

MINUTE ITEM

This Calendar Item No. 48
was approved as Minute Item
No. 8 by the State Lands
Commission by a vote of 2
to 0 at its 9/26/85
meeting.

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CALENDAR ITEM

C08

09/26/85
PRC 6457
Lipphardt

ASSIGNMENT AND AMENDMENT OF
GENERAL PERMIT - RECREATIONAL USE
AND APPROVAL OF ENCUMBRANCING OF LEASE

ASSIGNOR: School of the Pacific Islands
100 East Thousand Oaks Boulevard
Thousand Oaks, California 91360-5442

ASSIGNEE: Guided Discoveries, Inc., dba
Catalina Island Marine Institute
P. O. Box 796
Avalon, California 90704

AREA, TYPE LAND AND LOCATION:
A 2.010-acre parcel of tide and submerged land
located at Toyon Bay, Santa Catalina Island,
Los Angeles County.

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

TERMS OF ORIGINAL PERMIT:
Initial period: Ten years beginning January 1,
1982.

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

Consideration: \$50 per annum plus the public
benefit, five-year rent
review

TERMS OF PROPOSED AMENDMENT:
Initial period: Eleven years beginning
January 1, 1985.

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This amendment extends the lease term to coincide with the term of the upland 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.

APPLICANT STATUS:
Applicant is lessee of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Processing costs have 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: 01/06/86.

OTHER PERTINENT INFORMATION:

1. On January 1, 1982, the State Lands Commission authorized Lease PRC 6457 to the School of the Pacific Islands (School) and approved a sublease of the leased premises to Guided Discoveries, Inc., dba Catalina Island Marine Institute (Guided Discoveries) for educational and recreational facilities used in conjunction with upland camp programs. Both organizations are non profit organizations and the camp provides the following public benefits:
 - (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

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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) A swimline is installed only 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) The public is not excluded 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.
 - (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. For school groups which need financial assistance to attend camp, Guided Discoveries tries to secure funding from grants, foundations, etc., for these groups.
2. The School has notified staff that they no longer wish to administer the camp Program. To simplify the situation, both parties wish to place Guided Discoveries as the direct lessee of both the tideland and the upland. The School has theretofore sold the camp facilities to Guided Discoveries, and wishes to transfer all its right, title and interest in Lease PRC 6457, to Guided Discoveries. Guided Discoveries has agreed to accept the Lease assignment and is also obtaining a lease from the upland owner for the camp facilities. In order to secure the sale of the camp facilities, the School has requested that it be named as a secured party-lender under the subject lease. The

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School and Guided Discoveries have signed an Agreement and Consent to Encumbrancing of Lease and said document is on file in the principal office of the State Lands Commission. Guided Discoveries has been operating the camp since 1982 and intends to continue to provide the same services.

3. Because the transfer is essentially being made for administrative convenience and the public benefits provided by the camp operations will not change, staff recommends continuation of rent.
4. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorical exempt project. The project is exempt under Class 1, Existing Facilities, 2 Cal. Adm. Code 2905(a)(2).

Authority: P.R.C. 21084, 14 Cal. Adm. Code 15300, and 2 Cal. Adm. Code 2905.

5. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. but will not affect those significant lands.

EXHIBITS:

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

IT IS RECOMMENDED THAT THE COMMISSION

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 AS A CATEGORICAL EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES, 2 CAL. ADM. CODE 2905(a)(2).
2. FIND THAT THIS ACTIVITY WILL INVOLVE LANDS IDENTIFIED AS POSSESSING SIGNIFICANT ENVIRONMENTAL VALUES PURSUANT TO P.R.C. 6370, ET SEQ., BUT THAT SUCH ACTIVITY WILL HAVE NO DIRECT OR INDIRECT EFFECT ON SUCH LANDS.

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3. APPROVE (1) THE ISSUANCE TO GUIDED DISCOVERIES, INC., DBA CATALINA ISLAND MARINE INSTITUTE OF AN ASSIGNMENT AND AMENDMENT SUBSTANTIALLY IN THE FORM ON FILE IN THE PRINCIPAL OFFICE OF THE STATE LANDS COMMISSION TO LEASE PRC 6457; AND (2) THE AGREEMENT AND CONSENT TO ENCUMBRANCING OF LESSEE'S RIGHTS, TITLE, AND INTERESTS IN LEASE PRC 6457 IN FAVOR OF THE SCHOOL OF THE PACIFIC ISLANDS; FOR THE PURPOSE OF SECURITY ON A LOAN OBTAINED TO ACQUIRE THE CAMP FACILITIES, A PORTION OF WHICH ARE LOCATED ON STATE TIDE AND SUBMERGED LANDS AND AUTHORIZED UNDER LEASE PRC 6457. THE AMENDMENT MODIFIES THE LEASE TERM TO BEGIN JANUARY 1, 1985 AND END DECEMBER 31, 1995. ALL OTHER TERMS AND CONDITIONS OF LEASE PRC 6457 SHALL REMAIN IN FULL FORCE AND EFFECT.

LXHIBIT "A"
LAND DESCRIPTION

PRC 6457.1

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

PARCEL 1

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 water mark.

PARCEL 2

Six circular parcels of submerged land 40 feet in diameter lying 200 feet northerly of above described Parcel 1.

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

END OF DESCRIPTION

REVISED FEBRUARY 15, 1985 BY BOUNDARY SERVICES UNIT, M. L. SHAFER, SUPERVISOR.

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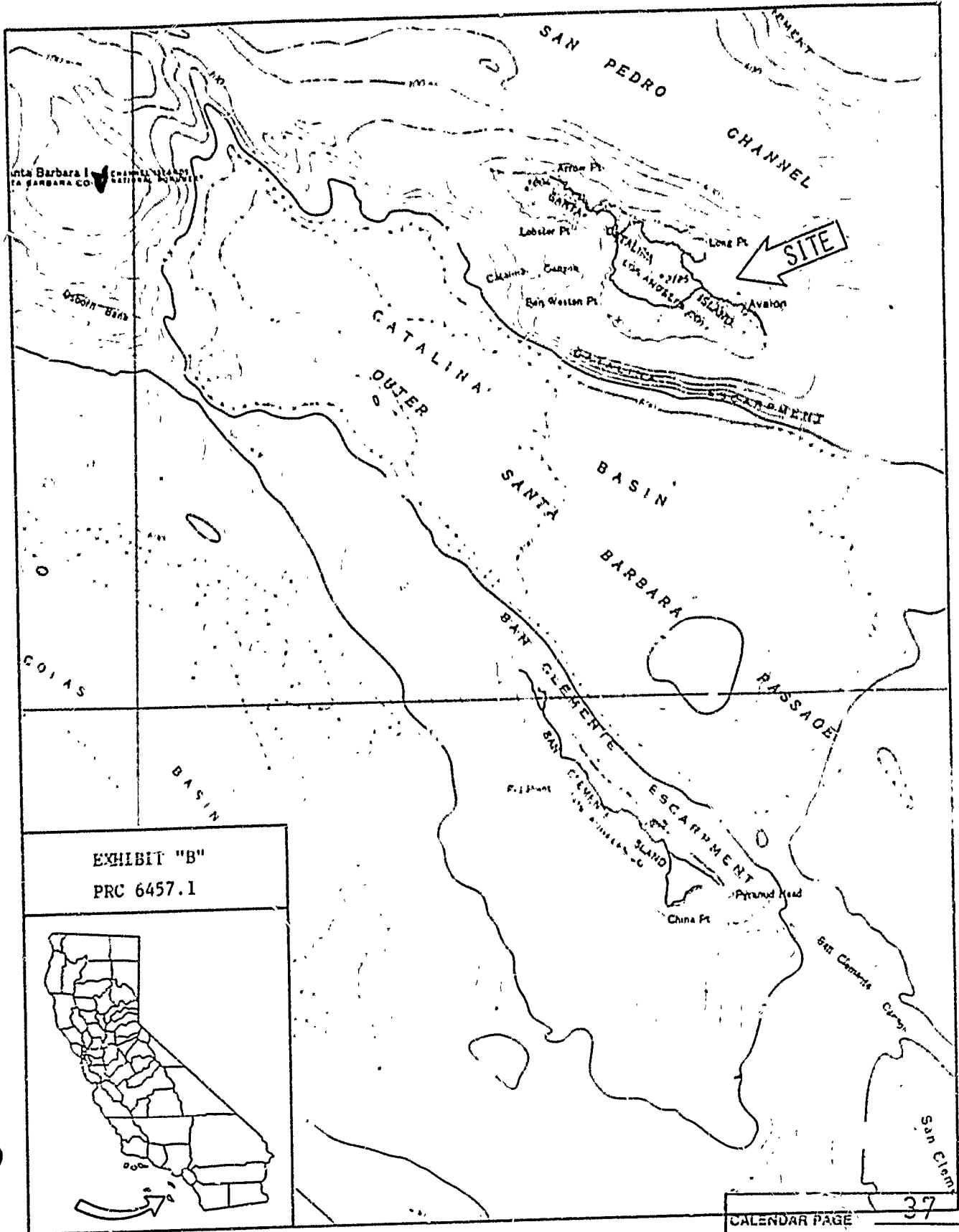


EXHIBIT "B"
 PRC 6457.1