

13. AMENDMENT OF LEASE P.R.C. 3692.1, TIDE AND SUBMERGED LANDS, LOS ANGELES COUNTY; UNIVERSITY OF SOUTHERN CALIFORNIA - W.O. N-6828.

During consideration of Calendar Item 39, Mr. C. E. Dixon, acting for Commissioner Gordon F. Smith, asked that the record show that a letter had been received dated February 22, 1968, from Carl M. Franklin, Vice President, Financial Affairs, University of Southern California, expressing appreciation for Mr. Smith's interest in the University's application, and outlining the purposes for which the leased areas would be used.

The Executive Officer brought to the attention of the Commission that the Coordinating Council for Higher Education adopted Resolution No. 235 on February 20, 1968, which was received by the State Lands Commission on February 28, asking that the Commission make no allocation of tide & submerged land until completion of its study for development of plans for orderly growth of higher education and for advising the governing boards as to the need for and location of new facilities and programs, to be completed by September 1, 1969, together with a copy of a statement that was presented to the Coordinating Council prior to the adoption of the aforementioned resolution, noting "that an exception to this request is that we recommend to the State Lands Division that they act as soon as possible on the application of the University of Southern California to lease marine reserves near the location of their Marine Science Center on Santa Catalina Island." Therefore, Commission consideration is in accord with the stated exception.

UPON MOTION DULY MADE AND CARRIED, THE FOLLOWING RESOLUTION WAS ADOPTED:

THE COMMISSION AUTHORIZES THE ISSUANCE TO THE UNIVERSITY OF SOUTHERN CALIFORNIA OF THE FOLLOWING AMENDMENTS, EFFECTIVE MARCH 1, 1968, TO LEASE P.R.C. 3692.1, COVERING SOVEREIGN LAND AT SANTA CATALINA ISLAND, SAN PEDRO CHANNEL, LOS ANGELES COUNTY:

1. THE PROPERTY DESCRIPTION AS APPEARING ON PAGE 1 OF SAID LEASE IS AMENDED BY THE ADDITION OF FOUR (4) NEW PARCELS, AS DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.
2. THE ANNUAL RENTAL SHALL HEREAFTER BE \$500.00 INSTEAD OF \$100.00, AND THE PUBLIC BENEFIT SHALL BE CONSIDERED PART OF THE CONSIDERATION. IN ADDITION, THE STATE SHALL RESERVE THE RIGHT TO REVIEW AND RESET A REASONABLE RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE.
3. THE RIGHT OF THE PUBLIC TO FISH AND NAVIGATE IN WATERS COVERED BY THE LEASE SHALL NOT BE ABROGATED BY THE TERMS OF SAID LEASE.

Attachment

Calendar Item 39 (3 pages)

39.

AMENDMENT OF LEASE P.R.C. 3692.1

APPLICANT: University of Southern California

LOCATION: Approximately 360 acres of tide and submerged lands in San Pedro Channel adjacent to and offshore of Santa Catalina Island, Los Angeles County

PRESENT AND PROPOSED USE: The operation of a marine science center

TERMS OF BASIC LEASE:
No change
Initial period: 15 years, from December 14, 1966
Renewal options: 3 additional periods of 10 years each

CONSIDERATION: (1) Present: \$100 per annum
(2) Revised: \$500 per annum, with State reserving the right to review and reset a reasonable rental at successive 5-year intervals

BASIS FOR CONSIDERATION:
A nominal monetary consideration coupled with the public benefit

PREREQUISITE ITEMS:
Applicant is lessee or permittee of upland

STATUTORY AND OTHER REFERENCES:
a. Public Resources Code: Div. 6, Pt. 2, Ch. 1, Secs. 6501-6509
b. Administrative Code: Title 2, Div. 3, Secs. 2000-2011
c. Commission policy: Minute Item 18 of November 18, 1959

OTHER PERTINENT INFORMATION:
(1) The basic lease covers one parcel, which includes all of Fisherman's Cove, Santa Catalina Island. The lessee has requested that four additional parcels, comprising approximately 300 acres, be added to the lease. Three of the new parcels are located in the general vicinity of Fisherman's Cove, as shown on Exhibit "B", and one is located easterly of Catalina Harbor. Three of the parcels are to be used for scientific research and educational purposes in connection with the Marine Biological Laboratory that has been completed at Fisherman's Cove. The fourth parcel will be used for developing and testing marine instruments.

(2) This transaction affects an existing lease and was received prior to initiation of a new policy program designed to facilitate orderly utilization of sovereign lands for marine preserve purposes.

CALENDAR ITEM 39. (CONTD.)

EXHIBITS: A. Legal description B. Location map

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE ISSUANCE TO THE UNIVERSITY OF SOUTHERN CALIFORNIA OF THE FOLLOWING AMENDMENTS, EFFECTIVE MARCH 1, 1968, TO LEASE P.R.C. 3692.1, COVERING SOVEREIGN LAND AT SANTA CATALINA ISLAND, SAN PEDRO CHANNEL, LOS ANGELES COUNTY:

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- (3) THE RIGHT OF THE PUBLIC TO FISH AND NAVIGATE IN WATERS COVERED BY THE LEASE SHALL NOT BE ABROGATED BY THE TERMS OF SAID LEASE.

Attachment: Exhibit "A"

EXHIBIT "A"

Marine Science Center
University of Southern California

Description of Areas for Reservations

Parcel No. 1: Blue Cavern Point: All that area bounded on the South and Southeast by the mean high tide line and by the present seaward boundary of the lease to tide and submerged lands now held by the University of Southern California from the State Lands Commission (No. 3692.1 Public Resources Code Series) and extending from a point on the mean high tide line at approximately $33^{\circ} 26' 39''$ North Latitude $118^{\circ} 29' 19''$ West Longitude, thence to approximately $33^{\circ} 26' 50''$ North Latitude $118^{\circ} 29' 08''$ West Longitude, thence to approximately $33^{\circ} 26' 57.5''$ North Latitude $118^{\circ} 28' 33.5''$ West Longitude, thence to approximately $33^{\circ} 26' 55''$ North Latitude $118^{\circ} 28' 32''$ West Longitude, and thence to a point on the mean high tide line at approximately $33^{\circ} 26' 53.5''$ North Latitude $118^{\circ} 28' 35''$ West Longitude.

Parcel No. 2: Harbor Reefs: All that rectangular area included within the boundaries extending from approximately $33^{\circ} 26' 45''$ North Latitude $118^{\circ} 29' 20.5''$ West Longitude, thence to approximately $33^{\circ} 26' 56.5''$ North Latitude $118^{\circ} 29' 35''$ West Longitude, thence to approximately $33^{\circ} 27' 04.5''$ North Latitude $118^{\circ} 29' 26.5''$ West Longitude, thence to approximately $33^{\circ} 26' 53''$ North Latitude $118^{\circ} 29' 12''$ West Longitude.

Parcel No. 3: Pin Rock: All that area bounded on the Northeast by the mean high tide line and extending from a point on the mean high tide line at approximately $33^{\circ} 25' 40''$ North Latitude $118^{\circ} 30' 21''$ West Longitude, thence to approximately $33^{\circ} 25' 37''$ North Latitude $118^{\circ} 30' 26''$ West Longitude, thence to approximately $33^{\circ} 25' 29.5''$ North Latitude $118^{\circ} 30' 23.5''$ West Longitude, thence to approximately $33^{\circ} 25' 17''$ North Latitude $118^{\circ} 30' 06.5''$ West Longitude, thence to the mean high tide line at approximately $33^{\circ} 25' 23''$ North Latitude $118^{\circ} 30' 02''$ West Longitude.

Parcel No. 4: Ocean Range: All that area bounded on the Southwest by the mean high tide line and extending from a point on the mean high tide line at approximately $33^{\circ} 26' 53.5''$ North Latitude $118^{\circ} 28' 35''$ West Longitude, thence to approximately $33^{\circ} 27' 13.5''$ North Latitude $118^{\circ} 27' 54''$ West Longitude, thence to approximately $33^{\circ} 26' 50''$ North Latitude $118^{\circ} 27' 37.5''$ West Longitude, thence to approximately $33^{\circ} 26' 33''$ North Latitude $118^{\circ} 28' 12''$ West Longitude, and thence to a point on the mean high tide line at approximately $33^{\circ} 26' 30.5''$ North Latitude $118^{\circ} 28' 12''$ West Longitude.