

MINUTE ITEM

This Calendar Item No. 13
was approved as Minute Item
No. 13 by the State Lands
Commission by a vote of 3
to 0 at its 4-28-76 MINUTE ITEM
meeting.

4/28/76
JFT

13. INDUSTRIAL LEASE FOR PIPELINE PURPOSES, SOVEREIGN LAND IN
SACRAMENTO, YOLO, CONTRA COSTA AND SOLANO COUNTIES; SHELL OIL
COMPANY - W 20991, PRC 5107.

During consideration of Calendar Item 13, Mr. William Holliman,
attorney representing Shell Oil Company appeared in support
of the item. Mr. Holliman advised that the staff recommendation
before the Commission is acceptable to Shell. Based on no
objections being raised, the Commission unanimously approved
the resolution as presented in Calendar Item 13 attached.

Attachment:

Calendar Item 13 (10 pages)

A 4, 5, 10
S 3, 4, 7

CALENDAR ITEM

13

4/76
JPT
W 20091

INDUSTRIAL LEASE FOR PIPELINE PURPOSES

APPLICANT: Shell Oil Company
c/o R. G. Ryman, Attorney-in-fact
P. O. Box 2648
2 Shell Plaza
Houston, Texas 77001

AREA, TYPE LAND AND LOCATION: 10.901 acres of submerged sovereign land, in Sacramento, Yolo, Contra Costa and Solano Counties.

LAND USE: Industrial, natural gas pipeline for the installation, use and maintenance of a gas pipeline from Sacramento to the Shell Oil Company refinery in Martinez.

TERMS OF PROPOSED LEASE:

Initial period: 15 years from April 1, 1976.

Renewal options: 2 successive periods of 10 years each.

Surety bond: \$100,000

Public liability insurance: \$1,000,000 per occurrence for bodily injury and property damage.

Special: The pipeline shall be used solely for the transportation of natural gas for process feed and process fuel at Lessee's refinery in Martinez.

CONSIDERATION: \$2,676.88 per annum, with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:

1 1/2 cents per diameter inch of pipeline or conduit, per lineal foot as to the crossing at Suisun-Honker Bay (Solano County and Contra Costa County) and \$100 minimum rentals each as to the balance of the crossings.

A 4, 5, 10

S 3, 4, 7

CALENDAR ITEM NO. 13 (CONTD)

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is permittee of most upland parcels, and is in the process of completing its right of way acquisition.

Filing fee and \$200 environmental costs has been received. Staff has incurred substantial expense in EIR evaluation and circulation and will bill the applicant for expenses exceeding the \$200 previously received.

STATUTORY AND OTHER REFERENCES:

- A. Public Resources Code: Div. 6, Parts 1 & 2.
- B. Administrative Code: Title 2, Div. 3, Arts. 1, 2, 10 & 11.

OTHER PERTINENT INFORMATION:

1. This project is partially situated on State land identified as environmentally significant, pursuant to Public Resources Code 6370.1, and is classified in a significant use category, Class B: Limited Use and Class C: Multiple Use. On March 25, 1976, the project was determined by the Commission to be compatible use consistent with identified significant environmental values.
2. A final environmental impact report was prepared by the Division and certified by the Commission on March 25, 1976, pursuant to CEQA and implementing regulations.
3. A pipeline will be 10 3/4 inches in diameter in its crossing of Suisun Bay, Roaring River Slough, Grizzly Slough and Montezuma Slough. At the Sacramento River (Elkhorn) crossing, the pipe will be 8 5/8 inches in diameter, and 6 5/8 inches in diameter as it crosses the Sacramento (north) River.

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

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE ISSUANCE TO SHELL OIL COMPANY OF A 15-YEAR LEASE FROM APRIL 1, 1976, WITH LESSEE'S OPTION TO RENEW FOR 2 SUCCESSIVE PERIODS OF 10 YEARS EACH; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$2,676.88 WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE, AND WITH THE RIGHT TO FIX A DIFFERENT RENTAL DURING THE FIRST YEAR OF THIS LEASE RETROACTIVE TO APRIL 1, 1976; PROVIDED THAT ANY CHANGE IN THE RENTAL SHALL BE TO THE APPLICABLE RATE, OR BY FOLLOWING THE PROCEDURE FOR DETERMINING THE APPLICABLE RATE OF RENTAL SET FORTH IN TITLE 2

CALENDAR ITEM NO. 15 (CONTD)

OF THE CALIFORNIA ADMINISTRATIVE CODE; PROVISION THAT THE PIPE-LINE SHALL BE USED SOLELY FOR THE TRANSPORTATION OF NATURAL GAS FOR PROCESS FEED AND PROCESS FUEL AT SHELL'S REFINERY IN MARTINEZ; PROVISION OF A \$100,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$1,000,000 PER OCCURRENCE FOR BODILY INJURY AND PROPERTY DAMAGE, FOR THE INSTALLATION, USE AND MAINTENANCE OF A NATURAL GAS PIPELINE ON THE LAND DESCRIBED ON EXHIBITS A, A-1, A-2, A-3, A-4, A-5, and A-6, ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachments: Exhibits "A" through "A-6"

EXHIBIT "A"

W 20991

A parcel of tide and submerged land 30 feet wide in the State owned land of Suisun Bay and Konker Bay, within protracted Section 2, T2N, R1W, and protracted Section 35, T3N, R1W, M.D.M., situate in the Counties of Contra Costa and Solano, State of California, lying 15.00 feet on east side of the following described centerline:

COMMENCING at a 2" iron pipe tagged LS-3169 shown as marking the intersection of the northerly line of the Atchison, Topeka and Santa Fe Railroad with the east line of the $W\frac{1}{2}$ of Section 11 on that map titled "Record of Survey Portion of the SE $\frac{1}{4}$ of Section 10, $W\frac{1}{2}$ of Section 11, T2N, R1W, M.D.M., and Swamp and Overflow Lands Survey No. 55, State of California, County of Contra Costa", filed in the office of the recorder of said county on June 15, 1971, in Licensed Surveyors Map Book 53, page 42; thence from said point of commencement along said northerly line of the Atchison, Topeka and Santa Fe Railroad, S 72° 13' 03" E, 15.74 feet; thence leaving said line, N 00° 01' 00" E, 4661.00 feet to the POINT OF BEGINNING of the herein described centerline; thence N 18° 41' 10" E, 4509.00 feet, more or less, to an intersection with the southerly line of those lands patented by the State of California as Tideland Location No. 42 and the end of said centerline.

EXCEPTING THEREFROM any portion thereof lying landward of the high water mark.

END OF DESCRIPTION

Prepared R. L. Black Check: 1/1/76
Reviewed James R. Pittman Date 2/26/76

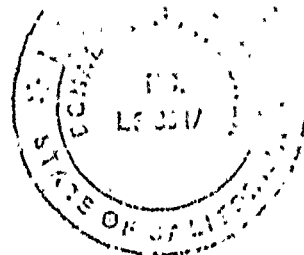


EXHIBIT "A-1"

W 20991

A strip of land 30.00 feet in width lying within the lands described in Tideland Locations No. 42 and No. 43 in protracted Sections 3, 30 and 25, T3N, R1W, M.D.M., situate in Tomker Bay, Solano County, California, being 15 feet on each side of the following described centerline:

COMMENCING at a 2" iron pipe tagged LS-3169 shown as marking the intersection of the northerly line of the Atchison, Topeka and Santa Fe Railroad with the east line of the W $\frac{1}{2}$ of Section 11 on that map titled "Record of Survey Portion of the SE $\frac{1}{4}$ of Section 10, W $\frac{1}{2}$ of Section 11, T2N, R1W, M.D.M., and Swamp and Overflow Survey No. 65, State of California, County of Contra Costa, filed in the office of the recorder of said county on June 15, 1971, in Licensed Surveyor's Map Book 53, Page 42; thence from said commencement point along said northerly line of the Atchison, Topeka and Santa Fe Railroad, S 72° 13' 03" E, 15.74 feet; thence leaving said line N 90° 01' 00" E, 4667.90 feet; thence N 18° 26' 20" E, 4000.00 feet, more or less, to an intersection with the southerly described line of said Tideland Location No. 42 and the POINT OF BEGINNING of the herein described centerline; thence N 18° 26' 20" E, 8800 feet, more or less, to the northerly described line of said Tideland Location No. 42 and the end of said centerline.

END OF DESCRIPTION

Prepared R. L. Blake Checked J. A. Gannicke

Reviewed Kenneth B. Williams Date 2/26/76

Rev. 3/23/76 x/jl

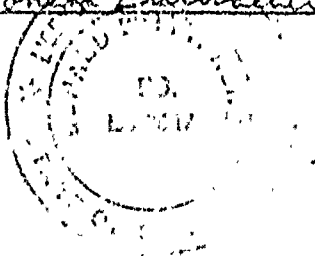


EXHIBIT "A-2"

W 20991

A strip of land 30.00 feet wide in the State owned bed of Roaring River Slough in protracted Section 24, T3N, R1W, M.D.M., County of Solano, State of California, lying 15.00 feet on each side of the following described centerline:

COMMENCING at a 10" diameter iron pipe filled with concrete encasing a 2" iron pipe tagged R.C.E. 11208 which bears N 28° 11' 00" W, 461.91 feet from the most southeasterly corner of Parcel 1 as shown on that certain Parcel Map filed in Book 9 of Parcel Maps, Page 58, in the office of the Solano County Recorder; thence N 35° 38' 33" E, 4966.54 feet to a 5/8" rebar; thence S 28° 22' W, 130.00 feet to the POINT OF BEGINNING of the herein described centerline; thence N 28° 22' E, 400.00 feet to the end of said centerline.

EXCEPTING THEREFROM any portion thereof lying landward of the ordinary high water mark.

END OF DESCRIPTION

Prepared

R. L. Blake

Checked

J. H. [Signature]

Reviewed

[Signature]

Date

2/24/76

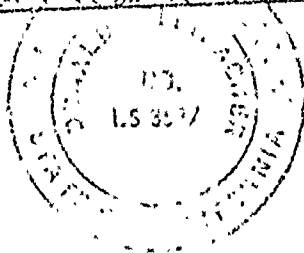


EXHIBIT "A-3"

W 20991

A strip of land 30.00 feet in width, lying in the State owned bed of Grizzly Slough in protracted Section 13, T3N, R1W, E.D.M., County of Solano, State of California, lying 15.00 feet on each side of the following described centerline:

COMMENCING at a 10" diameter iron pipe filled with concrete encasing a 2" iron pipe tagged R.C.E. 11208 which bears N 28° 11' 00" W, 461.91 feet from the most southeasterly corner of Parcel 1 as shown on that certain Parcel Map filed in Book 9 of Parcel Maps, Page 58, in the office of the Solano County Recorder; thence N 30° 31' 52" E, 8069.48 feet to a 5/8" rebar; thence N 28° 22' E, 165.00 feet to the POINT OF BEGINNING of the herein described centerline; thence S 28° 22' 00" W, 400.00 feet to the end of said centerline.

EXCEPTING THEREFROM any portion thereof lying landward of the ordinary high water mark.

END OF DESCRIPTION

Prepared R. L. Blake Checked A. H. [Signature]
Reviewed Donald [Signature] Date 2/26/20

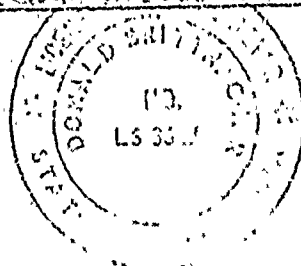


EXHIBIT "A-4"

W 20991

A strip of land 30.00 feet in width, lying in the State owned bed of Montezuma Slough in protracted Section 7, T3N, R1E, M.D.M., Solano County, California, lying 15.00 feet on each side of the following described centerline:

COMMENCING at a 1 1/2" diameter iron pipe markin
the most northeasterly corner of the A. W. Ward
parcel as shown on Record of Surveys Map - portions
of the McDougal Livestock Co. property in Sec-
tions 5, 8, and 17, T3N, R1E, M.D.M., recorded
in Book of Surveys volume 4, at page 25, Solano
County Records; thence from said point of commence-
ment along the centerline of County Road No. 249
(known as Birds Landing Road), the following
two (2) courses: (1) S 68° 40' 17" W, 1923.20 feet
and (2) N 84° 38' 43" W, 87.76 feet to a point
distant 40.00 feet easterly measured at right
angles from an existing Standard Oil Company
pipeline; thence parallel with said pipeline,
the following two (2) courses: (1) S 00° 52' 00" W,
27.50 feet and (2) S 22° 28' 00" W, 5306.80 feet to
the POINT OF BEGINNING of the herein described center-
line; thence S 07° 57' 00" E, 495.00 feet to the end
of said centerline.

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

END OF DESCRIPTION

Prepared

R. L. Blake

Checked

H. J. R. [Signature]

Reviewed

Donald P. [Signature]

Date

2/26/76

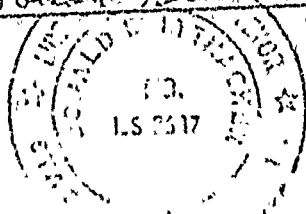


EXHIBIT "A-5"

W 29991

A strip of land 30.00 feet in width, lying in the State owned bed of the Sacramento River, Sacramento and Yuba Counties, State of California, located at River Mile 71.5, lying 15.00 feet on each side of the following described centerline:

COMMENCING at the southeast corner of Lot 75 as shown on Map of Natomas Elkhorn Subdivision recorded in Book 15 of Maps, Map No. 42, in the Sacramento County Recorder's Office; thence along the south line of said Lot 75, S 89° 46' 50" W, 1901.34 feet; thence leaving said line N 00° 13' 10" W, 10.00 feet to the POINT OF BEGINNING of the herein described centerline; thence S 79° 13' 10" W, 520.00 feet to the end of said centerline.

EXCEPTING THEREFROM any portion thereof lying landward of the ordinary high water mark.

END OF DESCRIPTION

Prepared R L Blake Checked [Signature]
Reviewed Donald R. [Signature] Date 2/26/76

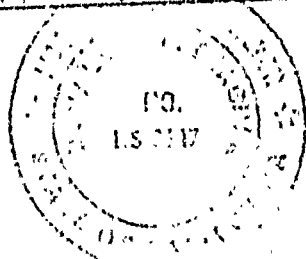


EXHIBIT "A-6"

W 20991

A strip of land 25.00 feet in width, lying in the State owned bed of the Sacramento River, Sacramento and Yolo Counties, State of California, located at River Mile 74.8 approximately 0.8 mile northerly from Elverta Road, lying 12.50 feet on each side of the following described centerline:

COMMENCING at the southeast corner of Lot 181, as shown on Map of Watomas Elkhorn Subdivision file in Book 15 of Maps, Map No. 42, in the Sacramento County Recorder's Office; thence N 00° 04' 00" E, 12.50 feet along the east line of said Lot 181; thence leaving said line S 89° 44' 20" W, 2692.00 feet, parallel with the south line of said Lot 181, to the POINT OF BEGINNING of the herein described centerline; thence S 89° 44' 20" W, 615.00 feet to the end of said centerline.

EXCEPTING THEREFROM any portion thereof lying landward of the ordinary high water mark.

END OF DESCRIPTION

Prepared R L Blake Checked A. H. Kammick
Reviewed Donald B. Birtcher Date 2/26/76

