

MINUTE ITEM
This Calendar Item No. 046
was approved as Minute Item
No. 46 by the State Lands
Commission by a vote of 3
to 0 at its 9-19-00
meeting.

CALENDAR ITEM
C46

A 78
S 39

09/19/00
WP 8019.9
J. Smith

AMENDMENT OF LEASE

LESSEE:

Southwest Marine, Inc.
P. O. Box 13308
San Diego, California 92113

AREA, LAND TYPE, AND LOCATION:

Filled, granted sovereign lands, minerals reserved lands in San Diego Bay, city of San Diego, San Diego County.

AUTHORIZED USE:

Excavate a maximum of 30,000 cubic yards of contaminated sediment in conjunction with the redevelopment of marine railways at the Southwest Marine Facility. Material will be transported either to the La Paz County Landfill, near Parker, Arizona, or the Lakeside Land Company Reclamation Site in Lakeside, California.

LEASE TERM:

Two years, beginning April 1, 1998.

CONSIDERATION:

No royalty as the project will result in a public benefit. \$0.25 per cubic yard shall be charged for any material used for private benefit or commercial sale purposes.

PROPOSED AMENDMENT:

Extend the lease expiration date to December 31, 2001. All other terms and conditions of the lease shall remain in effect without amendment.

OTHER PERTINENT INFORMATION:

1. Applicant is the lessee of the legislatively granted sovereign lands.
2. This project is a two-phase sediment cleanup project being conducted by the Lessee. Phase I was authorized by the Commission on February 27,

CALENDAR ITEM NO. C46 (CONT'D)

1998, and authorized the excavation of 5,000 cubic yards of contaminated sediment (Lease No. PRC 8019.9). Phase II of the project and a one-year extension of Lease No. PRC 8019.9 was authorized by the Commission on January 29, 1999. Phase II consists of the excavation of an additional 25,000 cubic yards of contaminated sediment from six areas within the Lessee's leasehold. The contaminated sediment will be transported either to the La Paz County Landfill near Parker, Arizona or the Lakeside Land Company Reclamation site in Lakeside, California. Lessee has been unable to complete the dredging within the time authorized under the existing lease and is now requesting that the lease expiration date be extended to December 31, 2001.

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 4, Minor Alteration to Land Title 14, California Code of Regulations, section 15034.

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

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

CALENDAR ITEM NO. C46 (CONT'D)

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 4, MINOR ALTERATION TO LAND; TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15304.

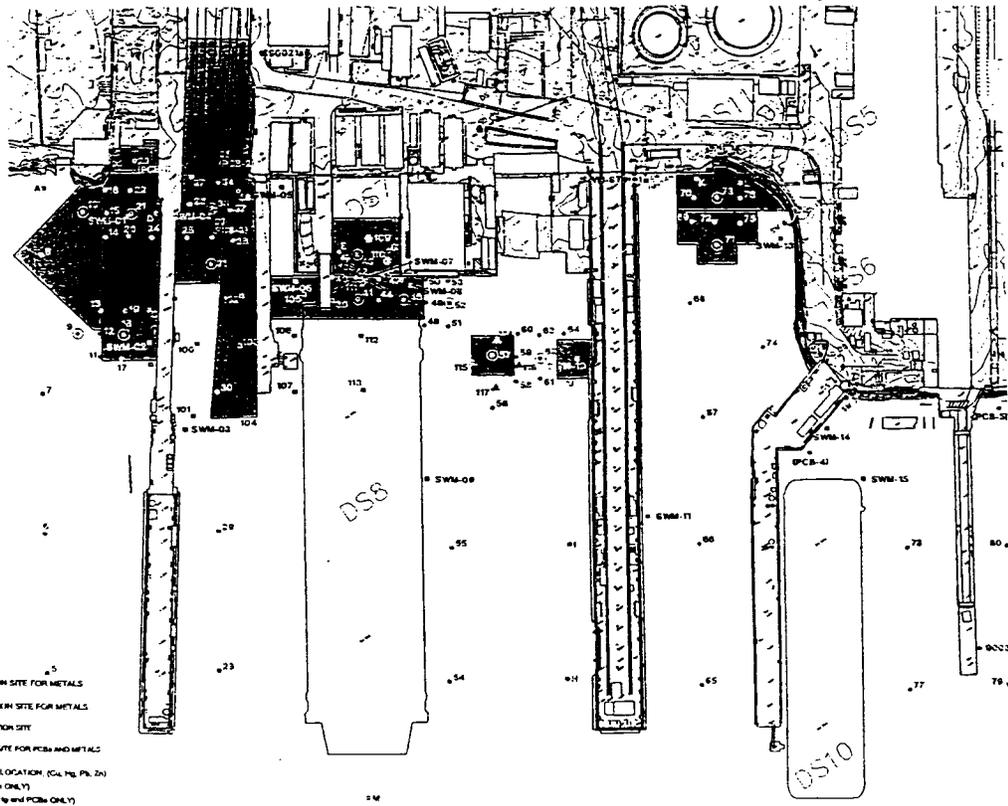
SIGNIFICANT LANDS INVENTORY FINDING:

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 8019.9, A DREDGING LEASE, OF LANDS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF, EFFECTIVE SEPTEMBER 1, 2000, TO EXTEND THE LEASE EXPIRATION DATE TO DECEMBER 31, 2001; ALL OTHER TERMS AND CONDITIONS OF THE LEASE WILL REMAIN IN EFFECT WITHOUT AMENDMENT.

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.



- LEGEND**
- 21 • SURFICIAL SEDIMENT COLLECTION SITE FOR METALS (CAL. PUB. RES. 20)
 - VERDOLINE SEDIMENT COLLECTION SITE FOR METALS (CAL. PUB. RES. 20)
 - A • NPDES SURFICIAL SEDIMENT COLLECTION SITE AS OF 10/28/88
 - (PCB-1) • SURFICIAL SEDIMENT COLLECTION SITE FOR PCBs AND METALS (CAL. PUB. RES. 20)
 - 101 • ADDITIONAL SURFICIAL SAMPLE LOCATION (CAL. PUB. RES. 20)
 - 115 • ADDITIONAL CORE LOCATION (24 ONLY)
 - 117 • ADDITIONAL CORE LOCATION (IN SWM PCBs ONLY)
 - 90000 Ref. 1 • APPROXIMATE LOCATION OF BAY PROTECTION AND TUGS CLEANUP PROGRAM (BPTCP) SEDIMENT SAMPLING STATIONS
 - 90000 Ref. 2 • NPDES STATION
 - MAJORS EXTENT OF REHABILITATION AREAS

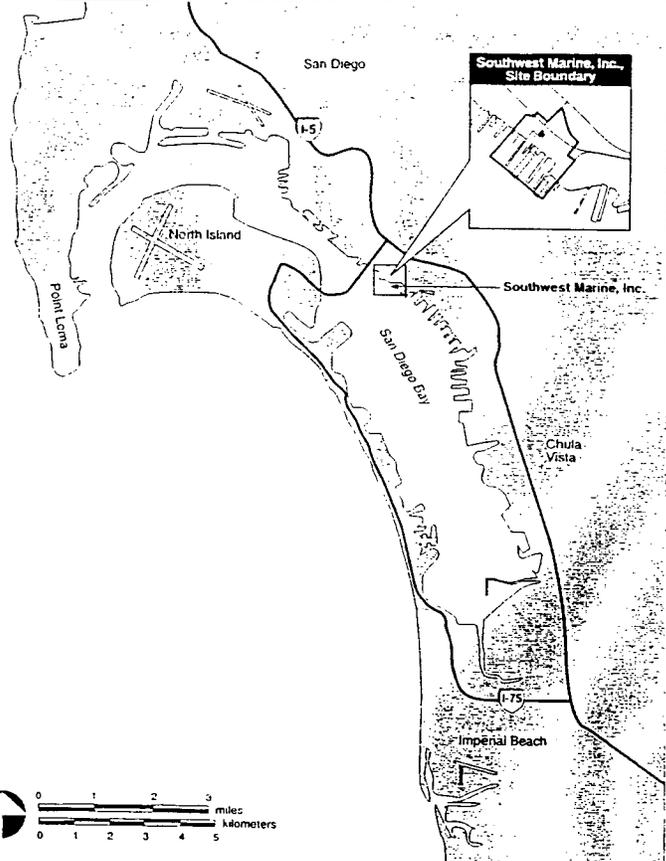


EXHIBIT "A"
 SITE MAP
 WP 8019.9
 SOUTHWEST MARINE INC.
 SAN DIEGO BAY
 SAN DIEGO COUNTY CA.

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