MINUTE ITEM
This Calendar Item No. C05
was approved as Minute Item
No. C05 by the State Lands
Commission by a vote of 3
to 0 at its 8-22-90
meeting.

CALENDAR ITEM

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C 0 5

08/22/90
G 04-02.10
Garibay

APPROVE LEASE UNDER CHAPTER 1095, STATUTES OF 1978
GRANTED LANDS - CITY OF EUREKA

LESSOR: City of Eureka
532 "K" Street
Eureka, California 95501

LESSEE: Oregon Coast Towing
P. O. Box 2287
Seattle, Washington 98111

BACKGROUND:
As provided for by Chapter 1095, Statutes of 1978, all leases or permits for the use of granted tide and submerged lands that are to be entered into or issued by the City of Eureka in excess of one year in duration, shall not be valid without the prior written approval of the State Lands Commission. The statute further provides that the Commission shall have 60 days after submittal of a proposed lease or permit in which to approve or disapprove such lease or permit.

The City has requested the State Lands Commission to approve the following lease.

LAND USE: Operation and maintenance of dock and pipeline to service shoreside and petroleum facilities.

TERMS OF LEASE - Oregon Coast Towing (Lessee)
Initial period: Five years beginning October 1, 1989.

Public liability insurance: Aggregate coverage of $500,000.

Consideration: $700 per month, subject to adjustment commencing the second year and each year thereafter, based on the increase in the general cost-of-living index.

The staff of the Commission has reviewed the lease agreement and believes that the agreement is fair and reasonable, and that the consideration is equitable.

AB 884: N/A.

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 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, 2 Cal. Code Regs 2905(a)(2).

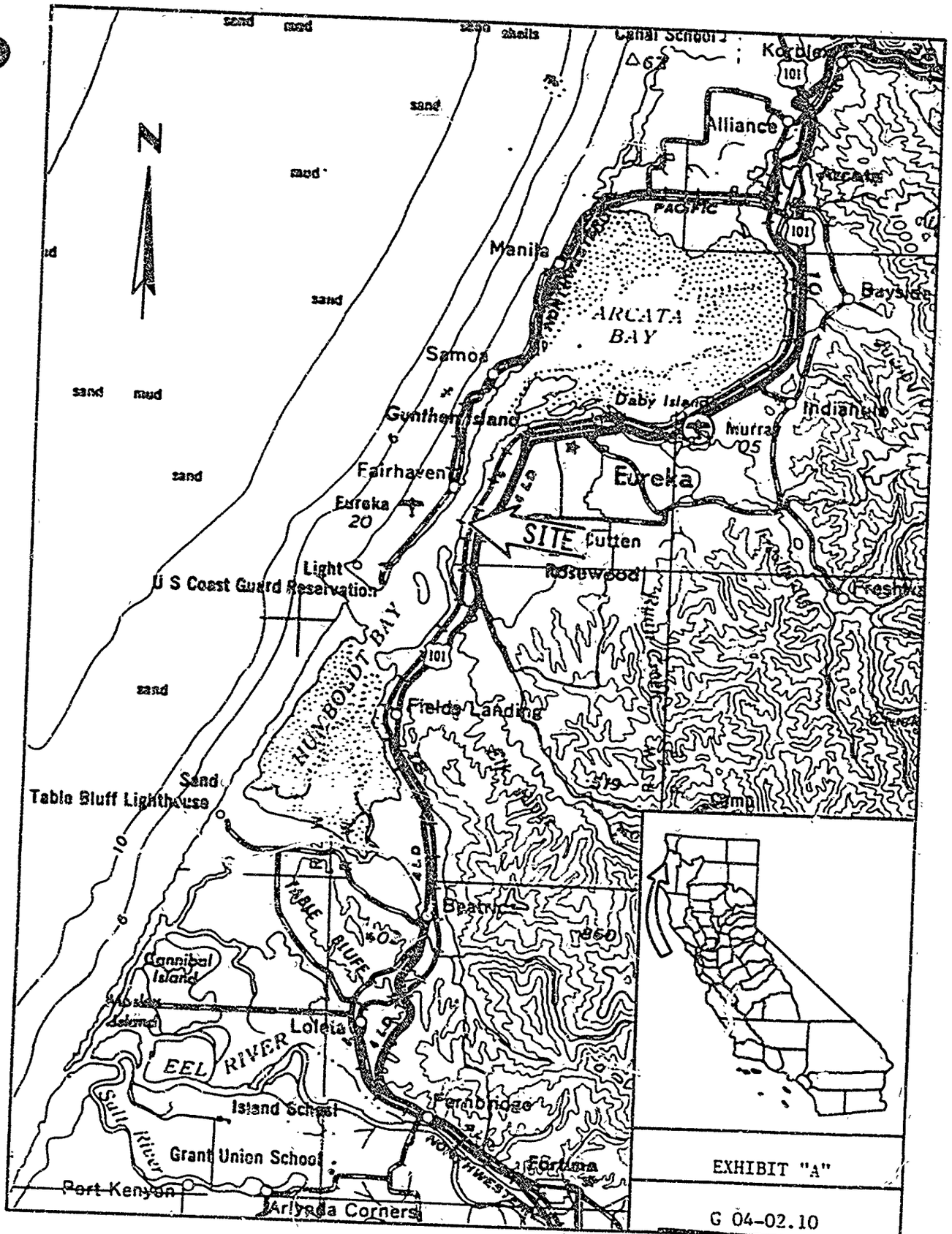
   Authority: P.R.C. 21084, 14 Cal. Code Regs. 15300, and 2 Cal. Code Regs. 2905.

EXHIBIT: A. 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. CODE REGS. 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES, 2 CAL. CODE REGS. 2905(a)(2).

2. APPROVE THE LEASE IN SUBSTANTIALLY THE SAME FORM AS IS ON FILE IN THE PRINCIPLE OFFICE OF THE COMMISSION, BETWEEN THE CITY OF EUREKA AND OREGON COAST TOWING, COVERING GRANTED LANDS LOCATED IN THE CITY OF EUREKA, HUMBOLDT COUNTY.



CALENDAR PAGE 81
MINUTE PAGE 1846