

MINUTE ITEM

This Calendar Item No. 3  
was approved as Minute Item  
No. 3 by the State Lands  
Commission by a vote of 2  
to 0 at its 11/16/82  
meeting.

MINUTE ITEM

3

11/16/82  
PRC 3639.1  
Rump

STAFF REPORT ON HEARINGS  
CONCERNING THE NUMBER OF MOORINGS  
UNDER BID SOLICITATION WP 3639.1

During consideration of Calendar Item 3 attached, Jack Rump, Assistant Chief Counsel, summarized the hearings and the staff recommendations.

The following parties appeared stating their comments on the staff report:

1. Mr. Harrison Hertzberg  
Ms. Rosemary Woodlock  
Catalina Marine Services Corporation
2. Mr. Jim Radcliffe  
Island Navigation Company
3. Mr. Charles Greenberg  
Santa Catalina Island Company (Present Lessee)
4. Mr. Joseph Steele  
Boat Owners Associated Together

The Commission was asked to warrant that it did not contemplate the issuance of competitive revenue moorings to the upland lessee for facilities excluded from the lease. The Commission did so represent that it did not intend that the other leases would be commercially competitive with the lease being bid.

After much discussion, Chairman Cory thanked staff for its work on this matter. The Commission directed staff to make the necessary corrections to the bid proposal, with proposals to be sent to the 3 bidders by November 18, 1982. Bids are to be received no later than 2:00 p.m., November 29, 1982.

Upon motion duly made by Commission-Alternate Ackerman and seconded by Chairman Cory, the following Resolution was approved, as amended, by a vote of 2-0:

## THE COMMISSION:

1. FINDS THAT ALL CAMP MOORINGS ARE EXCLUDED FROM THE LEASE PREMISES; AND THAT THE NUMBER OF AUTHORIZED MOORINGS ON THE LEASE PREMISES IS LIMITED TO THOSE WHICH ARE REVENUE-PRODUCING EITHER ON AN ANNUAL OR DAILY BASIS; AND THAT TOYON BAY AND GALLAGHER'S BEACH WILL BE REMOVED FROM THE LEASE PREMISES.
2. FINDS, FOR PURPOSES OF THE BID SOLICITATION AND RESULTING LEASE, THAT THERE ARE 720 REVENUE-PRODUCING MOORINGS AS SHOWN AND NUMBERED 1-720 ON APPENDIX I ATTACHED HERETO, PLUS TWO STRINGLINES AT ISTHMUS COVE, ONE 476' LONG, TO WHICH A MAXIMUM OF 35 SMALL BOATS MAY BE ATTACHED, THE OTHER, 111' LONG, TO WHICH A MAXIMUM OF SIX SMALL BOATS MAY BE ATTACHED, AND THAT THESE ARE THE ONLY AUTHORIZED IMPROVEMENTS TO BE PLACED ON THE PREMISES UNDER THE PROPOSED LEASE.
3. FINDS:
  - (A) ALL REVENUE PRODUCING MOORINGS MUST BE MARKED WITH AN INDIVIDUAL SERIAL NUMBER, AND IN A MANNER WHICH DISTINGUISHES THEM FROM NON-REVENUE MOORINGS.
  - (B) LESSEE WILL BE REQUIRED TO PROVIDE ANNUALLY TO THE COMMISSION DIAGRAMS OF ALL STATIONARY OBJECTS FLOATING UPON THE WATER SURFACE WITHIN THE LEASE PREMISES. LESSEE SHALL NOT ADD OR PERMIT ANY ADDITIONAL OBJECTS UPON THE LEASE PREMISES WITHOUT THE EXPRESS PRIOR WRITTEN CONSENT OF THE COMMISSION.
  - (C) LESSEE WILL BE REQUIRED TO PATROL AND INSPECT THE LEASE PREMISES AND SEND TO THE COMMISSION QUARTERLY, OR DURING THE HIGH SEASON (JUNE 15-OCTOBER 15), MONTHLY REPORTS ON ALL STATIONARY OBJECTS FLOATING ON THE SURFACE WITHIN THE LEASE PREMISES.
4. FINDS THAT LESSEE IS AUTHORIZED TO PERMIT USE OF INDIVIDUAL MOORINGS FOR MORE THAN ONE BOAT, PROVIDED THAT EXISTING CONDITIONS PERMIT SUCH USE TO BE SAFELY MADE. NO ADDITIONAL CHARGE SHALL BE IMPOSED WHERE SUCH MULTIPLE USE IS MADE BY ACTUAL NAMED SUBLESSEES AND REGISTERED VESSELS FOR THE PARTICULAR MOORING IN QUESTION. ALL OTHER SUCH MULTIPLE USERS SHALL BE CHARGED ON A DAILY BASIS, ACCORDING TO THE FEE SCHEDULE INCLUDED IN THE BID SOLICITATION.
5. FINDS THAT SUBLEASEE WAITING LISTS MAY BE ESTABLISHED AND MAINTAINED ON A FIRST COME, FIRST SERVE BASIS, WITH DISTINCTIONS MADE ONLY FOR SPECIFIC COVES AND SIZE OF BOATS, NOT YACHT CLUB MEMBERSHIP. CURRENTLY MAINTAINED ADDENDUM MOORING WAITING LISTS MUST BE MERGED WITH THE GENERAL PUBLIC WAITING LISTS ON A CHRONOLOGICAL BASIS.

CALENDAR PAGE

MINUTE PAGE

2841

CALENDAR ITEM

3

Staff Report on Hearing  
Concerning the Number of Moorings  
Under Bid Solicitation WP 3639.1

11/16/82  
PRC 3639.1  
Rump

INTRODUCTION

Pursuant to the direction of the Commission, the staff conducted administrative hearings in Los Angeles on October 25, 26, 28, November 1, and 2, 1982. The purpose of the hearings was to examine the number of revenue-producing moorings located on the premises of Lease PRC 3639.1. Witnesses testified for Catalina Marina Services Corporation (CATMAR), B.O.A.T., Santa Catalina Island Company and Santa Catalina Island Conservancy (Company/Conservancy), and Island Navigation Company and Seaway Company of Catalina. Testimony was taken under oath and witnesses were subject to cross-examination by counsel for the interested parties. Testifying were:

Jon Hardy, owner of Argo Diving Services, who performed contracted diving services for CATMAR;

Joseph Steele, for Boat Owners Associated Together (B.O.A.T.);

Douglas Bombard, for Company/Conservancy;

Randall A. Bombard, for Company/Conservancy;

CALENDAR PAGE	11
MINUTE PAGE	2842

Michael Dean LeVac, diver for Company/Conservancy; and  
Lynn Stokes, for Island Navigation Company and Seaway  
Company of Catalina.

Counsel representing interested parties were:

Harrison Hertzberg and Rosemary Woodlock, CATMAR;

Charles Greenberg, Company/Conservancy; and

James Radcliffe, Island Navigation Company and Seaway  
Company of Catalina.

Over the five days of hearing, approximately thirty  
hours of testimony were taken, amounting to over 900 pages of  
transcript. Copies of the full transcript have been provided  
previously to the Commissioners and are incorporated herein by  
reference. Also, during the hearing, 40 exhibits were received  
into evidence. A listing of those exhibits is attached hereto  
as Appendix A.

Final arguments and summation after hearing were  
submitted by two of the parties. CATMAR's final argument is  
attached hereto as Appendix B. The final statement by the

Company/Conservancy are attached hereto as Appendix C.

It should be noted at the outset that a good deal of the confusion as to the number of moorings on the lease premises is attributable to the presence of a varying number of "camp moorings". These are moorings historically used by camps and schools which have upland leases on the island. In some coves, the camp moorings are mixed in with revenue-producing moorings. In Toyon Bay and at Gallagher's Beach, all moorings are camp moorings; none are revenue producing. In many cases, camps install, maintain, and remove moorings on a seasonal basis. In others, they may contract with Doug Bombard Enterprises for such services on a cost and materials basis. The camps do not pay rental fees for their moorings. In order to better assess the number and location of actual and potential revenue-producing moorings on the lease premises, one focus of the staff study was on evidence presented at the hearings regarding weight and buoys believed not to be attributable to camps.

Finally, the Commission instructed staff to conduct this hearing to investigate the number of moorings on the lease premises. Staff attempted to limit issues, testimony, and evidence presented at the hearing in accordance with these instructions. CATMAR, in its Final Argument, has requested that

the Commission amend the solicitation and proposed lease to provide for rental based upon a percentage of gross income. This matter was not directly covered within the scope of the hearings, and thus is not included elsewhere in this report. For this reason, we make note of it at this time.

#### SUMMARY OF EVIDENCE PRESENTED AT HEARINGS

Evidence presented at the hearings is summarized below. It should be noted that, due to the volume of testimony and documentary evidence received, the following represents only an overview. Reference should be made to the transcripts and exhibits for more detailed and complete information.

Attached hereto as Appendix D, are diagrams of three types of moorings used at Catalina. These diagrams may be helpful in understanding discussions in this report and in hearing transcripts.

#### A. Background Information

Joe Steele, of B.O.A.T., testified at the hearings, based on his experience as a former senior officer of the U.S. Coast Guard and former Commander of the Lubbock Coast Guard district, which includes all of Southern California. His testimony is

helpful in providing some perspective on the import of unattached weights found in the mooring areas. He stated that he was amazed that there were so few at Catalina and that in his opinion, much was being made of nothing (see transcript October 25, page 192).

Regarding the possible use of unattached weights on the ocean floor as revenue moorings, Mr. Steele felt that the same use could be made of a weight on shore or even more so, a weight on a barge (see transcript, October 25, page 193).

B.O.A.T. recommends that the confusion between non-revenue, upland lessee (camp) moorings and the rental moorings be resolved by removing the camp moorings from the lease premises, or to clearly indicate in some other way non-revenue moorings. He also stated that B.O.A.T. would oppose any increase in the present number of moorings.

B. Number of Moorings and Weights on the Lease Premises

Testimony and other evidence presented at the hearing reflected three surveys of the number of moorings present on the lease premises, and of other objects found floating on the surface of the water and lying on the ocean floor. The following is a brief overview of testimony and evidence

presented with regard to each of those surveys.

1. Jon Hardy (CATMAR): Mr. Hardy, of Argo Diving Services, an underwater consulting firm, performed above- and under-water surveys of the lease premises for CATMAR, starting in January, 1982 and continuing into April, 1982.

Mr. Hardy, together with other divers, made 63 dives in all coves outside the City of Avalon except Catalina Harbor. Due to poor diving conditions, Mr. Hardy performed only surface counts in Catalina Harbor. His report, dated April 12, 1982, is attached hereto as Appendix E.

Mr. Hardy testified that he had not been aware of the purpose of his survey in January-April, and therefore did not attempt to compare his findings to the lease document or Company/Conservancy diagrams at that time. He did refer to a 1977 "Chart Guide for Catalina Island" in performing his survey.

The survey methodology was primarily to proceed down the mooring rows by means of a tow sled, or by swimming compass courses, counting weights on the bottom, while a deckhand counted surface buoys. Numbers of weights and

CALENDAR PAGE	16
MINUTE PAGE	2847



surface buoys were tallied at the end of each row and cove. Only bow weights were counted by Hardy. No search was made for stern weights, necessary to complete a typical Catalina-type mooring.

Mr. Hardy testified that he and his divers had counted as weights only those objects traditionally used as weights (cement blocks, gear wheels, train wheels, etc.), and did not include in their count abandoned debris (chain, refrigerators, etc.).

Mr. Hardy also made a surface inspection in August, primarily centered on the camp areas to see what had been hooked up for the summer. A verbal report on the August inspection was made to CATMAR.

Sometime after the August survey, and five to nine months subsequent to the completion of his January-April survey, Hardy placed upon aerial photographs which had been produced for CATMAR, numerous orange rectangles and white dots. These photographs, including orange rectangles and white dots, were presented to Commission staff by CATMAR with a copy of Hardy's report on October 1, 1982. Staff provided copies of these photographs and the Hardy report to Mr. Greenberg and Mr. Radcliffe shortly thereafter.

These photographs were entered into evidence at the hearing as Exhibit 2.

On page 4 of his Declaration, dated September 30, 1982, which accompanied his report submitted by CATMAR to Commission staff on October 1, 1982, Mr. Hardy stated that he carefully placed the orange rectangles on the aerial photographs to ". . . designate the location of mooring weights with no buoys on the surface." He further stated that he had placed the white dots to indicate mooring weights without visible buoys, which appeared to belong to upland lessees. (White dots in Catalina Harbor, unlike those in other coves, designated mooring buoys over the number listed in the 1977 Chart Guide for Catalina Island.)

During extensive testimony throughout the course of the hearing, however, Mr. Hardy explained that he had spent between one-half and one hour placing the rectangles and dots on the photographs and did not intend them to be accurate (see transcripts, October 25, page 65 and page 164; October 28, pages 106, 112, and 120).

CATMAR also introduced into evidence at the hearings diagrams upon which Mr. Hardy had placed colored dots, again apparently to indicate the presence of buoys and/or

weights, beyond those indicated in the lease, or Company/Conservancy diagrams which he had located during his January-April surveys. Mr. Hardy testified that he had made reference to his notes, Commission lease PRC 3639.1, and the Mooring Master List in marking these diagrams. He had spent several hours at this task on Sunday, October 24, the day before the beginning of the hearings (see transcript, October 28, pages 120-121, and 125). Nevertheless, Mr. Hardy testified that even these diagrams were not accurate (see transcript, October 28, pages 121, 124, 132-133, 140, 147-148, 150-151).

Additionally, Mr. Hardy cited numerous factors which contributed to the difficulty of performing an accurate survey of the number of moorings or potential moorings on the lease premises:

1. We are dealing with a dynamic environment in the sea. Moorings are lost in storms; also, boats damage moorings;
2. The counting has taken place on different days and totally different months, winter, summer and fall;
3. There is uncertainty of what to count as a mooring buoy; large buoys, smaller pick-up whips, swim

CALENDAR PAGE	19
MINUTE PAGE	2850

floats, dinghy moorings; and

4. Camp moorings are actually mixed into rental areas. What's camp and what's rental?

(See transcript, October 28, pages 126-127.)

Mr. Hardy did testify that with his knowledge of and experience in the leased areas, and with his notes, he would be able to relocate approximately 90% of the weights he had located in January and April, 1982, if asked to do so (see transcript, October 28, page 161).

In an attempt to clarify and summarize the information provided by Mr. Hardy, Mr. Taylor, Assistant Attorney General, prepared a chart, entered into evidence as Exhibit 21, during cross-examination of Mr. Hardy (see transcript, October 25, pages 168-182). That chart has been typed and reduced and follows this page as Figure 1.

During this cross-examination, Mr Hardy's counts were compared by cove to the number of moorings listed under the column marked "Island's Count of Rental Moorings," on the "Catalina Mooring Comparison Chart." This chart had been prepared by CATMAR and was entered into evidence as Exhibit 4. A copy of this chart has been typed and included in this

report as Figure 2, immediately following Figure 1.

As may be seen on Figure 1, and from Mr Hardy's testimony (transcript, October 25, page 182), the total difference in actual buoys between Mr. Hardy's count and that represented by CATMAR to be the Company/Conservancy count, is twenty-five, given a possible error of two. Adding to the number of buoys found by Mr. Hardy, the number of single weights unattached to visible buoys, the total difference between his count (total buoys plus unattached weights) and the "Island's Count of Rental Moorings" (see Figure 2) is seventy-one.

CALENDAR PAGE	21
MINUTE PAGE	2852

EXHIBIT 21

PROBLEM AREAS

- GALLAGHERS - CAMP AREA - NO COMMERCIAL LEASES
- TOYON - CAMP AREA - NO COMMERCIAL LEASES
- MOONSTONE - ALL COMMERCIAL  
AGREE - 39 BUOYS  
DIFFERENCE IS IN WEIGHTS 6
- WHITES - CAMP & COMMERCIAL  
AGREE - 17 BUOYS - COMMERCIAL  
DIFFERENCE IS ONE EXTRA WEIGHT --  
REST OF DIFFERENCE IN AREA IS CAMP USE
- HEN ROCK - ALL COMMERCIAL - NO CAMP  
(1 BUOY MISSING AT TIME OF SURVEY)  
AGREE THAT THERE ARE 25  
DIFFERENCE IS THAT THERE MAY BE 3 MORE WEIGHTS
- BUTTONSHELL - COMMERCIAL & CAMP  
AGREE - 8  
DIFFERENCE 1 MORE COMMERCIAL BUOY AND 2 MORE  
WEIGHTS ONLY  
REST OF PROBLEM IS WITH CAMP
- ISTHMUS - NO PROBLEM
- 4TH OF JULY - ALL COMMERCIAL  
AGREE - 42  
DIFFERENCE 1 ADDITIONAL BUOY AND 3 WEIGHTS  
WITHOUT BUOYS

CALENDAR PAGE	22
MINUTE PAGE	2853

EXHIBIT 21 - PAGE 2

CHERRY - CAMP AREA & COMMERCIAL  
AGREE - 101 COMMERCIAL  
DIFFERENCE IS 3 MORE COMMERCIAL BUOYS  
DIFFERENCE IS 13 MORE WEIGHTS WITHOUT BUOYS

LITTLE GEIGER - ONLY COMMERCIAL  
AGREE - 1 BUOY  
DIFFERENCE IS 1 EXTRA WEIGHT

HOWLAND - CAMP & COMMERCIAL  
AGREE - 37  
DIFFERENCE IS 6 MORE BUOYS  
DIFFERENCE IS 12 MORE WEIGHTS

EMERALD - CAMP & COMMERCIAL  
AGREE - 99 (OUT OF 100 IN LEASE)  
DIFFERENCE IS 5 WEIGHTS ONLY PLUS  
1 WEIGHT WHICH WOULD MAKE THE 100

CAT HARBOR - COMMERCIAL ONLY  
AGREE - 98  
DIFFERENCE IS 14 ADDITIONAL BUOYS  
(DID NOT DIVE)

TOTAL DIFFERENCE - WEIGHTS AND BUOYS - 71

TOTAL DIFFERENCE - BUOYS ONLY - 25 BUOYS ± 2

OTHER DIFFERENCE IS HOW DO YOU HANDLE LEASES TO UPLAND

LESSEES	23
CALENDAR PAGE	
MINUTE PAGE	2854

CATALINA MOORING COMPARISON CHART

	<u>P.3-Lease #3639.1 Islands Count</u>	<u>Catmar's April Survey Including Wts.</u>	<u>Catmar's April Survey Buoys Only</u>	<u>Islands Count of Rental Mooring's</u>	<u>Upland's Lessees According to Island Co.</u>	<u>Upland's Lessees per Catmar Survey</u>	<u>Stokes** Count 6/19/82</u>
ISTHMUS	249	249	249	249	0	0	851
S-h/of JULY	42	46	43	42	0	0	57
HOWLAND'S	42	63	48	37 40*	5	8	50
EMERALD	101	114	105	100	1	9	101
CAT HARBOR	98	112	112	98 97*	0	0	101
BUTTONSHELL	9	17	9	7	2	7	36
WHITE'S	17	24	19	17	0	6	24
MOONSTONE	39	45	39	39	0	0	40
TOYON	6	14	8	0	6	14	9
GALLAGHER	3	6	6	0	3	6	8
CHERRY COVE	104	124	108	101 103*	3	7	109
GEIGER	1	2	1	1	0	0	1
HEN ROCK	25	28	24	25	0	0	26
	736 (Including Camp Moorings)	844	771	716 720 Plus (2) Stringlines*	20	57	813

The following footnotes, and the asterisks placed upon the chart above, do not appear on the actual document entered into evidence as Exhibit 4.

Mr. Ruddy Bombard, witness for Company/Conservancy, placed these figures on the original exhibit to indicate the Bombard count where it differed from that listed on this chart by CATMAR (Transcript, November 1, page 153).

\*Mr. Lynn Stokes, witness for Island Navigation Company and Seaway Company of Catalina, placed this column on the original exhibit to indicate the total number of moorings, revenue and non-revenue, he found on the surface of the lease premises on June 19, 1988. His figures also include one stringline at the Isthmus (Transcript, November 2, pages 158-162).

MR. Ruddy Bombard  
 MR. Lynn Stokes  
 2835  
 24



2. Company/Conservancy:

Upon receipt of copies of the aerial photographs marked with orange rectangles and white dots provided to Commission staff by CATMAR, Doug Bombard Enterprises ("DBE", operator of the lease premises for the Company/Conservancy) performed a diving survey of the lease premises on October 12, 13, 14, and 22, 1982. Testimony as to this survey was provided by Randy Bombard and Mike LeVac, an employee of DBE.

The Bombard survey involved diving in the specific areas of the orange rectangles placed upon the aerial photographs by Mr. Hardy. A total of seven divers participated in the survey. Two divers at a time searched in a zig-zag pattern. Each orange rectangle (also referred to as red dots in testimony) was numbered and diving slips were prepared. Copies of the slips are attached hereto as Appendix F.

According to testimony received, the diving slips were initially filled out by a person on the diving vessel, as divers came to the surface to report their findings. Upon return to shore, the persons involved in the day's survey met with Doug Bombard to discuss their findings.

As indicated on these diving slips, the Bombard divers located substantial amounts of abandoned debris on the ocean floor, including unattached chain, refrigerators, and deteriorated cans. They also located unused mooring weights. Mike LeVac testified that of the objects they did locate, approximately 20% to 25% were unused weights. Of these weights, Mr. LeVac stated that none could be instantly used for moorings. Randy Bombard's testimony and diving slips reflected that of the objects located, approximately 40 were weights. Some were unuseable; others were being used as stern weights or for camp facilities.

Because of the inaccuracy of the placement of orange rectangles on the aerial photographs, the Bombard dives may not have been in the actual locations in which Hardy said he found unattached weights. Therefore, the locations and results of the Bombard and Hardy surveys cannot be expected to correspond in all cases. After it was discovered that the parties may have been talking about different areas in their dives, it was stipulated that the numbers could range higher, as much as 900 to 910 total weights in the coves (see transcript, October 28, page 151). Mr. Hardy explained how the divers could find different weights due to their different methodology (see transcript, October 28, pages 152-154).

The Company/Conservancy also introduced, over protests of irrelevancy by other counsel, testimony regarding dives at Avalon to show similar debris or weights in the Avalon operation. Mr. Hardy admitted that Avalon has a common practice of leaving old weights and chains on the bottom (see transcript, October 25, pages 96-97). He indicated that, in fact, the bottom of the lease area is policed more actively than Avalon (see transcript, October 25, page 99).

Randy Bombard testified that the total number of revenue-producing moorings on the lease premises is 720 (see transcript, November 1, pages 115 and 153). Randy Bombard marked on the "Catalina Mooring Comparison Chart" provided by CATMAR (Figure 2, above) to the right of the column "Island's Count of Rental Moorings," the Bombard count where it differed from that listed on the chart by CATMAR (see transcript, November 1, page 153).

In addition, Randy Bombard testified that revenues are generated from stringlines on the lease premises. There are two stringlines at the Isthmus Cove. One to the west that holds above five or six boats, primarily employee boats. The other stringline is to the east and holds about 40 boats, about 20 foot and under (see transcript for

stringline discussion, November 1, pages 6-13, and 123-25). There is a charge to use the stringline of \$8 weekdays and \$9 weekends. It is probably full Friday and Saturday, July 15 to mid-September. The present lessee does not consider it to be a revenue "mooring".

Finally, it was clarified through Randy Bombard's testimony that daily use fees are charged to non-sublessees who side-tie to a mooring (use of one mooring by multiple vessels). (See transcript, November 1, pages 122-123.)

3. Stokes' Count (Island Navigation Company and Seaway Company of Catalina): At the direction of Island Navigation Company, Lynn Stokes, who has a boat repair service in Avalon, made a count of all visible moorings on the island on June 19, 1982. The date is the same as that of the computer printout of sublessees supplied to the Commission by the present lessee. As Mr. Stokes made his count, he compared it to the Bombard "Hot Sheets," a manually prepared list of sublessees on the lease premises. Mr. Stokes counted a total of surface floats and buoys of 813, not including stringlines. Although Mr. Stokes does not claim to have determined which of the surface objects were revenue producing, when obvious camp buoys are deducted from the tally, the number of can-type buoys

closely approximates the Company/Conservancy figures for revenue moorings. Mr. Stokes' report is attached as Appendix G.

C. Description of Current Operation

Doug Bombard testified as to numbers of moorings and administrative policies under the current lease. His testimony appears in the transcript of November 2, 1982, pages 1-148. The following represents a brief overview of the topics covered in Mr. Bombard's testimony.

1. Ownership of mooring tackle: The tackle in 299 moorings is owned by individual sublessees; therefore, 421 are owned by the Company and/or Conservancy. (See transcript, November 2, pages 51-52.)
2. Mooring diagrams: The mooring diagrams provided to staff by Doug Bombard Enterprises are outdated and inaccurate as to scale and location. (See transcript, November 2, page 11.)
3. Live-aboard Employees: Employees may use moorings without charge; the value of this use is considered part of their salaries. (See transcript, November 2, page 35.)

Employees are charged for permanent assignment to stringline slots. (See transcript, November 2, page 119.)

4. Skiff Moorings: There are between four and six skiff moorings included in the Company/Conservancy count of 720 revenue-producing moorings. These are located in Cherry Cove and the Isthmus and are leased at an annual rate lower than that for a standard, full-size mooring. (See transcript, November 2, pages 33-34.)

5. Stringlines: Doug Bombard generally confirmed the testimony of his son, Randy, as to use of two stringlines at the Isthmus. He did state, however, that he felt the maximum capacity of the rental stringline was 35 boats. (See transcript, November 2, page 120.)

6. Waiting Lists: Mr. Bombard testified that thirteen moorings in Fourth of July and Isthmus Coves have been, for many years, set aside for yacht club members. Mr. Bombard has continued to maintain a separate waiting list for these thirteen "addendum" moorings under the current lease. (See transcript, November 2, pages 25-28 and 135-144.)

7. Transient Use of Camp Moorings: The Bid Solicitation issued October 8, 1982, indicates that transient public

use may be made of camp moorings when not in use by the camps. According to Doug Bombard's testimony, however, such use was made only two or three times this year. (See transcript, November 2, page 73.)

#### STAFF AUDIT

On November 10, 1982, subsequent to conclusion of the hearing, staff performed a limited examination of DBE records for the purpose of auditing the number of revenue producing moorings. A copy of their report is attached hereto as Appendix H. The conclusions reached by the audit staff may be summarized as follows:

1. Based upon a limited examination, that the Mooring Master List is reliable. The Mooring Master List shows a total of 720 moorings excluding double buoys, stringline, swimline and oyster buoys, camp buoys, and including skiff moorings with no buoys; and
2. Based upon a limited examination of transaction controls, that the methods and procedures adopted by the Company appear to protect the assets of the business, and insure accurate and reliable accounting data.

CALENDAR PAGE	34
MINUTE PAGE	2862

## CONCLUSIONS

### A. Determination of the Number of Moorings

The present lessee testified that there are 720 revenue-producing moorings on the lease premises. This figure seems to have been borne out by the interpretation of the independent testimony of Mr. Stokes, who did a count of surface markers for Island Navigation Company. There remains, however, some discrepancy between these figures and those prepared by Mr. Hardy, CATMAR's diver. Hardy's surface count was 741 moorings, plus or minus two. (See transcript, November 2, page 24.)

As to the presence of unattached weights on the floor of the lease premises, it is clear from the evidence that a number of them do exist. Mr. Hardy originally testified that there were about 71 extra weights that he found (see transcript, October 25, page 179). Hardy's survey also included those in the camp areas (see transcript, October 28, page 154). The Company/Conservancy also admitted to finding previously used weights in the areas of their dives (see transcript, October 26, page 14). Joe Steele, of B.O.A.T., testified that it is very common to find unattached, abandoned weights and debris on the ocean floor.



The potential use of these weights was disputed. Mr. Hardy estimated 90% could be used (see transcript, October 25, page 37). He further testified, however, that it would be less trouble to drop new equipment down than to go down and recoup the other material. (See transcript, November 2, page 196.) Some would have to be moved. Mr. LeVac testified that of the weights they found, none could be used immediately (see transcript, October 28, page 89). One reason would possibly be that additional weights and tackle would have to be added before a single weight could be turned into a typical Catalina mooring (see transcript, October 25, pages 110-111, page 157, and Appendix D, Diagrams of Typical Moorings).

Once the weight was found, it was estimated that it would take one to two hours to rig (see transcript, October 25, page 189). However, it was admitted that there is not a time savings by rigging in this fashion (see transcript, October 25, page 90).

In summary, Hardy testified that in his opinion, the number of possible moorings with the weights he found were 787, not including additional weights found by the Company/Conservancy.

Regardless of the number of weights that are there, the bottom line question is whether or not they have been hooked up

and used as revenue moorings. The Company/Conservancy testimony represented that of the weights there, 720 moorings are hooked up on the premises and used as revenue moorings. Mr. Hardy was asked if any of the unattached weights he found were actually later hooked up as revenue moorings. He answered he did not know of such an instance (see transcript, October 25, pages 33-34, 84-85).

B. Stringlines and Side-ties

Testimony and further staff inquiry clarified the present lease practice as follows:

(1) Two stringlines at the Isthmus are used to tie smaller boats, especially on busy weekends when moorings are not available. One is approximately 111' long, and is used primarily for employee and company boats; it will hold up to six boats. The other is approximately 476' long and will hold up to 35 boats. Vessels tied to the stringlines on a rental basis pay a daily use fee as delineated in the fee schedule included in the Bid Solicitation.

(2) Conditions permitting, the present lessee allows multiple boats to moor on a single mooring. Sublessees assigned that mooring are not charged a daily use fee for

CALENDAR PAGE	34
MINUTE PAGE	2865

the multiple use. Each party not a sublessee named for that mooring must pay a daily fee.

C. Waiting Lists

Testimony revealed that in two coves, there are thirteen special "addendum" moorings for which waiting lists are maintained on the basis of yacht club membership.

RECOMMENDATIONS

It would be an understatement to say that there has been a great deal of confusion over what moorings in the coves of Catalina are included and excluded from the lease being bid. Several measures may be taken to clarify the terms of the Bid Solicitation and resulting lease in this regard.

A. Mooring Identification and Number

1. First, the lease may delineate non-revenue moorings (upland lessees/camps) from revenue-producing moorings. Under the present lease, some camp moorings are apparently included in the lease premises. Toyon and Gallagher coves included in the text of the present lease (see Section 2, paragraph 4), are used exclusively by upland lessees (schools and camps). Yet the lease

description expressly excludes from the lease premises areas traditionally used by camps (see Section 3 of the lease). The Commission may eliminate the confusion on this issue by (1) designating mooring by mooring which moorings listed in the sublessee computer printout are camp moorings for which no revenue shall be produced through rental; or by (2) removing all camp moorings from the lease, thereby leaving only revenue moorings in the lease. Staff recommends the latter.

2. Another means of clarifying the number of moorings on the lease premises would be adding provisions to the bid lease which would require the lessee to provide updated and accurate charts showing the location of all moorings on the lease premises annually. The present lessee has begun to sequentially number the moorings (see Appendix I attached). This should be made mandatory in the lease.

3. A third method of assuring compliance with lease provisions regarding the number of moorings on the lease premises would be to expressly require the lessee to patrol and inspect the lease premises and send to the Commission, quarterly, or during high season, monthly, reports on what surface floats are in place in the cove. This would help in any future investigations.

4. Finally, a determination may be made to change the number of revenue-producing moorings permissible on the lease premises. The Commission may wish to authorize use of presently unattached weights on the ocean floor in the installation of new moorings. In the alternative, the Commission may wish to require that these unattached weights and other debris on the ocean floor be removed.

In light of the fact that these weights have not been shown to be hooked up and used as rental moorings, the staff would not recommend their addition or removal at this time. Lease terms providing strong penalties against the performance bond, and the ultimate possibility of loss of the lease in the event of breach, should be an incentive against use of these weights as "secret" moorings.

Staff recommends the use of the 720 figure as number of authorized moorings on the lease premises. The use of any other number is complicated by the lack of specific information provided as to location, which would lead to further uncertainty among the bidders. Therefore, staff recommends the use of Appendix I attached hereto as specifying the moorings and their sequential numbering for reference in the bid and resulting lease. Staff also recommends express authorization of the two stringlines

that now exist at the Isthmus, in addition to the 720 moorings. No addition of surface floats of any kind by lessee should be permitted above the authorized number without prior written consent of the Commission.

B. Stringlines and Side-Ties

In order to eliminate confusion as to the use of stringlines as part of the commercial mooring operations on the lease premises, the lease should be amended to include the two Isthmus stringlines as authorized improvements. The Bid Solicitation should expressly note this modification.

With regard to side-ties, a statement is included in Exhibit D of the Bid Solicitation explaining the present fee policies.

C. Waiting Lists

It should be made clear that sublease waiting lists must be maintained on a first come, first serve basis only. While the lease permits lists to be maintained by cove and size of vessel, no potential discrimination based upon yacht club membership or other characteristics should be

CALENDAR PAGE	38
MINUTE PAGE	2869

allowed. Any lists currently maintained on a yacht club membership basis should be absorbed into the general public waiting lists on a chronological basis.

THEREFORE, IT IS RECOMMENDED THAT:

(1) IT BE MADE CLEAR THAT ALL CAMP MOORINGS ARE EXCLUDED FROM THE LEASE PREMISES; AND THAT THE NUMBER OF AUTHORIZED MOORINGS ON THE LEASE PREMISES IS LIMITED TO THOSE WHICH ARE REVENUE-PRODUCING EITHER ON AN ANNUAL OR DAILY BASIS; AND THAT TOYOM BAY AND GALLAGHER'S BEACH WILL BE REMOVED FROM THE LEASE PREMISES.

(2) THE COMMISSION FIND, FOR PURPOSES OF THE BID SOLICITATION AND RESULTING LEASE, THAT THERE ARE 720 REVENUE-PRODUCING MOORINGS AS SHOWN AND NUMBERED 1-720 ON APPENDIX I ATTACHED HERETO, PLUS TWO STRINGLINES AT ISTHMUS COVE, ONE 476' LONG, TO WHICH A MAXIMUM OF 35 SMALL BOATS MAY BE ATTACHED, THE OTHER, 111' LONG, TO WHICH A MAXIMUM OF SIX SMALL BOATS MAY BE ATTACHED, AND THAT THESE ARE THE ONLY AUTHORIZED IMPROVEMENTS TO BE PLACED ON THE PREMISES UNDER THE PROPOSED LEASE.

OR, IN THE ALTERNATIVE  
THE COMMISSION DETERMINE THAT \_\_\_\_\_ MOORINGS AND TWO

STRINGLINES SHALL BE AUTHORIZED IMPROVEMENTS ON THE LEASE PREMISES.

(5) (a) ALL REVENUE PRODUCING MOORINGS MUST BE MARKED WITH AN INDIVIDUAL SERIAL NUMBER, AND MUST BE PAINTED WITH A COLOR WHICH DISTINGUISHES THEM FROM NON-REVENUE MOORINGS.

(b) LESSEE WILL BE REQUIRED TO PROVIDE ANNUALLY TO THE COMMISSION DIAGRAMS OF ALL STATIONARY OBJECTS FLOATING UPON THE WATER SURFACE WITHIN THE LEASE PREMISES. LESSEE SHALL NOT ADD OR PERMIT ANY ADDITIONAL OBJECTS UPON THE LEASE PREMISES WITHOUT THE EXPRESS PRIOR WRITTEN CONSENT OF THE COMMISSION.

(c) LESSEE WILL BE REQUIRED TO PATROL AND INSPECT THE LEASE PREMISES AND SEND TO THE COMMISSION QUARTERLY, OR DURING THE HIGH SEASON, MONTHLY REPORTS ON ALL STATIONARY OBJECTS FLOATING ON THE SURFACE WITHIN THE LEASE PREMISES.

4. LESSEE IS AUTHORIZED TO PERMIT USE OF INDIVIDUAL MOORINGS FOR MORE THAN ONE BOAT, PROVIDED THAT EXISTING CONDITIONS PERMIT SUCH USE TO BE SAFELY MADE. NO ADDITIONAL CHARGE SHALL BE IMPOSED WHERE SUCH MULTIPLE USE IS MADE BY ACTUAL NAMED SUBLESSEES AND REGISTERED VESSELS FOR THE PARTICULAR MOORING IN QUESTION. ALL OTHER SUCH MULTIPLE USERS



SHALL BE CHARGED ON A DAILY BASIS, ACCORDING TO THE FEE SCHEDULE INCLUDED IN THE BID SOLICITATION.

5. IT BE MADE CLEAR THAT SUBLEASE WAITING LISTS MAY BE ESTABLISHED AND MAINTAINED ON A FIRST COME, FIRST SERVE BASIS, WITH DISTINCTIONS MADE ONLY FOR SPECIFIC COVES AND SIZE OF BOATS, NOT YACHT CLUB MEMBERSHIP. CURRENTLY MAINTAINED ADDENDUM MOORING WAITING LISTS MUST BE MERGED WITH THE GENERAL PUBLIC WAITING LISTS ON A CHRONOLOGICAL BASIS.

CALENDAR PAGE	41
MINUTE PAGE	2872

APPENDIX "A"

EXHIBITS TO HEARING, STATE OF CALIFORNIA  
STATE LANDS COMMISSION, IN THE MATTER OF  
SOLICITATION BID NO. WP 3639, SOLICITATION  
OF BIDS FOR A LEASE OF SUBMERGED LANDS AT  
SANTA CATALINA ISLAND; HEARING DATES:  
OCTOBER 25, 26 and 28 AND NOVEMBER 1 AND  
2, 1982.

EXHIBITS TO HEARING, STATE OF CALIFORNIA  
STATE LANDS COMMISSION, IN THE MATTER OF  
SOLICITATION BID NO. WP 3639, SOLICITATION  
OF BIDS FOR A LEASE OF SUBMERGED LANDS AT  
SANTA CATALINA ISLAND

Exhibit Number

Document

- 1  
Petition by Hertzberg and Hertzberg  
Dated September 30, 1982  
(submitted by CATMAR)
- 2  
CATMAR aerial photographs (black & white)  
submitted to State Lands Commission  
with Exhibit 1 -photo mosiacs  
labeled A through M  
Exhibit 2F (Cabrillo Beach/Little  
Gibraltar) is a xerox copy not a photo.  
(submitted by CATMAR)
- 3  
photographs of Exhibit 2  
photographs depicting camp & club  
application areas with yellow tape,  
consisting of 5 large sheets  
(submitted by staff)
- 4  
Catalina mooring comparison chart  
(submitted by CATMAR)
- 5  
Large mooring chart, diagram of  
Whites Cove and Moonstone Beach  
(submitted by CATMAR)
- 6  
Large mooring chart, diagram of Hen Rock  
Cove  
(submitted by CATMAR)
- 7  
Large mooring chart, diagram of  
Button Shell Cove  
(submitted by CATMAR)
- 8  
Large mooring chart, diagram of  
Isthmus Cove  
(submitted by CATMAR)

<u>Exhibit Number</u>	<u>Document</u>
9	Large mooring chart, diagram of Fourth of July Cove (submitted by CATMAR)
10	Large mooring chart, diagram of Cherry Cove (submitted by CATMAR)
11	Large mooring chart, diagram of Big Geiger and Little Geiger Coves (submitted by CATMAR)
12	Large mooring chart, diagram of Howland Landing (submitted by CATMAR)
13	Large mooring chart, diagram of Emerald Bay (submitted by CATMAR)
14	Large mooring chart, diagram of Catalina Harbor and Wells Beach (submitted by CATMAR)
15	Diver's photos of not-in-use mooring, Fourth of July Cove, designated a, b, c; Hardy's photo numbers 35A, 15A, 34A (submitted by CATMAR)
16	Diver's photos of in-use mooring: Fourth of July Cove, D-1, designated a, b, c; Hardy's photo numbers 8A, 6A, 33A (submitted by CATMAR)
17	Diver's photo essay of mooring consisting of 10 photos, designated as A-J, Hardy's photo numbers 13A, 24A, 26A, 2A, 11A, 22A, 15, 7A, 16A, and one unnumbered (submitted by CATMAR)

CALENDAR DATE	44
MINUTE	2875

Exhibit NumberDocument

- 18 Catalina-type mooring diagram - sketch by Doug Bombard (submitted by Isl. Co. and Conservancy)
- 19 Deep water mooring (50-100') diagram (submitted by Isl. Co. and Conservancy)
- 20 Letter of Charles Greenberg to State Lands Commission dated September 20, 1982 (submitted by Isl. Co. and Conservancy)
- 21 Work sheet in red felt pen, consisting of three pages (submitted by N. Greg Taylor)
- 22 Catalina Isl., US West Coast, California, NOAA Map, Santa Catalina Island (submitted by Isl. Co. and Conservancy)
- 23 Accordion folder with xerox copies of CATMAR aerial photos, and clipped diving slips (submitted by Isl. Co. and Conservancy)
- 24 Topographical map of Avalon, including Avalon Bay, scale 1" to 200' (submitted by Isl. Co. and Conservancy)
- 25 Catalina Mooring Service skiff/dinghy mooring shallow water diagram (submitted by Isl. Co. and Conservancy)
- 26 Xerox of DBE moorings Master list (computer print out) June 19, 1982
- 27 Xerox copy of CATMAR photo- Exhibit 2H -Cherry Cove (submitted by CATMAR)

<u>Exhibit Number</u>	<u>Document</u>
28	Hardy slide of mooring, slide number 28 (submitted by CATMAR)
29	Hardy slide of mooring, slide number 34 (submitted by CATMAR)
30	Hardy diving slate - Cherry Cove
31	Six small black and white photos of Isthmus Cove in April, 1982 (submitted by CATMAR)
32	Black & white photo of Isthmus Cove; photo identification number: 7-2-82; 1:2000; 82116; 81 (submitted by CATMAR)
33	Black & white photo of Fourth of July Cove; photo identification number 7-2-82; 1:2000; 82116; 73. (submitted by CATMAR)
34	Catalina Mooring Service - Mooring Site & Equipment Sublease (1982) (submitted by Isl. Navigation Co.)
35	Catalina Mooring Service - Mooring Sublease & Service Contract (1982) (submitted by Isl. Navigation Co.)
36	Small xerox copies of chart diagrams of coves, showing serial numbers on moorings (consisting of 10 pages) (submitted by Isl. Co. and Conservancy)
37	Mooring lease waiting lists (consisting of 29 pages) (submitted by CATMAR)

CALENDAR PAGE	46
MINUTE PAGE	2879

## Exhibit List

Exhibit NumberDocument

38

Xerox copy of Santa Catalina Briefing Package  
(submitted by Isl. Navigation Co.)

39

Exhibit C to Island Co./Conservancy  
bid package - mooring fee schedule  
(submitted by Isl. Navigation Co.)

40

Island Navigation report (2 pages)  
dated July 11, 1982  
addressee Jim Radcliff  
re: buoy count (Stokes report)  
(submitted by Isl. Navigation Co.)

APPENDIX "B"

FINAL ARGUMENT OF CATALINA MARINE SERVICES  
CORPORATION, PREPARED BY THE LAW FIRM OF  
HERTZBERG AND HERTZBERG.

CALENDAR PAGE	48
MINUTE PAGE	2879



FINAL ARGUMENT

Catalina Marine Services requested this hearing in order to determine how many revenue-producing moorings are in existence on the lease premises. The conclusion to be drawn from the five-day hearing appears to validate our contention that there is no accurate count and no one figure to which all parties can agree.

The basic problem arose because the staff analysts originally assigned to this lease believed that only the existing lessee was capable of operating the premises. It did not matter that the initial information given the other bidders was incorrect and incomplete. The staff apparently made no independent determination of the revenue-producing facilities or a precise definition of those facilities and their locations because they had already been convinced that only the Island Company could qualify. If the only "qualified" bidder were the current lessee, accuracy of financial projections by all bidders is not important because no other bidder would be awarded the lease. This was demonstrated by the dismissal of Island Navigation's highest bid in the staff recommendations at the December 17, 1981, hearing. The foregoing

HERI:JL

CALENDAR PAGE	49
MINUTE PAGE	2880

factors produced an inaccurate and variable information base upon which the other bidders have attempted to make accurate financial projections. The danger engendered by these frustrated attempts has been evident throughout the bid process.

Other factors have also contributed to the lack of accuracy. Prior to 1981, the rent charged by the State was a fixed sum. Mr. Doug Bombard stated during his testimony that the count was somewhat off in May 1981 because, under the old lease, it made no difference how many moorings there were and how much revenue was derived.\* Under the old lease, accuracy was not required and as near as we can determine, the entire lease premises have been run primarily as an semi-private yacht club. "Pioneer Chicken" has been the subject of much amusement throughout these proceedings. However, we cannot imagine Pioneer Take Out Corporation not knowing the exact number of stores at any given time or excluding a store because the major part of its revenue was from drive-thru sales as opposed to walk-in trade.

An additional and very unfortunate factor underlying the hearing is that apparently the Santa Catalina Island Company and the Santa Catalina Island Conservancy feel that the purpose of the hearing was to delay the bidding past the November 2 election and/or to have access to their

\*Without the transcript available, this statement and others are based on notes made during the hearing.

HER1:J2

CALENDAR PAGE	50
NOTE PAGE	2881

books and records in order to determine the amount they would be bidding. The Island Company/Conservancy focused on discrediting the other bidders' information instead of assisting the staff in arriving at a figure to which all parties could agree.

Therefore, the major issue of the hearings became the credibility of our witness, Jon Hardy, versus the credibility of their diver and their survey techniques. Our survey was conducted by an extraordinarily experienced and highly regarded diver who has no connection with or economic interest in Catalina Marine Services. Their survey was conducted by employees of Catalina Cove and Camp Agency. Mr. Hardy has, in addition to his professional diving experience, ten years experience installing and maintaining moorings at one of the camps on the lease premises. Their diver is still a trainee in mooring servicing. Mr. Hardy catalogued in his study debris on the ocean floor in addition to the extra mooring weights he found. Their report does not even take judicial notice of the legitimate moorings, but, interestingly enough, found mooring weights Mr. Hardy missed, raising the total number of extra weights.

Although Mr. Hardy spelled out the methodology of his survey in his report, Mr. Randy Bombard did not attempt to duplicate the Hardy survey in even one cove on the lease premises. Mr. Bombard did, however, spend an entire day having every piece of junk which could be found on the

HER1:J3

CALENDAR PAGE	51
MINUTE PAGE	2882

bottom of Avalon Harbor catalogued -- which has nothing to do with the number of usable moorings on the lease premises.

Mr. Hardy testified that many of the additional mooring weights he found were of the same size, age, appearance, wear, and in the same rows as weights which were hooked up to complete sets of mooring gear. These additional weights, in his opinion, could be hooked up to mooring gear at any time and used. In fact, when he returned in August for a visual survey, many of the mooring weights which he could easily identify because of their location had been rigged for use. Mr. Hardy illustrated his assessment of the usability of these moorings by providing pictures taken during the survey and slides taken just prior to the hearing of "in-use" and "not-in-use" mooring weights found next to each other. Those pictures clearly demonstrate the identical nature of those weights. The Bombard survey included no such documentation.

In his eagerness to refute the additional count, Mr. Bombard assumed that Mr. Hardy counted debris which no diver of Mr. Hardy's experience would ever mistake for a mooring weight. Mr. Bombard, additionally, did not even read the report closely enough to learn that Mr. Hardy not only did not count debris such as the new famous refrigerator as a mooring weight but specifically listed it as having been found in "the immediate area of some mooring weights." In some cases, some of the extra moorings were dismissed as merely being "skiff moorings," yet

HER1:J4

CALENDAR PAGE	52
MINUTE PAGE	2883

later testimony by both Randy and Doug Bombard revealed that some skiff moorings are in fact revenue-producing moorings.

In Catalina Harbor, Mr. Randy Bombard testified why the 14 extra buoys weren't extra moorings and what he thought they were. Mr. Hardy testified as to why at least 11 of those buoys should be counted as moorings. Mr. Hardy's testimony is clearly and adequately based on sound empirical data. Among the skiff-type buoys observed by Mr. Hardy were two at the back of Catalina Harbor during his initial survey and which were dismissed by Mr. Randy Bombard as being either lobster pot buoys or buoys for which he could not account. Another set of buoys in Catalina Harbor brushed aside as being outside the leased premises appear to be within the metes and bounds description of the lease. Mr. Hardy testified that the wrecked boat was nowhere near extra buoys he counted so that the need to lift some mooring equipment over that wreck would not account for those buoys. The mooring for the Phoenix is counted as one mooring by the Bombards although the two Phoenix buoys on the surface are both numbered and separate mooring numbers are listed on the "Master List".

Buoys and weights are erratically included or not included in the total count by the Bombards. For example, a skiff buoy was observed by Mr. Hardy in August over an area where he had previously observed mooring weights. Mr. Randy Bombard confirmed the existence of this mooring as belonging to the Balboa Bay Yacht Club at White's Landing.

HER1:J5

CALENDAR PAGE	53
MINUTE PAGE	2884

At Fourth of July, we learned of the existence of a stringline previously unacknowledged. At no time during their testimony did either Bombard explain why some skiff moorings were listed as revenue moorings, some as camp moorings, and some not at all until located by Mr. Hardy. At no time was it explained why two stringlines which are revenue-producing facilities were listed on the "Master List" as "Employee Stringlines," inferring that they were non-revenue producing company facilities, and one stringline was not mentioned at all. The only explanation offered by either Bombard was that the Fourth of July stringline and the Balboa Bay Yacht Club mooring belong to "camps" despite the fact that the State Lands Commission letter of November 30, 1981, to the Angeles Girl Scout Council specifically defines those camps whose historical use areas were to be excluded from the lease premises (attached). That definition does not include any yacht club, although some yacht club docks or piers are excluded. Since such additional weights (be they used for skiffs, larger boats or stringlines) are subject to negotiated rental fees, they should be included in the revenue-producing count. Even if the current lessee or operator does not now charge for such moorings, they should be inventoried with the revenue-producing moorings just as the moorings used for live-aboard employees' boats and company boats are.

The simple fact is that determination of the exact number of moorings and their distribution, ownership and use is within the domain

HER1:J6

CALENDAR PAGE	54
MINUTE PAGE	2835

and control of the Santa Catalina Island Company, the Santa Catalina Island Conservancy, and their operating agent. At no time during the hearing did the Catalina Cove and Camp Agency or the lessee offer any comprehensive documentation to validate their contention that there are only 720 moorings from which the Santa Catalina Island Company, the Santa Catalina Island Conservancy or their agent collect some form of revenue.

Jon Hardy, owner of Argo Diving Services, an independent entity with 24 years of experience, testified that there were 844 total moorings and mooring weights in use and/or available for immediate use on the demised premises. Of these, 57, in his opinion, belonged to camps or uplands lessees, leaving 787 revenue-producing mooring weights available for immediate use. He further testified that between April, when he completed his survey, and August, when he revisited the premises, that a number of the mooring weights which were unconnected in April were connected in August. The difference between 720 moorings admitted by the Island Company and 787 established by Catmar is about 10% of the total.

Additionally, there were 35 small boats in our aerial photos paying rent to tie to a stringline, yet no information was given as to stringline capacity up until the time of this hearing when elicited on cross-examination.

HER1:J7

CALENDAR PAGE	55
MINUTE PAGE	2805

Additionally, there exists in Fourth of July Cove an additional rentable stringline about which neither the Commission nor the other bidders were told.

The primary issue in these hearings was the total number of revenue-producing moorings and stringlines at the disputed moorings. Mr. Randy Bombard testified that, in the normal course of business, his books and records would reflect the daily count of the number of boats that paid rental fees for each and every day for the past several years. It is interesting to note that the Island Company could have simply settled the entire problem with an inspection of these books which include the rental count and we would know the exact number of revenue-producing moorings. However, they did not produce these records.

Catalina Marine Services believes that the State Lands Commission should grant our request and return to a rent plus percentage bid. Five days of testimony have brought us no closer to agreement as to the number of moorings on the lease premises. We did learn that sublessees and owners do not use their moorings 75% of the time, that the Catalina Camp and Cove Agency claims to have had to advertise for sublessees although no one we've talked to ever saw those ads, that at least one stringline can handle up to 40 revenue-producing boats at a time, that yearly subleases are granted for stringline and skiff moorings, that side-tying is allowed to a much greater extent than previously admitted,

HER1:J8

CALENDAR PAGE	56
MINUTE PAGE	2887



and that many of the more desirable moorings are set aside for exclusive sublease to members of private yacht clubs which are uplands lessees. All of the above illustrates how the fixed-rent factor favors the current lessee who alone had this information prior to this hearing and who is probably aware of other sources of revenue not yet revealed.

We believe that the State Lands Commission cannot justify the use of a fixed rental amount on the grounds that it does not want to have to monitor its lessee. The ambivalent and misleading material previously supplied by the current lessee, only partially corrected during the hearing, indicates that the State Lands Commission staff should have taken a more skeptical position with respect to the current lessee rather than looking to a future of less involvement with any lessee.

Rather than continue this investigation until a definite number is agreed upon, we urge the State Lands Commission to change the rent factor in the bid solicitation and allow each bidder to use its best business judgment in the bid. This would remove any competitive advantage which current lessee now has.

HER1:J9

CALENDAR PAGE	57
MINUTE PAGE	2888

## STATE LANDS COMMISSION

KENNETH CORY, Controller  
MIKE CURB, Lieutenant Governor  
MARY ANN GRAVES, Director of Finance

EXECUTIVE OFFICE  
1807 - 13th Street  
Sacramento, California 95814

WILLIAM F. BORTHROP  
Executive Officer

File Ref.: WP 3639



November 30, 1981

Response to Angeles Girl Scout Council

1. The Bid Lease will not include tideland and submerged land use areas of camps located on adjacent uplands. See Response Number 2 below. Leases of those use areas will be negotiated directly with upland owners or lessees. Therefore, it will be unnecessary to provide in the Bid Lease any provisions regarding rates to be charged for use of those areas by the State's lessee.
2. It is intended that the Girl Scouts and other similar organizations listed below will be allowed to continue their past use of tidelands and submerged lands adjacent to their upland facilities. Therefore, those use areas will be excluded from the Bid Lease. The use areas to be excluded from the Bid Lease are hereby described as:

"those tidelands and submerged lands lying beneath existing piers together with those areas historically used for activities in conjunction with upland camp programs".

A more precise description of these areas will be provided in leases negotiated directly with upland owners or lessees for the use of the subject use areas. These exclusions will not include individual mooring sites under sublease to boaters under the current lease, PRC 3639.1.

These exclusions will constitute amendments to property descriptions listed in the Solicitation and Bid Lease regarding the following coves:

CALENDAR PAGE	58
MINUTE PAGE	2885

COVE

UPLAND LESSEE/USE

Howland's Landing

Catalina Island Boys Camp  
Catalina Island Girls Camp

Emerald Bay

Great Western Boy Scout Council

Buttonsell Beach

Glendale YMCA

White's Landing

Angeles Girl Scout Council

Toyon Bay

Catalina Island Marine Institute

Gallagher Beach

Intervarsity Christian Fellowship

Cherry Cove

San Gabriel Valley Boy Scouts

Cabrillo Harbor

Long Beach Boy Scout Council

Parson's Landing

Great Western Boy Scout Council

CALENDAR PAGE	59
MINUTE	2830

APPENDIX "C"

FINAL STATEMENT OF SANTA CATALINA ISLAND  
CONSERVANCY AND SANTA CATALINA ISLAND  
COMPANY, BY CHARLES E. GREENBERG, ATTORNEY.

CALENDAR PAGE	69
MINUTE PAGE	2831

1 BALL, HUNT, HART, BROWN AND BAERWITZ  
2 120 LINDEN AVENUE  
3 LONG BEACH, CALIFORNIA 90802  
4 (213) 435-5631  
5 Attorneys for Santa Catalina Island Conservancy,  
6 and Santa Catalina Island Company

7  
8  
9  
10 HEARING STATE OF CALIFORNIA STATE LANDS COMMISSION  
11

12  
13 In the Matter of:

14 SOLICITATION BID NO. WP-3639; : FINAL STATEMENT BY SANTA  
15 SOLICITATION OF BIDS FOUR A; : CATALINA ISLAND CONSERVANCY,  
16 LEASE OF SUBMERGED LANDS ON : AND SANTA CATALINA ISLAND  
SANTA CATALINA ISLAND : COMPANY  
17

18  
19  
20 During the evidentiary phase of these hearings it  
21 was appropriate for lawyers representing the various parties  
22 to probe each witness within the limits of the adversary method  
23 of arriving at the truth. In closing statement, however, it  
24 becomes our duty to put the adversary system behind us, to weave  
25 together in a meaningful fashion the facts that have emerged  
26 from the hearings and to provide the hearing officer a coherent  
27 picture of the results of the hearings.

28 These hearings were called to test the charge made

CALENDAR PAGE	61
MINUTE PAGE	2832

1 by Cat Mar that my clients operate a minimum of 850 potential  
2 revenue-producing moorings within their lease premises, although  
3 the lease restricts the premises to 720 revenue-producing moorings.  
4 The sum and substance of the evidence upon which Cat Mar makes its  
5 charge are the results of a diving survey conducted in January and  
6 April of 1982 by Mr. Hardy and his Argo Diving Services. The  
7 primary thrust of Mr. Hardy's testimony was that there are  
8 scattered at the bottom of the waters of the lease premises a  
9 substantial number of weights, chains and other paraphernalia that  
10 constitute potential revenue-producing moorings. Mr. Hardy also  
11 testified that there are in excess of 720 buoys present on the  
12 surface of the water within the lease premises. Mr. Hardy's  
13 testimony is the totality of the Cat Mar case.

14 First, let us discuss the significance of the fact  
15 that there are a good number of weights and assorted other items  
16 on the bottom of the ocean within the lease premises. The hearings  
17 have made clear that these objects are not "potential revenue-  
18 producing moorings." The one independent expert who testified  
19 in this case was retired Coast Guard Admiral Joe Steel. Admiral  
20 Steel testified that when he was a Coast Guard operations officer  
21 and later a Coast Guard commandant, the United States Coast Guard  
22 lost thousands of weights from its buoys. The Coast Guard never  
23 attempted to recapture such weights, but instead left them where  
24 they had fallen. In addition, Admiral Steel made clear that it  
25 does not make economic sense to utilize abandoned weights as part  
26 of a newly installed mooring system. It takes less time, effort  
27 and expense to fabricate an entire new mooring system ashore  
28 and to drop it as a functional whole in the place where the buoy

1 is needed. Under questioning by Assistant Attorney General  
2 Gregory Taylor, Mr. Hardy also admitted these facts. Thus, even  
3 if your lessees wished to create and operate bootleg moorings  
4 (which I assure you they do not), they would do so ashore and not  
5 utilize abandoned weights at the bottom of the ocean.

6 Admiral Steel's testimony is further substantiated by  
7 the fact that the bottom of Avalon Bay appears to be the  
8 receptacle of just as many weights and other assorted items as  
9 does the lease premises. The presence of weights on the ocean  
10 bottom is no evidence that the operator is attempting to secrete  
11 hidden moorings.

12 Upon cross-examination of Mr. Hardy, it became clear  
13 that his survey last spring and the photographs and renderings  
14 submitted by Cat Mar this fall were put together in such a way  
15 that neither the weight count nor the location of the claimed  
16 weights on the ocean floor is dependable evidence. Further, it  
17 is most significant that Cat Mar used great care to attempt to  
18 hide the technical weaknesses in their survey and demonstrative  
19 evidence. At the time Cat Mar first made its charges, it sent  
20 to you as part of its sworn testimony, aerial photographs con-  
21 taining pieces of red tape supposedly placed where the so-called  
22 secret weights were located on the ocean floor. At the beginning  
23 of the hearings, however, Cat Mar informed us that these photo-  
24 graphs were not accurate and should not be relied upon. Instead,  
25 Cat Mar introduced new renderings for each cove. On each  
26 rendering a red dot indicated where each so-called mooring  
27 weight was located. Cross-examination developed that there  
28 were huge discrepancies between the numbers and locations of

1 weights depicted upon the photographs and the renderings.  
2 Cross-examination also developed that there were substantial  
3 inconsistencies between the renderings and Mr. Hardy's notes.

4 Mr. Hardy explained the discrepancies between his  
5 notes and the location and number of weights found on the aerial  
6 photographs and renderings by stating that when he performed his  
7 survey early this year, he did not know he was supposed to keep  
8 track of the location of each weight. He also did not know that  
9 he was supposed to distinguish between weights for camp moorings  
10 and weights for potential revenue-producing moorings. Further,  
11 he did not know he was supposed to discriminate between weights  
12 that may be used for revenue-producing purposes and weights  
13 that may be used for someone else upon the lease premises for  
14 nonrevenue-producing purposes. Thus, some seven to nine months  
15 after the survey was completed, Mr. Hardy faced the Herculean  
16 task of reconstructing from his memory the location and number  
17 of each weight that might be fairly attributed to the various  
18 types of mooring use found on or near the lease premises.

19 If Cat Mar had been forthright about these major  
20 omissions in their survey data at the beginning of these hearings,  
21 we might have been more tolerant of their evidentiary problems.  
22 Unfortunately, however, Cat Mar attempted to hide these gaping  
23 holes in its survey methodology and data. The company's efforts  
24 to produce two sets of contradictory demonstrative evidence  
25 purporting to show the locations of the weights when it knew in  
26 its heart it did not know the locations of those weights is a  
27 very serious matter. It is difficult to give much credence to  
28 a charge based upon data that was flawed at its inception and



1 where rather extraordinary measures were taken to obfuscate those  
2 flaws.

3           It seems clear that Cat Mar cannot and has not produced  
4 any evidence that the weights and other items found at the bottom  
5 of the sea upon the lease premises constitute a source of potential  
6 revenue-generating moorings in excess of the number allowed by the  
7 lease. Finally, not one iota of evidence was ever submitted by  
8 Cat Mar that its extensive observations of our operations ever  
9 disclosed that we had in fact hooked up or otherwise attempted  
10 to operate as moorings more than the revenue-producing moorings  
11 allowed by the lease.

12           Now, let us analyze the evidence produced by Cat Mar  
13 that there are more than 720 buoys on the surface of the water  
14 within the lease premises. At the conclusion of the first  
15 segment of Mr. Hardy's testimony, Assistant Attorney General  
16 Grey Taylor reached agreement with Mr. Hardy as to the number of  
17 surface buoys claimed by Cat Mar to be potential revenue-producing  
18 moorings. When one adds up the number of buoys claimed by Mr.  
19 Hardy to constitute potential revenue-producing moorings, they  
20 total 739 if one excludes the camp moorings from the count.

21           No evidence, however, was ever offered that these some  
22 19 extra moorings were actually operated as potential revenue-  
23 producing moorings. To the contrary, it is clear that many of  
24 the buoys counted by Mr. Hardy were not revenue-producing moorings.  
25 Both Randy and Doug Bombard explained in some detail that approxi-  
26 mately 15 to 20 of the buoys counted by Mr. Hardy as  
27 revenue-producing moorings actually are used by fishermen,  
28 scientists, yacht club caretakers, at cetera, for their own .

1 purposes. These buoys were not painted, marked or otherwise  
2 maintained in an identical fashion to our usual revenue-producing  
3 buoys. On cross-examination, Mr. Hardy agreed with many of the  
4 explanations of the Bombards, although he objected to a few on the  
5 grounds that the Bombards were explaining buoys that were not  
6 actually in the count made by Mr. Hardy. In any case, if one  
7 subtracts from the 739 potential revenue-producing mooring buoys  
8 counted by Mr. Hardy those buoys apparently used by others, the  
9 total number of apparent revenue-producing moorings, even  
10 according to the Hardy count, seems to be in the range of 720  
11 plus or minus five.

12 To be fair to Cat Mar, we must admit that, with one  
13 exception, all of the parties who have attempted to count surface  
14 buoys within the lease premises have had great difficulty in  
15 obtaining consistent, accurate and dependable buoy counts. I  
16 do not understand why it has proven so difficult to obtain con-  
17 sistent accurate buoy counts, but must admit that the task  
18 has apparently proven difficult when attempted by Cat Mar, my  
19 clients and representatives of the State of California.

20 Ironically, the one man who apparently had very little  
21 difficulty in obtaining an accurate buoy count was Mr. Lyn Stokes.  
22 Mr. Stokes was retained by Island Navigation Company and Seaway  
23 Company of Catalina to attempt such a buoy count on June 19th,  
24 1982. Island Navigation provided Mr. Stokes with a copy of one  
25 of our "hot sheets" to help him in this effort. Mr. Stokes runs  
26 and operates a boating maintenance business in Avalon and  
27 obviously is familiar with the various types of uses made of  
28 differing buoy systems found around Catalina. Mr. Stokes' count

1 of what appeared to him to be revenue-producing buoys was 723.  
2 After explanation was given to him concerning the extra three  
3 mooring buoys he found that bore a resemblance to normal revenue-  
4 producing moorings but were not actually used for such purposes,  
5 Mr. Stokes' buoy count became 720 -- the exact figure set forth  
6 in the lease. Mr. Stokes found a good number of other buoys but  
7 had no difficulty distinguishing their operation and use as  
8 being different than revenue-producing moorings.

9

10

CONCLUSION

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

These hearings commenced because Cat Mar alleged my client has 850 "potential" revenue-producing moorings on the lease premises. This charge, even if it were true, by its own terms fails to allege a violation of our lease agreement with the State of California. Cat Mar did not and cannot charge that we are actually operating more than the 720 revenue-producing moorings allowed on the lease premises. But Cat Mar has failed dismally even to produce credible evidence that we have more than 720 "potential" let alone "actual" revenue-producing moorings on the lease premises. The sole evidence Cat Mar has produced is the Hardy survey of weights found on the bottom and buoys found on the surface of the lease premises. The Cat Mar survey was flawed at its inception and has suffered from those flaws ever since. The evidence is overwhelming that the weights and other objects found at the sea bottom cannot be characterized as "potential" revenue-producing moorings. The evidence is overwhelming that even Cat Mar's buoy count, when limited to revenue-producing type

1 buoys, is not inconsistent with a 720 revenue-producing buoy  
2 count. The evidence is both clear and convincing that as of  
3 June 19th, 1982 a survey conducted for Island Marine disclosed  
4 720 revenue-producing moorings, the exact number provided for by  
5 the lease.

6 The evidence is conclusive that the State of California  
7 has spent substantial time, energy and funds chasing a will-o'-  
8 the-wisp charge that should never have been brought in the first  
9 place. We now understand why Cat Mar has declined consistently  
10 to accept our challenge that if it could prove its charges my  
11 clients would pay the costs of these hearings, but that if it  
12 could not prove such charges Cat Mar should pay those costs. We  
13 urge the commission to bring this investigation to a close and to  
14 renew the bidding process as rapidly as possible. We also urge  
15 the commission to issue a report clearly branding Cat Mar's  
16 charges for what they are, so that any potential cloud over my  
17 clients' good name and reputation will be lifted.

18 Finally, should Cat Mar or Island Marine wish to  
19 pursue their intention announced in the hearings to procure  
20 the examination of our books and records to determine whether we  
21 have derived income from or serviced more than the allowed number  
22 of revenue-producing moorings, we reiterate our offer made at the  
23 hearing on this matter. If Cat Mar or Island Navigation  
24 specifies in its final statement which records identified in  
25 the hearings it wishes examined to see if there is any evidence  
26 we are operating more than 720 revenue-producing moorings, we  
27 will be happy to make such records available to State auditors  
28 or other State representatives for examination between today

1 and the State Lands Commission meeting of November 16th. We will  
2 not make such records directly available to Cat Mar or Island  
3 Navigation. We believe the purpose of Cat Mar and Island  
4 Navigation requesting the right to examine such records, is their  
5 desire to obtain as much proprietary information from us as  
6 possible to enable them to better judge the likely amount of  
7 our bid. We believe such a purpose is improper. On the other  
8 hand, we trust the State not to disclose such proprietary  
9 information. Therefore, we will be happy to allow the State to  
10 examine any books or records it or the other bidders believe are  
11 relevant to the issue of whether or not we are operating more  
12 than 720 revenue-producing moorings on the lease premises.  
13

14 DATED: November 6, 1982.

15  
16 BALL, HUNT, HART, BROWN AND BAERWITZ

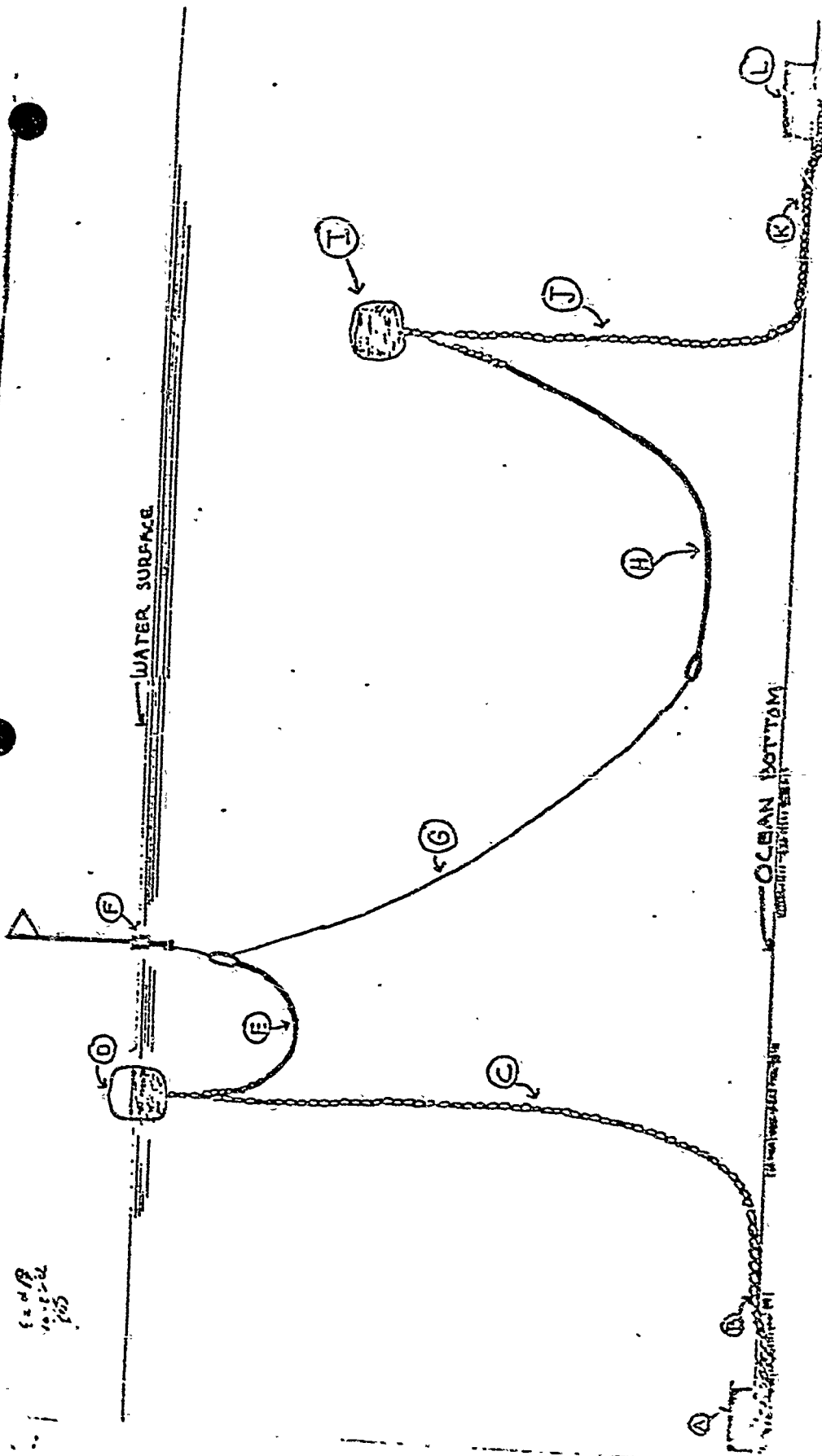
17  
18 By Charles E. Greenberg  
19 Charles E. Greenberg  
20 Attorneys for Santa Catalina Island  
21 Conservancy, and Santa Catalina Island  
22 Company  
23  
24  
25  
26  
27  
28

CALENDAR PAGE 59  
MINUTE PAGE 2900

APPENDIX "D"

DIAGRAMS OF TYPICAL MOORINGS

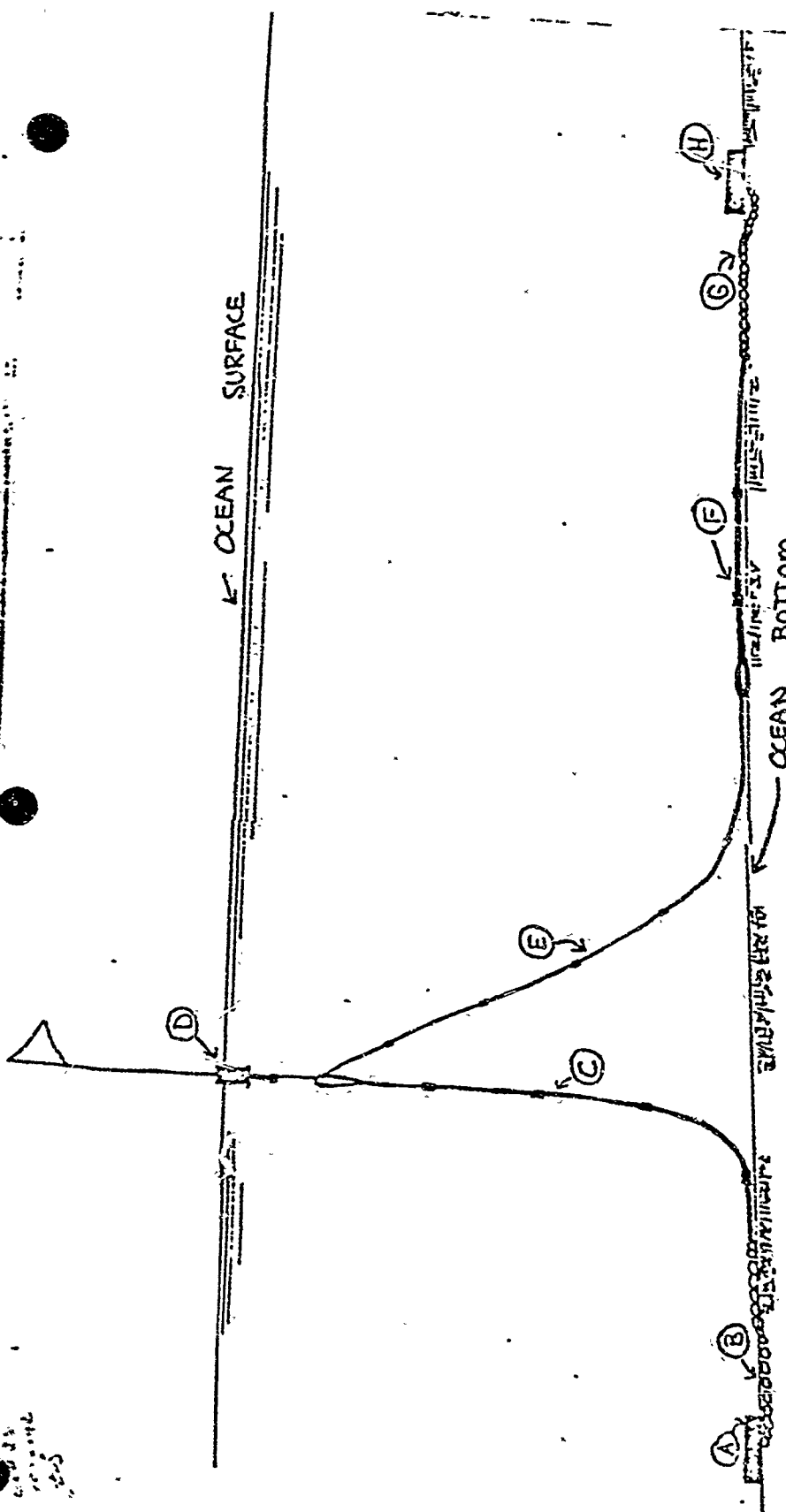
CALENDAR PAGE	70
MINUTE PAGE	2901



CATALINA MOORING SERVICE

DEEP WATER MOORINGS 50' TO 100'

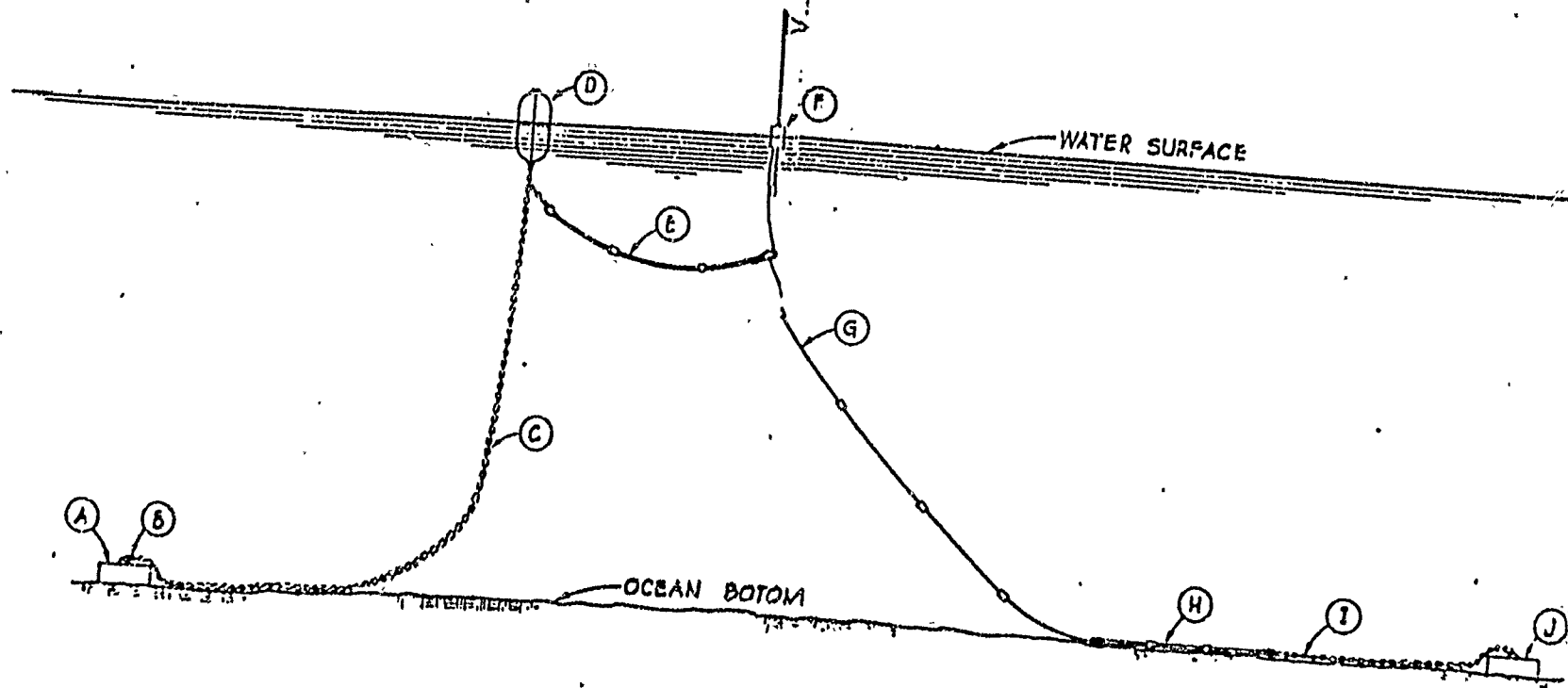
CALENDAR PAGE	71
MINUTE PAGE	2902



CATALINA MOORING SERVICE  
 SKIFF / DINGY MOORING - SHALLOW WATER

CALENDAR PAGE	72
MINUTE PAGE	2903





FROM SKETCH BY MR. DOUGLAS BOMBARD, MANAGER,  
 CATALINA COVE AND CAMP AGENCY

CALENDAR PAGE  
 MINUTE PAGE  
 2904  
 73

APPART'S  
 CIVIL ENGINEERS  
 2009 BRAD, COLUMBIA

CATALINA TYPE MOORING

APPENDIX D

DATE	NOV 14 1953
BY	DOUGLAS BOMBARD
CHECKED BY	DOUGLAS BOMBARD
APPROVED BY	DOUGLAS BOMBARD

APPENDIX "E"

DECLARATION AND  
REPORT ON A MARINE SURVEY CONDUCTED  
BY ARGO DIVING SERVICES (JON HARDY)  
IN JANUARY AND APRIL, 1982, AT  
SANTA CATALINA ISLAND

CALENDAR PAGE	74
MINUTE PAGE	2905

DECLARATION OF JON S. HARDY

1  
2  
3 I, JON S. HARDY, declare and state:

4 1. The facts set forth in this declaration are of my  
5 personal knowledge and if called as a witness before the State  
6 Lands Commission, I would and could competently testify thereto  
7 as follows:

8 BACKGROUND AND QUALIFICATIONS

9 2. For the past 24 years I have been a diving instructor  
10 certified by National Association of Underwater Instructors  
11 (NAUI); Professional Association of Diving Instructors (PADI);  
12 Scuba Schools International (SSI); Los Angeles County Department  
13 of Parks and Recreation, and the YMCA. For 21 of the 24 years,  
14 I have acted as a consultant to corporations and instructional  
15 institutions relating to diving and/or marine-related matters.

16 3. I presently own and operate Argo Diving Services, a  
17 sole proprietorship which I have operated for the last three  
18 years. Presently, Argo Diving Services provides underwater  
19 instruction; both public and private including the training of  
20 professional divers for commercial diving and special groups  
21 such as Navy diving instructors and astronauts; marine surveys;  
22 salvage operations; search and recovery diving; underwater film-  
23 ing projects including a recent Disney film and television shows;  
24 underwater photography. These activities necessitate over 300  
25 dives per year.

26 4. Presently, in my capacity as a diving consultant,  
27 I engage in the following activities:

28 ////

CALENDAR PAGE	75
MINUTE PAGE	2906

1           Contributing author for a column in Diver Magazine;  
2 prior to that, feature article writer for Sport Diver Magazine;  
3 instructor-trainer for underwater instructors conducting four to  
4 six courses per year; advisor to Scuba Schools International to  
5 develop new educational materials for their trade association;  
6 expert witness on diving-related cases with six to nine cases  
7 pending at any one time.

8           5. Recently, I was invited by the U. S. Air Force and  
9 McDonald Douglas to bid on the training of astronauts for the  
10 SPACE SHUTTLE PROGRAM.

11           6. In 1971 and again in 1982, I was invited by the  
12 U. S. Navy to train and in fact trained some of their diving  
13 instructors in civilian commercial diving techniques.

14           7. Over the last 21 years I have held various pro-  
15 fessional positions. In 1974 to 1978, I was the Executive  
16 Director of the National Association of Underwater Instructors,  
17 located in Colton, California.

18           8. From 1973 to 1974, I was Business Manager and Diving  
19 Officer for Catalina Island School at Toyon Bay.

20           9. From 1971 to 1973, I was the Projects Director of  
21 the National Association of Underwater Instructors.

22           10. From 1969 to 1971, I was one of several directors at  
23 the Santa Barbara YMCA responsible for youth programs and all  
24 aquatic programs, including the diving programs.

25           11. From 1964 to 1968, I was on active duty in the U. S.  
26 Navy. During this time, I was promoted from Quarter Master to  
27 Lieutenant Commander. Most of my time in the Navy was spent as  
28 a marine inspector.

1 12. From 1961 to 1964, I was Manager of Camp Fox at  
2 Buttonshell Beach, Catalina Island.

3 13. I have a Bachelor of Science in Recreation Education  
4 which I received from California State University, Los Angeles,  
5 in 1963. I received additional qualifications in commercial  
6 diving from Santa Barbara City College.

7 UNDERWATER AND ABOVE WATER SURVEY

8 OF SANTA CATALINA ISLAND

9 14. At the request of Catalina Marine Services Cor-  
10 poration ("Cat Mar"), Argo Diving Services conducted a marine  
11 survey both above and below the waters in the coves and harbors  
12 of Santa Catalina Island in or about January or April 1982. A  
13 notarized copy of my report, dated April 12, 1982, is attached  
14 hereto ("April Report").

15 15. The April Report required approximately 63 dives to  
16 do a complete examination of the ocean floor in those coves and  
17 harbors listed in my report. I supervised and was present at  
18 all of the dives referred to in my April Report and personally  
19 dove on approximately 50% of the dives. I personally examined  
20 chains and mooring weights in many of the coves and harbors sur-  
21 rounding Santa Catalina Island. From my examinations, in most  
22 instances, the mooring weights were found to be lined up in an  
23 obvious and planned manner. Those mooring weights which did not  
24 have a buoy on the surface were examined closely. Most of these  
25 mooring weights and chains appeared to be of very similar quality  
26 to those mooring weights and chains which had surface buoys. It  
27 appeared to me that these mooring weights and chains could be  
28 easily and safely utilized by simply attaching a buoy to them.

CALENDAR PAGE	77
DATE	29-28

1           16. I have had an opportunity to examine the aerial  
2 photographs which are presented with the Request for Emergency  
3 Meeting and can state that these aerial photographs properly  
4 represent the harbors and coves for which they are marked.

5           17. As part of the process of finding and searching  
6 for mooring weights on the ocean floor of the harbors and coves  
7 referred to in my report, I personally prepared and oversaw the  
8 preparation of diagrams which represent the location of mooring  
9 weights and buoys in all harbors and coves we surveyed at Santa  
10 Catalina Island except Catalina Harbor. These diagrams were pre-  
11 pared by me and other divers at boatside at the time the survey  
12 was done.

13           I have reviewed each of the diagrams which were prepared  
14 during the survey and have carefully marked each of the aerial  
15 photographs with orange rectangles to designate the location  
16 of mooring weights with no buoys on the surface. Some of the  
17 weights did, however, have submerged buoys attached to them.

18           18. I have placed a white dot with a "U" written on it  
19 on each of the aerial photographs to designate mooring weights  
20 with no visible buoy and which appear to belong to uplands'  
21 lessees. I assigned these mooring weights in my report to up-  
22 lands' lessees because they were in areas with other designated  
23 moorings belonging to uplands' lessees.

24           19. As is reflected in my April report, I was unable to  
25 do an underwater survey at Catalina Harbor because of extremely  
26 poor underwater visibility. I did, however, do a surface count  
27 of mooring buoys in Catalina Harbor. The white dots on the  
28 aerial photograph of Catalina Harbor differ from the white dots

CALENDAR PAGE	78
MINUTE	2900

1 on the other aerial photographs. On the aerial photograph of  
2 Catalina Harbor, the white dots designate additional mooring  
3 buoys over the number listed in the "Chart Guide for Catalina  
4 Island," copyright 1977. ~~the~~ Four circular white dots designate  
5 three black buoys which appear to be for scientific purposes.

6 20. On August 22, 1982, I made a visual inspection of  
7 the harbors and coves on the leeward side of Santa Catalina  
8 Island. In some of the harbors and coves, there appeared to be  
9 a significant change in the number of buoys. I did not count  
10 every visible mooring buoy on that date, but the additional moor-  
11 ing locations I saw are designated on the aerial photographs by  
12 a plain white dot (except in Catalina Harbor as explained  
13 above). I know that many of these additional buoys are attached  
14 to mooring weights which are not counted in the April Report  
15 due to a variety of factors listed in the April Report.

16 21. In comparison with my survey work done in January,  
17 April, and August of this year, there is a significant variation  
18 in the number and location of mooring buoys. The additional  
19 usage is consistent with this variation. Again, these patterns  
20 are discussed in greater detail in my reports.

21 I declare under penalty of perjury that the foregoing is  
22 true and correct and that this declaration was executed on  
23 September 30, 1982.


24

25

26

27

28

  
\_\_\_\_\_  
JON S. HARDY

# JON HARDY

Consultant for Business, Diving and Instruction

P.O. Box 782 1201  
(213) 510-2337—Primary

314 Metropole Avenue  
Santa Catalina Island

Avalon, Ca. 90704  
Messages—(213) 510-2208

Report On A Marine Survey Conducted  
by Argo Diving Services in  
January and April 1982  
at Santa Catalina Island

At the request of Trans Pacific Industries doing business as the Catalina Marine Services Corporation, Argo Diving Services conducted a marine survey both above and below the water in the coves and harbors of Santa Catalina Island. The survey was to determine the number of installed mooring buoys and the number of mooring weights.

All mooring areas reported to exist outside of the City of Avalon were surveyed. The Chart Guide lists 708 moorings in these areas. The above water survey found 800 mooring buoys in place. This is 13% more moorings than are listed. During the underwater survey 79 more mooring weights were found that did not have mooring buoys on the surface. This is a total of 879 possible moorings which is 24% more than the number of moorings listed. The actual number of possible mooring weights and therefore moorings available will exceed this total as detailed in the report.

This report is certified to be true and correct. April 12, 1982.

Jon Hardy  
Argo Diving Services  
P.O. Box 1201  
Avalon, CA 90704  
(213) 510-2208

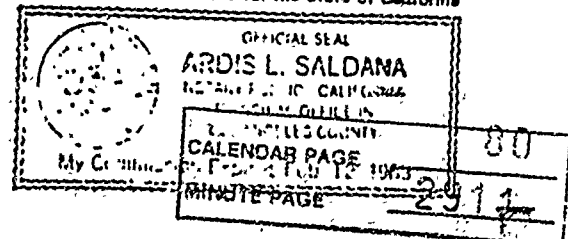
*Jon Hardy*

Subscribed and sworn to before me this

12 day of April 1982

*Ardis L. Saldana*

NOTARY PUBLIC in and for the State of California





Mooring Count Conducted by Argo Diving Services

January and April 1982

<u>Area Name/Mooring Use</u>	<u>Chart Guide</u>	<u>Buoys</u>	<u>Weights</u>
* <u>Gallagher's Beach</u>			
Uplands leasee (several small floats)	0	6	6
* <u>Toyon Bay</u>			
Uplands leasee (several small floats)	9	8	14
<u>Willow Cove</u>	0	0	Unknown
* <u>Moonstone</u>			
Private	34	39	45
USCG	0	1	1
* <u>White's Landing</u>			
Private	17	17	18
Uplands leasee	0	2	6
<u>Hen Rock Cove</u>	25	24	28
Private			
* <u>Buttonshell Beach (Camp Fox)</u>			
Private	7	8	10
Uplands leasee	0	1	7
<u>Goat Harbor</u>	0	0	Unknown
<u>Cabrillo Beach</u>			
(2 mooring buoys stored on beach)	0	0	Unknown
<u>Ripper's Cove</u>	0	0	Unknown
<u>Empire Landing</u>			
Private	2	3	3
Uplands leasee (for barges)	0	4	4

<u>Area Name/Mooring Use</u>	<u>Chart Guide</u>	<u>Buoys</u>	<u>Weights</u>
<u>Big Fisherman Cove (USC)</u> Uplands leasee (several small floats)	5	29	29
* <u>Isthmus Cove</u> Private (many small floats)	239	235	241
* <u>Fourth of July Cove</u> Private (one small float)	42	43	46
* <u>Cherry Cove</u> Private (several small floats)	102	104	117
Uplands leasee	---	4	?
USCG	---	1	1
* <u>Little Geiger Cove</u> Private	1	1	2
<u>Big Geiger Cove</u>	0	0	Unknown
<u>Howland Landing</u> Private (several small floats)	39	43	55
Upland leasee (one small float)	---	5	8
* <u>Emerald Cove/Sandy Beach</u> Private (one small float)	97	99	105
Uplands leasee (several small floats)	---	6	9
<u>Parsons Landing</u>	2	0	Unknown
<u>Catalina Harbor</u> Private (several small floats)	85	112	112- <i>ditto</i>
<u>Little Harbor</u>	0	0	Unknown
<u>Pebble Beach Power Plant</u> Uplands leasee (for barges)	0	1	1
<u>Rock Quarry</u> Uplands leasee (for barges)	2	4	4

<u>Totals</u>	<u>Chart Guide</u>	<u>Buoys</u>	<u>Weights</u>
Private	692	728	782
Uplands leasee	16	70	95
USCG	0	2	2
	<hr/> 708	<hr/> 800	<hr/> 879
Percentage of difference for the Chart Guide	---	+13%	+24%

CALENDAR PAGE 83  
MINUTE PAGE 2914

Notes on the Mooring Count

- \* Mooring use was determined by designation on the mooring buoy, mooring position, mooring type, or previous observed use. It is possible that some moorings, listed as used privately or as used by the Upland leasee, may actually be used by the other party, but this would not effect the total count. At the Isthmus Cove and Catalina Harbor no attempt was made to designate moorings by use as the Uplands leasee and the provider of moorings is the same party - the Cove and Camp Agency.
- \* The Chart Guide listings were taken from the "Chart Guide for Catalina Island" copyright 1977 and based on information from the Catalina Cove and Camp Agency dated 1977. These listings have not been updated in subsequent editions.
- \* The column listing for mooring buoys includes moorings with a surface marker, usually a mooring can, but sometimes a small float. Where small floats were counted, it is noted in the mooring use column. At Buttonshell Beach (Camp Fox) many small floats were attached by cables between four mooring weights. As these floats were not used to mark individual mooring weights, they were not counted.
- \* Weights are all those objects that were in a position and of adequate size to be used as mooring weights. Of those not equipped with a mooring buoy, most had obvious attachment points and/or chain attached.
- \* It was possible to survey twelve of the twenty-four listed areas from

CALENDAR PAGE	84
MINUTE PAGE	2915

underwater. These are marked with an asterisk (\*). In the other twelve areas the number of mooring weights are listed as either Unknown (if no mooring buoys existed) or as the same number as the number of mooring buoys counted.

\* A few of the floats at Big Fisherman Cove and Catalina Harbor appeared to be in use for scientific projects rather than as boat moorings.

CALENDAR PAGE	85
MINUTE PAGE	2916

## Survey Methodology

From a boat, mooring buoys (including small floats used to mark weights with no buoys) were visually counted. With the use of scuba diving equipment and an underwater tow sled (pulled by a boat) or by swimming compass courses, mooring weights were visually counted by divers.

A total of 63 dives were made by four divers in thirteen different areas.

Care was taken not to count stern weights when counting inboard rows of moorings. Some large moorings have a submerged float on the stern chain. These were counted as part of the one mooring where they were attached. When two or more weights were chained together for one mooring, they were counted only as one weight.

Underwater survey operations were conducted in those coves where mooring buoys were installed for use by private boats or by the Uplands leasee and the water visibility was adequate to see the mooring weights and the weights were in less than 60 feet of water and the moorings were part of the mooring areas in question.

Difficulties and limitations placed on the extent of underwater survey included:

- \* Availability of boats
- \* Availability of divers
- \* Boat run time needed to reach mooring areas

CALENDAR PAGE	86
MINUTE PAGE	2917

- \* Other work commitments of Argo Diving Services
- \* Weather conditions
- \* Sea Conditions
- \* Water visibility
- \* Kelp covering large areas of the bottom
- \* Extreme water depths (over 60 feet)
- \* Interference by the Cove and Camp Agency

CALENDAR PAGE	87
MINUTE PAGE	2918

## Underwater Photography

Underwater photographs were taken at:

- \* Fourth of July Cove at or near mooring D-1 in the southeast corner of the cove showing:
  1. A complete mooring in use - #D-1
  2. A submerged mooring float for a stern chain that was not attached to a mooring buoy.
  3. A mooring weight with no mooring buoy attached.
- \* Moonstone at or near mooring B-16 in the southwest side of the cove showing:
  1. A complete mooring in use.
  2. A complete mooring with a submerged mooring float for a stern chain that was attached to a mooring buoy.

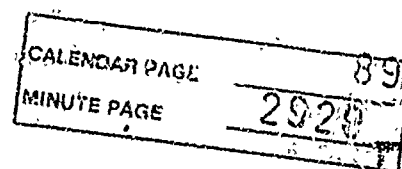
Photographs are labeled with location, mooring number and notes to direct attention to key features.



### Variations in the Mooring Count

This report indicates a significant difference between the number of mooring buoys listed, the number of moorings installed and the number of mooring weights. The number of mooring weights counted in the areas surveyed can be considered the absolute minimum number of mooring weights available as some weights can be expected to be

- \* Covered by the large leafed, brown algae covering the bottom in some mooring areas.
- \* Buried under the bottom; some weights attached to buoys were buried as evidence of this.
- \* So far out of position as to be missed; some weights attached to buoys were completely out of line as evidence of this.
- \* In water greater than 60 feet; dives were made up to 60 feet but other weights could be in deeper water with no mooring buoys attached; as evidence of this weights with buoys attached for larger boats were found in deeper water.
- \* In water so shallow as to not be observed due to limited water visibility and the minimum depth needed for safe boat operation; as evidence of this, mooring weights were attached to floats and found in less than five feet of water.
- \* In areas that have not been regularly used for moorings; it was not practical to check these areas from underwater, as it would have been far too long a search with no surface



buoys marking the area.

- \* Removed for servicing or repositioning.
- \* Not visible due to limited visibility; as evidence of this, Catalina Harbor with 27 more buoys than listed had water visibility of 0 - 5 feet in the mooring area.
- \* Not rigged with a surface float. There are moorings in use with no apparent surface markers. These may be picked up from a line to a pier or a float; or from a line to another mooring; or semipermanently used so no float is needed or simply hooked up from underwater.
- \* Additional evidence on the existence of more mooring weights was that certain weights known to the divers could not be found.

A few weights not attached to the surface may be the stern weights of moorings where the spreader line had been cut.

As overall evidence of the difficulty of finding mooring weights without buoys or floats attached was the southeast side of the Isthmus Cove. Here visibility was sometimes poor. The large brown algae covered much of the bottom. Mooring buoys were out of position with gaps and sudden changes in the numbering sequence and some moorings were in extremely shallow water.

It is to be expected that any two persons or companies who would count the mooring buoys and weights would have somewhat different counts

due to:

- \* Human inaccuracies
- \* Buoys being removed for servicing
- \* Buoys having been lost or sunk due to storms or lack of maintenance
- \* Value judgments as to what is a mooring buoy or weight
- \* Time when the count was conducted
- \* Some mooring cans are only in place during the summer.

As evidence of this difficulty in counting, the surface count at the Isthmus Cove was done twice, three days apart, with different results each time. The mooring service boat was at work during both of these days.

Based on this survey covering the 24 areas outside of the City of Avalon where moorings might be expected to exist:

- \* The Chart Guide lists 708 moorings
- \* The actual count was 800 buoys or 13% more buoys than listed
- \* The actual count of the absolute minimum number of mooring weights was 879 or 24% more possible moorings than listed.

### Other Findings and Observations

- \* Some mooring buoys could reasonably be expected to be removed for servicing although the normal procedure appears to be an immediate exchange of buoys and tackle when serviced.
- \* Camps often remove floats, mooring buoys and swim area lines during the winter.
- \* Mooring weights and chains have become artificial reefs providing habitats for marine life that would not otherwise be found on an open sand or silt bottom.
- \* It is possible that some weights that were observed in this survey had been lost or abandoned in the past.
- \* Mooring weights often become buried in the bottom or cause a dip in the bottom.
- \* A limited amount of cable, chain, line and mooring buoys were found on the bottom.
- \* In the immediate area of some mooring weights, small boats, tires, refrigerators, wood and trash were found.
- \* Mooring weights included concrete blocks, train wheels, gear wheels, large anchors, car or truck bodies, barrels filled with cement, engines and rocks.
- \* Most weights with no buoys attached did have chain attached.
- \* Included among the marine life observed on the bottom around the mooring weights were: nudibranchs, squid eggs, sea cucumbers, turbin snails, thornback rays, shovelnose guitar fish, horn sharks,

bat rays, angel sharks, sole, turbot and halibut. Free swimming around the weights and chains were: kelp bass, sargo, opaleye, halfmoon, garibaldi, blacksmith, barracuda, sheephead, senorita and rock wrasse. A long brown algae was growing from many of the mooring weights and chains that were laying on the bottom. Vertical chains had many invertebrates, particularly bivalves growing on them. A large leafed brown algae covered the bottom in some mooring areas.

- \* Significant maintenance is needed on many of the moorings. On the other hand, many moorings were in excellent condition.
- \* Many of the Uplands leasee mooring weights are used for swimming floats/lines or pier floats during the summer.
- \* A significant amount of skin diving, boating, and fishing equipment was observed around the moorings on the bottom.
- \* Big Fisherman Cove appears to have private boats using the moorings.
- \* Most moorings at Catalina Island have separate bow and stern weights. It would be possible, and may actually now be in practice, that moorings could be rigged with only a bow weight, letting the boat swing on the mooring or the number of moorings increased by using the stern weights of outboard rows as the bow weights for inboard rows.
- \* The small floats (with only a pick up whip and no mooring buoy) were checked underwater and found to have complete rigging with bow and stern lines, a spreader, chains and mooring weights. These

- moorings have no name or number designation on them.
- \* There are some mooring weights with floats or buoys attached where the buoys do not reach the surface. These appeared to be moorings that were meant to be in use, but that were in need of servicing. The floats/buoys were damaged or out of position in water so deep as to not be able to reach the surface.
- \* Six U.S. Coast Guard navigational buoys were observed but not counted in the survey.

CALENDAR PAGE	94
MINUTE PAGE	2925

Information Concerning Interference by the Catalina Cove and Camp Agency

On two days of the part of the survey conducted in April, the Catalina Cove and Camp Agency, Harbor Patrol, interfered with the survey operations. This interference was done directly six times and indirectly on a continuing basis.

During each of the direct interferences, we were stopped and told we could not conduct a survey. Among the various reasons repeatedly stated or the consequences that were threatened are:

- \* You can not dive on private property.
- \* You must have permission from the Santa Catalina Island Company.
- \* You must have permission from the Cove and Camp Agency.
- \* You must have permission from the Conservancy.
- \* It is unsafe to dive in the Isthmus Cove.
- \* We might be cutting or otherwise damaging the moorings.
- \* We were harrassing the pleasure boaters.
- \* There were too many boats in the harbor.
- \* That they would get the Sheriff and have us removed.
- \* That we were violating the rights of the pleasure boaters by taking surface photographs of the moorings in the cove.
- \* That we were operating boats in an unsafe manner.

On one occasion while two of the crew were counting mooring buoys on the surface from a small inflatable boat, a Harbor Patrol cut the inflatable off and collided with it as alleged evidence of our unsafe boat operation. In addition to the direct confrontations, as

many as four different Harbor Patrol boats kept us under observation or drove close by while we were working.

Our actions and related events included:

- \* We continued diving and operating the boats in a safe and careful manner to complete the survey.
- \* We repeatedly and politely said we appreciated and understood their concern, but we had a job to do and were going to do it.
- \* We repeatedly and politely suggested they get the Sheriff as we were going to continue the survey. They never did get the Sheriff.
- \* We repeatedly and politely refused to get permission from any alleged higher authority and pointed out that there were no laws governing our operations.
- \* We politely stated who we were, what we were doing and who we were working for.
- \* We used the small inflatable boat for surface counting and diving whenever we were in close to other boats.
- \* We photographed the southeast side of the Isthmus Cove where most of the diving took place to show the almost total absence of boats.
- \* We observed and photographed four other dive groups who were diving in the cove without being stopped and who were wandering all over the cove with little or no control.
- \* We dove one diver at a time with our two boats staying overhead both displaying "diver down" flags. Divers made all ascents



- up mooring lines or tow lines.
- \* We stopped at one time and towed a small boat that had broken down with a teenager in it. The several Harbor Patrol boats were all preoccupied.
  - \* The Kingfisher of the Catalina Mooring Service was also working in the harbor on the moorings while we were conducting the survey.
  - \* We photographed the Harbor Master and his patrol boat that did most of the harrassing and collided with our boat.
  - \* On the occasion of the collision, after the Harbor Master accused us of unsafe boat operation, I immediately and directly put the responsibility on him for purposefully running his boat in the way of our boat in a restricted area and creating the collision. No damage or injuries occurred due to the collision. He dropped the issue and went back to some of the other reasons why we should not be doing the survey. This event occurred about 3/4 of the way through that workday.

APPENDIX "F"

DIVING NOTES PREPARED BY DOUG BOMBARD ENTERPRISES  
REGARDING DIVES FROM OCTOBER 12 THROUGH  
OCTOBER 22, 1982, ON LEASE PREMISES AT  
SANTA CATALINA ISLAND

DIVING SLIPS KEY

(Leased Area Only)

MS	Moonstone Cove
WL	White's Landing
HR	Hen Rock
BS	Button Shell
ISTH	Isthmus
4th	Fourth of July Cove
CC	Cherry Cove
C/T.HRB.	Catalina Harbor

Cove MS Weight ID# 1

Type weight 4' Metal Box size 1"

Condition Black in sand - nothing else apparent

Feet chain \_\_\_\_\_ Condition \_\_\_\_\_

Underwater buoy Yes \_\_\_\_\_ No \_\_\_\_\_

Previously attached to \_\_\_\_\_

When abandoned est. \_\_\_\_\_

Other info \_\_\_\_\_

30' Mike L & Don

Information Sheet - Abandoned weights

Cove MS Weight ID# 2

Type weight Sunken Alloy Can size LG

Condition rusted chain

Feet chain \_\_\_\_\_ Condition Good

Underwater Buoy Yes \_\_\_\_\_ No \_\_\_\_\_

Previously attached to \_\_\_\_\_

When abandoned est. WIK 2-3 YRS

Other info \_\_\_\_\_

55' Mike & Don

Information Sheet - Abandoned weights

Cove MS Weight ID# 3

Type weight Anchor size 75 LB NORTH HILL

Condition Old but maybe usable

Feet chain \_\_\_\_\_ Condition \_\_\_\_\_

Underwater buoy Yes \_\_\_\_\_ No

Previously attached to \_\_\_\_\_

When abandoned Est. WIK

Other info \_\_\_\_\_

60' Mike L & Don

CALENDAR PAGE 100  
MINUTE PAGE 2931

BACK OF #2 (MS)

#1. 4' metal bar stuck in sand  
nothing else apparent

3. Mike L. Lush

CALENDAR PAGE	701
DATE PAGE	2932

Cove MS Weight ID# 4

Type weight Naoy Can size L6

Condition Complete rusted thru

Feet chain \_\_\_\_\_ Condition \_\_\_\_\_

Underwater bouy Yes \_\_\_\_\_ No \_\_\_\_\_

Previously attached to \_\_\_\_\_

When abandoned est. \_\_\_\_\_

Other info. \_\_\_\_\_

60' Mike L & Don

Information Sheet - abandoned weights

Cove MS Weight ID# 5

Type weight Freezer Big size 4x4x10

Condition \_\_\_\_\_

Feet chain \_\_\_\_\_ Condition \_\_\_\_\_

Underwater bouy Yes \_\_\_\_\_ No

Previously attached to \_\_\_\_\_

When abandoned est. long time NO MOORING

Other info. \_\_\_\_\_

60' Mike L & Don

Information Sheet - Abandoned weights

Cove MS Weight ID# 6

Type weight 2 wheels size 700 to 800 LB each

Condition Useable

Feet chain None apparent Condition \_\_\_\_\_

Underwater bouy Yes \_\_\_\_\_ No L

Previously attached to Stern C-6

When abandoned est. 5 to 7 yrs at least BRKEN TOP

Other info. \_\_\_\_\_

50' Mike L & Don

CALENDAR PAGE	10
MINUTE PAGE	2933

BACK OF #5 (MS)

# 8<sup>#</sup> 9 MS

2000 LB concrete

50' chain

Holds float for Dick

10-15' Mike L. & Don

CALENDAR PAGE	103
MINUTE PAGE	2934

BACK #6 (MS)

8 found nothing - might assume it was detached stern of mooring B-0 which was further in last winter

8-10' Mike L & Don

CALENDAR PAGE	104
CITE PAGE	2935



Type weight Mouline Can Size 1' Dia 4' long  
 Condition Rusted thru N/O  
 Feet chain \_\_\_\_\_ Condition \_\_\_\_\_  
 Underwater Bouy Yes \_\_\_\_\_ No \_\_\_\_\_  
 Previously attached to \_\_\_\_\_  
 When abandoned est. LONG TIME  
 Other info. \_\_\_\_\_

55' Mike L

Information Sheet - Abandoned weights

Cove MS Weight ID# 8  
 Type weight \_\_\_\_\_ Size \_\_\_\_\_  
 Condition \_\_\_\_\_  
 Feet chain \_\_\_\_\_ Condition \_\_\_\_\_  
 Underwater Bouy Yes \_\_\_\_\_ No \_\_\_\_\_  
 Previously attached to \_\_\_\_\_  
 When abandoned est. \_\_\_\_\_

Other info Found nothing might assume it was  
detached stern of B-C which was further in last  
winter  
8-18-15' Mike L & Don

Information Sheet - Abandoned weights

Cove MS Weight ID# 9  
 Type weight Concrete Size 2000 LB  
 Condition Good  
 Feet chain 50' Condition Good  
 Underwater Bouy Yes \_\_\_\_\_ No ✓  
 Previously attached to attached to M/S Pier float  
 When abandoned est. \_\_\_\_\_  
 Other info \_\_\_\_\_

8-10' Mike L & Don

Information Sheet - Abandoned weights

Cove MS Weight ID# 10

Type weight Concrete size 2000 LB

Condition Good

Feet chain 50' Condition Good

Underwater Bouy Yes  No

Previously attached to Attached to M/S Pier float

When abandoned est. \_\_\_\_\_

Other info \_\_\_\_\_

8-10' MIK's L of Don

CALÉNDAR PAGE 106  
MINUTE PAGE 2937

Information Sheet - Abandoned weights

Cove WL Weight ID# 1

Type weight Sac wheel size 500-700 LBS

Condition Good Condition Good

Feet chain 15'-20'

Underwater buoy Yes        No ✓

Previously attached to Attached to BYC Diving mooring

When abandoned est. In use

Other info.       

10' Mike L of Don

Information Sheet - Abandoned weights

Cove W1 Weight ID# 2

Type weight Pile of chain size       

Condition Old Discarded

Feet chain        Condition       

Underwater buoy Yes        No       

Previously attached to       

When abandoned est.       

Other info       

85' cur +

Information Sheet - Abandoned weights

Cove HR Weight ID# 1

Type weight Pile of Chain Size \_\_\_\_\_  
Condition Old Discarded  
Feet chain \_\_\_\_\_ Condition \_\_\_\_\_  
Underwater bouy Yes \_\_\_\_\_ No \_\_\_\_\_  
Previously attached to \_\_\_\_\_  
When abandoned est. 5 + 723  
Other info Much growth

35-40' cut Craig

Information Sheet - Abandoned weights

Cove HR Weight ID# 2

Type weight Pile of Chain Size \_\_\_\_\_  
Condition Old Discarded  
Feet chain \_\_\_\_\_ Condition \_\_\_\_\_  
Underwater Bouy Yes \_\_\_\_\_ No \_\_\_\_\_  
Previously attached to \_\_\_\_\_  
When abandoned Est. 5 + 723  
Other info. Much growth

35-40' cut

Information Sheet - Abandoned weights

Cove HR Weight ID# 3

Type weight Pile of Chain Size \_\_\_\_\_  
Condition Old Discarded  
Feet chain \_\_\_\_\_ Condition \_\_\_\_\_  
Underwater Bouy Yes \_\_\_\_\_ No \_\_\_\_\_  
Previously attached to \_\_\_\_\_  
When abandoned Est. long time  
Other info. Much growth

35-40' cut

SEARCH PAGE 100  
SITE PAGE 2930

Information Sheet - Abandoned weights

Cove H.R. Weight ID# 4

Type weight Pile of Chain size

Condition Old discarded

Feet chain \_\_\_\_\_ Condition \_\_\_\_\_

Underwater Bouy Yes \_\_\_\_\_ No \_\_\_\_\_

Previously attached to \_\_\_\_\_

When abandoned Est. 5 yrs plus

Other info. Mussel growth

35 - 40' cont

Cove B-5 Weight ID# 1

Type weight Car wheel size 750 LB

Condition fair

Feet chain 3 links Condition poor

Underwater Bouy Yes      No ✓

Previously attached to B-5

When abandoned est. link 3-5 yrs

Other info     

55' Mike L Don

Information Sheet - Abandoned weights

Cove B5 Weig. ID# 14

Type weight 4-55 Gal Drums size     

Condition     

Feet chain      Condition     

Underwater Bouy Yes      No     

Previously attached to     

When abandoned est.     

Other info wood pieces of old boat

75' Mike L Don

Information Sheet - Abandoned weights

Cove B5 Weight ID# 2

Type weight 2 - Cement Blocks size 20 LB each

Condition OK

Feet chain None Condition     

Underwater Bouy Yes      No ✓

Previously attached to     

When abandoned est. moor location 3 yrs ago

Other info     

10-15' Mike L - Don

CALENDAR	110
MINUTE	294

Cove TSTH Weight ID# 1

Type weight Concrete size 2000 LB

Condition Good

Feet chain Known Buried Condition \_\_\_\_\_

Underwater bouy Yes \_\_\_\_\_ No

Previously attached to Stern M-4

When abandoned Est. UNK

Other info. Old steel bouy on bottom also

Depth 45-50' mark & mike L

Information Sheet - Abandoned weights

Cove 1stH Weight ID# 2

Type weight Concrete size 2000 LB

Condition Good

Feet chain Buried Condition \_\_\_\_\_

Underwater bouy Yes \_\_\_\_\_ No

Previously attached to Stern M-5 or 6

When abandoned Est. Unknown

Other info. \_\_\_\_\_

45-50' mark & mike L

Information Sheet - Abandoned Weights

Cove 1stH Weight ID# 3

Type weight Concrete size 2000 LB

Condition Good

Feet chain Buried Short piece of poly pro knuser showing

Underwater bouy Yes \_\_\_\_\_ No

Previously attached to Bow of M-8

When abandoned est. UNK

Other info \_\_\_\_\_

30' mark & mike L

CALENDAR P.	111
MINUTE P	2942

Information Sheet - Abandoned Weights

Cove 10th Weight ID# 4

Type weight Concrete size 200-300 LB

Condition OK

Feet chain None

Underwater Bouy Yes  No

Previously attached to \_\_\_\_\_

When abandoned est. \_\_\_\_\_

Other info Appears to be of type used by USCG for underwater projects. Experiments. 25-30' mark of Mike L

Information Sheet - Abandoned Weights

Cove 2 Weight ID# 5

Type weight pile of chain size 30'-40'

Condition old used abandoned

Feet chain \_\_\_\_\_

Underwater Bouy Yes  No

Previously attached to \_\_\_\_\_

When abandoned est. \_\_\_\_\_

Other info \_\_\_\_\_

20' mark of Mike L.

Information Sheet - Abandoned Weights

Cove 15th Weight ID# 6

Type weight Concrete size 2000 LB

Condition Fair

Feet chain 12' Poor and broken

Underwater Bouy Yes  No

Previously attached to Stem 0-13

When abandoned est. 3-5 yrs

Other info \_\_\_\_\_

45' Dave & Mike Vallin

CALENDAR PAGE 112  
MINUTE PAGE 2945



Cove 4<sup>th</sup> Weight ID# 1

Type weight Anchor Size 25-35 lb

Condition OK

Feet chain 40' Condition Fair

Underwater bouy Yes      No ✓

Previously attached to 4<sup>th</sup> Cove float

When abandoned est. Still in use

Other info     

Information Sheet - abandoned weights

Cove 4<sup>th</sup> Weight ID# 2

Type weight Anchor Size 25-35 LB

Condition OK

Feet chain 35' Condition Fair

Underwater Bouy Yes      No ✓

Previously attached to 4<sup>th</sup> Cove float

When abandoned est. Still in use

Other info.     

Information Sheet - Abandoned weights

Cove 4<sup>th</sup> Weight ID# 3

Type weight 2-Pkts Chain Size     

Condition Used Junk

Feet chain UNK Condition Poor

Underwater Bouy Yes      No ✓

Previously attached to Nothing

When abandoned est. old

Other info looks like chain remained from mooring no longer

85' usable  
Mark Noble - Mike Vallen

CALENDAR PAGE 113  
MINUTE 2944

Cove Cherry Cove Weight ID# 1

Type weight Chain Size \_\_\_\_\_  
Condition Usuable  
Feet chain 8' 2" stud link chain condition \_\_\_\_\_  
Underwater buoy Yes \_\_\_\_\_ No \_\_\_\_\_  
Previously attached to Skiff mooring one of ours  
When abandoned Est. Unknown  
Other info. \_\_\_\_\_

8-10' Dave & Mike

Information Sheet - Abandoned weights

Cove Cherry Cove Weight ID# 2

Type weight Old can Size \_\_\_\_\_  
Condition N/E  
Feet chain N/O Condition \_\_\_\_\_  
Underwater buoy Yes \_\_\_\_\_ No ✓  
Previously attached to UNIC  
When abandoned Est. UNIC  
Other info. old metal mooring CAN

15-20' Dave & Mike

Information Sheet - Abandoned weights

Cove Cherry Cove Weight ID# 3

Type weight Concrete size 10,000 lbs.  
Condition Too big to lift  
Feet chain 5' 1" stud link Condition no good  
Underwater buoy Yes \_\_\_\_\_ No ✓  
Previously attached to \_\_\_\_\_  
When abandoned Est. MINING DAYS  
Other info. \_\_\_\_\_

25-30' Dave & Mike

CALENDAR PAGE 114  
MINUTE 2945

Cove Cherry Cove Weight ID# 4

Type weight 3 RXR wheels Size 750 lbs. each

Condition FAIR

Feet chain 3' 3/4" Condition NO good

Underwater buoy Yes        No ✓

Previously attached to C-17 stern

When abandoned est. 1975'

Other info. BROKEN WRAP

30-35' Don & Mike

Information Sheet - Abandoned weights

Cove CC Weight ID# 5

Type weight loose Chain Size       

Condition Very Poor

Feet chain        Condition       

Underwater buoy Yes        No ✓

Previously attached to WALK

When abandoned est. WALK

Other info disappears under rock

8-10' Don & Mike

Information Sheet - Abandoned Weights

Cove CC Weight ID# 6

Type weight Broken Gear 1/2 size 100 LBS

Condition N/O

Feet chain NONE

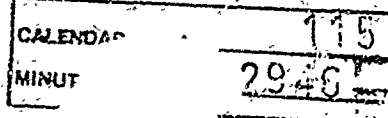
Underwater buoy Yes        No ✓

Previously attached to C-17

When abandoned est. WALK

Other info       

8-10' Don & Mike



Cove \_\_\_\_\_ Weight ID# 7

Type weight Concrete Size 2000

Condition Good

Feet chain 60' Condition Fair

Underwater Bouy Yes \_\_\_\_\_ No X

Previously attached to Stern C-18

When abandoned est. 3 to 4 yrs

Other info House cut

70' Dave & Mike

Information Sheet - Abandoned Weights

Cove CC Weight ID# 8

Type weight 2 bars w/avel size 2000 LB

Condition OK but not acceptable as weight / WG

Feet chain Poor Broken

Underwater Bouy Yes \_\_\_\_\_ No ✓

Previously attached to long ago abandoned

When abandoned est. \_\_\_\_\_

Other info Not the type weight we might use Did not tag

70' Dave & Mike

Information Sheet - Abandoned weights

Cove CC Weight ID# 9

Type weight Concrete size 2 - 2000 LB

Condition Good

Feet chain 100' Condition Fair

Underwater Bouy Yes ✓ No \_\_\_\_\_

Previously attached to D-16 Solar Wind

When abandoned est. Broken loose last summer fall '81 located 100' East

Other info and North - lost during storm

85' Dave and Mike L - Over

CALENDAR PAGE	110
MINUTE PAGE	2947

BACK OF CC9

Located on 10/13 tagged into hauler with tag line  
and tied off to bottom of Solar Wind  
bouy for later retrieval.

RB

CALENDAR PAGE	1:7
MINUTE PAGE	2948

Cove CC Weight ID# 10

Type weight Steel Ring Size 1900

Condition OK

Feet chain Unknown Condition Unusable very poor

Underwater buoy Yes  No

Previously attached to C-18 or 19 Steam

When abandoned est. 10-12 yrs ago

Other info Weight may be usable attached to wrap broken

could be re-rigged  
70' Dave & Mike L

Information Sheet - Abandoned Weights

Cove CC Weight ID# 11

Type weight Concrete Size 2000

Condition OK

Feet chain unk - very poor

Underwater buoy Yes  No  but old rusted steel type crumbles

Previously attached to Probably C-20

When abandoned est. 5-7 yrs

Other info \_\_\_\_\_

70' Dave & Mike

Information Sheet - Abandoned weights

Cove CC Weight ID# 12

Type weight 3 car wheels size 500 ea

Condition OK

Feet chain 40 Condition Fair

Underwater buoy Yes  No

Previously attached to B-19

When abandoned est. but during summer re-attached during spring

Other info. Saw sand pile of old chain also rigging

35-40' Dave & Mike L

Information Sheet - Abandoned weights

Cove CC Weight ID# 13

Type weight Concrete Size 2000

Condition Good

Feet chain 60' Condition Good

Underwater Bouy Yes X No \_\_\_\_\_

Previously attached to B-20 stern of winter storm raft

When abandoned Est. Still in a.s.e spring 1991

Other info. another pile of chain to east old no good

40-45' Dave & Mike L

Information Sheet - Abandoned weights

Cove 4th Cherry Point Weight ID# 14

Type weight Unable to locate size \_\_\_\_\_

Condition \_\_\_\_\_

Feet chain \_\_\_\_\_ Condition \_\_\_\_\_

Underwater Bouy Yes \_\_\_\_\_ No \_\_\_\_\_

Previously attached to \_\_\_\_\_

When abandoned Est. \_\_\_\_\_

Other info. Many rock in area

10-15' Dave & Mike LeVae

Cove Little Geiger Depth 100 L

Type weight Tide & rock Stone

Condition \_\_\_\_\_

Fast chain NONE Condition \_\_\_\_\_

Underwater Bouy Yes \_\_\_\_\_ No

Previously attached to \_\_\_\_\_

When abandoned Est. \_\_\_\_\_

Other info. No weight located

MIKE L. & DAVID L. 8' to 40' searched

CALENDAR PAGE	<u>131</u>
MINUTE PAGE	<u>2951</u>



Information Sheet - Abandoned Weights

Cove Howlands Weight ID# 1

Type weight concrete size 40 lbs

Condition good stiff mooring weight

Feet chain 3/4 1'

Underwater Bouy Yes  No

Previously attached to \_\_\_\_\_

When abandoned est. \_\_\_\_\_

Other info Runs cable from #1 to #2

DAVE L. + Mike L. 5 to 8' Depth

Information Sheet - Abandoned Weights

Cove Howlands Weight ID# 2

Type weight concrete size 40 lbs

Condition good stiff mooring weight

Feet chain 3/4 1'

Underwater Bouy Yes  No

Previously attached to \_\_\_\_\_

When abandoned est. \_\_\_\_\_

Other info Runs cable to #1

DAVE L. + Mike L. 5 to 8' Depth

Information Sheet - Abandoned weights

Cove Howlands Weight ID# 3

Type weight ROcks size \_\_\_\_\_

Condition good stiff mooring

Feet chain 3/4 cat around rocks Condition \_\_\_\_\_

Underwater bouy Yes  No

Previously attached to \_\_\_\_\_

When abandoned est. \_\_\_\_\_

Other info used for dingy

DAVE L. + Mike L. 5 to 8' Depth

Information Sheet - Abandoned weights

Cove Howlands weight ID# 4

Type weight wheel Size 1800

Condition OK

Feet chain None apparent Condition \_\_\_\_\_

Underwater Bouy Yes \_\_\_\_\_ No

Previously attached to \_\_\_\_\_

When abandoned est. 8 years or more

Other info \_\_\_\_\_

DAVE L. & Mike L. 50' Depth

Information Sheet - Abandoned weights

Cove Howlands weight ID# 5

Type weight wheel Size 1800

Condition OK

Feet chain None apparent Condition \_\_\_\_\_

Underwater Bouy Yes \_\_\_\_\_ No

Previously attached to \_\_\_\_\_

When abandoned est. 8 years or more

Other info \_\_\_\_\_

DAVE L. & Mike L. 50' Depth

Information Sheet - Abandoned weights

Cove Howlands weight ID# 6

Type weight wheel Size 1500

Condition OK

Feet chain \_\_\_\_\_ Condition \_\_\_\_\_

Underwater Bouy Yes \_\_\_\_\_ No

Previously attached to \_\_\_\_\_

When abandoned est. 8 years or more

Other info wheel with shaft or axle - NO good attach

DAVE L. & Mike L. Point 55' Depth

Cove Howlands Weight ID# 7

Type weight \_\_\_\_\_ Size \_\_\_\_\_

Condition \_\_\_\_\_

Feet chain \_\_\_\_\_ Condition \_\_\_\_\_

Underwater Bouy Yes \_\_\_\_\_ No \_\_\_\_\_

Previously attached to \_\_\_\_\_

When abandoned est. \_\_\_\_\_

Other info Nothing apparent may be stern of B-6

DAVE L. & MIKE L. 15' to 20'

Information Sheet - Abandoned weights

Cove Howlands Weight ID# 8

Type weight \_\_\_\_\_ Size \_\_\_\_\_

Condition \_\_\_\_\_

Feet chain \_\_\_\_\_ Condition \_\_\_\_\_

Underwater Bouy Yes \_\_\_\_\_ No \_\_\_\_\_

Previously attached to \_\_\_\_\_

When abandoned est. \_\_\_\_\_

Other info Nothing apparent may be stern of B-7

DAVE L. & MIKE L. 15' to 20' Depth

Information Sheet - Abandoned weights

Cove Howlands Weight ID# 9

Type weight Concrete Size 1800

Condition \_\_\_\_\_

Feet chain \_\_\_\_\_ Condition \_\_\_\_\_

Underwater Bouy Yes \_\_\_\_\_ No \_\_\_\_\_

Previously attached to \_\_\_\_\_

When abandoned est. \_\_\_\_\_

Other info CAMP weight attached to summer clocks

15' to 20' Depth Dave L. & Mike L.

CALENDAR PAGE	123
MINUTE PAGE	2954

Cove Howlands Weight ID# 10

Type weight concrete Size 2000

Condition good

Feet chain \_\_\_\_\_ Condition \_\_\_\_\_

Underwater Bouy Yes \_\_\_\_\_ No \_\_\_\_\_

Previously attached to \_\_\_\_\_

When abandoned est. \_\_\_\_\_

Other info Bow of A-5 No Bouy this winter

Dave L. & Mike L. 20' to 25' water

Information Sheet - Abandoned weights

Cove Howlands Weight ID# 11

Type weight concrete Size 2000

Condition good

Feet chain \_\_\_\_\_ Condition \_\_\_\_\_

Underwater Bouy Yes \_\_\_\_\_ No

Previously attached to \_\_\_\_\_

When abandoned Est. \_\_\_\_\_

Other info. stern of A-5 marking not hooked up this winter

Dave L. & Mike L. 15' to 20' depth

Information Sheet - Abandoned weights

Cove Howlands Weight ID# 12

Type weight OVEN Size \_\_\_\_\_

Condition \_\_\_\_\_

Feet chain \_\_\_\_\_ Condition \_\_\_\_\_

Underwater Bouy Yes \_\_\_\_\_ No \_\_\_\_\_

Previously attached to \_\_\_\_\_

When abandoned Est. \_\_\_\_\_

Other info. Not used as weight - debris

Mike L. & Dave L. 15' to 20' depth

Cove Emerald Bay Weight ID# 1

Type weight Anchor size 150 Lbs

Condition Good

Feet chain \_\_\_\_\_

Underwater Bouy Yes \_\_\_\_\_ No

Previously attached to Boy scout dock

When abandoned est. \_\_\_\_\_

Other info \_\_\_\_\_

Don L + Mike L. Depth 7' to 12'

Information Sheet - Abandoned Weights

Cove Emerald Bay Weight ID# 2

Type weight Grass (ELL) size 6' by 4'

Condition \_\_\_\_\_

Feet chain NONE

Underwater Bouy Yes \_\_\_\_\_ No

Previously attached to \_\_\_\_\_

When abandoned est. \_\_\_\_\_

Other info NO weight or chain

Don L + Mike L. Depth 12' to 15'

Information Sheet - Abandoned Weights

Cove Emerald Bay Weight ID# 3

Type weight 1/2 barrel Anchor size 100 lbs  
~~100 lbs~~

Condition no good

Feet chain 9" 1/4" chain

Underwater Bouy Yes \_\_\_\_\_ No

Previously attached to ?

When abandoned est. \_\_\_\_\_

Other info Old dumpy weight attach point gone unusable

Don L + Mike L. Depth 8 to 12'

Cove Emerald Bay Weight ID# 4

Type weight NONE Size \_\_\_\_\_

Condition \_\_\_\_\_

Feet chain \_\_\_\_\_

Underwater bouy Yes \_\_\_\_\_ No \_\_\_\_\_

Previously attached to \_\_\_\_\_

When abandoned est. \_\_\_\_\_

Other info Rocks in that area

PAUL & MIKE L. 2 to 20' Searched

Information Sheet - Abandoned Weights

Cove Emerald Bay Weight ID# 5

Type weight \_\_\_\_\_ Size \_\_\_\_\_

Condition \_\_\_\_\_

Feet chain \_\_\_\_\_

Underwater Bouy Yes \_\_\_\_\_ No \_\_\_\_\_

Previously attached to \_\_\_\_\_

When abandoned est. \_\_\_\_\_

Other info 5' length of worn out chain

PAUL & MIKE L. Depth 20' to 25'

Information Sheet - Abandoned Weights

Cove Emerald Bay Weight ID# 6

Type weight \_\_\_\_\_ Size \_\_\_\_\_

Condition \_\_\_\_\_

Feet chain \_\_\_\_\_

Underwater bouy Yes \_\_\_\_\_ No \_\_\_\_\_

Previously attached to \_\_\_\_\_

When abandoned est. \_\_\_\_\_

Other info 3-7' piece of worn out chain and weight

PAUL & MIKE L. Depth 20' to 25'

Cove CAT. Hrb. Weight ID# # 1

Type weight NOVR Size \_\_\_\_\_

Condition \_\_\_\_\_

Feet chain NOVR Condition NO good

Underwater Bouy Yes \_\_\_\_\_ No X

Previously attached to \_\_\_\_\_

When abandoned est. \_\_\_\_\_

Other info 7' x 4' Fiberglass object

NO VALVE

DIVE L. 6-10' Depth

Information Sheet - Abandoned weights

Cove CAT Hrb Weight ID# 2

Type weight NOVR Size \_\_\_\_\_

Condition \_\_\_\_\_

Feet chain \_\_\_\_\_ Condition \_\_\_\_\_

Underwater Bouy Yes \_\_\_\_\_ No X

Previously attached to \_\_\_\_\_

When abandoned est. \_\_\_\_\_

Other info MISC. JUNK NO weight or chain

DIVE L. 7-10' Depth

Information Sheet - Abandoned weights

Cove CAT Hrb Weight ID# # 3

Type weight concrete Size 2500 lbs

Condition good

Feet chain 12' Condition good

Underwater Bouy Yes \_\_\_\_\_ No X

Previously attached to \_\_\_\_\_

When abandoned est. \_\_\_\_\_

Other info 3 flat attached to small line

Sailed BowL tied to it.

Dive L. 8-10' Depth

Cove CAT. H&B. Weight ID# # 4

Type weight concrete Size 2000

Condition good

Feet chain 25' Condition good

Underwater Bouy Yes  No

Previously attached to Is attached to stern <sup>mooring</sup> # C-3

When abandoned est. \_\_\_\_\_

Other info SURFACE Bouy attached. This is

a stern bouy over wreck

DAUR L. 10'-15' Depth

Information Sheet - Abandoned weights

Cove CAT. H&B. Weight ID# # 5

Type weight concrete Size 2000

Condition good

Feet chain 25' Condition good

Underwater Bouy Yes  No

Previously attached to Presently attached to stern <sup>mooring</sup> # C-3

When abandoned est. \_\_\_\_\_

Other info SURFACE Bouy attached. This is

a stern bouy over the wreck

DAUR L. 12'-20' Depth

Information Sheet - Abandoned weights

Cove CAT. H&B. Weight ID# # 6

Type weight concrete Size 2000

Condition good

Feet chain 25' to 30' Condition good

Underwater Bouy Yes  No

Previously attached to Presently attached to stern <sup>mooring</sup> of # B-3

When abandoned est. \_\_\_\_\_

Other info SURFACE Bouy attached. This is a

stern bouy over the wreck

DAUR L. 15'-20' Depth



Cove CAT HRB. Weight ID# # 7

Type weight \_\_\_\_\_ Size \_\_\_\_\_

Condition \_\_\_\_\_

Feet chain \_\_\_\_\_ Condition \_\_\_\_\_

Underwater Bouy Yes \_\_\_\_\_ No \_\_\_\_\_

Previously attached to \_\_\_\_\_

When abandoned est. \_\_\_\_\_

Other info Found nothing possible wreck pieces  
12-15' depth DIVE L.

Information Sheet - Abandoned weights

Cove CAT HRB. Weight ID# # 8

Type weight \_\_\_\_\_ Size \_\_\_\_\_

Condition \_\_\_\_\_

Feet chain \_\_\_\_\_ Condition \_\_\_\_\_

Underwater Bouy Yes \_\_\_\_\_ No \_\_\_\_\_

Previously attached to \_\_\_\_\_

When abandoned est. \_\_\_\_\_

Other info Found nothing pieces of wreck  
12 to 15' depth DIVE L.

Information Sheet - Abandoned weights

Cove CAT HRB. Weight ID# # 9

Type weight 124 Depth Arch Size 200 lbs.

Condition good

Feet chain 9' Condition good 1' link

Underwater Bouy Yes \_\_\_\_\_ No X

Previously attached to \_\_\_\_\_

When abandoned est. \_\_\_\_\_

Other info Dredge machine was rigged with  
50' 17' by the line. This has been cut off.  
DIVE L. 20 to 25' depth

Information Sheet - Abandoned Weights

Cove CAT harbor Weight ID# # 9-A

Type weight 2 Ton Con. Block size 4x4x4

Condition Good

Feet chain 20' cable

Underwater Bouy Yes      No ✓

Previously attached to     

When abandoned est.     

Other info     

40 FT

Mike L.

Information Sheet - Abandoned weights

Cove CAT HRB. Weight ID# # 10

Type weight concrete size 2000 lbs

Condition good + 30" of 1" steel hauser

Feet chain 35 - Condition OK

Underwater Bouy Yes      No ✓

Previously attached to Station of L-2.

When abandoned est. EUT IN DEC. 81

Other info     

DAVE L. 30 to 40' depth

Information Sheet - Abandoned weights

Cove CAT Harb. Weight ID# # 11

Type weight      size     

Condition     

Feet chain      Condition     

Underwater Bouy Yes      No     

Previously attached to     

When abandoned est.     

Other info found nothing just rock

DAVE L. searched 5' to 20' depth

CALENDAR PAGE

130

MINUTE PAGE

296

Information Sheet - Abandoned weights

Cove CAT H.B. Weight ID# # 12

Type weight \_\_\_\_\_ Size \_\_\_\_\_  
Condition \_\_\_\_\_  
Feet chain \_\_\_\_\_ Condition \_\_\_\_\_  
Underwater Bouy Yes \_\_\_\_\_ No \_\_\_\_\_  
Previously attached to \_\_\_\_\_  
When abandoned est. \_\_\_\_\_  
Other info Found nothing  
DAVE L. Searched 15-20' depth

Information Sheet - Abandoned weights

Cove CAT H.B. Weight ID# # 13, 14, & 15

Type weight \_\_\_\_\_ Size \_\_\_\_\_  
Condition \_\_\_\_\_  
Feet chain \_\_\_\_\_ Condition \_\_\_\_\_  
Underwater Bouy Yes \_\_\_\_\_ No \_\_\_\_\_  
Previously attached to \_\_\_\_\_  
When abandoned est. \_\_\_\_\_  
Other info Found nothing  
DAVE L. Searched 25' to 45' depth

Information Sheet - Abandoned weights

Cove CAT H.B. C. 5. 4. 1 Weight ID# # 16

Type weight \_\_\_\_\_ Size \_\_\_\_\_  
Condition \_\_\_\_\_  
Feet chain \_\_\_\_\_ Condition \_\_\_\_\_  
Underwater Bouy Yes \_\_\_\_\_ No \_\_\_\_\_  
Previously attached to \_\_\_\_\_  
When abandoned est. \_\_\_\_\_  
Other info \_\_\_\_\_

DAVE L. Did not search

APPENDIX "G"

REPORT RE: DISCREPANCIES IN SCI COMPANY'S  
1982 HOT SHEETS, PREPARED BY LYNN STOKES  
ON JUNE 19, 1982, FOR JAMES RADCLIFFE,  
ATTORNEY FOR ISLAND NAVIGATION, INC., AND  
SEAWAY COMPANY OF CATALINA

CALENDAR PAGE	132
MINUTE PAGE	2953

EX # 46  
11/2/82  
KLLW



P.O. BOX 1314, AVALON, CALIFORNIA 90704/PH: (213) 510-0409

July 11, 1982

Jim Radcliffe  
17291 Irvine Blvd.  
Tustin, CA 92680

RE: Discrepancies in SCI Company's 1982 HOT SHEETS  
Taken by Lynn Stokes on June 19, 1982

DISCREPANCIES TYPED IN RED #

CATALINA HARBOR-

- 77 moorings - can type
- \* mooring C-2 & C-3 are double moorings, one fore, one aft
- \* E row has moored float
- \* L-3 Large can - no name, no number
- \* N-3 Large can - no name, no number

WELLS BEACH-

- 21 moorings - can type
- \* one mooring - camp type, no name, no number
- \* mooring names are 80% accurate

CHERRY COVE-

- 104 moorings, can type
- \* 5 camp bouys near swim line
- \* swim line and markers

EMERALD BAY-

- 100 moorings, can type
- 1 L-float mooring

FOURTH OF JULY COVE-

- 42 moorings, can type
- 1 Coast Guard can, #CG
- \* Dingy dock, swim float
- \* String 14 camp type moorings

HEN ROCK-

- 25 moorings, can type
- \* Balboa Yacht club has 1 mooring

HOWLANDS LANDING-

- 42 moorings, can type
- \* 15 camp type moorings, cans - no names, no numbers
- \* 3 home made moorings, float type

CONTINUED

CALENDAR PAGE	133
MINUTE PAGE	2964



P.O. BOX 1314, AVALON, CALIFORNIA 90704/PH. (213) 510-0409

ISTHMUS-

- 251 moorings, can type
- EAST* - ~~Beach~~ Beach has string line - 10 boats
- \* Baywatch mooring
- \* Dingy Docks, work docks, fuel dock

FISHERMANS COVE -U.S.C. -

- \* 15 moorings, can type - numbered & painted - U.S.C.
- \* 2 large cans off of pier
- \* Work boats
- \* Moored research platform

MOONSTONE BAY-

- 39 moorings, can type
- evy* \* Pier float- moored
- CG can - barge

WHITE'S LANDING-

- 17 moorings, can type
- \* Swim line, pier floats, swim float
- \* 1 mooring off of pier, no name, no number
- \* 5 moorings, camp type
- \* 1 mooring, can type - Vessel STARFIRE

BUTTON SHELL BEACH-

- 9 moorings, can type
- \* Swim line, pier float, float
- \* 3 rows, 27 floats moored, camp moorings

LITTLE GREGOR-

- 1 mooring, can type

TOYON BAY-

- \* 1 mooring, can type to swim line
- \* 5 moorings, can type
- \* 4 moorings, camp type

GALLAGHER'S COVE-

- \* Swim line
- \* Float
- \* 8 moorings, camp type

APPENDIX "H"

REPORT ON STAFF AUDIT  
PERFORMED NOVEMBER 10, 1982

CALENDAR PAGE	135
MINUTE PAGE	2966

## APPENDIX H

### REPORT ON STAFF AUDIT

On 11-10-82, Ron Smiley, Art Barnett and I went by helicopter to Two Harbors for the purpose of auditing the number of moorings. Doug Bombard met us and he and his staff cooperated with us fully.

We obtained a copy of the tab run called "DBE's Mooring Master List" showing mooring number, cove, name of boat, registration number of boat, length and sub-lessee. It also shows the amount due and if more than one boat is moored there. From this list, we scheduled all moorings and arrived at a total of 720 moorings, 2 stringlines, 5 swimlines and 6 camp moorings.

We then obtained the income statement for the period 1-1-82 to 9-30-82. The income is segregated between SCICO and CONS depending on who owns the adjacent uplands. Time did not permit examination of all mooring related income on an actual basis so we tested the lease (equipment owned by DBE/SCICO/CONS), and contract (equipment owned by private party but serviced on a time and material basis by DBE) income for March, 1982. This test included tracing all revenue for the test month back to the contract or lease and listing all moorings involved. These moorings were checked against the master mooring list and all moorings producing revenue were accounted for. We also took random contracts/leases and traced to the mooring master list; no additional moorings were noted.

We also examined the Daily Mooring Rental for August 1982 by tracing revenue from the income statement to the weekly cash report to the daily cash report and one batch of mooring daily tickets which are pre-numbered, yellow books for SCICO, and blue books for CONS. The moorings involved were checked against the master mooring list; no additional moorings were noted. We also traced one mooring ticket book to the master mooring list and did not find any additional moorings.

We then asked for a copy of the internal control procedures and as time permitted, we examined the procedures. Items that should be noted include four moorings that have two buoys each; the one mooring is for the "Phoenix" Glass Bottom Boat, the other three are over a wreck. All are located in Catalina Cove. These are included in our 720 moorings with the two buoys being counted as one mooring. There are also "stringline" moorings that have two buoys with a cable between them where several boats could moor - these are not included in the 720. There are also "swimline" buoys which, like the stingline, have two buoys with a rope and floats attached between them. Also, there are some black oyster buoys in Catalina Harbor. There are approximately four "skiff" moorings



included in the 720 that do not have buoys attached, and about 150 submerged mooring buoys. The submerged buoys are excluded from the 720. Finally, there are camp moorings not included in the 720 where the camps have a separate lease with the State, i.e., Toyon Cove.

DBE also gave us schedules of the "Mooring Days Activity Report" which contains data relating to transient use vs. contract/leases use for the period 1-1-82 to 9-30-82. This indicates 62% usage by transients, 29% by contract/lessee, and 9% by assignees.

**Conclusions:**

1. Based on our limited examination, we feel that the mooring master list is reliable. The mooring master list shows a total of 720 moorings, excluding double buoys, stringline, swimline and oyster buoys, camp buoys, and including skiff moorings with no buoys.
2. Based on our limited examination of transaction controls, that the methods and procedures adopted by the Company appear to protect the assets of the business, insure accurate and reliable accounting data.
3. DBE is further initiating a program to put serial numbers on all mooring locations.

Jim Herring

CALENDAR PAGE	137
MINUTE PAGE	2968

DBE MOORING MASTER LIST  
SANTA CATALINA ISLAND

	<u>Moorings</u>	<u>String Line Can</u>	<u>Swim Line</u>	<u>Camp Mooring</u>	<u>PER Current Coastal Access Inn Fig. 1</u>	<u>Difference</u>
Isthmus C.	249	2			239	(10)
4th July	42				42	-0-
Cherry C.	103				103	-0-
Howlands	40		2	1	39	( 1)
Emerald Bay	100		3	2	97	( 3)
Catalina Harbor	77			1	85	8
Wells Beach	20					(20)
Hen Rock	25				25	-0-
Little Geiger	1				1	-0-
Button Shell	7			2	7	-0-
White's Landing	17				17	-0-
Moonstone	39				34	( 5)
	720	2	5	6	689	(31)
Parsons Landing					2	2
Toyon					9	9
Empire					4 (Quarry Use)	4
Big Fisherman Cove					10 (USC Use)	18
					714	2

CALENDAR PAGE  
MINUTE PAGE

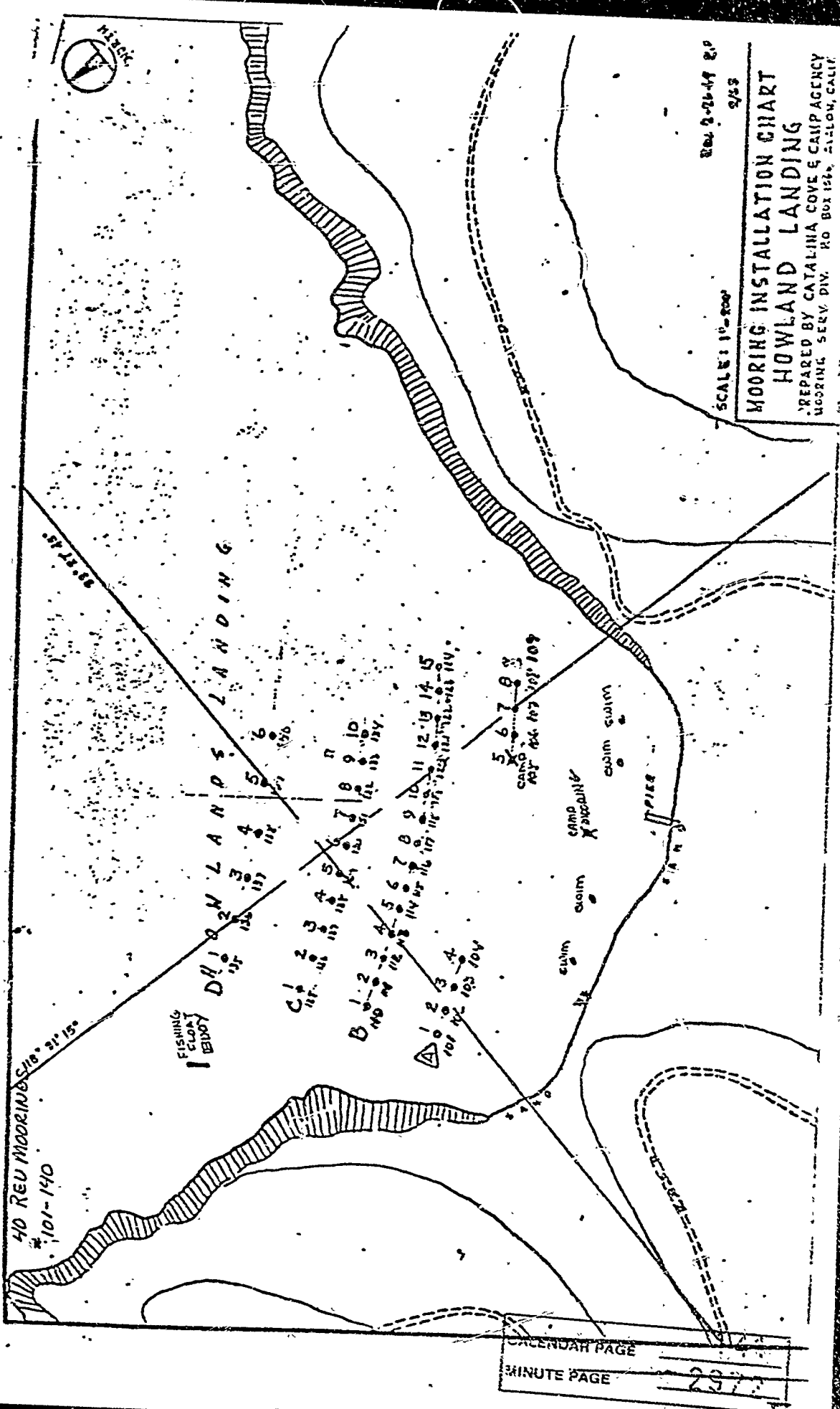
138  
2969

APPENDIX "I"

DIAGRAMS DEPICTING SEQUENTIAL  
NUMBERING OF MOORINGS

LENDAR PAGE	139
MINUTE PAGE	2970





40 REV MOORING  
#101-140

93° 57' 15"

HOWLAND LANDING

FISHING  
FLOAT  
BUOY

A 1 2 3 4  
101 102 103 104

B 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15  
140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155

C 1 2 3 4 5 6 7 8 9 10  
117 118 119 120 121 122 123 124 125 126

D 1 2 3 4 5 6  
137 138 139 140 141 142

5 6 7 8 9  
107 108 109 110 111

CAMP  
CAMP  
CAMP

PIER

Rev. 9-25-49 R.P.  
9/53

SCALE: 1"=200'

MOORING INSTALLATION CHART  
HOWLAND LANDING  
PREPARED BY CATALINA COVE & CAMP AGENCY  
MOORING SERV. DIV. PO BOX 156, CATALINA, CALIF.

CALENDAR PAGE

MINUTE PAGE

297

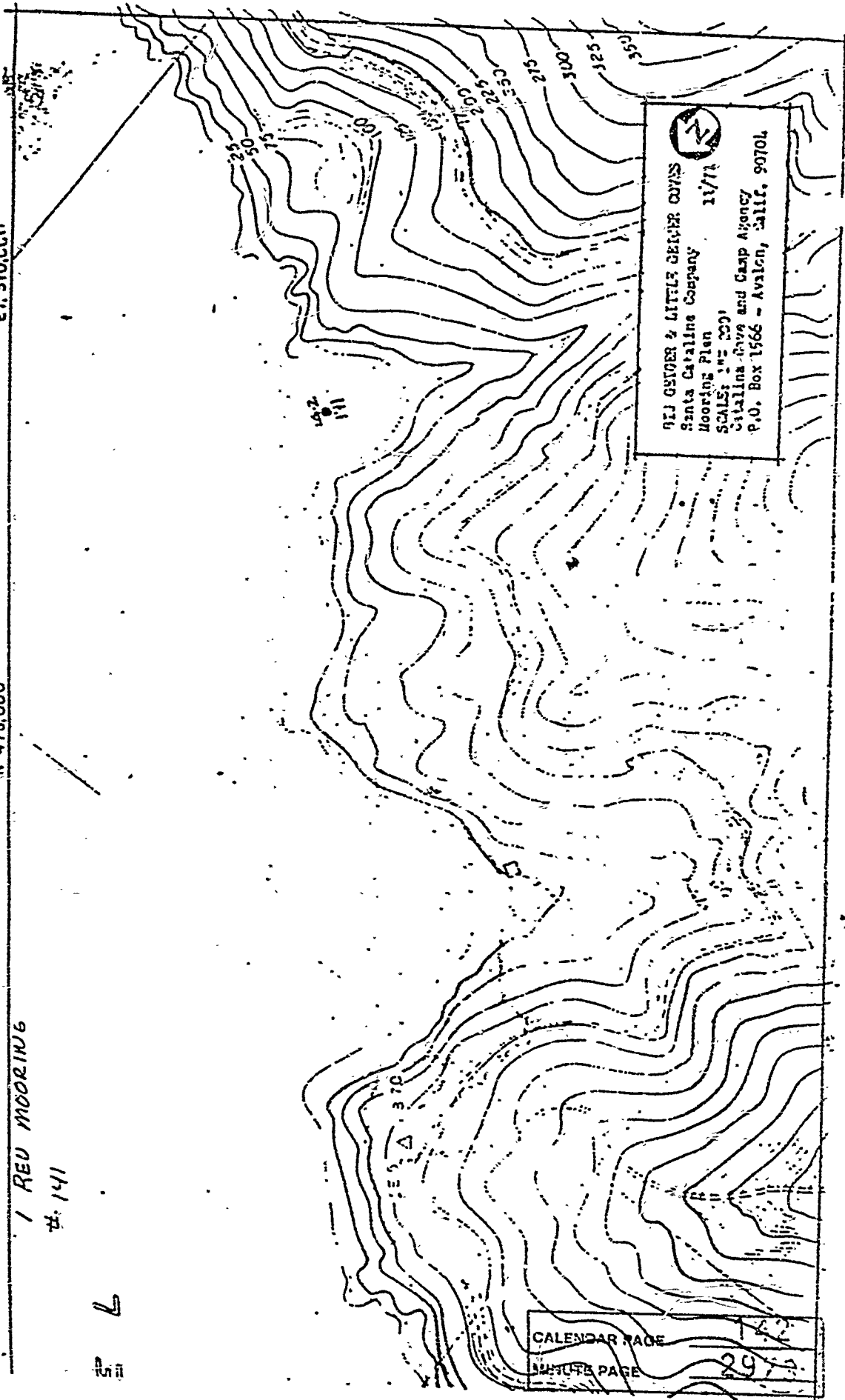
N 478,000


E1. 310,000

1 REV MOORING

# 141

26



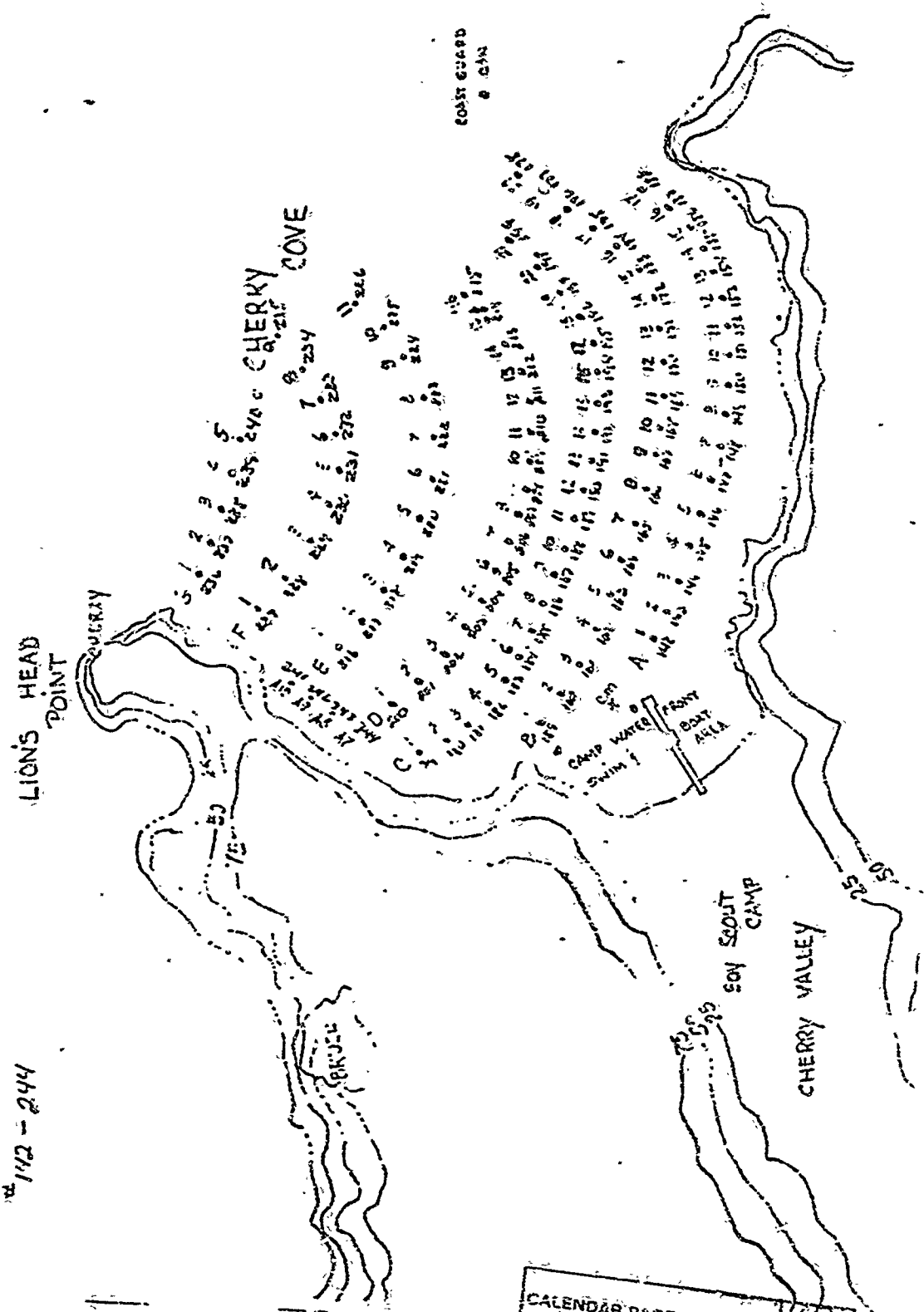
  
 OJ OGDEN & LITTLE DESIGN COY'S  
 Santa Catalina Company  
 Mooring Plan  
 11/71  
 SCALE: 1" = 200'  
 Catalina Cove and Camp Agency  
 P.O. Box 1566 - Avalon, Calif. 90704

CALENDAR PAGE  
 SHEET PAGE

29



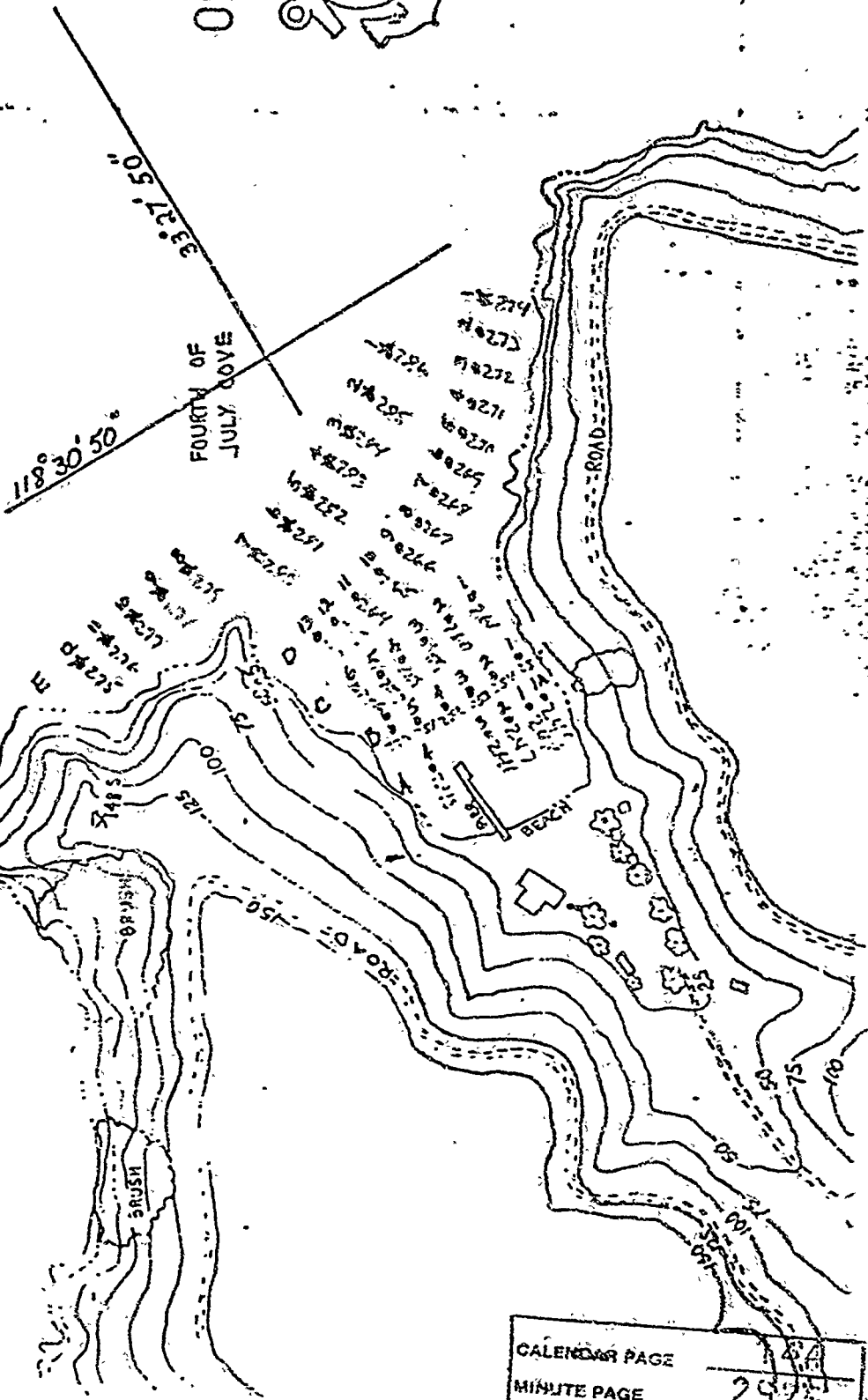
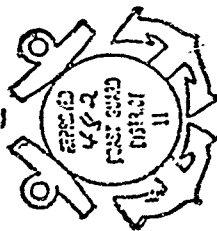
103 REV MOORINGS  
142 - 244



CALENDAR PAGE	1743
MINUTE PAGE	2974



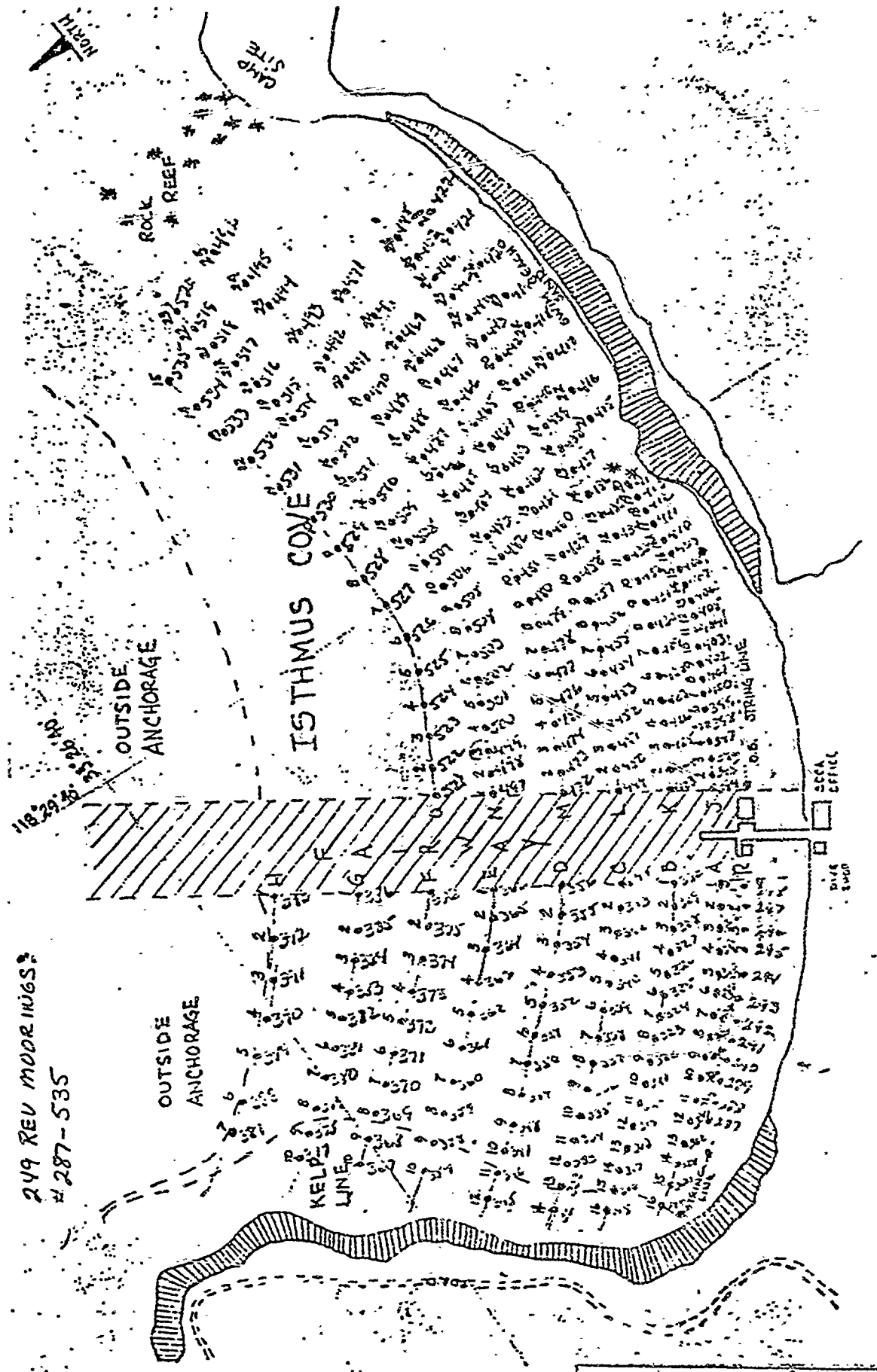
ORIGIN



42 REV MOORINGS  
 285 -286  
 CHEERY COVE

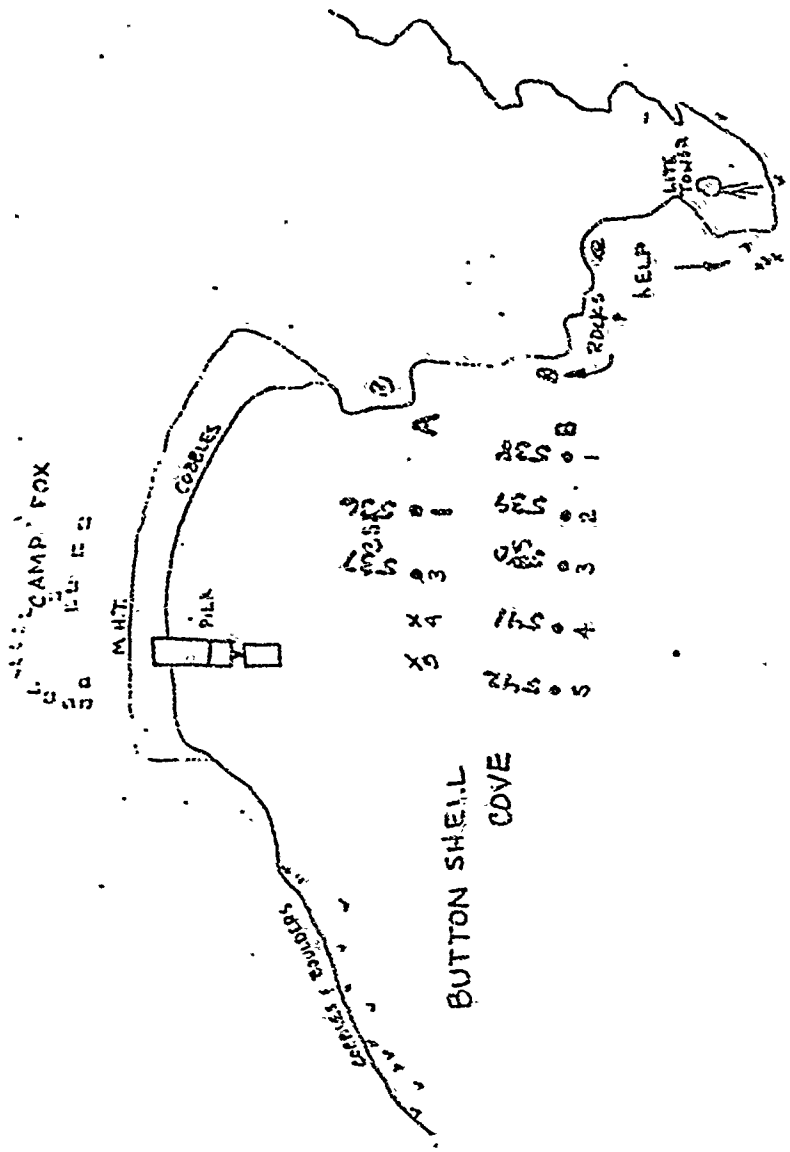
CALENDAR PAGE 18A  
 MINUTE PAGE 297





249 REV MODRINGS  
#287-535

7 REV MOORINGS  
#536 - 542

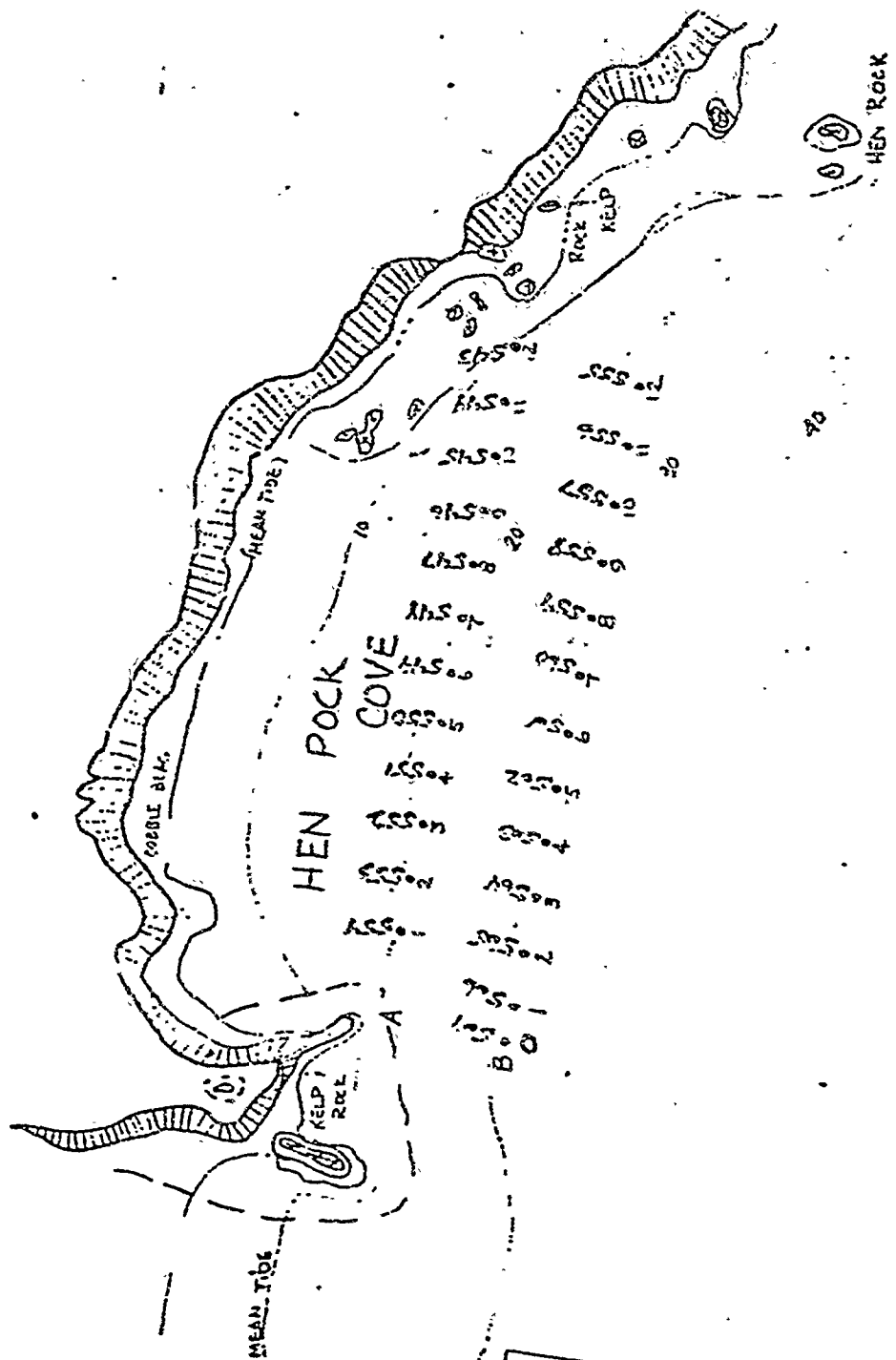


DESIGNED  
BY  
X  
E

CALENDAR PAGE 148  
MINUTE PAGE 2977



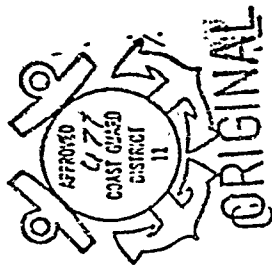
25 REV MOORINGS  
#543-567



CALENDAR PAGE	147
MINUTE PAGE	2978

WHITES LANDING  
17 RED MOORINGS  
# 568-584

MOONSTONE  
39 RED MOORINGS  
# 585-623



ORIGINAL

COLE

