



**THE PORT
OF LOS ANGELES**
Executive Director's
Report to the
Board of Harbor Commissioners

DATE: JANUARY 3, 2013

FROM: REAL ESTATE

SUBJECT: ORDER NO. _____ - APPROVE FIRST AMENDMENT TO PERMIT NO. 825 WITH ISLAND YACHT ANCHORAGE, INC.

SUMMARY:

Due to the closure of the Colonial Yacht Anchorage Marina (Colonial) located at Berth 204 on March 1, 2012, the City of Los Angeles Harbor Department (Harbor Department) requested various marinas, including Island Yacht Anchorage, Inc. (Island Yacht), to accommodate displaced liveaboards. Approval of the proposed First Amendment to Permit No. 825 is requested to allow Island Yacht to temporarily have a liveboard percentage over the originally permitted amount of five percent. A reduction to five percent or less of total marina capacity will be restored through attrition.

On October 4, 2012, the Board of Harbor Commissioners (Board) approved amendments to Wilmington Marina Permits with Pacific Yacht Landing, Yacht Haven Marina, Inc., Yacht Centre, Inc., and Holiday Harbors-Wilmington that allowed these marinas additional liveboard capacity. Island Yacht was not submitted for Board approval in October due to a delay in receiving the signed amendment from the tenant. Permit No. 825 with Island Yacht is the last Wilmington marina that requires an amendment to its Permit in order to accommodate displaced liveaboards on one vessel from the former Colonial marina.

RECOMMENDATION:

It is recommended that the Board of Harbor Commissioners:

1. Approve the First Amendment to Permit No. 825 with Island Yacht Anchorage, Inc.;
2. Direct the Board Secretary to transmit the First Amendment to Permit No. 825 with Island Yacht Anchorage, Inc. to the City Council for approval pursuant to Section 606 of the City Charter;
3. Authorize the Executive Director to execute and the Board Secretary to attest to the permit amendment upon approval by City Council; and
4. Adopt Order No. _____.

SUBJECT: FIRST AMENDMENT TO PERMIT NO. 825

DISCUSSION:

Background/Context – Colonial operated a recreational vessel marina, boat yard, and storage yard located at Berth 204 under Permit No. 800 (Transmittal 2). On March 1, 2012, this permit was terminated, and the Harbor Department agreed to relocate the six vessels with liveaboards to the surrounding Wilmington area marinas, which included Pacific Yacht Landing, Yacht Haven Marina, Inc., Yacht Centre, Inc., Holiday Harbors-Wilmington, and Island Yacht.

To accommodate the liveaboards at the Island Yacht marina, the proposed amendment (Transmittal 1) to Permit No. 825 will increase the allowable liveaboard percentage to accommodate liveaboards from one vessel formerly with Colonial. The remaining liveaboards were dispersed among the other Wilmington marinas listed above. The intent of the amendment is not to permanently increase the liveaboard percentage level beyond the allotted five percent. Rather, the amendment specifies that this would be temporary, as there are no other marinas in the Port of Los Angeles with liveaboard vacancies to accommodate them.

The proposed amendment to Permit No. 825 provides that the liveaboards formerly with Colonial will not count towards Island Yacht's allowable five percent liveaboard limit. When these liveaboards eventually terminate their tenancy, Island Yacht may not replace them with new liveaboards.

Proposed Permit Amendment – The First Amendment to Permit No. 825 amends Section 5, "Uses", subsection (a), "Permitted Uses." This section acknowledges that the tenant accepted existing liveaboards from the former premises of Colonial. A list of allowed liveaboard tenants is included.

ENVIRONMENTAL ASSESSMENT:

The proposed action is approval of an amendment to Permit No. 825 with Island Yacht to temporarily increase their permitted liveaboard rates above five percent to accommodate liveaboards displaced by the closure of Colonial. Relocated liveaboards would occupy boat slips in the existing marina and a reduction back to the originally permitted five percent liveaboard cap would be restored through attrition, thereby resulting in negligible expansion of use. Therefore, as an activity involving amendments to permits to use existing facilities involving negligible expansion of use, the Director of Environmental Management has determined the proposed action is exempt from the California Environmental Quality Act (CEQA) in accordance with Article III, Class 1 (14) of the Los Angeles City CEQA Guidelines.

ECONOMIC BENEFITS:

This Board action will have no employment effect in the five-county region.

DATE: JANUARY 3, 2013

PAGE 3 OF 3

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FINANCIAL IMPACT:

The increased tenancy and revenue at the affected marinas reflect the absorption of the tenants from the closure of the neighboring marina. The First Amendment to Permit No. 825 allows this permittee to have a liveaboard percentage over the current five percent, and thereby temporarily accept liveaboards that were displaced due to termination of another Harbor Department permit. Therefore, the aggregate income remains the same.

CITY ATTORNEY:

The Office of the City Attorney has approved the First Amendment to Permit No. 825 and Order (Transmittal 3) as to form and legality.


TRANSMITTALS:

1. First Amendment to Permit No. 825
2. Site Map
3. Order



JACK C. HEDGE
Director of Real Estate

FIS Approval: WR (initials)
CA Approval: gmc (initials)



FOR KATHRYN McDERMOTT
Deputy Executive Director

APPROVED:



GÉRALDINE KNATZ, Ph.D.
Executive Director

JH:RG:ER:FFS:raw
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BL429mm Island Amendment