

**CALENDAR ITEM
C97**

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06/23/11
PRC 5628.9
A. Scott

GENERAL LEASE - PROTECTIVE STRUCTURE USE

APPLICANT:

El Segundo Power, LLC
301 Vista Del Mar
El Segundo, CA 90245

AREA, LAND TYPE, AND LOCATION:

2.75 acres, more or less, of sovereign lands in Pacific Ocean, El Segundo, Los Angeles County.

AUTHORIZED USE:

Continued maintenance of an existing rock revetment.

LEASE TERM:

10 years, beginning February 1, 2009.

CONSIDERATION:

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:

Insurance:

Liability insurance in the amount of no less than \$2,000,000.

Bond:

\$10,000.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.

2. A General Permit – Protective Structure Use, Lease No. PRC 5628.9, was initially issued to Southern California Edison in 1979 for 20 years and amended in 1978 to add a beach parcel. The lease was assigned to El Segundo Power effective February 1, 1998. On December 3, 1999, the

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Commission approved a General Lease – Protective Structure Use for a 10-year term for maintenance of the rock revetment to protect a public bicycle trail and the beach area. This lease expired January 31, 2009.

3. The land description will change as this lease will cover only the rock revetment and not the beach parcel. The lease area will be reduced from 10 acres to 2.75 acres.
4. This existing rock revetment was placed by the applicant in 1979 after major winter storms damaged an existing public bicycle path. The rock revetment provides protection for the adjacent public bicycle path that is operated and maintained by the County of Los Angeles. The County of Los Angeles has a 49-year lease (Lease No. PRC 4796) from the Commission for portions of this bicycle path located on State lands and an agreement with the applicant to maintain the existing public bicycle path and the rock revetments.
5. 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 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.

6. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq., but such activity will not affect those significant lands. 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.

EXHIBITS:

- A. Site Map
- B. Land Description

RECOMMENDED ACTION:

It is recommended that the Commission:

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CEQA FINDING:

Find that the activity is exempt from the requirements of 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).

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 - Protective Structure Use to El Segundo Power, LLC beginning February 1, 2009, for a term of 10 years, for the continued maintenance of an existing rock revetment 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; liability insurance in the amount of no less than \$2,000,000 and bond in the amount of \$10,000.