

MINUTE ITEM

This Calendar Item No. 26
was approved as Minute Item
No. 26 by the State Lands
Commission by a vote of 2
to 0 at its 10/28/76
meeting.

CALENDAR ITEM

26

10/76
W 21038
SA
PRC 5201

PUBLIC AGENCY PERMIT

APPLICANT:

Port of San Diego
P. O. Box 488
San Diego, California 92112

AREA, TYPE LAND AND LOCATION:

A 7.25 acre parcel of tide and submerged
land in San Diego Bay, San Diego County.

LAND USE:

Marine terminal, commercial or industrial uses.

TERMS OF PROPOSED LEASE:

Initial period: 49 years from August 1, 1976.

CONSIDERATION:

The public use and benefit with the State
reserving the right at any time to set a
monetary rental if the Commission finds
such action to be in the State's best
interest.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is owner of upland.

Environmental costs and processing costs have
been received.

STATUTORY AND OTHER REFERENCES:

A. Public Resources Code: Div. 6, Parts 1 & 2.

B. Administrative Code: Title 2, Div. 3,
Arts. 4, 2, 10 & 11.

OTHER PERTINENT INFORMATION:

1. A recent boundary survey conducted by the
State Lands Division in conjunction with
the Port District indicated that this
parcel was not included in the grant to
the Port District. The Port District
assumes that this property was included
in the area originally granted, and the
parcel was included in their plans to
accommodate a potential industrial user.

2. No environmental document is required as
this project is exempt from CEQA. In
that no specific use is being authorized,
the lease comes under the definition of
a non-project. Any later development
will require the completion of an environ-
mental impact report.

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CALENDAR ITEM NO. 26 (CONTD)

3. This parcel is situated on State land identified as environmentally significant and is classified in a significant use category, Class C. The applicant has assured us that any eventual project developed on this site will conform with the California Environmental Quality Act as well as other subsequent environmental protection requirements, such as Division regulations relating to the protection of significant environmental values.

4. The applicant has requested that the lessee shall have the right to sublease the parcel without the permission of the State Lands Commission, to assure the timely acceptance of any proposed development for the State property and the applicant's adjoining property.

EXHIBITS: A. Land Description. B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21065, 14 CAL. ADM. CODE 15037.
2. FIND THAT GRANTING OF THE APPLICATION WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1 ET SEQ.; OF THE PUBLIC RESOURCES CODE.
3. AUTHORIZE ISSUANCE TO PORT OF SAN DIEGO OF A 49-YEAR PUBLIC AGENCY PERMIT FROM AUGUST 1, 1976; IN CONSIDERATION OF THE PUBLIC USE AND BENEFIT WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENTAL IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; AND THE PORT OF SAN DIEGO SHALL HAVE THE RIGHT TO SUBLEASE THE AREA COVERED BY THIS LEASE WITHOUT THE NEED FOR ANY FURTHER PERMIT OR PERMISSION OF THE STATE LANDS COMMISSION FOR MARINE TERMINAL, COMMERCIAL OR INDUSTRIAL USE PURPOSES ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

W 21038

A parcel of State owned tide and submerged land situated in San Diego Bay, lying adjacent to the westerly boundary of the grant to the City of National City, Chapter 1185, Statutes of 1953, San Diego County, State of California, more particularly described as follows:

COMMENCING at the southeasterly corner of those certain tide and submerged lands granted to the City of National City by the State of California, by Chapter 183, Statutes of 1947 of the California Legislature being a point on the ordinary high water mark of San Diego Bay described in that certain "Agreement (Arbitrating Ordinary High Water Mark)" recorded in Book 2442 page 209, Official Records in the Office of the Recorder of the County of San Diego, said point of commencement having California Coordinate System Zone VI coordinates of North 176,822.12, East 1,736,086.08; thence S 72° 15' 22" W 2638.18 feet along the southerly boundary of the above mentioned lands granted in Chapter 183, Statutes of 1947, to the southwesterly corner of said land, also being the southeasterly corner of the lands granted to the City of National City by the State of California, by Chapter 1185, Statutes of 1953 of the California Legislature; thence S 82° 28' 30" W 999.86 feet along the southerly boundary of said lands granted in Chapter 1185, Statutes of 1953 to the intersection with the United States Pierhead Line as shown on United States Corps of Engineers Harbor Lines Map of San Diego Bay, File No. 424, being the southwesterly corner of the lands granted by said Chapter 1185, Statutes of 1953, said point also being the TRUE POINT OF BEGINNING; thence continuing S 82° 28' 30" W 163.32 feet to a point on the combined United States Pierhead and Bulkhead Line as said line is shown on U.S.C.E. Harbor Lines Map of San Diego Bay, File No. 427; thence along said Combined United States Pierhead and Bulkhead Line N 11° 11' 51" W 1474.40 feet to the southwesterly corner of those lands granted to the City of National City by the State of California, by Chapter 46, Statutes of 1923 of the California Legislature; thence leaving said Combined United States Pierhead and Bulkhead

Line and along the southerly boundary of the above mentioned lands granted by Chapter 46, Statutes of 1953, N 72° 15' 33" E 261.92 feet to a point on the U. S. Pierhead Line shown on said U.S.C.E. Harbor Lines Map, File No. 424, said point also being the northwesterly corner point of said lands granted by Chapter 1185, Statutes of 1953; thence along the westerly boundary of the above mentioned lands granted by Chapter 1185, Statutes of 1953 S 7° 31' 30" E 1517.78 feet to the point of beginning.

Bearings, distances and coordinates in the above description are based upon the California Coordinate System, Zone 6.

END OF DESCRIPTION

Prepared M. J. Draf Checked R. L. Blake
Reviewed L. Brittrach Date 6/18/76

