

MINUTE ITEM

This Calendar Item No. C10  
was approved as Minute Item  
No. 10 by the State Lands  
Commission by a vote of 3  
to 0 at its 9/23/82  
meeting.

CALENDAR ITEM

C10

9/23/82  
WP 3891  
WP 3811  
Lane  
PRC 3811

TERMINATION OF PRC'S 3981.1 AND 3811.1,  
AND ISSUANCE OF NEW ACCEPTANCE OF  
QUITCLAIM DEED FOR PRC 3811.1,  
GENERAL LEASE - RIGHT-OF-WAY USE

APPLICANT: Exxon Corporation  
1800 Avenue of the Stars  
Los Angeles, California 90067

AREA, TYPE LAND AND LOCATION:  
Two parcels totalling 2.63 acres of tide  
and submerged land located in the Carquinez  
Strait, Contra Costa and Solano County  
and Suisun Bay, Solano County.

LAND USE: Right-of-way for two petroleum pipelines  
and a discharge pipeline.

TERMS OF ORIGINAL LEASE (PRC 3811.1):

Initial period: 15 years from August 21,  
1967.

Renewal options: Three successive periods  
of ten years each.

Surety bond: \$25,000.

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S 4, 7

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Consideration: \$628.90 for use of three pipelines.

TERMS OF FIRST AMENDMENT (1968):  
Consideration: \$1,456.65 for use of five pipelines.

TERMS OF SECOND AMENDMENT (1972):  
Consideration: Increase rent to \$3,388.79.

TERMS OF THIRD AMENDMENT (1979):  
Consideration: \$2,100; revised land description.

TERMS OF ORIGINAL LEASE (PRC 3891.1):  
Initial period: Five years from January 1, 1968.

Renewal options: Three successive periods of ten years each.

Surety bond: \$1,000.

Consideration: \$120 total rental for a five-year period.

TERMS OF FIRST RENEWAL (PRC 3891.1):  
Initial period: Ten years from January 1, 1973.

Renewal options: Two successive periods of ten years each.

Surety bond: \$1,000.

Consideration: \$256 total rental for ten-year period.

TERMS OF PROPOSED LEASE (PRC 3811.1):  
Initial period: 30 years from August 21, 1982.

Surety bond: \$25,000.

Public liability insurance: Combined single limit coverage of \$300,000 or alternatives acceptable to the State.

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CONSIDERATION: \$2,916 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 2003.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is permittee 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. The proposed renewal lease will reflect the following:
  - a. Incorporation of expiring leases (PRC 3891.1 and PRC 3811.1) into PRC 3811.1, as both use areas are leased by Exxon for a single operation.
  - b. A revised annual rental payment based on \$.02 per diameter inch per linear foot of pipeline. The volumetric rental alternative was examined and found inapplicable to this lease since the applicant has not used the line for nearly five years and has no plans to do so in the foreseeable future.
  - c. Modified lease description to update the lease area to the present use.
  - d. Three ten-year options exercised simultaneously for a term of 30 years (Lease PRC 3811.1).
2. Lessee agrees to submit a Quitclaim Deed relative to Lease PRC 3811.1, General Lease - Right-of-Way Use, that expired on August 20, 1982.

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3. This project is exempt from CEQA because it is an existing facility within the purview of 2 Cal. Adm. Code, Div. 3, Section 2905, Class 1.
4. The project is situated on lands identified as possessing significant environmental values pursuant to P.R.C. 6370.1, and is classified in use category "B" which authorizes Limited Use. The project as proposed will not have a significant effect upon the identified environmental values.

EXHIBITS:

- A. Land Description for discharge line.
- A-1. Land Description for Petroleum pipelines.
- 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 THE PROJECT IS CONSISTENT WITH ITS USE CLASSIFICATION.
2. AUTHORIZE TERMINATION OF BOTH PRC'S 3811.1 AND 3891.1, EFFECTIVE AUGUST 20, 1982 AND ACCEPTANCE OF QUITCLAIM DEED FOR LEASE PRC 3811.1, EXPIRED AUGUST 20, 1982.
3. AUTHORIZE ISSUANCE TO EXXON CORPORATION OF A 30-YEAR GENERAL LEASE - RIGHT-OF-WAY USE, FROM AUGUST 21, 1982; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$2,916, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF A \$25,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$300,000 OR ALTERNATIVES ACCEPTABLE TO THE STATE; FOR RIGHT-OF-WAY FOR TWO PETROLEUM PIPELINES AND A DISCHARGE PIPELINE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

WP 3871

7. parcel of submerged land in Suisun Bay near Benicia, Solano County, California, described as follows:

BEGINNING at a point in Suisun Bay from which the southeast corner of Humble Oil Company Parcel No. 3, as shown on the Record of Survey, Humble Oil Company Properties, Benicia Industrial Park, Benicia, California, which map was recorded December 27, 1966 in Book 10 of Surveys, page 27, Official Records of Solano County, bears N 35° 17' 49" W 3163.74 feet; thence from said POINT OF BEGINNING the following five courses:

1. S 31° 43' 46" W 15.00 feet;
2. S 50° 38' 18" E 160.00 feet;
3. N 39° 21' 42" E 30.00 feet;
4. N 50° 38' 18" W 160.00 feet; and
5. S 31° 43' 46" W 15.00 feet to the point of beginning.

END OF DESCRIPTION

REVIEWED APRIL 20, 1982 BY TECHNICAL SERVICES UNIT, ROY MINNICK, SUPERVISOR.

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EXHIBIT "A-1"

LAND DESCRIPTION

WP 3811

A strip of tide and submerged land 20 feet wide in Carquinez Strait, approximately 250 feet easterly of the Southern Pacific Railroad bridge between the city of Martinez, Contra Costa County, and the city of Benicia, Solano County, California, said strip lying 10 feet on each side of the following described centerline:

BEGINNING at a point having coordinates of  $x = 1,966,575.23$  and  $y = 134,084.18$  from which point United States Coast & Geodetic Survey triangulation station "Suisun Point 2" bears  $N 38^{\circ} 54' 02'' W 74.62$  feet; thence from said POINT OF BEGINNING  $N 29^{\circ} 05' 28'' W 5379.03$  feet more or less to the intersection with the easterly line of that Legislative Grant to the city of Benicia, Solano County, as described in Chapter 2018, Statutes of 1965, as Amended, said intersection point having coordinates of  $x = 1,963,959.95$  and  $y = 138,784.63$  from which point United States Coast and Geodetic Survey triangulation station "Army Point 2" bears  $N 47^{\circ} 42' 49'' W 1570.05$  feet.

Bearings, distances, and coordinates in the above description are based on the "California Coordinate System, Zone II".

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of the southerly bank of Carquinez Strait.

END OF DESCRIPTION

REVISED APRIL 20, 1982 BY TECHNICAL SERVICES UNIT, ROY MINNICK, SUPERVISOR.

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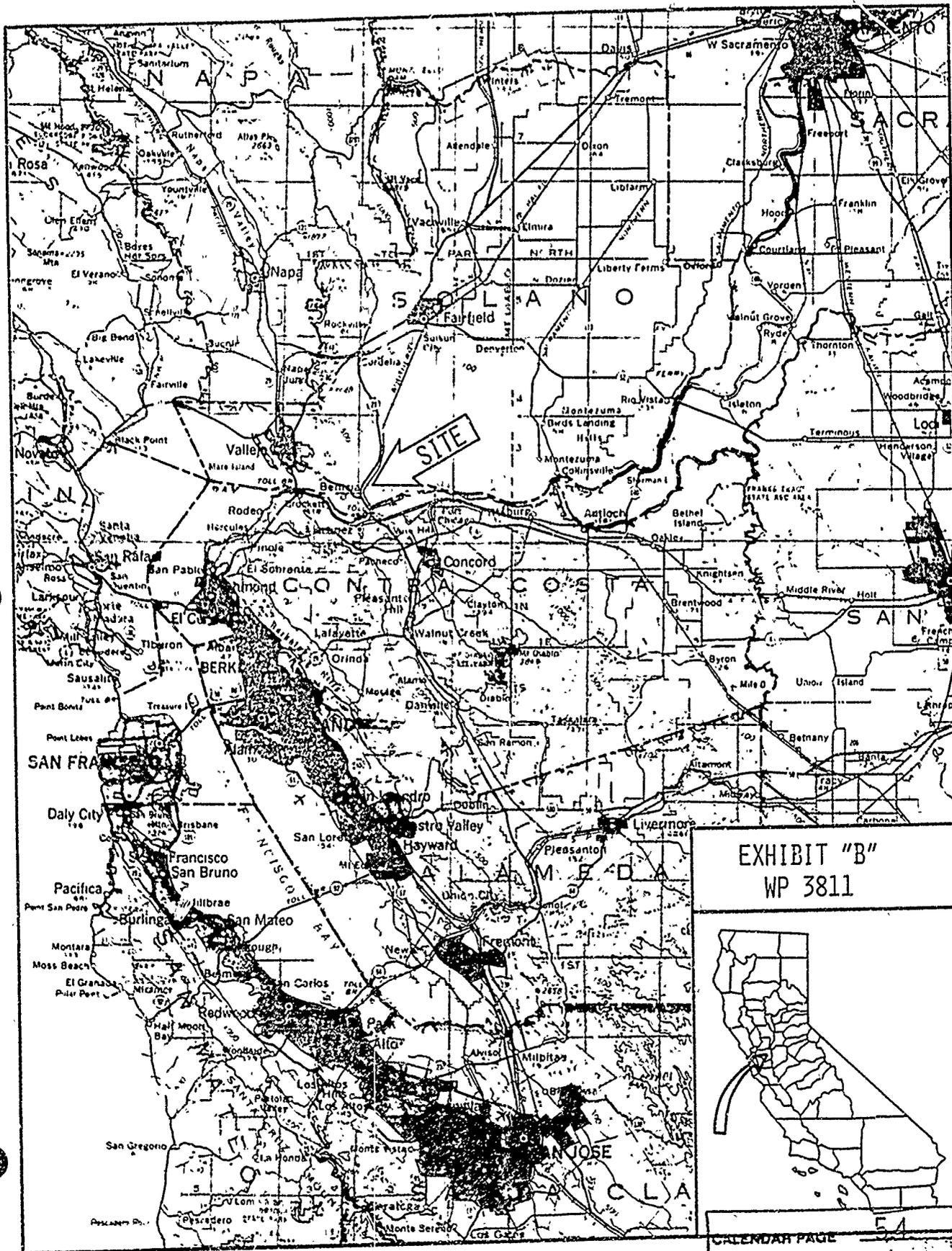


EXHIBIT "B"  
WP 3811



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