

**CALENDAR ITEM
C64**

A 70
S 26

08/19/15
PRC 7332.1
D. Simpkin

**ISSUANCE OF A GENERAL LEASE – COMMERCIAL
USE AND ENDORSEMENT OF A SUBLEASE**

APPLICANT/SUBLESSOR:

Santa Catalina Island Company

SUBLESEE:

Catalina Boat Yard, Inc.

AREA, LAND TYPE, AND LOCATION:

Sovereign land located at Pebbly Beach, Santa Catalina Island, Los Angeles County.

AUTHORIZED USE:

Lease: Continued use and maintenance of a concrete ramp.

Sublease: Take out and launch vessels via boat trailers to and from the upland boat storage/repair facility.

LEASE TERM:

10 years, beginning January 1, 2015.

CONSIDERATION:

Annual rent in the amount of \$1,884, with an annual Consumer Price Index adjustment.

SPECIFIC LEASE PROVISIONS:

Insurance:

Lessee: Liability insurance in an amount no less than \$1,000,000 per occurrence.

Sublessee: Commercial General Liability insurance coverage of no less than \$1,000,000.

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.

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2. On September 19, 2000, the Commission authorized a 15-year General Lease – Commercial Use to the Santa Catalina Island Company (SCICo) for the continued use and maintenance of a concrete ramp located at Pebbly Beach on Santa Catalina Island. In addition, the Commission authorized a sublease to Guy Sanders of Catalina Boatyard, Inc. (CBI). The lease with SCICo expired on December 31, 2014.
3. The concrete ramp is used by SCICo's upland lessee, CBI, to take out and launch vessels via boat trailers to and from the upland boat storage/repair facility.
4. SCICo is now requesting, and staff recommends, the issuance of a new lease and the approval of a sublease to CBI.
5. On July 29, 2015, the Commission authorized a 20-year General Lease – Commercial Use to SCICo for the continued use and maintenance of a concrete freight barge landing located approximately 170 feet north of the concrete ramp. The freight barge landing sits several feet above the beach and water, allowing barges to moor adjacent to it while goods are loaded and unloaded. In contrast, the concrete ramp that is the subject this application gently slopes to the water, allowing vessels to safely launch to and from the water and is utilized solely for this purpose. The concrete ramp is unsuitable as a freight barge landing.
6. **Issuance of Lease:** The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

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

7. **Approval of a Sublease:** The staff recommends that the Commission find that the subject approval of a sublease does not have a potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment, and is, therefore, not a project in accordance with CEQA.

Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, sections 15060, subdivision (c)(3), and 15378.

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8. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. 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.

EXHIBITS:

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

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Issuance of Lease: Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

Approval of a Sublease: Find that the subject approval of a sublease is not subject to the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c)(3), because the subject activity is not a project as defined by Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.

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 section 6370 et seq.

AUTHORIZATION:

1. Authorize issuance of a General Lease – Commercial Use to Santa Catalina Island Company beginning January 1, 2015, for a term of 10 years, for the continued use and maintenance of a concrete ramp, as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; annual rent in the amount of \$1,884, with an annual Consumer Price Index (CPI) adjustment; liability insurance in an amount no less than \$1,000,000 per occurrence.

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2. Approve by endorsement a sublease from Catalina Island Company to Catalina Boatyard, Inc., effective January 1, 2015, and ending December 31, 2024.

EXHIBIT A

PRC 7332.1

LAND DESCRIPTION

A strip of tide and submerged land 30 feet wide in the Pacific Ocean at Pebbly Beach on the northeasterly side of Santa Catalina Island, Los Angeles County, State of California, the centerline of said strip being described as follows:

BEGINNING at a point on the centerline of the amphibian plane ramp on said Pebbly Beach said point having local coordinate of N=12,400 and E=102,540 as said coordinate system is shown on Sheet 1 of 1 of that map entitled "Topographic Map of Santa Catalina Island (Pebbly Beach)" prepared by the County of Los Angeles, Department of County Engineer, Survey Division, filed as Survey No. 108-62-A in the office of said County Engineer: thence from said point of beginning N 34° 20' 00" E, 105.11 feet to the end of herein described line.

The sidelines of said strip to be lengthened or shortened as to begin on the ordinary high water mark of said Pacific Ocean and to terminate at a line perpendicular to the terminus of said centerline.

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

END OF DESCRIPTION

REVISED DECEMBER 21, 1987 BY BIU 1.

The above description is based on that original description prepared by CSLC BIU 1 on December 21, 1987 as found in PRC7332 file, Calendar Item 26 at Page 304.

NO SCALE

SITE

PACIFIC

OCEAN

EXISTING
LAUNCH RAMP
30' x 105'

PARKING AND
STORAGE AREA

APN 7480-045-021

APPROX.
SHORELINE

HELIPAD

NEAR PEBBLY BEACH, SANTA CATALINA ISLAND

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 7332.1
 SANTA CATALINA ISLAND
 COMPANY
 APN 7480-045-021
 GENERAL LEASE-
 COMMERCIAL USE
 LOS ANGELES COUNTY



This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties 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.