

**MINUTE ITEM**

This Calendar Item No. C83 was approved as Minute Item No. 83 by the California State Lands Commission by a vote of 3 to 0 at its 12/16/98 meeting.

**CALENDAR ITEM  
C83**

A 74  
S 38

12/16/98  
W 25497  
J. Smith  
PRC 8053

**LEASE RENEWAL**

**LESSEE:**

Leucadia County Water District  
1960 La Costa Avenue  
Carlsbad, California 92009

**AREA, LAND TYPE, AND LOCATION:**

.17 acres, more or less, of sovereign lands adjacent to Batiquitos Lagoon, near Carlsbad, San Diego County.

**AUTHORIZED USE:**

Paved area for truck turnaround and certain above ground and underground pump station improvements associated with the Saxony Pump Station Rehabilitation Project.

**LEASE TERM:**

25 years, beginning December 1, 1998.

**CONSIDERATION:**

The public use and benefit; with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interest.

**SPECIFIC LEASE PROVISIONS:**

Liability insurance: Combined single limit coverage of no less than \$1,000,000.

**OTHER PERTINENT INFORMATION:**

1. Applicant owns and has a right to use the uplands adjoining the lease premises.
2. As a result of the widening of La Costa Avenue by the City of Carlsbad, it is necessary for the applicant to relocate an access road and pump station improvements associated with the Saxony Sewage Pump Station.

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**CALENDAR ITEM NO. C83 (CONT'D)**

The improvements and new paved access road will provide greater efficiency and accessibility to the pump station for regular maintenance and emergency operations. The truck turnaround area and portions of the improvements will be located on sovereign public trust lands quitclaimed to the State by Pacific Rim Land Associates Limited Partnership in 1988, pursuant to AD 75.

3. The sovereign public trust lands which are part of this lease are also presently under lease (PRC 7242.9) to the California Department of Fish and Game (DFG) as part of the Batiquitos Lagoon Ecological Reserve. Commission staff has consulted with DFG staff and believes that the issuance of a lease to the Leucadia County Water District will not be inconsistent or incompatible with DFG's operations under Lease No. PRC 7242.9.
4. A Mitigated Negative Declaration and a Mitigation Monitoring Program were prepared and adopted for this project by the Leucadia County Water District. The Commission's staff has reviewed such documents.
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:**

Regional Water Quality Control Board

**FURTHER APPROVALS REQUIRED:**

United States Army Corps of Engineers; City of Carlsbad; California State Lands Commission; California Department of Fish and Game.

**EXHIBITS:**

- A. Land Description
- B. Location Map
- C. Notice of Determination

**PERMIT STREAMLINING ACT DEADLINE:**

April 14, 1999.

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CALENDAR ITEM NO. C83 (CONT'D)

**RECOMMENDED ACTION:**

IT IS RECOMMENDED THAT THE COMMISSION:

**CEQA FINDING:**

FIND THAT A MITIGATED NEGATIVE DECLARATION AND A MITIGATION MONITORING PROGRAM WERE PREPARED AND ADOPTED FOR THIS PROJECT BY THE LEUCADIA COUNTY WATER DISTRICT AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

**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 ISSUANCE TO LEUCADIA COUNTY WATER DISTRICT OF A GENERAL LEASE - PUBLIC AGENCY USE, BEGINNING DECEMBER 1, 1998, FOR A TERM OF 25 YEARS, FOR A PAVED AREA FOR TRUCK TURNAROUND AND CERTAIN ABOVE GROUND AND UNDERGROUND PUMP STATION IMPROVEMENTS ASSOCIATED WITH THE SAXONY PUMP STATION REHABILITATION PROJECT ON THE LAND DESCRIBED ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION BEING THE PUBLIC USE AND BENEFIT WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENT IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$1,000,000.

**EXHIBIT 'A'**

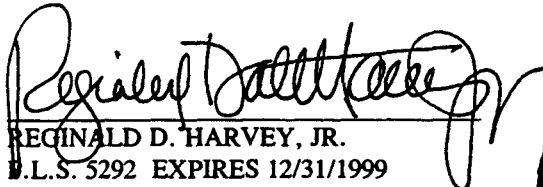
**LEGAL DESCRIPTION**

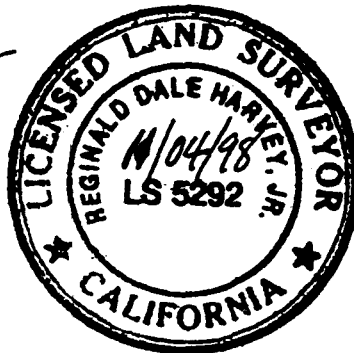
THAT PORTION OF LOT 14 OF SECTION 34, TOWNSHIP 12 SOUTH, RANGE 4 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO UNITED STATES GOVERNMENT SURVEY THEREOF APPROVED MAY 3, 1883; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

*BEGINNING* AT THE SOUTHEAST CORNER OF SAID LOT 14, SAID CORNER IS AS SHOWN ON RECORD OF SURVEY MAP NO. 9880, SAID POINT ALSO SHOWN ON RECORD OF SURVEY MAP NO. 10774 AND LABELED NO. 43 THEREON; THENCE ALONG THE SOUTHERLY LINE OF PARCEL NO. 4 OF DEED RECORDED SEPTEMBER 2, 1981, AS F/P. 81-280855, O.R., NORTH 86°59'03" WEST 422.39 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID SOUTHERLY LINE NORTH 86°59'03" WEST 139.91 FEET; THENCE LEAVING SAID SOUTHERLY LINE NORTH 1°10'54" EAST 18.62 FEET; THENCE NORTH 48°56'17" EAST 90.50 FEET; THENCE SOUTH 88°49'06" EAST 20.00 FEET TO AN ANGLE POINT IN THE BOUNDARY PARCEL A OF EASEMENT RECORDED JUNE 24, 1987 AS F/P. 87-352748, O.R.; THENCE FOLLOWING SAID BOUNDARY (SOUTH 8°15'57" EAST- EASEMENT REC.) SOUTH 8°16'07" EAST 40.00 FEET; THENCE CONTINUING ALONG SAID BOUNDARY AND ITS PROJECTION THEREOF (SOUTH 75°18'18" E - EASEMENT REC.) SOUTH 75°18'28" EAST 47.59 FEET; THENCE SOUTH 1°10'54" WEST 33.37 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING FROM SAID LAND THAT PORTION DEEDED TO LEUCADIA COUNTY WATER DISTRICT, A POLITICAL SUBDIVISION, RECORDED AUGUST 11, 1961 UNDER RECORDER'S FILE NO. 138158, O.R.

CONTAINING 7,175 SQ.FT., MORE OR LESS.

  
REGINALD D. HARVEY, JR.  
L.L.S. 5292 EXPIRES 12/31/1999



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This Exhibit is solely for purposes of generally defining the lease premises and is not intended to be, nor shall it be construed as a waiver or limitation of any State interest in the subject or any other property.

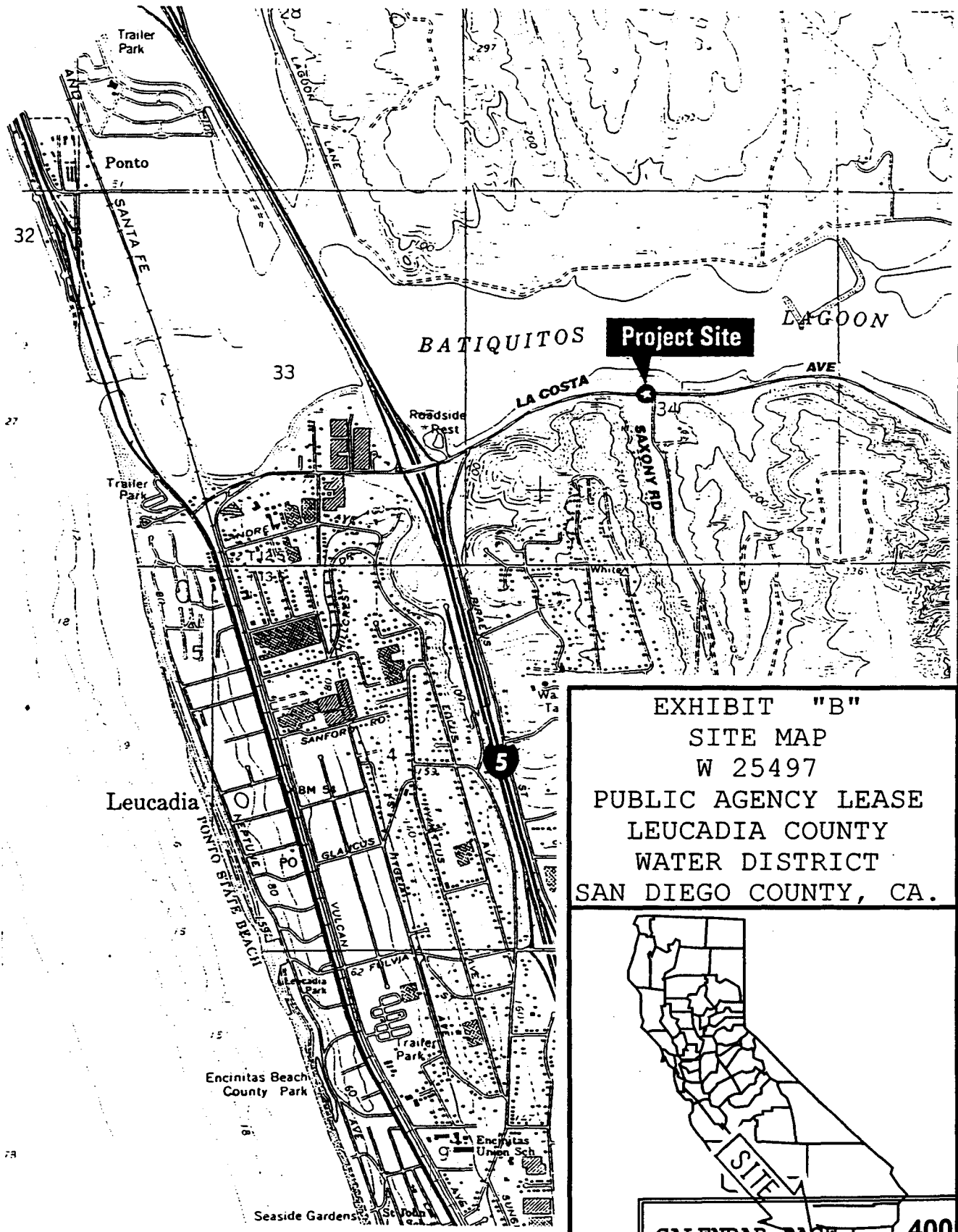


EXHIBIT "B"  
SITE MAP  
W 25497  
PUBLIC AGENCY LEASE  
LEUCADIA COUNTY  
WATER DISTRICT  
SAN DIEGO COUNTY, CA.



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NOTICE OF DETERMINATION

To: County Clerk  
San Diego County

FILED  
Gregory J. Smith, Recorder/County Clerk

From: Leucadia County Water District

AUG 12 1998

Subject: Filing Notice of Determination in Compliance with  
Section 21108 or 21152 of the Public Resources Code

BY Sm DEPUTY

Saxony Pump Station Improvement Project - La Costa Avenue, Carlsbad, CA

*Project Title*

*State Clearing House Number*

Tim Jochem

(760) 753-0155

*Contact Person*

*Telephone Number*

North side of La Costa Avenue at Saxony Avenue (Carlsbad, CA)

*Project Location*

Lease (at no cost) approximately 0.14 acres of vacant, undeveloped land; construct pump station modifications and turnaround on approximately 0.14 acres; preserve approximately 0.42 acres of biological open space.

*Project Description*

This is to advise that the Leucadia County Water District has approved the above described project and has made the following determinations regarding the above described project:

1. The project will not have a significant effect on the environment.
2. A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA. A Mitigated Negative Declaration and record of project approval may be examined at: 1960 La Costa Avenue, Carlsbad, California 92009.
3. Mitigation measured were made a condition of the approval of the project.

Date received for filing: \_\_\_\_\_

Timothy C. Jochem  
Signature

General Manager  
Title

FILED IN THE OFFICE OF THE COUNTY CLERK  
 SAN DIEGO COUNTY ON AUG 12 1998  
 POSTED AUG 12 1998 REMOVED SEP 11 1998  
 RETURNED TO AGENCY ON SEP 11 1998  
 DEPUTY Sm

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