

MINUTE ITEM

This Calendar Item No. C89 was approved as Minute Item No. 89 by the California State Lands Commission by a vote of 3 to 0 at its 12/16/98 meeting.

CALENDAR ITEM

C89

A 78

12/16/98

S 39

PRC 8054

W 25503

J. Smith

GENERAL LEASE - INDUSTRIAL USE

LESSEE:

Southwest Marine, Inc.
P.O. Box 13308
San Diego, California 92071-3308

AREA, LAND TYPE, AND LOCATION:

1.4 acres, more or less, of sovereign lands in San Diego Bay, San Diego, San Diego County.

AUTHORIZED USE:

Construction and maintenance of a 20' x 20' mooring dolphin; maintenance of a portion of a drydock facility adjacent to existing Pier 1; and appurtenant use area waterward of the U.S. Pierhead Line, to accommodate the repair of deep-draft vessels.

LEASE TERM:

35 years, 8 months, 16 days, beginning December 15, 1998.

CONSIDERATION:

\$1,253 per year; with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance: Combined single limit coverage of \$1,000,000.

OTHER PERTINENT INFORMATION:

1. Applicant has a right to use the uplands adjoining the lease premises.
2. Applicant is a tenant of the Port of San Diego and operates a ship repair facility in central San Diego Bay. The majority of the applicant's facility is on sovereign lands legislatively granted to the San Diego Unified Port District pursuant to chapter 67, Statutes of 1962, as amended. The

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proposed mooring dolphin and a portion of the existing Pride of San Diego drydock facility adjacent to Pier 1 are located on ungranted sovereign lands waterward of the U.S. Pierhead Line. The mooring dolphin is necessary to accommodate repairs to larger deep-draft vessels. Staff recommends that the term of the lease coincide with the Applicant's 50-year upland lease with the San Diego Unified Port District which will expire August 31, 2034.

3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 11, Accessory Structures; Title 14, California Code of Regulations, section 15311.
4. 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:

San Diego Unified Port District

FURTHER APPROVALS REQUIRED:

United States Army Corps of Engineers; Regional Water Quality Control Board; California State Lands Commission

EXHIBITS:

- A. Land Description
- B. Location Map

PERMIT STREAMLINING ACT DEADLINE:

January 19, 1999.

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

CALENDAR ITEM NO. C89 (CONT'D)

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 11, ACCESSORY STRUCTURES; TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15311.

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 SOUTHWEST MARINE, INC., OF A GENERAL LEASE - INDUSTRIAL USE, BEGINNING DECEMBER 15, 1998, FOR A TERM OF THIRTY FIVE YEARS, EIGHT MONTHS, SIXTEEN DAYS, FOR CONSTRUCTION AND MAINTENANCE OF A 20' X 20' MOORING DOLPHIN; MAINTENANCE OF AN EXISTING DRYDOCK FACILITY ADJACENT TO PIER 1; AND APPURTENANT USE AREA ON THE LAND DESCRIBED ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF \$1253; WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$1,000,000.

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EXHIBIT "A"
LAND DESCRIPTION

W 25503

A parcel of tide and submerged land, lying in the bed of San Diego Bay, in the City of San Diego, San Diego County, State of California and more particularly described as follows:

COMMENCING on the U. S. Pierhead Line at Station 477 as said station is shown on the map entitled, "Property Maps Tideland Parcels May 1994", by the San Diego Unified Port District, sheet 21; thence S56°51'00"E, 1,140 feet plus or minus along said Pierhead Line to the southwest corner of Parcel No. 2 Southwest Marine Inc. and the POINT OF BEGINNING of the herein described parcel; thence leaving said Pierhead Line S33°09'W 200 feet; thence S56°51'E 290 feet; thence N33°09'E 175 feet; thence S56°51'E 155 feet; thence N33°09'E 25 feet to the Pierhead Line; thence westerly along said Pierhead Line to the point of beginning and the end of the herein described parcel.

END DESCRIPTION

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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.

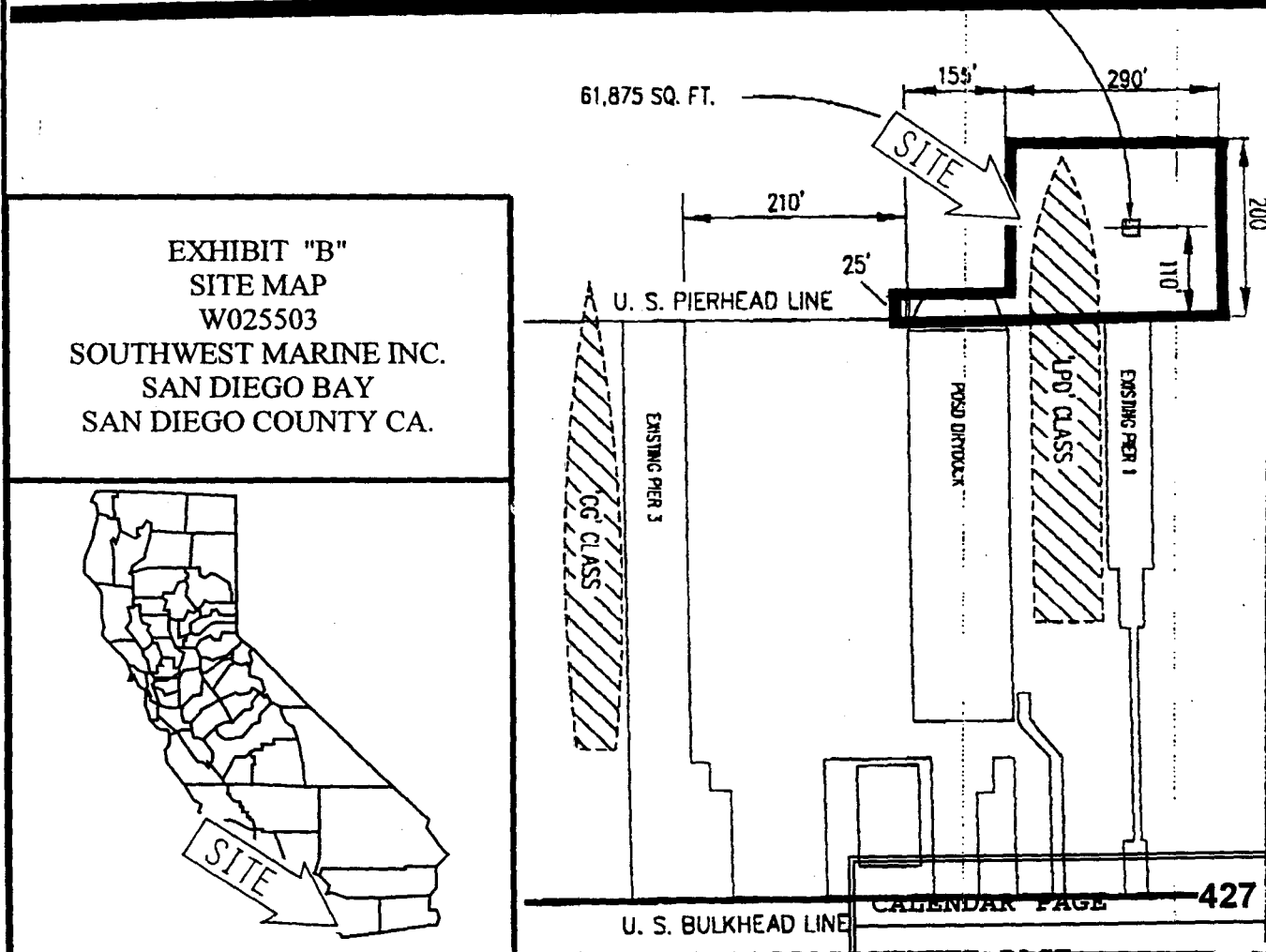
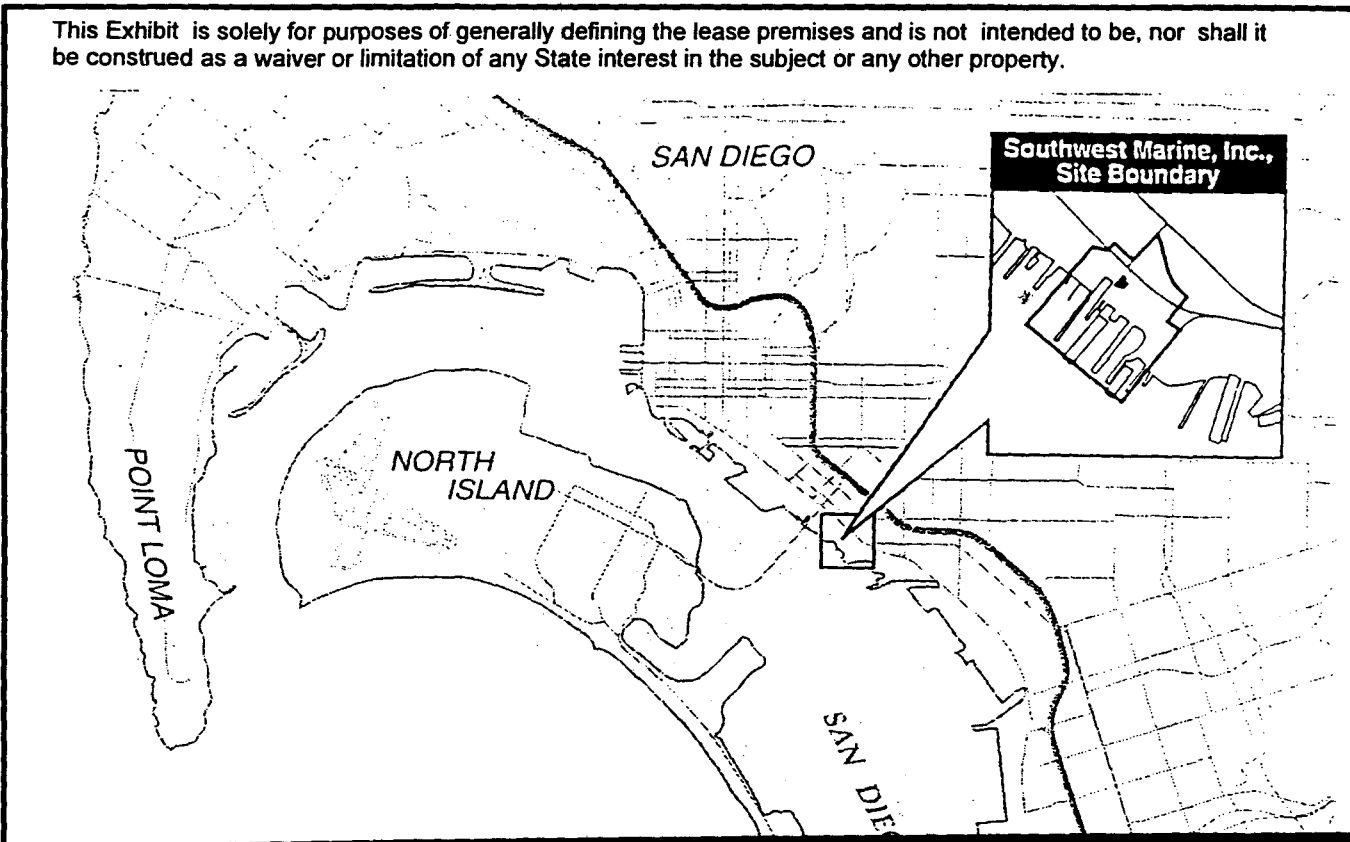


EXHIBIT "B"
 SITE MAP
 W025503
 SOUTHWEST MARINE INC.
 SAN DIEGO BAY
 SAN DIEGO COUNTY CA.

