

CALENDAR ITEM
C23

MINUTE ITEM
This Calendar Item No. C23
was approved as Minute Item
No. 23 by the State Lands
Commission by a vote of 3
to 0 at its 02/12/97
meeting.

A 35

S 18

02/12/97

PRC 6411 WP 6411.1

B. Dugal

GENERAL LEASE - RECREATIONAL USE

LESSEE:

Newport Harbor Yacht Club
720 West Bay Avenue
Balboa, California 92661

AREA, LAND TYPE, AND LOCATION:

0.11 acres, more or less, of sovereign lands in Moonstone Cove, Santa Catalina Island, Los Angeles County.

AUTHORIZED USE:

Continued use and maintenance of existing recreational facilities which consist of a pier, ramp and float.

LEASE TERM:

Ten years, beginning January 1, 1997.

CONSIDERATION:

\$1,005 per annum; with the State reserving the right to fix a different rent periodically during the lease term.

The recommended rent is based on adjustment of the prior rent by application of the Consumer Price Index (CPI). Application of the CPI to adjust rents at this time is an interim measure necessitated by budget constraints and resultant losses in staff, and does not obligate the Commission to use the CPI to adjust rents other than as specifically set forth herein.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance: Combined single limit coverage of \$3,000,000.

OTHER PERTINENT INFORMATION:

1. Applicant has a right to use the uplands adjoining the lease premises.

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2. Newport Harbor Yacht Club has submitted an application to replace an existing General Lease - Recreational Use, which expired December 31, 1996. The replacement lease provides for the continued use of sovereign lands for the use and maintenance of a pier, ramp, and float in Moonstone Cove, Santa Catalina Island.

3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 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, Title 2, California Code of Regulations, section 2905(a)(2).
Authority: Public Resources Code, section 21084, and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 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.

EXHIBITS:

- A. Location Map
- B. Land Description

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES. TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905(a)(2).

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SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO NEWPORT HARBOR YACHT CLUB, A TEN-YEAR GENERAL LEASE - RECREATIONAL USE, EFFECTIVE JANUARY 1, 1997; ANNUAL RENT IN THE AMOUNT OF \$1,005, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, PROVISION OF LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$3,000,000, FOR THE CONTINUED USE AND MAINTENANCE OF RECREATIONAL FACILITIES CONSISTING OF A PIER, RAMP, AND FLOAT, ON THE LAND DESCRIBED ON EXHIBIT "B" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

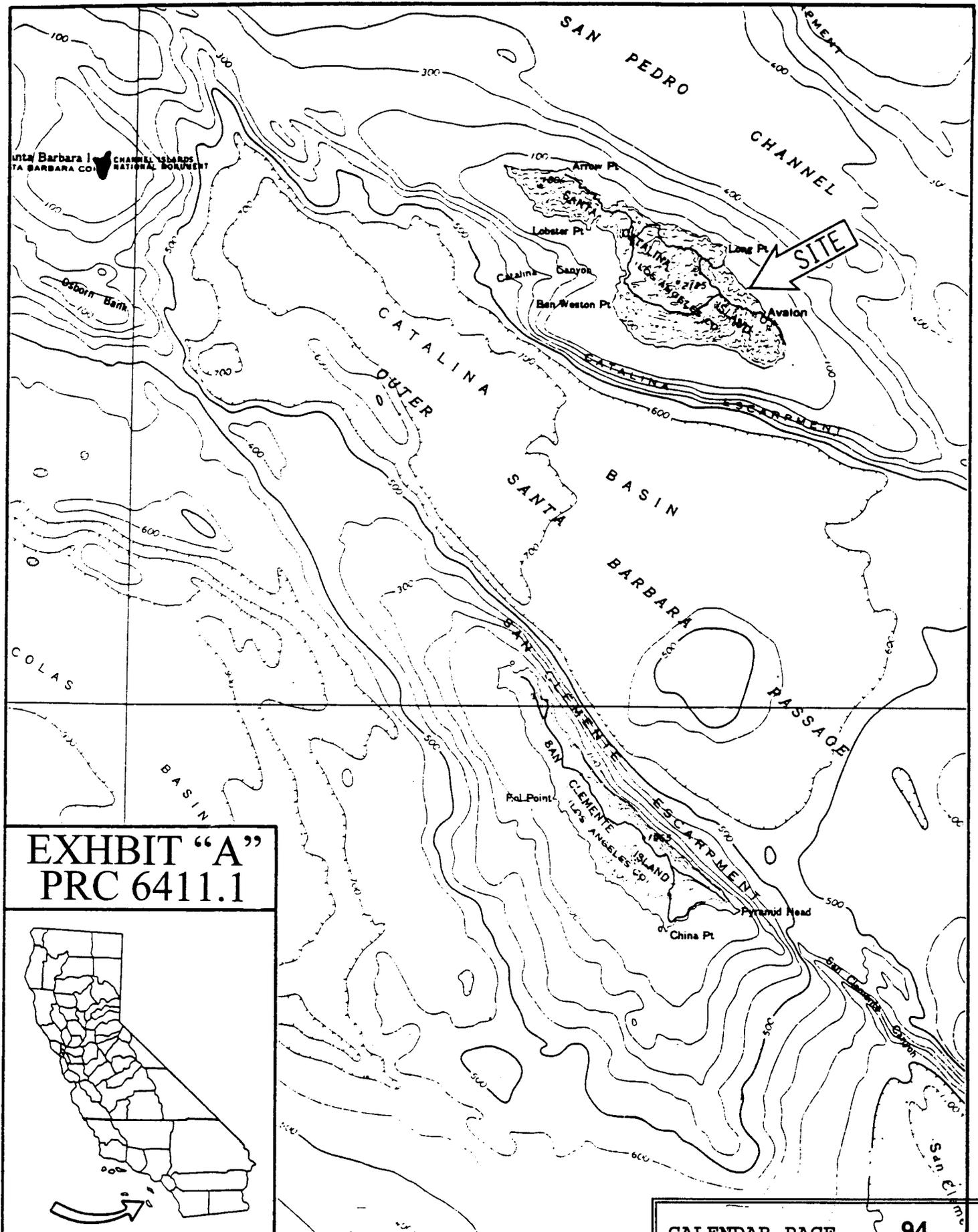


EXHIBIT "B"

PRC 6411.1

LAND DESCRIPTION

A parcel of tide and submerged land in the Pacific Ocean on the northeasterly side of Santa Catalina Island at Moonstone Cove, Los Angeles County, California, described as follows:

All that land lying beneath an existing pier and float TOGETHER WITH a necessary use area extending 10 feet from the extremities of said pier and float, said pier and float being located on the northeasterly shore of said Moonstone Cove.

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

END OF DESCRIPTION

REVIEWED JANUARY 31, 1997 BY MIKE MCKOWN, PLS 4443

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