

MINUTE ITEM

This Calendar Item No. C45 was approved as Minute Item No. 45 by the California State Lands Commission by a vote of 3 to 0 at its 12/16/98 meeting.

CALENDAR ITEM

C45

A 8,15

S 4,7

12/16/98
PRC 3768.1
D. Jones

ASSIGNMENT OF LEASE

LESSEE/ASSIGNOR:

The Dow Chemical Company
P.O. Box 1398
Pittsburg, California 94565

ASSIGNEE:

Calpine Pittsburg, Inc.
50 W. San Fernando Street, 5th Floor
San Jose, California 95113

AREA, LAND TYPE, AND LOCATION:

4.38 acres, more or less, of sovereign lands in the San Joaquin River, near the city of Antioch, Sacramento and Contra Costa counties.

AUTHORIZED USE:

The continued operation and maintenance of an eight inch natural gas pipeline.

LEASE TERM:

30 years, beginning May 25, 1982.

CONSIDERATION:

\$336 per year, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

OTHER PERTINENT INFORMATION:

1. Applicant has the right to use the uplands adjoining the lease premises.
2. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA because the activity is not a "project" as defined by the CEQA and the State CEQA Guidelines.

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CALENDAR ITEM NO. C45 (CONT'D)

Authority: Public Resources Code section 21065 and Title 14, California Code of Regulations, section 15378.

EXHIBITS:

- A. Location Map

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15378.

AUTHORIZATION:

AUTHORIZE THE ASSIGNMENT OF LEASE NO. PRC 3768.1, A GENERAL LEASE - RIGHT OF WAY USE, OF SOVEREIGN LANDS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; FROM THE DOW CHEMICAL COMPANY TO CALPINE PITTSBURG, INC., EFFECTIVE JULY 21, 1998.

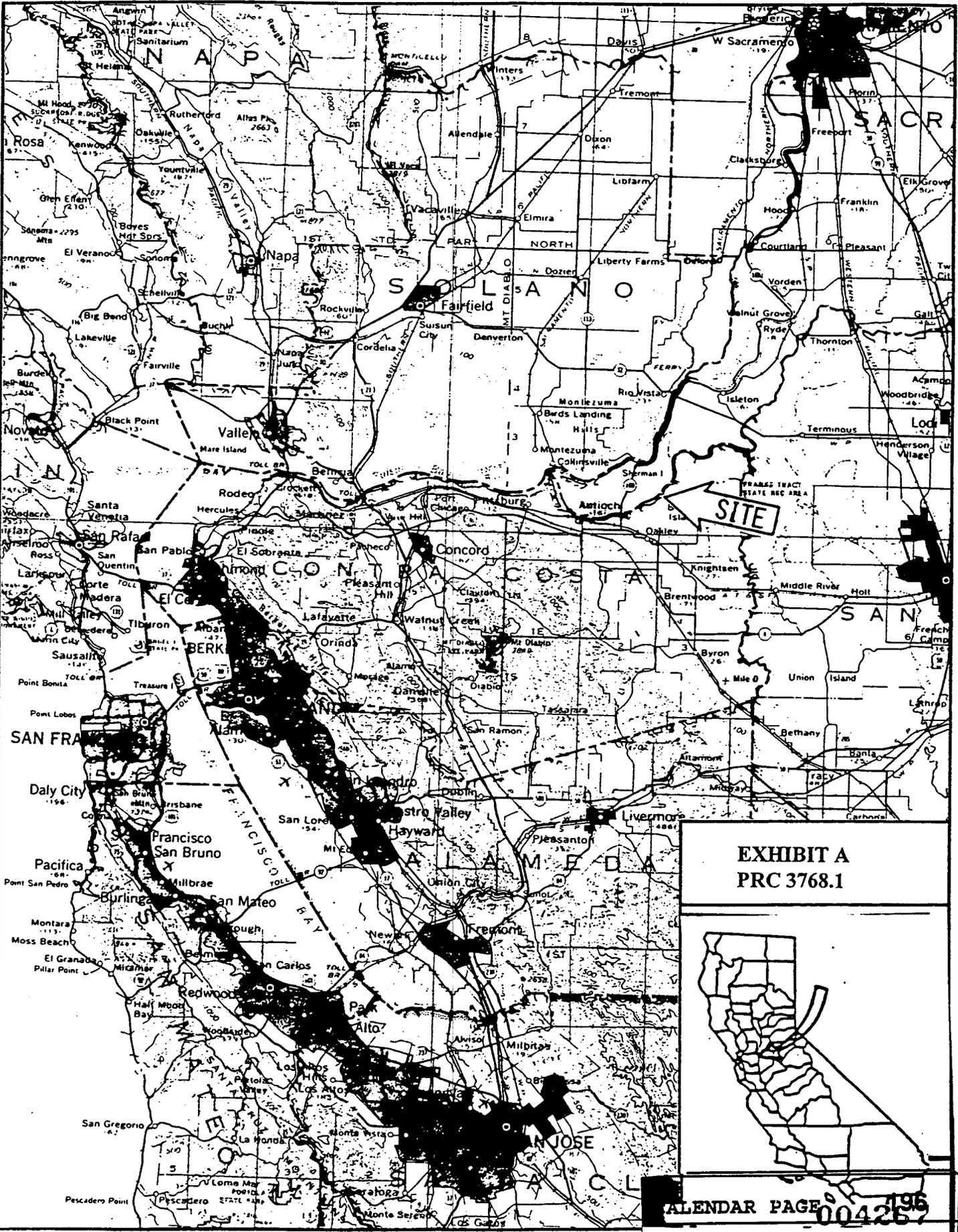


EXHIBIT A
PRC 3768.1

