MINUTE ITEM
This Calendar Item No. C44 was approved as Minute Item No. 44 by the California State Lands Commission by a vote of 3 to 0 at its 10-01-02 meeting.

CALENDAR ITEM
C44

A 27

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PRC 5161.9

10/01/02
WP 5161.9
N. Smith

AMENDMENT OF LEASE

LESSEE:

Regents of the University of California
Joseph M. Long Marine Laboratory
Attn: Mr. Stephen L. Davenport
100 Shaffer Road
Santa Cruz, California 95060

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in the Pacific Ocean, city of Santa Cruz, Santa Cruz County.

AUTHORIZED USE:

Existing seawater system 24-inch diameter saltwater discharge pipeline and a 12-inch diameter saltwater intake pipeline.

LEASE TERM:

49 years, beginning August 1, 1976.

CONSIDERATION:

The public use and benefit; 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:

The University is proposing to expand its existing seawater intake/discharge system to attract new seawater-dependent research partners to their upland property adjacent to the Pacific Ocean. A portion of the saltwater intake and discharge lines will be located on sovereign lands. Construction occurring on state lands will be; two new 16-inch saltwater intake pipelines to provide saltwater for the expanded system and a new 8-inch diameter saltwater

discharge pipeline. All other terms and conditions of the lease shall remain in effect without amendment.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.

2. The existing pipelines will remain operational.

3. An EIR was prepared and certified for this project by the University of California, Santa Cruz. The California State Lands Commission staff has reviewed such document and Mitigation Monitoring Program adopted by the lead agency.

4. Findings made in conformance with the State CEQA Guidelines (Title 14, California Code of Regulations, sections 15091 and 15096) are contained on file in the Sacramento office of the California State Lands Commission.

5. A Statement of Overriding Considerations made in conformance with the State CEQA Guidelines (Title 14, California Code of Regulations, section 15093) is contained on file in the Sacramento office of the California State Lands Commission.

   The Statement of Overriding Considerations is required due to short-term, significant noise impacts at the De Anza Mobile Home Park that remain significant after mitigation. The project would implement measures to reduce construction noise, including the use of muffled equipment and the limiting of construction activities to the period between 7:00 a.m. and 7:00 p.m., under normal circumstances. The short-term construction noise impacts identified would be significant and unavoidable, and would not occur on or be generated from, State-owned land.

6. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq., but such activity will not affect those significant lands. 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.

FURTHER APPROVALS REQUIRED:

U.S. Army Corps of Engineers, California Regional Water Quality Control Board and California Coastal Commission.

EXHIBIT:

A. Site Map

PERMIT STREAMLINING ACT DEADLINE:

12/11/02

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT AN EIR WAS PREPARED AND CERTIFIED FOR THIS PROJECT BY THE UNIVERSITY OF CALIFORNIA, SANTA CRUZ, AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

ADOPT THE FINDINGS MADE IN CONFORMANCE WITH TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTIONS 15091 AND 15096(h), AS CONTAINED ON FILE IN THE SACRAMENTO OFFICE OF THE CALIFORNIA STATE LANDS COMMISION.

ADOPT THE MITIGATION MONITORING PROGRAM, AS CONTAINED ON FILE IN THE SACRAMENTO OFFICE OF THE CALIFORNIA STATE LANDS COMMISSION.

ADOPT THE STATEMENT OF OVERRIDING CONSIDERATIONS MADE IN CONFORMANCE WITH TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15093, AS CONTAINED ON FILE IN THE SACRAMENTO OFFICE OF THE CALIFORNIA STATE LANDS COMMISSION.

SIGNIFICANT LANDS INVENTORY FINDING:

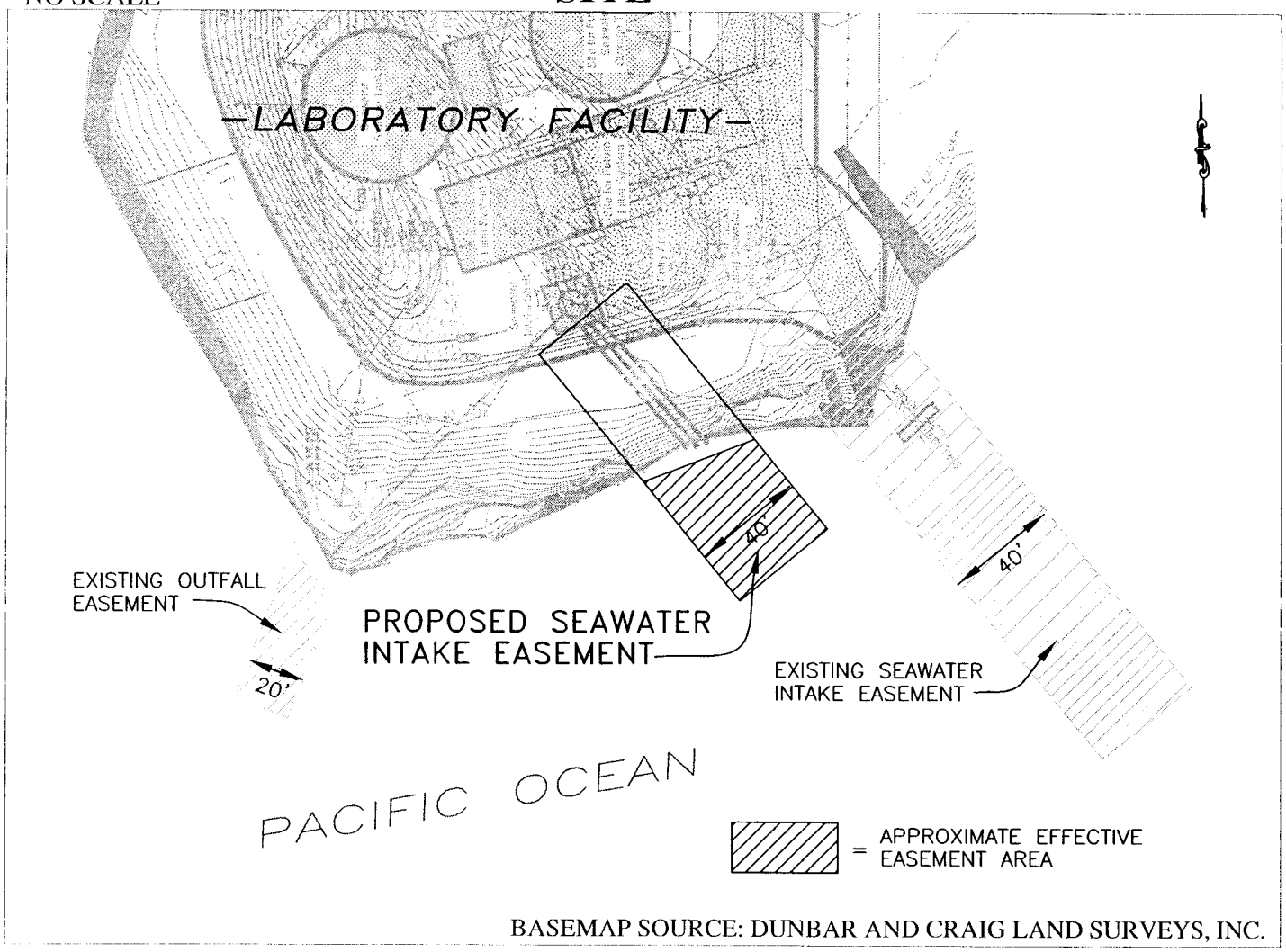
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE THE AMENDMENT OF LEASE NO. PRC 5161.9, A GENERAL PERMIT - PUBLIC AGENCY USE, OF LANDS DESCRIBED ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF, EFFECTIVE SEPTEMBER 25, 2002, TO EXPAND THE EXISTING SEAWATER SYSTEM BY THE CONSTRUCTION OF A NEW 8-INCH DIAMETER SALTWATER DISCHARGE PIPELINE AND TWO NEW 16-INCH DIAMETER INTAKE PIPELINES ; ALL OTHER TERMS AND CONDITIONS OF THE LEASE WILL REMAIN IN EFFECT WITHOUT AMENDMENT.

NO SCALE

SITE

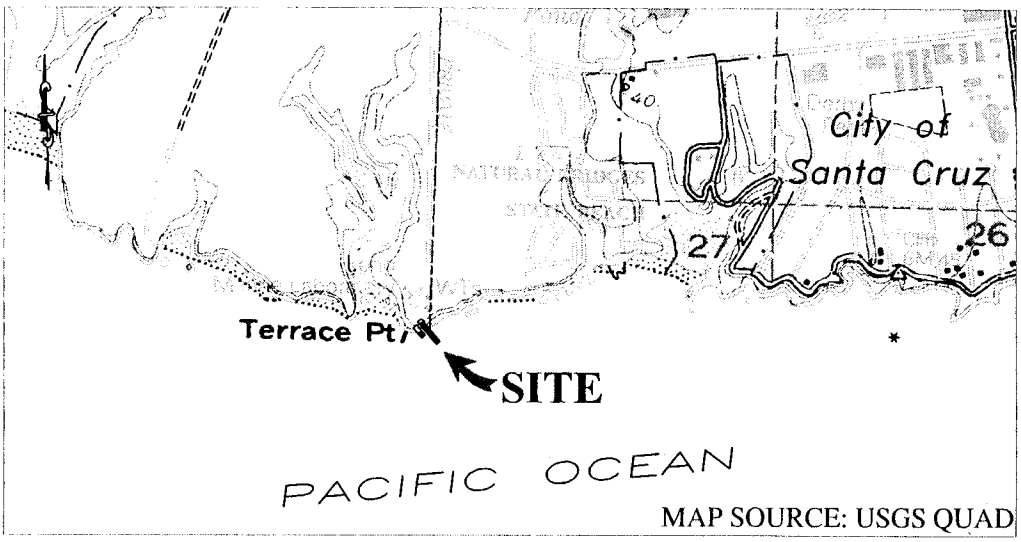


BASEMAP SOURCE: DUNBAR AND CRAIG LAND SURVEYS, INC.

JOSEPH M. LONG MARINE LABORATORY, UC SANTA CRUZ
APN'S 003-032-03 & 10

NO SCALE

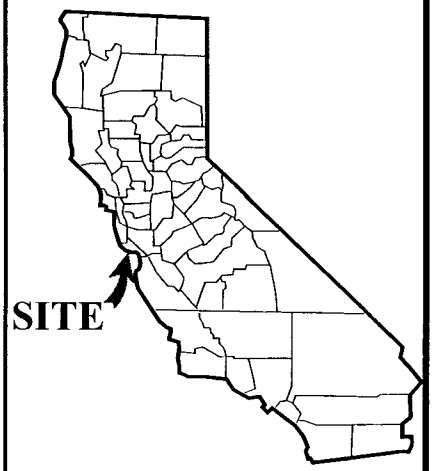
LOCATION



MAP SOURCE: USGS QUAD

Exhibit A

WP 5161
GENERAL LEASE
PUBLIC AGENCY USE
TERRACE POINT
SANTA CRUZ COUNTY



MJB 09/02

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties 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.