

**CALENDAR ITEM
C65**

A 70
S 28

06/21/13
PRC 6442.1
K. Foster

AMENDMENT OF LEASE

LESSEE:

Western Los Angeles County Council, Inc.,
Boy Scouts of America
16525 Sherman Way, Unit C-8
Van Nuys, CA 91406

AREA, LAND TYPE, AND LOCATION:

2.43 acres, more or less, of sovereign land in the Pacific Ocean at Emerald Bay and Doctor's Cove, near Two Harbors, Santa Catalina Island, Los Angeles County.

AUTHORIZED USE:

The reconstruction, use, and maintenance of two fixed piers with two gangways, two floating dock modules connecting the two piers, and an attached boat landing float; the continued use and maintenance of two moorings, four small boat moorings, and a swim area and swimline marker; and the retention, use, and maintenance of a floating barge and swim area used in conjunction with the upland camp facilities.

LEASE TERM:

22 years, beginning January 1, 2007.

CONSIDERATION:

\$21,520 per annum, and the public use and benefit, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

PROPOSED AMENDMENT:

Revise the Lease Premises to reflect a smaller use and impact area of 1.36 acres as described in Exhibit A attached and by this reference made a part hereof, and as shown on Exhibit B (for reference purposes only) effective June 1, 2013, with the Parcel 5 swim area to be used on a seasonal basis; revise the rent to \$15,616 per annum, and the public use and benefit, effective January 1, 2014;

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rent for Lease year 2013 will be prorated for the first five months at the current annual rate of \$21,520, with the remaining seven months prorated at the new annual rental amount, for a revised annual rental amount of \$18,457 for Lease year 2013. With the exception of minor language changes as described in the Amendment, all other terms and conditions of the lease shall remain in effect without amendment.

OTHER PERTINENT INFORMATION:

1. Lessee has the right to use the upland adjoining the lease premises.
2. On September 13, 2007, the Commission authorized Lease No. PRC 6442.1, a General Lease – Recreational Use, to the Western Los Angeles County Council, Inc., Boy Scouts of America (Lessee) for the reconstruction of two fixed piers with gangways, and for the use of other recreational facilities and various boat moorings and floats utilized in conjunction with an upland youth camp.
3. The piers were reconstructed, but the camp no longer requires or uses portions of the currently authorized use area of 2.43 acres. The Lessee is requesting an amendment to reduce the Lease Premises to a total area of 1.36 acres, shown as Parcels 1-6 on Exhibit B.
4. The various improvements are for the use of camp visitors; however, the piers and floats located within Parcel 1 are available for public use by boaters who desire to visit areas beyond the camp which can be difficult to access by other means. As a result of this public access, the Lessee is allowed a 10-percent public benefit discount on the annual rental amount for Parcel 1.
5. The swim area in Doctor's Cove, shown on Exhibit B as Parcel 5, is used by the upland camp for approximately three months out of the year, between June 1 and August 31. A swimline marker used to identify the swim area during that three-month period is removed for the remainder of the year and the area is available for public use during that time, so rent for Parcel 5 was prorated to reflect its seasonal use.
6. The Lessee desires to exchange its existing Parcel 3 boat mooring with recreational mooring G1 in Emerald Bay under Lease No. PRC 3639.1, a General Lease – Commercial Use, to the Santa Catalina Island Company et al., which manages a total of 752 such moorings in various locations around Santa Catalina Island. The G1 mooring is located adjacent to Lessee's piers and would serve to consolidate its lease area. The G1 mooring is currently occupied, but should the mooring become available

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and the Lessee and the Santa Catalina Island Company, as the operator of the mooring, agree to an exchange at that time, the Lessee will apply to the Commission to amend the Lease to reflect the exchange.

7. The staff recommends that the Commission find that the subject lease amendment does not have a potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment, and is, therefore, not a project in accordance with the California Environmental Quality Act (CEQA).

Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, sections 15060, subdivision (c)(3), and 15378.

EXHIBITS:

- A. Land Description
- B. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the subject lease amendment is not subject to the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c)(3), because the subject activity is not a project as defined by Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.

AUTHORIZATION:

Authorize the Amendment of Lease No. PRC 6442.1, a General Lease - Recreational Use, to revise the Lease Premises as described in Exhibit A attached and by this reference made a part hereof, and as shown on Exhibit B (for references purposes only), effective June 1, 2013, with the Parcel 5 swim area to be used on a seasonal basis; revise the annual rent to \$15,616 effective January 1, 2014; revise the rent for Lease year 2013 to \$18,457; with the exception of minor language changes as described in the Amendment, all other terms and conditions of the lease will remain in effect without amendment.

EXHIBIT A

PRC 6442.1

LAND DESCRIPTION

PARCEL 1 – Two Piers with Floating Modules

All of those tide and submerged lands in the bed of the Pacific Ocean on the easterly side of Santa Catalina Island, Los Angeles County, State of California, lying adjacent to Emerald Bay and Johnson's Landing, and more particularly described as follows:

BEGINNING at a point on the easterly shoreline of Santa Catalina Island having California Coordinate System 1983, Zone 5, coordinates of North = 1629435.75 feet and East = 6399680.89 feet from which a NGS monument "Channel 1933" bears South 63°14'08" East 18,008.78 feet, said monument having California Coordinate System 1983, Zone 5, coordinates of North = 1621325.99 feet and East = 6415760.32 feet, thence North 78°01'28" East 280.03 feet, thence North 11°58'32" West 79.53 feet to a point hereby known as "Point A", thence continuing North 11°58'32" West 57.61 feet, thence South 78°01'28" West 250 feet more or less to a point on the ordinary high water mark, thence southerly along the ordinary high water mark 141 feet more or less to the point of beginning.

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

PARCEL 2 – Inner Mooring

A 20 feet wide strip of submerged lands in the bed of the Pacific Ocean on the easterly side of Santa Catalina Island, Los Angeles County, State of California, lying adjacent to Emerald Bay and Johnson's Landing, and lying 10 feet on each side of the following described centerline:

BEGINNING at a point referred to as "Point A" herein above described Parcel 1 and having California Coordinate System 1983, Zone 5, coordinates of North = 1629571.66 feet and East = 6399938.33 feet thence North 78°01'28" East 123.81 feet to termination of said centerline.

The sidelines of said strip shall be lengthened or shortened at the westerly end so as to terminate on the easterly line of said Parcel 1 and the easterly end so as to terminate on a line lying perpendicular to the east end of said centerline.

PARCEL 3 – Outer Mooring

A 20 feet wide strip of submerged lands in the bed of the Pacific Ocean on the easterly side of Santa Catalina Island, Los Angeles County, State of California, lying adjacent to Emerald Bay and Johnson's Landing, and lying 10 feet on each side of the following described centerline:

BEGINNING at a point in the bed of the Pacific Ocean having California Coordinate System 1983, Zone 5, coordinates of North = 1629444.21 feet and East = 6400202.42 feet from which a NGS monument "Channel 1933" bears South 62°26'39" East 17,548.61 feet, said monument having California Coordinate System 1983, Zone 5, coordinates of North = 1621325.99 feet and East = 6415760.32 feet thence North 24°52'08" East 220.10 feet to the termination of said centerline.

The sidelines of said strip shall begin and terminate at lines lying perpendicular to the beginning and termination of said centerline.

PARCEL 4 – Small Boat Mooring Area

All of those tide and submerged lands in the bed of the Pacific Ocean on the easterly side of Santa Catalina Island, Los Angeles County, State of California, lying adjacent to Emerald Bay and Johnson's Landing, and more particularly described as follows:

BEGINNING at a point in the bed of the Pacific Ocean having California Coordinate System 1983, Zone 5, coordinates of North = 1629389.96 feet and East = 6399850.56 feet lying 90 feet southerly from the southeasterly corner of a pier, being the most southerly pier of the piers described in the above Parcel 1, and perpendicular to the south side of said pier; thence westerly along the following course parallel with the south side of said pier South 78°01'28" West 60.00 feet; thence South 11°58'32" East 40.00 feet; thence North 78°01'28" East 60.00 feet; North 11°58'32" West 40.00 feet to the point of beginning.

PARCEL 5 – Swim Area (Doctor's Cove)

All of those tide and submerged lands in the bed of the Pacific Ocean on the easterly side of Santa Catalina Island, Los Angeles County, State of California, lying adjacent to Doctor's Cove and more particularly described as follows:

BEGINNING at a point on the easterly shoreline of Santa Catalina Island having California Coordinate System 1983, Zone 5, coordinates of North = 1630027.81 feet and East = 6399715.47 feet from which a NGS monument "Channel 1933" bears South 61°31'38" East 18,252.64 feet, said monument having California Coordinate System 1983, Zone 5, coordinates of North = 1621325.99 feet and East = 6415760.32 feet, thence North 80°25'23" West 149 feet more or less to a point on the

ordinary high water mark, thence southerly, easterly and northerly along the ordinary high water mark 285 feet more or less to the point of beginning.

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

PARCEL 6 – Floating Cargo Barge

A 36 feet wide strip of submerged lands in the bed of the Pacific Ocean on the easterly side of Santa Catalina Island, Los Angeles County, State of California, lying adjacent to Doctor's Cove, and lying 18 feet on each side of the following described centerline:

BEGINNING at a point in the bed of the Pacific Ocean having California Coordinate System 1983, Zone 5, coordinates of North = 1630209.02 feet and East = 6399636.48 feet from which a NGS monument "Channel 1933" bears South 61°08'55" East 18,408.87 feet, said monument having California Coordinate System 1983, Zone 5, coordinates of North = 1621325.99 feet and East = 6415760.32 feet thence North 20°26'20" East 60.00 feet to the termination of said centerline.

The sidelines of said strip shall begin and terminate at lines lying perpendicular to the beginning and termination of said centerline.

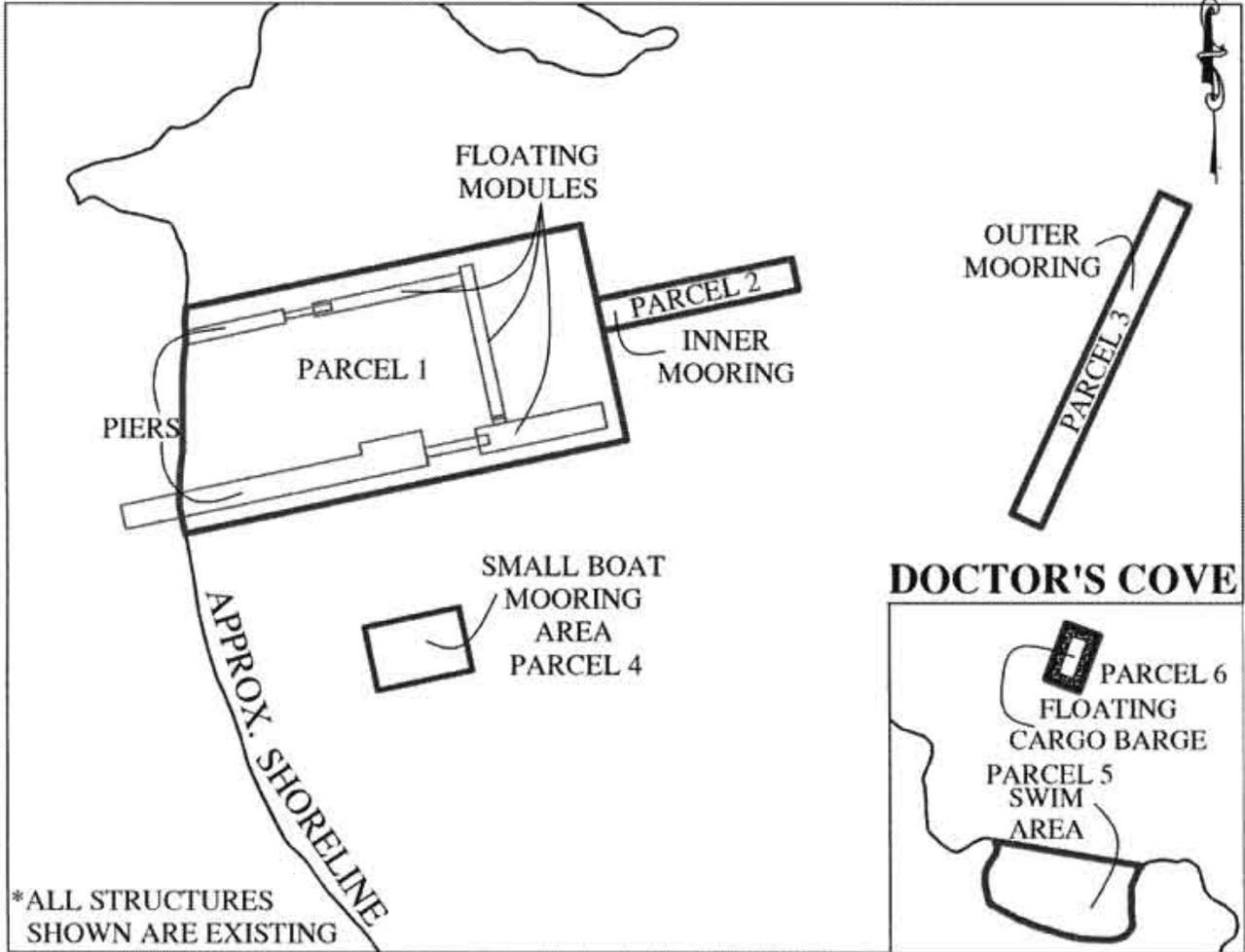
END OF DESCRIPTION

PREPARED 5/20/13 BY THE CALIFORNIA STATE LANDS COMMISSION BOUNDARY UNIT



NO SCALE

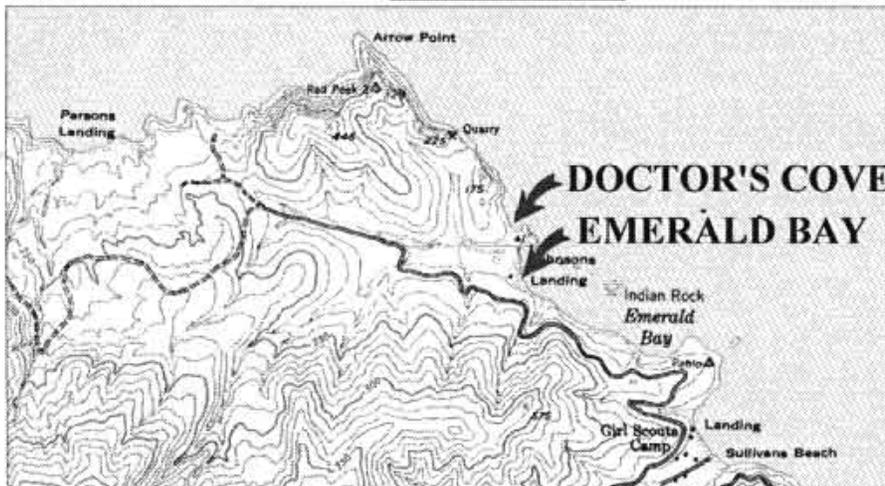
EMERALD BAY



EMERALD BAY & DOCTOR'S COVE

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 6442.1
 WESTERN LOS ANGELES
 COUNTY COUNCIL -
 BOY SCOUTS OF AMERICA
 GENERAL LEASE -
 RECREATIONAL USE
 LOS ANGELES COUNTY

SITE

CATALINA
 ISLAND

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties 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.