MINUTE ITEM

This Calendar Item No. 25 was approved as Minute Item No. 25 by the State Lands Commission by a vote of 3 to 0 at its 6/81 meeting.

CALENDAR ITEM

6/81
WP 3974
Maricle
PRC 3974

25

TERMINATION OF ORIGINAL LEASE PRC 3974.1
AND APPROVAL OF A GENERAL LEASE
RIGHT-OF-WAY USE

APPLICANT: Leslie Salt Company
P. O. Box 364
Newmark, California 94560
Attention: Mr. R. B. Thinggaard
Manager, Real Property

AREA, TYPE LAND AND LOCATION:
0.436-acre parcel of tide and submerged land, Ravenswood Slough, near Menlo Park, San Mateo County.

LAND USE: 36-inch diameter brine pipeline.

TERMS OF ORIGINAL LEASE PRC 3974.1:
Initial period: 15 years from May 1, 1966.

Renewal options: three successive periods of 10 years each.

Consideration: $144.32 per annum.

TERMS OF REPLACEMENT LEASE PRC 3974.1:
Initial period: 30 years from May 1, 1981.

Surety bond: $2,000.

Public liability insurance: $1,000,000 combined single limit coverage.

CONSIDERATION: $205.20 per annum, 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 2005 & 2006. (1.5 cents per diameter inch per lineal foot.)

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PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is owner of upland.

Filing fee has been received.

STATUTORY AND OTHER REFERENCES:

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

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

AB 884 DEADLINE:

N/A.

OTHER PERTINENT INFORMATION:

1. This transaction provides for the termination of existing lease PRC 3974.1 signed on October 7, 1968, and replacement thereof by new lease PRC 3974.1, effective May 1, 1981; the new lease reflects the Commission's current leasing policies.

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 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.

4. Leslie Salt has requested that subsection 2(a)(2) of Section 4, General Provisions, be stricken from the replacement lease. That section deals with royalty payments

and has no bearing on non-extractive leases. The staff has considered such request and recommends deletion.

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 2907.

2. FIND THAT GRANTING OF THE REPLACEMENT LEASE WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE P.R.C.

3. APPROVE THE TERMINATION OF LEASE PRC 3974.1, SIGNED ON OCTOBER 7, 1968; SUCH TERMINATION TO BE EFFECTIVE MAY 1, 1981.

4. AUTHORIZE ISSUANCE TO LESLIE SALT COMPANY OF A 30-YEAR GENERAL LEASE, RIGHT-OF-WAY USE, FROM MAY 1, 1981; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF $205.20, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF A $2,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF $1,000,000 COMBINED SINGLE LIMIT COVERAGE; DELETION OF SUBSECTION 2(a)(2) OF SECTION 4, GENERAL PROVISIONS; FOR THE CONTINUED USE OF A 36-INCH DIAMETER BRINE PIPELINE, ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

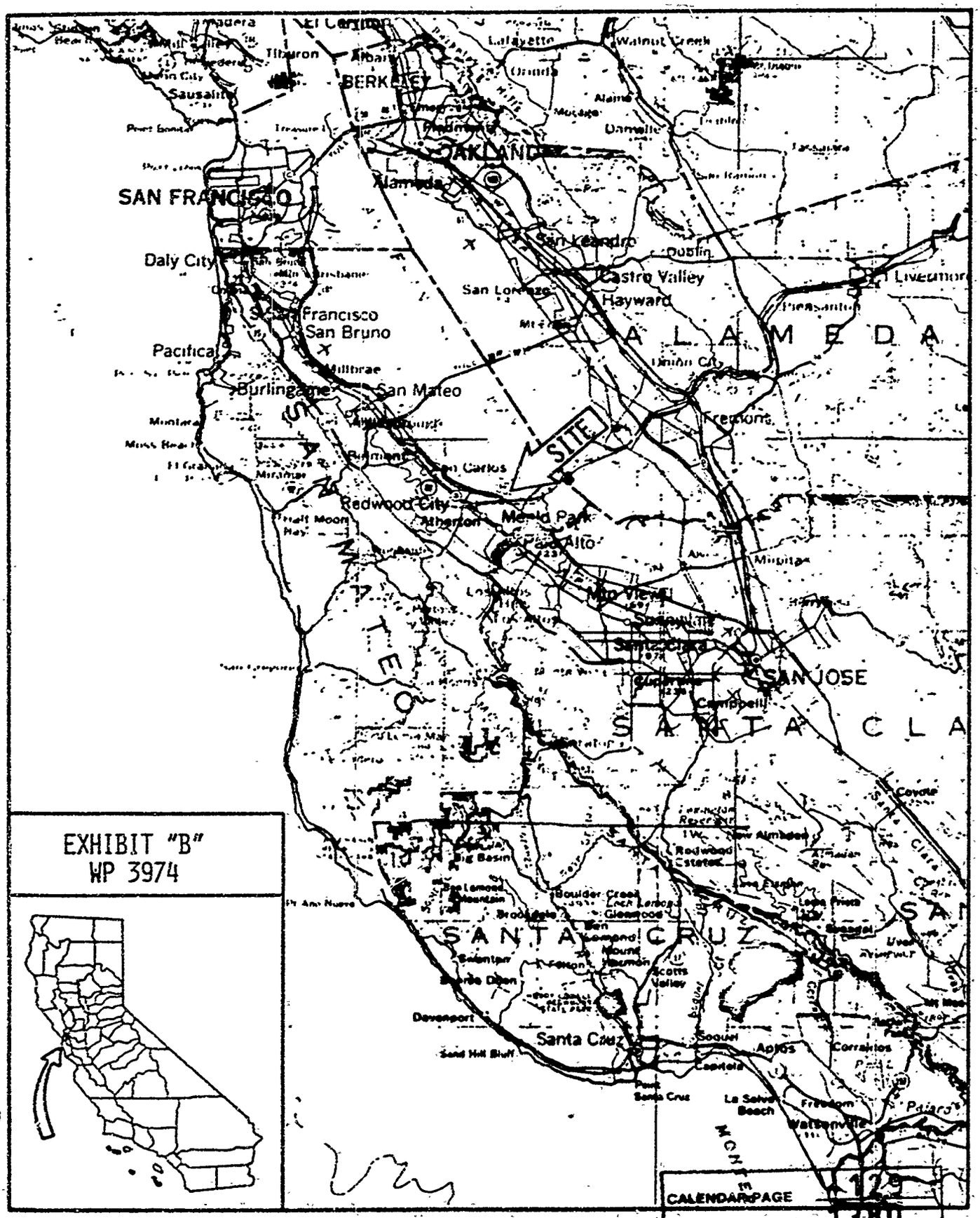
LAND DESCRIPTION WP 3974

All that certain real property being a portion of Parcel "G" conveyed, by LESLIE SALT CO. to the STATE OF CALIFORNIA by deed dated January 26, 1968, recorded February 1, 1968 in Volume 5426 of Official Records of San Mateo County, page 109, and situate in the City of Menlo Park, County of San Mateo, State of California, described as follows:

BEGINNING at the southerly terminus of that certain course in easterly boundary of aforementioned Parcel "G" having a bearing of South 5° 30' 20" East and a distance of 250.2 feet; thence from said point along said course, North 5° 30' 20" West 42.865 feet; thence South 55° 14' 52" West 389.688 feet to the westerly boundary of said Parcel "G"; thence along said boundary South 31° 15' 15" East 50.092 feet; thence North 55° 14' 52" East 370.413 feet to the easterly boundary of said Parcel "G"; thence along said easterly boundary, North 28° 27' 37" West, 12.676 feet to the point of beginning, being a 50-foot-wide strip of submerged land crossing Ravenswood Slough.

END OF DESCRIPTION

THIS DESCRIPTION PREPARED BY APPLICANT AND REVIEWED SEPTEMBER 16, 1980, BY TECHNICAL SERVICES UNIT, ROY MINNICK, SUPERVISOR.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Walnut Creek
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Capitola
Soquel
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Corralitos
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Freedom
Watsonville
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SITE
A L A M E D A
S A N T A C L A
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EXHIBIT "B"
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