

MINUTE ITEM

7/26/71
HAM

6. 49-YEAR RIGHT-OF-WAY PERMIT, TIDE AND SUBMERGED LAND IN PACHECO CREEK, CONTRA COSTA COUNTY; INDUSTRIAL TANK, INC. - W 20035, FRC 4605.1.

After consideration of Calendar Item 10 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. FINDS THAT, IN ACCORDANCE WITH ENVIRONMENTAL IMPACT REPORT NO. 17 ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF, A PERMIT AS RECOMMENDED HEREIN WILL NOT HAVE A SIGNIFICANT DETRIMENTAL ENVIRONMENTAL EFFECT.
2. AUTHORIZES THE ISSUANCE TO INDUSTRIAL TANK, INC., OF A 49-YEAR PERMIT, FROM AUGUST 1, 1971, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$20, WITH THE STATE RESERVING THE RIGHT TO RESET A REASONABLE RENTAL ON EACH FIFTH ANNIVERSARY, PROVISION OF A \$2000 SURETY BOND, PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$100,000/\$300,000 FOR PERSONAL INJURY AND \$50,000 FOR PROPERTY DAMAGE, FOR THE INSTALLATION OF AN EIGHT-INCH PIPELINE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment:

Calendar Item 10 (3 pages)

CALENDAR ITEM

7/71
W. 20035
HAM

10.

RIGHT-OF-WAY

APPLICANT: Industrial Tank, Inc.

LOCATION: A 15' x 105' parcel of tide and submerged land in Pacheco Creek, Contra Costa County.

LAND USE: The installation of an effluent pipeline below the bed of Pacheco Creek. The line will be placed in a trench that will be backfilled.

TERMS: 49 years, from August 1, 1971.

Surety bond: \$2000.

Public liability insurance:
\$100,000/\$300,000 for personal injury and
\$50,000 for property damage.

CONSIDERATION: \$20 per annum, with the State reserving the right to review and reset a reasonable rental on each fifth anniversary.

BASIS FOR CONSIDERATION:
\$20 minimum rental for this type of permit.

PREREQUISITE ITEMS:
Applicant is lessee or permittee of upland.

STATUTORY AND OTHER REFERENCES:
a. Public Resources Code: Div. 6, Parts 1 and 2.
r. Administrative Code: Title 2, Div. 3, Arts. 1 and 2 as amended effective May 10, 1969.

OTHER PERTINENT INFORMATION:
1. An environmental impact statement has been circularized. The project is minimal in nature and can have little or no adverse effect on the environment except for a short construction period. No objections have been received.
2. The applicant has not obtained a permit for this work from the Corps of Engineers. The applicant has advised that the Corps of Engineers will be contacted to ascertain whether its approval is required. If it is required, the lease from the Commission will not be issued until after a Corps permit is received.

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

CALENDAR ITEM 10. (CONTD.)

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT, IN ACCORDANCE WITH ENVIRONMENTAL IMPACT REPORT NO. 17 ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF, A PERMIT AS RECOMMENDED HEREIN WILL NOT HAVE A SIGNIFICANT DETRIMENTAL ENVIRONMENTAL EFFECT.
2. AUTHORIZE THE ISSUANCE TO INDUSTRIAL TANK, INC., OF A 49-YEAR PERMIT, FROM AUGUST 1, 1971, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$20, WITH THE STATE RESERVING THE RIGHT TO RESET A REASONABLE RENTAL ON EACH FIFTH ANNIVERSARY, PROVISION OF A \$2000 SURETY BOND, PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$100,000/\$300,000 FOR PERSONAL INJURY AND \$50,000 FOR PROPERTY DAMAGE, FOR THE INSTALLATION OF AN EIGHT-INCH PIPELINE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

Lessee: Industrial Tank, Inc.

A parcel of tide and submerged land in the bed of Pacheco Creek situate in the County of Contra Costa, State of California, said parcel being a strip of land 15 feet in width, being parallel with and lying 5 feet southerly of and 10 feet northerly of the following described line:

BEGINNING at a point in the easterly boundary of that certain tract of land described as Parcel 408 in Exhibit "A" in that certain deed from V. P. Baker, et al., to Contra Costa County Flood Control and Water Conservation District dated March 10, 1969, and recorded May 7, 1969, in Book 5869 at page 126 of Official Records, Contra Costa County Records, said point of beginning bears N. $13^{\circ} 20' 35''$ E., 7.47 feet from the beginning of the fourth (4th) course from the point of beginning of said Parcel 408; thence S. $86^{\circ} 37' 18''$ W., 333.21 feet and the end of the herein-described line.

To the extent that the same shall cross the sovereign lands of the State of California in the bed of said Pacheco Creek.