

MINUTE ITEM

This Calendar Item No. C05 was approved as Minute Item No. 05 by the California State Lands Commission by a vote of 3 to 0 at its 2/27/98 meeting.

CALENDAR ITEM

C05

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02/27/98
PRC7643 WP 7643.1
L. Burks

SUBLEASE

LESSEE/SUBLESSOR:

USS-POSCO Industries
900 Loveridge Road
Pittsburg, California 94565

SUBLEESSEE:

Air Liquide America Corporation,
a Delaware Corporation
2700 Post Oak Boulevard
Houston, Texas 77056

AREA, LAND TYPE, AND LOCATION:

LEASE: 14.3 acres, more or less, of tide and submerged lands in New York Slough, near the city of Pittsburg, Contra Costa County.

SUBLEASE: 0.07 acres, more or less, of tide and submerged lands in New York Slough, near the city of Pittsburg, Contra Costa County.

AUTHORIZED USE:

LEASE: Operation and maintenance of a levee, settling basin and other facilities inherent to the manufacturing of steel, i.e., offloading, storage and processing of hot-rolled steel coils, producing zinc-galvanized, tin-plated, cold-rolled and chrome-coated steel.

SUBLEASE: Construction of an outfall pipeline for the transportation of storm water and process waste waters for operation of an air separation unit and a hydrogen plant.

TERM:

LEASE: Ten years, beginning November 18, 1984.

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CALENDAR ITEM NO. **C05** (CONT'D)

SUBLEASE: Upon expiration of the Lessee/Sublessee's "Sublease and Easement Agreement", or upon termination of Lessee's possession of the Lease Premises under Lease No. PRC 7643.1.

CONSIDERATION:

LEASE: \$4,336 per year, with the State reserving the right to fix a different rent on the fifth anniversary date of the beginning of this Lease.

OTHER PERTINENT INFORMATION:

1. On August 28, 1986, the Commission approved assignment from USS Steel Corporation to USS-POSCO Industries of the following leases: PRC 2500.1, Parcel 1 (PRC 7643.1); Lease No. 14.1 (Chapter 69/1929); Lease No. 14.1 Supplemental (Chapter 69/1929); and Lease No. 26 (Chapter 69,1929).
2. All of the above leases have expired. USS-POSCO is currently in "holdover" to obtain a new lease (all leases will be consolidated under Lease No. PRC 7643.1).
3. A Negative Declaration was prepared and adopted for this project by the city of Pittsburg. The California State Lands Commission's staff has reviewed such document.
4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

APPROVALS OBTAINED:

City of Pittsburg, Regional Water Quality Control Board-San Francisco Bay Region, Contra Costa Health Services Department, Bay Area Air Quality Management District, and the United States Army Corps of Engineers.

EXHIBITS:

- A. Site Plan
- B. Location Map
- C. Notice of Determination

CALENDAR ITEM NO. C05 (CONT'D)

PERMIT STREAMLINING ACT DEADLINE:

August 9, 1998

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT A NEGATIVE DECLARATION (SCH 97072066) WAS PREPARED AND ADOPTED FOR THIS PROJECT BY THE CITY OF PITTSBURG AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

SIGNIFICANT LANDS INVENTORY FINDING:

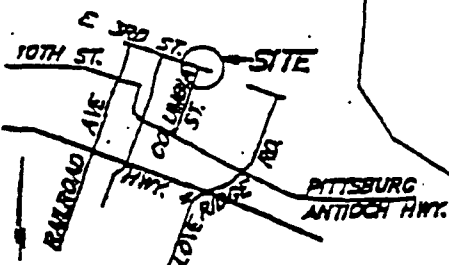
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE, BY ENDORSEMENT, THE FOLLOWING SUBLEASE:

- A. AIR LIQUIDE AMERICA CORPORATION, A DELAWARE CORPORATION, SAID SUBLEASE IS ON FILE IN THE OFFICE OF THE COMMISSION AND BY REFERENCE MADE A PART HEREOF.

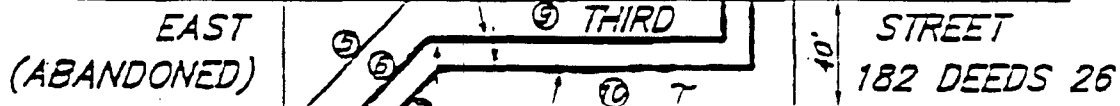
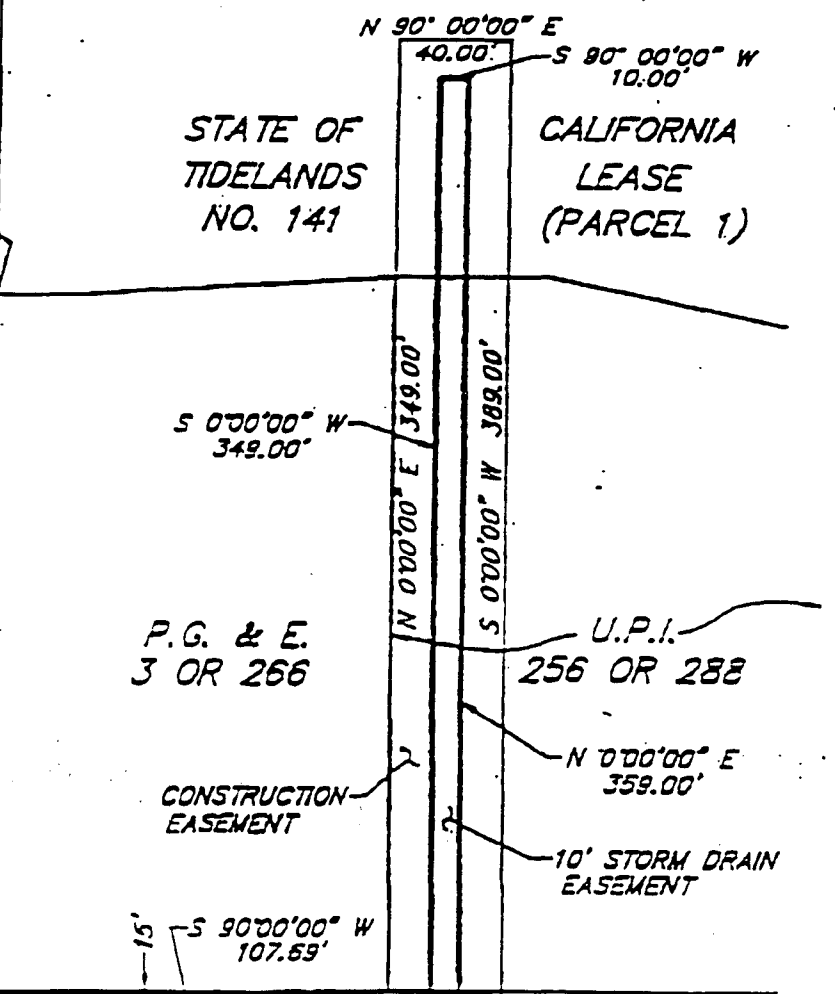
SAN JOAQUIN RIVER



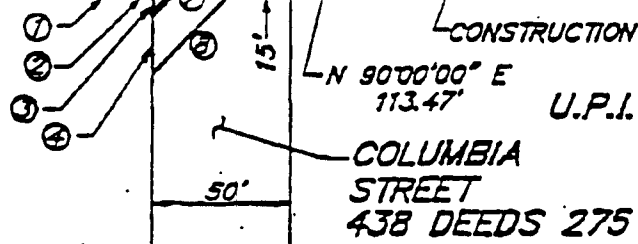
VICINITY MAP
NOT TO SCALE

LINE TABLE

NO.	BEARING	DIST.
①	N 90°00'00" E	20.95'
②	N 90°00'00" E	6.96'
③	S 0°00'00" E	7.18'
④	S 0°00'00" E	21.50'
⑤	N 44°75'07" E	55.84'
⑥	S 44°75'07" W	34.90'
⑦	N 44°75'07" E	30.97'
⑧	S 44°75'07" W	40.04'
⑨	N 90°00'00" E	99.02'
⑩	S 90°00'00" W	122.14'



AIR LIQUIDE LEASE SITE (U.P.I.)



W.O. 1484.00

PREPARED BY

RGA REALTY CONSULTANTS & ASSOCIATES, INC.

LAND SURVEYING & DEVELOPMENT

10 SOUTH LAKE DRIVE, SUITE 1
ANTIOCH, CALIFORNIA 94509
TEL. (510) 778-0428
FAX (510) 778-7100

EXHIBIT "B"

STORM DRAIN EASEMENT

U.P.I. PROPERTY

PITTSBURG CALIFORNIA

AIR LIQUIDE AMERICA CORP.

DATE	AUC	CHK	ISS
APP'D	RCC		
SCALE	1" = 400'		
DATE	09-02-87		
REV		DATE	

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This Land description is solely for purposes of generally defining the lease premises, and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

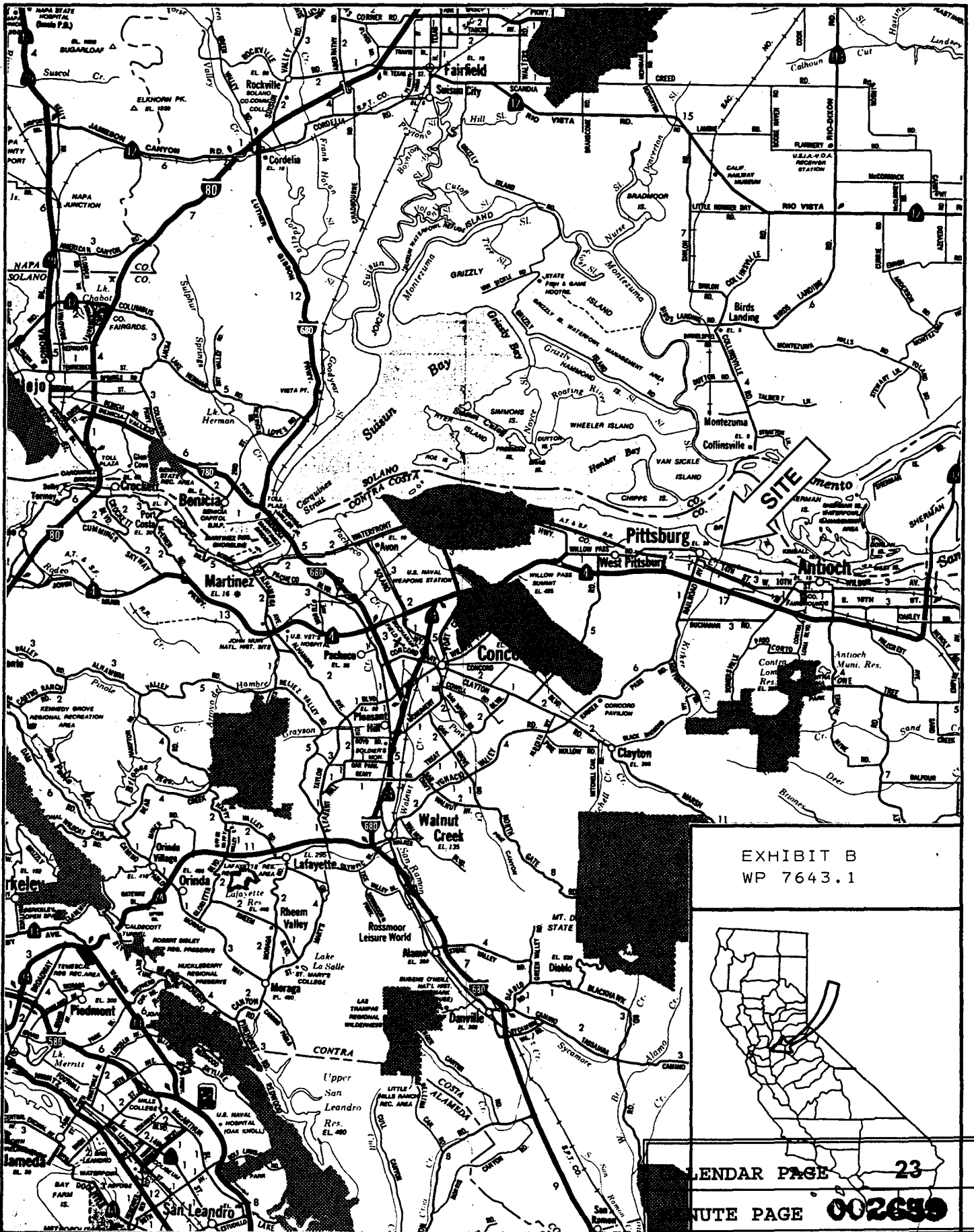
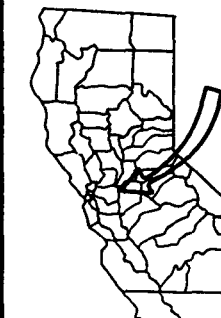


EXHIBIT B
WP 7643.1



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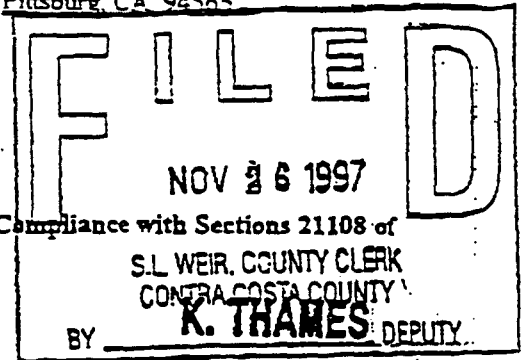
NOTICE OF DETERMINATION

TO: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

FROM: (Public Agency)

CITY OF PITTSBURG
P. O. Box 1518 (65 Civic Ave.)
Pittsburg, CA 94565

County Clerk
County of Contra Costa
725 Court St., Suite 103
Martinez, CA 94553



SUBJECT: Filing of Notice of Determination for Negative Declaration Compliance with Sections 21108 of the Public Resources Code

Project Title: Air Liquide Industrial Gas Facility

n/a City of Pittsburg - Randy Jerome (510) 439-4920
State Clearinghouse Number: Lead Agency Contact Person: Area Code/Telephone/Extension
(If submitted to Clearinghouse)

Location: (include county)

Five acre site on the southwest corner of East Third Street and Columbia Street (extension on USS-POSCO site). APN 073-030-01 (portion).

Project Description:

Use Permit to allow a Heavy Manufacturing use, approval of a variance from height requirements and design review approval of architectural plans and site improvements for the construction of an industrial gas manufacturing facility including a 9320 square foot building and ancillary industrial structures.

This is to advise that the City of Pittsburg has approved the above described project on: 9/23/97
 Lead Agency Responsible Agency (Date)
and has made the following determinations regarding the above described project:

- The project will will not have a significant effect on the environment.
- An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to provisions of CEQA.
- Mitigation measures were were not made a condition of the approval of the project.
- A statement of Overriding Considerations was was not adopted for the project.
- Findings were were not made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration and record of project approval is available to the General Public at:

City of Pittsburg Community Development Department, City Hall, 65 Civic Avenue, Pittsburg, CA.

Randy Jerome October 27, 1997 Planning Manager
Signature (Public Agency) Date Title

Date mailed to County Clerk 10/27/97 Date received for filing: **CALENDAR PAGE 23.1**
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Signature _____ Title _____
air_liqd.nod