

MINUTE ITEM NO. 37
APPROVED 2 26 76

CALENDAR ITEM

37.

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HAM
W 5125

APPROVAL OF STANDARD LEASE FORMS,
STANDARD PERMIT FORMS AND STANDARD COVENANTS
FOR SURFACE NONEXTRACTIVE LEASING,
LANDS PROGRAM

The Staff has prepared revised forms for permits and leases for nonextractive uses by our lessees. The changed forms:

1. Provide greater liability insurance for the State's protection;
2. Clarify previously ambiguous language;
3. Provide for the insertion of specific construction dates and conditions for failure to so construct;
4. Reserve access to public lands abutting leased premises;
5. Provide terms of payment of, and interest on, back rent where lessor and lessee cannot agree on rent, but will agree at a later time;
6. Contain specific provisions for oil spills, clean-up and penalties; and
7. Generally, provide a standard form of document which can be used with a minimum of special or unusual additions for new leases.

OTHER PERTINENT INFORMATION:

1. No assessment of the environmental effect of approval is needed. These forms have been approved by the Office of the Attorney General.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21100, 14 CAL. ADM. CODE 15080 AND 15084.
2. APPROVE THE STANDARD COVENANTS, LEASE FORMS AND PERMIT FORMS ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF.