

MINUTE ITEM
This Calendar Item No. C33 was approved as
Minute Item No. 33 by the California State Lands
Commission by a vote of 2 to 0 at its
10/22/05 meeting.

**Minute Item
C33**

10/20/05
WP 3639
J. Smith

**SANTA CATALINA ISLAND COMPANY/SANTA
CATALINA ISLAND CONSERVANCY
(LESSEES)**

Calendar Item 33: The Commission listened to a staff report regarding the consideration of an application by the Santa Catalina Island Company and the Santa Catalina Island Conservancy to amend their existing lease to add 32 additional moorings. The item was approved by a 2-0 vote.

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CALENDAR ITEM

C33

A 54

10/20/05
PRC 3639 WP 3639.1
J. Smith

S 27

AMENDMENT OF LEASE

LESSEES:

Santa Catalina Island Company/Santa Catalina Island Conservancy
P.O. Box 737
Avalon, California 90704

AREA, LAND TYPE, AND LOCATION:

335 acres, more or less, of sovereign lands in various coves around Catalina Island, Pacific Ocean, Los Angeles County.

AUTHORIZED USE:

Continued use and maintenance of 720 revenue producing moorings and six revenue producing stringlines.

LEASE TERM:

20 years, beginning January 1, 2002.

CONSIDERATION:

A minimum annual rent of \$210,000 payable in two equal installments of \$105,000, each due on or before March 1 and August 31 of each year of the lease, against the following percentages of gross income:

Mooring Subleases and Overnight Stay Charges	25%
Towing, Mechanical Services, Boat and Mooring Repairs	4%
Diving Services	5%
All other Revenue	10%

PROPOSED AMENDMENT:

- 1) Installation of 32 additional moorings as follows: two at White's Cove, eight at Isthmus Cove, two at Emerald Bay, and 20 at Catalina Harbor, increasing the total number of moorings to 752 (720 revenue producing moorings and 32 non-revenue producing moorings to be utilized by Lessees for administrative purposes).

CALENDAR ITEM NO. C33 (CONT'D)

- 2) Replace existing illustrative plats Exhibits A1 - A11 attached to the lease with new illustrative plats Exhibits A1 - A9. All other terms and conditions of the lease shall remain in effect without amendment.

OTHER PERTINENT INFORMATION:

1. Lessees own the uplands adjoining the lease premises.
2. At its meeting on November 26, 2001, the Commission authorized Lease No. PRC 3639.1, a 20-year Commercial Lease for continued use and maintenance of 720 revenue producing moorings and six revenue producing stringlines. The Lessees subsequently determined that some of the revenue producing moorings were needed for administrative purposes (harbor patrol, lifeguard and sheriff's vessels, shore boats, work skiffs, pump-out boat and trash boat). In addition, some of the existing moorings are used by the Lessee's seasonal employees who provide services at various mooring locations. In order to maintain the required number of revenue producing moorings, the Lessees submitted an application to amend the lease requesting that the Commission authorize the installation of 32 additional moorings (two at White's cove, eight at Isthmus Cove, two at Emerald Bay, and 20 at Catalina Harbor). The additional moorings will be located within existing mooring areas and will not impact designated open anchorage areas.

In addition, Commission staff asked the Lessees to prepare new illustrative plats which more clearly identify the various mooring and anchorage areas, fairways, piers and camp zones within the Lease premises.

3. During staff's consideration of this application, issues were raised by a small group of boaters over shallow anchoring restrictions and the appropriate width of the fairway at White's Cove. The Lessees, in meeting with the concerned boaters and in discussions with Commission staff, acknowledge that their Harbor Patrol personnel had not been consistent with the implementation of their policies and procedures relative to shallow anchoring and anchoring in the fairway. The Lessees have revised their Anchorage and Mooring Policies to address the inconsistencies and have assured Commission staff that their Harbor Patrol personnel have all been made aware of these revisions. In addition, the Lessees provided the boaters and Commission staff with their Policies and Procedures Manual

CALENDAR ITEM NO. C33 (CONT'D)

and Harbor Department Manual and have prepared new illustrative plats that clearly identify the various mooring and anchorage areas, fairways, piers and camp zones within the Lease premises. Commission staff has reviewed the manuals and plats and believes them to be consistent with the terms and conditions of the Lease.

Staff is recommending that Lease No. PRC 3639.1 be amended to accommodate the installation of the 32 additional moorings as described above, bringing the total number of moorings to 752 (720 revenue producing moorings and 32 non-revenue producing moorings) and the replacement of the existing Lease Exhibits A1-A11 with new Lease Exhibits A1 - A9.

4. 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 3, New Construction of Small Structures; Title 2, California Code of Regulations, section 2905(c)(3).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

5. 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.

APPROVALS OBTAINED:

Regional Water Quality Control Board; Department of Fish and Game; and Los Angeles County

FURTHER APPROVALS REQUIRED:

California Coastal Commission

EXHIBITS:

- A1 - A9. Illustrative Plats
- B. Location Map

CALENDAR ITEM NO. C33 (CONT'D)

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 3, NEW CONSTRUCTION OF SMALL STRUCTURES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTIONS 2905(c)(3).

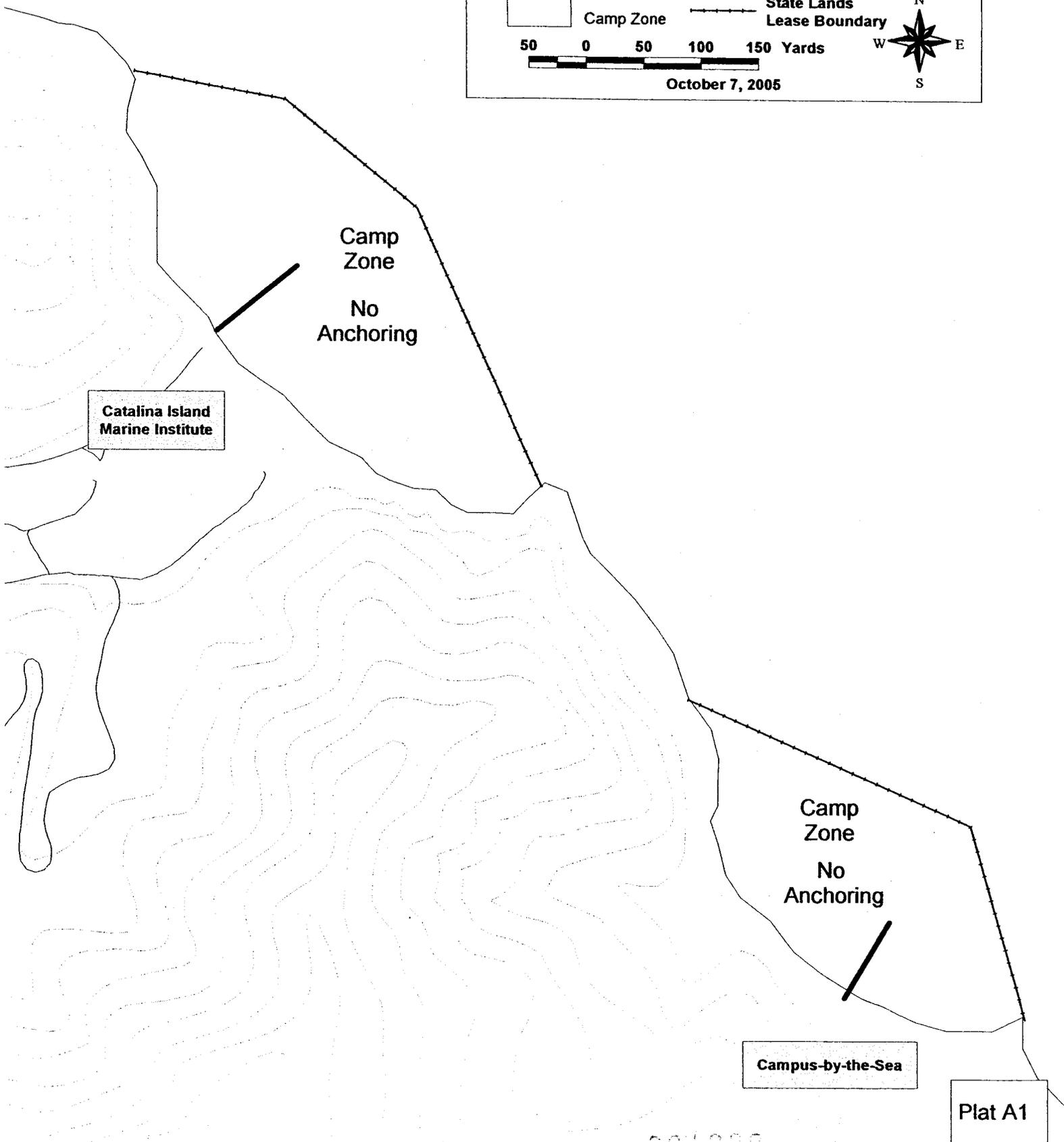
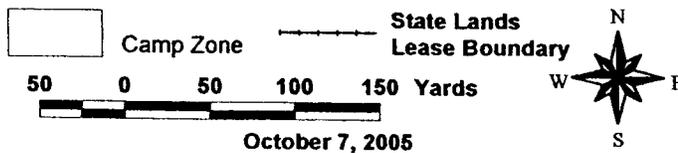
SIGNIFICANT LANDS INVENTORY FINDING:

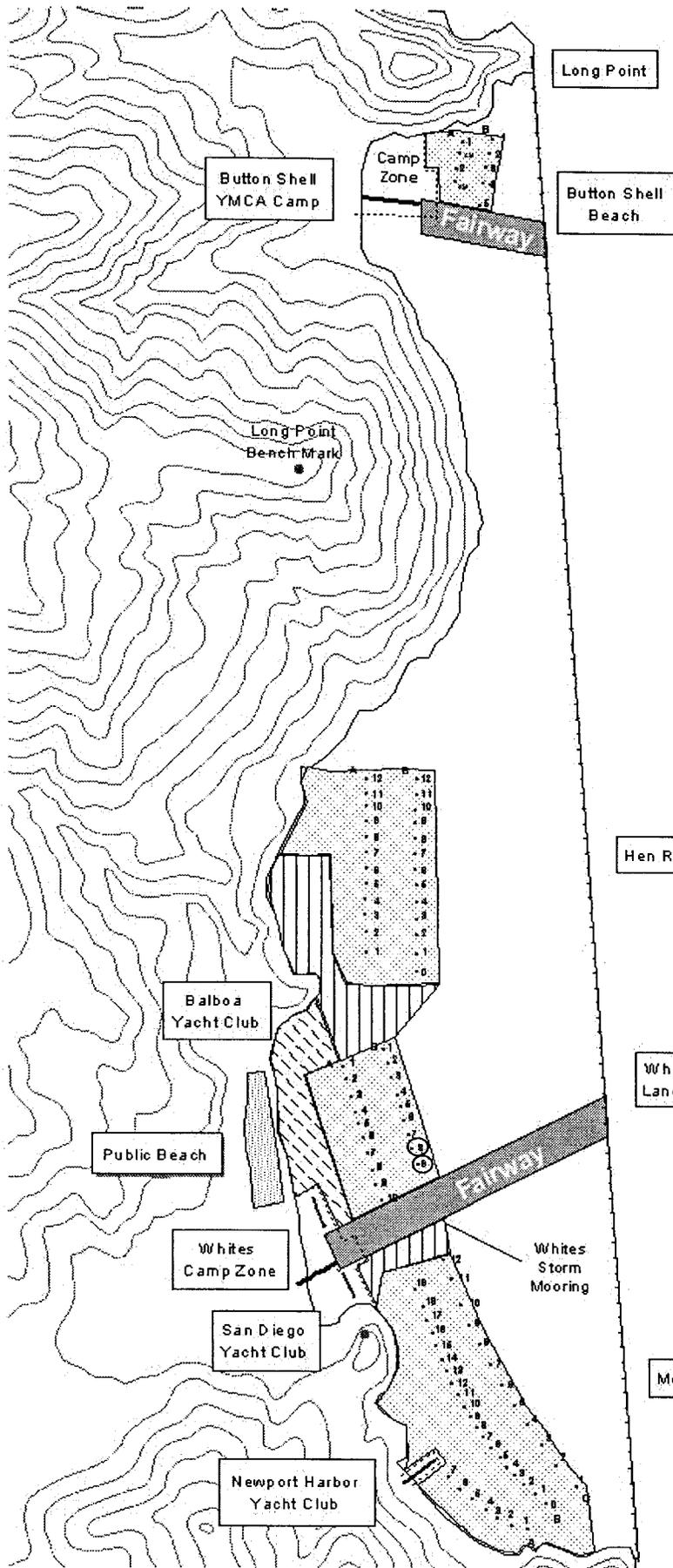
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE THE AMENDMENT OF LEASE NO. PRC 3639.1, A GENERAL LEASE - COMMERCIAL USE, FOR THE INSTALLATION OF 32 ADDITIONAL MOORINGS AS FOLLOWS: TWO AT WHITE'S COVE, EIGHT AT ISTHMUS COVE, TWO AT EMERALD BAY, AND 20 AT CATALINA HARBOR, THEREBY INCREASING THE TOTAL NUMBER OF MOORINGS TO 752 (720 REVENUE PRODUCING MOORINGS AND 32 NON-REVENUE PRODUCING MOORINGS TO BE UTILIZED BY LESSEES FOR ADMINISTRATIVE PURPOSES); AND REPLACE THE EXISTING LEASE EXHIBITS A1 - A11 WITH NEW LEASE EXHIBITS A1 - A9 ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF, EFFECTIVE NOVEMBER 1, 2005; ALL OTHER TERMS AND CONDITIONS OF THE LEASE WILL REMAIN IN EFFECT WITHOUT AMENDMENT.

Parcel 1 and Parcel 2 Gallagher Beach and Toyon Bay





Parcel 3 - Whites Landing Mooring & Anchoring Areas

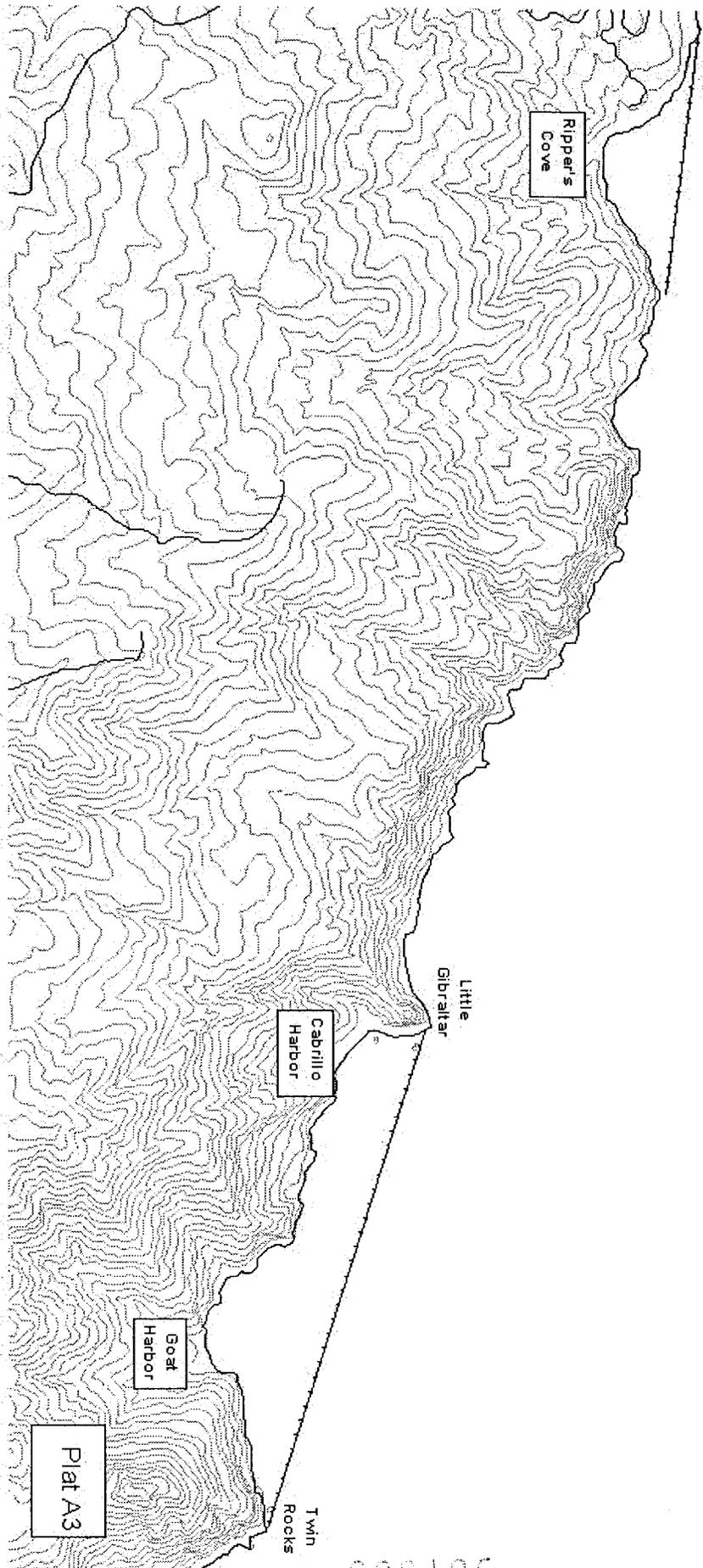
- State Lands Lease Boundary
-  Restricted Bow & Stern Anchoring
-  Mooring Only Area
-  Day Use Only - 18 Ft or Less
-  Open Anchorage
-  Fairway
- Camp/Pier Zones (No Anchoring)
- CM Camp Moorings

200 0 200 400 600 800 Feet

October 7, 2005

New Moorings
B 8
B 9

Plat A2



Parcel 4 and Parcel 5
Cabrillo/Goat Harbor and Ripper's Cove

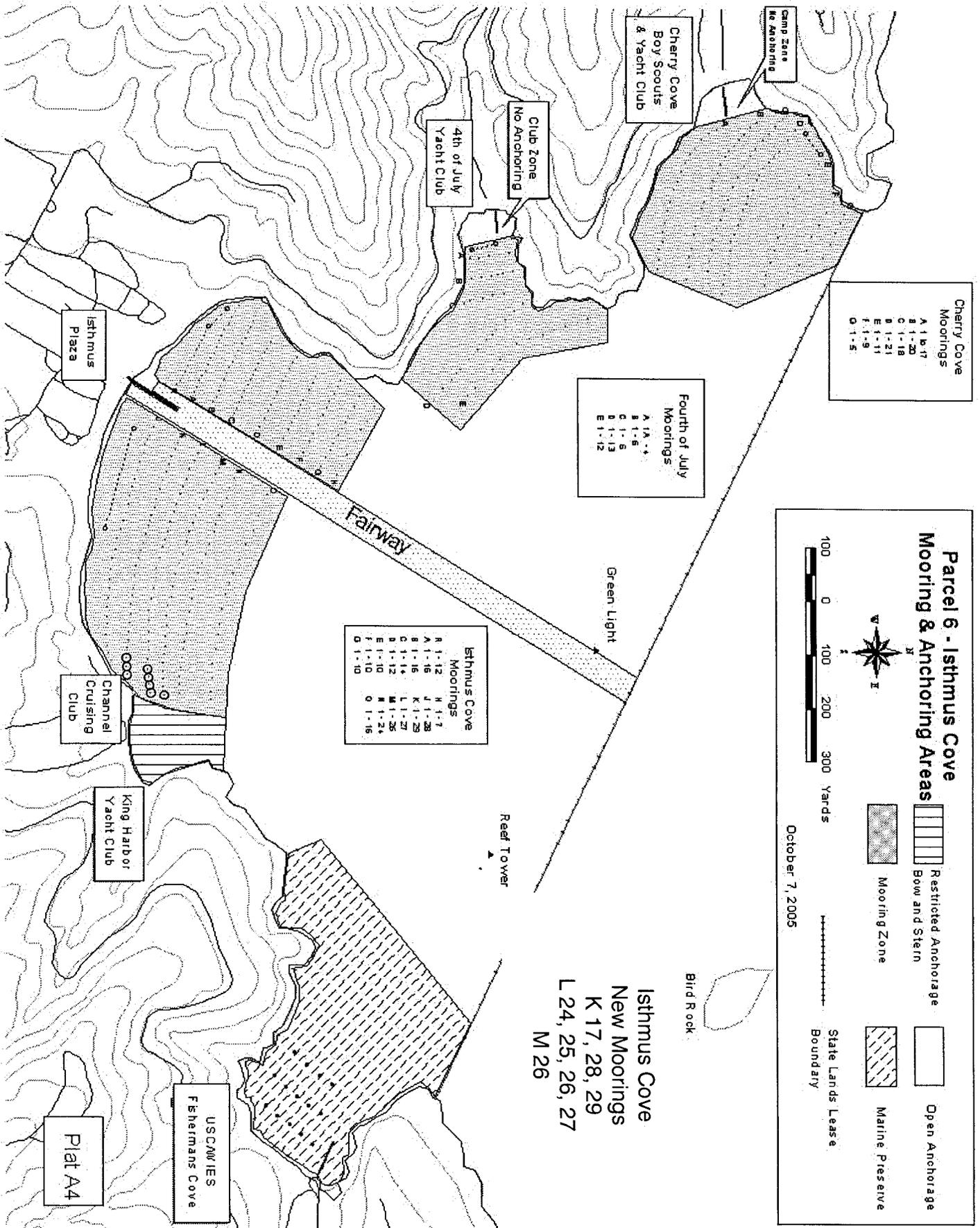
Open
 Anchorage
 State Lands
 Lease Boundary

200 0 200 400 600 Yards

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Parcel 7 - Howland's Landing and Little and Big Geiger Coves



Mooring Zone

State Lands
Lease Boundary

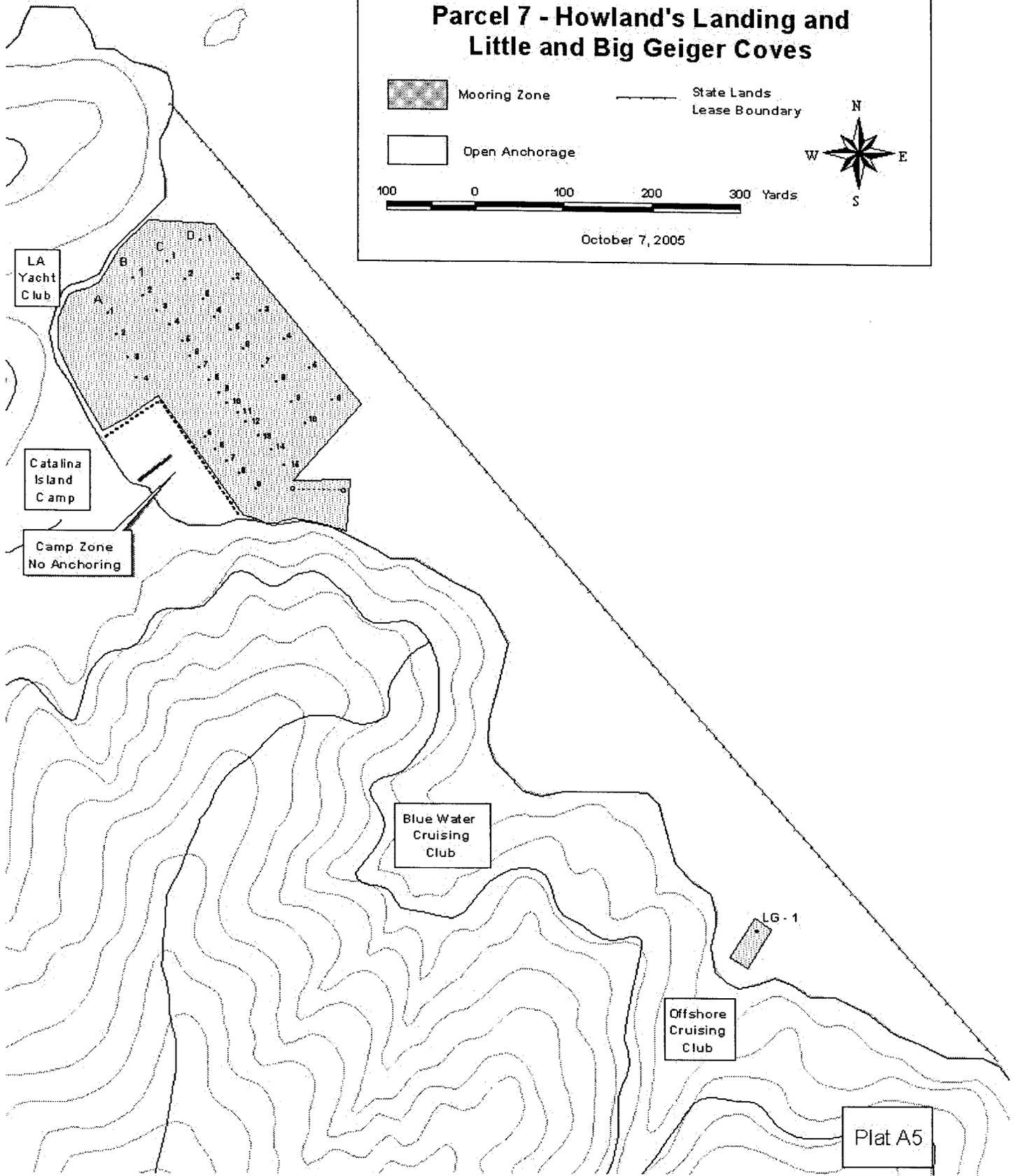


Open Anchorage



100 0 100 200 300 Yards

October 7, 2005

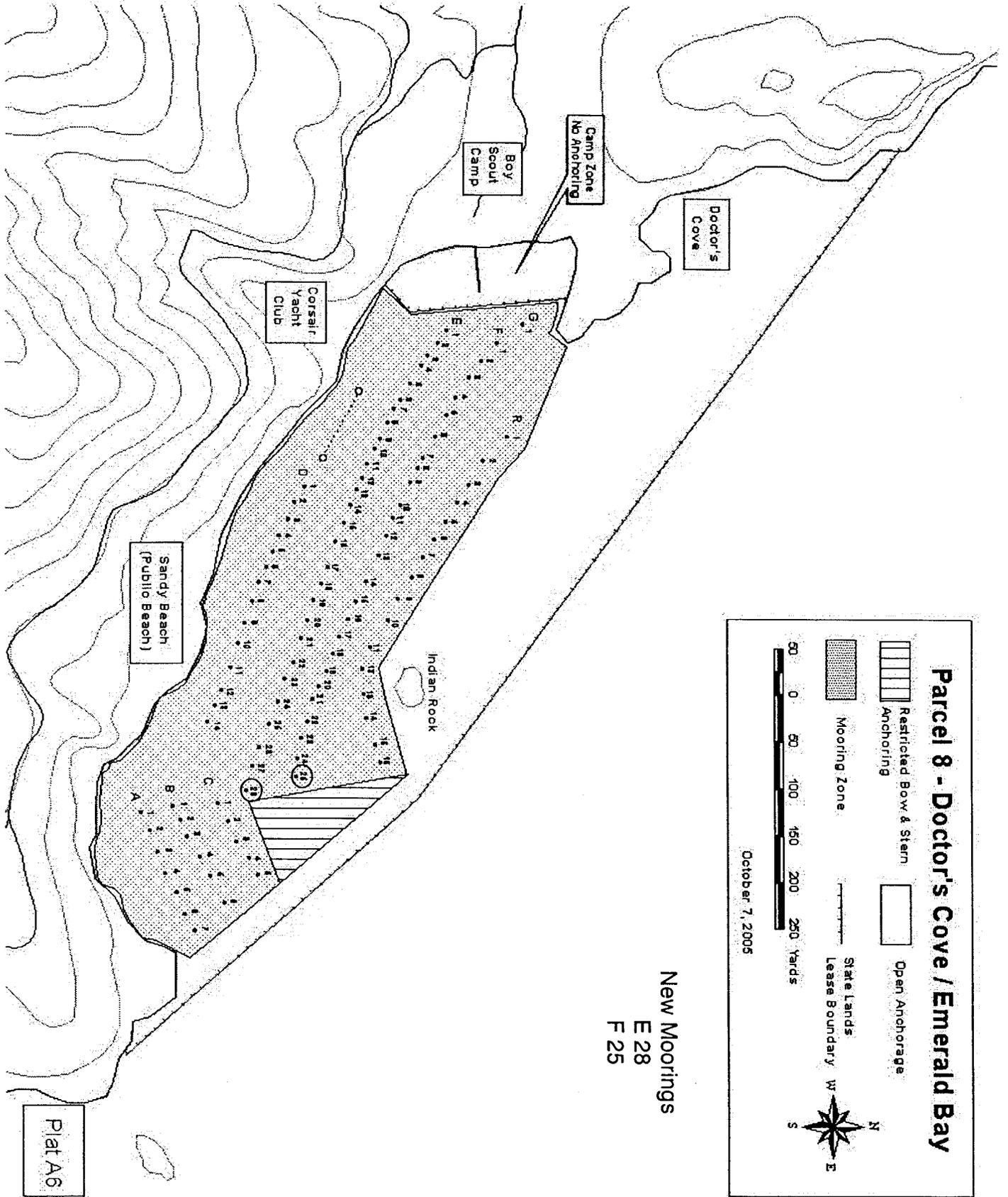


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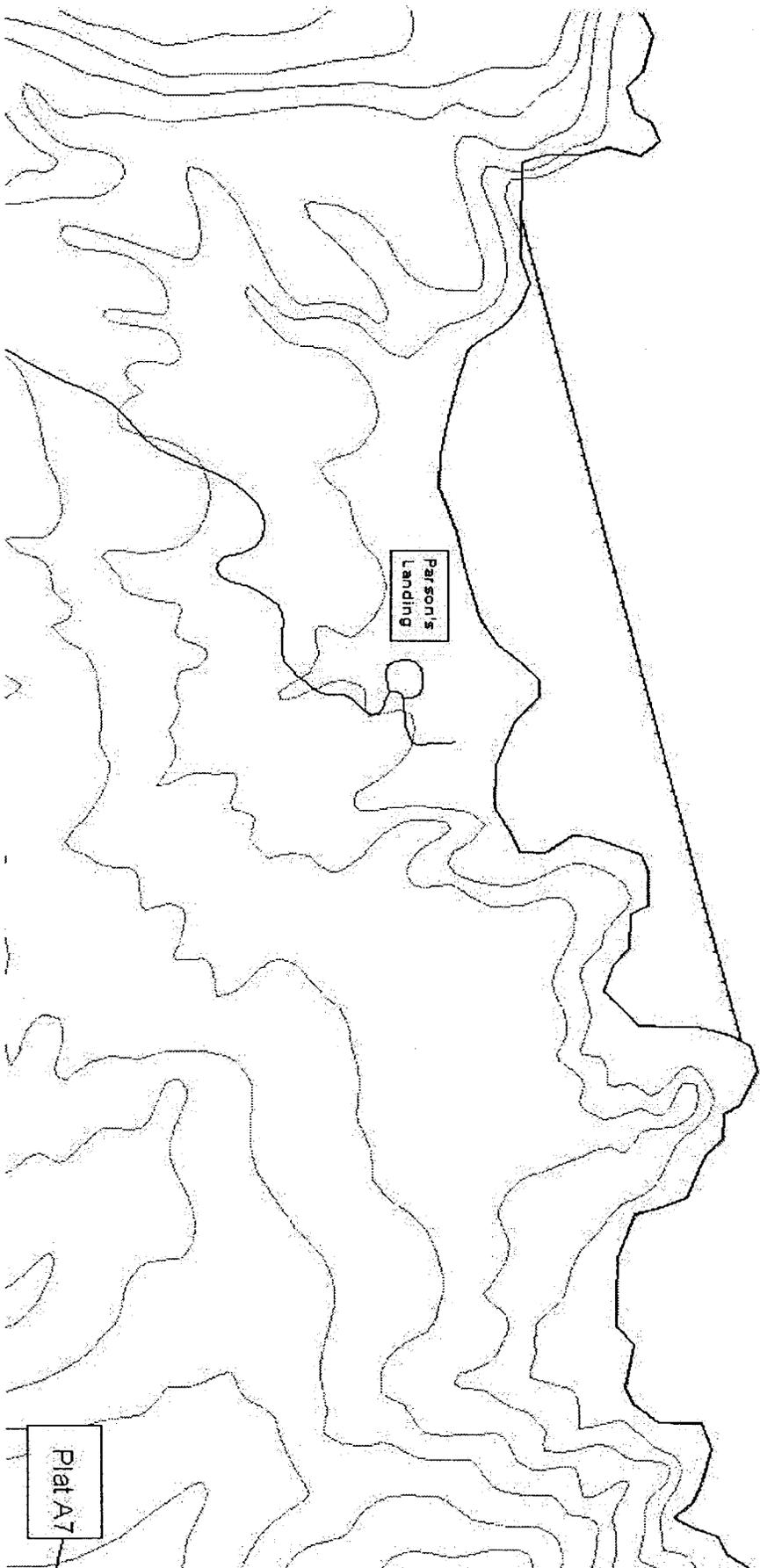
Parcel 8 - Doctor's Cove / Emerald Bay

Restricted Bow & Stern Anchoring
 Open Anchorage
 Moorings
 State Lands
 Lease Boundary

0 50 100 150 200 250 Yards
 October 7, 2005

New Moorings
 E 28
 F 25

Plat A6



Parcel 9 - Parson's Landing

Open
Anchorage

State Lands
Lease Boundary

60 0 60 120 180 Yards

October 7, 2005

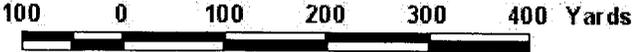
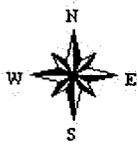
Plat A7

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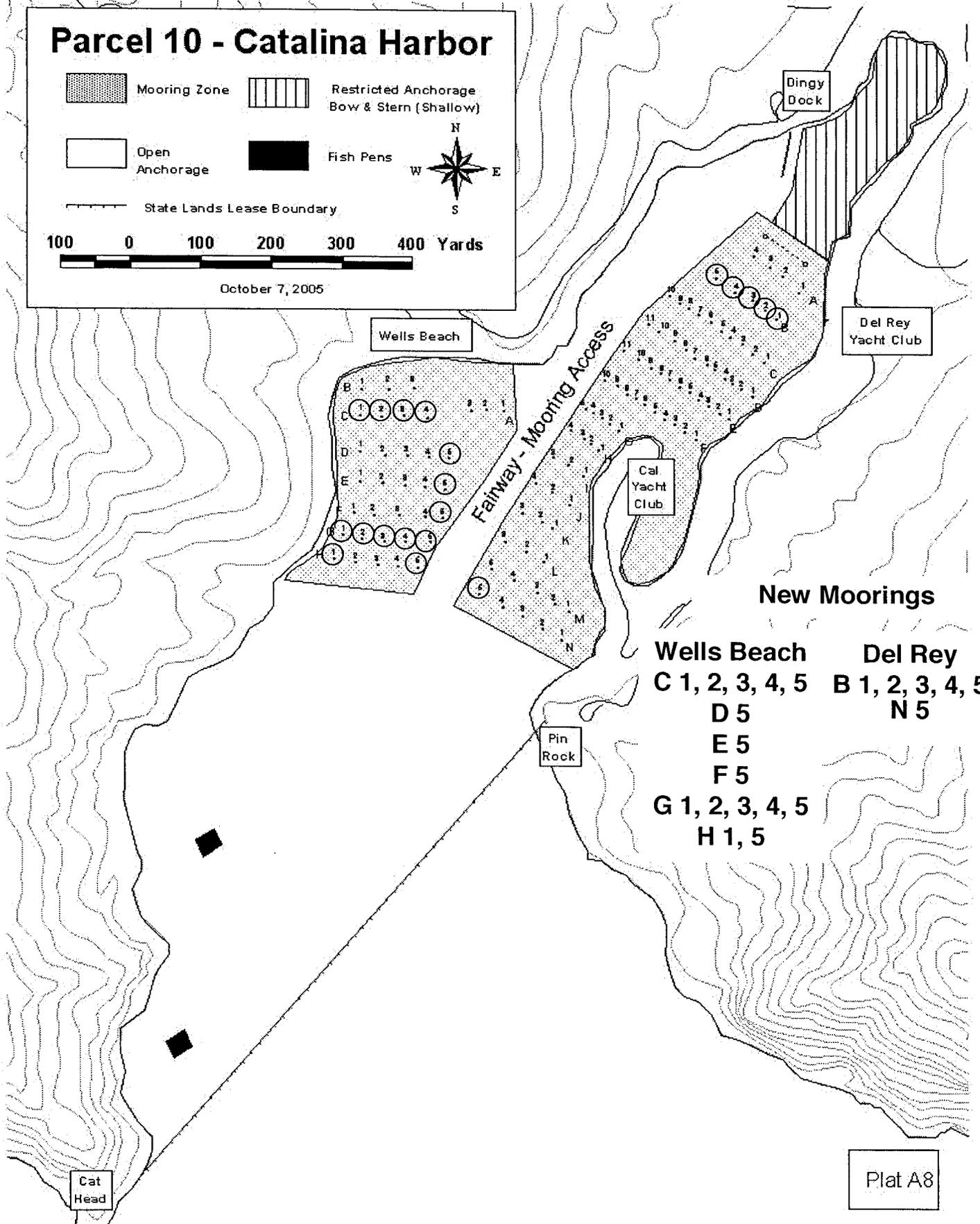
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Parcel 10 - Catalina Harbor

 Mooring Zone	 Restricted Anchorage Bow & Stern (Shallow)
 Open Anchorage	 Fish Pens
----- State Lands Lease Boundary	



October 7, 2005



New Moorings

- | | |
|--------------------|-----------------|
| Wells Beach | Del Rey |
| C 1, 2, 3, 4, 5 | B 1, 2, 3, 4, 5 |
| D 5 | N 5 |
| E 5 | |
| F 5 | |
| G 1, 2, 3, 4, 5 | |
| H 1, 5 | |

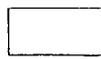
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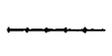
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Parcel 11 - Little Harbor



Open Anchorage



State Lands Lease Boundary

60 0 60 120 180 Yards



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Little Harbor
Campground

Shark Harbor
Campground

Plat A9

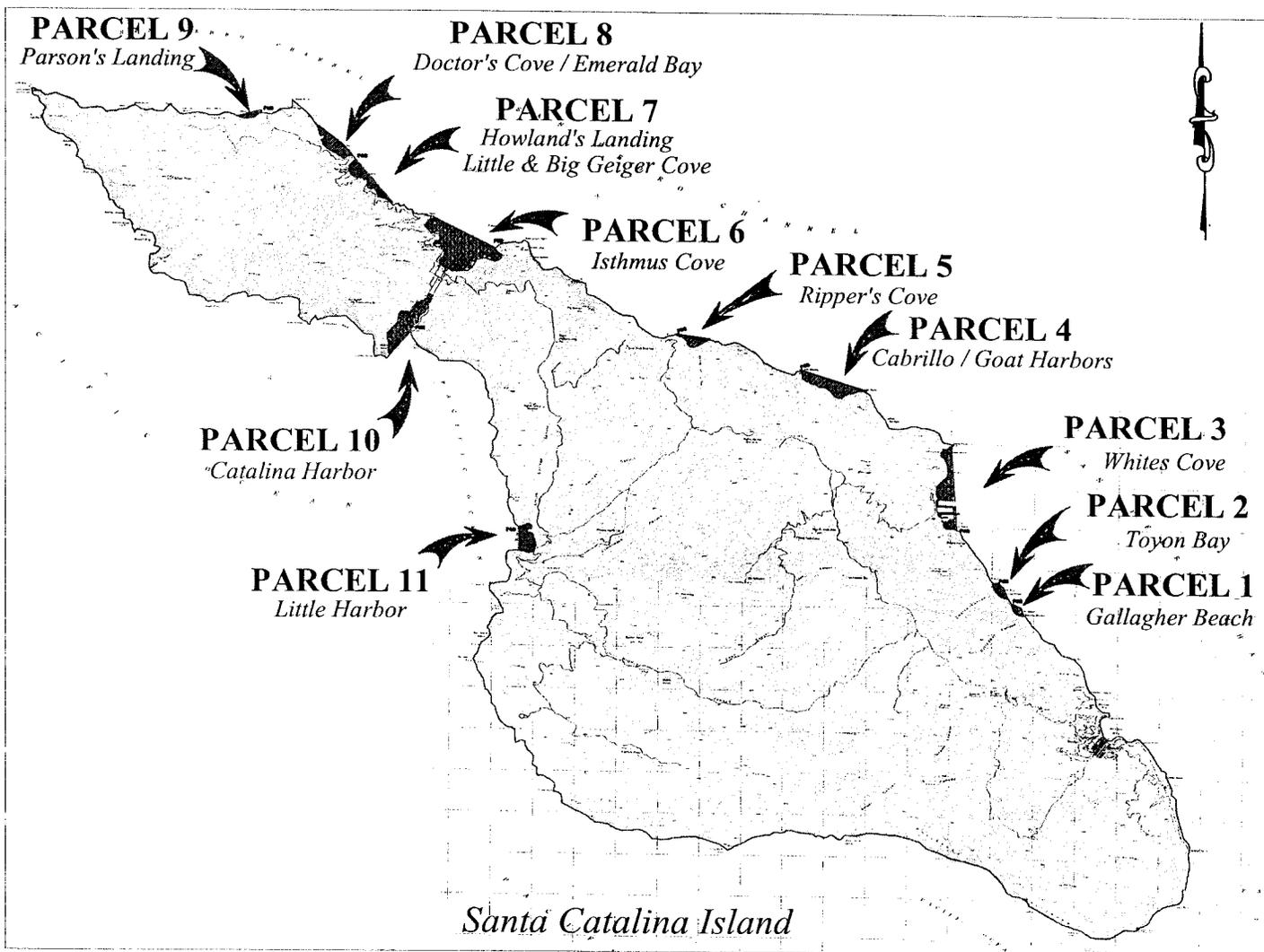
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NO SCALE



This Exhibit is solely for purposes of generally defining the lease premises, and is not intended to be, nor shall it be construed as a waiver or limitation of any State interest in the subject or any other property

Date 11/12/02

Santa Catalina
Island

LOS ANGELES
COUNTY

**EXHIBIT B
PLAT MAP
PRC 3639**

**Santa Catalina
Island Company
Lease Area**



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ITEM C33

10-20-05

**SANTA CATALINA ISLAND COMPANY/SANTA
CATALINA ISLAND CONSERVANCY
(LESSEES)**

LETTERS OF SUPPORT/CONCERN

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Doug Hilstey
President

Jerry Lounsbury
Vice President - South

Lenora S. Clark
Vice President - North

Bob White
Secretary - Treasurer

Legislative Advocates
Jerry Desmond
Executive Vice President

Jerry Desmond, Jr.
Director of
Government Relations

Directors

Joe Baunco
Linda Beardsen
David Breninger
Richard Craven
Jim David
James Ensign
Greg Gibson
Gail E. Hine
Walter Kadyk
Joan Marsh-Clune
Charles W. "Bill" McGrath
Linda Newland
William Patton
Russ Robinson
Anne Sacks

Ex Officio Directors

Richard Schwartz (Boat U.S.)
Mit Hael Scuffia (Boat U.S.)
Mike Billington (PICYA)
Tom Kennedy (SCYA)

Past Presidents

Ward Cleaveland 1968
Lee Kellenhouse 1969
Albert H. Allen 1970
Donald S. Mandan 1971
Gordon M. Curtis, Jr. 1972
William M. Hyman 1973
Richard F. Bekken 1974
W. Burbeck Johnson 1975
George L. Fisher 1976
William H. Gray, Jr. 1977
Charles B. McKesson 1978
Albert W. Thews 1979
Barry R. Labow 1980
Louis B. Haberman 1981
Joseph R. Steele 1982
Robert D. Carden 1983
Norman H. Nelson 1984
Peter J. Narduu 1985
John C. Robinson 1986
Robert J. Hoffmann 1987
Barton Jay, M.D. 1988
Nils Anderson 1989
Roger C. Wilson 1990
Glenn A. Harter 1991
S. A. "Duff" Zucko 1992
Alton E. Morgan, Jr. 1993
Dedrick G. Deinson 1993
Gail E. Hine 1994
Richard C. Tipton 1995
Jim Clark 1996
George Neff 1997
Joe Baranco 1998
Linda Newland 1999
Bill Lewis 2000
Joan Marsh-Clune 2001
James Ensign 2002
Russ Robinson 2003
William Patton 2004

925 L Street • Suite 220
Sacramento CA 95814
916.441.4166
www.rboec.org

Via e-mail

October 19, 2005

State Lands Commission
c/o Ms. Lynda Smallwood - smallwl@slc.ca.gov
100 Howe Avenue, Suite 100-South
Sacramento, California 95825-8202

Re: Agenda Item C-33, October 20 Commission Meeting

**SANTA CATALINA ISLAND COMPANY/SANTA
CATALINA ISLAND CONSERVANCY (LESSEES):**

Dear Commissioners:

It has recently been brought to the attention of Recreational Boaters of California [RBOC] that an informal group of boaters continues to have concerns with the impact that the above-referenced action would have on the traditional opportunities afforded to the recreational boating public to anchor and stay overnight.

It is our understanding that these concerns continue to exist even though there has been dialogue.

RBOC therefore requests that any Commission action in regard to Agenda Item C-33 be accompanied by a directive for the lessees to work together Commission staff and the boating community to resolve these issues.

We understand that the informal boater group is called the "Concerned Captains" and is comprised of numerous individual boaters who enjoy the boating experience at the islands.

It appears that representatives of the group thought that they had come to an agreement with the lessees this summer through informal conversations. But that they were mistaken.

The area in question is on the plat designated as "Day Use Only" at Whites Cove. The Concerned Captains have requested that recreational boats that are 31-feet and smaller in length be allowed to anchor in that area and the "Day Use Only" restriction eliminated. The rationale is that boats of this size normally do not have sufficient line or anchor weight to anchor in the approximately 130-foot and deeper waters on the ocean side of the leased mooring area.

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RBOC Letter to the State Lands Commission

October 19, 2005

PAGE TWO

The boaters believe that there is no safety hazard in allowing 31-foot and under boats to anchor on the shore side of the leased mooring area and stay overnight. They have done so for many years in the past.

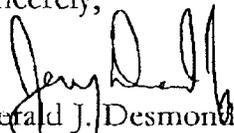
The representative of the Concerned Captains is Rich Licha, who can be reached by phone at (818) 881-6335 or by e-mail at Ricklich@aol.com. Our organization would also be interested in facilitating a discussion regarding the concerns of the boaters in the area. I can be reached at (916) 441-4166.

Thank you for the opportunity to present this issue to the Commission for its consideration. We regret the unfortunate timing of our communication on this issue, which is due to our just becoming aware of the fact that these concerns have not been resolved.

Recreational Boaters of California [RBOC] is a nonprofit governmental advocacy organization that works to protect and enhance the interests of the state's recreational boaters before the legislative and executive branches of state and local government.

RBOC was formed as a statewide organization in 1968 and from that date forward has continued its commitment to promoting the enjoyment, protection, and responsible use of our waterways.

Sincerely,



Gerald J. Desmond, Jr.
RBOC Director of State Government Affairs
Desmond & Desmond

Rboc/2005/SLC L 10-19-05

000195

001902

submitted for the record.

>>> "Jerry Desmond Jr." <jerry.desmond.jr@desmondanddesmond.com> 10/19/2005
4:35 PM >>>Via e-mail

October 19, 2005

State Lands Commission
c/o Ms. Lynda Smallwood - smallwl@slc.ca.gov
100 Howe Avenue, Suite 100-South
Sacramento, California 95825-8202

Re: Agenda Item C-33, October 20 Commission Meeting

Santa Catalina Island Company / Santa Catalina Island Conservancy
[Lessees):

Dear Commissioners:

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It is our understanding that these concerns continue to exist even though there has been dialogue.

RBOC therefore requests that any Commission action in regard to Agenda Item C-33 be accompanied by a directive for the lessees to work together Commission staff and the boating community to resolve these issues.

We understand that the informal boater group is called the "Concerned Captains" and is comprised of numerous individual boaters who enjoy the boating experience at the islands.

It appears that representatives of the group thought that they had come to an agreement with the lessees this summer through informal conversations. But that they were mistaken.

The area in question is on the plat designated as "Day Use Only" at Whites Cove. The Concerned Captains have requested that recreational boats that are 31-feet and smaller in length be allowed to anchor in that area and the "Day Use Only" restriction eliminated. The rationale is that boats of this size normally do not have sufficient line or anchor weight to anchor in the approximately 130-foot and deeper waters on the ocean side of the leased mooring area.

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The boaters believe that there is no safety hazard in allowing 31-foot and under boats to anchor on the shore side of the leased mooring area and stay overnight. They have done so for many years in the past.

The representative of the Concerned Captains is Rich Licha, who can be reached by phone at (818) 881-6335 or by e-mail at Ricklich@aol.com. Our organization would also be interested in facilitating a discussion regarding the concerns of the boaters in the area. I can be reached at (916) 441-4166.

Thank you for the opportunity to present this issue to the Commission for its consideration. We regret the unfortunate timing of our communication on this issue, which is due to our just becoming aware of the fact that these concerns have not been resolved.

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RBOC was formed as a statewide organization in 1968 and from that date forward has continued its commitment to promoting the enjoyment, protection, and responsible use of our waterways.

Sincerely,

Gerald J. Desmond, Jr.
RBOC Director of State Government Affairs
Desmond & Desmond
925 L Street, Suite 220
Sacramento, CA 95814
P: 916-441-4166
F: 916-441-3520

E: jerry.desmond.jr@desmondanddesmond.com

www.rbo.org <<http://www.rbo.org/>>

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October 18, 2005



1011 Anchorage Lane
San Diego, CA 92106-3005

Bus. 619/221-8400
Fax. 619/224-3059
www.sdyc.org

Commodore
James C. Jessop

Vice Commodore
Betty Sue Sherman

Rear Commodore
A. James Moxham

Directors
E. Wayne Terry
R. Andrew La Dow
Thomas A. Driscoll
William L. Campbell
E. Woodrow Hunt, M.D.

Jr. Staff Commodore
Michael W. Fink

Mel Dinkel, P.E.
Chief Operating Officer/Treasurer
Santa Catalina Island Conservancy
P.O. Box 2739
Avalon, CA 90704

Re: White's Landing Mooring and Anchoring Areas

Dear Mel:

The San Diego Yacht Club (SDYC) is in agreement with the Santa Catalina Island Conservancy's (the Conservancy) position with regards for the need of a 150' fairway off of the pier at White's Landing. As you know, SDYC leases the eastern end of White's Landing from the Conservancy and is well aware of the Conservancy's requirement to dock large vessels at the pier to bring in Boy and Girl Scouts, YMCA members, other camp users, their respective equipment and the provisions required to operate a site of this magnitude.

This 150' fairway appears to be reasonable and necessary for the safety of the transiting and anchored vessels. We are in favor of having this fairway designated on United States Coast Guard charts.

We also concur that anchoring should not be allowed inside the moorings at White's Landing or Moonstone. Having witnessed first hand the dangerous conditions that can rapidly develop within this zone in certain sea conditions, we believe it is inherently unsafe to anchor vessels in this zone. Having vessels anchored in this zone would also impede the safe use of the existing moorings.

With numerous moorings at White's Landing, Moonstone and Hen Rock and the ample anchoring available outside of these areas, we see no reason why the Conservancy shouldn't be successful in obtaining the requested fairway and anchoring rules.

Sincerely,

Michael W. Fink
Staff Commodore

cc: James C. Jessop
Commodore
San Diego Yacht Club

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**NEWPORT HARBOR YACHT CLUB**

June 30, 2005

Mel Dinkel, P.E.
Chief Operating Officer/Treasurer
Santa Catalina Island Conservancy
P.O. Box 2739
Avalon, CA 90704

Re: Anchoring Concerns in Moonstone and White's Coves

Dear Mel:

The Newport Harbor Yacht Club supports the Conservancy's position that there should be a 150' fairway off the pier at White's. We understand you bring Scouts and campers into your facility, and agree that this fairway enhances safety for everyone. We hope that you will be successful in getting this fairway onto USCG charts, and we pray that a similar fairway will *not* be required in a private, non-commercial use cove such as Moonstone.

We also agree that Two Harbors Enterprises should not allow anchoring inside the moorings at White's and Moonstone. Besides the obvious safety issues of being too close to shore, we believe it could impair the ability of existing mooring lessees to safely pick up their moorings if the anchoring boat has dropped it's anchor over a mooring's sand line or ground tackle. There is a plethora of room outside the fairway and moorings to accommodate anchoring at both Moonstone and White's Cove.

On behalf of the Board of Directors

Sincerely,

Mark D. Olson
Commodore

720 WEST BAY AVENUE, BALBOA, CALIFORNIA 92661 • TELEPHONE (949) 673-7730 • FAX (949) 673-3972

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From: Craig Reynolds [<mailto:CReynolds@Seidlercos.com>]
Sent: Tuesday, October 18, 2005 1:24 PM
To: Craig Reynolds
Subject:

RE: Item C33 on the consent agenda State Lands Commission October 20th, 2005.

Dear Ms. Smith,

Thank you for your time on the phone today.

My first point is that proper notice has not been given to the concerned parties. For example, members of Balboa Yacht Club who use the cove at Whites have not been notified. The yacht club has a considerable investment in a station in White's Cove that we have rented for almost 50 years. The proposed changes will materially affect the ability of club members to use that facility.

As a long term boater and visitor to Whites Cove in Catalina I personally am very much opposed to the current plat map being put forth on the consent agenda Item C33 October 20th, 2005. I am not opposed to the additional moorings for Catalina or the fairway being established for the pier at Whites Cove.

Restricting the anchorage inside at Whites Cove denies small boaters a safe anchorage as they must bring several hundred feet of chain to safely anchor outside of the mooring field at Whites. In the past, boats only anchor inside the moorings if the surf conditions allow. If the area becomes unsafe for anchorage, boaters move or leave the area. Boaters who use Whites and anchor are experienced and are interested in maintaining a safe situation there.

The proper course of action for the State would be to use the same designation for Whites as is allowed at Hen Rock and allow bow and stern anchoring when conditions merit.

I am requesting that the item C33 be removed from the consent agenda and that it be entirely postponed or the restrictions on anchoring at Whites Cove be removed or modified to allow anchoring inside the moorings.

Thank you,

Craig L. Reynolds
(949) 717-7555 (h)
(949) 399-6456 (w)
401 Vista Grande
Newport Beach, CA 92660

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