

MINUTE ITEM

This Calendar Item No. C9.
was approved as Minute Item
9 by the State Lands
Commission by a vote of 3
to 0 at its 6-26-80
meeting.

CALENDAR ITEM

C9.

6/80
WP 3186
Graham

RENEWAL AND AMENDMENT
OF GENERAL LEASE - RIGHT-OF-WAY USE

APPLICANT: Louisiana Pacific Corporation
P. O. Box 158
LP Drive
Samoa, California 95564

AREA, TYPE LAND AND LOCATION:
3.06-acre parcel of tide and submerged
land in the Pacific Ocean, near Samoa,
Humboldt County.

LAND USE: Maintenance of an existing pipeline outfall.

TERMS OF ORIGINAL LEASE:

Initial period: 15 years from October 22,
1964.

Renewal options: 3 successive periods
of 10 years each.

Surety bond: \$5,000.

Consideration: \$911.55 per annum, with
5-year review.

TERMS OF PROPOSED LEASE:

Initial period: 30 years from October 22,
1979.

Surety bond: \$5,000.

Public liability insurance: Combined
single limit coverage
of \$300,000.

CONSIDERATION: \$1922.40 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:

1½ cents per diameter inch of pipeline
or conduit, per lineal foot.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is owner of upland.

Filing fee and processing costs have been
received.

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 original lease, written for a period of 15 years from October 22, 1964, and including three 10-year renewal options, was issued to Georgia-Pacific Corporation. Georgia-Pacific Corporation received State Lands Commission approval to assign the lease to Louisiana Pacific Corporation on March 29, 1973, Minute Item No. 2, for the remaining term of the lease. The reason for the assignment was a transfer of certain assets from Georgia-Pacific Corporation to Louisiana Pacific Corporation; including leases, contracts and other agreements
2. The Assignee, Louisiana-Pacific Corporation, wishes to renew the lease for the full term of all three renewal option periods, or 30 years. Additionally, the original lease is being amended to provide for liability insurance coverage, increased rental and to bring into conformance with current regulations and parties.
3. 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.

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4. This project is situated on State land identified as possessing significant environmental values pursuant to P.R.C. 6370.1, and is classified in a use category, Class C, which authorizes Multiple Use.

Staff review indicates that there will be no significant effect upon the identified environmental values. This is an existing facility for which no adverse comments have been received.

5. The transaction is exempt from Article 6.5 because it is not considered a development project within the meaning of Article 6.5.

EXHIBITS: A. Lease 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.
2. DETERMINE THAT THIS PROJECT IS EXEMPT FROM THE REQUIREMENTS OF ARTICLE 6.5, OF TITLE 2, OF THE CAL. ADM. CODE BECAUSE THIS PROJECT IS NOT A DEVELOPMENT WITHIN THE MEANING OF SECTION 2503, OF TITLE 2, OF THE CAL. ADM. CODE AND SECTION 30105 OF THE P.R.C.
3. FIND THAT GRANTING OF THIS RENEWAL AND AMENDMENT WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE P.R.C.
4. AUTHORIZE ISSUANCE TO LOUISIANA PACIFIC CORPORATION OF A 30-YEAR RENEWAL AND AMENDMENT OF A GENERAL PERMIT - RIGHT-OF-WAY USE FROM OCTOBER 22, 1979; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$1922.40, 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 FOR COMBINED SINGLE LIMIT COVERAGE OF \$300,000 FOR EXISTING PIPELINE OUTFALL USAGE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

WP 3186

A strip of tide and submerged land 50 feet wide in the Pacific Ocean situate near Samoa, Humboldt County, California, lying 25 feet on each side of the following described centerline:

BEGINNING at a point on the mean high tide line of the Pacific Ocean which bears N 84°30'W 330 feet, more or less, from a point having a longitude of 124°11' 56.325" and a latitude of 40°48' 30.699"; thence from said point of beginning N 84°30'W 2,670 feet to the end of the herein described centerline.

END OF DESCRIPTION

PREPARED APRIL 9, 1980 BY TECHNICAL SERVICES UNIT, ROY MINNICK, SUPERVISOR

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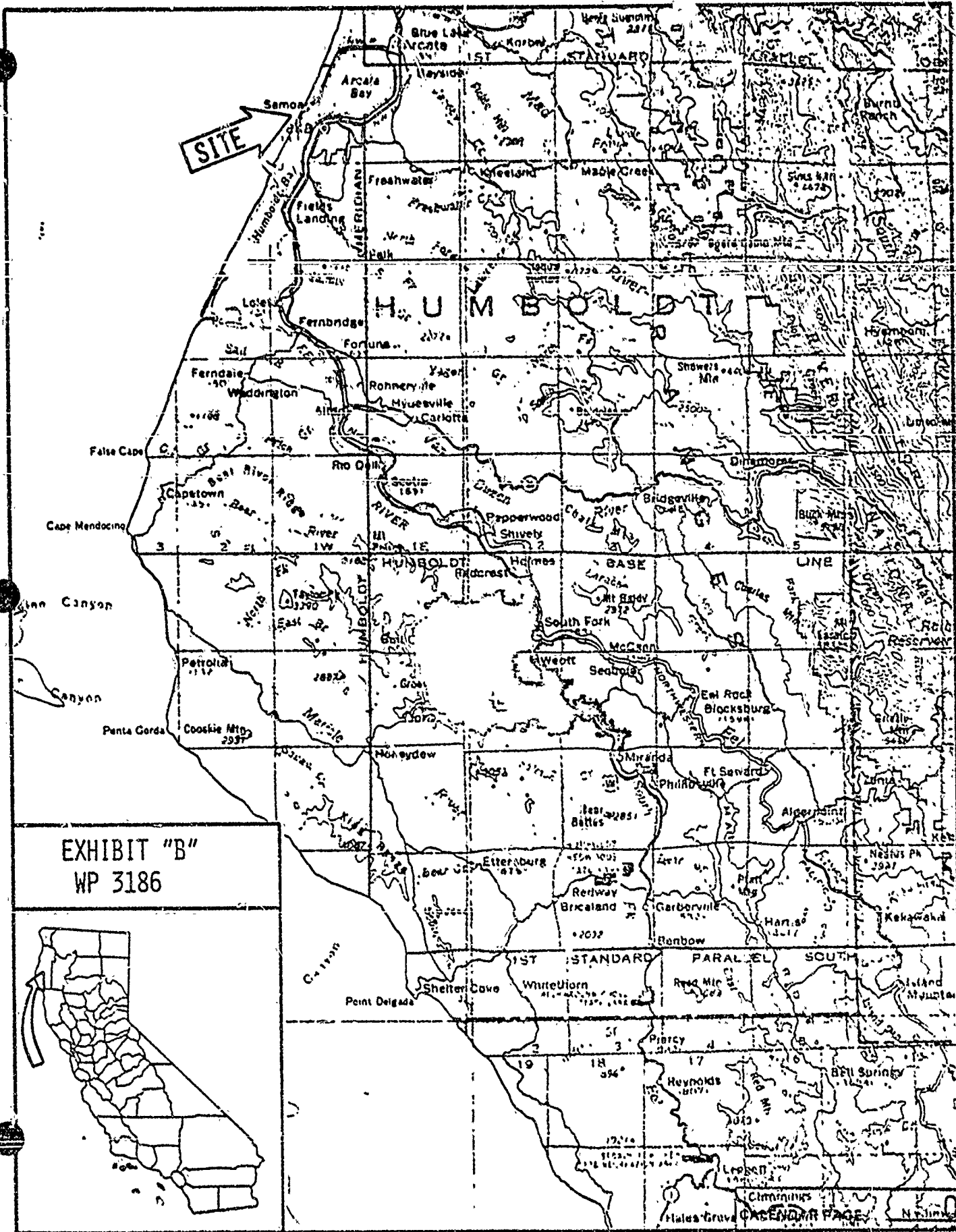


EXHIBIT "B"
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