

MINUTE ITEM

12. (~~APPLICATION FOR RIGHT-OF-WAY EASEMENT, TIDE AND SUBMERGED LANDS, ORANGE COUNTY, SOUTHERN CALIFORNIA EDISON COMPANY -- W. O. 2254, P.R.C. 1980.1.~~)

After presentation of Calendar Item 21 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE ACTING EXECUTIVE OFFICER IS AUTHORIZED TO ISSUE TO THE SOUTHERN CALIFORNIA EDISON COMPANY AN EASEMENT EFFECTIVE AUGUST 1, 1957 COVERING AN AREA 300 FEET IN WIDTH AND EXTENDING 1,710 FEET ON THE CENTER LINE INTO THE PACIFIC OCEAN FROM THE MEAN HIGH TIDE LINE SOUTHERLY FROM HUNTINGTON BEACH IN ORANGE COUNTY FOR THE CONSTRUCTION, MAINTENANCE, AND USE OF COOLING WATER INTAKE AND DISCHARGE PIPE LINES IN CONNECTION WITH A STEAM PLANT GENERATING ELECTRICITY, THE EASEMENT TO RUN FOR FORTY-NINE YEARS, RENTAL TO BE \$100 ANNUALLY FOR THE FIRST FIFTEEN YEARS, RENTAL BEYOND FIFTEEN YEARS TO BE IN ACCORDANCE WITH THE FOLLOWING SCHEDULE:

SIXTEENTH TO TWENTIETH YEARS, INCLUSIVE	- \$110.00 PER YEAR
TWENTY-FIRST TO TWENTY-FIFTH YEARS, INCLUSIVE	- \$121.00 PER YEAR
TWENTY-SIXTH TO THIRTIETH YEARS, INCLUSIVE	- \$133.10 PER YEAR
THIRTY-FIRST TO THIRTY-FIFTH YEARS, INCLUSIVE	- \$146.41 PER YEAR
THIRTY-SIXTH TO FORTIETH YEARS, INCLUSIVE	- \$161.05 PER YEAR
FORTY-FIRST TO FORTY-FIFTH YEARS, INCLUSIVE	- \$177.16 PER YEAR
FORTY-FIFTH TO FORTY-NINTH YEARS, INCLUSIVE	- \$194.88 PER YEAR

SUBJECT TO AN EASEMENT CONDITION THAT THE STATE WILL NOT CONSTRUCT, PLACE OR MAINTAIN, OR PERMIT TO BE CONSTRUCTED, PLACED OR MAINTAINED ON THE GRANTED AREA, ANY BUILDING OR STRUCTURE OF ANY KIND EXCEPT BY AGREEMENT WITH THE GRANTEE.

Attachment

Calendar Item 21 (2 pages)

CALENDAR ITEM

COMMERCIAL LEASE

21.

(APPLICATION FOR EASEMENT, TIDE AND SUBMERGED LANDS, ORANGE COUNTY, SOUTHERN CALIFORNIA EDISON COMPANY - W. O. 2254.)

The Southern California Edison Company on April 17, 1956 applied for an easement 300 feet wide and extending 2,040 feet into the Pacific Ocean from the mean high tide line at Huntington Beach, Orange County. The proposed use is the construction, maintenance, and use of cooling water intake and discharge pipe lines each 14 feet in inside diameter in connection with an upland steam plant generating electricity. During negotiations it developed that the standard easement form did not comply with the requirements of Edison. Edison has now requested an easement covering an area 300 feet in width, length reduced to 1,710 feet on the center line, in order to provide full protection to the pipe lines, the top of which will be not less than four feet below the floor of the ocean. The cost of the pipe lines will be approximately \$5 million. The requested easement will avoid all question of whether or not other easements or leases over any part of the installed pipe lines would be inconsistent or incompatible with the rights granted to Edison. By the proposed easement, use would be granted for a period of forty-nine years in accordance with Commission regulations and rental policy at an annual rental of \$100 for the first fifteen years, rental to be increased ten per cent for each additional five-year period in accordance with the following schedule:

Sixteenth to twentieth years, inclusive	- \$110.00 per year
Twenty-first to twenty-fifth years, inclusive	- \$121.00 per year
Twenty-sixth to thirtieth years, inclusive	- \$133.10 per year
Thirty-first to thirty-fifth years, inclusive	- \$146.41 per year
Thirty-sixth to fortieth years, inclusive	- \$161.05 per year
Forty-first to forty-fifth years, inclusive	- \$177.16 per year
Forty-fifth to forty-ninth years, inclusive	- \$194.88 per year

By the terms of the requested easement the State would agree not to construct, place or maintain, or permit to be constructed, placed or maintained on the subject area, any building or structure of any kind except by agreement with the grantee. Because of the urgent need for electric power in the vicinity served by Edison and the multimillion dollar investment, the staff believes the requested easement at the terms noted is fair and will benefit the State. The State Park Commission has granted an easement for the pipe lines across the Huntington Beach State Park. Filing fee and expense deposit have been paid.

IT IS RECOMMENDED THAT THE ACTING EXECUTIVE OFFICER BE AUTHORIZED TO ISSUE TO THE SOUTHERN CALIFORNIA EDISON COMPANY AN EASEMENT EFFECTIVE AUGUST 1, 1957 COVERING AN AREA 300 FEET IN WIDTH AND EXTENDING 1,710 FEET ON THE CENTER LINE INTO THE PACIFIC OCEAN FROM THE MEAN HIGH TIDE LINE SOUTHERLY FROM HUNTINGTON BEACH IN ORANGE COUNTY FOR THE CONSTRUCTION, MAINTENANCE, AND USE OF COOLING WATER INTAKE AND DISCHARGE PIPE LINES IN CONNECTION WITH A STEAM PLANT GENERATING ELECTRICITY, LEASE TO RUN FOR FORTY-NINE YEARS, RENTAL TO BE \$100

COMMERCIAL LEASE 21. (CONTD.)

ANNUALLY FOR THE FIRST FIFTEEN YEARS, RENTAL BEYOND FIFTEEN YEARS TO BE IN ACCORDANCE WITH THE FOLLOWING SCHEDULE:

SIXTEENTH TO TWENTIETH YEARS, INCLUSIVE	-	\$110.00 PER YEAR
TWENTY-FIRST TO TWENTY-FIFTH YEARS, INCLUSIVE	-	\$121.00 PER YEAR
TWENTY-SIXTH TO THIRTIETH YEARS, INCLUSIVE	-	\$133.10 PER YEAR
THIRTY-FIRST TO THIRTY-FIFTH YEARS, INCLUSIVE	-	\$146.41 PER YEAR
THIRTY-SIXTH TO FORTIETH YEARS, INCLUSIVE	-	\$161.05 PER YEAR
FORTY-FIRST TO FORTY-FIFTH YEARS, INCLUSIVE	-	\$177.16 PER YEAR
FORTY-FIFTH TO FORTY-NINTH YEARS, INCLUSIVE	-	\$194.88 PER YEAR

IT IS ALSO RECOMMENDED THAT THE COMMISSION APPROVE THE EASEMENT CONDITION PROVIDING THAT THE STATE WILL NOT CONSTRUCT, PLACE OR MAINTAIN, OR PERMIT TO BE CONSTRUCTED, PLACED OR MAINTAINED ON THE LEASED AREA, ANY BUILDING OR STRUCTURE OF ANY KIND EXCEPT BY AGREEMENT WITH THE GRANTEE.