

MINUTE ITEM

This Calendar Item No. C13
was approved as Minute Item
No. 13 by the State Lands
Commission by a vote of 3
to 0 at its 8-23-79
meeting.

CALENDAR ITEM
C13.

8/79
WP 4270
Reese
PRC 4270

GENERAL LEASE
RIGHT-OF-WAY USE

APPLICANT: Chevron U.S.A., Inc.
P. O. Box 7643
San Francisco, California 94120

AREA, TYPE LAND AND LOCATION:
0.09 acre parcel of tide and submerged
land within Roaring River Slough and Grizzly
Slough in the County of Solano.

LAND USE: Operation and maintenance of existing 6"
and 2" pipelines for conveyance of oil,
petroleum, gas, gasoline, water and other
substances.

TERMS OF ORIGINAL LEASE:
Initial period: 10 years from August 1,
1969.
Surety bond: \$1,000.
Consideration: \$40 per annum.
Special: \$20 minimum rental for
each crossing.

TERMS OF PROPOSED LEASE:
Initial period: 15 years from August 1,
1979.
Renewal options: 2 successive periods
of 5 years each.
Surety bond: \$5,000.
Public liability insurance: Combined single
limit coverage of \$300,000.
Special: \$100 minimum rental for
each crossing.

CONSIDERATION: \$200 per annum, with the State reserving
the right to fix a different rental on
each fifth anniversary of the lease.

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BASIS FOR CONSIDERATION:

\$100 minimum rental for this type of lease.
(Per crossing)

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is permittee of upland.

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 & 2.

B. Cal. Adm. Code: Title 2, Div. 3.

OTHER PERTINENT INFORMATION:

1. The staff has reviewed the Commissions criteria for selection among alternative rentals for industrial and right-of-way leases and has determined that the purposed rental is the most appropriate.
2. An EIR is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907, Class 1(B), which exempts an existing structure or facility 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.
3. This project is situated on land identified as possessing significant environmental values in that the State Lands Commission stated all waterways under the Commission's jurisdiction have environmental significance. Staff finds this project to be compatible with Commission policy.

EXHIBITS: A. Land Description. B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN EIR HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21085, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2907.

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2. FIND THAT THIS PROJECT IS SITUATED ON LAND IDENTIFIED AS POSSESSING ENVIRONMENTAL VALUES IN THAT THE STATE LANDS COMMISSION FOUND ALL WATERWAYS UNDER THE COMMISSION'S JURISDICTION HAVE ENVIRONMENTAL SIGNIFICANCE, BUT THAT THIS PROJECT IS COMPATIBLE WITH THAT FINDING AS IT APPLIES TO THE SUBJECT LAND.

3. AUTHORIZE ISSUANCE TO CHEVRON U.S.A., INC. OF A 15-YEAR GENERAL LEASE - RIGHT-OF-WAY USE FROM AUGUST 1, 1979, WITH LESSEE'S OPTION TO RENEW FOR 2 SUCCESSIVE PERIODS OF 5 YEARS EACH; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$200, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF A \$5,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE, COMBINED SINGLE LIMIT COVERAGE OF \$300,000; FOR OPERATION AND MAINTENANCE OF EXISTING 6" AND 2" PIPELINES FOR CONVEYANCE OF OIL, PETROLEUM, GAS, GASOLINE, WATER AND OTHER SUBSTANCES ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

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EXHIBIT "A"

LAND DESCRIPTION

WP 4270

Two strips of tide and submerged land, 25 feet in width, across Roaring River Slough and Grizzly Slough in the County of Solano, State of California, lying 12.50 feet on each side of the following described lines:

STRIP 1

COMMENCING at the intersection of the centerline of Montezuma Slough with the easterly extension of the centerline of Roaring River Slough; thence westerly along the centerline of Roaring River Slough, 1000 feet more or less, to a point on the centerline of said Slough at the intersection with a 6" underground gas line; thence southerly, perpendicular to said centerline, 40 feet more or less, to a point on the south bank of said Slough and the TRUE POINT OF BEGINNING of this line; thence northerly, perpendicular to the centerline of said Slough, 80 feet, more or less, to a point on the north bank of Roaring River Slough and the end of this line.

STRIP 2

COMMENCING at the intersection of the centerline of Montezuma Slough with the northeasterly extension of the centerline of Grizzly Slough; thence southwesterly along the centerline of Grizzly Slough, 1000 feet more or less, to a point on the centerline of said Slough at the intersection with a 6" underground gas line; thence southeasterly, perpendicular to said centerline, 40 feet more or less, to a point on the southerly bank of said Slough and the TRUE POINT OF BEGINNING of this line; thence northwesterly, perpendicular to the centerline of said Slough, 80 feet, more or less, to a point on the northerly bank of Grizzly Slough and the end of this line.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of Roaring River Slough and Grizzly Slough.

END OF DESCRIPTION

Prepared Cesar Nasira Checked Edward B. Zimmerman
Reviewed [Signature] Date 5/23/77

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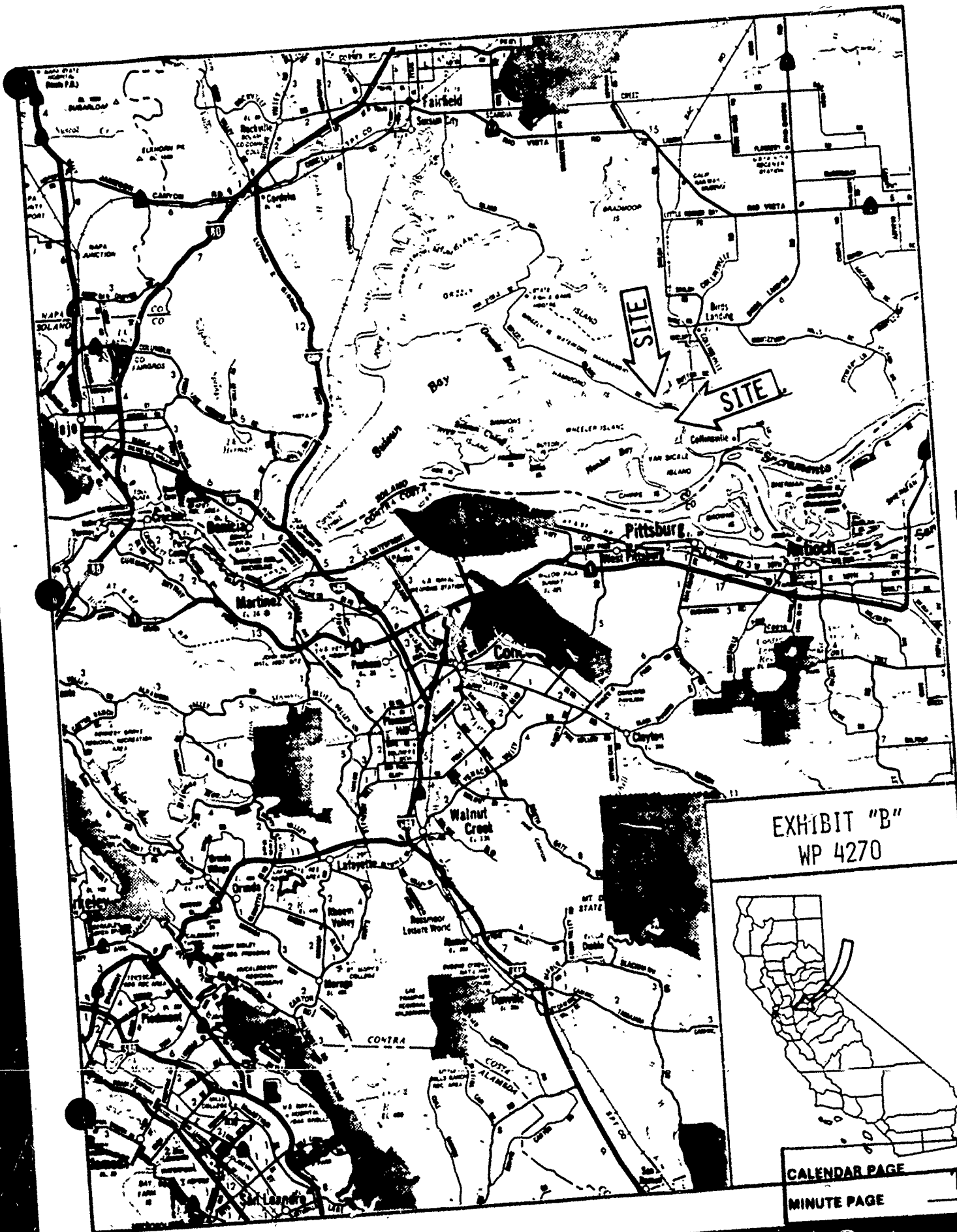


EXHIBIT "B"
WP 4270



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