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11/21/85
PRC 5515
Lipphardt

AGREEMENT TO REMOVE WELL CASING

CO-LESSEES: Exxon Corporation
Attn: Wade D. Cook
P. O. Box 5025
Thousand Oaks, California 91359
and
Atlantic Richfield Company
Attn: Edward C. Dinkfeld
P. O. Box 2540
Goleta, California 93118

AREA, TYPE LAND AND LOCATION:
Tide and submerged land located in the Pacific Ocean near Ellwood Pier, Santa Barbara County.

LAND USE: Removal of an abandoned well casing.

BACKGROUND:

On August 31, 1978 Co-Lessees, Exxon Corporation and Atlantic Richfield Company, were granted a 25-year General Lease - Industrial Use, PRC 5515, by the State Lands Commission for the Ellwood Pier in Santa Barbara County. The annual rent for Lease PRC 5515 is $58,320. On April 6, 1984, Co-Lessees requested permission to remove a concrete casing from an abandoned well located within the lease area, which was originally permitted under Lease PRC 428. Lease PRC 428 was terminated in 1973 and the well was properly capped at the time. The concrete casing was discovered after a portion of Ellwood Pier was removed due to storm damage. The Commission approved the casing removal work on May 7, 1984 and Co-Lessees attempted to remove the casing. On June 13, 1984 Co-Lessees notified staff that the removal operations were unsuccessful.

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CURRENT SITUATION:

Co-Lessees have developed a new removal plan to remove the concrete casing. The plan has been approved by the Commission's Long Beach engineering staff.

Co-Lessees have agreed to:

1) Secure the services of a licensed contractor to perform the work;

2) Obtain the necessary approval of all affected State, Federal, or local agencies;

3) Notify SLC staff of the date and time of removal so staff can be present to monitor the removal operations;

4) Indemnify the State against any liability arising out of the removal operations;

5) Assume all costs associated with removal operations;

6) Obtain liability insurance for $1,000,000 and a surety bond for $10,000.

APPLICANT STATUS:
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 concrete casing presents a potential safety hazard to body surfers and swimmers, as it protrudes ten feet above the water surface. Since the well was originally placed by a previous lessee who has since quitclaimed its interest to the State, a dispute exists between Co-lessees and the State as to which party is responsible for the removal of the casing. In an attempt

to settle the dispute without litigation, Co-lessees have agreed to remove the casing. Staff recommends that the rent for Lease PRC 5515 be amended to $46,320 for the 1985-86 lease year only.

2. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 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.

3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a statutory exempt project. The project is exempt as it involves a specific action to prevent an emergency, pursuant to P.R.C. 21080(b)(4) and 14 Cal. Adm. Code 15269(c).

APPROVALS OBTAINED:

California Coastal Commission and the County of Santa Barbara.

FURTHER APPROVALS REQUIRED:

United States Army Corps of Engineers.

EXHIBITS:

A. Land Description.
B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 AS A STATUTORY EXEMPT PROJECT PURSUANT TO P.R.C. 21080(b)(4) AND 14 CAL. ADM. CODE 15269(c), SPECIFIC ACTIONS NECESSARY TO PREVENT OR MITIGATE AN EMERGENCY.

2. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.

3. AUTHORIZE (1) APPROVAL OF AN AGREEMENT, SUBSTANTIALLY IN THE FORM ON FILE IN THE PRINCIPAL OFFICES OF THE STATE LANDS COMMISSION BETWEEN EXXON CORPORATION, ATLANTIC RICHFIELD COMPANY AND THE STATE TO REMOVE A CONCRETE WELL CASING ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF AND (2) APPROVAL OF AN AMENDMENT SUBSTANTIALLY IN THE FORM ON FILE IN THE PRINCIPAL OFFICE OF THE STATE LANDS COMMISSION WHICH AMENDS THE RENT DUE FOR THE 1985-86 LEASE YEAR FOR LEASE PRC 5515 TO $46,320. THE ANNUAL RENT DUE FOR THE BALANCE OF THE LEASE TERM IS $58,320, SUBJECT TO THE TERMS AND CONDITIONS OF LEASE PRC 5515. ALL REMAINING TERMS AND CONDITIONS OF LEASE PRC 5515 REMAIN IN FULL FORCE AND EFFECT.

EXHIBIT "A"

LAND DESCRIPTION

PRC 5515.1

A parcel of tide and submerged land in the Santa Barbara Channel adjacent to Rancho Los Dos Pueblos, in the vicinity of Ellwood, Santa Barbara County, State of California, more particularly described as follows:

BEGINNING at a point which bears N 70° 20' 00" W 366.06 feet from Monument Number 4, said monument being a 6-inch pipe as shown on Record of Survey Map Book 35, page 89, filed in the Office of the Recorder of Santa Barbara County, May 17, 1955, said monument having coordinates of X = 1,420,819.40 feet, Y = 345,145.75 feet; thence continuing from the point of beginning the following eleven courses:

1.	S 20° 08' 00" W	86.65 feet;
2.	S 05° 21' 21" W	12.21 feet;
3.	S 02° 11' 18" W	197.23 feet;
4.	S 27° 22' 00" W	1184.11 feet;
5.	S 62° 38' 00" E	100.00 feet;
6.	N 27° 22' 00" E	100.00 feet;
7.	N 62° 38' 00" W	44.00 feet;
8.	N 27° 22' 00" E	1090.36 feet;
9.	N 16° 04' 37" E	348.47 feet;
10.	N 70° 15' 50" W	95.76 feet;
11.	S 20° 08' 00" W	60.00 feet; to the point of beginning.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of the Santa Barbara Channel.

This description is based on the California Coordinate System, Zone 5.

END OF DESCRIPTION

REVIEWED NOVEMBER 15, 1984 BY BOUNDARY SERVICES UNIT, M. L. SHAFER, SUPERVISOR.

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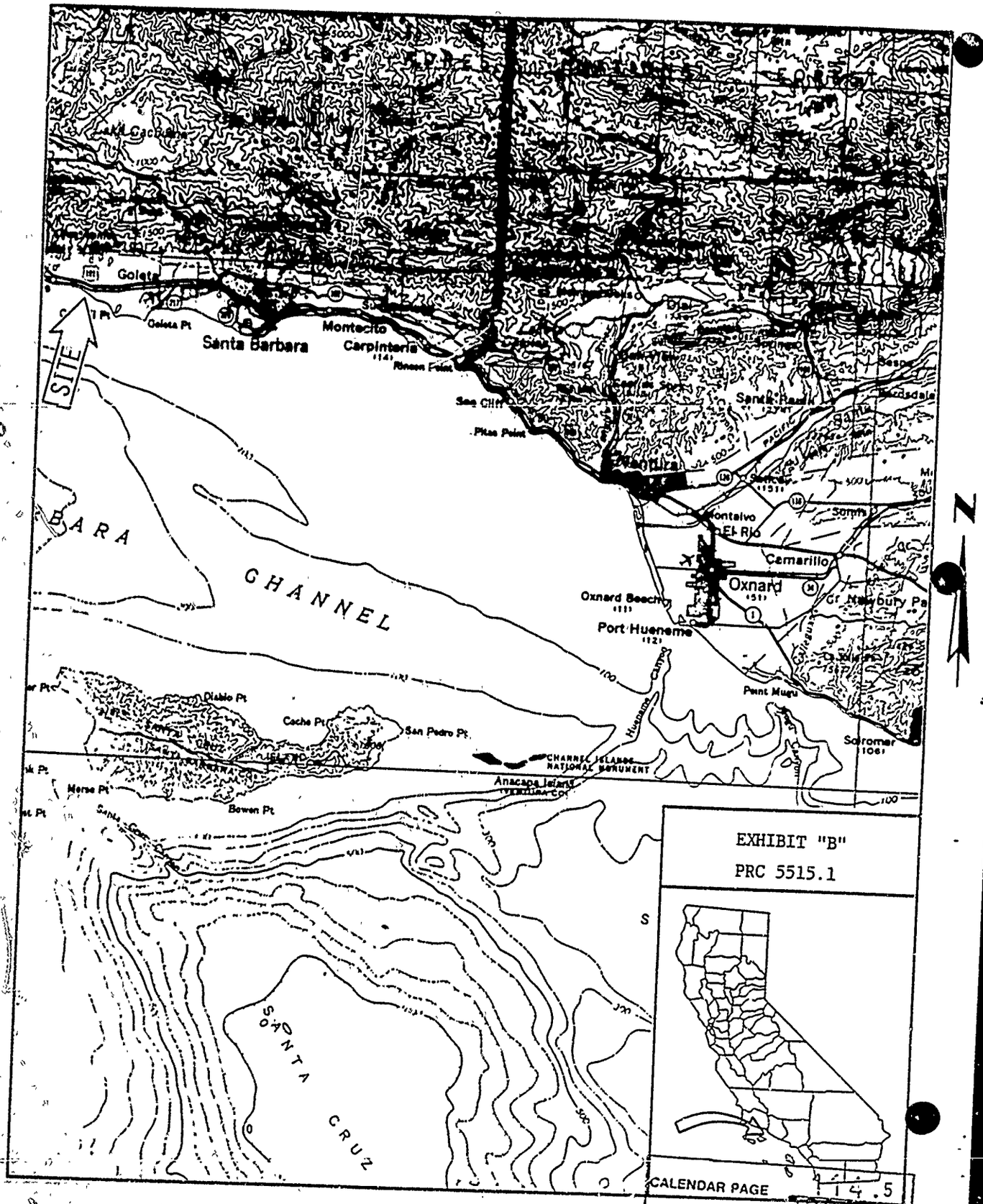
SITE
Goleta
Goleta Pt
Santa Barbara
Montecito
Carpinteria
Rincon Point
Sea Cliff
Pitas Point
Ventura
Saticoy
Montalvo
El Rio
Somis
Camarillo
Oxnard
Oxnard Beach
Port Hueneme
Point Mugu
Sycamore
Santa Rosa
Simi
Moorpark
Diablo Pt
Cache Pt
San Pedro Pt
Bowen Pt
Mesa Pt
Anacapa Island
CHANNEL ISLANDS NATIONAL MONUMENT
BARA
CHANNEL
SANTA CRUZ
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S
EXHIBIT "B"
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