

MINUTE ITEM

This Calendar Item No. 34
was approved as Minute Item
No. 34 by the State Lands
Commission by a vote of 3
to 0 at its 6/30/77
meeting.

CALENDAR ITEM

34.

6/77
G. 10-07
TB

APPROVAL OF PIER LEASE

TRUSTEE:

City of San Diego
1200 Third Avenue, Suite 1024
San Diego, California 92101

LOCATION:

Granted tide and submerged lands in Mission
Bay, San Diego County.

BACKGROUND:

In 1926 the Board of Harbor Commissioners for
San Diego issued a 50-year lease of tide and
submerged lands in the Crescent Beach area of
Mission Bay, San Diego. In 1945 the leased
lands as well as other tide and submerged
lands in Mission Bay were granted in trust to
the City of San Diego and the leases came under
the control of the City.

In 1976 the original lease of the pier expired
and a new lease was executed between the City
of San Diego as trustee and Mr. William D. Evans
is owner of both the upland and the Catamaran
hotel complex located on the upland.

In accordance with a condition in the Coastal
Commission's permit authorizing retention of
the pier located on the leased premises, this
lease has been submitted to the Commission to
determine whether the lease is consistent with
the provisions of Section 6702(b) of the Public
Resources Code.

FACTS SUPPORTING DETERMINATION:

Chapter 112, Statutes of 1945 granted tide and
submerged lands, whether filled or unfilled,
lying in or adjacent to Mission Bay or its
entrance, to the City of San Diego, in trust.
The lands were granted for purposes of commerce,
navigation and fishery, and also for the
"establishment and maintenance of parks, play-
grounds, bath-houses, recreation piers and
facilities..."

The Catamaran pier will be used for various
water oriented commercial enterprises such
as boat rentals, and an excursion boat ride
and will be open to members of the public.
Rental paid to the City will be 7% of gross
profits with a \$1,000 minimum as determined on
an annual basis. Proceeds from the lease are

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S 39, 40

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to be deposited in a trust fund and used exclusively for Mission Bay Park.

EXHIBIT: A. Site Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE CATAMARAN LEASE DESCRIBED ABOVE IS IN ACCORDANCE WITH THE TERMS OF THE GRANT UNDER WHICH TITLE TO THE TIDE AND SUBMERGED LANDS IN QUESTION IS HELD.
2. FIND THAT THE FUND INTO WHICH THE PROCEEDS FROM THE CATAMARAN LEASE ARE TO BE DEPOSITED IS AN APPROPRIATE TRUST FUND EXPENDABLE ONLY FOR STATEWIDE PURPOSES.
3. FIND THAT THE CATAMARAN LEASE IS IN THE BEST INTERESTS OF THE STATE.
4. FIND THAT BECAUSE OF THE ABOVE MENTIONED FINDINGS THE CATAMARAN LEASE IS CONSISTENT WITH THE PROVISIONS OF SECTION 6702(B) OF THE PUBLIC RESOURCES CODE.
5. FIND THAT NEITHER COMMISSION APPROVAL OF THIS CALENDAR ITEM NOR ANY STATEMENT OR DESCRIPTION CONTAINED IN THIS CALENDAR ITEM, THE CATAMARAN LEASE DOCUMENT OR ANY OTHER SUPPORTING DOCUMENTS SHALL IN ANY WAY AFFECT ANY OWNERSHIP OR BOUNDARY CLAIMS OF THE STATE OF CALIFORNIA.
6. DETERMINE THAT THIS ACTION IS NOT A PROJECT WITHIN THE MEANING OF PRC 21065, 14 CAL. ADM. CODE SECTION 15037, AND 2 CAL. ADM. CODE SECTION 2503(A)(1).