

MINUTE ITEM

11/78
Greenwood

43. - REQUEST FOR STATE LEASE RENEWAL AND MODIFICATION
OF LEASE TERMS - PRC 2094.1

Calendar Item 43, attached, was pulled prior to the meeting.

Attachment: Calendar Item 43 (4 pages)

A 80

S 40

CALENDAR ITEM

43.

11/78
PRC 2094.1
Greenwood

REQUEST FOR STATE LEASE RENEWAL AND
MODIFICATION OF LEASE TERMS

LEASE: Mineral Extraction Lease PRC 2094.1.
LESSEE: San Diego Gas and Electric Company
LOCATION: South San Diego Bay; San Diego County.
INITIAL TERM: March 10, 1958 through March 10, 1978.

PROPOSED AMENDMENTS:

1. The term of this amendment will be for 10 years with the option to renew the lease for 3 successive periods of 10 years each, followed by 1 period of 9 years for a total lease term of 49 years.
2. Rental of \$1 per acre shall be paid by the 25th day of the month following each anniversary of the lease.
3. Royalty of \$0.25 per cubic yard shall be paid for all said, gravel, and fill material extracted. Royalties shall be due and payable no later than the 25th day of the month following the lease quarter of production.
4. An interest payment of 1% per month shall be assessed on all unpaid rents, royalties, or other monetary considerations and a 5% penalty on the amount of any such royalty, rental, or monetary consideration arising under the provisions of the lease.
5. The work shift requirement, as stated in Paragraph 10, is deleted and is replaced by a minimum extraction of 4,000 cubic yards of sand, gravel and fill from the demised premises, or in the event of failure to extract said minimum, the lessee shall pay the royalty to the same extent as if the 4,000 cubic yards had been extracted.

CALENDAR ITEM NO. 43. (CONTD)

6. The surety bond is increased from \$1,000 to \$5,000.
7. The lease shall be retroactive to and commence on April 1, 1978.
8. This project is situated on State land identified as possessing significant environmental values pursuant to P.R.C. 6370.1 and is classified in a use category, Class C, which authorizes Multiple Use. Staff review indicates that there will be no significant effect upon the identified environmental values. This is an existing facility for which no adverse comments have been received.
9. The proposed dredging is exempt from CEQA under Cal. Adm. Code 2907, Class 4A and State EIR guidelines Section 15104, Class 4(g), which categorically exempts maintenance dredging operations.

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN EIR HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21085, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2907.
2. FIND THAT GRANTING OF THE LEASE WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO P.R.C. SECTION 6370.1.
3. AUTHORIZE THE RENEWAL OF MINERAL EXTRACTION LEASE P.R.C. 2094.1 FOR A 10-YEAR TERM; RETROACTIVE TO AND COMMENCING ON APRIL 1, 1978; ACCORDING TO THE FORM OF SAID LEASE RENEWAL ON FILE IN THE OFFICE OF THE COMMISSION AND SUBJECT TO ALL PERTINENT STATE, FEDERAL, OR LOCAL AGENCY REGULATIONS.

EXHIBIT "A"

Parcel 1:

Beginning at a point on the Pierhead Line, as shown on the U.S. Army Engineers Map of "Harbor Lines, San Diego Bay, California", File No. 424 and approved by the Secretary of the Army on July 30, 1952, said point being North 18° 21' 36" West, a distance of 635.16 feet from Station 326 on said Pierhead Line; thence along said Pierhead Line North 18° 21' 36" West, a distance of 1419.12 feet; thence leaving said Pierhead Line North 69° 36' 12" West, a distance of 4341.87 feet; thence South 18° 58' 35" East, a distance of 840.84 feet; thence South 71° 01' 25" West, a distance of 1024.64 feet; thence South 69° 36' 12" East, a distance of 5247.51 feet; thence North 71° 42' 26" East, a distance of 309.30 feet to the point of beginning, containing 138.24 acres.

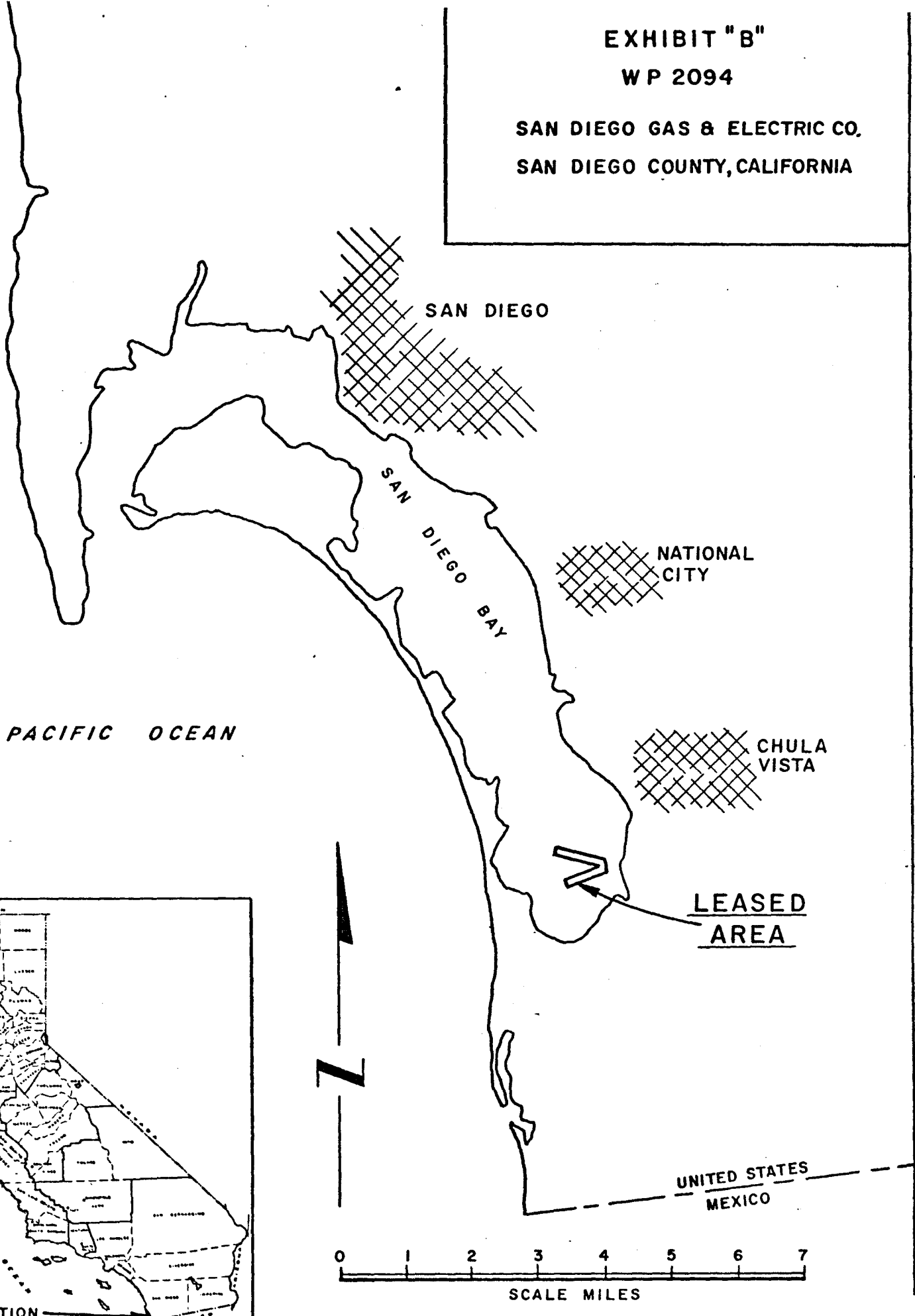
Parcel 2:

Commencing at the point of intersection of the Westerly prolongation of the Southerly boundary line of the City of Chula Vista with the Pierhead Line, as shown on the U. S. Army Engineers Map of "Harbor Lines, San Diego Bay, California", File No. 424 and approved by the Secretary of the Army on July 30, 1952, said point of intersection being North 18° 21' 36" West, a distance of 0.16 feet from Station 326 on said Pierhead Line; said point being the true point of beginning of the property herein described; said true point of beginning being also a point on the Northerly line of that certain parcel of land under lease to the Western Salt Company, said lease being on file in the office of the State Lands Commission of the State of California, File No. P.R.C. 175.1; thence along said Pierhead Line North 18° 21' 36" West, a distance of 635 feet; thence leaving said Pierhead Line South 71° 42' 26" West, a distance of 1083.40 feet; thence South 54° 06' 29" West, a distance of 2732.50 feet to the beginning of a curve concave Northwesterly, the center of which bears North 35° 53' 31" West a distance of 1063.82 feet; thence Southwesterly and Westerly along the arc of said curve through a central angle of 39° 43' 31" a distance of 737.59 feet; thence South 3° 50' 00" West, a distance of 936.18 feet to the beginning of a curve concave Northwesterly, said point being also a point on the Northerly line of Parcel No. 15 of said Western Salt Company lease; said curve having a radius of 2000.00 feet; the center of which said curve bears North 3° 50' 00" East; thence along the arc of said curve, being also along the Northerly line of the said Western Salt Company lease, through a central angle of 45° 16' 00" a distance of 1580.11 feet; thence continuing along the Northwesterly and Northerly line of said Western Salt Company lease North 48° 34' 00" East, a distance of 1624.82 feet to the beginning of a tangent curve concave Northwesterly, having a radius of 3000.00 feet, thence along the arc of said curve through a central angle of 14° 19' 57", a distance of 750.44 feet; thence North 71° 42' 27" East along said Westerly prolongation of the Southerly boundary line of the City of Chula Vista, a distance of 1084.15 feet to the true point of beginning, containing 87.54 acres.

EXHIBIT "B"

WP 2094

SAN DIEGO GAS & ELECTRIC CO.
SAN DIEGO COUNTY, CALIFORNIA



PACIFIC OCEAN

SAN DIEGO

SAN DIEGO BAY

NATIONAL CITY

CHULA VISTA

LEASED AREA

UNITED STATES
MEXICO



LOCATION