

**CALENDAR ITEM
C31**

A 41
S 23

04/09/09
WP 7970.9
S.Young

GENERAL LEASE – PUBLIC AGENCY USE

LESSEE:

City of Los Angeles
Bureau of Engineering
1149 S. Broadway, Suite 600
Los Angeles, CA 90015-2213

AREA, LAND TYPE, AND LOCATION:

0.11 acre, more or less, of filled sovereign lands at Will Rogers State Beach, near Pacific Palisades, Los Angeles County.

AUTHORIZED USE:

Continued use and maintenance of a 20-inch diameter force sewer pipeline and a 12-inch diameter gravity line to transport wastewater as part of a sewer force main extending from Sunset Boulevard to Potrero Canyon.

LEASE TERM:

Ten years, beginning October 1, 2007.

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.

OTHER PERTINENT INFORMATION:

1. Applicant has a right to use the uplands adjoining the lease premises.
2. On July 11, 1997, the Commission approved the issuance of a ten-year General Lease – Public Agency Use to the city of Los Angeles for the construction and maintenance of a new force sewer pipeline and a gravity line to transport wastewater as part of an 11,000-foot long sewer force main extending from Sunset Boulevard to Potrero Canyon. A portion of the sewer pipeline is located under the Will Rogers State Beach parking lot, within the Commission's jurisdiction. Major portions of Will Rogers

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State Beach consist of filled tide and submerged lands which were transferred to State Parks pursuant to jurisdictional transfer JTO 5 and 12, in 1951 and 1964, respectively. The lease premises is located waterward of the area transferred to State Parks and waterward of the ordinary high water mark established by the Commission in 1945.

The Lease expired on September 30, 2007. The Lessee, the city of Los Angeles, is now applying for a new General Lease – Public Agency Use for the continued use and maintenance of the existing pipelines located on the lease premises.

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 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.

4. 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.

EXHIBITS:

- A. Location and Site Map.
- B. Land Description

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 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA

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CODE OF REGULATIONS, SECTION 2905 (a)(2).TITLE 14,
CALIFORNIA CODE OF REGULATIONS, SECTION 15303.

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 CITY OF LOS ANGELES, BEGINNING OCTOBER 1, 2007, FOR A TERM OF TEN YEARS, FOR THE CONTINUED USE AND MAINTENANCE OF A 20-INCH DIAMETER PIPELINE AND A 12-INCH DIAMETER GRAVITY LINE AS PART OF AN EXISTING FORCE MAIN PROJECT ON THE LAND SHOWN ON EXHIBIT A, (FOR REFERENCE PURPOSES ONLY), ATTACHED AND AS DESCRIBED ON EXHIBIT B, 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 IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST.