

MINUTE ITEM

This Calendar Item No. C51 was approved as Minute Item No. 51 by the California State Lands Commission by a vote of 3 to 0 at its 4-17-06 meeting.

CALENDAR ITEM

C51

A 19

04/17/06

PRC 7831

WP 7831.9

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N. Smith

GENERAL LEASE - PUBLIC AGENCY USE

APPLICANT:

United States Department of Commerce
National Oceanic and Atmospheric Administration (NOAA)
1315 East West Highway
Silver Spring, MD 20910

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in the Pacific Ocean, near Pillar Point, San Mateo County.

AUTHORIZED USE:

Maintenance of a non-operational undersea cable, 1.25-inch diameter .

LEASE TERM:

Two years, beginning January 1, 2006.

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.

OTHER PERTINENT INFORMATION:

1. Applicant has the right to use the uplands adjoining the lease premises.
2. Originally, the undersea cable was installed as part of the California Acoustic Thermometry of Ocean Climate (ATOC) project conducted by the University of California, San Diego, Scripps Institution of Oceanography (Scripps) and its associated Marine Mammal Research Program. This cable stretches from Pillar Point Air Force Station waterward to the underwater seamount known as, Pioneer Seamount, and is approximately 100 kilometers long. The cable has been damaged and is non-operational at this time.

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3. The Commission authorized a General Lease – Public Agency Use to Scripps on May 3, 1995, for a period of five years; on May 2, 2000, that lease expired. Pursuant to Scripps' request, on September 19, 2000, the Commission extended the lease through December 31, 2000, with NOAA as Lessee and again on October 1, 2002, the Commission extended the lease through December 31, 2005, to allow additional time for NOAA to make arrangements to remove the cable pursuant to the terms of the lease which requires removal of the cable at the termination of the lease. NOAA is currently exploring options for the ultimate disposition of the cable and should have this completed within the next two years.
4. 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 1, Existing Facilities; Title 2, California Code of Regulations, section 2905 (a)(2).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

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.

EXHIBIT:

- A. Site and Location Map

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

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 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

CALENDAR ITEM NO. C51 (CONT'D)

SIGNIFICANT LANDS INVENTORY FINDING:

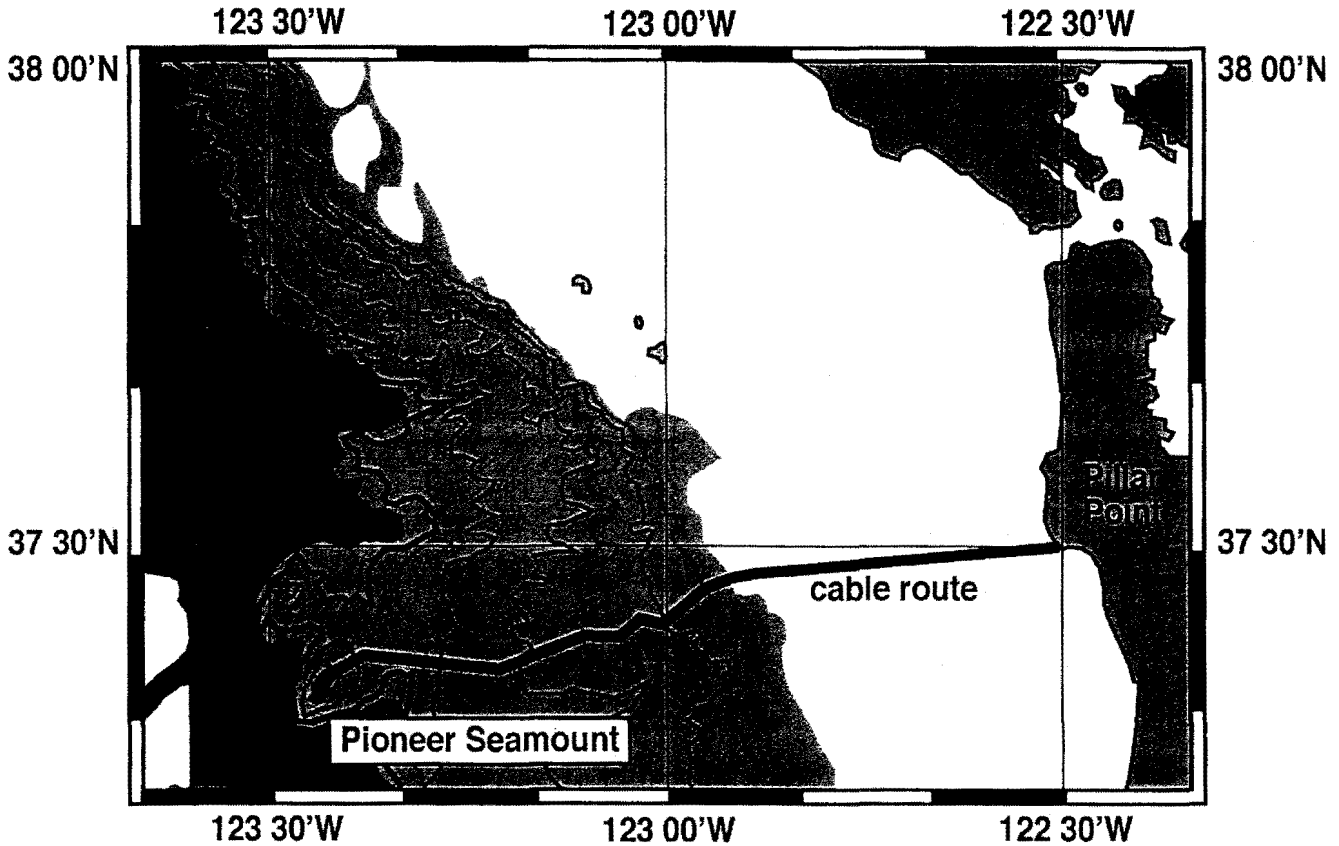
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO THE UNITED STATES DEPARTMENT OF COMMERCE, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, OF A GENERAL LEASE - PUBLIC AGENCY USE, BEGINNING JANUARY 1, 2006, FOR A TERM OF TWO YEARS, FOR THE MAINTENANCE OF A NON-OPERATIONAL UNDERSEA CABLE AS SHOWN 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.

NO SCALE

SITE MAP



NO SCALE

LOCATION MAP

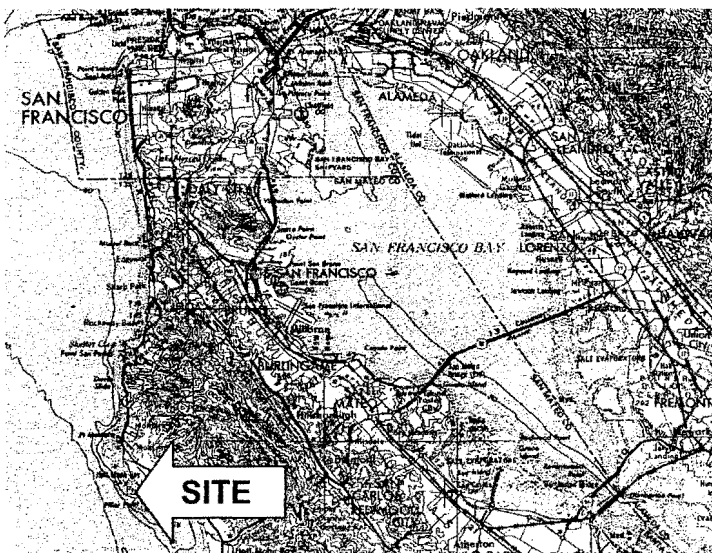


Exhibit A
PRC 7831.1
 National Oceanic
 Atmospheric Administration
 SAN MATEO COUNTY



This exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties, 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.

Map Source: USGS