

**STAFF REPORT
C79**

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S 26

10/19/17
PRC 6410.1
D. Simpkin

**AMENDMENT OF LEASE AND
REVISION OF RENT**

LESSEE:

Santa Catalina Island Company

AREA, LAND TYPE, AND LOCATION:

Sovereign land located in the Pacific Ocean at Ballast Point in Catalina Harbor, Santa Catalina Island, Los Angeles County.

AUTHORIZED USE:

Continued use and maintenance of an existing dinghy pier, access ramp and floats.

LEASE TERM:

10 years, beginning December 5, 2012.

CONSIDERATION:

This lease provides that Lessor may modify the rent periodically during the lease term. Pursuant to this provision, staff has conducted a review of the rent under this lease and staff recommends that rent be revised from \$1,030 per year to \$1,091 per year, effective December 5, 2017.

PROPOSED AMENDMENT:

Amend the lease to replace the existing Exhibit A, Land Description, and Exhibit B, Site and Location Map, with the attached Exhibit A, Land Description, and Exhibit B, Site and Location Map (for reference purposes only). All other terms and conditions of the lease shall remain in effect without amendment.

STAFF ANALYSIS AND RECOMMENDATION:

Authority:

Public Resources Code sections 6005, 6216, 6301, 6501.1, 6503, and 6503.5; California Code of Regulations, title 2, sections 2000 and 2003.

Public Trust and the State's Best Interests Analysis:

On December 5, 2012, the Commission authorized a 10-year General Lease – Recreational Use to the Santa Catalina Island Company, for an

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existing dinghy pier, access ramp and floats ([Item C52, December 5, 2012](#)).

The existing lease requires the payment of annual rent to compensate the people of the State for the use of sovereign land. Staff conducted the rent review called for in the lease and recommends the rent be revised from \$1,030 per year to \$1,091 per year to reflect the 2016 Category 1 Southern California Benchmark rate and changes in the lease area. Staff also recommends the lease be amended to reflect a new reduced lease area.

The recommended action will not substantially interfere with the Public Trust needs at this time and at this location. For these reasons, staff recommends finding the proposed action is in the best interests of the State.

OTHER PERTINENT INFORMATION:

1. This action is consistent with Strategy 2.2 of the Commission's Strategic Plan to ensure timely receipt of revenues and royalties from the use and development of State lands and minerals.
2. Amendment of the lease to make an adjustment in the lease area and approving the revision of the rent are not projects as defined by the California Environmental Quality Act because they are administrative actions that will not result in direct or indirect physical changes in the environment.

Authority: Public Resources Code section 21065 and California Code of Regulations, title 14, section 15378, subdivision (b)(5).

EXHIBITS:

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

RECOMMENDED ACTION:

It is recommended that the Commission:

PUBLIC TRUST AND STATE'S BEST INTERESTS:

Find that the proposed actions will not substantially interfere with the Public Trust needs and values at this location, at this time or for the foreseeable term of the lease, and are in the best interests of the State.

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AUTHORIZATION:

1. Authorize the amendment of Lease No. PRC 6410.1, a General Lease – Recreational Use, effective December 5, 2017, to replace the existing Exhibit A, Land Description, and Exhibit B, Site and Location Map, with the attached Exhibit A, Land Description, and Exhibit B, Site and Location Map (for reference purposes only).
2. Approve the revision of rent for Lease No. PRC 6440.1 from \$1,030 per year to \$1,091 per year, effective December 5, 2017.

EXHIBIT A

PRC 6410.1

LAND DESCRIPTION

A parcel of tide and submerged land situate in the bed of the Pacific Ocean in Catalina Harbor of Santa Catalina Island, near Ballast Point, Los Angeles County, State of California, more particularly described as follows:

COMMENCING at NGS monument "CHERRY 2" having CCS27 Zone 6 coordinates of Northing(y)=475442.21 feet, Easting(x)=1313536.29 feet from which NGS monument "CHANNEL 1933" having CCS7 Zone 6 coordinates of Northing(y)=472983.28 feet, Easting(x)=1320625.26 feet bears South 70°52'12" West 7,503.32 feet; thence South 9°06'49" West 8,076.03 feet to a point in the bed of the Pacific Ocean also being the POINT OF BEGINNING; thence the following nine (9) courses:

- 1) North 59°21'40" West 10.25 feet;
- 2) North 30°38'20" East 123.25 feet;
- 3) South 59°21'40" East 29.00 feet;
- 4) South 30°38'20" West 6.00 feet;
- 5) South 59°21'40" East 50.00 feet;
- 6) South 30°38'20" West 26.00 feet;
- 7) North 59°21'40" West 50.00 feet;
- 8) South 30°38'20" West 91.25 feet
- 9) North 59°21'40" West 18.75 feet to the POINT OF BEGINNING.

EXEPTING THEREFROM any portion located landward of the ordinary high water mark of said ocean/bay.

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

END OF DESCRIPTION

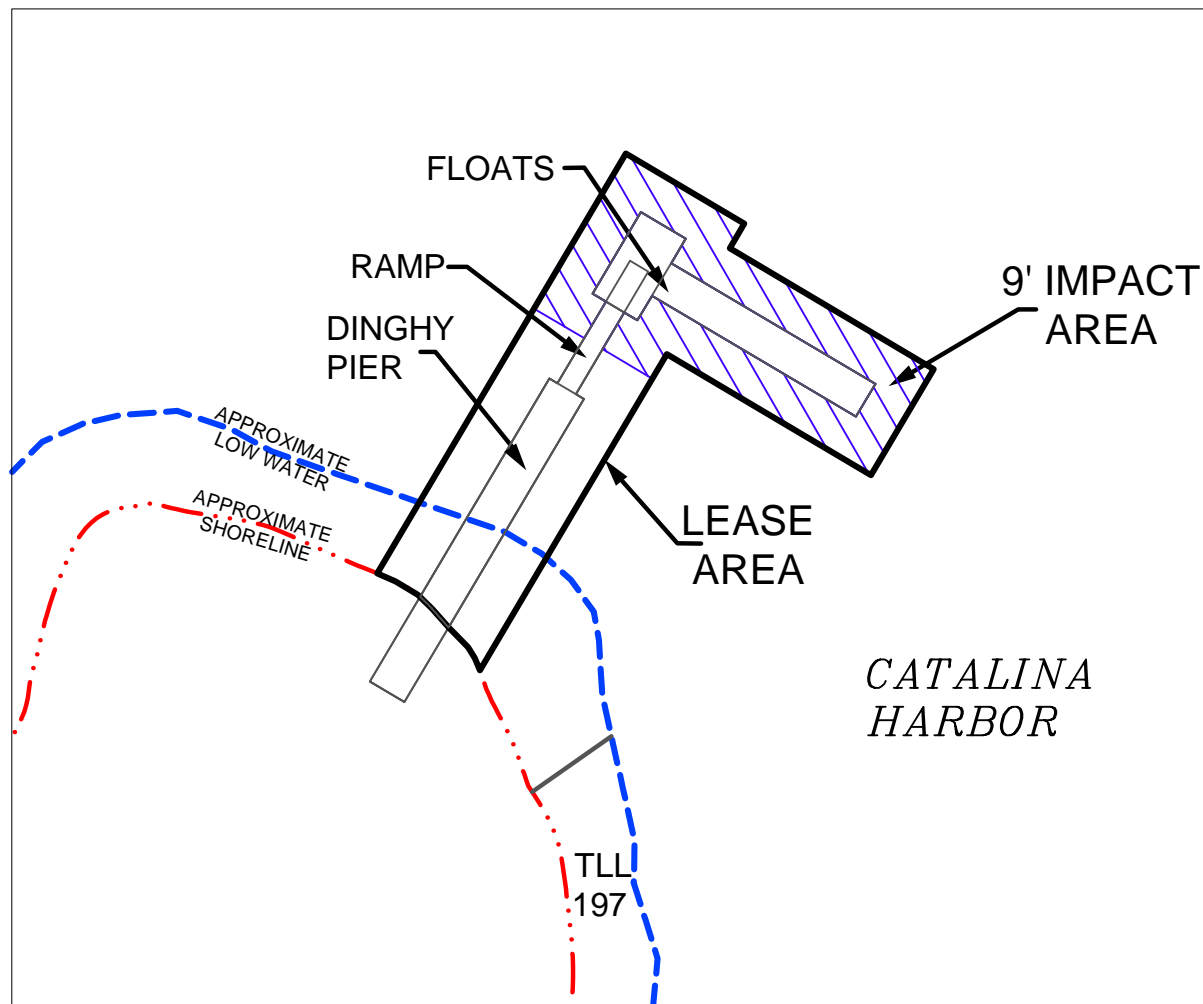
Prepared 8/22/2017 by the California State Lands Commission Boundary Unit.

Description is based on CSLC field survey conducted October 22, 2002.



NO SCALE

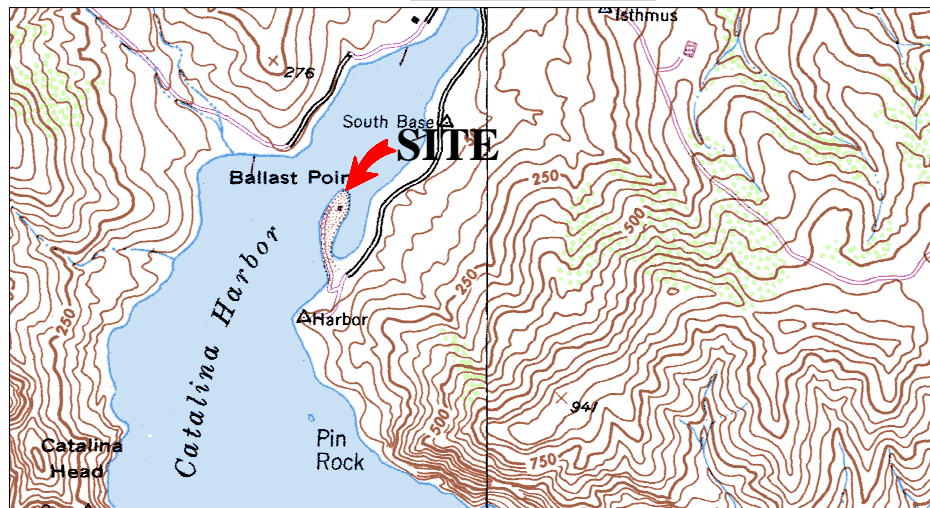
SITE



BALLAST POINT, CATALINA ISLAND

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

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.

Exhibit B

PRC 6410.1
SANTA CATALINA ISLAND CO.
APN: 7480-040-017
GENERAL LEASE -
RECREATIONAL USE
SANTA CATALINA ISLAND
LOS ANGELES COUNTY

