

MINUTE ITEM
This Calendar Item No. C13
was approved as Minute Item
No. 13 by the State Lands
Commission by a vote of 3
to 0 at its 4-13-99
meeting.

**CALENDAR ITEM
C13**

A 35
S 18

04/13/99
PRC 4942.9 WP 4942
B. Dugal

AMENDMENT OF LEASE

LESSEE:

City of Santa Barbara
P. O. Box 1990
Santa Barbara, California 93102

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in the Pacific Ocean, east of Stearns Wharf and the Santa Barbara Harbor, City and County of Santa Barbara.

AUTHORIZED USE:

Construction and maintenance of a 48-inch sewer outfall pipeline, diffuser, rock ballast and anchors.

LEASE TERM:

49 years, beginning July 1, 1974.

CONSIDERATION:

The public health and safety; with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interest.

PROPOSED AMENDMENT:

Authorized Improvements:

Addition of one 42-inch diameter abandoned wastewater outfall pipeline.

Lease Description:

The land description contained in Section 3 of the lease is deleted and replaced with the attached description and identified as Exhibit C.

OTHER PERTINENT INFORMATION:

1. Lessee has a right to use the uplands adjoining the lease premises.

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2. The 42-inch diameter wastewater outfall pipeline was designed and constructed by the Lessee in the 1920's. The wastewater pipeline has since been abandoned in place. Even though the wastewater pipeline is not currently being utilized, it is the Lessee's intent to leave the abandoned pipeline in place for possible future use. The 48" diameter wastewater pipeline is currently being actively used by the city.
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 statutorily exempt project. The project is exempt because it involves an "ongoing project" as defined by the CEQA and the State CEQA Guidelines.

Authority: Public Resources Code section 21169 and Title 14, California Code of Regulations, section 15261.

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. Location Map
- B. Site Map
- C. Section 3 - Land Description

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 STATUTORILY EXEMPT PROJECT PURSUANT TO PUBLIC RESOURCES CODE SECTION

CALENDAR ITEM NO. C (CONT'D)

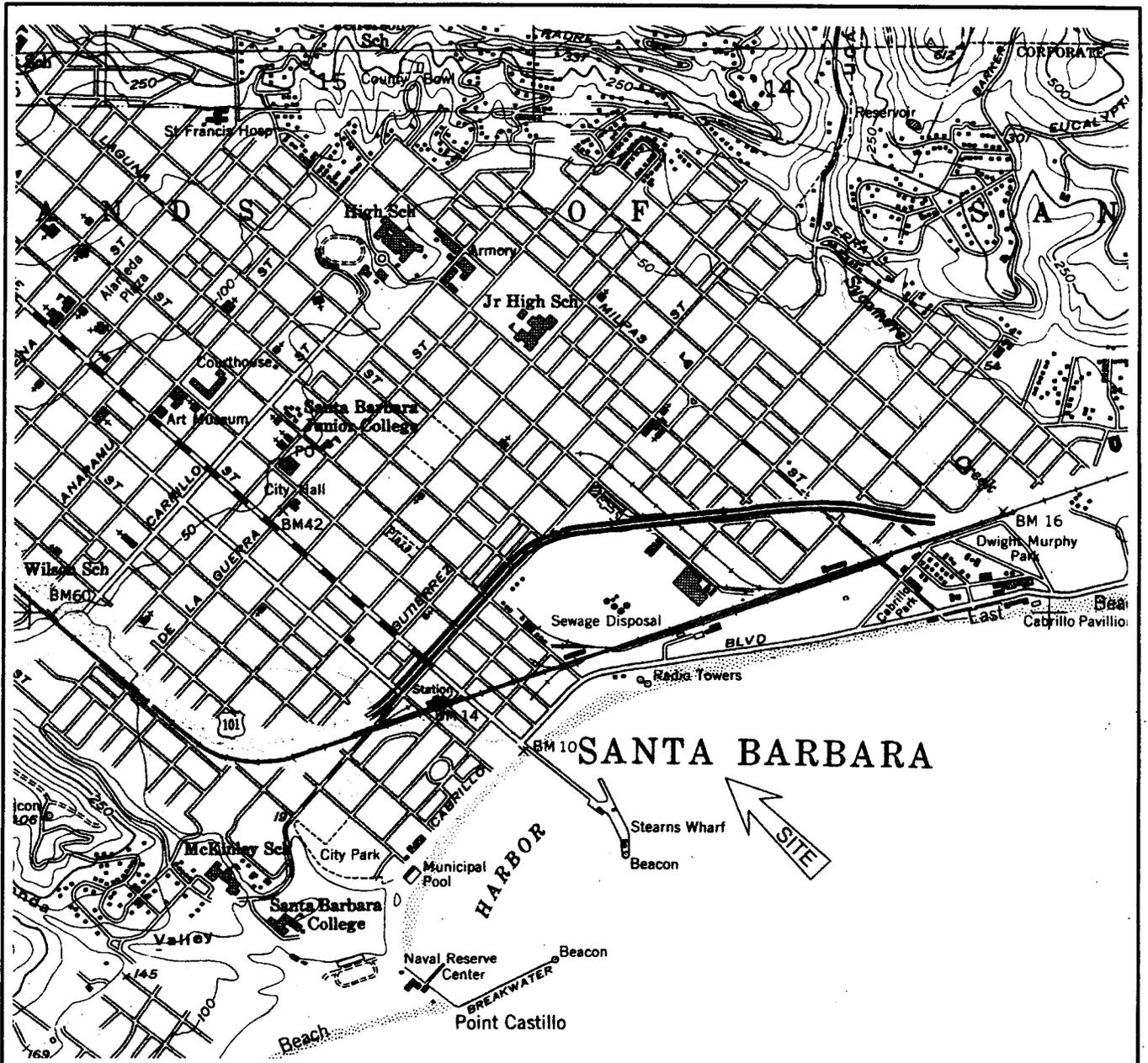
21169 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS,
SECTION 15261, AN ACTIVITY INVOLVING AN ONGOING PROJECT.

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.

AUTHORIZATION:

AUTHORIZE THE AMENDMENT OF LEASE NO. PRC 4942.9, A
GENERAL PERMIT - PUBLIC AGENCY USE, OF LANDS DESCRIBED
ON EXHIBIT C ATTACHED AND BY THIS REFERENCE MADE A PART
HEREOF, EFFECTIVE JANUARY 1, 1999, TO: (1) AUTHORIZE THE
ADDITION OF ONE EXISTING AND ABANDONED 42-INCH DIAMETER
WASTEWATER OUTFALL PIPELINE; AND (2) DELETION OF SECTION
3 OF THE LEASE AND REPLACE IT WITH THE LANDS DESCRIBED IN
EXHIBIT C. ALL OTHER TERMS AND CONDITIONS OF THE LEASE
WILL REMAIN IN EFFECT WITHOUT AMENDMENT.



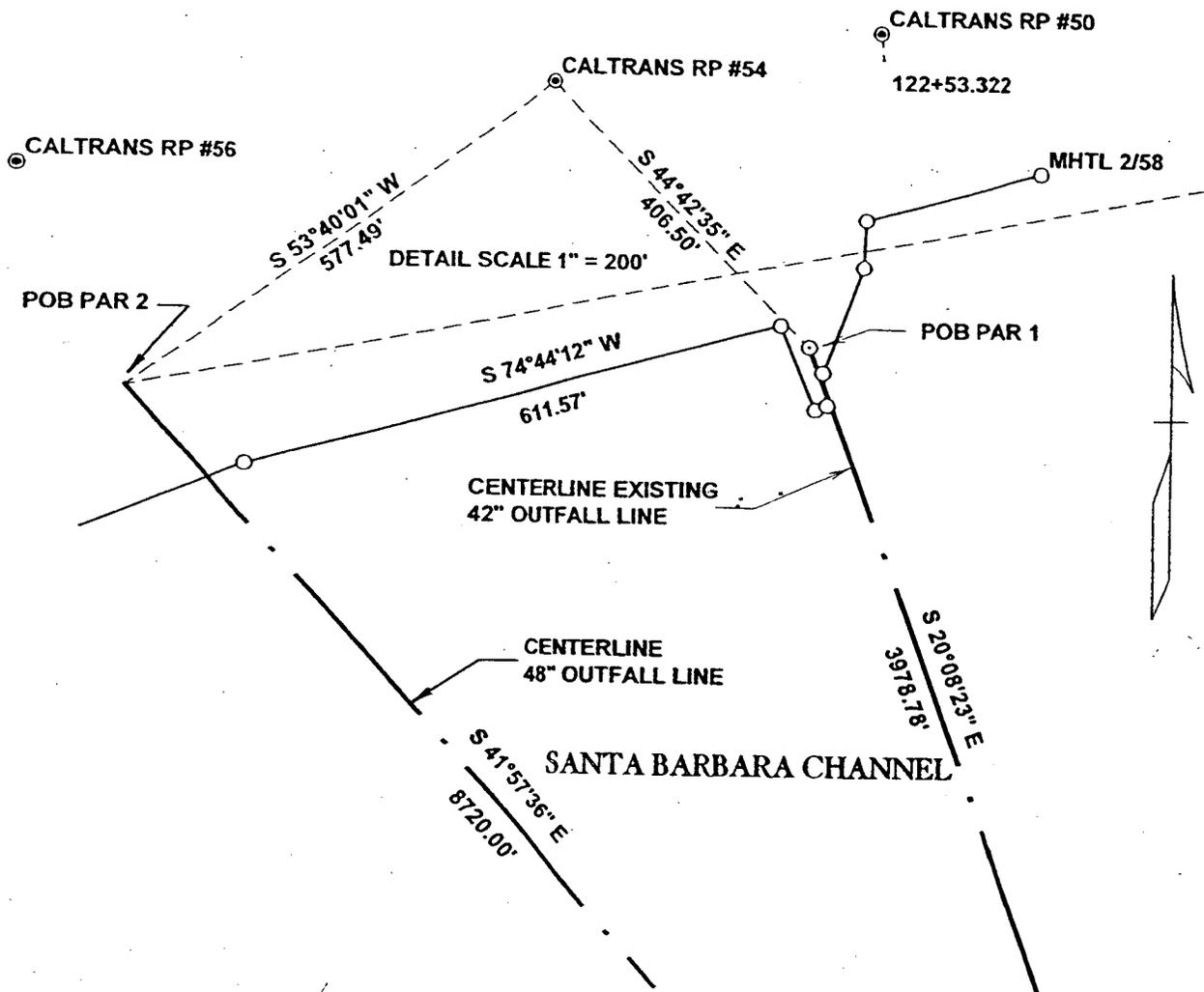
**EXHIBIT A
PRC 4942**



CALIFORNIA CALENDAR PAGE 000067

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CITY OF SANTA BARBARA



SCALE 1" = 2000'

This Exhibit is solely for purposes of generally defining the lease premises, 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.

EXHIBIT B
PRC 4942



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EXHIBIT C
PRC 4942

SECTION 3

Two parcels of tide and submerged land, each 20 feet in width, situated within the City of Santa Barbara, County of Santa Barbara, State of California, described as follows:

PARCEL 1

A strip of land 20.00 feet in width, lying 10 feet on each side of the following described centerline:

Beginning at a point that bears S 44° 42' 35" E, 406.50 feet from a 2 inch California Department of Transportation Brass Cap, having California Coordinate System (NAD 27) coordinates of N = 337,183.340 feet and Y = 1,492,509.486 feet and designated R. P. #54 on those certain Monumentation Maps filed in Book 2 of State Highway Monumentation Map Book at page 170; thence S 20° 08' 23" E, 3978.78 feet.

EXCEPTING THEREFROM that portion granted to the City of Santa Barbara as described in Section 3, Chapter 13, Statutes of 1937.

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

PARCEL 2

A strip of land 20.00 feet in width, lying 10 feet on each side of the following described centerline:

Beginning at a point that bears S 53° 40' 01" W, 577.49 feet from a 2 inch California Department of Transportation Brass Cap, having California Coordinate System (NAD 27) coordinates of N = 337,183.340 feet and Y = 1,492,509.486 feet and designated R. P. #54 on those certain Monumentation Maps filed in Book 2 of State Highway Monumentation Map Book at page 170; thence S 41° 57' 36" E, 8720.00 feet.

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EXCEPTING THEREFROM that portion granted to the City of Santa Barbara as described in Section 3, Chapter 13, Statutes of 1937.

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

Coordinates, bearings and distances used in the above descriptions are based on the California Coordinate System, Zone 5, (NAD 27).

END OF DESCRIPTION

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