

MINUTE ITEM

This Calendar Item No. C13
was approved as Minute
No. 73 by the State Lands
Committee by a vote of 2
to 0 at its 7/21/83
meeting.

CALENDAR ITEM

C 1 3

7/21/83
WP 4444 PRC 4444
Reese

APPROVAL OF TERMINATION OF
ORIGINAL LEASE PRC 4444.1
AND ISSUANCE OF A
GENERAL LEASE - INDUSTRIAL USE

APPLICANT: Pacific Gas and Electric Company
77 Beale Street
San Francisco, California 94016

AREA, TYPE LAND AND LOCATION:
A 62.02-acre parcel of tide and submerged
lands, located in Suisun Bay at Pittsburg,
Contra Costa County.

TERMS OF ORIGINAL LEASE:

Initial period: 15 years from June 21,
1970.

Renewal options: Two successive periods
of 15 years each.

Public liability insurance: \$500,000/\$1,000,000
per occurrence for bodily
injury and \$5,000,000
for property damage.

Consideration: \$24,240 per annum; five-year
rent review. Royalty:
\$0.10 per cubic yard.

TERMS OF PROPOSED LEASE:

Initial period: 35 years from June 21,
1980.

Public liability insurance: Combined single
limit coverage of \$5,000,000.

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CONSIDERATION: \$53,074.88 per annum. Royalty: \$0.15 per cubic yard, with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Adm. Code 2003.

PREREQUISITE TERMS:

Applicant is owner of upland.

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884: N/A.

OTHER PERTINENT INFORMATION:

1. Pacific Gas and Electric Company was notified in February 1980 of the new rental rate after a routine five-year rent review. Pacific Gas and Electric Company advised staff that they were prepared to reduce the lease area. The proposed lease reflects a reduction in the original lease area, new-rentals, the combining of the remaining term and the two 15-year renewal options and the currently approved lease format.

Termination of the existing lease and issuance of a new lease is for administrative convenience of both parties. It does not enlarge the estate or use from that authorized under existing lease PRC 4444.1.

2. This project is exempt from CEQA because it is an existing facility.

Authority: 2 Cal. Adm. Code 2905, Class 1.

3. This transaction is situated on lands identified as possessing significant environmental values pursuant to

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P.R.C. 6370.1, and is classified in a use category "C" which authorizes Multiple Use. This transaction will not have a significant effect upon the identified environmental values.

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL DOCUMENT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH DOCUMENT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21084, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2905, AND FIND THAT THIS TRANSACTION IS CONSISTENT WITH ITS USE CLASSIFICATION.
2. AUTHORIZE TERMINATION OF ORIGINAL LEASE PRC 4444.1, EFFECTIVE JUNE 20, 1980; AND ISSUANCE TO PACIFIC GAS AND ELECTRIC COMPANY OF A 35-YEAR GENERAL LEASE - INDUSTRIAL USE, FROM JUNE 21, 1980; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$53,074.88, ROYALTY: \$0.15 PER CUBIC YARD, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$5,000,000; FOR AN EXISTING INDUSTRIAL WHARF, PIPELINES AND SITES FOR INTAKE AND DISCHARGE FACILITIES ANCILLARY TO A CONDENSER COOLING WATER SYSTEM ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

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EXHIBIT 'A'

LAND DESCRIPTION

WP 4444

A parcel of tide and submerged land in the Sacramento River, vicinity of Pittsburg, Contra Costa County, California, described as follows:

BEGINNING at Station 2 as shown on the map entitled "Plat of the North Property Line of P.G.E." filed for record in Book 19, Page 33, Licensed Land Surveys, Contra Costa County Records, thence from said point of beginning along said north property line the following four courses:

1. N 70° 38' 27" E 1113.75 feet;
2. N 72° 16' 57" E 527.03 feet;
3. S 88° 52' 32" E 1100.85 feet;
4. S 72° 22' 01" E 189.88 feet; thence leaving said north property line and along the following four courses:

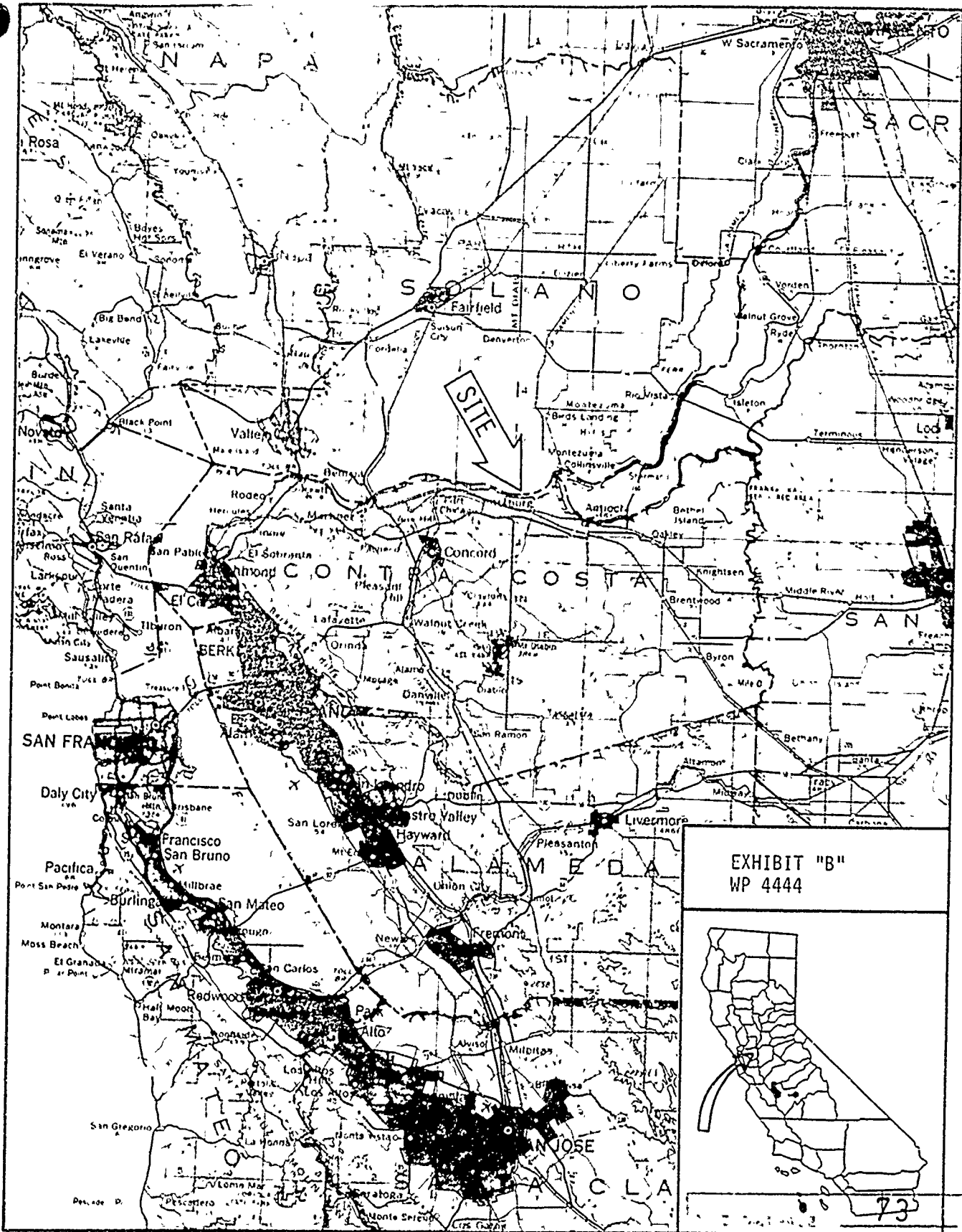
5. N 17° 37' 28" E 319.06 feet;
6. N 38° 25' 11" W 1173.87 feet;
7. S 80° 52' 58" W 1699.47 feet;
8. S 20° 26' 15" W 1499.34 feet to the point of beginning.

This description is based upon the California Coordinate System, Zone 3 with grid coordinates for the point of beginning being X = 1,597,522.06 and Y = 563,685.44.

END OF DESCRIPTION

PREPARED JUNE 15, 1982 BY BOUNDARY AND TITLE UNIT, LEROY WEED, SUPERVISOR.

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SITE

EXHIBIT "B"
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