

MINUTE ITEM

6/27/74
RJS

13. DELETION OF CONDITION IN LEASE PRC 4828.1, TIDE AND SUBMERGED LAND IN THE SAN JOAQUIN RIVER NEAR ANTIOCH, CONTRA COSTA COUNTY; FIBREBOARD CORPORATION - WP 4828, PRC 4828.1.

After consideration of Calendar Item 12 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES THE DELETION OF THE CONDITION WHICH WAS CONTAINED IN SECTION 2 OF LEASE PRC 4828.1 DATED JANUARY 22, 1974, WHICH REQUIRED ISSUANCE OF A U. S. ARMY CORPS OF ENGINEERS PERMIT PRIOR TO CONSTRUCTION ON THE LEASED PREMISES PROVIDED THAT NO PERMANENT STRUCTURES ARE TO BE ERECTED THEREON AND THE LEASED AREA IS TO BE USED ONLY IN CONNECTION WITH CONSTRUCTION OF FACILITIES ON THE ADJACENT PROPERTY OF THE LESSEE.

Attachment:

Calendar Item 12 (2 pages)

CALENDAR ITEM

12.

6/74
RJS
WP 4828

DELETION OF CONDITION IN LEASE PRC 4828.1

APPLICANT: Fibreboard Corporation.

AREA, TYPE LAND AND LOCATION:

4.08 acres of tide and submerged land in the San Joaquin River near Antioch, Contra Costa County.

LAND USE: Industrial waste water treatment facility.

TERMS OF ORIGINAL LEASE:

Initial period: 15 years, from December 1, 1973.

Renewal options: 3 additional periods of 10 years each.

Surety bond: \$50,000.

Public liability insurance:

\$300,000/\$600,000 for personal injury and
\$100,000 for property damage.

Consideration: \$3,060 per annum; five year review.

BASIS FOR CONSIDERATION:

6% of appraised value of land.

PREREQUISITE TERMS:

Applicant is owner of upland.

OTHER PERTINENT INFORMATION:

Engineering studies and additional environmental considerations have required the redesign and relocation of the wastewater treatment facilities authorized under the subject lease. The redesigned facility is now planned to be located entirely upon uplands owned in fee by the lessee and not in an area for which a U. S. Army Corps of Engineers permit is required. Although the new design does not contemplate structures on the State-owned leased area, a portion of this area will be required during the construction of a retaining wall which will be located within the property of Fibreboard. Construction operations occupying the State-owned leased area will be of a temporary nature. It will result in the destruction of some vegetation immediately adjacent to the State's boundary line but this comparatively minor effect will be mitigated by the lessee's agreement to set aside approximately five acres

CALENDAR ITEM NO. 12. (CONTD)

on nearby West Island as a game refuge for marshland wildlife. The temporary construction operation requiring the moving of equipment on the leased area is considerably less damaging environmentally than the use authorized under lease PRC 4828.1.

EXHIBIT:

A. Site Map.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE DELETION OF THE CONDITION WHICH WAS CONTAINED IN SECTION 2 OF LEASE PRC 4828.1 DATED JANUARY 22, 1974, WHICH REQUIRED ISSUANCE OF A U. S. ARMY CORPS OF ENGINEERS PERMIT PRIOR TO CONSTRUCTION ON THE LEASED PREMISES PROVIDED THAT NO PERMANENT STRUCTURES ARE TO BE ERECTED THEREON AND THE LEASED AREA IS TO BE USED ONLY IN CONNECTION WITH CONSTRUCTION OF FACILITIES ON THE ADJACENT PROPERTY OF THE LESSEE.