

MINUTE ITEM

4/24/74
GRH

12. RENEWAL AND AMENDMENT OF INDUSTRIAL LEASE PRC 550.1, TIDE AND SUBMERGED LAND OFFSHORE FROM GAVIOTA, SANTA BARBARA COUNTY; GETTY OIL COMPANY - W 5968, PRC 550.1.

After consideration of Calendar Item 11 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. DETERMINES THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY BECAUSE IT IS CATEGORICALLY EXEMPT UNDER THE PROVISIONS OF PRC SECTION 21084 AND 14 CAL. ADM. CODE SECTION 15101.
2. AUTHORIZES THE FOLLOWING ACTION WITH RESPECT TO LEASE PRC 550.1:
 - A. THE ISSUANCE OF A 10-YEAR RENEWAL FROM JANUARY 1, 1966; IN CONSIDERATION OF ANNUAL RENTAL OF \$5,994, DURING THE RENEWAL PERIOD, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON THE FIFTH ANNIVERSARY OF THE LEASE; AND
 - B. THE ISSUANCE OF AN AMENDMENT TO ADD PUBLIC LIABILITY INSURANCE IN THE AMOUNTS OF \$200,000/\$600,000 FOR PERSONAL INJURY AND \$2,500,000 FOR PROPERTY DAMAGE, INCREASE THE BOND REQUIREMENT TO \$25,000, AND TO CHANGE THE LAND DESCRIPTION TO THAT SHOWN IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF; PROVIDED THAT ALL OTHER TERMS AND CONDITIONS OF LEASE PRC 550.1 SHALL REMAIN IN FULL FORCE AND EFFECT.

Attachment:

Calendar Item 11 (3 pages)

CALENDAR ITEM

4/74
GRH
W 5968

11.

RENEWAL AND AMENDMENT OF INDUSTRIAL LEASE PRC 550.1

APPLICANT: Getty Oil Company.

AREA, TYPE LAND AND LOCATION:

A 23-acre parcel of tide and submerged land offshore from Gaviota, Santa Barbara County.

LAND USE: Existing marine oil terminal.

TERMS OF ORIGINAL LEASE:

Initial period: 15 years, from January 1, 1951.

Renewal options: 3 additional periods of 10 years each.

Surety bond: \$2,000.

Consideration: \$100 per annum.

TERMS OF LEASE DURING FIRST RENEWAL PERIOD:

10 years, from January 1, 1966.

Renewal options: 2 additional periods of 10 years each.

Surety bond: \$25,000.

Public liability insurance:

\$200,000/\$600,000 for personal injury
and \$2,500,000 for property damage.

CONSIDERATION: \$5,994 per annum, with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:

6% of appraised value of land.

PREREQUISITE TERMS:

U. S. Army Corps of Engineers permit issued.

Applicant is lessee or permittee of upland.

STATUTORY AND OTHER REFERENCES:

- a. Public Resources Code: Div. 6, Parts 1 and 2.
- b. Administrative Code: Title 2, Div. 3, Arts. 1, 2, and 10.

CALENDAR ITEM NO. 11. (CONTD)

OTHER PERTINENT INFORMATION:

1. Lease PRC 550.1 was originally issued to Tidewater Associated Oil Company. In 1967, Tidewater merged with Getty Oil Company, with the latter being the surviving corporation.
2. Upon expiration of the lease, the applicant elected to exercise the renewal provision; however, final consummation of a renewal was held up pending the negotiation of the annual rental to be charged during the renewal period. Getty Oil Company has now agreed to pay annual rental in accordance with current Commission policies and regulations.
3. A renewal option was granted in the original lease and there is no change in the basic purpose of the lease; therefore, an environmental impact report is not required.
4. The amendment adds insurance, increases the bond and changes the land description to reflect actual use.

EXHIBITS: A. Land Description. B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY BECAUSE IT IS CATEGORICALLY EXEMPT UNDER THE PROVISIONS OF PRC SECTION 21084 AND 14 CAL. ADM. CODE SECTION 15101.
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Attachment: Exhibit "A"

EXHIBIT "A"

W 5968

PARCEL 1:

A strip of tide and submerged land 100 feet wide lying in the Pacific Ocean, approximately ½ mile east of the community of Gaviota, Santa Barbara County, State of California, and being 50 feet on each side of the following described centerline:

BEGINNING at a point designated as Point "A" which bears S 87° 55' 28" E, 3,868.43 feet from United States Coast and Geodetic Survey Monument "TANK, 1933", as shown upon Sheet 19 of 39, of certain maps prepared by the State Lands Division entitled "Survey of the Mean High Tide Line Along the Shore of the Pacific Ocean", said maps being recorded in Book 41 of Miscellaneous Maps, pages 12-50, inclusive, on April 20, 1959, in the Office of the County Recorder of Santa Barbara County; thence South 2600 feet into the Pacific Ocean and the end of the herein described centerline.

PARCEL 2:

That certain parcel of tide and submerged land lying in the bed of the Pacific Ocean, approximately ½ mile east of the community of Gaviota, Santa Barbara County, State of California, and being included within the circumference of a circle having a radius of 500 feet, the center of said circle bearing South 2,720 feet; thence S 52° 00' E, 160.0 feet from that certain point previously designated as Point "A".

EXCEPTING FROM Parcels 1 and 2 any portion lying landward of the ordinary high water mark.

EXCEPTING FROM Parcel 1 any portion lying within the circumference of the circle and described as Parcel 2.

The basis of bearings in the above description is referenced to the true meridian.

END OF DESCRIPTION