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CALENDAR ITEM

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7/21/83
WP 3929
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TERMINATION OF EXISTING LEASE,
ACCEPTANCE OF QUITCLAIM DEED, AND
APPROVAL OF
GENERAL LEASE - RIGHT-OF-WAY USE

APPLICANT: Humboldt Bay Pulp Company
900 4th Avenue
Seattle, Washington 98164

AREA, TYPE LAND AND LOCATION:
A 0.6-acre parcel of tide and submerged
land in the Pacific Ocean at Fairhaven,
Samoa Peninsula, Humboldt County.

LAND USE: The continued use and maintenance of a
36-inch effluent line to carry waste products
from a pulp mill on the upland.

TERMS OF ORIGINAL LEASE:
Initial period: 49 years from April 1,
1968.
Surety bond: \$4,000.
Consideration: \$1,738.08 per annum;
five-year rent review.

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TERMS OF PROPOSED LEASE:

Initial period: 34 years from April 1, 1983.

Surety bond: \$4,000.

CONSIDERATION: \$1,738.08 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 lessee 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 lease is for the continued use of a 36-inch effluent line to carry waste products from a pulp mill on the upland.

The original lessee, Crown Simpson Corporation, subleased the area to Crown Zellerbach Corporation and Simpson Timber Company which was approved by Calendar Item 7 at the Commission's March 31, 1977 meeting.

2. The Simpson Timber Company has purchased Crown Zellerbach's interest in the Crown Simpson Corporation and the name, Crown Simpson Corporation, has been changed to Humboldt Bay Pulp Company. Receipt of the Quitclaim Deed from Crown Zellerbach will absolve them of any interest in the lands involved.

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Humboldt Bay Pulp Company, the applicant, is a subsidiary of Simpson Timber Company.

Termination of the existing lease and issuance of a replacement lease is for administrative convenience only. The replacement lease does not enlarge the estate or use from that originally authorized under PRC 3929.1.

3. This project is exempt from CEQA because it is within the purview of 2 Cal. Adm. Code 2905, Class (1) which exempts an existing facility that is in an acceptable state of repair.
4. This project is situated on land identified as possessing environmental values in that the State Lands Commission stated all waterways under the Commission's jurisdiction have environmental significance. Staff finds this project to be compatible with Commission policy.

APPROVALS OBTAINED:

United States Army Corps of Engineers,
and the Water Quality Control Board.

FURTHER APPROVALS REQUIRED:

None.

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.
2. FIND THAT THIS ACTIVITY IS SITUATED ON LAND IDENTIFIED AS POSSESSING ENVIRONMENTAL VALUES IN THAT THE STATE LANDS COMMISSION FOUND ALL WATERWAYS UNDER THE COMMISSION'S JURISDICTION HAVE ENVIRONMENTAL SIGNIFICANCE, BUT THAT THIS ACTIVITY IS COMPATIBLE WITH THAT FINDING AS IT APPLIED TO THE SUBJECT LAND.

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3. APPROVE THE TERMINATION OF LEASE PRC 3929.1, ISSUED ON MAY 31, 1968, EFFECTIVE MARCH 31, 1983; AUTHORIZE ACCEPTANCE OF A QUITCLAIM DEED THEREOF, AND AUTHORIZE ISSUANCE TO HUMBOLDT BAY PULP COMPANY OF A 34-YEAR GENERAL LEASE - RIGHT-OF-WAY USE, FROM APRIL 1, 1983; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$1,738.08, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF A \$4,000 SURETY BOND; FOR OPERATION AND MAINTENANCE OF A 36-INCH EFFLUENT LINE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

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EXHIBIT "A"
LAND DESCRIPTION

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A strip of tide and submerged land, 10 feet wide, in the Pacific Ocean, situated near the City of Eureka, Humboldt County, California, being 5 feet on each side of the following described centerline:

BEGINNING at a point on the mean higher high water line of the Pacific Ocean which bears N 84° 59' W, a distance of 3482.41 feet from the corner common to Sections twenty (20), twenty-one (21), twenty-eight (28), twenty-nine (29), Township five (5) North, Range one (1) West, H.B.M.; thence from the point of beginning N 45° 00' W, a distance of 2414 feet.

EXCEPTING any portion thereof lying landward of the ordinary high water mark.

END OF DESCRIPTION

REVIEWED MARCH 27, 1983 BY BOUNDARY AND TITLE UNIT, LEROY WEED, SUPERVISOR.

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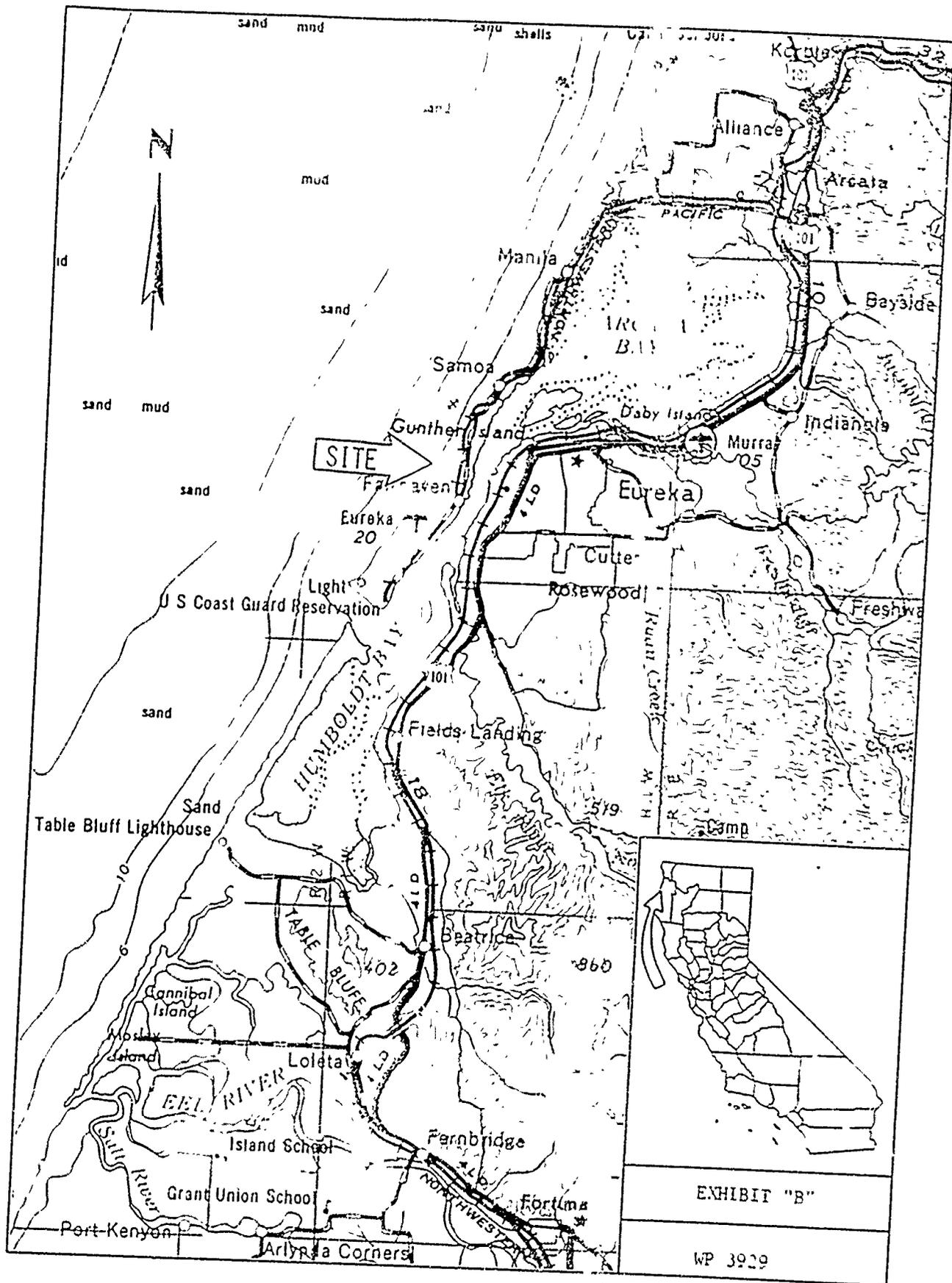


EXHIBIT "B"

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