

MINUTE ITEM

This Calendar Item No. C6
was approved as Minute Item
No. 6 by the State Lands
Commission by a vote of 3
to 0 at its 5/27/82 CALENDAR ITEM
meeting.

C 0 6

5/27/82
WP 1409
Louie
PRC 1409

AMENDMENT AND RENEWAL OF
GENERAL LEASE - INDUSTRIAL USE

APPLICANT: San Diego Gas and Electric Company
P. O. Box 1831
San Diego, California 92112

AREA, TYPE LAND AND LOCATION:
A 4.5-acre parcel of tide and submerged
land in the Pacific Ocean near Carlsbad,
San Diego County.

LAND USE: Cooling water discharge channel.

TERMS OF ORIGINAL LEASE:

Initial period: 15 years from July 8,
1954.

Renewal options: Two successive periods
of ten years each.

Surety bond: \$5,000.

Consideration: \$100 per annum.

TERMS OF FIRST RENEWAL:

From July 8, 1969, for a period of ten
years, with a \$5,000 surety bond and consider-
ation of \$1,620 per annum.

TERMS OF PROPOSED AMENDMENT AND SECOND RENEWAL:

Initial period: Ten years from July 8,
1979.

Special: The amendment revises
the provisions for rental
and indemnity to reflect
the Commission's current
policy. Also, the provision
for a surety bond has
been deleted as requested
by applicant. The applicant

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CALENDAR ITEM NO. C 0 6 (CONTD)

feels it has shown its ability to perform under the State's terms and conditions since 1954. The applicant is a large utility company and the staff foresees no problem with the company's ability to comply with the lease provisions.

CONSIDERATION: \$2,160 per annum, with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Adm. Code 2003.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is owner of upland.

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:

N/A.

OTHER PERTINENT INFORMATION:

1. An EIR is not required. This transaction is within the purview of 2 Cal. Adm. Code 2905 (a) (2); which exempts an existing structure or facility that is in an acceptable state of repair and there is no evidence of record to show injury to adjacent property, shoreline erosion, or other types of environmental degradation.
2. This project is situated on State land identified as possessing significant environmental values pursuant to P.R.C. 6370.1, and is classified in a use category, Class B, which authorizes Limited Use.

Staff review indicates that there will be no significant effect upon the identified

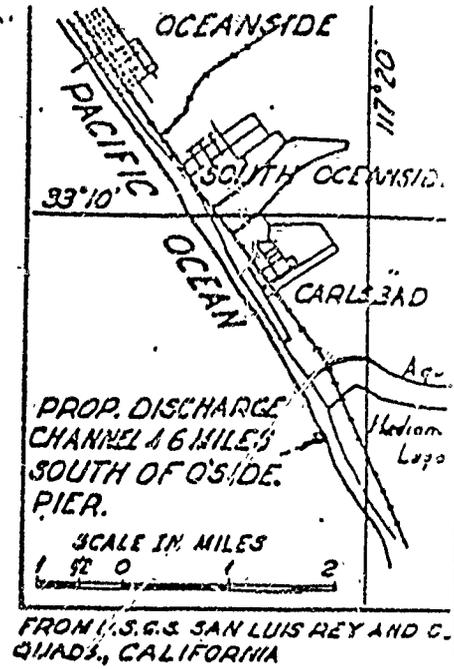
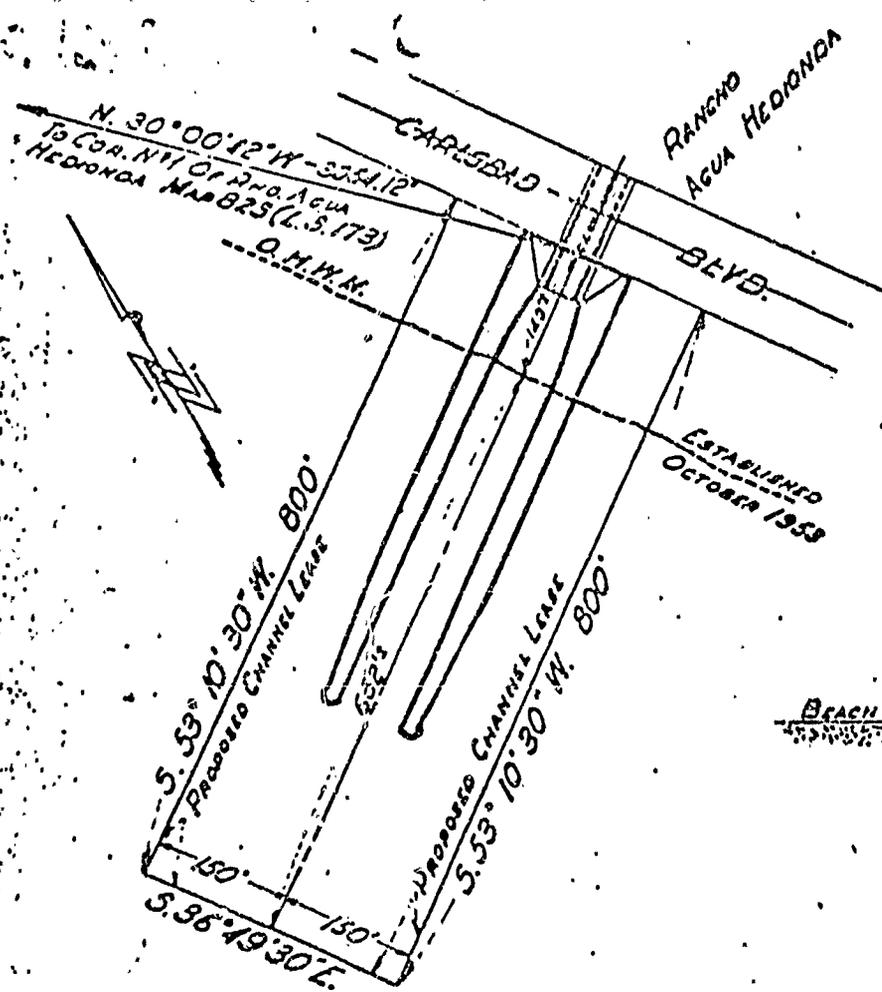
CALENDAR ITEM NO. C 0 6 (CONTD)

environmental values. This is an existing facility for which no adverse comments have been received.

EXHIBITS: A. Detail Map.
 B. Location Map.

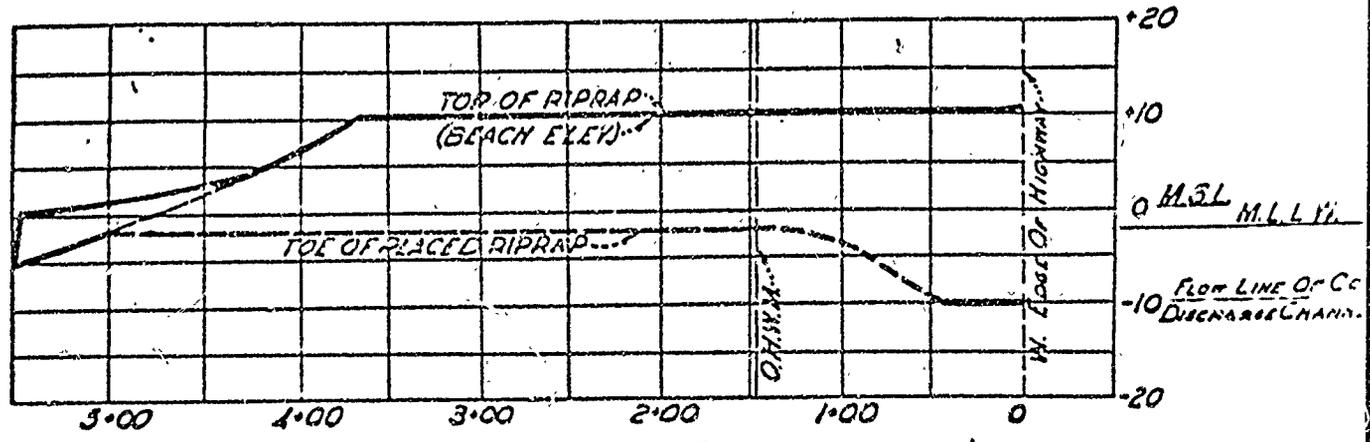
IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL DOCUMENT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH DOCUMENT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21084, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2905; AND FIND THAT THE ACTIVITY IS CONSISTENT WITH THE LAND'S USE CLASSIFICATION.
2. AUTHORIZE ISSUANCE TO SAN DIEGO GAS AND ELECTRIC COMPANY OF AN AMENDMENT AND TEN-YEAR RENEWAL OF LEASE PRC 1409.1 FROM JULY 8, 1979; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$2,160, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; FOR MAINTENANCE AND USE OF A WATER DISCHARGE CHANNEL TO BE USED IN CONJUNCTION WITH LESSEE'S POWER PLANT.



WP 1409
EXHIBIT "A"

PROPOSED DISCHARGE CHANNEL
SCALE IN FEET.



DISCHARGE CHANNEL PROFILE
PROFILE SCALE: HORIZ. 1"=100'
VERT. 1"=20'
PROPOSED WATER DISCHARGE CHANNEL
IN PACIFIC OCEAN NEAR CARLSBAD
SAN DIEGO COUNTY, CALIFORNIA

CALENDAR PAGE	25
MINUTE PAGE	1193

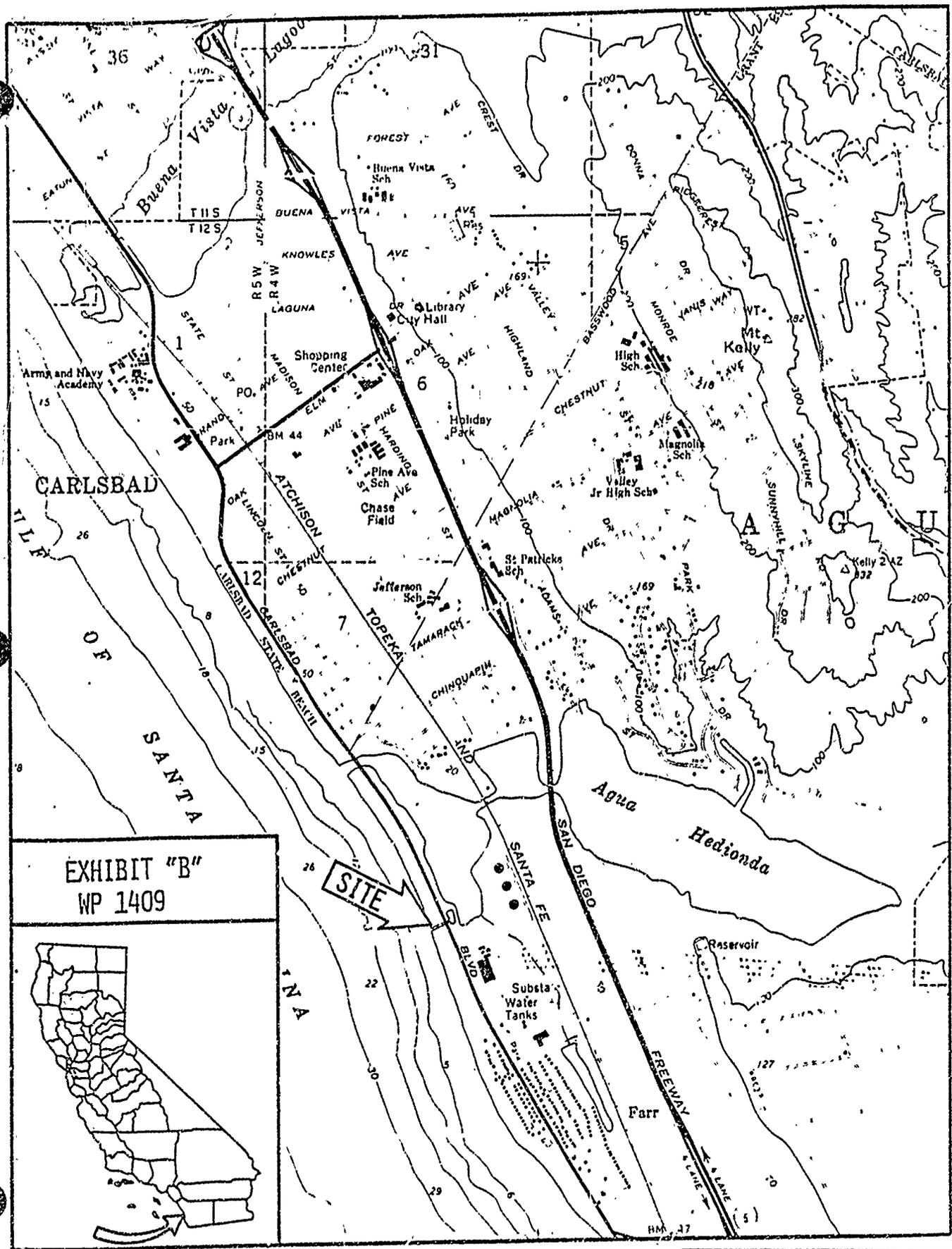


EXHIBIT "B"
WP 1409

