

**CALENDAR ITEM
C34**

A 74
S 39

10/16/08
W 26305
J. Brown

GENERAL LEASE - PUBLIC AGENCY USE

APPLICANT:

22nd District Agricultural Association
2260 Jimmy Durante Boulevard
Del Mar, CA 92014

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in the San Dieguito River, city of Del Mar, San Diego County.

AUTHORIZED USE:

Construction, use and maintenance of a new eight-inch diameter sewer forcemain pipeline encased within a 14-inch diameter high density polyethylene pipeline and the abandonment in place of an existing eight-inch diameter sewer forcemain pipeline.

LEASE TERM:

20 years, beginning October 16, 2008.

CONSIDERATION:

The public health and safety 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 with 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. The Applicant has applied to the Commission to replace an existing eight-inch sewer forcemain pipeline with a new eight-inch sewer forcemain pipeline crossing under the San Dieguito River. The proposed eight-inch forcemain pipeline will be encased within a larger 14-inch diameter high

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density polyethylene (HDPE) pipeline. The proposed pipeline will be installed using Horizontal Directional Drilling (HDD) and will extend approximately 500 feet from the existing pump station at the Del Mar Fairgrounds, underneath the San Dieguito River, and will connect to an existing 15-inch gravity sewer line within the city of Del Mar's Public Works yard.

The proposed 14-inch outer pipeline will not carry any wastewater and is provided as a precautionary measure to reduce the likelihood of wastewater discharge to the San Dieguito River. The outer pipeline will connect to a new monitoring manhole equipped with a monitoring sensor that can detect the presence of fluid. Additional sensors will be placed at the receiving manhole located within the Del Mar Public Works yard to alert operators in the event the pumps are engaged, but effluent is not being received. If conditions warrant, wastewater flow can be stopped without accidental discharge of wastewater into the River. The existing sewer forcemain pipeline will be flushed with clean water, capped and abandoned in place. The Applicant will remain responsible for the existing pipeline on sovereign lands pursuant to provisions that will be included in the lease.

3. Southern California Edison (SCE) is in the process of completing the San Dieguito Wetland Restoration Project. A component of that Project is the permanent opening of the San Dieguito Rivermouth to the Pacific Ocean. The Applicant needs to complete the sewer forcemain project prior to January 2009, in order to avoid potential conflicts with SCE's planned dredging of the riverbed in the project area.
4. A Mitigated Negative Declaration was prepared and adopted for this project by the 22nd District Agricultural Association on September 4th, 2008. The California State Lands Commission's staff has reviewed such document. A Mitigation Monitoring Program was adopted by the 22nd District Agricultural Association on September 4th, 2008.
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:

22nd District Agricultural Association

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FURTHER APPROVALS REQUIRED:

U.S. Army Corps of Engineers, California Coastal Commission, California
Department of Fish and Game, San Diego Regional Water Quality Control Board,
San Diego County Department of Health, City of Del Mar

EXHIBITS:

- A. Location and Site Map
- B. Mitigation Monitoring Program
- C. Notice of Determination

PERMIT STREAMLINING ACT DEADLINE:

January 20, 2009

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 ON SEPTEMBER 4, 2008, BY THE
22ND DISTRICT AGRICULTURAL ASSOCIATION AND THAT THE
COMMISSION HAS REVIEWED AND CONSIDERED THE
INFORMATION CONTAINED THEREIN.

ADOPT THE MITIGATION MONITORING PROGRAM, AS CONTAINED
IN THE ENVIRONMENTAL DOCUMENT, ATTACHED HERETO.

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 OF A GENERAL LEASE - PUBLIC AGENCY
USE TO THE 22ND DISTRICT AGRICULTURAL ASSOCIATION
BEGINNING OCTOBER 16, 2008, FOR A TERM OF 20 YEARS, FOR
THE CONSTRUCTION, USE AND MAINTENANCE OF AN EIGHT-INCH
DIAMETER SEWER FORCEMAIN PIPELINE ENCASED WITHIN A 14-
INCH DIAMETER HIGH DENSITY POLYETHYLENE PIPELINE, AND
THE ABANDONMENT IN PLACE OF AN EXISTING EIGHT-INCH
DIAMETER SEWER FORCEMAIN PIPELINE; AS SHOWN ON EXHIBIT

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A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF;
CONSIDERATION BEING THE PUBLIC HEALTH AND SAFETY WITH
THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A
MONETARY RENT DURING THE TERM OF THIS LEASE; LIABILITY
INSURANCE OF NOT LESS THAN \$1,000,000.