

MINUTE ITEM

This Calendar Item No. C7.
was approved as Minute Item
7 by the State Lands
Commission by a vote of 3
to 0 at its May 28, 1981
meeting.

CALENDAR ITEM

C 0 7

5/81
PRC 5714
W 22684
Lewandowski
Townsend

AMENDMENT OF PUBLIC AGENCY LEASE PRC 5714.9

TRANSACTION TYPE:

Public Agency Lease.

APPLICANT:

The State of California
Department of Fish and Game
1416 Ninth Street, 12th Floor
Sacramento, California 95814

AREA, TYPE LAND AND LOCATION:

An area of present salt marsh and open
bay out to 100 feet waterward of the present
marsh shoreline located near Point Edith
along Suisun Bay near the mouth of Pacheco
Creek, Contra Costa County, lying adjacent
to and northerly of the area leased to
the Department of Fish and Game under Lease
PRC 5714.9.

LAND USE:

Wildlife, flora, habitat and environmental
study, management and protection.

TERMS OF ORIGINAL LEASE:

Initial period: 66 years from March 25,
1981.

Consideration:

No monetary consideration
required in that the
public benefit will accrue
from Lessee's management
of the leased premises.

Should the Lessee realize
any income in excess
of that needed to repair,
maintain, manage or operate
the leased premises,
the State reserves the
right to establish a
reasonable rental based
upon such income.

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TERMS OF PROPOSED LEASE:

Initial period: 66 years from March 25, 1981.

Special:

Amend Lease PRC 5714.9 to add land to the leased premises out to 100 feet beyond the present marsh shoreline. The additional parcels are more particularly described in the attached Land Description of additional leased parcels (parcels A and B).

CONSIDERATION: The public benefit, with the State reserving the right at any time to set a monetary rental if the Commission finds such action to be in the State's best interest.

STATUTORY AND OTHER REFERENCES:

- A. Cal. Adm. Code: Title 2, Div. 3;
Title 14, Div. 6.

OTHER PERTINENT INFORMATION:

1. By Minute Item 27 of its regular meeting of March 5, 1981, the Commission authorized a Public Agency Lease (PRC 5714.9) to the California Department of Fish and Game of approximately 696 acres of open space marsh land at Point Edith, along Suisun Bay, Contra Costa County for wildlife habitat purposes. The amendment to said lease will incorporate sovereign marsh and open water land bayward of the leased premises out to 100 feet beyond the present marsh shoreline.
2. This original project was exempt from CEQA pursuant to the State's EIR Guidelines, Cal. Adm. Code, Title 14, Division 6, Chapter 3, Article 8, Class 25: Transfers of ownership to conserve open space, Section 15125; and as part of the compromise settlement of title disputes, PRC, Section 6371, exempts title settlements

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and leases issued in connection therewith from CEQA. This change in description is exempt as a non-project under CEQA.

Authority: PRC 21065 and 14 Cal. Adm. Code 15037 and 15060.

EXHIBITS: A-1, A-2. Description of additional leased parcels (parcel A and parcel B)

 B. Plat of additional leased parcels.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL DOCUMENT IS NOT REQUIRED FOR THIS ACTIVITY PURSUANT TO PRC 21065 AND 14 CAL. ADM. CODE 15037 AND 15060.
2. AUTHORIZE THE AMENDMENT, EFFECTIVE MAY 28, 1981, OF PUBLIC AGENCY LEASE, PRC 5714.9, TO THE DEPARTMENT OF FISH AND GAME, TO ADD LANDS WATERWARD OF THE LEASED PREMISES OUT TO 100 FEET BEYOND THE PRESENT MARSH SHORELINE.

EXHIBIT "A-1"

DESCRIPTION OF ADDITIONAL LEASED PARCEL
(PARCEL A)

A parcel of land in the unincorporated area of the County of Contra Costa, State of California, described as follows:

BEGINNING at the northwesterly corner of Parcel Two, Land Bank Parcel as said parcel is described in Lease Document recorded March 25, 1981 in Book 10253, Page 747 in Official Records of Contra Costa County; thence along the northerly prolongation of course number 8 of said description N 18° 15' W to a point 100 feet waterward of the vegetation line; thence easterly 100 feet northerly of and parallel with the vegetation line to an intersection with the course bearing S 58° 15' W described in Parcel Three, Pt. Edith Parcel in said Lease Document.

END OF DESCRIPTION

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EXHIBIT "A-2"

DESCRIPTION OF ADDITIONAL LEASE PARCEL

(PARCEL B)

A parcel of land in the unincorporated area of Contra Costa County, State of California, described as follows:

BEGINNING at the easterly terminous of that certain course S $58^{\circ} 15'$ W 1714.07 feet as described in Lease Document recorded March 25, 1981 in Book 10253, page 747 of Official Records of Contra Costa County; thence S $58^{\circ} 15'$ W 100 feet more or less to a point which is 100 feet waterward of the vegetation line; thence northerly and easterly 100 feet waterward of and parallel with the vegetation line to the northerly prolongation of that certain course S $27^{\circ} 48' 59''$ E 5930.49 feet in Parcel One, Pt. Edith Parcel of said Lease Document and being the easterly line thereof.

END OF DESCRIPTION

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