

MINUTE ITEM

The Clerk
will
be
at
the
meeting

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CALENDAR ITEM

C2.

12/78
WP 4799
Atkins
PRC 4799

12/20/78

AMENDMENT OF GENERAL LEASE
RIGHT-OF-WAY USE

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

Attention: Mr. E. L. Scranton

AREA, TYPE LAND AND LOCATION:
Two parcels of submerged land in San Diego
Bay.

LAND USE: Public utility crossings.

TERMS OF ORIGINAL LEASE:

Initial period: 15 years from April 13,
1972.

Renewal options: 3 successive periods
of 10 years each.

Public liability insurance: \$600,000 per
occurrence for bodily
injury and \$1,000,000
for property damage.

Consideration: \$754.03 5-year rent review.

TERMS OF PROPOSED LEASE:

Initial period: 15 years from April 13,
1972.

Renewal options: 3 successive periods
of 10 years each.

Public liability insurance: \$600,000 per
occurrence for bodily
injury and \$1,000,000
for property damage.

CONSIDERATION: \$829.26 per annum, with the State reserving
the right to fix a different rental on
each fifth anniversary of the lease.

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BASIS FOR CONSIDERATION:

1½ cents per diameter inch of pipeline or conduit, per lineal foot. A volumetric rental was considered, but was found to be inappropriate in this case due to insufficient volumes of product.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is lessee or permittee of upland.

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 & 2.

B. Cal. Adm. Code: Title 2, Div. 3.

OTHER PERTINENT INFORMATION:

1. An EIR is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907, Class 1(B), which exempts an existing structure or facility that is in an acceptable state of repair and there is no evidence of record to show injury to adjacent property, shoreline erosion, or other types of environmental degradation.
2. 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.

3. Simultaneously with conducting the 5-year rent review on this lease, it was decided to revise the areas under lease to more precise locations. This transaction is not considered a project under Coastal Zone requirements.

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APPROVALS OBTAINED:

United States Army Corps of Engineers.

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

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 SECTION 6370.1 OF THE P.R.C.
3. DETERMINE THAT THIS PROJECT IS EXEMPT FROM THE REQUIREMENTS OF ARTICLE 6.5 OF TITLE 2 OF CAL. ADM. CODE BECAUSE THIS PROJECT IS NOT A DEVELOPMENT WITHIN THE MEANING OF SECTION 2503 OF TITLE 2 OF THE CAL. ADM. CODE AND SECTION 30105 OF THE P.R.C.
4. AUTHORIZE ISSUANCE TO SAN DIEGO GAS AND ELECTRIC COMPANY OF AN AMENDMENT TO ITS 15-YEAR LEASE PRC 4799.1:
1) RAISING THE ANNUAL RENTAL TO \$829.26, 2) SUBSTITUTING THE LAND DESCRIPTION IN EXHIBIT "B" FOR THE PRESENT LAND DESCRIPTIONS.

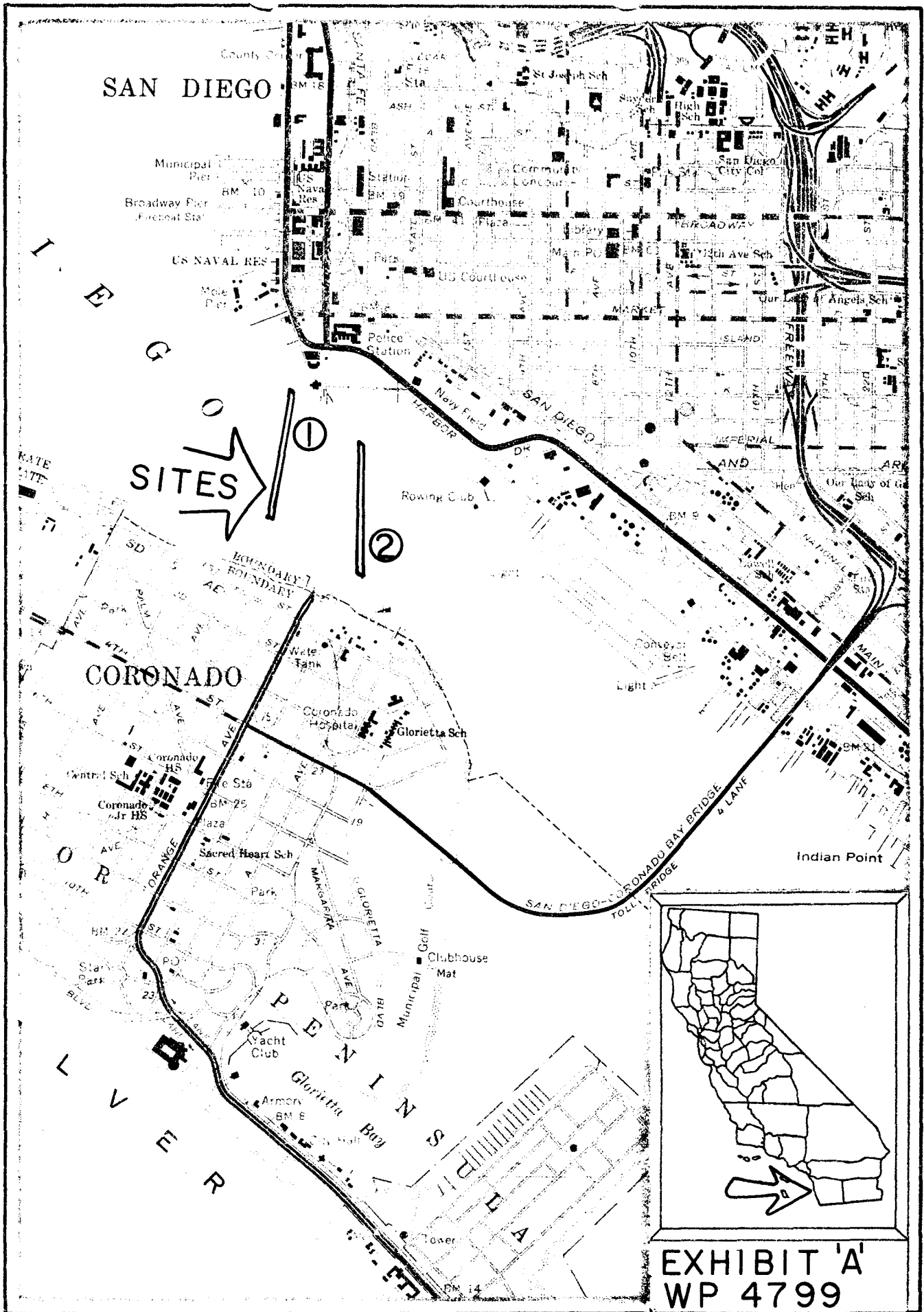


EXHIBIT "B"

WP 4799

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 25 feet wide lying 12.5 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 2443.67 feet to the TRUE POINT OF BEGINNING; thence southerly to a point on the Pierhead Line between Stations 535 and 533, as shown on said map, and being 2026.30 feet southeasterly of said Station 535.

PARCEL 2

A strip of submerged land 100 feet wide lying 50 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 1122.00 feet to the TRUE POINT OF BEGINNING; thence southerly to a point on the Pierhead Line between Stations 535 and 533, as shown on said map, and being 245.00 feet southeasterly of said Station 535.

Bearings in this description are based on the above mentioned U. S. Corp of Engineer Map.

END OF DESCRIPTION

Prepared Carlos Najera Checked Gary A. Wilson
Reviewed [Signature] Date 23 June 78