

MINUTE ITEM

This Calendar Item No. C6
was approved as Minute Item
No. 6 for the State Lands
Commission by a vote of 3
to 0 at its 6-5-79 CALENDAR ITEM
meeting.

5/79
WP 3323
Reese
PRC 3323

C6.

RECISSION OF PRIOR AUTHORIZATION TO ADJUST
ANNUAL RENTAL; AND RENEWAL AND AMENDMENT
OF A GENERAL LEASE
RIGHT-OF-WAY USE

APPLICANT: Knob Hill Mines, Inc.
dba Hastings Island Land Company
160 Sansome Street
San Francisco, California 94104

AREA, TYPE LAND AND LOCATION:
1.37 acre parcel of tide and submerged
land in Lindsey Slough adjoining Egbert
Tract and Hasting Island Tract, Solano
County.

LAND USE: Operation and maintenance of an existing
bridge.

TERMS OF ORIGINAL LEASE:
Initial period: 15 years from October 1,
1963.
Renewal options: 3 successive periods
of 10 years each.
Surety bond: \$2,500.
Consideration: \$72.82 per year.

TERMS OF PROPOSED LEASE:
Initial period: 30 years from October 1,
1978.
Surety bond: \$2,500.
Public liability insurance: Combined single
limited coverage of \$300,000.

CONSIDERATION: \$100 per annum, with the State reserving
the right to fix a different rental on
each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:
\$100 minimum rental for this type of lease.

A 4

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PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is owner and permittee of upland.

STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 & 2.
- B. Cal. Adm. Code: Title 2, Div. 3.

OTHER PERTINENT INFORMATION:

1. The original lease is being amended to reflect the following:
 - A. Inclusion of insurance requirements.
 - B. Revised description.
 - C. Generally to bring the original lease format into current leasing policy.
2. By Minute Item No. 14, dated August 31, 1978, the Commission authorized revision of annual rental of lease PRC 3323.1 (Lessee - Knob Hill Mines, Inc.). Subsequent investigation of the original lease failed to reveal a provision for the State to adjust the annual rental at a different amount for a 5-year term following the fifth anniversary of the lease. Accordingly, Stat. is recommending that the Commission rescind its prior authorization. The proposed amendment will require 5-year rent reviews.
3. An EIR is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907, Class 1(B), 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.
4. This project is situated on State land identified as possessing significant environmental values pursuant to P.R.C. 6370.1, and is classified in a use category, Class B, which authorizes Limited Use.

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Staff review indicates that there will be no significant effect upon the identified environmental values. This is an existing facility for which no adverse comments have been received.

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN EIR HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21085, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2907.
2. FIND THAT APPROVAL OF THE RENEWAL AND AMENDMENT WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE P.R.C.
3. RESCIND ITS PRIOR AUTHORIZATION, AS SET FORTH IN MINUTE ITEM NO. 14, DATED AUGUST 31, 1978.
4. APPROVE THE RENEWAL AND AMENDMENT OF A 30-YEAR GENERAL LEASE - RIGHT-OF-WAY USE FROM OCTOBER 1, 1978 TO KNOB HILL MINES, INC.; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$100, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF A \$2,500 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE, COMBINED SINGLE LIMIT COVERAGE OF \$300,000; FOR OPERATION AND MAINTENANCE OF AN EXISTING BRIDGE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

WP. 3323

A strip of tide and submerged land 100 feet in width crossing Lindsey Slough, Solano County, California, said strip lying 50 feet on each side of the following described centerline.

COMMENCING at the northeasterly corner of Parcel 1, as shown on that Record of Survey of portions of the California Packing Corporation and River Investment Company properties, recorded in Book of Surveys, Volume 4, page 21, Solano County Recorders Office; thence S 79° 03' 19" W 1,423.00 feet; thence N 01° 02' 00" E 402.00 feet to the TRUE POINT OF BEGINNING; thence N 01° 02' 00" E 690.00 feet to the end of the herein described centerline.

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

END OF DESCRIPTION

Prepared

A. J. Kaugis

Checked

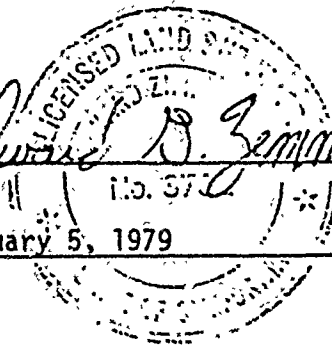
George R. Zimmerman

Reviewed

George F. Weed for Merrick

Date

February 5, 1979



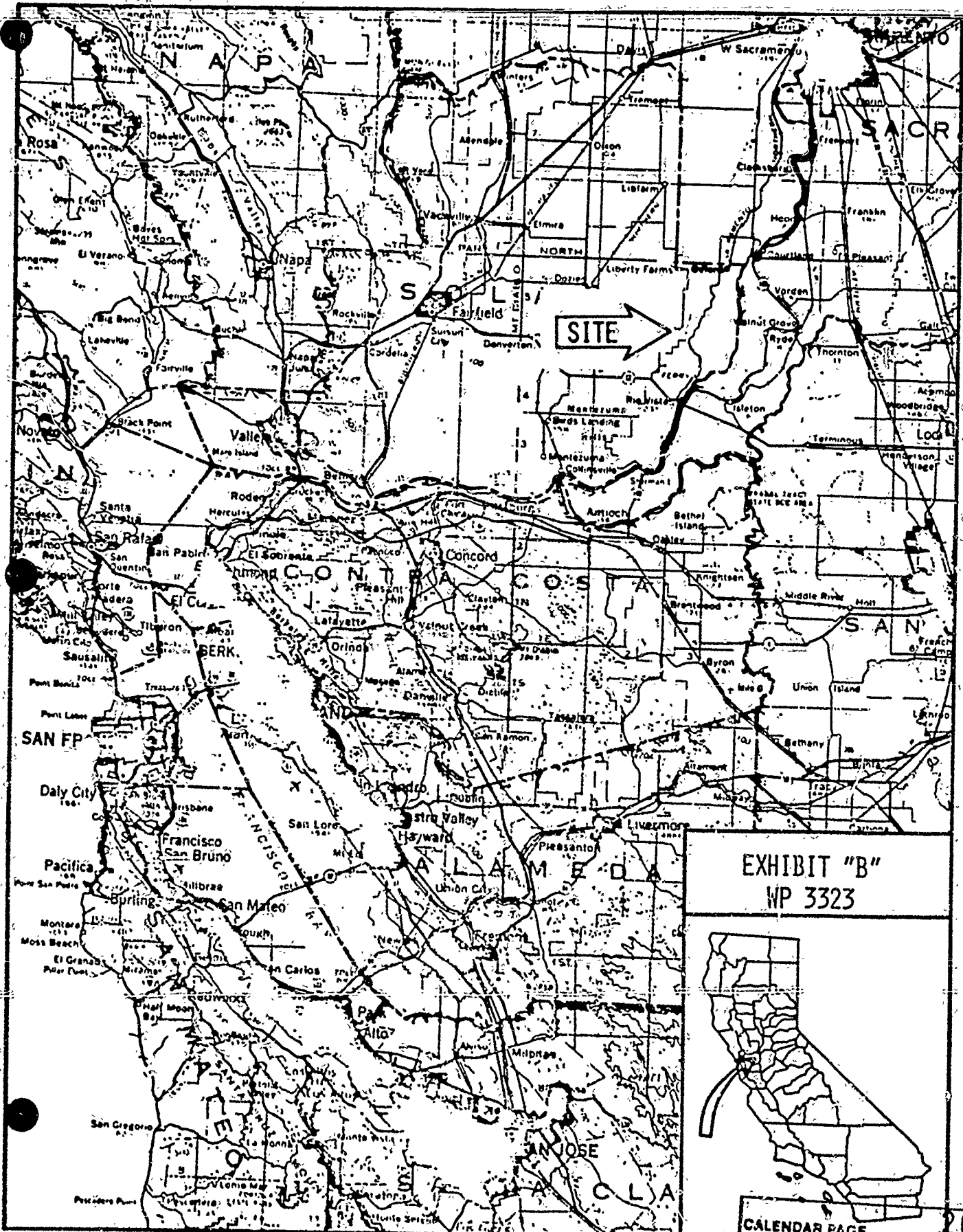


EXHIBIT "B"
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