

**CALENDAR ITEM  
C76**

A 76  
S 39

03/29/12  
WP 7029.9  
M. Andersen

**GENERAL LEASE – PUBLIC AGENCY USE**

**APPLICANT:**

City of San Diego  
9192 Topaz Way  
San Diego, CA 92123

**AREA, LAND TYPE, AND LOCATION:**

Sovereign land in the Pacific Ocean near Point Loma, city of San Diego, San Diego County.

**AUTHORIZED USE:**

Continued operation and maintenance of an existing reinforced concrete outfall, diffusers, and shoreline protection as shown on Exhibit B.

**LEASE TERM:**

20 years, beginning January 1, 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.

**SPECIFIC LEASE PROVISIONS:**

The city of San Diego shall maintain a current National Pollutant Discharge Elimination System (NPDES) permit during the term of the lease.

**OTHER PERTINENT INFORMATION:**

1. Applicant owns the upland adjoining the lease premises.
2. On December 23, 1986, the Commission authorized a General Lease – Public Agency Use to the City of San Diego Water Utilities Department for the maintenance and operation of an existing 108-inch-diameter ocean outfall pipeline extending into the Pacific Ocean. On September 27, 1989, the Commission authorized an amendment of the lease to include

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shoreline protection. On January 8, 1992, the lease was again amended to allow for construction of a 144-inch-diameter, 12,500-foot long pipeline extension and two diffusers. On August 21, 1996, the lease was amended a third time to provide for the construction of additional shoreline protection. The lease expired December 31, 2011. The Applicant has now applied for a new General Lease – Public Agency Use.

3. Improvements within the proposed lease area consist of an existing concrete reinforced outfall pipeline, two non-operational diffuser segments, and shoreline protection. The pipeline was constructed in 1963 as an approximately 108-inch-diameter, 11,400 feet long reinforced concrete pipeline that would convey primary treated sewage effluent from the upland waste water treatment plant to the Pacific Ocean at a dispersion water depth of 210 feet. This original segment of the outfall pipeline was trenched into the seafloor for the first 2,700 LF with the remainder of the line laid on the ocean bottom and covered by a layer of ballast rock. Two diffusers, approximately 78 inches in diameter and 250 feet long and having 58 diffusers ports, extend from the pipeline. In 1993, a 144-inch-diameter, and a 12,500 feet long extension was constructed along with two new 2,500 feet long diffusers. The extension and new diffusers were laid on the ocean floor and covered with ballast rock. The newer diffusers and the end portion of the 144-inch pipeline extend beyond the State lands into the Federal offshore and are not included within the lease area. The older diffusers are no longer operational, but are included in the lease. With the extension, the outfall pipeline is one of the longest, largest, and deepest ocean outfalls in the world, reaching 4.5 miles in length and discharging at a depth of 320 feet below sea level. The pipeline is cathodically protected. The Applicant is not proposing new construction.
4. The entire pipeline is inspected externally annually and pursuant to the 2010-2011 inspection report, the pipeline, diffusers, and ballast covering remain in good repair.
5. 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).

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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. 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.

**APPROVALS OBTAINED:**

California Regional Water Quality Control Board

**EXHIBITS:**

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

**RECOMMENDED ACTION:**

It is recommended that the Commission:

**CEQA FINDING:**

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).

**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 City of San Diego beginning January 1, 2012, for a term of 20 years, for the continued operation and maintenance of an existing reinforced concrete outfall, diffusers, and shoreline protection as described on Exhibit A and as shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; consideration to be 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.

## EXHIBIT A

PRC 7029.9

### LAND DESCRIPTION

Eight parcels of tide and submerged land in the bed of the Pacific Ocean, San Diego County, California, more particularly described as follows:

#### PARCELS 1, 2, 3, & 4 – OUTFALL PARCELS

Three strips of tide and submerged land 50 feet wide lying 25 feet on each side of the following described centerline:

##### STRIP 1

BEGINNING at coordinate X = 1,693,206.01, and Y = 188460.31, California Coordinate System Zone 6, NAD 1927; thence S 75°30' W, 11,450.00 feet to Point "Wye".

EXCEPTING THEREFROM any portion lying landward of the mean high tide line of the Pacific Ocean.

##### STRIP 2

BEGINNING at said Point "Wye", thence S 11°30' W, 1402.66 feet to the end of the herein described centerline.

EXCEPTING THEREFROM any portion lying with the abovementioned Strip 1.

##### STRIP 3

BEGINNING at said Point "Wye", thence N 40°30' W, 1402.66 feet to the end of the herein described centerline.

EXCEPTING THEREFROM any portion lying within the abovementioned Strips 1 and 2.

##### STRIP 4

A strip of tide and submerged land 160 feet wide lying 80 feet on each side of the following described centerline.

BEGINNING at coordinate X = 1,682,126.25, and Y = 185,594.50, California Coordinate System Zone 6, NAD 1927; thence S 78°40' W, 7295.24 feet to a point on the State of California Offshore Boundary, said point also being the TERMINUS of the herein described centerline, having coordinates of X = 1,674,973.27, Y = 184,160.86, California Coordinate System Zone 6, NAD 1927.

EXCEPTING THEREFROM any portion lying within the abovementioned Strips 1, 2, and 3.

The sidelines of said strip are to be lengthened or shortened as to terminate at said California Offshore Boundary.

PARCELS 5, 6, 7, & 8 – SHORE PROTECTIVE PARCELS

Four parcels of tide and submerged land in the bed of the Pacific Ocean lying immediately beneath the existing riprap revetment and the proposed riprap revetment adjacent to Tract 38, T 17 S, R 4 W, SBM.

EXCEPTING THEREFROM any portion lying landward of the mean high tide line of the Pacific Ocean.

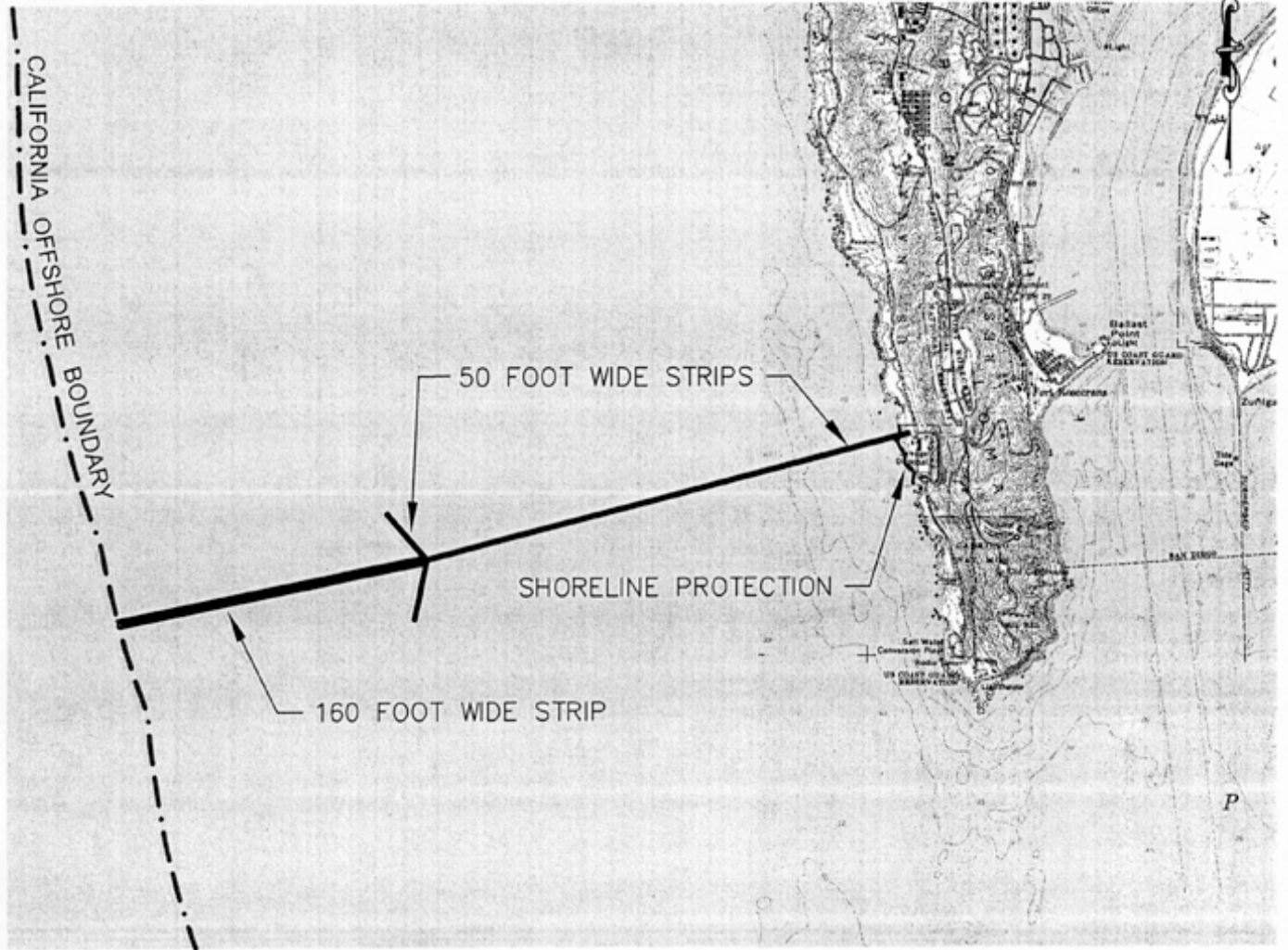
**END OF DESCRIPTION**

Revised by the California State Lands Commission Boundary Unit January 19, 2012. Original description prepared/revised by LLB on October 1991 as found in PRC 7029.9 Lease File.



NO SCALE

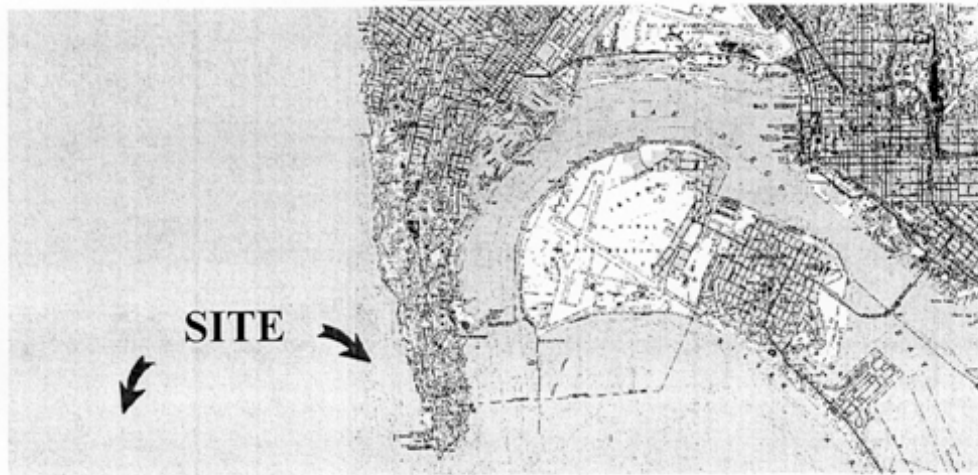
### SITE



SD PUBLIC UTILITIES DEPT., PACIFIC OCEAN, NEAR POINT LOMA

NO SCALE

### LOCATION



MAP SOURCE: USGS QUAD

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.

### **Exhibit B**

WP 7029.9  
CITY OF SAN DIEGO  
APN 532-520-06  
GENERAL LEASE -  
PUBLIC AGENCY USE  
SAN DIEGO COUNTY



JAK 01/19/12