

**CALENDAR ITEM
C04**

A 10

12/18/15
PRC 9158.9
W. Hall

S 2

**ACCEPTANCE OF A QUITCLAIM DEED FOR LEASE NO. PRC 9158.9, A GENERAL
LEASE – OTHER, ISSUED TO SONOMA LAND TRUST**

LESSEE:

Sonoma Land Trust

AREA, LAND TYPE, AND LOCATION:

Sovereign land in San Pablo Bay and Tolay Creek, adjacent to 2100 Highway 37, city of Petaluma, Sonoma County.

AUTHORIZED USE:

Restoration and maintenance activities, including dredging and levee breaches, to restore 955 acres of tidal marsh and 106 acres of non-tidal seasonal wetland habitat, and reestablish aquatic habitats in the San Pablo Bay area for protected species.

LEASE TERM:

20 years, beginning October 14, 2014.

CONSIDERATION:

The public use and benefit; with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interests.

SPECIFIC LEASE PROVISIONS:

Liability insurance in an amount no less than \$1,000,000 per occurrence.

OTHER PERTINENT INFORMATION:

1. Lessee owns the uplands adjoining the lease premises.
2. On October 14, 2014, the Commission authorized a 20-year General Lease – Other to the Sonoma Land Trust (SLT) for restoration and maintenance activities, including dredging and levee breaches, to restore 955 acres of tidal marsh and 106 acres of non-tidal seasonal wetland habitat, and reestablish aquatic habitats in the San Pablo Bay area for

CALENDAR ITEM NO. **C04** (CONT'D)

protected species. That lease expires October 13, 2034. Lessee completed the restoration in October 2015.

3. The lease area for PRC 9158.9 with SLT is also under lease PRC 5128.9 with the United States Fish and Wildlife (USFWS), and managed as part of the San Pablo Wildlife Refuge. A separate lease was issued to SLT because the use of the lease area was intended to benefit the adjacent upland restoration activities, not the San Pablo Bay Wildlife Refuge, and therefore did not fall under the authorized activities for the existing lease PRC 5128.9, with USFWS. SLT has no further requirement for use of the lease area since completing the restoration of the adjacent upland. The adjacent upland will be conveyed to the USFWS for inclusion into and expansion of the existing San Pablo Bay Wildlife Refuge.
4. The Lessee executed a quitclaim deed releasing their interest in the Lease to the State. Staff recommends acceptance of the quitclaim deed.
5. Acceptance of the quitclaim deed is not a project as defined by the California Environmental Quality Act (CEQA) because it is an administrative action that will not result in direct or indirect physical changes in the environment.

Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378, subdivision (b)(5).

EXHIBITS:

- A. Land Description
- B. Site and Location Map

AUTHORIZATION:

It is recommended that the Commission:

1. Authorize acceptance of a quitclaim deed, effective December 18, 2015, of Lease No. PRC 9158.9, a General Lease - Other, issued to Sonoma Land Trust.

EXHIBIT A

PRC 9158.9

LAND DESCRIPTION

Two parcels of tide and submerged land situate in the beds of San Pablo Bay and Tolay Creek, lying adjacent to Swamp and Overflowed Land Surveys 34, 41 & 61 patented March 24, 1876 County of Sonoma, State of California and more particularly described as follows:

PARCEL 1

BEGINNING at a point that bears North 75° 56' 39" East 5910.12 feet from NGS monument "PETALUMA CREEK N TRANSM TOWER" (PID JT2350); thence from said point of beginning in a clockwise direction through the following sixteen (16) courses:

- 1) South 62° 13' 01" East 216.41 feet;
- 2) South 88° 54' 55" East 73.29 feet;
- 3) North 62° 39' 29" East 247.65 feet;
- 4) South 01° 23' 00" West 151.77 feet;
- 5) South 29° 01' 29" West 92.31 feet;
- 6) South 01° 31' 20" West 190.80 feet;
- 7) South 31° 44' 33" West 149.30 feet;
- 8) South 01° 50' 10" West 1526.92 feet;
- 9) South 05° 24' 30" West 87.97 feet;
- 10) North 87° 21' 39" West 226.24 feet;
- 11) North 01° 21' 19" West 107.16 feet;
- 12) North 01° 25' 33" East 1426.28 feet;
- 13) North 34° 32' 51" West 130.69 feet;
- 14) North 01° 31' 49" East 288.28 feet;
- 15) North 32° 34' 38" West 74.03 feet;
- 16) North 01° 28' 32" East 150.84 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of said San Pablo Bay.

PARCEL 2

BEGINNING at a point that bears North 67° 41' 25" East 11786.17 feet from NGS monument "PETALUMA CREEK N TRANSM TOWER"; thence from said point of beginning in a clockwise direction through the following eight (8) courses:

- 1) South 25° 43' 01" East 113.68 feet;
- 2) South 06° 10' 20" West 763.85 feet;
- 3) North 84° 09' 58" West 184.20 feet;
- 4) North 38° 35' 25" East 38.78 feet;
- 5) North 12° 47' 10" East 205.80 feet;
- 6) North 11° 00' 44" East 197.18 feet;
- 7) North 04° 56' 21" East 302.10 feet;
- 8) North 35° 05' 51" East 143.71 feet to the POINT OF BEGINNING.

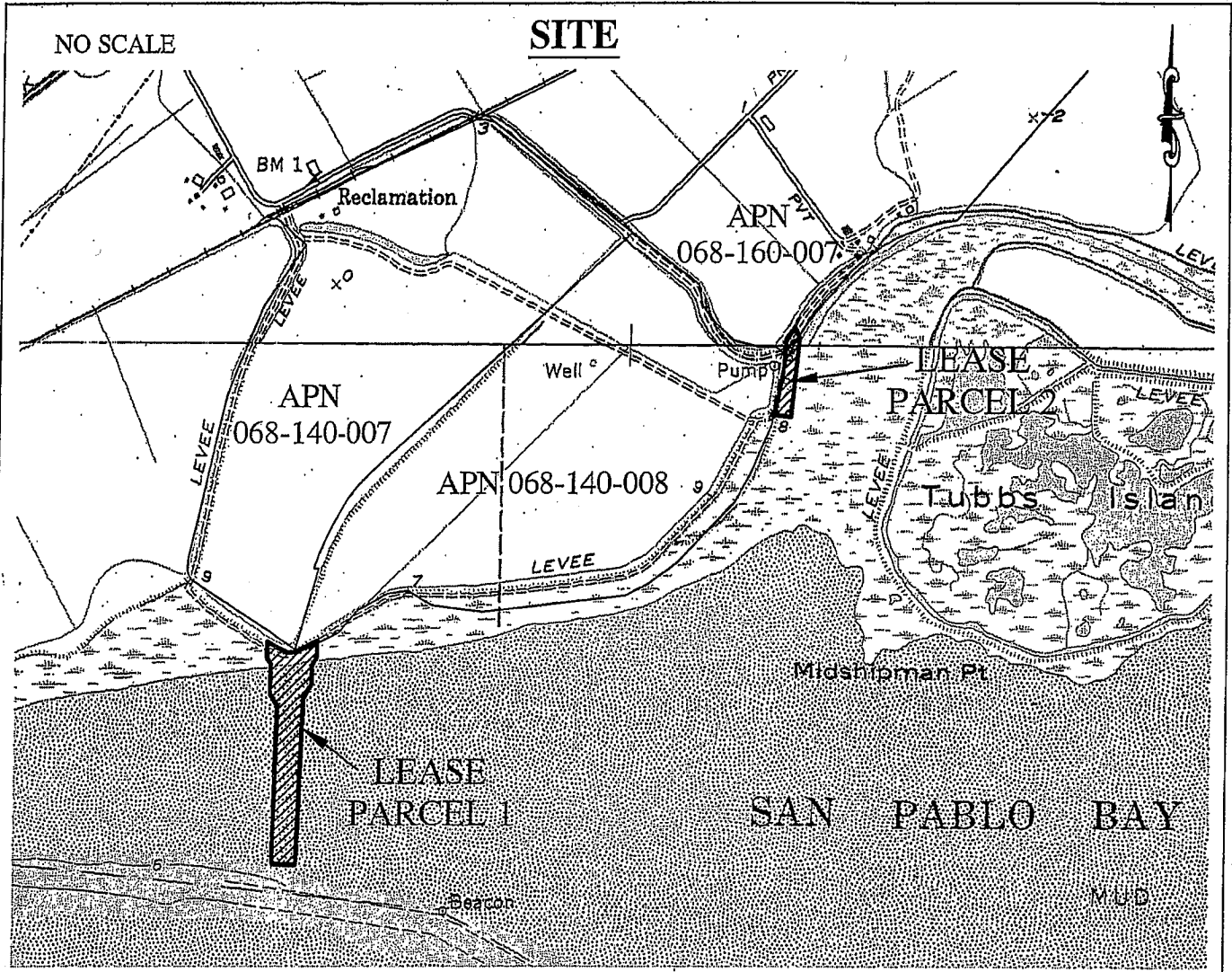
EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of the right bank of said Tolay Creek.

BASIS OF BEARINGS for this description is the California Coordinate System of 1983, Zone 2.

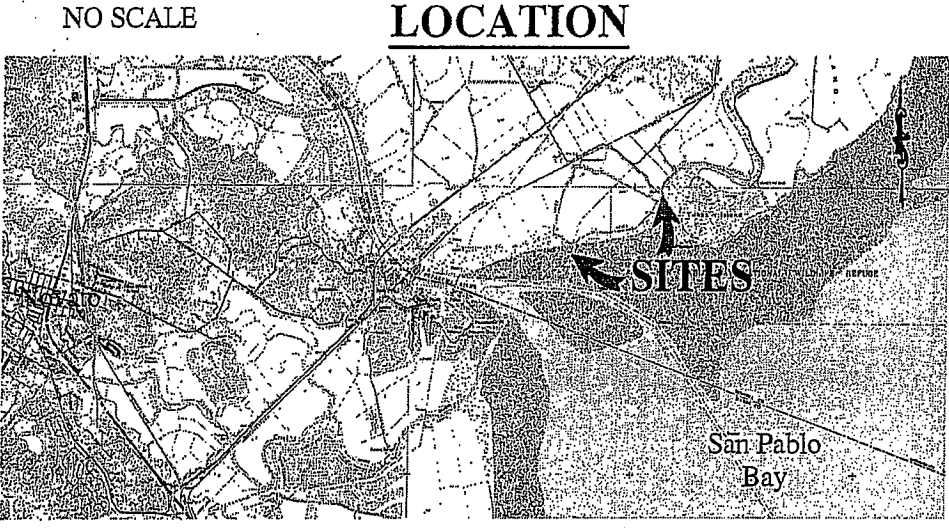
END OF DESCRIPTION

Prepared 08/20/14 by the California State Lands Commission Boundary Unit





2100 HIGHWAY 37, PETALUMA



MAP SOURCE: USGS QUAD

Exhibit B
 PRC 9158.9
 SONOMA LAND TRUST
 APNs: 068-140-007, 008 &
 068-160-007
 GENERAL LEASE -
 OTHER
 SONOMA COUNTY



TS 08/20/14

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties 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.