

**CALENDAR ITEM
C55**

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08/14/12
PRC 8088.9
S. Paschall

GENERAL LEASE – PUBLIC AGENCY USE

APPLICANT:

Federal Aviation Administration.

AREA, LAND TYPE, AND LOCATION:

Sovereign land located adjacent to San Francisco Bay near San Francisco International Airport (SFO).

AUTHORIZED USE:

Use and maintenance of an existing 60-foot mast tower, antennae, circuit breaker panels, obstruction lights, and wooden H-frame backboard previously authorized by the Commission, and the installation, use, and maintenance of an Omni antenna, panel antenna, LMR600 and CAT5 cables, corresponding electrical units, underground conduit, and 10' high chain-link fence.

LEASE TERM:

20 years, beginning August 14, 2012

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. The State of California acquired fee ownership of the subject land in 1972 as a result of a boundary settlement and exchange agreement (BLA 131) entered into between the Commission and Anza Pacific Corp. and Transamerica Title Insurance Company, dated July 6, 1972, and recorded on July 27, 1972 in Book 6198, Page 1, Official Records, San Mateo County, California, including a Grant Deed dated July 18, 1972, recorded July 27, 1972 in Book 6198, Page 76. The property is located within parcel 5 of the agreement and Grant Deed.
2. On June 14, 1999, the Commission authorized the issuance of Lease No. PRC 8088.9, a General Lease – Public Agency, to the Federal Aviation Administration, for the construction use, and maintenance of the mast tower, antennae, circuit breaker panel, obstruction lights, and H-frame

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backboard, expired on September 13, 2005. The Applicant is now applying for a new lease.

3. The existing facilities are part of the Applicant's Low Level Windshear Alert System (LLWAS) which consists of a network of sites used to measure the speed and direction of wind in and around the vicinity of SFO, and to mitigate aircraft encountering dangerous headwind to tailwind velocity transitions, resulting in loss of airspeed. The Applicant is proposing to install and operate their Airport Surface Surveillance Capability (ASSC) system to increase existing airport surface detection capabilities and enhance the safety of airport operations at SFO. Staff has reviewed this material and is recommending that the proposed facilities be included in the lease.
4. The Applicant requested a Letter of Non-objection (LON) for right of entry to make alterations, attach fixtures, and erect additions, structures, or signs upon the Lease Premises prior to the Commission's authorization of issuance of the subject lease. Staff drafted a LON dated July 20, 2012, pursuant to the Commission's delegation of authority. The Applicant subsequently amended the request for a LON on July 24, 2012, and staff redrafted a LON dated July 27, 2012. The LON would allow the Applicant, upon full execution, to begin installation of facilities prior to this authorization, subject to the terms and conditions of the LON.
5. **Existing 60-Foot Mast Tower, Antennae, Circuit Breaker Panel, Obstruction Lights, and Wooden H-Frame Backboard (#4):**

Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Cal. Code Regs., tit. 14, § 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; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.
6. **Omni Antenna, Panel Antenna, LMR600 and CAT5 Cables, Corresponding Electrical Units, Underground Conduit, and 10-foot Chain Fence (#13):**

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Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Cal. Code Regs., tit. 14, § 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 11, Accessory Structures; California Code of Regulations, Title 14, section 15311.

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15311.

7. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 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. Land Description
- B. Site and Location Map

RECOMMENDED ACTIONS:

It is recommended that the Commission:

CEQA FINDING:

Existing 60-Foot Mast Tower, Antennae, Circuit Breaker Panel, Obstruction Lights, and Wooden H-Frame Backboard (#4):

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

Omni Antenna, Panel Antenna, LMR600 and CAT5 Cables, Corresponding Electrical Units, Underground Conduit, and 10-foot Chain Fence (#13):

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 11, Accessory Structures; California Code of Regulations, Title 14, section 15311.

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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 section 6370 et seq.

AUTHORIZATION:

Authorize issuance of a General Lease – Public Agency Use to the Federal Aviation Administration, beginning August 14, 2012, for a term of 20 years, for the use and maintenance of an existing 60-foot mast tower, antennae, circuit breaker panels, obstruction lights, and wooden H-frame backboard previously authorized by the Commission, and the installation, use, and maintenance of an Omni antenna, panel antenna, LMR600 and CAT5 cables, corresponding electrical units, underground conduit, and 10' high chain-link fence, as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; consideration to be the public health, safety 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.

EXHIBIT A

PRC 8088.9

LEGAL DESCRIPTION

REAL PROPERTY SITUATE IN THE CITY OF BURLINGAME, COUNTY OF SAN MATEO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT HAVING COORDINATES OF $N=2045208.36$ $E=6028968.15$, SAID POINT BEING NORTH $49^{\circ}39'38''$ WEST, A DISTANCE OF 3280.46 FEET FROM A CALIFORNIA DIVISION OF HIGHWAYS MONUMENT STAMPED "X-1775" AND HAVING COORDINATES OF $N=2041085.71$ AND $E=6031468.80$; THENCE THE FOLLOWING COURSES:

NORTH $89^{\circ}00'32''$ WEST, A DISTANCE OF 20.00 FEET;
SOUTH $00^{\circ}50'28''$ WEST, A DISTANCE OF 15.00 FEET;
SOUTH $89^{\circ}00'32''$ EAST, A DISTANCE OF 20.00 FEET;
NORTH $00^{\circ}50'28''$ EAST, A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING.

CONTAINING A AREA OF 300 SQUARE FEET, MORE OR LESS.

COORDINATES, BEARINGS, AND DISTANCES ARE REFERENCED TO GCS83(1983), ZONE 11. TO OBTAIN GROUND DISTANCES, DIVIDE BY 0.9999362.

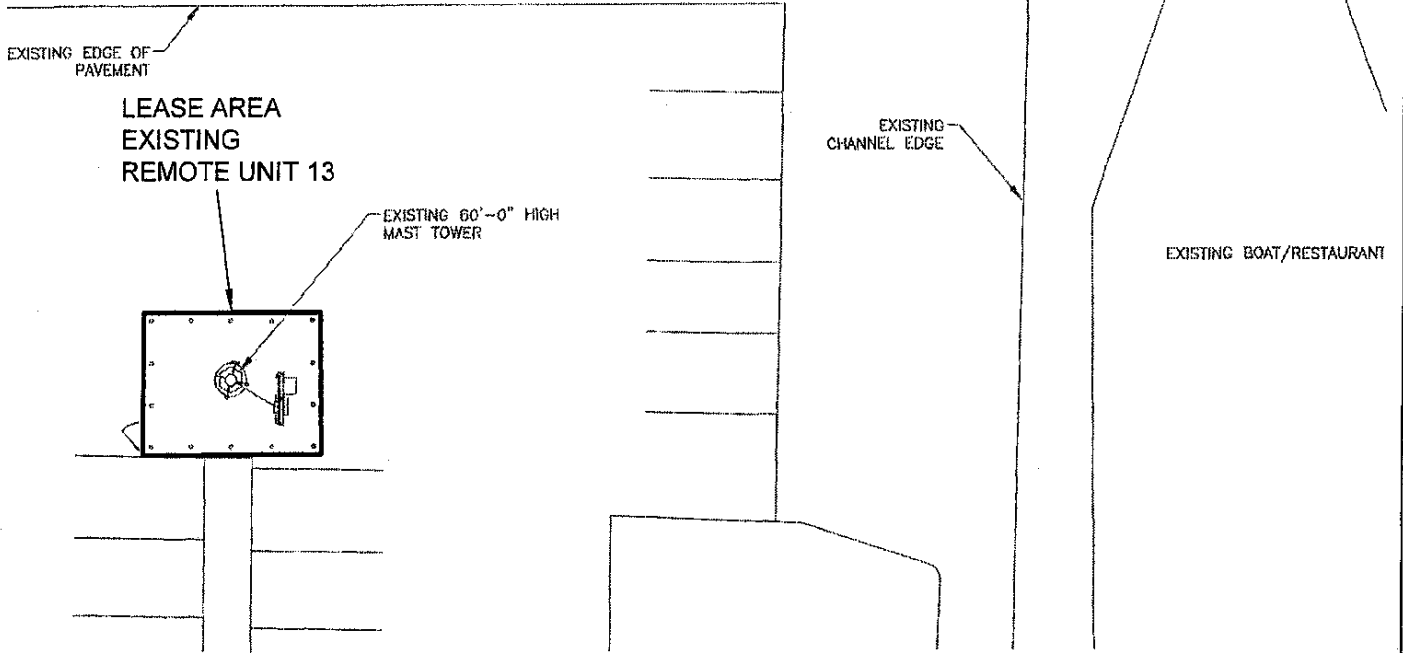


Matthew E. Chapman
MATTHEW E. CHAPMAN
L.E. No. 7054

NO SCALE

SITE

SAN FRANCISCO BAY



400 AIRPORT BLVD., NEAR BURLINGAME

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 8088.9
 FEDERAL AVIATION
 ADMINISTRATION
 APN 026-363-610, -600
 GENERAL LEASE-
 PUBLIC AGENCY USE
 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.

TS 07/25/12