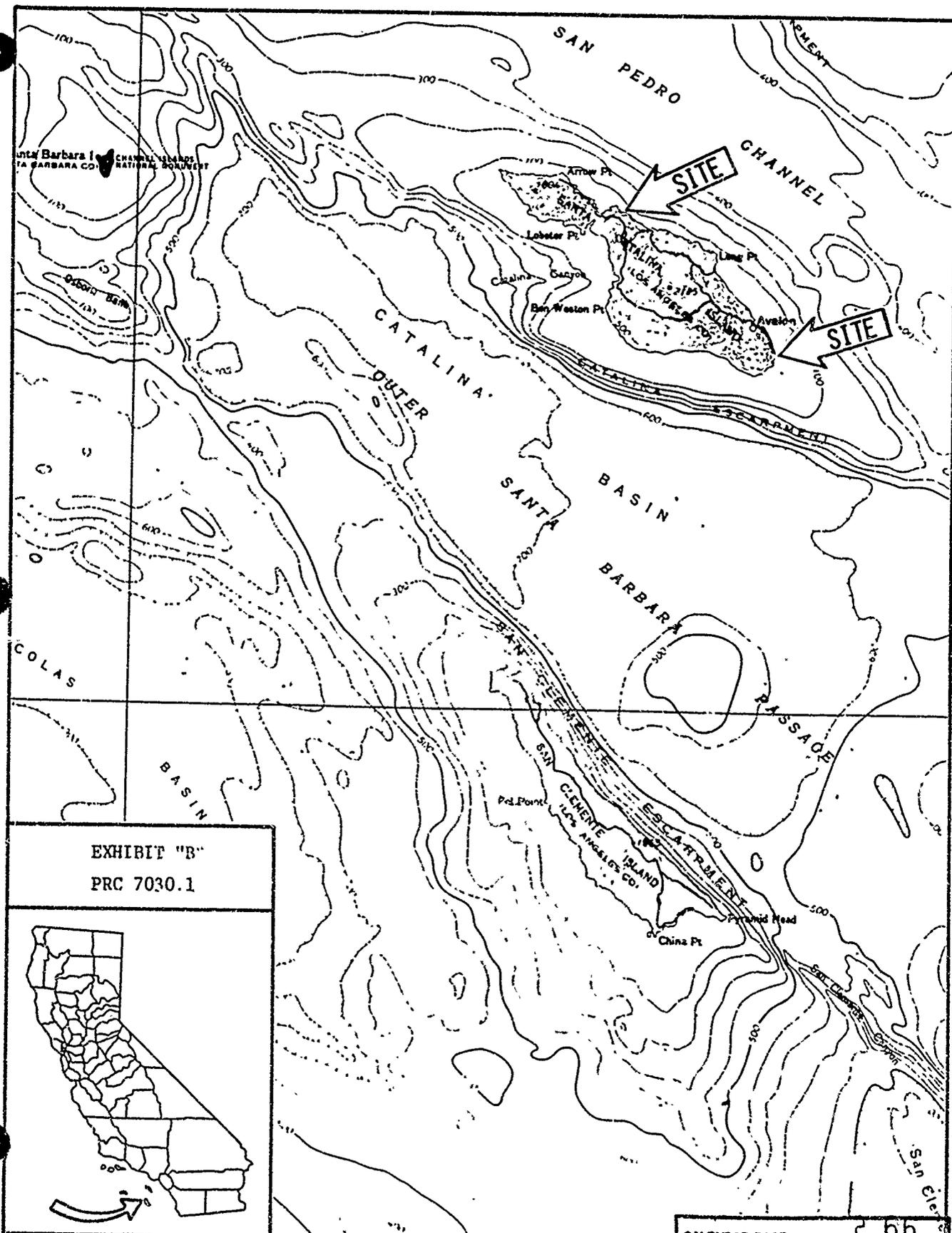


EXHIBIT "B"
 PRC 7030.1



CALENDAR PAGE	266
MINUTE PAGE	751