

MINUTE ITEM

8/30/73
GH

7. 15-YEAR RIGHT-OF-WAY, TIDE AND SUBMERGED LAND UNDER SAN DIEGO BAY, BETWEEN SAN DIEGO AND CORONADO, SAN DIEGO COUNTY; SAN DIEGO GAS AND ELECTRIC COMPANY - W 20356, PRC 4799.1.

After consideration of Calendar Item 5 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. FINDS THAT, IN ACCORDANCE WITH ENVIRONMENTAL IMPACT REPORT NO. 114 ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF, A RIGHT-OF-WAY PERMIT AS RECOMMENDED HEREIN WILL NOT HAVE A SIGNIFICANT DETRIMENTAL ENVIRONMENTAL EFFECT.
2. AUTHORIZES THE ISSUANCE TO THE SAN DIEGO GAS AND ELECTRIC COMPANY OF A 15-YEAR RIGHT-OF-WAY FROM APRIL 13, 1972; FOR THE MAINTENANCE OF ELECTRICAL CABLE CONDUITS AND A TEN-INCH STEEL GAS MAIN ON THE LAND DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$754.03 PER ANNUM WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PUBLIC LIABILITY INSURANCE IN THE AMOUNTS OF \$600,000 COMBINED SINGLE LIMIT FOR PERSONAL INJURY AND \$1,000,000 FOR PROPERTY DAMAGE.
3. APPROVES THE TERMINATION, BY MUTUAL CONSENT, OF LEASE PRC 4038.1.

Attachment: Calendar Item 5 (3 pages)

CALENDAR ITEM

5.

8/73
GH
W 20356

RIGHT-OF-WAY

APPLICANT: San Diego Gas and Electric Company.

LOCATION: One 2394-foot and one 2363-foot strip of tide and submerged land under San Diego Bay, in the "no anchorage area" between San Diego and Coronado.

LAND USE: Public utility.

TERMS OF PROPOSED LEASE:

Initial period: 15 years, from April 13, 1972.

Renewal options: 3 additional periods of 10 years each.

Public liability insurance:

Combined single limit \$600,000 for personal injury and \$1,000,000 for property damage.

CONSIDERATION: \$754.03 per annum, with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

PREREQUISITE TERMS:

U.S. Army Corps of Engineers permit issued.

Applicant is lessee or permittee of upland.

STATUTORY AND OTHER REFERENCES:

- a. Public Resources Code: Div. 6, Parts 1 and 2.
- b. Administrative Code: Title 2, Div. 3, Arts. 1 & 2.

OTHER PERTINENT INFORMATION:

1. Minute Item No. 10, page 1103, dated September 26, 1968 (Lease PKC 4038.1) authorized San Diego Gas and Electric Company to place a 69,000-volt power circuit consisting of three conductor cables each 2.5 inches outside diameter, with a length of 2570-feet beneath San Diego Bay. A temporary right-of-way of 200-feet was authorized in order to provide sufficient slack for movement of the cables during dredging operations by the U.S. Army Corps of Engineers.

In order to economize on operations, San Diego Gas and Electric Company moved the above-mentioned conduits, plus an added 10-inch steel gas main, to a common trench with

CALENDAR ITEM NO. 5. (CONTD)

the City of Coronado's sewer force main (PRC 4723.9, Environmental Impact Report No. 82). The project was completed in April, 1972.

San Diego Gas and Electric Company has subsequently notified the State Lands Division of its actions and requested a replacement lease to cover the relocated and additional facilities. The company requested permanent rights-of-way of 200-feet for the existing conduits and gas main.

2. An environmental impact report was circulated to agencies and persons having jurisdiction or expertise. No adverse comments were received.
3. The new lease provides for an increased rental and liability insurance.

EXHIBITS: A. Land Description. B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT, IN ACCORDANCE WITH ENVIRONMENTAL IMPACT REPORT NO. 114 ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF, A RIGHT-OF-WAY PERMIT AS RECOMMENDED HEREIN WILL NOT HAVE A SIGNIFICANT DETRIMENTAL ENVIRONMENTAL EFFECT.
2. AUTHORIZE THE ISSUANCE TO THE SAN DIEGO GAS AND ELECTRIC COMPANY OF A 15-YEAR RIGHT-OF-WAY FROM APRIL 13, 1972; FOR THE MAINTENANCE OF ELECTRICAL CABLE CONDUITS AND A TEN-INCH STEEL GAS MAIN ON THE LAND DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$754.03 PER ANNUM WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PUBLIC LIABILITY INSURANCE IN THE AMOUNTS OF \$600,000 COMBINED SINGLE LIMIT FOR PERSONAL INJURY AND \$1,000,000 FOR PROPERTY DAMAGE.
3. APPROVE THE TERMINATION, BY MUTUAL CONSENT, OF LEASE PRC 4038.1.

Attachment: Exhibit "A"

EXHIBIT "A"

W 20356

Two parcels of submerged land lying in the bed of San Diego Bay, San Diego County, California, being more particularly described as follows:

PARCEL 1:

A strip of submerged land 200 feet wide lying 100 feet on each side of the following described centerline:

COMMENCING at Station 475 on the U.S. Pierhead Line as shown on a map entitled "Harbor Lines, San Diego Bay, California", approved by the Secretary of the Army, September 8, 1959, which map bears File No. (D.O. Series) 426 in the Office of The District Engineer, U.S. Corps of Engineers, Los Angeles, California; thence along the Pierhead Line between Stations 475 and 477 as shown on said map S 50° 50' 00" E, 1108.16 feet to the TRUE POINT OF BEGINNING; thence leaving said Pierhead Line S 08° 51' 48" W, 2393.69 feet to a point on the Pierhead Line between Stations 533 and 535 as shown on said map.

PARCEL 2:

A strip of submerged land 200 feet wide lying 100 feet on each side of the following described centerline:

COMMENCING at the above-described Station 475; thence along said Pierhead Line between Stations 475 and 477 S 50° 50' 00" E, 2475.15 feet to the TRUE POINT OF BEGINNING; thence leaving said Pierhead Line S 00° 00' 38" W, 2362.83 feet to a point on said Pierhead Line between Stations 533 and 535.

Bearings in this description are based on the above-mentioned U.S. Corps of Engineers Map.

END OF DESCRIPTION