

MINUTE ITEM

This Calendar Item No. C46 was approved as Minute Item No. 46 by the California State Lands Commission by a vote of 3 to 0 at its 8/26/97 meeting.

**CALENDAR ITEM
C46**

A 78
S 35

08/26/97
PRC7987 W 24954
J. Smith

TERMINATION OF EIGHT EXISTING LEASES AND ISSUANCE OF A GENERAL LEASE - PUBLIC AGENCY USE

LESSEE:

San Diego Unified Port District
P.O. Box 488
San Diego, California 92112-0488

AREA, LAND TYPE, AND LOCATION:

Ungranted sovereign lands in San Diego Bay, San Diego County.

AUTHORIZED USE:

Consolidation of eight existing leases (Lease Nos. PRC 1399, PRC 5080, PRC 5187, PRC 5201, PRC 6017, PRC 7013, PRC 7052, and PRC 7252) into one master lease, thereby terminating those existing leases.

LEASE TERM:

28 years, beginning July 1, 1997.

CONSIDERATION:

A minimum of \$10,000 per annum; or the total of the following, whichever is greater: (1) 10% of Lessee's gross income from Port operated moorings; and (2) 25% of Lessee's gross income from revenues generated by subleases on the lease premises.

SPECIFIC LEASE PROVISIONS:

Insurance:

Combined single limit coverage of \$1,000,000.

Bond:

N/A

OTHER PERTINENT INFORMATION:

1. Lessee is the trustee of adjacent legislatively granted tide and submerged lands.

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2. The Lessee requests that its eight existing leases be consolidated into one master lease. The uses authorized in the pre-existing leases will remain the same. Those uses are commercial and recreational navigation, including existing anchorage and mooring basins, buoys, boundary markers and navigational aids, breakwaters, and access roads; existing industrial marine terminal facilities. No new development is proposed.
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.

EXHIBIT:

- A. Location and Site Map.

PERMIT STREAMLINING ACT DEADLINE:

N/A

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

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CODE OF REGULATIONS, SECTION 2905(a)(2).

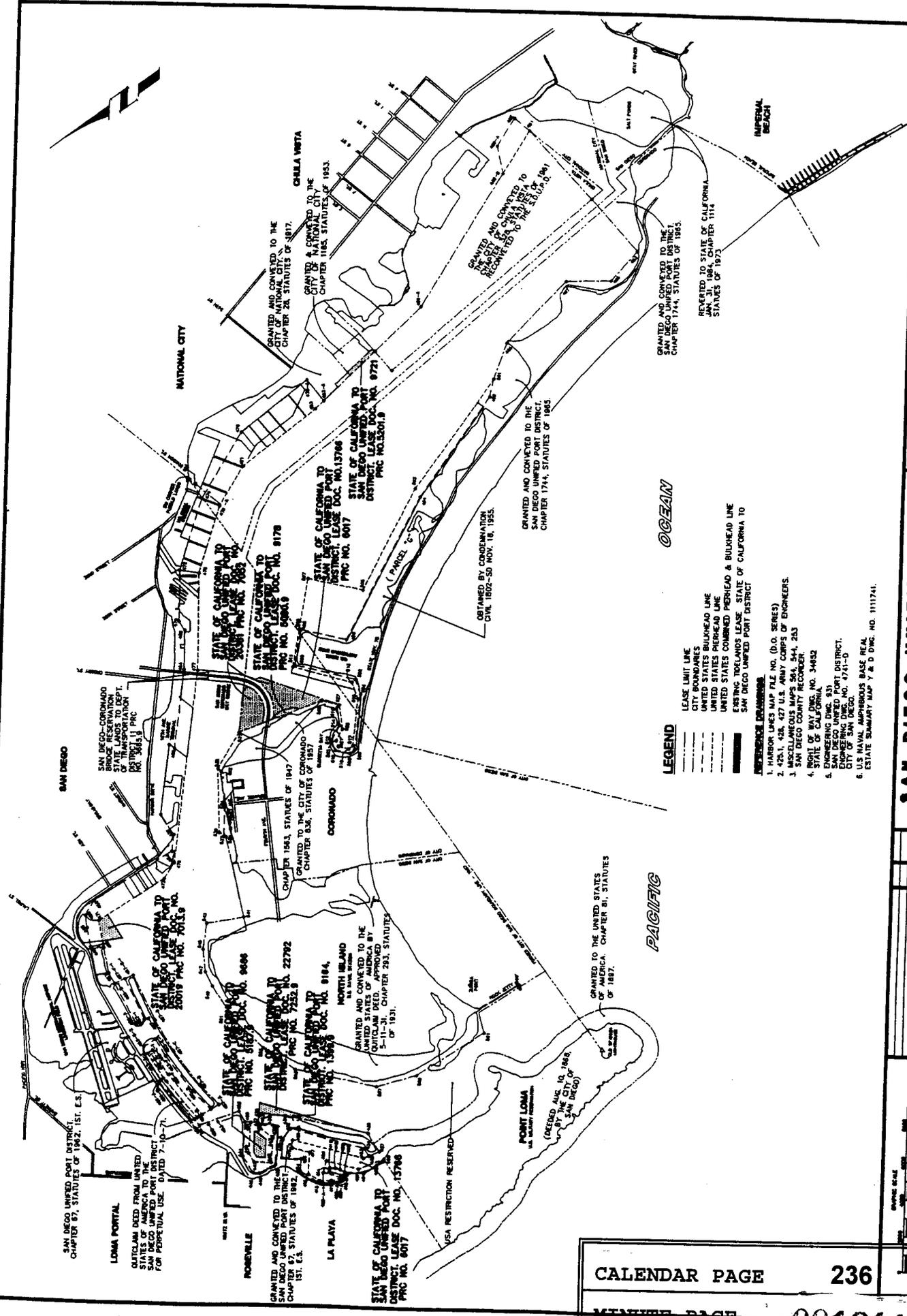
SIGNIFICANT LANDS INVENTORY FINDING:

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

AUTHORIZATION:

AUTHORIZE ISSUANCE TO SAN DIEGO UNIFIED PORT DISTRICT OF A GENERAL LEASE - PUBLIC AGENCY USE, BEGINNING JULY 1, 1997, FOR A TERM OF TWENTY EIGHT YEARS, FOR CONSOLIDATION OF EIGHT EXISTING LEASES (LEASE NOS. PRC 1399, PRC 5080, PRC 5187, PRC 5201, PRC 6017, PRC 7013, PRC 7052, PRC 7252) THEREBY TERMINATING THOSE EXISTING LEASES; ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; MINIMUM ANNUAL RENT IN THE AMOUNT OF \$10,000; OR THE TOTAL OF 10% OF LESSEE'S GROSS INCOME FROM PORT OPERATED MOORINGS AND (2) 25% OF LESSEE'S GROSS INCOME FROM REVENUES GENERATED BY ANY SUBLEASES; WHICHEVER IS GREATER; LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$1,000,000.

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OCEAN

PACIFIC

LEGEND

- LEASE LIMIT LINE
- CITY BOUNDARIES
- UNITED STATES BULKHEAD LINE
- UNITED STATES PIERHEAD LINE
- UNITED STATES COMBINED PIERHEAD & BULKHEAD LINE
- PACIFIC COAST TOWNSHIP RECORD
- SAN DIEGO UNIFIED PORT DISTRICT

- REFERENCE DRAWINGS**
1. HARBOR LINES MAP FILE NO. (D.O. SERIES)
 2. 425.1, 426, 427 U.S. ARMY CORPS OF ENGINEERS.
 3. SAN DIEGO COUNTY RECORD.
 4. RIGHT OF WAY PLAN, NO. 34652
 5. ENGINEERING DWG. 931
 6. SAN DIEGO UNIFIED PORT DISTRICT, CITY OF SAN DIEGO, INC. 4741-D
 7. U.S. NAVAL AMPHIBIOUS BASE REAL ESTATE SUMMARY MAP Y & D DWG. NO. 1111741.

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SAN DIEGO UNIFIED PORT DISTRICT
CALIFORNIA

TIDELAND LEASE
STATE OF CALIFORNIA TO
SAN DIEGO UNIFIED PORT DISTRICT

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1657