

MINUTE ITEM

11/21/74  
GRH

16. RENEWAL AND AMENDMENT OF INDUSTRIAL LEASE PRC 2478, TIDE AND SUBMERGED LAND OFFSHORE BETWEEN THE TOWNS OF CAYUCOS AND MORRO BAY, SAN LUIS OBISPO COUNTY; STANDARD OIL COMPANY OF CALIFORNIA - WP 2478, PRC 2478, PRC 413, PRC 418.

After consideration of Calendar Item 14 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. DETERMINES THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21085; 14 CAL. ADM. CODE 15100, ET SEQ.; AND 2 CAL. ADM. CODE 2910.
2. AUTHORIZES THE FOLLOWING ACTION WITH RESPECT TO LEASES PRC 2478, PRC 413, AND PRC 418:
  - A. THE ISSUANCE OF A 10-YEAR RENEWAL OF LEASE PRC 2478 FROM AUGUST 14, 1974, WITH LESSEE'S RIGHT TO RENEW FOR ONE ADDITIONAL PERIOD OF 10 YEARS; IN CONSIDERATION OF ANNUAL RENTAL IN THE AMOUNT OF \$29,108, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE.
  - B. THE ISSUANCE OF AN AMENDMENT TO LEASE PRC 2478 TO ADD PUBLIC LIABILITY INSURANCE IN THE AMOUNTS OF \$500,000/\$1,000,000 FOR PERSONAL INJURY AND \$5,000,000 FOR PROPERTY DAMAGE; PROVISION OF A \$50,000 SURETY BOND; AND TO CHANGE THE LAND DESCRIPTION TO THAT SHOWN ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF; PROVIDED THAT ALL OTHER TERMS AND CONDITIONS OF LEASE PRC 2478 SHALL REMAIN IN FULL FORCE AND EFFECT.
  - C. THE NOTIFICATION OF THE APPLICANT OF APPROVAL OF TENANCY UNDER LEASE PRC 413 FROM JUNE 13, 1974, AND PRC 418 FROM FEBRUARY 24, 1974, BOTH UNTIL AUGUST 14, 1974.

Attachment:

Calendar Item 14 (6 pages)

CALENDAR ITEM

14.

11/74  
GRH  
WP 2478

RENEWAL AND AMENDMENT OF INDUSTRIAL LEASE PRC 2478.1

APPLICANT: Standard Oil Company of California.

AREA, TYPE LAND AND LOCATION:

A 80.87-acre parcel of tide and submerged land offshore between the Towns of Cayucos and Morro Bay, San Luis Obispo County.

LAND USE: Existing marine oil terminal (two mooring sites).

TERMS OF ORIGINAL LEASE:

Initial period: 15 years, from August 14, 1959.

Renewal options: 2 additional periods of 10 years each.

Consideration: \$2,904 per annum.

TERMS OF LEASE DURING RENEWAL:

Period: 10 years, from August 14, 1974.

Renewal options: 1 additional period of 10 years.

Surety bond: \$50,000.

Public liability insurance:

\$500,000/\$1,000,000 for personal injury and \$5,000,000 for property damage.

CONSIDERATION: \$29,108 per annum, with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:

6% of appraised value of land underlying the marine terminal and one cent per diameter inch per lineal foot for the land underlying the pipeline.

PREREQUISITE TERMS:

Applicant is owner of upland.

STATUTORY AND OTHER REFERENCES:

- a. Public Resources Code: Div. 6, Parts 1 and 2.
- b. Administrative Code: Title 2, Div. 3, Arts. 1, 2 & 10.

CALENDAR ITEM NO. 14. (CONTD)

OTHER PERTINENT INFORMATION:

1. Upon expiration of Lease PRC 2478.1, Standard Oil Company elected to exercise the renewal option. In addition, Standard applied to have the facilities (cathodic anode pipelines) authorized under Lease PRC 413.1 (expired June 13, 1974) and Lease PRC 418.1 (expired February 24, 1974) replaced by Lease PRC 2478.1, as amended.
2. The lease amendment decreases the leased area from 220 acres to 80.87 acres (includes cathodic anodes). Public liability insurance and a surety bond have been added as requirements.
3. An environmental impact report is not required. This transaction is within the purview of 2 Cal. Adm. Code 2910(a) which exempts an existing structure that is in an acceptable state of repair and there is no evidence of record to show injury to adjacent property, shoreline erosion, or other types of environmental degradation.

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 21085; 14 CAL. ADM. CODE 15100, ET SEQ.; AND 2 CAL. ADM. CODE 2910.
2. AUTHORIZE THE FOLLOWING ACTION WITH RESPECT TO LEASES PRC 2478.1, PRC 413.1 AND PRC 418.1:
  - A. THE ISSUANCE OF A 10-YEAR RENEWAL OF LEASE PRC 2478.1 FROM AUGUST 14, 1974, WITH LESSEE'S RIGHT TO RENEW FOR ONE ADDITIONAL PERIOD OF 10 YEARS; IN CONSIDERATION OF ANNUAL RENTAL IN THE AMOUNT OF \$29,108, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE.
  - B. THE ISSUANCE OF AN AMENDMENT TO LEASE PRC 2478.1 TO ADD PUBLIC LIABILITY INSURANCE IN THE AMOUNTS OF \$500,000/\$1,000,000 FOR PERSONAL INJURY AND \$5,000,000 FOR PROPERTY DAMAGE; PROVISION OF A \$50,000 SURETY BOND; AND TO CHANGE THE LAND DESCRIPTION TO THAT SHOWN ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF; PROVIDED THAT ALL OTHER TERMS AND CONDITIONS OF LEASE PRC 2478.1 SHALL REMAIN IN FULL FORCE AND EFFECT.
  - C. THE NOTIFICATION OF THE APPLICANT OF APPROVAL OF TENANCY UNDER LEASE PRC 413.1 FROM JUNE 13, 1974, AND PRC 418.1 FROM FEBRUARY 24, 1974, BOTH UNTIL AUGUST 14, 1974.

Attachment: Exhibit "A"

EXHIBIT "A"

WP 2478

Those parcels of tide and submerged land lying in the bed of the Pacific Ocean, Estero Bay, approximately 4 miles northerly of Morro Bay, San Luis Obispo County, California, and lying immediately adjacent to and west of Lot 31 of the Rancho Morro Y Cayucos as shown on that certain map entitled "Map of the Subdivision of the Rancho Morro Y Cayucos," and filed in the office of the county recorder of said county, in Map Book "A" at page 160, and more particularly described as follows:

PARCEL 1

A strip of tide and submerged land 20 feet wide, lying 10 feet on each side of the following described centerline:

COMMENCING at the corner common to Lots 30, 31 and 32 of said Rancho Morro Y Cayucos; thence S  $45^{\circ} 14' 30''$  W along the southeasterly boundary of Lot 31 2438.73 feet to an iron pipe; thence N  $08^{\circ} 05'$  W 592.55 feet to an iron pipe, said iron pipe being on the base line control system for Standard Oil Company of California's Estero Marine Terminal; thence along said base line N  $24^{\circ} 34'$  W 1330.0 feet to a point hereinafter referred to as Point "A" said point being the intersection of said base line with the centerline of a pier and the TRUE POINT OF BEGINNING; thence along the centerline of said pier S  $72^{\circ} 47'$  W 1180.0 feet to the end of the herein described centerline, and hereinafter referred to as Point "B".

EXCEPTING THEREFROM any portion lying landward of the Ordinary High Water Mark.

PARCEL 2

A strip of tide and submerged land 20 feet wide, lying 10 feet on each side of the following described centerline:

COMMENCING at the aforementioned Point "A"; thence N  $24^{\circ} 34'$  W 274.4 feet to the TRUE POINT OF BEGINNING; thence S  $48^{\circ} 15'$  W 3200.0 feet to the end of the herein described centerline, and hereinafter referred to as Point "C".

EXCEPTING THEREFROM any portion described in Parcel 1.

ALSO EXCEPTING THEREFROM any portion lying landward of the Ordinary High Water Mark.

PARCEL 3

A strip of tide and submerged land 20 feet wide, lying 10 feet on each side of the following described centerline:

COMMENCING at the aforementioned Point "A"; thence N  $24^{\circ} 34'$  W 480.0 feet to the TRUE POINT OF BEGINNING; thence S  $89^{\circ} 26'$  W 3476.0 feet to the end of the herein described centerline, and hereinafter referred to as Point "D".

EXCEPTING THEREFROM any portion lying landward of the Ordinary High Water Mark.

PARCEL 4

A strip of tide and submerged land 20 feet wide, lying 10 feet on each side of the following described centerline:

BEGINNING at the aforementioned Point "B"; thence S  $49^{\circ} 30'$  W 221.5 feet; thence S  $41^{\circ} 45'$  W 1651.5 feet to the end of the herein described centerline.

EXCEPTING THEREFROM any portion described in Parcel 1.

PARCEL 5

A strip of tide and submerged land 20 feet wide lying 10 feet on each side of the following described centerline:

BEGINNING at the aforementioned Point "B", thence westerly along a curve to the right, tangent at said Point "B" with a line having a bearing of S  $72^{\circ} 47'$  W, and having a radius of 1400.0 feet, an arc distance of 737 feet; thence N  $72^{\circ} 00'$  W 1943.0 feet to the end of the herein described centerline.

EXCEPTING THEREFROM any portion described in Parcel 1 and 4.

PARCEL 6

A strip of tide and submerged land 20 feet wide, lying 10 feet on each side of the following described centerline:

COMMENCING at the aforementioned Point "A"; thence N  $24^{\circ} 34'$  W 1060.0 feet to the TRUE POINT OF BEGINNING; thence N  $88^{\circ} 26'$  W 30.0 feet; thence N  $66^{\circ} 52'$  W 800.0 feet to the end of the herein described centerline.

EXCEPTING THEREFROM any portion lying landward of the Ordinary High Water Mark.

PARCEL 7

A strip of tide and submerged land 20 feet wide, lying 10 feet on each side of the following described centerline:

COMMENCING at the aforementioned Point "A"; thence S  $72^{\circ} 47'$  W 100 feet to the TRUE POINT OF BEGINNING; thence S  $17^{\circ} 13'$  E 55.0 feet; thence S  $30^{\circ} 00'$  W 600.0 feet to the end of the herein described centerline.

EXCEPTING THEREFROM any portion described in Parcel 1.

ALSO EXCEPTING THEREFROM any portion lying landward of the Ordinary High Water Mark.

PARCEL 8

A strip of tide and submerged land 20 feet wide, lying 10 feet on each side of the following described centerline:

COMMENCING at the aforementioned Point "A"; thence S  $72^{\circ} 47'$  W 115.0 feet to the TRUE POINT OF BEGINNING; thence S  $32^{\circ} 55'$  E 90.0 feet; thence S  $49^{\circ} 47'$  W 330.0 feet to the end of the herein described centerline.

EXCEPTING THEREFROM any portion described in Parcels 1 and 7.

ALSO EXCEPTING THEREFROM any portion lying landward of the Ordinary High Water Mark.

PARCEL 9

A parcel of submerged land more particularly described as follows:

COMMENCING at the aforementioned Point "C"; thence N  $73^{\circ} 35'$  W 440.0 feet to the TRUE POINT OF BEGINNING; thence N  $36^{\circ} 45'$  E 705.0 feet; thence S  $63^{\circ} 05'$  E 570.0 feet; thence S  $15^{\circ} 35'$  E 600.0 feet; thence S  $47^{\circ} 10'$  W 722.0 feet; thence N  $85^{\circ} 05'$  W 485.0 feet; thence N  $06^{\circ} 10'$  W 725.0 feet to the true point of beginning.

EXCEPTING THEREFROM any portion described in Parcel 2 and 4.

PARCEL 10

A parcel of submerged land more particularly described as follows:

COMMENCING at the aforementioned Point "D"; thence N  $79^{\circ} 50'$  W 520.0 feet to the TRUE POINT OF BEGINNING; thence N  $26^{\circ} 45'$  E 1060 feet thence S  $56^{\circ} 45'$  E 402.0 feet; thence S  $43^{\circ} 07'$  E

875.0 feet; thence S 00° 55' E 635.0 feet; thence S 29° 10' W  
500.0 feet; thence S 81° 12' W 842.0 feet; thence S 85° 30' W  
575.0 feet; thence N 11° 25' E 1180.0 feet; to the true point  
of beginning.

EXCEPTING THEREFROM any portion described in Parcel 3 and 5.

END OF DESCRIPTION

Prepared *L. K. Herring* Checked *J. Colvin*  
Reviewed *L. F. Weed* Date *4/26/74*

