

**CALENDAR ITEM
C68**

A 33
S 15

06/19/14
PRC 8985.1
D. Simpkin

AMENDMENT OF LEASE

LESSEE:

Pacific Gas and Electric Company
1415 L Street, Suite 280
Sacramento, CA 95814

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the Pacific Ocean adjacent to Diablo Canyon Power Plant, San Luis Obispo County.

AUTHORIZED USE:

Installation, operation, and maintenance of four temporary and four long-term ocean bottom seismometers (OBS) and an approximately 11.4-mile long, two-inch diameter data/power transfer cable.

LEASE TERM:

11 years, beginning March 29, 2012.

CONSIDERATION:

\$17,622 per year, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

PROPOSED AMENDMENT:

Amend the Lease by replacing the current Exhibit A, Land Description, with the attached Exhibit A, Land Description. All other terms and conditions of the lease shall remain in effect without amendment.

OTHER PERTINENT INFORMATION:

1. On March 29, 2012, the Commission authorized the issuance of Lease No. PRC 8985.1, a General Lease – Data Collection Use, to Pacific Gas and Electric Company (PG&E) for a period of 11 years, for the installation, operation, and maintenance of four temporary and four long-term ocean bottom seismometers and an approximately 11.4-mile long, two-inch diameter data/power transfer cable.

CALENDAR ITEM NO. **C68** (CONT'D)

2. This data collection project is in response to California Assembly Bill (AB) 1632 (Blakeslee, Chapter 722, Statutes of 2006) and the California Energy Commission's related 2008 final AB 1632 Report, which recommended an assessment of the vulnerability of existing nuclear power plants within the State, including vulnerability as a result of major seismic events. The lease term is for 11 years, which represents a one-year installation period and a 10-year operational period.
3. PG&E has submitted an application to amend the Land Description to reflect the final installed alignment of the OBS units and data/power transfer cable.
4. Pursuant to the Commission's delegation of authority and the State California Environmental Quality Act (CEQA) Guidelines (Cal. Code Regs., tit. 14, § 15025), the staff prepared a Mitigated Negative Declaration (MND) identified as CSLC MND No. 762, State Clearinghouse No. 2011081079. A Mitigation Monitoring Program has been prepared in conformance with the provisions of CEQA (Pub. Resources Code, § 21081.6), and is contained on file in the Sacramento Office of the California State Lands Commission.
5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 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.

EXHIBITS:

- A: Land Description
- B: Location and Site Map

CALENDAR ITEM NO. **C68** (CONT'D)

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that a Mitigated Negative Declaration, CSLC MND No. 762, State Clearinghouse No. 2011081079, adopted by the Commission on March 29, 2012, was prepared for the project pursuant to the provisions of CEQA and that the lease amendment is within the scope of the analysis in the prior adopted MND.

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 section 6370 et seq.

AUTHORIZATION:

Authorize the amendment of Lease No. PRC 8985.1, a General Lease – Data Collection Use, effective June 19, 2014, to amend the Land Description as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; all other terms and conditions of the lease will remain in effect without amendment.

EXHIBIT A
LEGAL DESCRIPTION

PARCEL 1: (4 Observations sites and cable)

A twenty (20) foot wide strip of tide and submerged land in the bed of the Pacific Ocean, County of San Luis Obispo, State of California, lying adjacent to Rancho Canada de los Osos and Pecho y Islay and lying ten feet on each side of the following described centerline:

Beginning at a point having the following coordinates of Northing = 2273905.01 feet, Easting = 5709262.27 feet from which an NGS monument "DIABLO", PID: FV1575 having CCS83, Zone 5, Epoch 1991.35 coordinates of Northing = 2274027.21 feet, Easting = 5714900.36 feet bears North 88°45'30" East 5639.42 feet; thence along said centerline, sequentially through the following points:

- 1) Northing = 2273905.01 feet, Easting = 5709262.27 feet
- 2) Northing = 2273843.09 feet, Easting = 5709252.60 feet
- 3) Northing = 2273805.90 feet, Easting = 5709208.04 feet
- 4) Northing = 2273807.54 feet, Easting = 5709175.28 feet
- 5) Northing = 2273772.81 feet, Easting = 5709147.26 feet
- 6) Northing = 2273769.05 feet, Easting = 5709091.24 feet
- 7) Northing = 2273719.08 feet, Easting = 5709039.47 feet
- 8) Northing = 2273722.53 feet, Easting = 5708839.28 feet
- 9) Northing = 2273774.47 feet, Easting = 5708720.35 feet
- 10) Northing = 2273800.02 feet, Easting = 5708603.39 feet
- 11) Northing = 2273762.51 feet, Easting = 5708499.69 feet
- 12) Northing = 2273664.55 feet, Easting = 5708422.53 feet
- 13) Northing = 2273625.24 feet, Easting = 5708420.56 feet
- 14) Northing = 2273550.21 feet, Easting = 5708475.93 feet
- 15) Northing = 2273439.79 feet, Easting = 5708516.39 feet
- 16) Northing = 2273364.27 feet, Easting = 5708515.89 feet
- 17) Northing = 2273235.84 feet, Easting = 5708522.61 feet
- 18) Northing = 2273110.19 feet, Easting = 5708473.62 feet
- 19) Northing = 2273079.07 feet, Easting = 5708439.22 feet
- 20) Northing = 2273023.37 feet, Easting = 5708436.43 feet
- 21) Northing = 2272978.98 feet, Easting = 5708404.65 feet
- 22) Northing = 2272923.28 feet, Easting = 5708401.86 feet
- 23) Northing = 2272901.00 feet, Easting = 5708387.61 feet
- 24) Northing = 2272721.30 feet, Easting = 5708237.38 feet
- 25) Northing = 2272533.73 feet, Easting = 5708047.35 feet
- 26) Northing = 2272260.32 feet, Easting = 5707866.15 feet
- 27) Northing = 2272012.47 feet, Easting = 5707633.69 feet
- 28) Northing = 2271886.34 feet, Easting = 5707528.84 feet

29) Northing = 2271627.35 feet, Easting = 5707387.79 feet
30) Northing = 2271458.29 feet, Easting = 5707221.67 feet
31) Northing = 2271159.82 feet, Easting = 5706884.85 feet
32) Northing = 2270855.62 feet, Easting = 5706531.32 feet
33) Northing = 2270524.40 feet, Easting = 5706127.17 feet
34) Northing = 2270242.80 feet, Easting = 5705781.34 feet
35) Northing = 2269936.47 feet, Easting = 5705339.02 feet
36) Northing = 2269802.80 feet, Easting = 5705187.81 feet
37) Northing = 2269732.69 feet, Easting = 5705079.20 feet
38) Northing = 2269561.02 feet, Easting = 5704834.12 feet
39) Northing = 2269384.75 feet, Easting = 5704615.09 feet
40) Northing = 2269266.15 feet, Easting = 5704556.61 feet
41) Northing = 2269110.36 feet, Easting = 5704453.56 feet
42) Northing = 2268929.02 feet, Easting = 5704336.10 feet
43) Northing = 2268791.41 feet, Easting = 5704329.21 feet
44) Northing = 2268610.72 feet, Easting = 5704330.03 feet
45) Northing = 2268464.26 feet, Easting = 5704368.68 feet
46) Northing = 2268412.33 feet, Easting = 5704356.23 feet
47) Northing = 2268240.98 feet, Easting = 5704367.37 feet
48) Northing = 2268083.71 feet, Easting = 5704359.50 feet
49) Northing = 2268038.66 feet, Easting = 5704340.82 feet
50) Northing = 2268068.32 feet, Easting = 5704273.33 feet
51) Northing = 2268068.81 feet, Easting = 5704197.81 feet
52) Northing = 2268089.29 feet, Easting = 5704116.72 feet (Observation Site #4)
53) Northing = 2268140.57 feet, Easting = 5703813.82 feet
54) Northing = 2268245.43 feet, Easting = 5703359.23 feet
55) Northing = 2268343.07 feet, Easting = 5703048.79 feet
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58) Northing = 2268596.35 feet, Easting = 5702450.53 feet
59) Northing = 2268670.57 feet, Easting = 5702148.78 feet
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64) Northing = 2268923.37 feet, Easting = 5700903.43 feet
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70) Northing = 2269362.60 feet, Easting = 5699673.98 feet
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288) Northing = 2298439.24 feet, Easting = 5685674.77 feet
289) Northing = 2298215.45 feet, Easting = 5685748.97 feet
290) Northing = 2298107.33 feet, Easting = 5685743.55 feet
291) Northing = 2297991.83 feet, Easting = 5685754.20 feet
292) Northing = 2297861.59 feet, Easting = 5685731.25 feet
293) Northing = 2297766.41 feet, Easting = 5685729.77 feet
294) Northing = 2297680.07 feet, Easting = 5685748.44 feet (Observation Site #1)

The sidelines of said strip are to be lengthened or shortened as to begin at the high water mark of the Pacific Ocean and to terminate at a line perpendicular to the terminus of said centerline.

BASIS OF BEARING is CCS83, Zone 5 (Epoch 1991.35)

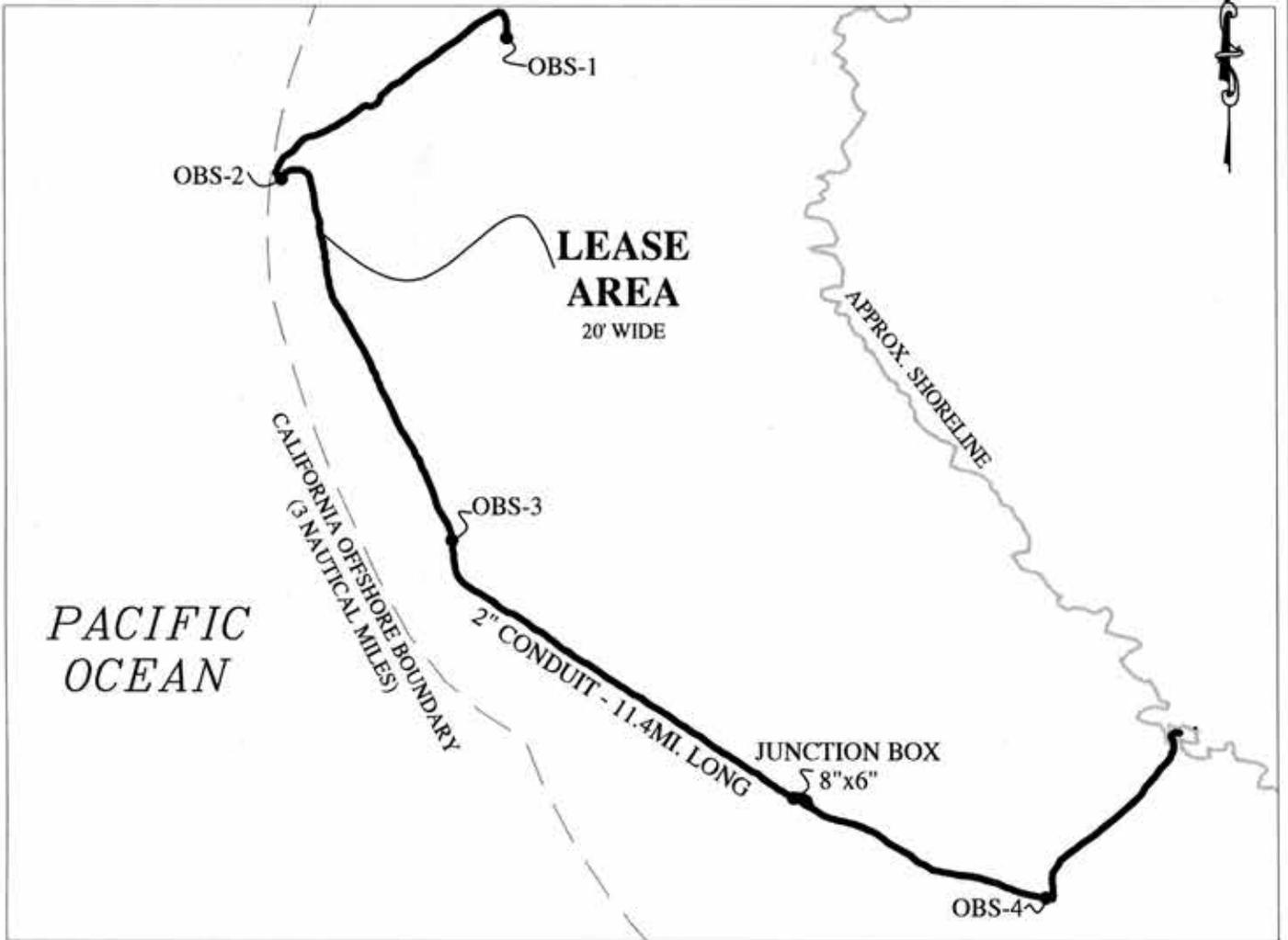
Prepared on April 23, 2014 by:


William L. Meagher
LS 5948 (Expires 12/14)



NO SCALE

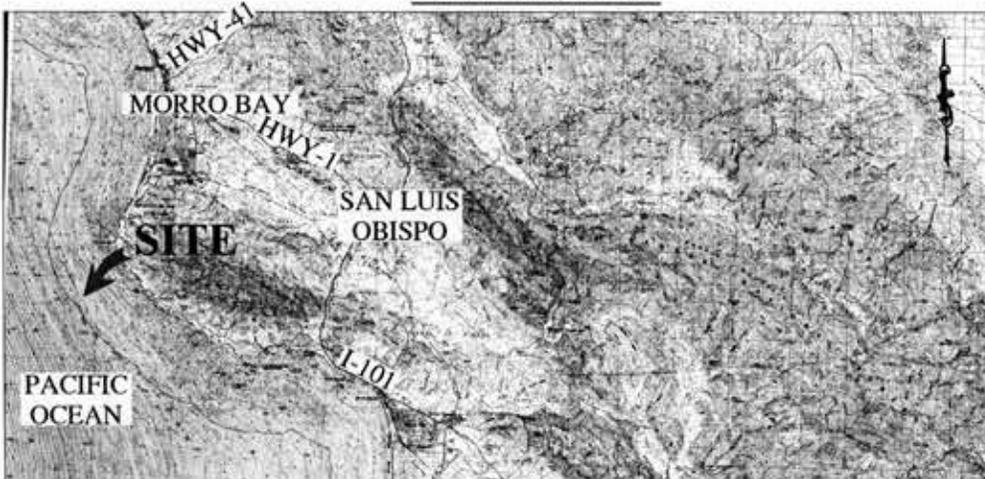
SITE



Pacific Ocean, near Diablo Canyon NPP

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 8985.1
 PACIFIC GAS & ELECTRIC
 APN 076-011-018
 GENERAL LEASE -
 DATA COLLECTION USE
 SAN LUIS OBISPO COUNTY



MJF 4/24/14

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.