

THIS CASE
WAS
No. 7
Comm.
to
meeting.

CALENDAR ITEM

007

7/21/83
W 22957.3
Louie
Sekelsky
PRC 6457

GENERAL PERMIT - RECREATIONAL USE:

APPLICANT: School of the Pacific Islands
100 East Thousand Oaks Boulevard,
Suite 117
Thousand Oaks, California 91360
Attention: Mr. Joseph Leggett

SUBLESSEE: Guided Discoveries, Inc.,
dba Catalina Island Marine Institute
P. O. Box 796
Avalon, California 90704
Attention: Mr. Ross Turner

AREA, TYPE LAND AND LOCATION:
An approximate 1.837-acre parcel of tidelands
and submerged lands at Toyon Bay, Santa
Catalina Island, Los Angeles County.

LAND USE: Educational and recreational facilities
used in conjunction with upland camp programs.

TERMS OF PROPOSED PERMIT:

Initial period: Ten years from January 1,
1982.

Public liability insurance: Combined single
limit coverage of \$3,000,000.

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Special: Lessee may sublet the lease premises to Guided Discoveries, Inc., as provided on the sublease form attached hereto as Exhibit "C", wherein the sublessee shall be bound by the provisions of the State lease.

CONSIDERATION: \$50 per annum, plus the public benefit, with the State reserving the right to fix a different rental on each fifth anniversary of the permit.

BASIS FOR CONSIDERATION:
Pursuant to 2 Cal. Adm. Code 2003.

PREREQUISITE TERMS, FEES AND EXPENSES:
Applicant is lessee of upland.

Filing fee has been received.

STATUTORY AND OTHER REFERENCES:
A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
B. Cal. Adm. Code: Title 2, Div. 3, Title 14, Div. 6.

AB 884: 6/22/84.

OTHER PERTINENT INFORMATION:

1. The applicant, School of Pacific Islands, is the present owner of the pier facility at Toyon Bay, Santa Catalina Island. The applicant leases the upland from Santa Catalina Island Conservancy and then subleases the upland to Guided Discoveries, Inc., dba Catalina Island Marine Institute. The applicant proposes to sublease the subject State land to Guided Discoveries, Inc. A copy of the sublease form is attached as Exhibit "C".
2. This project involves an existing facility and is categorically exempt from CEQA as defined in 2 Cal. Adm. Code, Section 2905, Class 1.

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3. The project is situated on lands identified as possessing significant environmental values pursuant to P.R.C. 6370.1, and is classified in use category "Class A", which authorizes Restricted Use. The project as proposed will not have a significant effect upon the identified environmental values.
4. The staff recommends that consideration be based on a minimum annual rent of \$50, plus the public benefit. The School of Pacific Islands and Guided Discoveries, Inc., are non-profit organizations. Staff has been informed of the following public benefits provided by the camp operations at Toyon Bay:
 - (a) The programs are primarily educational and are oriented to marine and environmental studies. There are, in addition, occasional recreational programs which help to fund the educational programs.
 - (b) The camp facilities are available to other groups statewide. Other groups which have used the camp include public and private school groups, some junior colleges and universities, the Sierra Club, Oceanic Society and church groups.
 - (c) The swimline is only installed during May through November to keep boaters away from swimmers. At other times of the year this area is available to the general boating public for anchorage.
 - (d) They do not exclude the public from the tide and submerged land lease premises except for safety reasons or if there is an interference with the campers' use of those premises.



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- (e) The camp provides boaters with emergency assistance when needed, such as medical attention, water and restroom facilities.
 - (f) Guided Discoveries gives scholarships to its camp (ten scholarships were given last year). For school groups which need financial assistance to attend camp, Guided Discoveries tries to secure funding from grants, foundations, etc., for these groups.
5. The lease requires that all authorized improvements be marked in such a manner so as to distinguish them as camp improvements.

EXHIBITS:

- A. Land Description.
- B. Location Map.
- C. Sublease Form.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL DOCUMENT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH DOCUMENT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21084, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2905; AND FIND THAT THE PROJECT IS CONSISTENT WITH ITS USE CLASSIFICATION.
2. AUTHORIZE ISSUANCE TO SCHOOL OF THE PACIFIC ISLANDS OF A TEN-YEAR GENERAL PERMIT - RECREATIONAL USE FROM JANUARY 1, 1982; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$50, PLUS THE PUBLIC BENEFIT, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$3,000,000; FOR EDUCATIONAL AND RECREATIONAL USE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.
3. APPROVE A SUBLEASE OF THE LEASE PREMISES BY THE SCHOOL OF THE PACIFIC ISLANDS TO GUIDED DISCOVERIES, INC., SUBSTANTIALLY AS PROVIDED ON THE SUBLEASE FORM ATTACHED HERETO AS EXHIBIT "C".

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EXHIBIT "A"

LAND DESCRIPTION

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A parcel of tide and submerged land in Toyon Bay on the northeasterly shore of Santa Catalina Island, Los Angeles County, California, described as follows:

BEGINNING at a point on the landward centerline of an existing pier having California Coordinate System Zone 7 coordinates of X = 4,180,600 and Y = 3,884,950; thence the following five courses:

1. N 42° W 14 feet;
2. N 48° E 230 feet;
3. S 42° E 800 feet;
4. S 48° W 230 feet;
5. N 42° E 786 feet to the point of beginning.

EXCEPTING THEREFROM any portion lying landward of the ordinary high watermark.

This description is based on the California Coordinate System, Zone 7.

END OF DESCRIPTION

REVISED FEB. 17, 1983 BY BOUNDARY AND TITLE UNIT, LEROY WEED, SUPERVISOR.

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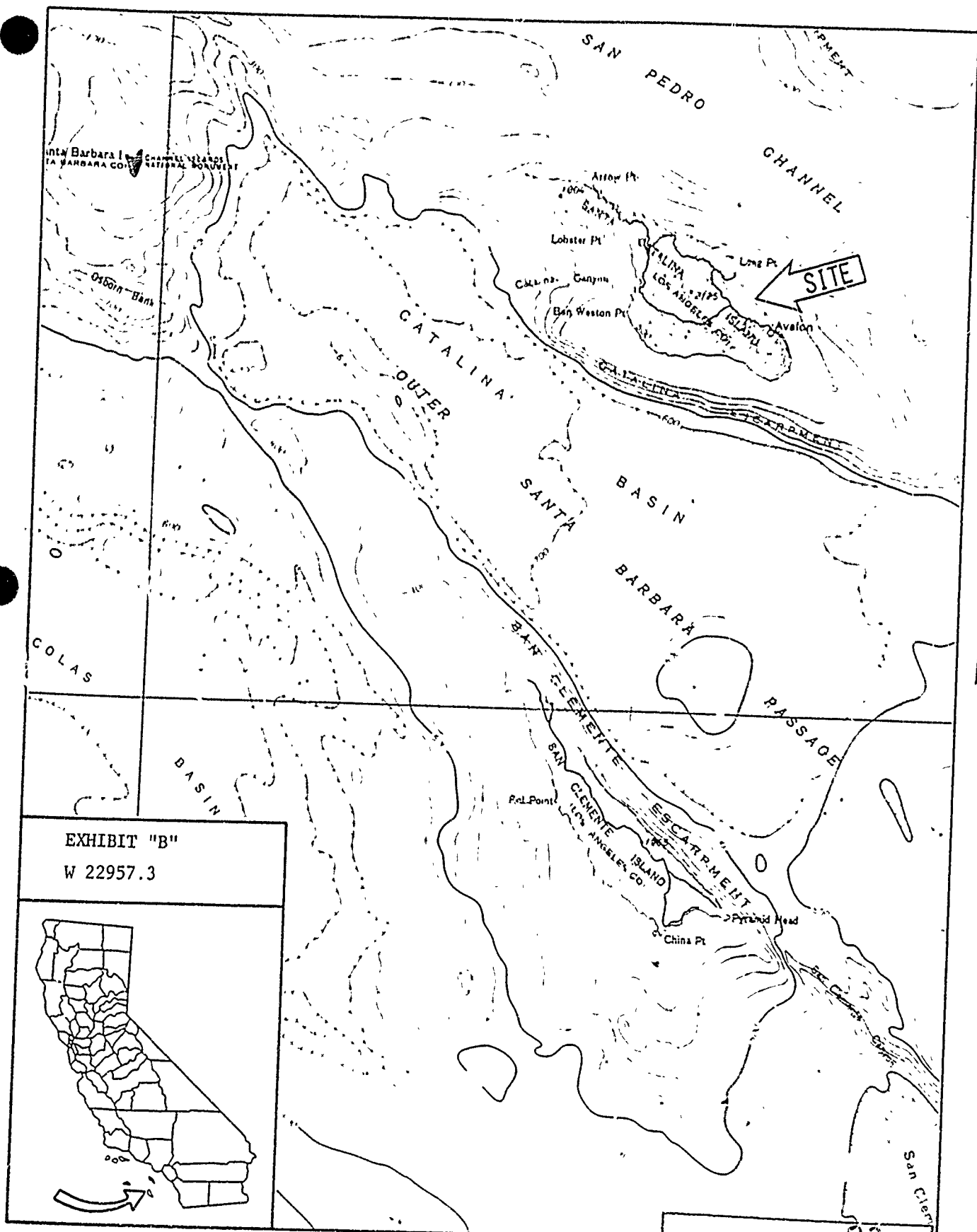


EXHIBIT "B"

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EXHIBIT "C"
SUBLEASE

This Sublease is made this _____ day of _____, 1983, between the School of Pacific Islands (herein called "Sublessor"), whose principal mailing address is 100 E. Thousand Oaks Boulevard, Suite 117, Thousand Oaks, California 91360, and Guided Discoveries, Inc. dba Catalina Island Marine Institute, whose principal mailing address is P. O. Box 796, Avalon, California 90704 (herein called "Sublessee").

WITNESSETH

WHEREAS, Sublessor is the Lessee of certain State-owned tidelands and submerged lands at Toyon Bay, adjacent to Santa Catalina Island, under State Lands Commission Lease PRC _____, a copy of which is incorporated herein and attached hereto as Exhibit "A";

WHEREAS, Sublessor is the owner of certain improvements located on the Lease Premises of said Lease PRC _____, specifically one pier, approximately _____ by _____, and _____ moorings; and

WHEREAS, Sublessor wishes to transfer the use of the Lease Premises and the above-referenced improvements to Sublessee.

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NOW THEREFORE, it is agreed as follows:

1. Sublessor hereby sublets to Sublessee its interest in State Lands Commission Lease PRC _____.
2. Sublessee expressly agrees to comply with all terms and conditions of State Lands Commission Lease PRC _____, and to perform all responsibilities and duties of Lessee thereunder.
3. The term of this Sublease shall be for the term of State Lands Commission Lease _____, unless sooner terminated by the mutual agreement of the parties hereto.
4. If any term, covenant, or condition of this Sublease is judicially determined to be invalid, it shall be considered deleted and shall not invalidate any of the remaining terms, covenants, and conditions.

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IN WITNESS WHEREOF, the parties hereto have executed
this Sublease as follows:

(Signature)
School of the Pacific Islands
Sublessor

Date

(Signature)
Guided Discoveries, Inc., dba
Catalina Island Marine Institute
Sublessee

Date

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