

MINUTE ITEM

11/21/74
GRH

12. 10-YEAR INDUSTRIAL LEASE, TIDE AND SUBMERGED LAND AT CARLSBAD, SAN DIEGO COUNTY; SAN DIEGO GAS AND ELECTRIC COMPANY - WP 932, PRC 932.

After consideration of Calendar Item 10 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. DETERMINES THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21085; 14 CAL. ADM. CODE 15100, ET SEQ.; AND 2 CAL. ADM. CODE 2910(a).
2. RATIFIES THE EXECUTIVE OFFICER'S EMERGENCY AUTHORIZATION FOR SAN DIEGO GAS AND ELECTRIC COMPANY TO DEPOSIT DREDGE SPOILS ON STATE LANDS AT CARLSBAD, SAN DIEGO COUNTY.
3. AUTHORIZES THE ISSUANCE TO SAN DIEGO GAS AND ELECTRIC COMPANY OF A 10-YEAR INDUSTRIAL LEASE FROM SEPTEMBER 1, 1974; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$300 COUPLED WITH THE PUBLIC BENEFIT; FOR THE DEPOSITION OF DREDGE SPOILS FROM AGUA HEDIONDA LAGOON, ON THE LAND DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment:

Calendar Item 10 (3 pages)

CALENDAR ITEM

11/74

10.

GRH

WP 932

INDUSTRIAL LEASE

APPLICANT: San Diego Gas and Electric Company.

AREA, TYPE LAND AND LOCATION:

Approximately 102 acres of tide and submerged land at Carlsbad, San Diego County.

LAND USE: The deposition of dredge spoils from Agua Hedionda Lagoon.

TERMS OF PROPOSED LEASE:

Initial period: 10 years, from September 1, 1974.

CONSIDERATION: \$300 per annum, coupled with the public benefit.

BASIS FOR CONSIDERATION:

\$300 minimum rental for this type of lease.

PREREQUISITE TERMS:

U. S. Army Corps of Engineers permit issued.

Applicant is owner 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 & 10.

OTHER PERTINENT INFORMATION:

1. A nominal annual rental for the use of this parcel for spoils deposit is justified by potential enhancement of downcoast beach areas by sand replenishment through littoral processes.
2. An environmental impact report is not required. This transaction is within the purview of 2 Cal. Adm. Code 2910(a) which exempts periodic maintenance dredging operations as a minor alteration to land.
3. The Department of Parks and Recreation approves the spoils deposit fronting their upland.
4. The Division was notified early in October that the build-up of sand in the intake channel at Agua Hedionda Lagoon was about to close the channel and stop the free flow of water into the Lagoon. San Diego Gas and Electric Company uses the waters of Agua Hedionda Lagoon

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to cool the condensers at their Encina power plant. Restriction in the free flow of water into the lagoon could cause the plant to curtail operations. Accordingly, the Executive Officer authorized the immediate commencement of maintenance dredging on an emergency basis by San Diego Gas and Electric Company by telephone and subsequently by letter dated October 10, 1974.

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21085; 14 CAL. ADM. CODE 15100, ET SEQ.; AND 2 CAL. ADM. CODE 2910(a).
2. RATIFY THE EXECUTIVE OFFICER'S EMERGENCY AUTHORIZATION FOR SAN DIEGO GAS AND ELECTRIC COMPANY TO DEPOSIT DREDGE SPOILS ON STATE LANDS AT CARLSBAD, SAN DIEGO COUNTY.
3. AUTHORIZE THE ISSUANCE TO SAN DIEGO GAS AND ELECTRIC COMPANY OF A 10-YEAR INDUSTRIAL LEASE FROM SEPTEMBER 1, 1974; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$300 COUPLED WITH THE PUBLIC BENEFIT; FOR THE DEPOSITION OF DREDGE SPOILS FROM AGUA HEDIONDA LAGOON, ON THE LAND DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

WP 932

A strip of tide and submerged land adjacent to the entrances to Agua Hedionda Lagoon in the City of Carlsbad, San Diego County, State of California, described as follows:

A strip of tide and submerged land in the Pacific Ocean bounded on the northeast by the Ordinary High Water Mark of the Pacific Ocean and on the southwest by a line 500 feet southwest of and parallel to said Ordinary High Water Mark and extending from the north line of Carlsbad Beach State Park as said north line is described in deed recorded in Book 230, page 308, Official Records of San Diego County, southeasterly 8900 feet.

END OF DESCRIPTION