MINUTE ITEM
This Calendar Item No. C40 was approved as Minute Item No. 40 by the California State Lands Commission by a vote of 3 to 0 at its 1-29-99 meeting.

CALENDAR ITEM
C40

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J. Tanner

CONSIDER NOTIFICATION TO THE CITY OF LONG BEACH TO DIRECT FIELD CONTRACTOR TO SELL OFF CRUDE OIL FROM TRACT NO. 1, LONG BEACH UNIT, WILMINGTON OIL FIELD, LOS ANGELES COUNTY

APPLICANT:

Department of Oil Properties
City of Long Beach
211 East Ocean Boulevard, Suite 500
Long Beach, California 90802

BACKGROUND:

Section 3(e), Chapter 138, Statutes of 1964, 1st. E.S. and Article 11 of the Contractor's Agreement for the Long Beach Unit, Wilmington Oil Field, provides for the sell-off of up to 12 ½ percent of the crude oil allocated to Tract No. 1 of the Long Beach Unit, all of which is to come from the Field Contractor's 80 percent share.

Two crude oil sales contracts, one for each Segment, were entered into with EOTT Energy Operating L.P. (EOTT) and Bravo Energy Trading N.A. (Bravo) The contract with EOTT was subsequently assigned to Paramount Petroleum Corporation. The term of each Contract was from September 1, 1998 until March 1, 2000. The Commission must notify the City of Long Beach (City) again to direct the Field Contractor to offer the oil for competitive bid. This notice cannot be given more than once in any twelve-month period and was last given on September 12, 1997. In giving its notice, the Commission must provide for a fixed term for the sell-off and specify the amount of oil to be put out for bid. The necessary specifications are set forth in Exhibit A to this Calendar Item.

Under the terms of the Contractors' Agreement, the oil must be offered for competitive bidding by the Field Contractor not more than 60 days after the notice from the Commission. If approved, a period of at least 180 days must elapse between the execution of the contracts and their effective date.

STATUTORY AND OTHER REFERENCES:

A. Public Resources Code Section: Division 6, Parts 1 and 2; Division. 13.
B. California Code of Regulations: Title 3, Division 3; Title 14, Division 6.

OTHER PERTINENT INFORMATION:

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

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

EXHIBIT:

A. Specifications for Sale of Crude Oil

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 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:

PURSUANT TO SECTION 3(e) OF CHAPTER 138, STATUTES OF 1964, 1ST E.S., DIRECT THE EXECUTIVE OFFICER OR HIS DESIGNEE TO NOTIFY THE CITY OF LONG BEACH TO DIRECT THE FIELD CONTRACTOR TO OFFER FOR SALE BY COMPETITIVE PUBLIC BID, 12 ½ PERCENT OF THE OIL ALLOCATED TO TRACT NO. 1 OF THE LONG BEACH UNIT, WILMINGTON OIL FIELD, LOS ANGELES COUNTY, IN THE AMOUNTS AND FOR THE TERMS AND PURSUANT

TO CONTRACTS WITH THE PRICING PROVISION SET FORTH IN EXHIBIT A.

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EXHIBIT A

SIGNIFICANT SPECIFICATIONS FOR PROPOSED SELL OFF OF CRUDE OIL FROM TRACT NO. 1, OF THE LONG BEACH UNIT, WILMINGTON OIL FIELD, LOS ANGELES COUNTY

1. Crude Oil Amount

The crude oil which is available for sale is 12 ½ percent of the oil allocated to Tract No. 1, all of which shall come from the Field Contractor's 80 percent share. The oil will be offered in two contracts:

A. One contract will cover seven percent of the oil allocated to Tract No. 1. This will be approximately 2,300 barrels per day of 18.0° API gravity crude oil.

B. One contract will cover five and one-half percent of the oil allocated to Tract No. 1. This will be approximately 1,800 barrels per day of 18.0° API gravity crude oil.

2. Crude Oil Price

The purchaser shall pay for the oil a bonus per barrel, which is the bid factor, plus a base price equal to the highest price posted for like crude oil on the day of delivery in the Wilmington, Long Beach (Signal Hill), Huntington Beach and Inglewood Oil Fields, among the postings of Chevron, Mobil, Tosco and Equiva, and their successors. The pricing provision shall state that the price shall be computed to the closest tenth of a degree of API gravity and the closest tenth of a cent per barrel. The provision also shall contain the statement that if at any time the base price plus the bonus shall be lower than the amount per barrel at which the Field Contractor accounts for like oil under Article 9(b) of the Contractors' Agreement, then and only then, the price to be paid by the sell-off purchaser shall be the amount per barrel provided by Article 9(b).

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3. Contract Term

Each Contract will be for a term of 18 months commencing March 1, 2000.

4. Surety

A Letter of Credit in the amount of $1.2 million for the seven percent segment and a Letter of Credit in the amount of $1.0 million for the five and one-half percent segment will be required. Comprehensive general and automobile liability insurance will be required in amounts of not less than $2 million combined single limit per occurrence or $4 million general aggregate.

5. Bid Deposit

A bid deposit of $25,000 for each contract will be required to indicate the bidder's good faith and will be returned upon full execution of the contract.

6. Right to Reject Bids

The City and the Commission reserve the right at any stage of these proceedings to withdraw this offer to receive bids. The City reserves the right at any stage of these proceedings to reject any or all bids.

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