

MINUTE ITEM NO. 6
APPROVED 12/1/75

CALENDAR ITEM

12/75
HAM
W 20940
PRC 5076

6.

INDUSTRIAL LEASE

APPLICANT: California and Hawaiian Sugar Company
One California Street
San Francisco, California 94106

AREA, TYPE LAND AND LOCATION:
20' x 200' area (4,000 square feet) of tide and submerged land at Crockett, California Contra Costa County.

LAND USE: Proposed 42-inch diameter outfall line.

TERMS OF PROPOSED LEASE:
Initial Period: 49 years, from December 1, 1975.
Surety Bond: \$3,000.
Public Liability Insurance: \$300,000 per occurrence for bodily injury and \$50,000 for property damage.

CONSIDERATION:
\$450 per annum with the State reserving the right to fix a different rental on each fifth anniversary of the lease, and 10 cents per cubic yard for material dredged from the project area.

BASIS FOR CONSIDERATION:
\$450 minimum rental for this type of lease or permit, and 10 cents per cubic yard of excavated material.

PREREQUISITE TERMS, FEES AND EXPENSES:
a. Applicant is permittee of upland.
b. Filing fee has been received.

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:
1. This project is exempt from CEQA because this project includes minor excavation of approximately 3,000 cubic yards of material from the bed of Carquinez Strait. The material will be loaded

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on a bottom-dump barge and deposited at the Corps of Engineers' Disposal Site No. 9. Small excavations of this type are treated as Class 4 categorical exemptions and do not require the preparation of an Environmental Impact Report.

2. After excavation, the proposed effluent line will be placed in the location requested by the applicant. The installed line will serve as an accessory facility to the applicants adjacent refinery operations. Accessory structures are Class 11 categorical exemptions and do not require Environmental Impact Reports.
3. Emission into the waters of Carquinez Strait will be as specified by the State Water Quality Control Board. The applicant is required to construct this outfall line by Water Quality's Resolution No. 75-5, dated July 17, 1975.
4. The authority for the categorical exemptions above is contained in 2 Cal. Adm. Code 2907.

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

IT IS RECOMMENDED THAT THE COMMISSION:

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.
2. AUTHORIZE ISSUANCE TO CALIFORNIA AND HAWAIIAN SUGAR COMPANY OF A 49-YEAR LEASE FROM DECMEBER 1, 1975, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$450 WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF A \$3,000 SURETY BOND AND PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$300,000 PER OCCURRENCE FOR BODILY INJURY AND \$50,000 FOR PROPERTY DAMAGE, FOR INSTALLATION AND MAINTENANCE OF A 42-INCH DIAMETER PIPELINE AND DIFFUSERS; AND DREDGING, AT THE RATE OF TEN CENTS PER CUBIC YARD, WITH DEPOSITION AT UNITED STATES CORPS OF ENGINEERS DISPOSAL SITE NO. 9, OF APPROXIMATELY 3,000 CUIBC YARDS OF MATERIAL, INCIDENTAL TO SAID INSTALLATION, ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

W 20940

A strip of land 20 feet in width being a portion of the State-owned bed of Carquinez Strait in Section 32, T 3 N, R 3 W, MDM, Contra Costa County, California, and being 10 feet on each side of the following described line:

BEGINNING at a point on the U. S. Combined Pierhead and Bulkhead Line of Carquinez Strait as established by the United States Army Engineers and shown on Sheet 3 of 4 of said Engineers map entitled "Harbor Lines for Carquinez Strait, California", dated August 31, 1965, said point of beginning lying N 85° 50' 06" W a distance of 297.50 feet from Harbor Line Point No. 37 and lying S 85° 50' 06" E from Harbor Line Point No. 39' thence N 04° 09' 54" E a distance of 200 feet to the point of termination.

END OF DESCRIPTION