

MINUTE ITEM

This Calendar Item No. C20 was approved as Minute Item No. 20 by the California State Lands Commission by a vote of 3 to 0 at its 12-16-98 meeting.

**CALENDAR ITEM
C20**

PRC 7456.1

A 35
S 18

12/16/98
WP 7456
B. Dugal

AMENDMENT OF LEASE

LESSEE:

The Cultured Abalone, Inc.
9580 Dos Pueblos Canyon Road
Goleta, California 93117

AREA, LAND TYPE, AND LOCATION:

0.97 acres, more or less, of sovereign lands in the Pacific Ocean, near Goleta, Santa Barbara County.

AUTHORIZED USE:

The continued use and maintenance of three existing saltwater intake pipelines and one discharge pipeline that serve the Lessee's upland aquaculture facility.

LEASE TERM:

30 years, beginning October 1, 1990.

CONSIDERATION:

\$980 per year; with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

PROPOSED AMENDMENT:

Improvements:

Installation of two 18-inch diameter by 1,700 feet long saltwater intake pipelines and the extension of the three existing eight-inch diameter saltwater intake pipelines by 350 feet.

Lease Description:

The land description contained in Section 3 of the lease is deleted and replaced with the land description attached and identified as Exhibit B.

Consideration:

\$1,745 per annum.

OTHER PERTINENT INFORMATION:

1. Lessee has a right to use the uplands adjoining the lease premises.

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2. The existing improvements serve the Lessee's upland abalone rearing facility. The proposed extension of the three existing intake pipelines and the addition of the two new intake lines is intended to place the saltwater intake lines at their seaward terminus beyond the influence of storm generated waves and littoral currents thereby reducing the potential damage to the intake pipelines. Additionally, the pipeline design is intended to provide a combination of stability and flexibility.
3. The installation of the two new intake pipelines will follow the same corridor as the three existing intake lines, but will extend further into the Pacific Ocean.
4. On October 13, 1998, the California Coastal Commission (CCC) granted Permit #4-98-209 for this project under its certified regulatory program (Title 14, California Code of Regulations, section 15251(c)). Staff has reviewed the document and determined that the conditions, as specified in Title 14, California Code of Regulations, section 15253 (b), have been met for the Commission to use the environmental analysis document certified by the CCC as a Negative Declaration equivalent in order to comply with the requirements of the CEQA.
5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification

APPROVALS OBTAINED:

California Coastal Commission

FURTHER APPROVALS REQUIRED:

United States Army Corps of Engineers
California States Lands Commission
County of Santa Barbara

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EXHIBITS:

- A. Location Map
- B. Land Description

PERMIT STREAMLINING ACT DEADLINE:

May 12, 1999.

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

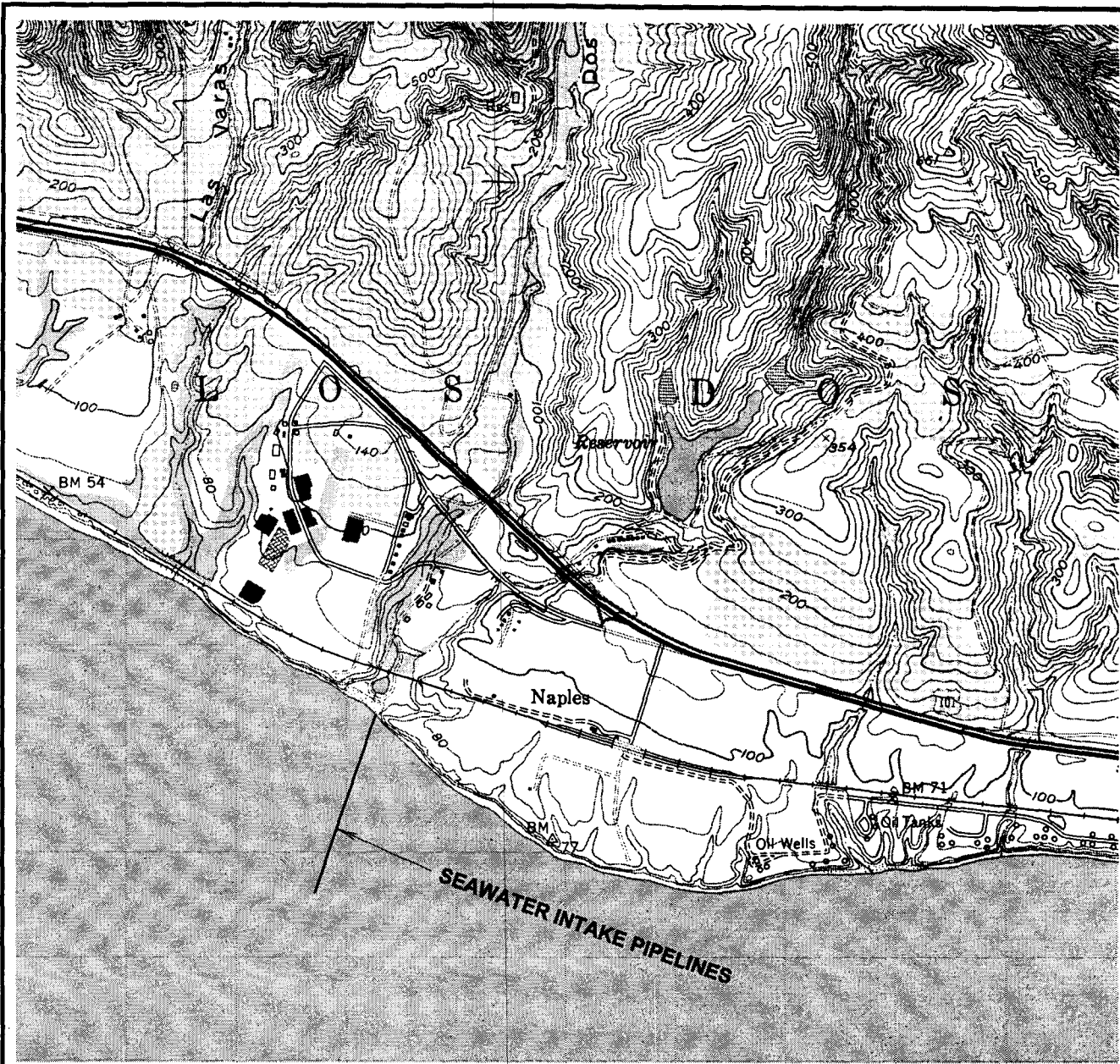
FIND THAT AN ENVIRONMENTAL ANALYSIS DOCUMENT, CALIFORNIA COASTAL COMMISSION (CCC) PERMIT #4-98-209, WAS ADOPTED FOR THIS PROJECT BY THE CCC UNDER ITS CERTIFIED PROGRAM (TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15251 (c)), AND THAT THE CALIFORNIA STATE LANDS COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION THEREIN AND CONCURS IN THE CCC'S DETERMINATION.

SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE THE AMENDMENT, EFFECTIVE JANUARY 1, 1999, OF LEASE NO. PRC 7456.1, A GENERAL LEASE - RIGHT-OF-WAY USE, TO: (1) CONSTRUCT AND MAINTAIN TWO 18-INCH DIAMETER SALTWATER INTAKE PIPELINES; (2) EXTEND, BY 350 FEET, THE THREE EXISTING EIGHT-INCH DIAMETER SALTWATER INTAKE PIPELINES; (3) DELETE SECTION 3 OF THE LEASE AND REPLACE IT WITH THE LAND DESCRIBED IN THE ATTACHED EXHIBIT B; AND (4) ANNUAL RENT IS AMENDED TO \$1,745. ALL OTHER TERMS AND CONDITIONS OF THE LEASE WILL REMAIN IN EFFECT WITHOUT AMENDMENT.



**EXHIBIT A
PRC 7456**



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EXHIBIT B

A parcel of tide and submerged land, 50 feet in width, in the Pacific Ocean, situated within the County of Santa Barbara, State of California, described as follows:

A strip of land 50.00 feet in width, lying 25 feet on each side of the following described centerline:

Beginning at a point on the southerly line of the 17.169 acre parcel of land as shown the map filed in Book 112 of Record of Surveys at page 94, Santa Barbara County Records, said point bearing N 44° 44' 25" W, 380.40 feet from the most southeasterly corner of said parcel; thence S 45° 15' 35" W, 1550.00 feet to the end of the herein described centerline.

ALSO EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of the Pacific Ocean

END OF DESCRIPTION

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