

MINUTE ITEM

This Calendar Item No. C9

was adopted as Minute Item 9 by the State Lands

Commission by a vote of 3

to 0 at its 4-28-76 meeting.

CALENDAR ITEM

4/76  
WP 194  
DR

C9

INDUSTRIAL LEASE

APPLICANT: E. R. Sudden  
Arena Cove Fish Company  
Box 65  
Point Arena, California 95468

AREA, TYPE LAND AND LOCATION: An 0.946 acre parcel of tide and submerged land in Arena Cove, westerly of Point Arena, County of Mendocino.

LAND USE: For the continued maintenance of a commercial fish-receiving dock.

TERMS OF ORIGINAL LEASE: Initial period: 15 years, from April 28, 1950.

Renewal options: 3 successive periods of 10 years each.

Surety bond: \$5,000.

Consideration: \$50 per annum.

TERMS OF PROPOSED AMENDMENT AND RENEWAL: Initial period: 10 years, from October 28, 1975.

Renewal options: 1 successive period of 10 years.

Surety bond: \$5,000.

Public liability insurance: \$300,000 per occurrence for bodily injury and \$50,000 for property damage.

CONSIDERATION: \$450 per annum with State reserving the right to fix a different rental on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION: \$450 minimum rental for this type of lease or permit.

PREREQUISITE TERMS, FEES AND EXPENSES: Applicant is owner of upland.

STATUTORY AND OTHER REFERENCES: A. Public Resources Code: Div. 6, Parts 1 & 2.

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CALENDAR ITEM NO. C9 (CONTD)

B. Administrative Code: Title 2, Div. 3,  
Arts. 1, 2, 10 & 11.

OTHER PERTINENT INFORMATION:

1. An Environmental Impact Report is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907(a) 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.
2. This project is situated on land identified as possessing environmental values in that the State Lands Commission stated all waterways under the Commission's jurisdiction have environmental significance. Staff finds this project to be compatible with Division policy. It is an existing structure for which no adverse comments have been received

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISION OF PRC 21085; 14 CAL. ADM. CODE 15100 ET SEQ.; AND 2 CAL. ADM. CODE 2907.
2. FIND THAT THE GRANTING OF THE APPLICATION WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED BY THE COMMISSION AT ITS DECEMBER 1, 1975 MEETING.
3. AUTHORIZE ISSUANCE TO E. R. SUDEN OF A 10-YEAR INDUSTRIAL LEASE FROM OCTOBER 28, 1975, WITH LESSEE'S OPTION TO RENEW FOR 1 SUCCESSIVE PERIOD OF 10-YEARS; 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 \$5,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$300,000 PER OCCURRENCE FOR BODILY INJURY AND \$50,000 FOR PROPERTY DAMAGE; FOR THE CONTINUED MAINTENANCE OF A COMMERCIAL FISH-RECEIVING DOCK ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

WP 194

A parcel of tide and submerged land situated in Arena Cove, County of Mendocino, State of California, being located in Section Eleven (11), as projected, of T12N, R17W, N.D.M., said land being particularly described as follows:

COMMENCING at a 3/4" diameter iron pipe monument in the center of the railway track leading from Point Arena Cove wharf to warehouse, from which monument a 3/4" diameter iron pipe bears S 64° 08' E, 376.02 feet distant, and also from which monument the corner common to Sections 11, 12, 13 and 14, T12N, R17W, N.D.M., bears S 50° 39' 30" E, 1958.26 feet distant; thence from said point of commencement, N 53° 13' E, 89.04 feet to a point from which a 10" galvanized boat spike, near the Northeast corner of the Coast Guard Boat House, bears N 5° 45' W, 38.00 feet distant; thence S 84° 19' W, 150.00 feet, more or less, to a point on the ordinary high water mark of the Pacific Ocean, being the TRUE POINT OF BEGINNING; thence from said true point of beginning

- 1) S 83° 17' W, 395 feet
- 2) S 06° 43' E, 105 feet
- 3) N 83° 17' E, 400 feet,

more or less, to the ordinary high water mark of the Pacific Ocean; thence northerly along said ordinary high water mark to the point of beginning.

END OF DESCRIPTION

Prepared by R. L. Blake Checked [Signature]  
Reviewed by H. H. [Signature] Date 3/22/76