

**CALENDAR ITEM
C56**

A 33
S 17

08/15/14
PRC 7326.1
D. Oetzel

REVISION OF RENT

LESSEE:

The Abalone Farm, Inc.
P.O. Box 136
Cayucos, California 93430

LAND TYPE AND LOCATION:

0.13 acre, more or less, of sovereign land in the Pacific Ocean near Cayucos, San Luis Obispo County.

AUTHORIZED USE:

Continued use and maintenance of one intake pipeline and two discharge pipelines for a mariculture facility.

LEASE TERM:

30 years, beginning October 1, 1989.

CONSIDERATION:

This lease provides that Lessor may modify the rent periodically during the lease term. Pursuant to this provision, staff conducted a review of the rent under this lease and recommends that rent be revised from \$160 per year to \$303 per year, effective October 1, 2014.

OTHER PERTINENT INFORMATION:

1. Lessee has the right to utilize the upland adjacent to the Lease Premises.
2. On August 30, 1989, the Commission authorized a General Lease – Right-of-Way Use to The Abalone Farm, Inc., for one intake pipeline and two discharge pipelines for a mariculture facility; the lease commenced on October 1, 1989, and will expire on September 30, 2019.
3. Staff conducted the rent review called for in the lease and recommends a rent increase.

CALENDAR ITEM NO. **C56** (CONT'D)

4. Staff recommends that the Commission find that the subject revision of rent does not have a potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment, and is, therefore, not a project in accordance with the California Environmental Quality Act (CEQA).

Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, sections 15060, subdivision (c)(3), and 15378.

EXHIBIT:

- A. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

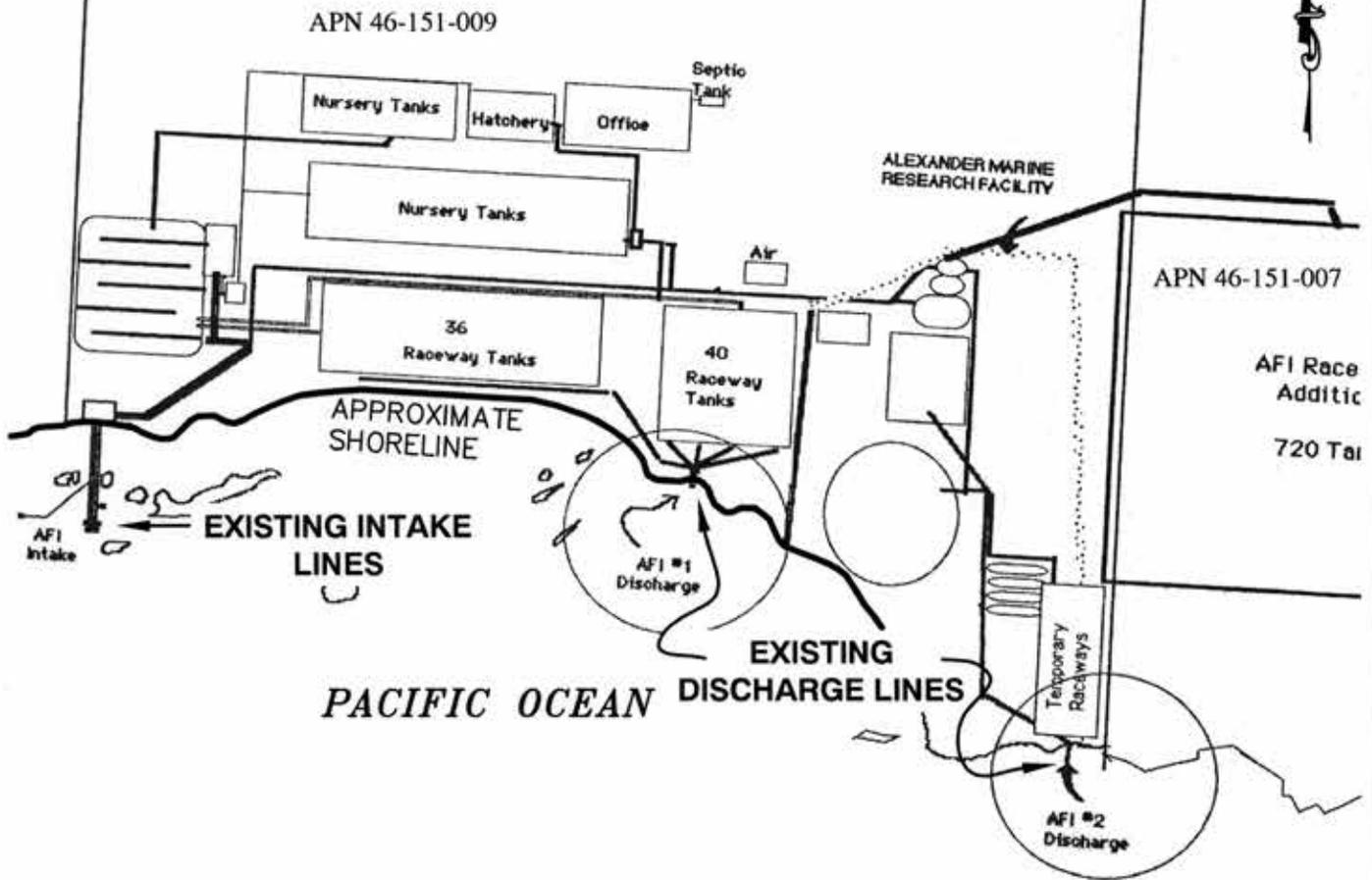
Find that the subject revision of rent is not subject to the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c)(3), because the subject activity is not a project as defined by Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.

AUTHORIZATION:

Approve the revision of rent for Lease No. PRC 7326.1 from \$160 per year to \$303 per year, effective October 1, 2014.

NO SCALE

SITE



PACIFIC OCEAN, NEAR CAYUCOS

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit A

PRC 7326.1
 THE ABALONE FARM, INC.
 APN 46-151-007 & 009
 GENERAL LEASE -
 RIGHT - OF - WAY USE
 SAN LUIS OBISPO COUNTY



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.