

**CALENDAR ITEM
C25**

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06/25/08
K. Foster
WP 6411.1

GENERAL LEASE – RECREATIONAL USE

APPLICANT:

Newport Harbor Yacht Club
720 West Bay Avenue
Balboa, CA 92661

AREA, LAND TYPE, AND LOCATION:

0.10 acres, more or less, of sovereign lands in Moonstone Cove, Santa Catalina Island, Los Angeles County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier, ramp, and floating platform with two mooring anchors used to access upland club facilities.

LEASE TERM:

Ten years, beginning January 1, 2007.

CONSIDERATION:

\$1,113 for the period from January 1, 2007, to December 31, 2007; \$1,395 per year beginning January 1, 2008; with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

SPECIFIC LEASE PROVISIONS:

Insurance:

Single limit liability coverage of no less than \$3,000,000.

OTHER PERTINENT INFORMATION:

1. Applicant has the right to use the uplands adjoining the lease premises.
2. The Applicant is a yacht club that maintains the upland property for use by its members, who access the property via boat. The previous ten-year lease, authorized by the Commission on February 12, 1997, expired on December 31, 2006, and has been in hold-over status since then. Applicant is now applying for a new General Lease – Recreational Use of

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sovereign lands for the use and maintenance of the existing pier, ramp, and floating platform located adjacent to its upland club facility in Moonstone Cove, Santa Catalina Island.

3. 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 1, Existing Facilities; Title 2, California Code of Regulations, section 2905 (a)(2).

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

4. 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.

EXHIBITS:

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

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 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

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.

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AUTHORIZATION:

AUTHORIZE ISSUANCE OF A GENERAL LEASE – RECREATIONAL USE TO NEWPORT HARBOR YACHT CLUB BEGINNING JANUARY 1, 2007, FOR A TERM OF TEN YEARS, FOR THE USE AND MAINTENANCE OF A PIER, RAMP, AND FLOATING PLATFORM AS SHOWN ON EXHIBIT A AND AS DESCRIBED ON EXHIBIT B ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF \$1,113 FOR THE PERIOD FROM JANUARY 1, 2007, TO DECEMBER 31, 2007, AND \$1,395 PER YEAR BEGINNING JANUARY 1, 2008, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; LIABILITY INSURANCE COVERAGE OF NO LESS THAN \$3,000,000.