

MINUTE ITEM

7/24/75  
GRH

17. AMENDMENT TO RIGHT OF WAY PRC 4035, TIDE AND SUBMERGED LAND IN THE RED OF BELMONT SLOUGH, SAN MATEO COUNTY; ABC MARINE WORLD, INC., AKA MARINE WORLD, AFRICA U.S.A. - WP 4035, PRC 4035.

After consideration of Calendar Item 15 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 2907(a).
2. AUTHORIZES THE ISSUANCE TO ABC MARINE WORLD, INC., AKA MARINE WORLD, AFRICA U.S.A., OF AN AMENDMENT TO LEASE PRC 4035 WHICH WOULD:
  - A. CHANGE THE LAND DESCRIPTION TO THAT SHOWN ON EXHIBIT "A" DATED APRIL 15, 1974, ATTACHED AND BY REFERENCE MADE A PART HEREOF; AND
  - B. CHANGE THE ANNUAL RENTAL TO \$100, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVIDED THAT ALL OTHER TERMS AND CONDITIONS OF LEASE PRC 4035 SHALL REMAIN IN FULL FORCE AND EFFECT. THE EFFECTIVE DATE OF THE AMENDMENT SHALL BE AND IS JULY 1, 1975.

Attachment:  
Calendar Item 15 (4 pages)

A 20  
S 10

CALENDAR ITEM

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GRH  
WP 4035

15.

AMENDMENT TO RIGHT OF WAY PRC 4035

APPLICANT: ABC Marine World, Inc., aka  
Marine World, Africa U.S.A.  
Marine World Parkway  
Redwood City, California 94065

AREA, TYPE LAND AND LOCATION:  
Two parcels totalling 0.02 acres of tide and  
submerged land in the bed of Belmont Slough,  
San Mateo County.

LAND USE: Water intake and discharge facilities for  
lagoon circulation system.

TERMS OF ORIGINAL LEASE:  
Initial period: 49 years, from September 26,  
1968.

Consideration: \$20 per annum, with the State  
reserving the right to review  
and reset a reasonable rental  
on each fifth anniversary of  
the lease.

TERMS OF AMENDED LEASE:  
Period: 49 years, from September 26,  
1968.

CONSIDERATION: \$100 per annum, with the State reserving the  
right to review and reset a reasonable rental  
on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:  
\$100 minimum rental for this type of lease.

PREREQUISITE TERMS, FEES AND EXPENSES:  
Applicant is owner of upland.

Filing fee received.

STATUTORY AND OTHER REFERENCES:  
a. Public Resources Code: Div. 6, Parts 1 & 2.  
b. Administrative Code: Title 2, Div. 3,  
Arts. 1, 2 & 10.

OTHER PERTINENT INFORMATION:  
1. The applicant intends to install new  
saltwater intake and discharge facilities

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to increase the rate of water exchange in the lagoons to keep the coliform bacteria content below the maximum considered safe by the San Mateo County Health Department. Maximum intake and discharge rates will be approximately 18,000 gallons per minute. The applicant has applied for and received permits from San Francisco Bay Conservation and Development Commission, Water Resources Control Board Certification, and the Regional Water Quality Control Board. All approving agencies have found the applicant's project to be exempt from the environmental impact report requirements of CEQA, as amended.

2. This project is situated on State land identified as environmentally significant, pursuant to Public Resources Code 6370.1, and is classified in a significant use category. The project is determined to be a compatible use consistent with identified significant environmental values. The new facilities to be placed on State land consist of a 16-inch diameter cast iron pipe joined to a transit pipe extension. A corrugated fiberglass sheet will be installed at the discharge ends of the pipes to prevent scouring of the slough bottom. Inasmuch as these facilities will not be readily visible and encroach only slightly on the slough bed, Division staff has determined that the facilities are compatible with and nonconsumptive of the significant environmental values present.
3. This project is exempt from the EIR requirements of CEQA. The project is within the purview of 2 Cal. Adm. Code 2907(a) (Class 2) which exempts the replacement or reconstruction of existing structures and facilities where the new facilities will be located on the same site and used for substantially the same purpose.

EXHIBITS:

A. Land Description.

B. Location Map.

CALENDAR ITEM NO. 15. (CONTD)

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 2907(a).
2. AUTHORIZE THE ISSUANCE TO ABC MARINE WORLD, INC., AKA MARINE WORLD, AFRICA U.S.A., OF AN AMENDMENT TO LEASE PRC 4035 WHICH WOULD:
  - A. CHANGE THE LAND DESCRIPTION TO THAT SHOWN ON EXHIBIT "A" DATED APRIL 15, 1974, ATTACHED AND BY REFERENCE MADE A PART HEREOF; AND
  - B. CHANGE THE ANNUAL RENTAL TO \$100, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVIDED THAT ALL OTHER TERMS AND CONDITIONS OF LEASE PRC 4035 SHALL REMAIN IN FULL FORCE AND EFFECT. THE EFFECTIVE DATE OF THE AMENDMENT SHALL BE AND IS JULY 1, 1975.

Attachment: Exhibit "A"

April 15, 1974

EXHIBIT "A"

WF 4035

Two parcels of tide and submerged land lying in the State owned bed of Belmont Slough, San Mateo County, State of California, and being more particularly described as follows:

PARCEL 1:

A 5 foot strip of land lying 2-1/2 feet on each side of the following described centerline:

COMMENCING at a concrete monument on the easterly boundary of Parcel 1 as shown on the map entitled "Parcel Map of Marine World" recorded August 30, 1967, in Book 3 of Parcel Maps at Page 37 in the office of the County Recorder, San Mateo County, and described in the deed recorded in Book 4815, O.R. 141, records of said county; thence N 48° 47' 22" W, 856.60 feet to the TRUE POINT OF BEGINNING; thence N 17° 13' 27" E, 210 feet to the end of the herein described centerline.

EXCEPTING THEREFROM that portion lying within the parcel designated as SM-11 as described in the patent from the State of California to Leslie Salt Company dated February 1, 1968, and recorded in Book 5426, O.R., Page 126, records of said county.

PARCEL 2:

A 20 foot strip of land lying 10 feet on each side of the following described centerline:

COMMENCING at the northeast corner of Parcel 2 as shown on the map entitled "Parcel Map of Marine World" recorded August 30, 1967, in Book 3 of Parcel Maps at page 37 in the office of the County Recorder, San Mateo County, said corner bears N 88° 37' W, 44.50 feet from a 1 inch capped iron pipe set in concrete and described in deed recorded in Book 4815, O.R., 141, records of said San Mateo County, and shown on the above mentioned map; thence North 179.72 feet; thence S 89° 09' 48" W, 219.63 feet to the TRUE POINT OF BEGINNING; thence S 89° 09' 48" W, 30 feet to the end of the herein-described centerline.

EXCEPTING THEREFROM any portion lying outside that certain parcel as described in the deed recorded in Book 5426, O.R., page 110, records of said county.

END OF DESCRIPTION