

**MINUTE ITEM**

This Calendar Item No. C45  
was approved as Minute Item  
No. 45 by the State Lands  
Commission by a vote of 2  
to 0 at its 7/11/97  
meeting.

**CALENDAR ITEM  
C45**

A 41  
S 23

07/11/97  
PRC 2589.9  
A. Scott

**AMENDMENT OF LEASE**

**LESSEE:**

California Department of Parks and Recreation  
1416 - 9th Street  
Sacramento, California, 95814

**AREA, LAND TYPE, AND LOCATION:**

1.18 acres, more or less, of tide and submerged lands in the Pacific Ocean,  
Santa Monica Bay, in the city of Malibu, Los Angeles.

**AUTHORIZED USE:**

Operation and maintenance of a recreational pier, sports fishing area, tour boat  
service, restaurants, commercial shops and public restroom facilities.

**LEASE TERM:**

30 years, beginning June 23, 1997.

**CONSIDERATION:**

The public use and benefit; with the State reserving the right at any time to set a  
monetary rental if the Commission finds such action to be in the State's best  
interest.

**PROPOSED AMENDMENT:**

Amend the lease to provide for a term of 30 years beginning June 23, 1997;  
modify the rental provisions to delete the requirement for shared rental and to set  
the consideration for the lease as the Public Benefit. All other terms and  
conditions of the lease shall remain in effect without amendment.

**OTHER PERTINENT INFORMATION:**

1. Applicant owns the uplands adjoining the lease premises.
2. This lease will be included within an area of State beach that is to be  
operated by the City of Malibu.

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3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code 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 Regulations, section 2905(a)(2).
4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370, et seq. but will not affect those significant lands.

**EXHIBITS:**

- A. Site 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).

**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 THE AMENDMENT OF LEASE NO. PRC 2589.9, A GENERAL LEASE - PUBLIC AGENCY USE, OF LANDS DESCRIBED ON EXHIBIT B ATTACHED AND BY THIS REFERENCE MADE A PART

CALENDAR ITEM NO. C45 (CONT'D)

HEREOF, EFFECTIVE JUNE 23, 1997, TO CHANGE THE EFFECTIVE DATE, CHANGE THE TERM OF THE LEASE TO 30 YEARS AND CHANGE THE CONSIDERATION TO THE PUBLIC BENEFIT; ALL OTHER TERMS AND CONDITIONS OF THE LEASE WILL REMAIN IN EFFECT WITHOUT AMENDMENT.



**EXHIBIT B**

PRC 2589

**LAND DESCRIPTION**

A parcel of tide and submerged land lying in the Pacific Ocean, City of Malibu, Los Angeles County, California, said parcel being immediately beneath an existing pier, TOGETHER WITH a necessary use area extending no more than 15 feet from the extremities of said pier, said pier being adjacent to and southerly of that certain parcel of land described in Grant Deed filed August 15, 1944, in Book 21117, page 357, Los Angeles County Records.

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

**END OF DESCRIPTION**

REVIEWED MARCH, 1991 BY LLB

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