

MINUTE ITEM

This Calendar Item No. C11 was approved as Minute Item No. 11 by the State Lands Commission by a vote of 3 to 0 at its 9/29/77 meeting.

CALENDAR ITEM  
C11.

9/77  
W. 21569  
Atkins  
PRC 5392

GENERAL LEASE  
RIGHT-OF-WAY USE

APPLICANT: San Diego Gas and Electric Company  
P. O. Box 1831  
San Diego, California 92112

AREA, TYPE LAND AND LOCATION: An 0.5 acre strip of submerged land in San Diego Bay, San Diego County.

LAND USE: The placement and maintenance of a 6 inch natural gas line.

TERMS OF PROPOSED LEASE:  
Initial period: 15 years, from October 1, 1977.

Renewal options: 3 successive periods of 10 years each.

Public liability insurance: Combined single limit \$1,000,000.

CONSIDERATION: \$197.64 per annum, with the State reserving the right to fix a different rental on each fifth anniversary of the lease, and with the State reserving the right to charge a volumetric rental within one year retro-active to the beginning date of this lease.

BASIS FOR CONSIDERATION:  
1 1/2 cents per diameter inch of pipeline or conduit, per lineal foot.

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

Filing fee has been received.

STATUTORY AND OTHER REFERENCES:  
A. Public Resources Code: Div. 6, Parts 1 & 2.  
B. Administrative Code: Title 2, Div. 3, Arts. 1, 2, 6.5, 10, 11.

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OTHER PERTINENT INFORMATION:

1. A final environmental impact statement was prepared by the U.S. Army Corps of Engineers, pursuant to NEPA and implementing regulations, and satisfies the requirements of CEQA (Section 21083.5 of the Public Resources Code) under Title 14 of the California Administrative Code, Section 15063.
2. This project is situated on State land identified as possessing significant environmental values pursuant to Public Resources Code 6370.1, and is classified in a use category, Class B which authorizes Limited Use.

Staff has coordinated this project with those agencies and organizations who nominated the site as containing significant environmental values. They have found this project to be compatible with their nomination.

3. A certificate of approval has been issued for this project by the San Diego Regional Coastal Commission.

EXHIBITS:

- A. Land Description.
- B. Location Map.
- C. EIS Summary.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT STATEMENT HAS BEEN PREPARED FOR THIS PROJECT AND CERTIFIED BY THE U.S. ARMY CORPS OF ENGINEERS IN FEBRUARY 1975.
2. CERTIFY THAT THE INFORMATION CONTAINED IN THE ENVIRONMENTAL IMPACT STATEMENT OF THE U.S. ARMY CORPS OF ENGINEERS HAS BEEN REVIEWED AND CONSIDERED BY THE COMMISSION.
3. DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. DETERMINE THAT THE PROJECT IS CONSISTENT WITH THE PROVISIONS OF ARTICLE 6.5 OF THE CALIFORNIA ADMINISTRATIVE CODE.

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5. FIND THAT GRANTING OF THE LEASE WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE PUBLIC RESOURCES CODE.
6. AUTHORIZE ISSUANCE TO SAN DIEGO GAS AND ELECTRIC COMPANY OF A 15-YEAR GENERAL LEASE - RIGHT-OF-WAY USE FROM OCTOBER 1, 1977; WITH LESSEE'S OPTION TO RENEW FOR 3 SUCCESSIVE PERIODS OF 10 YEARS EACH; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$197.64, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE, AND WITH THE STATE RESERVING THE RIGHT TO CHARGE A VOLUMETRIC RENTAL WITHIN ONE YEAR FROM THE BEGINNING DATE OF THIS LEASE; PUBLIC LIABILITY INSURANCE FOR \$1,000,000 COMBINED SINGLE LIMIT; FOR THE PLACEMENT AND MAINTENANCE OF A 6 INCH NATURAL GAS PIPELINE, ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

W 21569

A strip of submerged land 10 feet wide in the San Diego Bay, San Diego County, California, said strip lying 5 feet on each side of the following described centerline:

BEGINNING at a point on the U.S. Pierhead line of San Diego Bay from which U.S. Pierhead line Station 475 bears N 50°19'11"W, 1655.30 feet; thence S 18°31'41"W, 2195.92 feet to a point on said Pierhead line, from which Pierhead line station 535 bears N 58°24'02"W, 645.49 feet, and termination of said strip.

END OF DESCRIPTION

Prepared Fred T. Carr Checked J. J. Runnecke  
Reviewed R. K. [Signature] Date 8-31-77