

21. TEN-YEAR INDUSTRIAL LEASE, TIDE AND SUBMERGED LAND AND ARTIFICIALLY ACCRETED LAND AT EL SEGUNDO, LOS ANGELES COUNTY; STANDARD OIL COMPANY OF CALIFORNIA - W 20390, PRC 4707.1.

During consideration of Calendar Item 19 attached, appearances were made by the following, both in support of the proposed industrial lease for a marine terminal for unloading oil tankers:

John S. Nevitt, Los Angeles County Air Pollution Control District

Henry F. Lippitt, Executive Secretary, California Gas Producers Association

There were no appearances in opposition to approving the ten-year industrial lease.

Upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. FINDS THAT, IN ACCORDANCE WITH ENVIRONMENTAL IMPACT REPORT NO. 71 AND A SUBSEQUENT ADDENDUM TO ENVIRONMENTAL IMPACT REPORT NO. 71 WHICH IS DATED OCTOBER 18, 1972, BOTH OF WHICH ARE ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF, AN INDUSTRIAL LEASE AS RECOMMENDED HEREIN WILL NOT HAVE A SIGNIFICANT DETRIMENTAL ENVIRONMENTAL EFFECT.
2. AUTHORIZES THE ISSUANCE TO STANDARD OIL COMPANY OF CALIFORNIA OF A TEN-YEAR INDUSTRIAL LEASE, IN THE FORM ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF, FROM NOVEMBER 1, 1972, WITH TWO TEN-YEAR RENEWAL OPTIONS, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$29,069.78 FOR THE TIDE AND SUBMERGED LANDS AND \$9000.00 PER ANNUM FOR THE ACCRETED LAND; WITH THE STATE RESERVING THE RIGHT TO REVIEW AND RESET A REASONABLE RENTAL ON EACH FIFTH ANNIVERSARY; PROVISION OF A \$50,000.00 SURETY BOND, PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$200,000.00/\$600,000.00 FOR PERSONAL INJURY AND \$5,000,000.00 FOR PROPERTY DAMAGE, FOR CONSTRUCTION AND OPERATION OF A TERMINAL FACILITY FOR UNLOADING OIL TANKERS ON THE LAND DESCRIBED ON EXHIBIT "A" AND USE AS A CONSTRUCTION AND STAGING AREA ON THE LAND DESCRIBED ON EXHIBIT "B", BOTH ATTACHED AND BY REFERENCE MADE A PART HEREOF.
3. APPROVES THE SUPPLEMENTARY LETTER OF UNDERSTANDING BETWEEN THE STATE LANDS COMMISSION AND THE STANDARD OIL COMPANY OF CALIFORNIA TO BE DEEMED A PART OF SAID LEASE AS IF FULLY SET FORTH THEREIN, PROVIDING THAT "IF, DURING ANY TWELVE-MONTH PERIOD IN THE FIRST TEN-YEAR TERM OF THIS LEASE, TOTAL VESSEL DAYS IN EL SEGUNDO TERMINALS NOS. 3 AND 4 SHOULD EXCEED THREE HUNDRED FOURTEEN (314), THEN LESSEE AGREES THAT WITHIN SIX (6) MONTHS OF THE TERMINATION OF SAID TWELVE-MONTH PERIOD, LESSEE SHALL INSTALL OR INSTITUTE WASTE DISCHARGE CONTROL FACILITIES OR PROCEDURES SATISFACTORY TO THE STATE LANDS COMMISSION.

Attachment:
Calendar Item 19 (4 pages)

CALENDAR ITEM

10/72
CRK
W 20390

19.

INDUSTRIAL LEASE

APPLICANT: Standard Oil Company of California.

LOCATION: 97.4 acres of tide and submerged land and 1.37 acres of artificially accreted land at El Segundo, Los Angeles County.

LAND USE: A marine terminal for unloading oil tankers on the larger parcel and a construction and staging area on the 1.37-acre parcel.

TERMS OF PROPOSED LEASE:

Initial period: 10 years, from November 1, 1972.

Renewal options: Two additional periods of 10 years each, subject to specified conditions.

Special Provisions: Special annual rental for staging and construction area; review and approval of plans and specifications; beach access during construction; post-construction restoration of beach; lease renewal to consider the availability of a mooring and unloading facility within a 15-mile radius.

Surety bond: \$50,000.00. Public liability insurance: \$200,000.00/\$600,000.00 for personal injury and \$5,000,000.00 for property damage.

CONSIDERATION: \$29,069.78 per annum for the terminal area and \$9,000.00 per annum for the construction and staging area, with State reserving the right to review and reset a reasonable rental on each fifth anniversary.

BASIS FOR CONSIDERATION:

6% of appraised value of submerged land underlying the tanker anchorage and construction area; 1¢ per diameter inch per lineal foot of pipeline for the right-of-way.

PREREQUISITE TERMS:

A U. S. Army Corps of Engineers Permit has been requested. Lease rights will not be exercised until Standard obtains the Corps permit.

Environmental Impact Report No. 71 and its Addendum which is dated October 18, 1972.

Applicant is owner of upland.

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CALENDAR ITEM NO. 19 (CONTD)

STATUTORY AND OTHER REFERENCES:

- a. Public Resources Code: Division 6, Parts 1 and 2.
- b. Administrative Code: Title 2, Division 3, Articles 1 and 2.

OTHER PERTINENT INFORMATION:

An environmental impact report has been prepared and circulated to affected governmental agencies. Extensive comments, some adverse, were received. Response is given in EIR 71, and required control conditions have been included in the form of lease on file in the office of the State Lands Commission. In addition, an Addendum to EIR 71 has been prepared and made available on October 18, 1972.

EXHIBITS:

- A. Land Description, terminal area.
- B. Land Description, construction area.
- C. Location Map.
- D. Form of Lease.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT, IN ACCORDANCE WITH ENVIRONMENTAL IMPACT REPORT NO. 71 AND A SUBSEQUENT ADDENDUM TO ENVIRONMENTAL IMPACT REPORT NO. 71 WHICH IS DATED OCTOBER 18, 1972, BOTH OF WHICH ARE ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF, AN INDUSTRIAL LEASE AS RECOMMENDED HEREIN WILL NOT HAVE A SIGNIFICANT DETRIMENTAL ENVIRONMENTAL EFFECT.
2. AUTHORIZE THE ISSUANCE TO STANDARD OIL COMPANY OF CALIFORNIA OF A TEN-YEAR INDUSTRIAL LEASE, IN THE FORM ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF, FROM NOVEMBER 1, 1972, WITH TWO TEN-YEAR RENEWAL OPTIONS, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$29,069.78 FOR THE TIDE AND SUBMERGED LANDS AND \$9,000.00 PER ANNUM FOR THE ACCRETED LAND; WITH THE STATE RESERVING THE RIGHT TO REVIEW AND RESET A REASONABLE RENTAL ON EACH FIFTH ANNIVERSARY; PROVISION OF A \$50,000.00 SURETY BOND, PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$200,000.00/\$600,000.00 FOR PERSONAL INJURY AND \$5,000,000.00 FOR PROPERTY DAMAGE, FOR CONSTRUCTION AND OPERATION OF A TERMINAL FACILITY FOR UNLOADING OIL TANKERS ON THE LAND DESCRIBED ON EXHIBIT "A" AND USE AS A CONSTRUCTION AND STAGING AREA ON THE LAND DESCRIBED ON EXHIBIT "B" BOTH ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachments: Exhibit "A"
Exhibit "B"

EXHIBIT "A"

W 20390

Two parcels of tide and submerged land lying in Santa Monica Bay within the City El Segundo, Los Angeles County, State of California, more particularly described as follows:

Parcel 1: A strip of tide and submerged land fifty feet wide lying twenty-five feet on each side of the following described centerline:

BEGINNING at a point on the Ordinary High Water Mark 1935 as shown on map recorded as Miscellaneous Map No. 3319, August 19, 1964, in the office of the County Recorder, County of Los Angeles, that bears South 23° 13' East 1707.95 feet, and South 60° 47' West 222.16 feet, more or less, from the northeast corner of Lot 1, Tract 1314, as recorded in Book 20, page 161 of Maps, in the office of said County Recorder; thence from said point of beginning South 60° 47' West 3688.50 feet more or less to a point; thence along a tangent curve with radius of 6000 feet, a distance of 3059.50 feet, through a central angle of 29° 13', said 6000 foot radius curve being concave to the northwest; thence West 1545.7 feet to a point hereinafter known as Point "A".

Parcel 2: That parcel of submerged land included within the circumference of a circle having a radius of 1210.00 feet; the center of said circle being the before mentioned Point "A" of Parcel 1.

EXCEPTING THEREFROM that portion of the above-described circle lying southerly of the northerly boundary line of the City of Manhattan Beach, Los Angeles County, State of California. Also EXCEPTING THEREFROM that portion of the above-described circle hereinbefore described within Parcel 1.

The bearings and distances as used within this description are based on the California Coordinate System, Zone 7.

END OF DESCRIPTION

EXHIBIT "B"

W 20390

A parcel of tideland located within the City of El Segundo, Los Angeles County, State of California and more particularly described as follows:

BEGINNING at Station 5 on Ordinary High Water Mark of 1935 as shown on map recorded as Miscellaneous Map No. 3319, August 19, 1964, in the office of the County Recorder, County of Los Angeles, that bears South 23° 13' East 1906.93 feet, and South 66° 47' West 219.32 feet, more or less, from the northeast corner of Lot 1, Tract 1314, as recorded in Book 20, page 161 of Maps, in the office of said County Recorder; said point being the northerly terminus of Boundary Agreement BLA No. 50 between the State of California and Southern California Edison Company dated August 19, 1964 thence from said point of beginning South 66° 47' West 205 feet more or less to a point; thence North 23° 45' 14" West 292.57 feet to a point in the southerly line of Lease PRC 660.1 between Standard Oil Company of California and the State of California dated July 7, 1966; thence North 66° 43' East along said lease boundary 205 feet more or less to a point on the aforesaid High Water Mark; thence South 23° 45' 14" East 290.89 feet along the 1935 High Water Mark to the point of beginning.

The bearings and distances used within this description are based on the California Coordinate System, Zone 7.

END OF DESCRIPTION