

MINUTE ITEM

4/28/69

11. NINE-MONTH RIGHT-OF-ENTRY PERMIT, ORMOND BEACH, CITY OF OXNARD, VENTURA COUNTY; SOUTHERN CALIFORNIA EDISON COMPANY - W.O. 7154, P.R.C. 4196.1.

After consideration of Calendar Item 34 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES THE ISSUANCE TO SOUTHERN CALIFORNIA EDISON COMPANY OF A NINE-MONTH RIGHT-OF-ENTRY PERMIT, IN CONSIDERATION OF THE SUM OF \$100, FOR THE PURPOSE OF COMMENCING CONSTRUCTION OF TWO CIRCULATING WATER CONDUITS AND APPURTENANCES ON THE LANDS DESCRIBED ON EXHIBITS "A" AND "B" ATTACHED AND BY REFERENCE MADE A PART HEREOF, SUBJECT TO THE CONDITION THAT WHEN A FIRM ANNUAL RENTAL IS ESTABLISHED FOR THE INITIAL FIVE YEARS OF A LONG-TERM LEASE OR EASEMENT, THE SAID RENTAL SHALL BE RETROACTIVE TO APRIL 24, 1969.

Attachment

Calendar Item 34 (4 pages)

Approved by the Commission at its meeting of 4/28/69 (M. J. J.)
by minute item 8 meeting of 4/28/69. W. J. J.
(Initials)

CALENDAR ITEM

4/69
W.O. 7154

34.

RIGHT-OF-ENTRY PERMIT

APPLICANT: Southern California Edison Company.

LOCATION: Ormond Beach, City of Oxnard, Ventura County.

PROPOSED USE: Installation of two circulating water conduits in connection with construction and operation of an electric power generating station.

TERM: Initial period: 9 months, from April 24, 1969.

CONSIDERATION: \$100 total for term.

BASIS FOR CONSIDERATION:
A nominal rental for the permit, pending establishment of annual rental for a long-term lease.

PREREQUISITE ITEMS:
U. S. Army Corps of Engineers navigational permit issued.
Applicant is owner of upland.

STATUTORY AND OTHER REFERENCES:
a. Public Resources Code: Div. 6, Pt. 2, Ch. 1, Secs. 6501-6509.
b. Administrative Code: Title 2, Div. 3, Secs. 2000-2011.
c. Commission policy: Minute Item 13 of November 18, 1959.

OTHER PERTINENT INFORMATION:
The Southern California Edison Company has applied for a temporary easement for construction purposes, and for a long-term easement for the placement of two circulating water conduits, on tide and submerged lands at Ormond Beach, Ventura County.

The conduits will have an inside diameter of 14 feet, and will be used for the intake and discharge of cooling water in the operation of a power-generating station to be constructed on the upland.

Pending issuance of the easement agreements, the applicant has requested an interim right-of-entry permit for a nine-month period in order that it may proceed on schedule with its construction program. The permit is requested for the reason that the staff and the applicant have not reached an accord on the amount of the annual rental for the conduits. The proposed rental is based upon a charge of \$0.01 (one cent) per-diameter-inch per-lineal-foot. Since the lines are 168 inches in diameter, this would compute to \$1.68 per foot. When applied to the

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two lines, the annual rental would be \$6,968.20. The applicant objects to the rental and has requested more time for review, discussion, and resolution of the problem.

A Certificate of Public Convenience and Necessity was issued by the Public Utilities Commission on April 16, 1968.

The applicant, through an agreement with the Resources Agency dated February 12, 1969, has agreed to comply with the requirements of that Agency.

Site-preparation and building permits have been obtained from the City of Oxnard.

The consideration for the right-of-entry is to be a nominal \$100. When agreement is reached as to the annual rental for the easement, the rental shall be retroactive to April 24, 1969.

EXHIBITS:

- A. Legal description.
- B. Legal description.
- C. Location map.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE ISSUANCE TO SOUTHERN CALIFORNIA EDISON COMPANY OF A NINE-MONTH RIGHT-OF-ENTRY PERMIT, IN CONSIDERATION OF THE SUM OF \$100, FOR THE PURPOSE OF COMMENCING CONSTRUCTION OF TWO CIRCULATING WATER CONDUITS AND APPURTENANCES ON THE LANDS DESCRIBED ON EXHIBITS "A" AND "B" ATTACHED AND BY REFERENCE MADE A PART HEREOF, SUBJECT TO THE CONDITION THAT WHEN A FIRM ANNUAL RENTAL IS ESTABLISHED FOR THE INITIAL FIVE YEARS OF A LONG-TERM LEASE OR EASEMENT, THE SAID RENTAL SHALL BE RETROACTIVE TO APRIL 24, 1969.

Attachments: Exhibits "A" and "B"

EXHIBIT "A"

ORMOND BEACH GENERATING STATION SITE
Description for Use in Easement
for Circulating Water Conduit Purposes

STATE OF CALIFORNIA

TO

SOUTHERN CALIFORNIA EDISON COMPANY,
a corporation,

-----in, on, over, under and across those certain tide and submerged lands in the County of Ventura, State of California, lying within a strip of land, one hundred (100) feet wide, the centerline of which is described as follows:

Beginning at a point in that certain course in the Southwesterly line of Parcel 1, shown on Record of Survey Map, filed for record September 18, 1967 in Book 36, page 22 of Records of Surveys, in the office of the County Recorder of said County, said certain course is shown on said map as having a bearing of "North 45° 58' 16" West" and a length of "799.29 feet", said point being North 45° 58' 16" West, 248.18 feet, from the Southeasterly terminus of said certain course; thence South 41° 15' 36" West, 2498.87 feet, containing 5.7366 acres more or less.

EXCEPTING THEREFROM that portion thereof lying within the land conveyed to Southern California Edison Company by Corporation Quitclaim Deed recorded March 24, 1965 in Book 2756, page 416 of Official Records in the office of the County Recorder of said County.

EXHIBIT "B"

ORMOND BEACH GENERATING STATION SITE
Description for Use in Easement
for Temporary Work Area,
for Circulating Water Conduit Purposes

STATE OF CALIFORNIA

TO

SOUTHERN CALIFORNIA EDISON COMPANY,
a corporation,

-----in, on, over, under and across those certain tide and submerged lands in the County of Ventura, State of California, lying within a strip of land two hundred and fifty (250) feet wide, the centerline of which is described as follows:

Beginning at a point in that certain course in the Southwesterly line of Parcel 1, shown on Record of Survey map filed for record September 18, 1967 in Book 36, page 22 of Records of Surveys in the office of the County Recorder of said County; said certain course is shown on said map as having a bearing of "North 45° 58' 16" West" and a length of "799.29 feet", said point being North 45° 58' 16" West, 248.18 feet from the Southeasterly terminus of said certain course; thence South 41° 15' 36" West, 2498.87 feet, containing 8.6049 acres more or less.

EXCEPTING THEREFROM that portion thereof included within a strip of land, 100 feet wide, the centerline of which is coincidental with the line hereinabove described.

ALSO EXCEPTING THEREFROM that portion thereof lying within the land conveyed to Southern California Edison Company by corporation quitclaim deed recorded March 24, 1965 in Book 2756, page 416 of Official Records, in the office of the County Recorder of said County.