

MINUTE ITEM
This Calendar Item No. C70 was approved as
Minute Item No. 70 by the California State Lands
Commission by a vote of 3 to 0 at its
6-27-00 meeting.

CALENDAR ITEM
C70

A 11
S 7

June 27, 2000
PRC 4769.1 WP 4769.1
N. Smith

GENERAL LEASE - NON-EXCLUSIVE RIGHT OF WAY USE

LESSEE:

Shore Terminals, LLC
Attn: Mr. Michael J. Burgett
2801 Waterfront Road
Martinez, California 94553

AREA, LAND TYPE, AND LOCATION:

0.19 acres, more or less, of sovereign lands along Waterfront Road just west of Pacheco Slough, near the city of Martinez, Contra Costa County.

AUTHORIZED USE:

An existing 12-inch diameter petroleum pipeline.

LEASE TERM:

25 years, beginning May 1, 2000.

CONSIDERATION:

\$185.00 per year; with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance: Combined single limit coverage of \$1,000,000.

Bond:

\$50,000

OTHER PERTINENT INFORMATION:

1. Applicant has a right to use the uplands adjoining the lease premises.

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2. The lease premises are lands the State acquired in a Title Settlement Agreement (AD 238) and approved by the Commission on July 6, 1995. Although the State acquired the lands subject to the existing pipeline, applicant wants to insure its rights for the pipeline right of way across this parcel of State owned land.
3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 1, existing facilities; Title 14, California Code of Regulations, section 15301.

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300.

4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

EXHIBITS:

- A. Site Map
- B. Location Map

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15301.

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SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

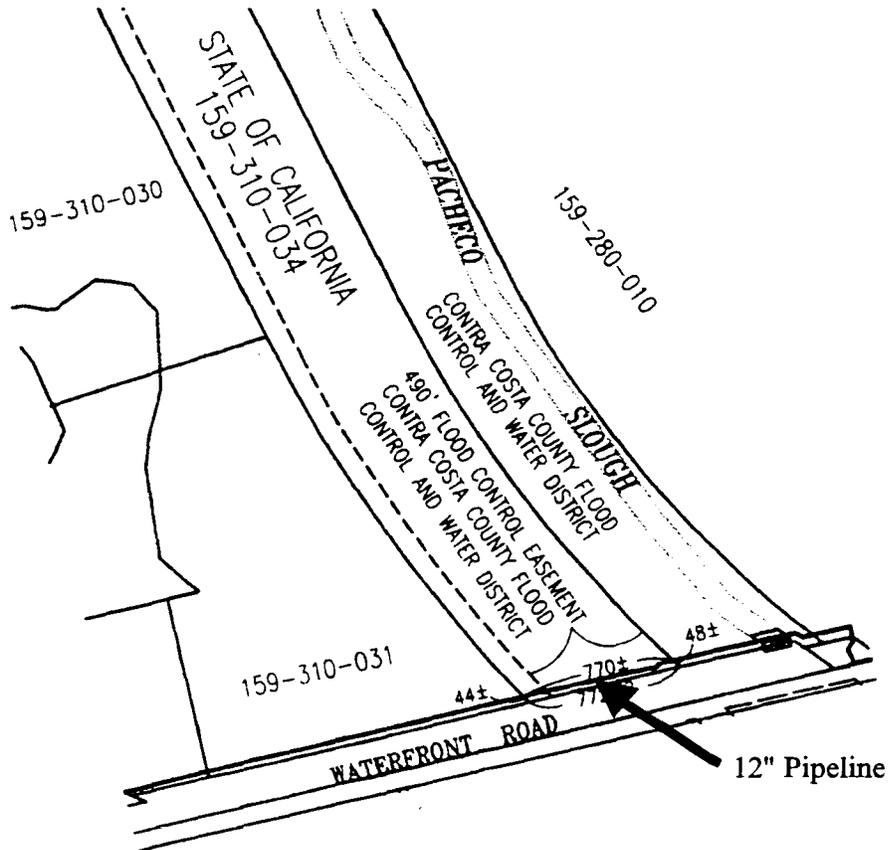
AUTHORIZATION:

AUTHORIZE ISSUANCE TO SHORE TERMINALS, LLC, OF A GENERAL LEASE - NON-EXCLUSIVE RIGHT OF WAY, BEGINNING MAY 1, 2000, FOR A TERM OF TWENTY-FIVE YEARS, FOR AN EXISTING 12-INCH DIAMETER PETROLEUM PIPELINE ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF \$185, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$1,000,000; SURETY IN THE AMOUNT OF \$50,000.

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NO SCALE

SITE MAP



NO SCALE

LOCATION MAP

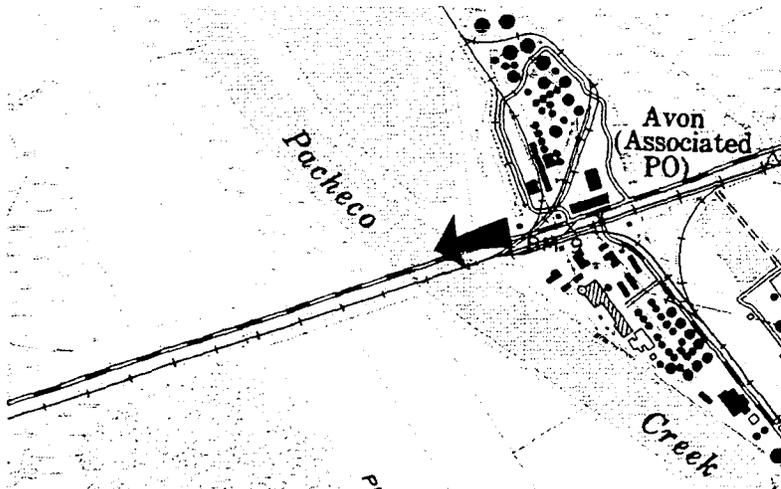


Exhibit A

WP 4769

Shore Terminals
 GL - Industrial Lease
 12" Pipeline
 Contra Costa
 County



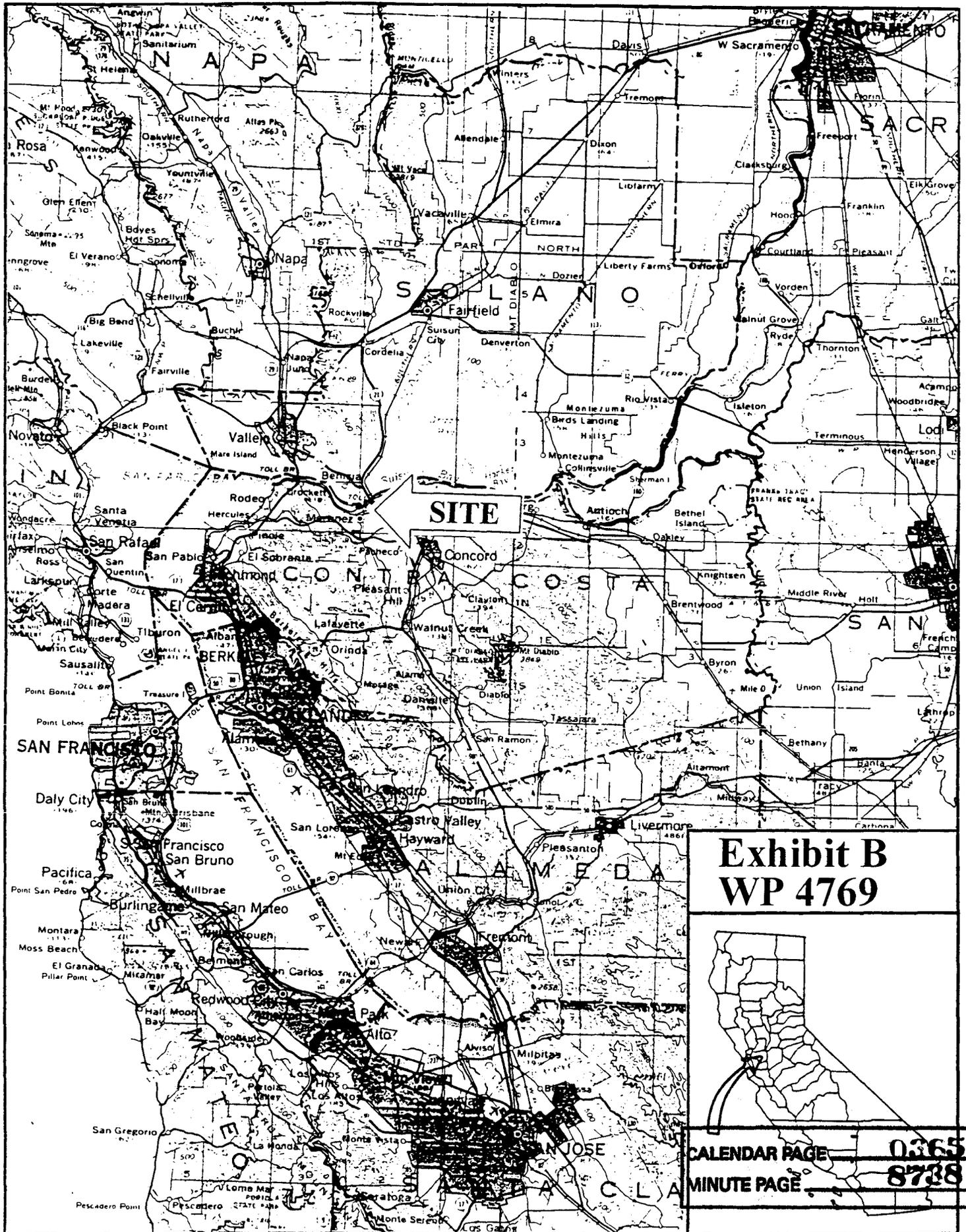
This Exhibit is solely for purposes of generally defining the lease premises, and is not intended to be, nor shall it be construed as, a waiver of limitation of any state interest in the subject or any other property.

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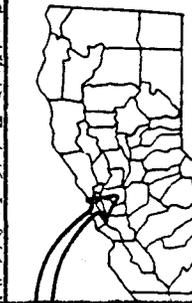
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**Exhibit B
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