

MINUTE ITEM

This Calendar Item No. C67 was approved as Minute Item No. 67 by the California State Lands Commission by a vote of 3 to 0 at its 2/27/98 meeting.

CALENDAR ITEM

C67

A 53

02/27/98

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PRC 858.1/PRC 5628.9

J. Smith

ASSIGNMENT OF LEASE

LESSEE/ASSIGNOR:

Southern California Edison Company
244 Walnut Grove Avenue
Rosemead, California 91770

ASSIGNEE:

El Segundo Power, LLC
1000 Louisiana, Suite 5800
Houston, Texas 77002

AREA, LAND TYPE, AND LOCATION:

Lease No. PRC 858.1 - 32.14 acres, more or less, of sovereign lands in the Pacific Ocean, near El Segundo, Los Angeles County.

Lease No. PRC 5628.9 - 10 acres, more or less, of sovereign lands in the Pacific Ocean, near El Segundo, Los Angeles County.

AUTHORIZED USE:

Lease No. PRC 858.1 - Operation and maintenance of intake/discharge pipelines.

Lease No. PRC 5628.9 - Maintenance of a rock barrier to protect a public bicycle trail and beach area.

LEASE TERM:

Lease No. PRC 858.1 - 49 years, beginning October 27, 1953.

Lease No. PRC 5628.9 - 20 years, beginning February 1, 1979.

CONSIDERATION:

Lease No. PRC 858.1 - \$2100 per year.

Lease No. PRC 5628.9 - The public use and benefit; with the State reserving the

CALENDAR PAGE	383
MINUTE PAGE	002994

CALENDAR ITEM NO. **C67** (CONT'D)

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 owns and has a right to use the uplands adjoining the lease premises.
2. Southern California Edison Company (SCE), our Lessee, is in the process of an asset divestiture mandated by the California Legislature in connection with the restructuring of California's electric industry. In accordance with this mandate, SCE has entered into an asset sale agreement with El Segundo Power, LLC for the purchase of the El Segundo Generating Station. This would also include the assignment of SCE's right, title and interest in Lease Nos. PRC 858.1 and PRC 5628.9.
3. 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 because the activity is not a "project" as defined by the CEQA and the State CEQA Guidelines.

Authority: Public Resources Code section 21065 and Title 14, California Code of Regulations, section 15378.

EXHIBIT:

- A. Location and Site Map.

PERMIT STREAMLINING ACT DEADLINE:

N/A

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 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15378.

CALENDAR PAGE	384
MINUTE PAGE	002995

CALENDAR ITEM NO. **C67** (CONT'D)

AUTHORIZATION:

AUTHORIZE THE ASSIGNMENT OF LEASE NOS. PRC 858.1, A RIGHT OF WAY EASEMENT; AND PRC 5628.9, A GENERAL PERMIT - PROTECTIVE STRUCTURE USE, OF SOVEREIGN LANDS FROM SOUTHERN CALIFORNIA EDISON COMPANY TO EL SEGUNDO POWER, LLC, EFFECTIVE FEBRUARY 1, 1998.

CALENDAR PAGE	385
MINUTE PAGE	002998



EXHIBIT A
 PRC 858.1/PRC 5628.9



CALENDAR PAGE 386
 MINUTE PAGE 002997