

**MINUTE ITEM**

This Calendar Item No. C33 was approved as  
Minute Item No. 33 by the California State Lands  
Commission by a vote of 2 to 0 at its  
10/20/05 meeting.

**Minute Item  
C33**

10/20/05  
WP 3639  
J. Smith

**SANTA CATALINA ISLAND COMPANY/SANTA  
CATALINA ISLAND CONSERVANCY  
(LESSEES)**

**Calendar Item 33:** The Commission listened to a staff report regarding the consideration of an application by the Santa Catalina Island Company and the Santa Catalina Island Conservancy to amend their existing lease to add 32 additional moorings. The item was approved by a 2-0 vote.

001915

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**CALENDAR ITEM**

**C33**

A 54

10/20/05

PRC 3639

WP 3639.1

S 27

J. Smith

**AMENDMENT OF LEASE**

**LESSEES:**

Santa Catalina Island Company/Santa Catalina Island Conservancy  
P.O. Box 737  
Avalon, California 90704

**AREA, LAND TYPE, AND LOCATION:**

335 acres, more or less, of sovereign lands in various coves around Catalina Island, Pacific Ocean, Los Angeles County.

**AUTHORIZED USE:**

Continued use and maintenance of 720 revenue producing moorings and six revenue producing stringlines.

**LEASE TERM:**

20 years, beginning January 1, 2002.

**CONSIDERATION:**

A minimum annual rent of \$210,000 payable in two equal installments of \$105,000, each due on or before March 1 and August 31 of each year of the lease, against the following percentages of gross income:

Mooring Subleases and Overnight Stay Charges	25%
Towing, Mechanical Services, Boat and Mooring Repairs	4%
Diving Services	5%
All other Revenue	10%

**PROPOSED AMENDMENT:**

- 1) Installation of 32 additional moorings as follows: two at White's Cove, eight at Isthmus Cove, two at Emerald Bay, and 20 at Catalina Harbor, increasing the total number of moorings to 752 (720 revenue producing moorings and 32 non-revenue producing moorings to be utilized by Lessees for administrative purposes).

CALENDAR ITEM NO. C33 (CONT'D)

- 2) Replace existing illustrative plats Exhibits A1 - A11 attached to the lease with new illustrative plats Exhibits A1 - A9. All other terms and conditions of the lease shall remain in effect without amendment.

**OTHER PERTINENT INFORMATION:**

1. Lessees own the uplands adjoining the lease premises.
2. At its meeting on November 26, 2001, the Commission authorized Lease No. PRC 3639.1, a 20-year Commercial Lease for continued use and maintenance of 720 revenue producing moorings and six revenue producing stringlines. The Lessees subsequently determined that some of the revenue producing moorings were needed for administrative purposes (harbor patrol, lifeguard and sheriff's vessels, shore boats, work skiffs, pump-out boat and trash boat). In addition, some of the existing moorings are used by the Lessee's seasonal employees who provide services at various mooring locations. In order to maintain the required number of revenue producing moorings, the Lessees submitted an application to amend the lease requesting that the Commission authorize the installation of 32 additional moorings (two at White's cove, eight at Isthmus Cove, two at Emerald Bay, and 20 at Catalina Harbor). The additional moorings will be located within existing mooring areas and will not impact designated open anchorage areas.

In addition, Commission staff asked the Lessees to prepare new illustrative plats which more clearly identify the various mooring and anchorage areas, fairways, piers and camp zones within the Lease premises.

3. During staff's consideration of this application, issues were raised by a small group of boaters over shallow anchoring restrictions and the appropriate width of the fairway at White's Cove. The Lessees, in meeting with the concerned boaters and in discussions with Commission staff, acknowledge that their Harbor Patrol personnel had not been consistent with the implementation of their policies and procedures relative to shallow anchoring and anchoring in the fairway. The Lessees have revised their Anchorage and Mooring Policies to address the inconsistencies and have assured Commission staff that their Harbor Patrol personnel have all been made aware of these revisions. In addition, the Lessees provided the boaters and Commission staff with their Policies and Procedures Manual

CALENDAR ITEM NO. C33 (CONT'D)

and Harbor Department Manual and have prepared new illustrative plats that clearly identify the various mooring and anchorage areas, fairways, piers and camp zones within the Lease premises. Commission staff has reviewed the manuals and plats and believes them to be consistent with the terms and conditions of the Lease.

Staff is recommending that Lease No. PRC 3639.1 be amended to accommodate the installation of the 32 additional moorings as described above, bringing the total number of moorings to 752 (720 revenue producing moorings and 32 non-revenue producing moorings) and the replacement of the existing Lease Exhibits A1-A11 with new Lease Exhibits A1 - A9.

4. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 3, New Construction of Small Structures; Title 2, California Code of Regulations, section 2905(c)(3).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

**APPROVALS OBTAINED:**

Regional Water Quality Control Board; Department of Fish and Game; and Los Angeles County

**FURTHER APPROVALS REQUIRED:**

California Coastal Commission

**EXHIBITS:**

- |          |                    |
|----------|--------------------|
| A1 - A9. | Illustrative Plats |
| B.       | Location Map       |

CALENDAR ITEM NO. C33 (CONT'D)

**RECOMMENDED ACTION:**

IT IS RECOMMENDED THAT THE COMMISSION:

**CEQA FINDING:**

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 3, NEW CONSTRUCTION OF SMALL STRUCTURES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTIONS 2905(c)(3).

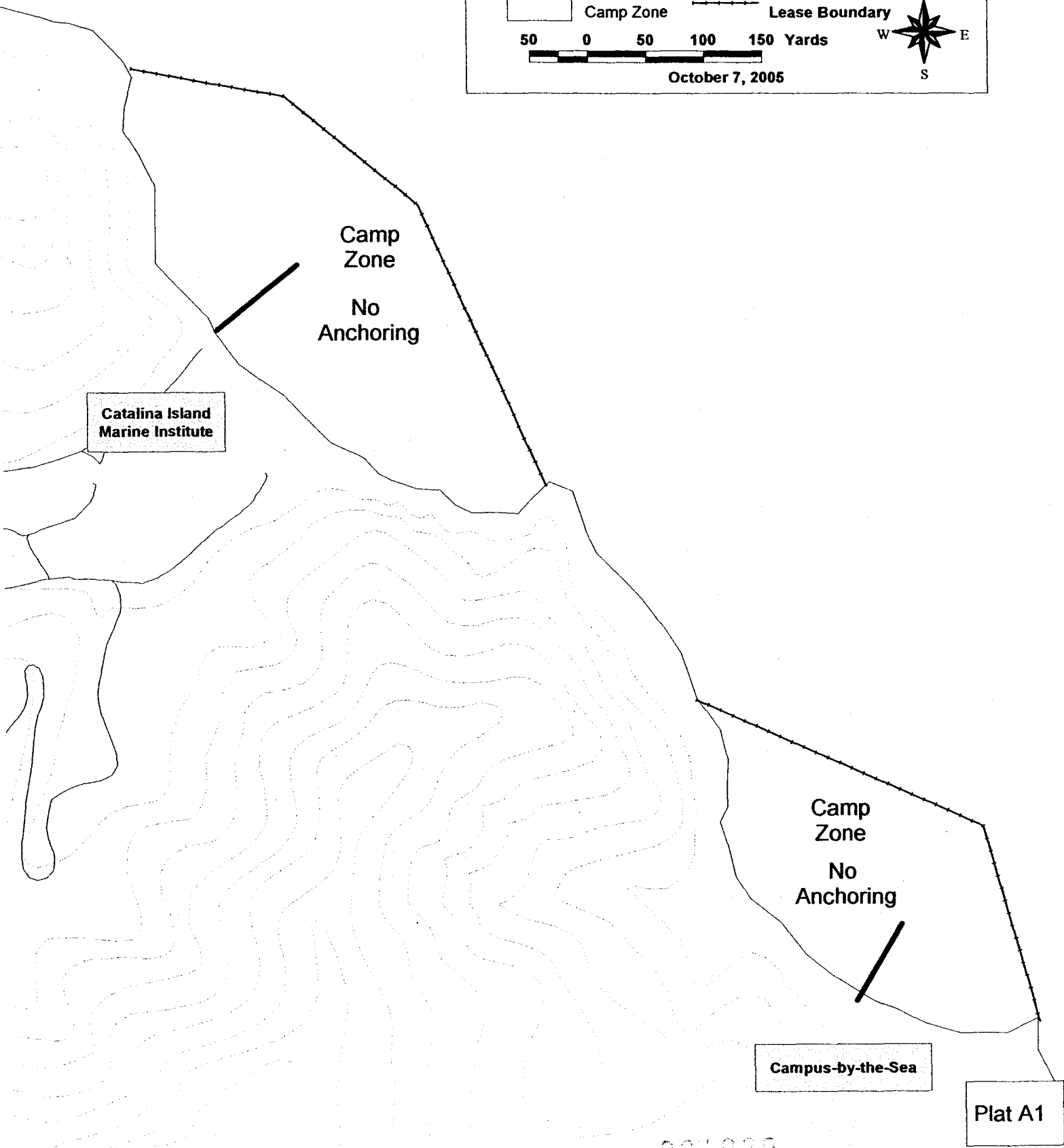
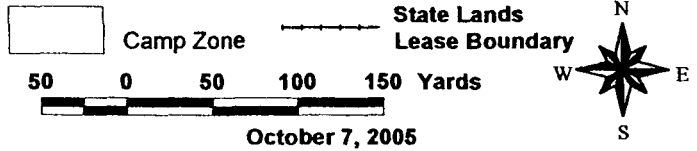
**SIGNIFICANT LANDS INVENTORY FINDING:**

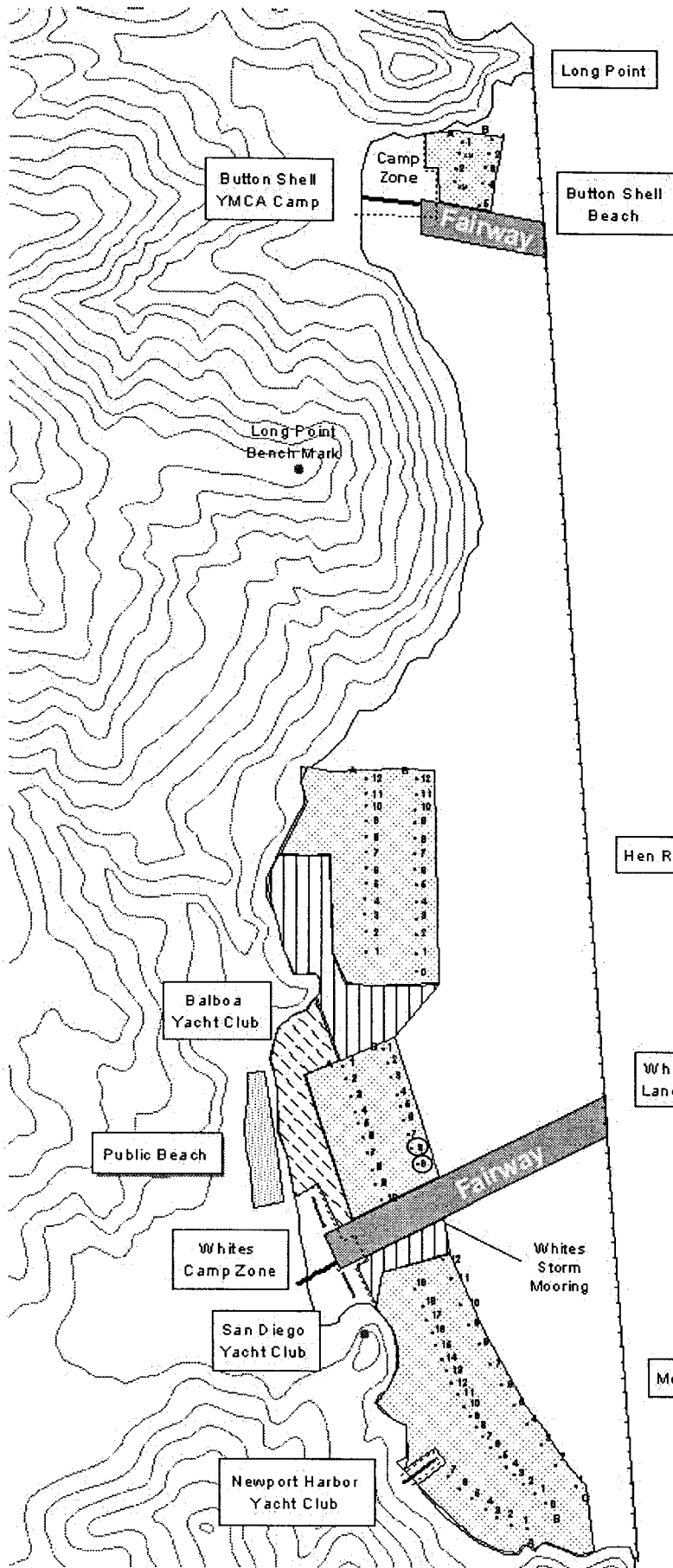
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

**AUTHORIZATION:**

AUTHORIZE THE AMENDMENT OF LEASE NO. PRC 3639.1, A GENERAL LEASE - COMMERCIAL USE, FOR THE INSTALLATION OF 32 ADDITIONAL MOORINGS AS FOLLOWS: TWO AT WHITE'S COVE, EIGHT AT ISTHMUS COVE, TWO AT EMERALD BAY, AND 20 AT CATALINA HARBOR, THEREBY INCREASING THE TOTAL NUMBER OF MOORINGS TO 752 (720 REVENUE PRODUCING MOORINGS AND 32 NON-REVENUE PRODUCING MOORINGS TO BE UTILIZED BY LESSEES FOR ADMINISTRATIVE PURPOSES); AND REPLACE THE EXISTING LEASE EXHIBITS A1 - A11 WITH NEW LEASE EXHIBITS A1 - A9 ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF, EFFECTIVE NOVEMBER 1, 2005; ALL OTHER TERMS AND CONDITIONS OF THE LEASE WILL REMAIN IN EFFECT WITHOUT AMENDMENT.

# Parcel 1 and Parcel 2 Gallagher Beach and Toyon Bay





**Parcel 3 - Whites Landing Mooring & Anchoring Areas**

- State Lands Lease Boundary
- Restricted Bow & Stern Anchoring
- Mooring Only Area
- Day Use Only - 18 Ft or Less
- Open Anchorage
- Fairway
- Camp/Pier Zones (No Anchoring)
- CM Camp Moorings

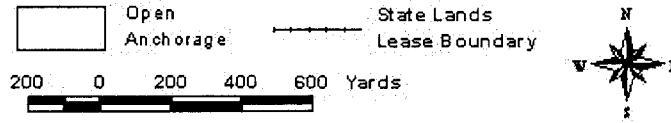
200 0 200 400 600 800 Feet

October 7, 2005

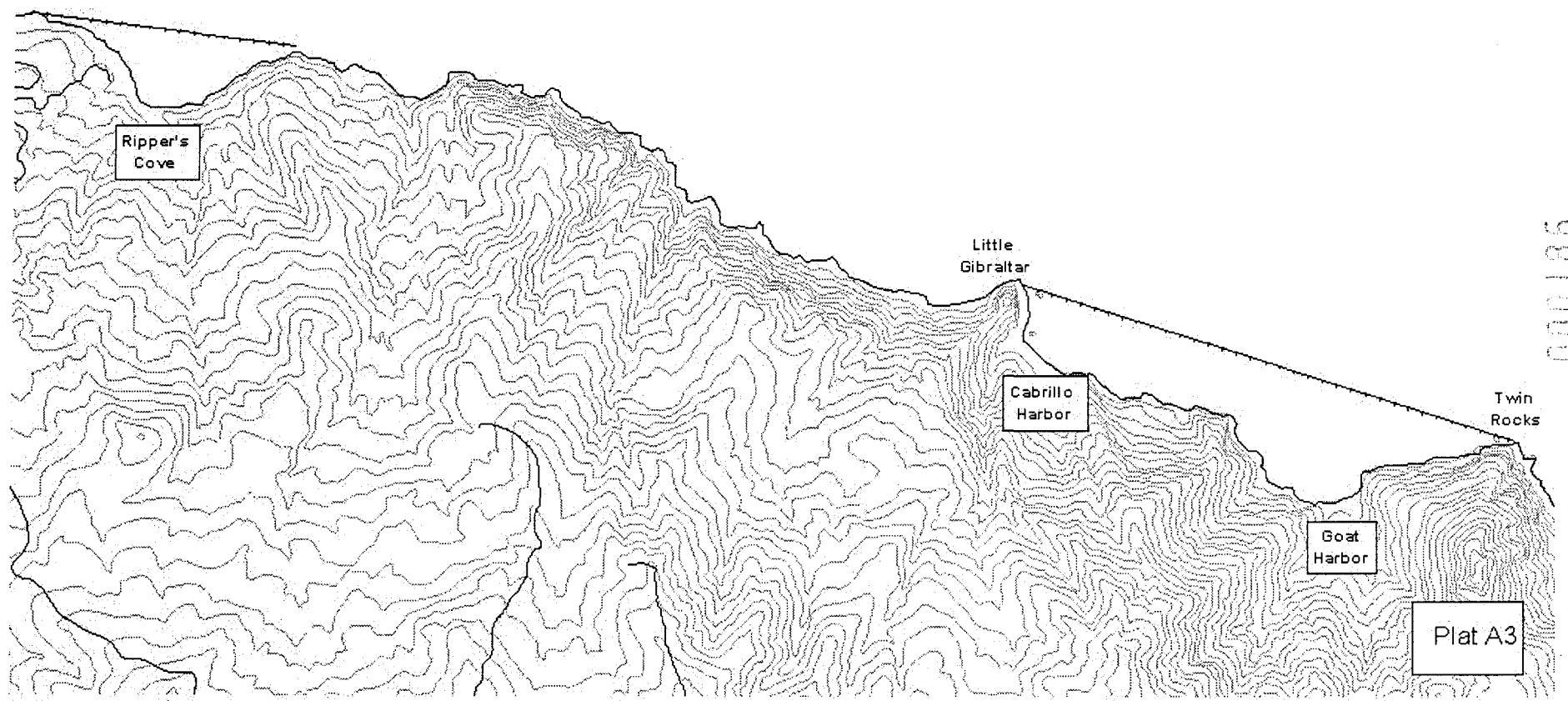
**New Moorings**  
**B 8**  
**B 9**

Plat A2

# Parcel 4 and Parcel 5 Cabrillo/Goat Harbor and Ripper's Cove



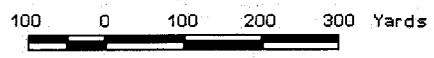
October 7, 2005





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### Parcel 6 - Isthmus Cove Mooring & Anchoring Areas




 Restricted Anchorage  
Bow and Stern

 Open Anchorage

 Mooring Zone

 Marine Preserve

 State Lands Lease  
Boundary

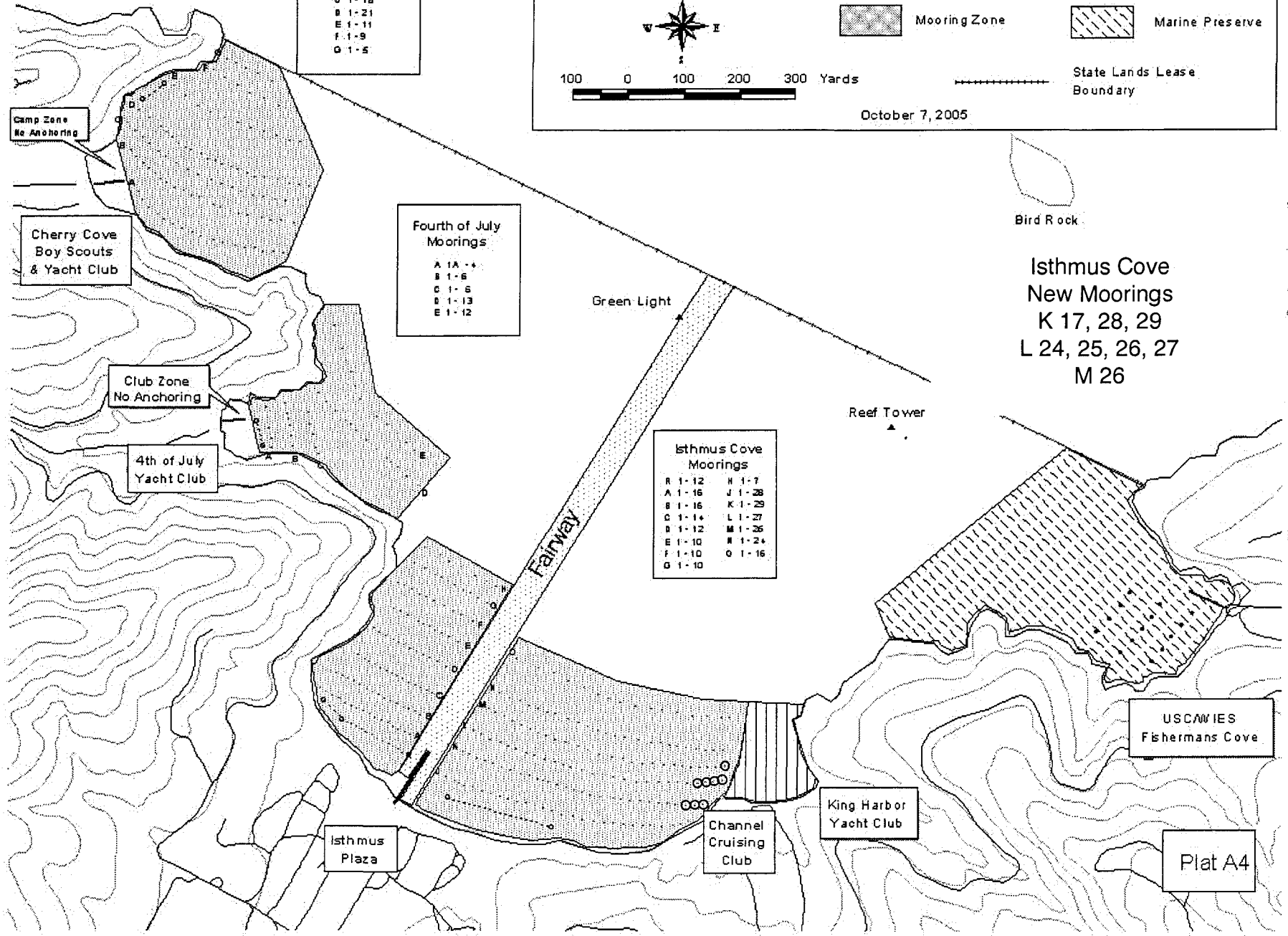
October 7, 2005

**Cherry Cove Moorings**  
A 1-17  
B 1-20  
C 1-18  
D 1-21  
E 1-11  
F 1-9  
G 1-5

**Fourth of July Moorings**  
A 1A-4  
B 1-5  
C 1-5  
D 1-13  
E 1-12

**Isthmus Cove Moorings**  
R 1-12    H 1-7  
A 1-16    J 1-28  
B 1-16    K 1-28  
C 1-14    L 1-24  
D 1-12    M 1-24  
E 1-10    N 1-24  
F 1-10    O 1-16  
G 1-10

**Isthmus Cove  
New Moorings**  
K 17, 28, 29  
L 24, 25, 26, 27  
M 26



Camp Zone  
No Anchoring

Cherry Cove  
Boy Scouts  
& Yacht Club

Club Zone  
No Anchoring

4th of July  
Yacht Club

Isthmus  
Plaza

Channel  
Cruising  
Club

King Harbor  
Yacht Club

USCAWIES  
Fishermans Cove

Plat A4

Bird Rock

Green Light

Reef Tower

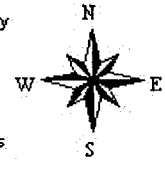
Fairway

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# Parcel 7 - Howland's Landing and Little and Big Geiger Coves

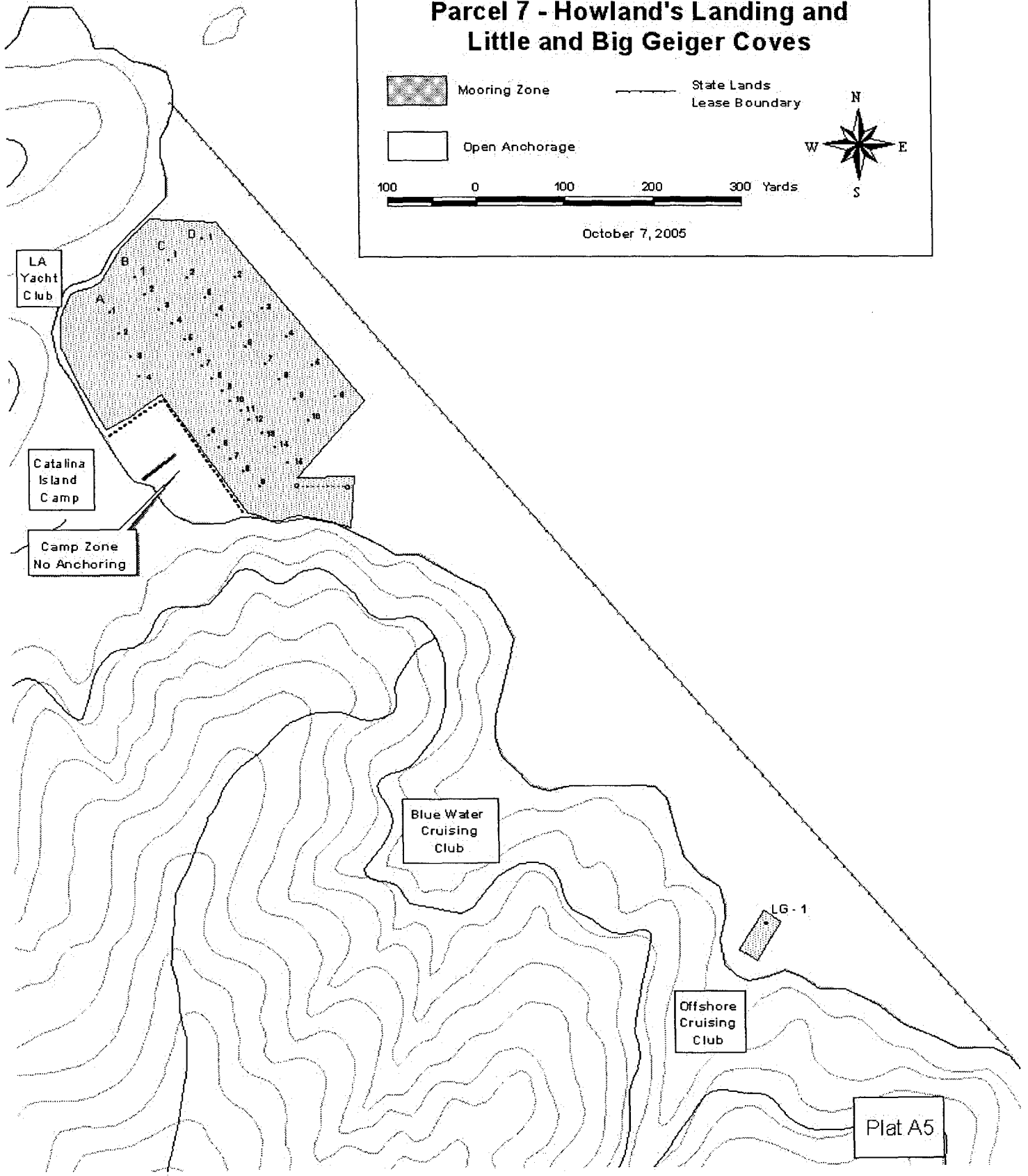
 Mooring Zone       State Lands Lease Boundary

 Open Anchorage

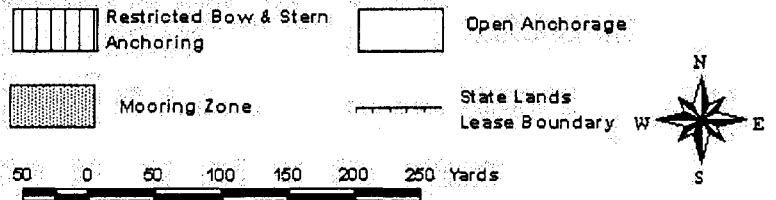


100      0      100      200      300 Yards

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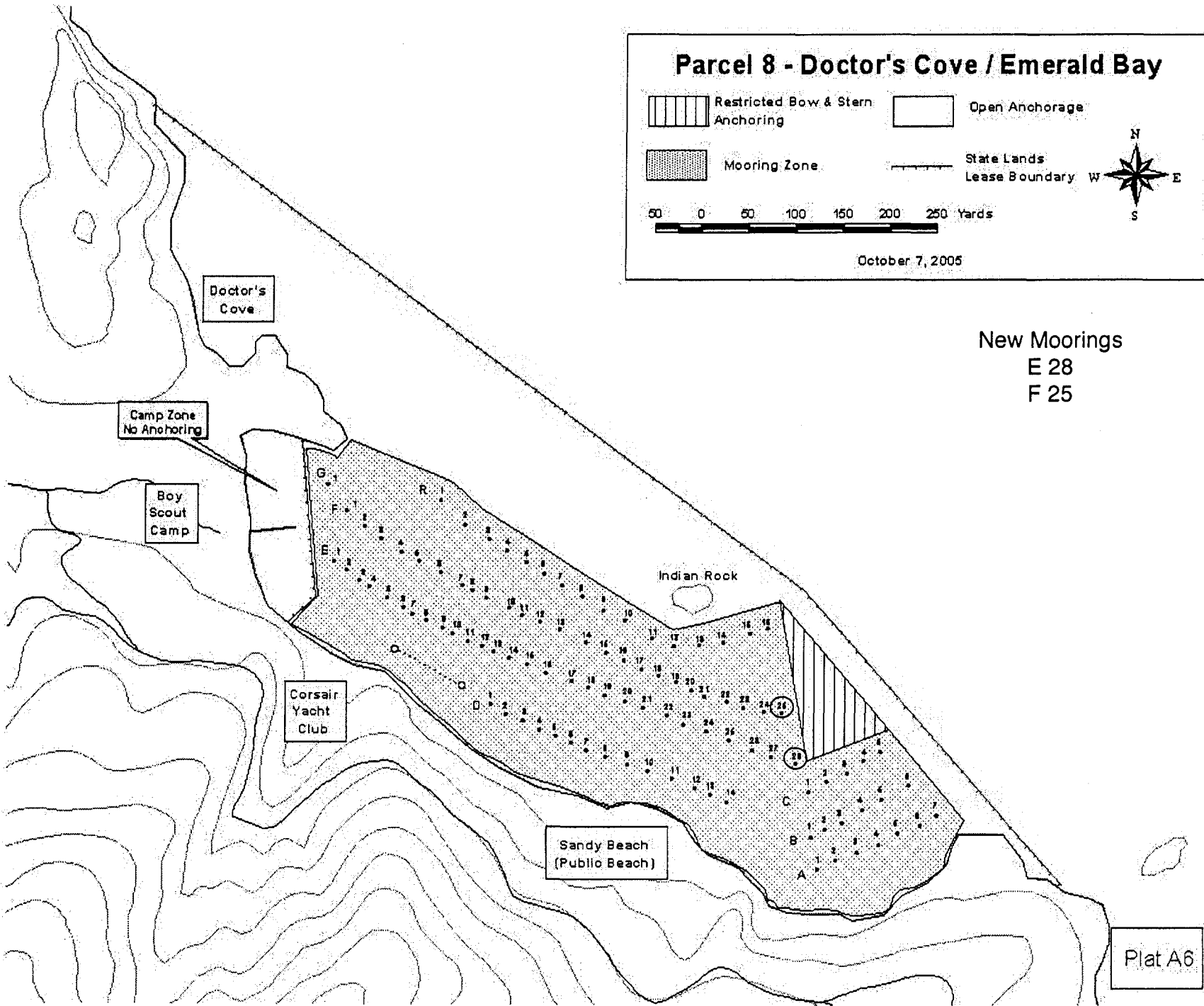


# Parcel 8 - Doctor's Cove / Emerald Bay



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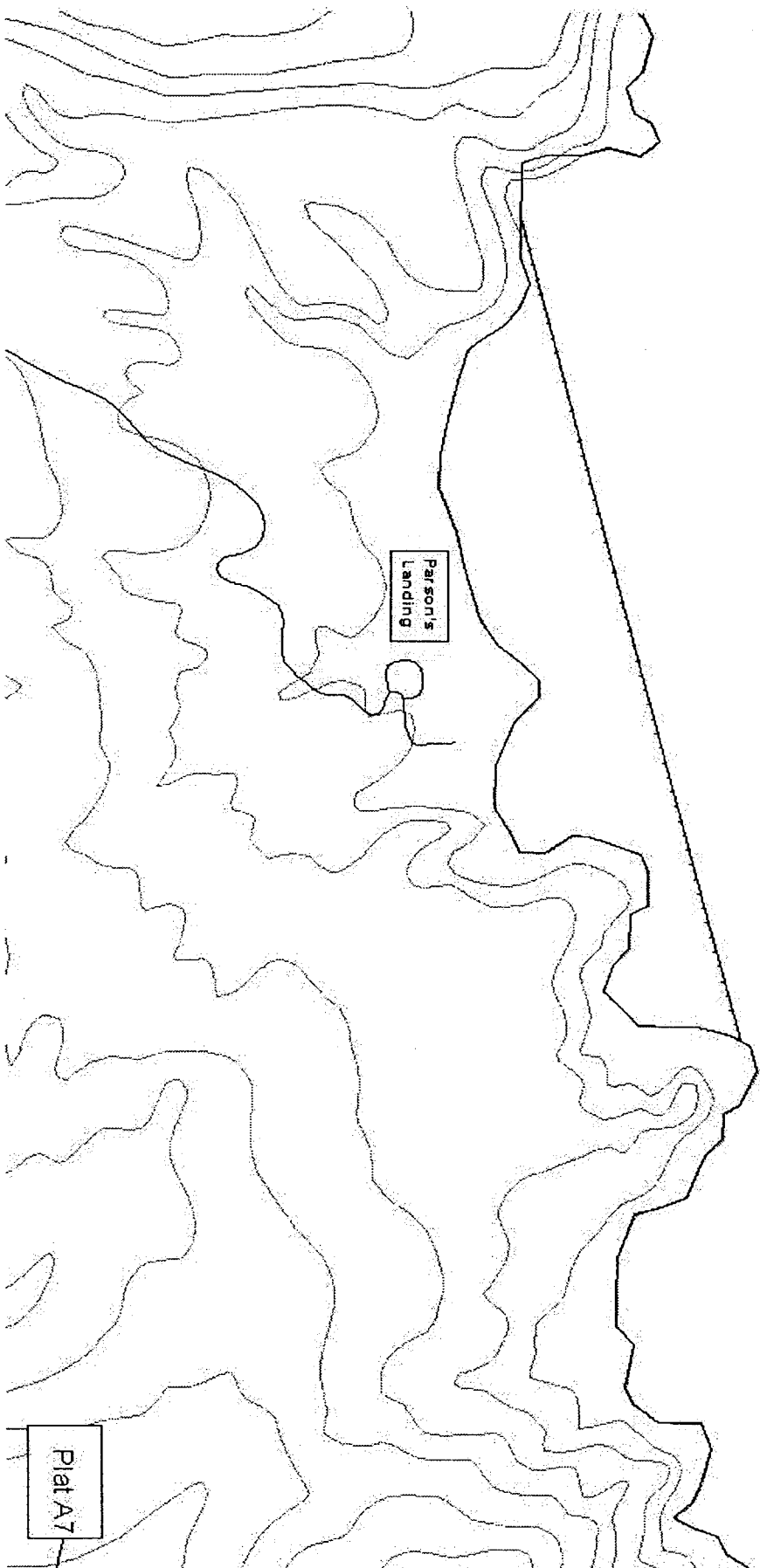
New Moorings  
E 28  
F 25



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Plat A6



**Parcel 9 - Parson's Landing**

Open  
 Anchorage

State Lands  
 Lease Boundary

60    0    60    120    180 Yards

October 7, 2005

Plat A7

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# Parcel 10 - Catalina Harbor



Mooring Zone



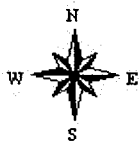
Restricted Anchorage  
Bow & Stern (Shallow)



Open  
Anchorage



Fish Pens

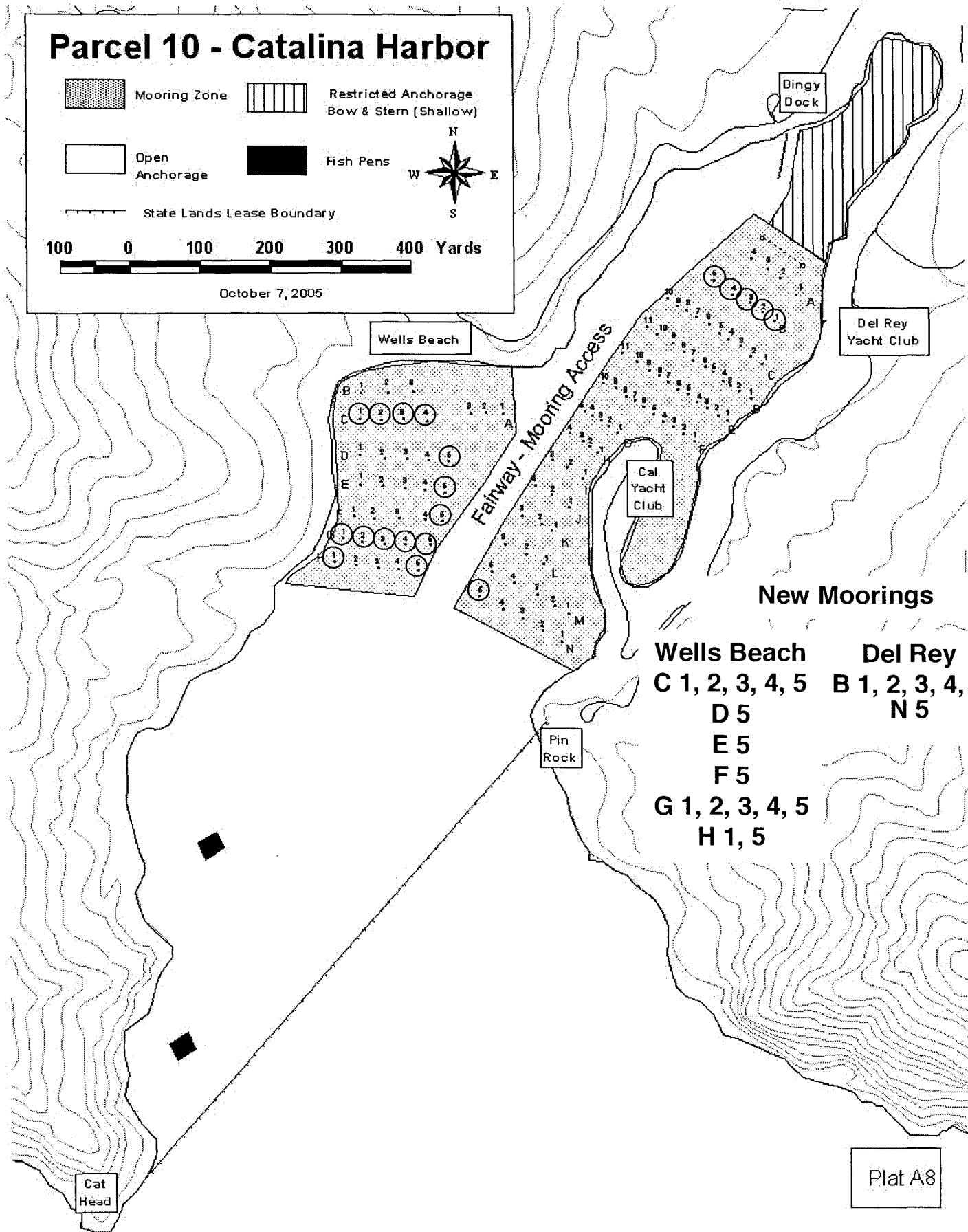


State Lands Lease Boundary

100 0 100 200 300 400 Yards



October 7, 2005



- New Moorings**
- |                    |                 |
|--------------------|-----------------|
| <b>Wells Beach</b> | <b>Del Rey</b>  |
| C 1, 2, 3, 4, 5    | B 1, 2, 3, 4, 5 |
| D 5                | N 5             |
| E 5                |                 |
| F 5                |                 |
| G 1, 2, 3, 4, 5    |                 |
| H 1, 5             |                 |

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# Parcel 11 - Little Harbor

Open Anchorage

State Lands Lease Boundary

60 0 60 120 180 Yards



October 7, 2005

Little Harbor  
Campground

Shark Harbor  
Campground

Plat A9

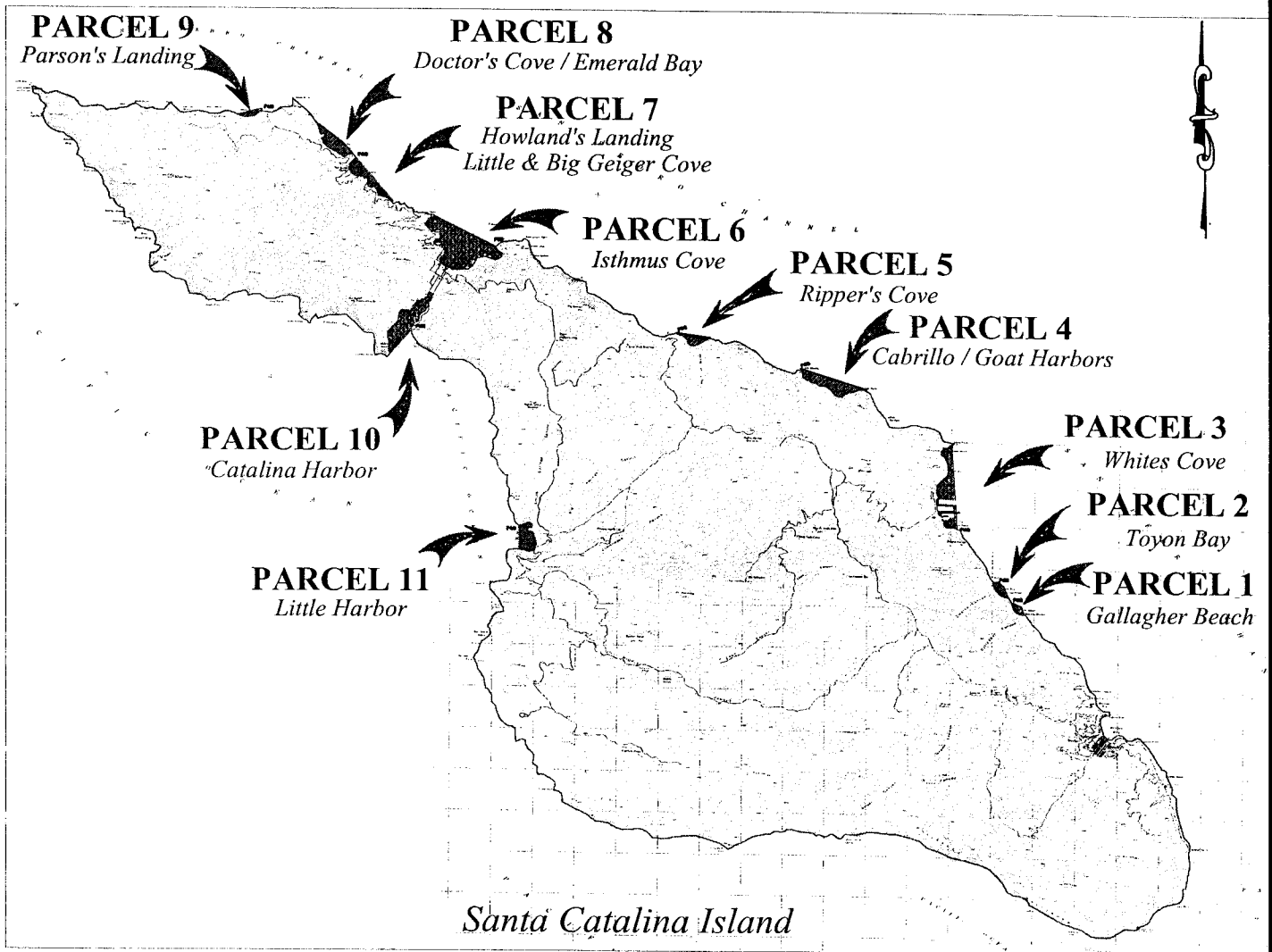
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NO SCALE



This Exhibit is solely for purposes of generally defining the lease premises, and is not intended to be, nor shall it be construed as a waiver or limitation of any State interest in the subject or any other property

Date 11/12/02

Santa Catalina  
Island

LOS ANGELES  
COUNTY

**EXHIBIT B  
PLAT MAP  
PRC 3639**

**Santa Catalina  
Island Company  
Lease Area**



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**ITEM C33**

**10-20-05**

**SANTA CATALINA ISLAND COMPANY/SANTA  
CATALINA ISLAND CONSERVANCY  
(LESSEES)**

**LETTERS OF SUPPORT/CONCERN**

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**Doug Hipstey**  
President

**Jerry Lounsbury**  
Vice President - South

**Lenora S. Clark**  
Vice President - North

**Bob White**  
Secretary - Treasurer

Legislative Advocates  
**Jerry Desmond**  
Executive Vice President

**Jerry Desmond, Jr.**  
Director of  
Government Relations

**Directors**

Joe Baunco  
Linda Bendsen  
David Breninger  
Richard Craven  
Jim David  
James Ensign  
Greg Gibson  
Gail E. Hine  
Walter Kadyk  
Joan Marsh-Clune  
Charles W. "Bill" McGrath  
Linda Newland  
William Patton  
Russ Robinson  
Anne Sacks

**Ex Officio Directors**  
Richard Schwartz (Boat U.S.)  
Michael Scialla (Boat U.S.)  
Mike Billington (PICVA)  
Tom Kennedy (SCYA)

**Past Presidents**

Ward Cleveland 1968  
Lee Kellerhouse 1969  
Allen H. Allen 1970  
Donald S. Mauland 1971  
Gordon M. Curtis Jr. 1972  
William M. Hyman 1973  
Richard P. Decker 1974  
W. Barber Johnson 1975  
George L. Fisher 1976  
William H. Gray, Jr. 1977  
Charles B. McKesson 1978  
Albert W. Thews 1979  
Basy R. Labos 1980  
Louis B. Haberman 1981  
Joseph R. Strete 1982  
Robert D. Carden 1983  
Newton H. Nelson 1984  
Peter J. Nardus 1985  
Julia C. Robinson 1986  
Robert J. Hoffman 1987  
Burton Jay, M.D. 1988  
Nils Andersson 1989  
Roger C. Wilson 1990  
Glenn A. Harter 1991  
S. A. "Bud" Zucke 1992  
Milton E. Morgan Jr. 1993  
Dedrick G. Deason 1993  
Gail E. Hine 1994  
Richard C. Tipton 1995  
Jim Clark 1996  
George Neill 1997  
Joe Baunco 1998  
Linda Newland 1999  
Bill Lewis 2000  
Joan Marsh-Clune 2001  
James Ensign 2002  
Russ Robinson 2003  
William Patton 2004

925 L Street • Suite 220  
Sacramento CA 95814  
916.441.4166  
www.rboc.org

*Via e-mail*

October 19, 2005

State Lands Commission  
c/o Ms. Lynda Smallwood - [smallwl@slc.ca.gov](mailto:smallwl@slc.ca.gov)  
100 Howe Avenue, Suite 100-South  
Sacramento, California 95825-8202

**Re: Agenda Item C-33, October 20 Commission Meeting**

SANTA CATALINA ISLAND COMPANY/SANTA  
CATALINA ISLAND CONSERVANCY (LESSEES):

Dear Commissioners:

It has recently been brought to the attention of Recreational Boaters of California [RBOC] that an informal group of boaters continues to have concerns with the impact that the above-referenced action would have on the traditional opportunities afforded to the recreational boating public to anchor and stay overnight.

It is our understanding that these concerns continue to exist even though there has been dialogue.

RBOC therefore requests that any Commission action in regard to Agenda Item C-33 be accompanied by a directive for the lessees to work together Commission staff and the boating community to resolve these issues.

We understand that the informal boater group is called the "Concerned Captains" and is comprised of numerous individual boaters who enjoy the boating experience at the islands.

It appears that representatives of the group thought that they had come to an agreement with the lessees this summer through informal conversations. But that they were mistaken.

The area in question is on the plat designated as "Day Use Only" at Whites Cove. The Concerned Captains have requested that recreational boats that are 31-feet and smaller in length be allowed to anchor in that area and the "Day Use Only" restriction eliminated. The rationale is that boats of this size normally do not have sufficient line or anchor weight to anchor in the approximately 130-foot and deeper waters on the ocean side of the leased mooring area.

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**RBOC Letter to the State Lands Commission**

October 19, 2005

PAGE TWO

The boaters believe that there is no safety hazard in allowing 31-foot and under boats to anchor on the shore side of the leased mooring area and stay overnight. They have done so for many years in the past.

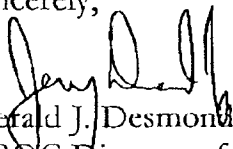
The representative of the Concerned Captains is Rich Licha, who can be reached by phone at (818) 881-6335 or by e-mail at [Ricklich@aol.com](mailto:Ricklich@aol.com). Our organization would also be interested in facilitating a discussion regarding the concerns of the boaters in the area. I can be reached at (916) 441-4166.

Thank you for the opportunity to present this issue to the Commission for its consideration. We regret the unfortunate timing of our communication on this issue, which is due to our just becoming aware of the fact that these concerns have not been resolved.

Recreational Boaters of California [RBOC] is a nonprofit governmental advocacy organization that works to protect and enhance the interests of the state's recreational boaters before the legislative and executive branches of state and local government.

RBOC was formed as a statewide organization in 1968 and from that date forward has continued its commitment to promoting the enjoyment, protection, and responsible use of our waterways.

Sincerely,



Gerald J. Desmond, Jr.  
RBOC Director of State Government Affairs  
Desmond & Desmond

Rboc/2005/SLC L 10-19-05

000195

001902

submitted for the record.

>>> "Jerry Desmond Jr." <[jerry.desmond.jr@desmondanddesmond.com](mailto:jerry.desmond.jr@desmondanddesmond.com)> 10/19/2005  
4:35 PM >>>Via e-mail

October 19, 2005

State Lands Commission  
c/o Ms. Lynda Smallwood - [smallwl@slc.ca.gov](mailto:smallwl@slc.ca.gov)  
100 Howe Avenue, Suite 100-South  
Sacramento, California 95825-8202

Re: Agenda Item C-33, October 20 Commission Meeting

Santa Catalina Island Company / Santa Catalina Island Conservancy  
[Lessees]:

Dear Commissioners:

It has recently been brought to the attention of Recreational Boaters of California [RBOC] that an informal group of boaters continues to have concerns with the impact that the above-referenced action would have on the traditional opportunities afforded to the recreational boating public to anchor and stay overnight.

It is our understanding that these concerns continue to exist even though there has been dialogue.

RBOC therefore requests that any Commission action in regard to Agenda Item C-33 be accompanied by a directive for the lessees to work together Commission staff and the boating community to resolve these issues.

We understand that the informal boater group is called the "Concerned Captains" and is comprised of numerous individual boaters who enjoy the boating experience at the islands.

It appears that representatives of the group thought that they had come to an agreement with the lessees this summer through informal conversations. But that they were mistaken.

The area in question is on the plat designated as "Day Use Only" at Whites Cove. The Concerned Captains have requested that recreational boats that are 31-feet and smaller in length be allowed to anchor in that area and the "Day Use Only" restriction eliminated. The rationale is that boats of this size normally do not have sufficient line or anchor weight to anchor in the approximately 130-foot and deeper waters on the ocean side of the leased mooring area.

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The boaters believe that there is no safety hazard in allowing 31-foot and under boats to anchor on the shore side of the leased mooring area and stay overnight. They have done so for many years in the past.

The representative of the Concerned Captains is Rich Licha, who can be reached by phone at (818) 881-6335 or by e-mail at [Ricklich@aol.com](mailto:Ricklich@aol.com). Our organization would also be interested in facilitating a discussion regarding the concerns of the boaters in the area. I can be reached at (916) 441-4166.

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RBOC was formed as a statewide organization in 1968 and from that date forward has continued its commitment to promoting the enjoyment, protection, and responsible use of our waterways.

Sincerely,

Gerald J. Desmond, Jr.  
RBOC Director of State Government Affairs  
Desmond & Desmond  
925 L Street, Suite 220  
Sacramento, CA 95814  
P: 916-441-4166  
F: 916-441-3520

E: [jerry.desmond.jr@desmondanddesmond.com](mailto:jerry.desmond.jr@desmondanddesmond.com)

[www.rbo.org](http://www.rbo.org) <<http://www.rbo.org>>

October 18, 2005



Mel Dinkel, P.E.  
Chief Operating Officer/Treasurer  
Santa Catalina Island Conservancy  
P.O. Box 2739  
Avalon, CA 90704

1011 Anchorage Lane  
San Diego, CA 92106-3005

Re: White's Landing Mooring and Anchoring Areas

Bus. 619/221-8400  
Fax. 619/224-3059  
www.sdydc.org

Dear Mel:

*Commodore*  
James C. Jessop

The San Diego Yacht Club (SDYC) is in agreement with the Santa Catalina Island Conservancy's (the Conservancy) position with regards for the need of a 150' fairway off of the pier at White's Landing. As you know, SDYC leases the eastern end of White's Landing from the Conservancy and is well aware of the Conservancy's requirement to dock large vessels at the pier to bring in Boy and Girl Scouts, YMCA members, other camp users, their respective equipment and the provisions required to operate a site of this magnitude.

*Vice Commodore*  
Betty Sue Sherman

This 150' fairway appears to be reasonable and necessary for the safety of the transiting and anchored vessels. We are in favor of having this fairway designated on United States Coast Guard charts.

*Rear Commodore*  
A. James Moxham

We also concur that anchoring should not be allowed inside the moorings at White's Landing or Moonstone. Having witnessed first hand the dangerous conditions that can rapidly develop within this zone in certain sea conditions, we believe it is inherently unsafe to anchor vessels in this zone. Having vessels anchored in this zone would also impede the safe use of the existing moorings.

*Directors*  
E. Wayne Terry  
R. Andrew La Dow  
Thomas A. Driscoll  
William L. Campbell  
E. Woodrow Hunt, M.D.

With numerous moorings at White's Landing, Moonstone and Hen Rock and the ample anchoring available outside of these areas, we see no reason why the Conservancy shouldn't be successful in obtaining the requested fairway and anchoring rules.

*Jr. Staff Commodore*  
Michael W. Fink

Sincerely,

Michael W. Fink  
Staff Commodore

cc: James C. Jessop  
Commodore  
San Diego Yacht Club

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**NEWPORT HARBOR YACHT CLUB**

June 30, 2005

Mel Dinkel, P.E.  
Chief Operating Officer/Treasurer  
Santa Catalina Island Conservancy  
P.O. Box 2739  
Avalon, CA 90704

Re: Anchoring Concerns in Moonstone and White's Coves

Dear Mel:

The Newport Harbor Yacht Club supports the Conservancy's position that there should be a 150' fairway off the pier at White's. We understand you bring Scouts and campers into your facility, and agree that this fairway enhances safety for everyone. We hope that you will be successful in getting this fairway onto USCG charts, and we pray that a similar fairway will *not* be required in a private, non-commercial use cove such as Moonstone.

We also agree that Two Harbors Enterprises should not allow anchoring inside the moorings at White's and Moonstone. Besides the obvious safety issues of being too close to shore, we believe it could impair the ability of existing mooring lessees to safely pick up their moorings if the anchoring boat has dropped it's anchor over a mooring's sand line or ground tackle. There is a plethora of room outside the fairway and moorings to accommodate anchoring at both Moonstone and White's Cove.

On behalf of the Board of Directors

Sincerely

Mark D. Olson  
Commodore

720 WEST BAY AVENUE, BALBOA, CALIFORNIA 92661 • TELEPHONE (949) 673-7730 • FAX (949) 673-3972

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From: Craig Reynolds [mailto:CReynolds@Seidlercos.com]  
Sent: Tuesday, October 18, 2005 1:24 PM  
To: Craig Reynolds  
Subject:

RE: Item C33 on the consent agenda State Lands Commission October 20th, 2005.

Dear Ms. Smith,

Thank you for your time on the phone today.

My first point is that proper notice has not been given to the concerned parties. For example, members of Balboa Yacht Club who use the cove at Whites have not been notified. The yacht club has a considerable investment in a station in White's Cove that we have rented for almost 50 years. The proposed changes will materially affect the ability of club members to use that facility.

As a long term boater and visitor to Whites Cove in Catalina I personally am very much opposed to the current plat map being put forth on the consent agenda Item C33 October 20th, 2005. I am not opposed to the additional moorings for Catalina or the fairway being established for the pier at Whites Cove.

Restricting the anchorage inside at Whites Cove denies small boaters a safe anchorage as they must bring several hundred feet of chain to safely anchor outside of the mooring field at Whites. In the past, boats only anchor inside the moorings if the surf conditions allow. If the area becomes unsafe for anchorage, boaters move or leave the area. Boaters who use Whites and anchor are experienced and are interested in maintaining a safe situation there.

The proper course of action for the State would be to use the same designation for Whites as is allowed at Hen Rock and allow bow and stern anchoring when conditions merit.

I am requesting that the item C33 be removed from the consent agenda and that it be entirely postponed or the restrictions on anchoring at Whites Cove be removed or modified to allow anchoring inside the moorings.

Thank you,

Craig L. Reynolds  
(949) 717-7555 (h)  
(949) 399-6456 (w)  
401 Vista Grande  
Newport Beach, CA 92660

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