

5. RENEWAL AND AMENDMENT OF RIGHT OF WAY PRC 574; TIDE AND SUBMERGED LAND IN SAN FRANCISCO BAY, SAN MATEO AND ALAMEDA COUNTIES; LESLIE SALT COMPANY;

After consideration of Calendar Item 3 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 AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21085, 14 CAL. ADM. CODE 15100, ET SEQ., AND 2 CAL. ADM. CODE 2907(a).
2. APPROVES THE ISSUANCE OF A 10-YEAR RENEWAL FROM AUGUST 26, 1975, IN CONSIDERATION OF ANNUAL RENTAL IN THE AMOUNT OF \$1,050 DURING THE RENEWAL PERIOD, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE.
3. APPROVES THE ISSUANCE OF AN AMENDMENT TO CHANGE THE LAND DESCRIPTION TO THAT SHOWN ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF; PROVIDED THAT REMOVAL OF AN EXISTING 8" LINE BE POSTPONED UNTIL TERMINATION OF THE EXTENDED LEASE TERM; AND
4. FINDS THAT THE LEASE EXTENSION DOES NOT CONSTITUTE A SUBSTANTIAL INTERFERENCE WITH THE PUBLIC TRUST EASEMENT PROVIDED THAT ALL OTHER TERMS AND CONDITIONS OF LEASE PRC 574 SHALL REMAIN IN FULL FORCE AND EFFECT.

Attachment:

Calendar Item 3 (3 pages)

CALENDAR ITEM

3.

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WP 574

RENEWAL AND AMENDMENT OF RIGHT OF WAY
PRC 574

APPLICANT: Leslie Salt Company
P.O. Box 364
Newark, California 94560

AREA, TYPE LAND AND LOCATION:
Two 8,000' x 100' parcels (36.7 acres) of tide
and submerged land in San Francisco Bay,
San Mateo and Alameda Counties.

LAND USE: Pipeline right of way.

TERMS OF ORIGINAL LEASE:

Initial Period: 15 years, from December 18, 1950.

Renewal options: 2 successive periods of 10 years
each.

Surety bond: \$2,000.

TERMS OF LEASE DURING SECOND RENEWAL PERIOD:

Period: 10 years, from August 26, 1975.

Renewal options: None.

Surety bond: \$2,000.

CONSIDERATION:

\$1,050 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.

STATUTORY AND OTHER REFERENCES:

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

OTHER PERTINENT INFORMATION:

Rent rate is calculated on an approximation of
sovereign fee title ownership. However, such
calculation shall not be deemed an admission
by the State nor Leslie Salt as to the extent

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CALENDAR ITEM NO. 3. (CONTD)

of either public or private titles, nor as to the location of any tidal elevation. The rental calculation is without prejudice to the State to establish a rental charge for the tideland trust easement, if deemed appropriate by the Commission, in the future. The applicant is not presently utilizing an existing 8" line, and there shall be no requirement to remove same until the termination of the lease extension. Rental will be charged for a 20" line which will be the only line actually used by the applicant. The former lease description is amended to cover the full length of the pipelines across San Francisco Bay.

An Environmental Impact Report is not required. This transaction is within the purview of 2 Cal. Amd. Code 2907(a) which exempts an existing structure or facility that is in an acceptable state of repair and there is no evidence of record to show injury to adjacent property, shoreline erosion, or other types of environmental degradation.

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

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE FOLLOWING ACTION WITH RESPECT TO LEASE PRC 574:

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 21085, 14 CAL. ADM. CODE 15100, ET SEQ., AND 2 CAL. ADM. CODE 2907(a).
2. APPROVE THE ISSUANCE OF A 10-YEAR RENEWAL FROM AUGUST 26, 1975, IN CONSIDERATION OF ANNUAL RENTAL IN THE AMOUNT OF \$1,050 DURING THE RENEWAL PERIOD, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE;
3. APPROVE THE ISSUANCE OF AN AMENDMENT TO CHANGE THE LAND DESCRIPTION TO THAT SHOWN ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF; PROVIDED THAT REMOVAL OF AN EXISTING 8" LINE BE POSTPONED UNTIL TERMINATION OF THE EXTENDED LEASE TERM; AND
4. FIND THAT THE LEASE EXTENSION DOES NOT CONSTITUTE A SUBSTANTIAL INTERFERENCE WITH THE PUBLIC TRUST EASEMENT; PROVIDED THAT ALL OTHER TERMS AND CONDITIONS OF LEASE PRC 574 SHALL REMAIN IN FULL FORCE AND EFFECT.

Attachment: Exhibit "A"

EXHIBIT "A"

WP 574

Two parcels of tide and submerged land 100 feet wide, crossing San Francisco Bay in San Mateo and Alameda Counties, State of California, lying 50 feet on each side of the following described centerlines:

CENTER LINE OF PARCEL NO. 1

A line having a bearing of N 49° 50' E being parallel to and lying 115 feet distant southeasterly at right angles from the centerline of Dumbarton Bridge, the extremes of said line terminating on the east by the westerly line of parcel A-3 of sovereign land location No. 43, recorded in Book 2119, page 325, Records of Alameda County and on the west by the easterly line of Parcel SM-2 of sovereign land location No. 43, recorded in Book 5426, page 126, records of San Mateo County.

CENTER LINE OF PARCEL NO. 2

A line having a bearing of N 49° 50' E being parallel to and lying 370 feet distant southeasterly at right angles from the centerline of Dumbarton Bridge, the extremes of said line terminating on the east by the westerly line of Parcel A-3 of sovereign land location No. 43, recorded in Book 2119, page 325, records of Alameda County and on the west by the easterly line of Parcel SM-2 of sovereign land location No. 43, recorded in Book 5426, page 126, records of San Mateo County.

END OF DESCRIPTION