

MINUTE ITEM

9/29/75
ACS
WP 4193

5. 6+YEARS INDUSTRIAL LEASE, TIDE AND SUBMERGED LAND OFFSHORE OF SANTA CATALINA ISLAND, LOS ANGELES COUNTY; CONNOLLY-PACIFIC COMPANY - WP 4193, PRC 4193.

After consideration of Calendar Item 3 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. DETERMINES THAT AN ENVIRONMENTAL IMPACT REPORT NEED NOT BE PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21085; 14 CAL, ADM. CODE 15100, ET SEQ.; AND 2 CAL. ADM. CODE 2907(a).
2. AUTHORIZES ISSUANCE TO CONNOLLY-PACIFIC COMPANY OF A 6-YEAR, 10-MONTH AND 16-DAY INDUSTRIAL LEASE FROM JANUARY 4, 1974; IN CONSIDERATION OF RENT IN THE AMOUNT OF \$300 PER ANNUM THROUGH JUNE 29, 1975, AND \$450 PER ANNUM FROM JUNE 30, 1975, AND THEREAFTER WITH THE STATE RESERVING THE RIGHT TO CHANGE THE RENTAL CHARGE TO THROUGHPUT AT ANY TIME DURING THE YEAR BEGINNING AUGUST 1, 1975, AND RETROACTIVE TO AUGUST 1, 1975, ALSO RESERVING TO THE STATE THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF A \$1,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE PER OCCURRENCE FOR BODILY INJURY AND PROPERTY DAMAGE IN THE AMOUNT OF \$1,000,000 FOR THE CONTINUED USE AND MAINTENANCE OF FOUR MOORING BUOYS ON THE LAND DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment:
Calendar Item 3 (3 pages)

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CALENDAR ITEM

9/75

3.

ACS
WP 4193

INDUSTRIAL LEASE

APPLICANT; Connolly-Pacific Company
1926 Water Street
Long Beach, California 90802

AREA, TYPE LAND AND LOCATION:
2 irregularly-shaped parcels and 2 circular parcels having a radius of 82' with a total acreage of 1.78 acres of tide and submerged land offshore of Santa Catalina Island, Los Angeles County.

LAND USE: Continued use and maintenance of 4 existing mooring buoys.

TERMS OF PROPOSED LEASE:
Initial period: 6 years, 10 months and 16 days, from January 4, 1974.
Public liability insurance and property damage: \$1,000,000.

CONSIDERATION: \$300 per annum through June 29, 1975, and \$450 per annum thereafter; with the State reserving the right to change the annual rental during the year beginning August 1, 1975, and fix a different rental on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:
\$300 per annum minimum rental for this type of lease through June 29, 1975, \$450 per annum minimum rental for this type of lease from June 30, 1975, and thereafter.

PREREQUISITE TERMS, FEES AND EXPENSES:
Applicant is lessee.
Filing fee has been received.

STATUTORY AND OTHER REFERENCES:
a. Public Resources Code: Div. 6, Parts 1 & 2.
b. Administrative Code: Title 2, Div. 3, Arts. 1, 2 & 10.

OTHER PERTINENT INFORMATION:
1. An Environmental Impact Report is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907(a) which exempts an existing structure or facility that is in an acceptable state

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of repair and where there is no evidence of record to show injury to adjacent property, shoreline erosion, or other types of environmental degradation.

2. Special provisions have been incorporated into the lease which would allow for the changing of the annual rental from a fixed minimum to throughput at any time during the year beginning August 1, 1975, if proposed regulations concerning throughput are adopted during the year, in which case said new rental shall be retroactive to August 1, 1975.
3. The term of this lease has been adjusted so as to terminate on the same date as Lease PRC 4626 with this company. Lease PRC 4626 covers similar facilities located in the same general area.

EXHIBITS: A. Land Description. B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT NEED NOT BE PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21085; 14 CAL. ADM. CODE 15100, ET SEQ.; AND 2 CAL. ADM. CODE 2907(a).
2. AUTHORIZE ISSUANCE TO CONNOLLY-PACIFIC COMPANY OF A 6-YEAR, 10-MONTH AND 16-DAY INDUSTRIAL LEASE FROM JANUARY 4, 1974; IN CONSIDERATION OF RENT IN THE AMOUNT OF \$300 PER ANNUM THROUGH JUNE 29, 1975, AND \$450 PER ANNUM FROM JUNE 30, 1975, AND THEREAFTER WITH THE STATE RESERVING THE RIGHT TO CHANGE THE RENTAL CHARGE TO THROUGHPUT AT ANY TIME DURING THE YEAR BEGINNING AUGUST 1, 1975, AND RETROACTIVE TO AUGUST 1, 1975, ALSO RESERVING TO THE STATE THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF A \$1,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE PER OCCURRENCE FOR BODILY INJURY AND PROPERTY DAMAGE IN THE AMOUNT OF \$1,000,000 FOR THE CONTINUED USE AND MAINTENANCE OF FOUR MOORING BUOYS ON THE LAND DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

WP 4193

Four parcels of submerged land lying within the San Pedro Channel, Los Angeles County, State of California, said parcels lie southeasterly of Santa Catalina Island and being more particularly described as follows:

PARCEL 1:

BEGINNING at a point located at $33^{\circ} 18' 54''$ north latitude and $118^{\circ} 18' 12''$ west longitude thence N $41^{\circ} 03' 17''$ W, 102.77 feet; thence N $74^{\circ} 10' 51''$ W, 62.36 feet; thence S $00^{\circ} 00' 00''$ E, 223 feet; thence N $74^{\circ} 10' 51''$ E, 62.36 feet; thence N $41^{\circ} 03' 17''$ E, 102.77 feet to the point of beginning.

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

PARCEL 2:

BEGINNING at a point located at $33^{\circ} 18' 48''$ north latitude and $118^{\circ} 18' 12''$ west longitude; thence N $41^{\circ} 03' 17''$ W, 102.77 feet; thence N $74^{\circ} 10' 51''$ W, 62.36 feet; thence S $00^{\circ} 00' 00''$ E, 223 feet; thence N $74^{\circ} 10' 51''$ E, 62.36 feet; thence N $41^{\circ} 03' 17''$ E, 102.77 feet to the point of beginning.

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

PARCEL 3:

That parcel of land included within the circumference of a circle having a radius of 82 feet; the center of said circle located at $33^{\circ} 18' 54''$ north latitude and $118^{\circ} 18' 06''$ west longitude.

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

PARCEL 4:

That parcel of land included within the circumference of a circle having a radius of 82 feet, the center of said circle located at $33^{\circ} 18' 48''$ north latitude and $118^{\circ} 18' 00''$ west longitude.

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

END OF DESCRIPTION