

MINUTE ITEM
This Calendar Item No. C29 was approved as
Minute Item No. 29 by the California State Lands
Commission by a vote of 3 to 0 at its
2-21-03 meeting.

**CALENDAR ITEM
C29**

A 15, 11
S 7, 4

02/21/03
PRC 7230 WP 7230.1
N. Quesada

ASSIGNMENT OF LEASE

LESSEE/ASSIGNOR:

GWF Power Systems Company, Inc.

ASSIGNEE:

GWF Power Systems , L.P.

AREA, LAND TYPE, AND LOCATION:

0.070 acres, more or less, of sovereign lands in the San Joaquin River and Suisun Bay, Contra Costa County.

AUTHORIZED USE:

Use and maintenance of three submerged pipeline outfalls for discharge of effluent from three electrical generating power plants.

LEASE TERM:

Thirty years, beginning August 1, 1988.

CONSIDERATION:

\$300 per year; with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

OTHER PERTINENT INFORMATION:

1. Assignee has the right to use and/or owns the uplands adjoining the lease premises.
2. The Assignor, GWF Power Systems Company, Inc. has applied to the Commission for an Assignment to transfer all the right, title, and interest of Lease PRC 7230.1, to GWF Power Systems, L.P. (Assignee). Two of the pipeline outfalls discharge effluent from two separate power plants owned by GWF. Site IV serves a plant at Wilbur Avenue East in Antioch, and is

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authorized to discharge in the San Joaquin River. Site V serves a plant located at Nichols Road at Bay Point, and is authorized to discharge in the Suisun Bay. The third outfall, Site III, serves a plant located on Wilbur Avenue West in Antioch, and to date the outfall pipeline has not been constructed. GWF transports the effluent from this site to the Delta Diablo Sanitation District via trucks, for disposal under an industrial discharge permit. Assignee wants to continue leasing Site III because they have future plans to connect Site III to Site IV via an existing pipeline or to connect Site III to the Delta Diablo Sanitation District for disposal.

4. The Assignment does not release the Assignor, GWF Power Systems Company, Inc. from its obligations under the lease. The GWF facilities produce electricity, and distribute the electricity to Pacific Gas & Electric for use in the surrounding communities. Each facility produces approximately 19.5 megawatts (net) electricity.
5. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines [Title 14, California Code of Regulations, section 15060(c)(3)], the staff has determined that this activity is not subject to the provisions of the CEQA because it is not a "project" as defined by the CEQA and the State CEQA Guidelines.

Authority: Public Resources Code section 21065 and Title 14, California Code of Regulations, sections 15060 (c)(3) and 15378.

EXHIBITS:

- A. Site Maps
- B. Location Map

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS NOT SUBJECT TO THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15060(c)(3) BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY

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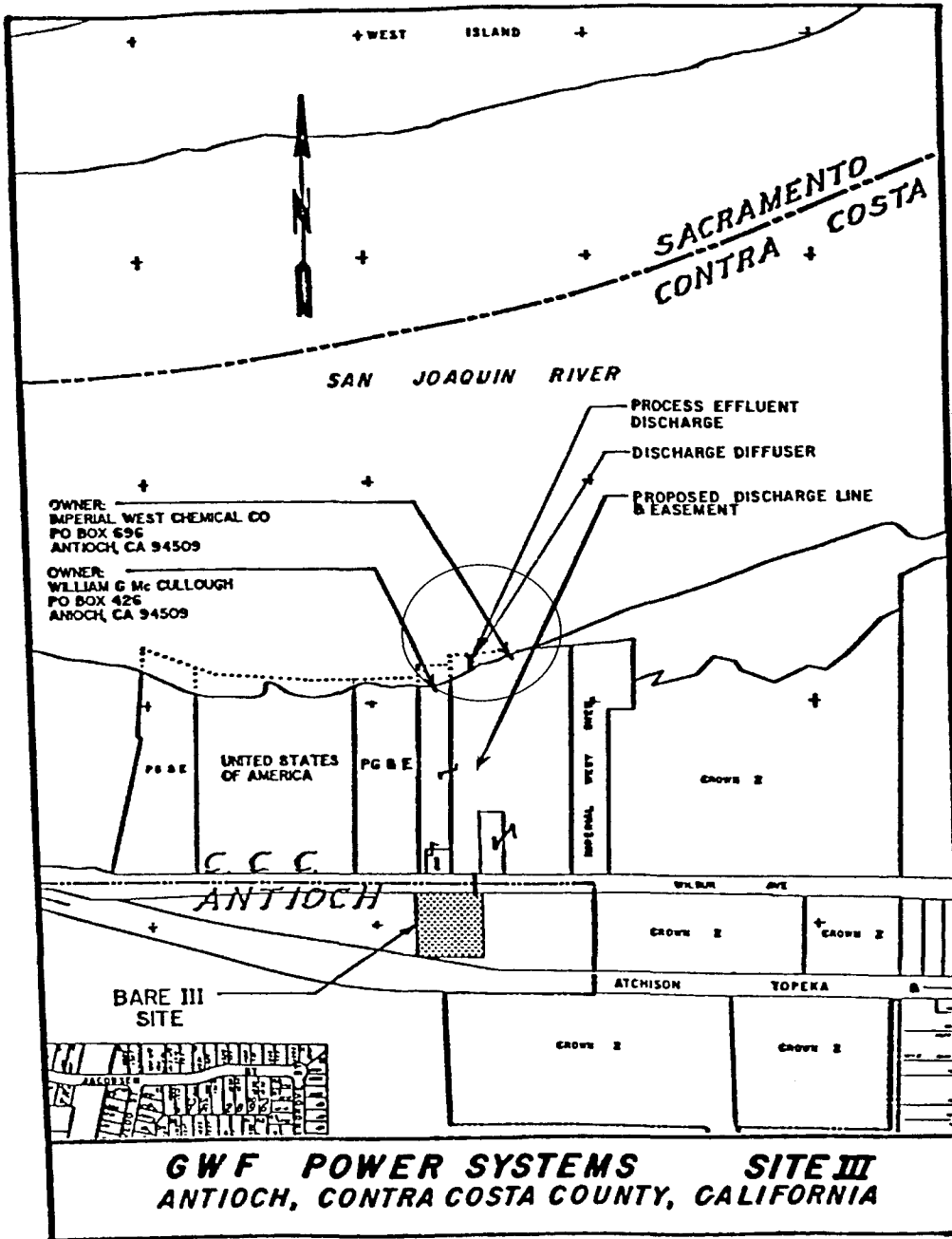
PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14,
CALIFORNIA CODE OF REGULATIONS, SECTION 15378.

AUTHORIZATION:

AUTHORIZE THE ASSIGNMENT OF LEASE NO. PRC 7230.1, A
GENERAL LEASE - RIGHT OF WAY, OF SOVEREIGN LANDS
DESCRIBED ON EXHIBIT A ATTACHED AND BY THIS REFERENCE
MADE A PART HEREOF, FROM GWF POWER SYSTEMS COMPANY,
INC. TO GWF POWER SYSTEMS, L.P.; EFFECTIVE FEBRUARY 28,
2003.

SITE MAP

No Scale



n.g.
Date 1/17/03

This exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by lessee or other parties, and is not intended to be, nor shall it be construed to as a waiver or limitation of any state interest in the subject or any other property.

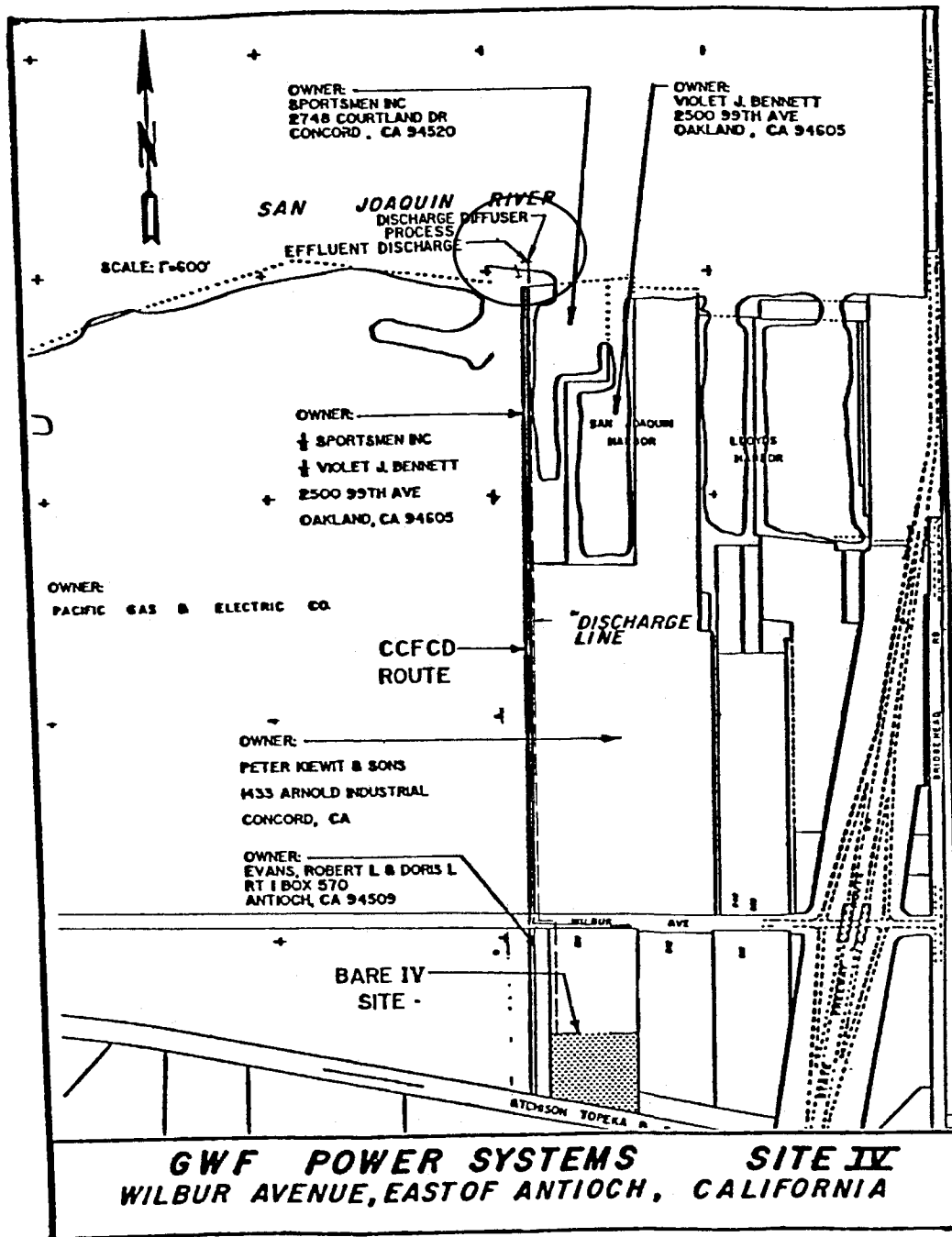
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PRC 7230.1

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SITE MAP

No Scale



n.g.
Date 1/17/03

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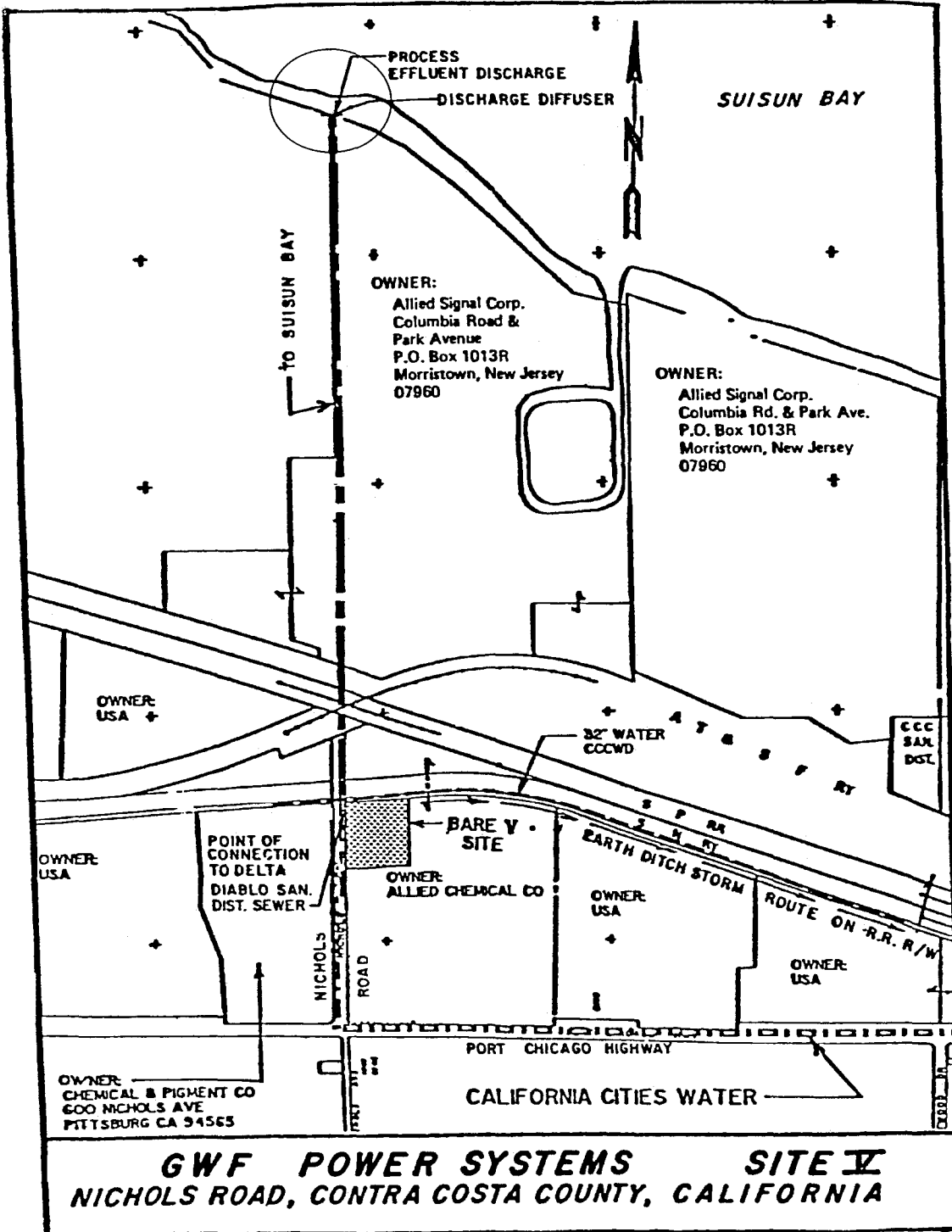
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SITE MAP

No Scale



GWF POWER SYSTEMS SITE V
NICHOLS ROAD, CONTRA COSTA COUNTY, CALIFORNIA

Date 1/17/03

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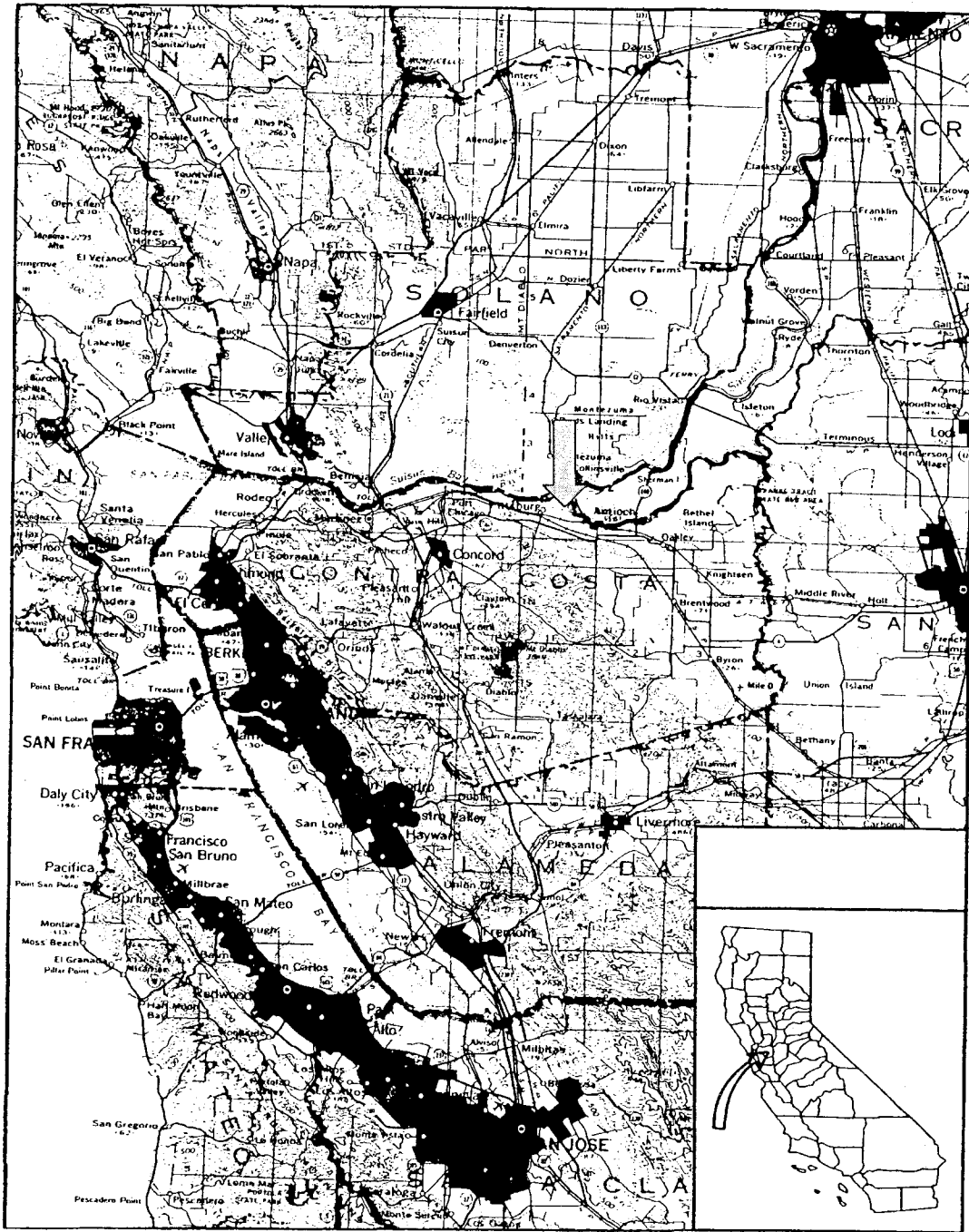
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LOCATION MAP

No Scale



Map Source: USGS Map

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1/20/03

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EXHIBIT B
GWF Power Systems L.P.
PRC 7230.1

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