

This Calendar Item No. C30 was approved as Minute Item No. 30 by the California State Lands Commission by a vote of 3 to 0 at its 04-05-04 meeting.

**CALENDAR ITEM
C30**

A 54
S 27

PRC 6438

04/05/04
WP 6438.1
J. Smith

AMENDMENT OF LEASE

LESSEE:

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

AREA, LAND TYPE, AND LOCATION:

0.82 acres, more or less, of sovereign lands in the Pacific Ocean at Isthmus Cove and Catalina Harbor, Santa Catalina Island, Los Angeles County.

AUTHORIZED USE:

Operation of commercial and recreational piers and barge loading facilities.

LEASE TERM:

20 years, beginning January 1, 1997.

CONSIDERATION:

Minimum annual rent of \$10,000 against a percentage of gross receipts, whichever is greater; and \$0.02 per gallon of fuel sold; with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

PROPOSED AMENDMENT:

Authorize the renovation of the Isthmus Pier and a temporary dinghy dock landing area, which will be established on the beach west of the pier until the renovation is completed. 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. The Santa Catalina Island Company (SCIC) is the current lessee of State Lease PRC 6438.1 covering facilities at Isthmus Cove and Catalina

CALENDAR ITEM NO. C30 (CONT'D)

Harbor. The SCIC has submitted an application to the Commission for renovation of the Isthmus Pier (Pier). The Pier serves recreational boaters and campers visiting Cherry Cove, Howlands Landing, Emerald Bay and Fourth of July Cove. The Pier also serves residents of Two Harbors, and supports personnel associated with the USC Marine Science Center. The Pier has deteriorated over many years and is in need of significant repairs.

The renovation is expected to take approximately three months to complete and will consist of the removal and replacement of deteriorated elements in like kind and within the same footprint as the existing Pier. The Harbor Master's Office and the marine fueling facility reside on the Pier. The Harbor Masters Office will be removed during the renovation and reinstalled in the same location following completion of the Pier renovation. Fueling will be discontinued and all fuel line valves will be shut off and capped during renovation. In the event of the need for emergency fueling, the land based fuel station will be available and five-gallon fuel containers, approved by the U.S. Coast Guard, will be used.

During the Pier renovation, recreational boaters intending to go ashore via dinghy would have the option of landing their dinghy on the beach or utilizing a temporary dinghy dock landing, which will be established on the beach west of the Pier.

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 2, Repair or Reconstruction; Title 2, California Code of Regulations, section 2905(b).

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.

CALENDAR ITEM NO. C30 (CONT'D)

APPROVALS REQUIRED:

U.S. Army Corps of Engineers; Regional Water Quality Control Board; California Coastal Commission; California State Lands Commission

EXHIBITS:

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

PERMIT STREAMLINING ACT DEADLINE:

May 28, 2004

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 2, REPLACEMENT OR RECONSTRUCTION; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905(b).

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 6438.1, A GENERAL LEASE - COMMERCIAL AND RECREATIONAL PIER USE, OF LANDS DESCRIBED ON EXHIBIT B ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF, EFFECTIVE APRIL 5, 2004, FOR RENOVATION OF THE ISTHMUS PIER AND ESTABLISHMENT OF A TEMPORARY DINGHY DOCK LANDING AREA ON THE BEACH WEST OF THE PIER, UNTIL RENOVATION IS COMPLETED; ALL OTHER TERMS AND CONDITIONS OF THE LEASE WILL REMAIN IN EFFECT WITHOUT AMENDMENT.

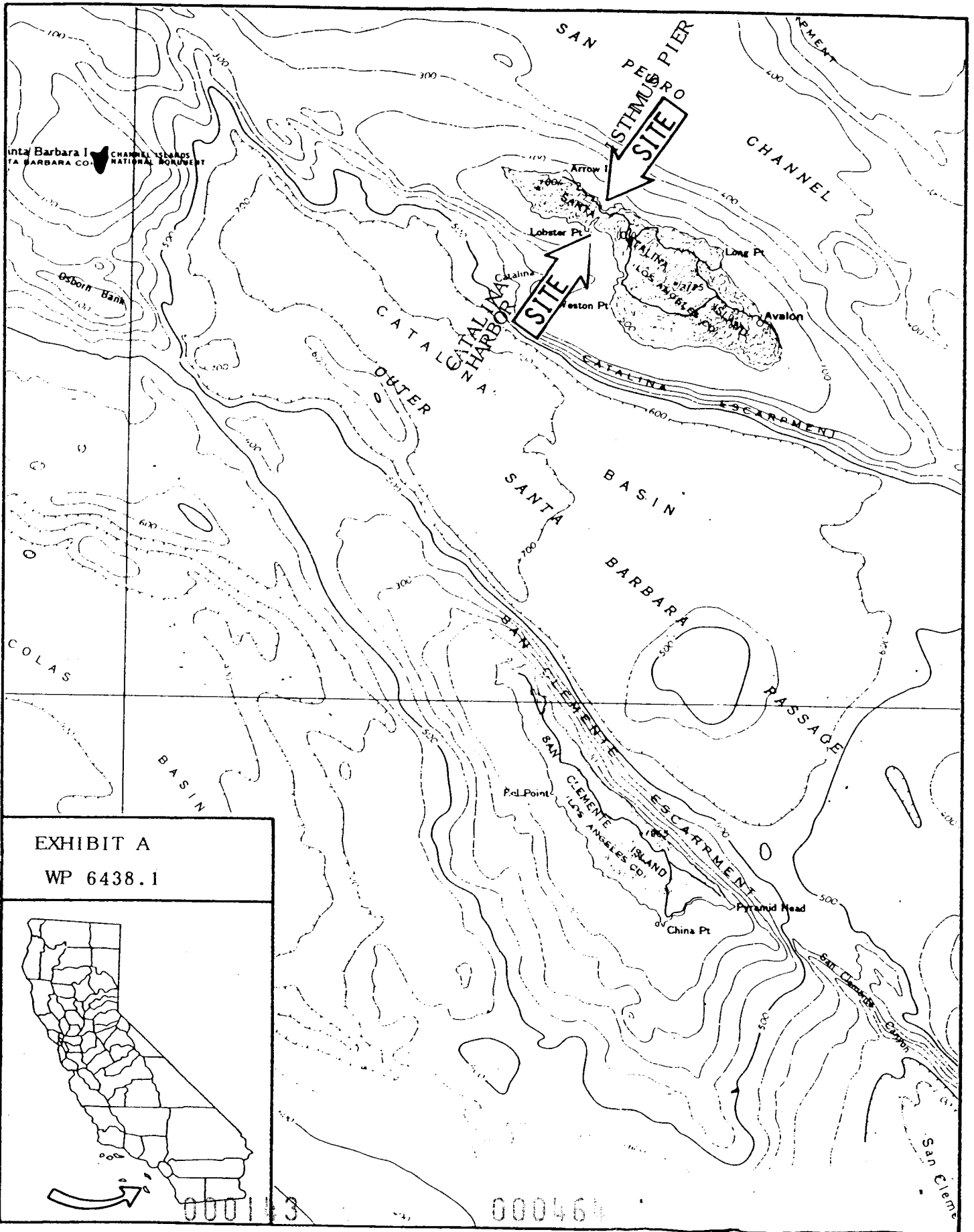


EXHIBIT A
 WP 6438.1



EXHIBIT B

LAND DESCRIPTION

WP 6438.1

Two parcels of tide and submerged land in Isthmus Cove on Santa Catalina Island, Los Angeles County, California, described as follows:

PARCEL 1 (Isthmus Cove)

BEGINNING at a point on the centerline of an existing pier at its landward terminus having approximate geographical coordinates of 33° 26' 29.9" north latitude and 118° 29' 49.4" west longitude; thence the following 15 courses:

1. S 58° E 20 feet;
2. N 32° E 110 feet;
3. S 58° E 73 feet;
4. N 32° E 60 feet;
5. N 58° W 70 feet;
6. N 32° E 238 feet;
7. N 58° W 45 feet;
8. S 32° W 238 feet;
9. N 58° W 105 feet;
10. S 32° W 32 feet;
11. S 58° E 92 feet;
12. S 32° W 25 feet;
13. S 58° E 15 feet;
14. S 32° W 113 feet, and
15. S 58° E 20 feet to the point of beginning.

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

PARCEL 2 (Isthmus Barge Landing)

Said parcel lies 10 feet on each side of a centerline, the landward terminus of which is located at approximate geographical coordinates of 33° 26' 30.4" north latitude and 118° 29' 26" west longitude and extends northwesterly 40 feet therefrom.

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

Three parcels of tide and submerged land in Catalina Harbor on Santa Catalina Island, Los Angeles County, California, described as follows:

PARCEL 3 (Catalina Harbor Dinghy Dock Pier)

BEGINNING at a point on the centerline of an existing pier at its landward terminus having geographical coordinates of 33° 26' 05.4" north latitude and 118° 30' 09" west longitude; thence the following nine courses:

1. S 73° 45' E 13 feet;
2. S 16° 15' W 140 feet;
3. S 73° 45' E 3 feet;
4. S 16° 15' W 38 feet;
5. N 73° 45' W 32 feet;
6. N 16° 15' E 38 feet;
7. S 73° 45' E 3 feet;
8. N 16° 15' E 140 feet, and
9. S 73° 45' E 13 feet to the point of beginning.

EXCEPTING THEREFROM any lands validly patented as Tideland Location No. 197, Los Angeles County.

PARCEL 4 (Catalina Harbor Pier)

Said parcel 36 feet in width lies 18 feet on each side of a centerline extending S 06° W 192 feet along the centerline of an existing pier, the landward terminus of which has geographical coordinates of 33° 26' 55.8" north latitude and 118° 30' 25.15" west longitude.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of Catalina Harbor.

PARCEL 5 (Catalina Harbor Concrete Ramp)

Said parcel 30 feet wide lies 15 feet on each side of a centerline BEGINNING at a point having geographical coordinates of 33° 26' 55.4" north latitude and 118° 30' 28.15" west longitude; thence S 10° 30' E 85 feet.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of Catalina Harbor.

END OF DESCRIPTION

REVISED JUNE 7, 1983 BY BOUNDARY AND TITLE UNIT, LEROY WEED, SUPERVISOR.