

MINUTE ITEM

This Calendar Item No. C09 was approved as Minute Item No. 09 by the California State Lands Commission by a vote of 3 to 0 at its 4-20-00 meeting.

**CALENDAR ITEM
C09**

A 58

S 27

PRC 6696

04/20/00

WP 6696

B. Dugal

GENERAL LEASE - COMMERCIAL USE

APPLICANT:

City of Avalon
P. O. Box 707
Avalon, California 90704

AREA, LAND TYPE, AND LOCATION:

Ten acres, more or less, of sovereign lands in the Pacific Ocean at Hamilton Cove, located near the city of Avalon, Santa Catalina Island, Los Angeles County.

AUTHORIZED USE:

Continued use and maintenance of existing recreational mooring facilities.

LEASE TERM:

15 years, beginning July 1, 1999.

CONSIDERATION:

25% of the gross income derived from the leased moorings against a minimum annual rent of \$296 per installed mooring, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

SPECIFIC LEASE PROVISIONS:

Insurance:

Combined single limit coverage of not less than \$5,000,000.

Bond:

\$20,000.

OTHER PERTINENT INFORMATION:

1. The City has maintained the mooring facilities at Hamilton Cove since the moorings were originally installed in 1984. This lease provides for installation of a maximum of 61 moorings within the lease area. Approximately 38 moorings have been installed annually in the Hamilton

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Cove area. Annual rent is set as a percentage of gross income with a minimum annual rent based on the number of actual moorings installed on the leased area. All moorings in the leased area are nontransferable and mooring tackle not removed at the end of the subleases becomes the property of the City. Other moorings in the area are installed on lands granted to the City.

2. The City's lease with the Commission expired on June 30, 1999, and the City has submitted an application to the Commission for a replacement lease.
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. Lease Description

PERMIT STREAMLINING ACT DEADLINE:

May 29, 2000

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

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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 BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO THE CITY OF AVALON OF A GENERAL LEASE - COMMERCIAL USE, BEGINNING JULY 1, 1999, FOR A TERM OF 15 YEARS, FOR CONTINUED USE AND MAINTENANCE OF EXISTING RECREATIONAL MOORINGS ON THE LAND DESCRIBED ON EXHIBIT B ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; 25% OF THE GROSS INCOME DERIVED FROM THE LEASED MOORINGS AGAINST A MINIMUM ANNUAL RENT OF \$296 PER INSTALLED MOORING; WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; COMBINED SINGLE LIMIT COVERAGE OF NO LESS THAN \$5,000,000; SURETY BOND IN THE AMOUNT OF \$20,000.

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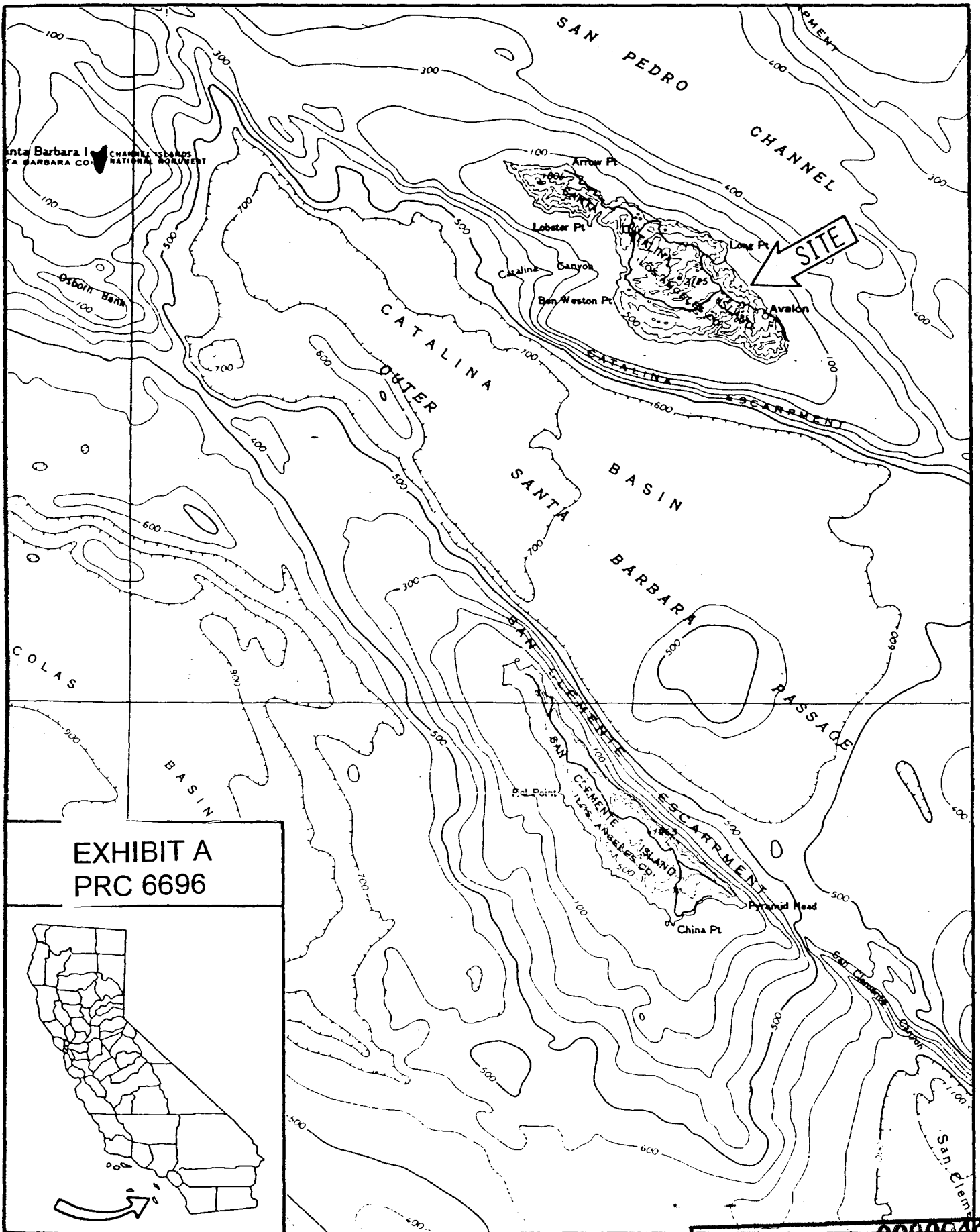


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EXHIBIT B

A parcel of tide and submerged land in San Pedro Channel adjacent to and northerly of the northwesterly boundary of the City of Avalon, Santa Catalina Island, Los Angeles County, State of California, more particularly described as follows:

BEGINNING at Station 46 as shown on the map filed for record Dec. 22, 1966 in Map Book 2423 Page 904, Official Records, Los Angeles County, said point being on the northwesterly boundary of the City of Avalon and on the ordinary high water mark of the Pacific Ocean as shown on said map; thence along the continuation of said City boundary N 37° 01' E 490 feet; thence leaving said boundary N 14° 04' W 608 feet; thence N 34° 44' W 400 feet, thence S 55° 16' W 350 feet, more or less, to the ordinary high water mark of the Pacific Ocean on Santa Catalina Island; thence along said ordinary high water mark southerly 1300 feet, more or less, to the point of beginning.

END OF DESCRIPTION

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