

MINUTE ITEM

This Calendar Item No. C17
was approved as Minute Item
No. 17 by the State Lands
Commission by a vote of 2
3 at its 6/30/87
meeting.

CALENDAR ITEM

C 17

06/30/87
PRC 5991
Pelka

R 4, 11

S 2, 7

APPROVAL OF ACCEPTANCE OF A QUITCLAIM DEED

LESSEE: Western-Pacific Construction Materials Co.
3510 S.W. Bond Avenue
Portland, Oregon 97201

AREA, TYPE LAND AND LOCATION: Approximately 110 acres of submerged land near
Middle Ground Island, Suisun Bay, Contra Costa
and Solano counties.

LAND USE: Commercial extraction of sand and gravel by
hydraulic dredging.

TERM: Mineral extraction lease was issued effective
June 1, 1981 for a five-year term. Staff
received lease quitclaim deed on May 27, 1982.

REASON FOR QUITCLAIM:

Western Pacific Construction Materials Co.
claimed per letter dated March 24, 1982 that
the economy effected Western Pacific as it had
all other construction industries. Sand sales
decreased to the point where they could not
utilize their existing sand resources and cut
backs had to be made. Western Pacific's efforts
to obtain permits from Federal, State and local
governmental agencies and their requests for
reclamation plans, sand recharge rates and
economic justification have reinforced the
company's decision to quitclaim this lease area.

Staff on several occasions requested payment of
the \$15,000 minimum annual royalty in
accordance to the terms and conditions of the
mineral extraction lease even though no sand

(ADDED 06/25/87)

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CALENDAR ITEM C 17 (CONT'D)

and gravel was ever extracted. No payment other than 2-1/2 years rent which was retained from the \$1,000 bid deposit was ever received. Staff counsel recently advised that it would be very difficult for the State to recover the unpaid minimum royalty.

PREREQUISITE ITEM:

Quitclaim deed duly executed by Lessee.

STATUTORY AND OTHER REFERENCES:

- A. P.R.C. 6804.1.
- B. Paragraph 28 of the Lease.
- C. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
- D. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884: N/A.

OTHER PERTINENT INFORMATION:

Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA, because it is not a "project" as defined by CEQA and the State CEQA Guidelines.

Authority: P.R.C. 21065 and 14 Cal. Adm. Code 15378.

EXHIBITS:

- A. Land Description.
- B. Site Map.
- C. Detailed Site Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THIS ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061, BECAUSE IT IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL ADM. CODE 15378.
2. ACCEPT THE QUITCLAIM DEED OF MINERAL EXTRACTION LEASE PRC 5991.2, FILED BY WESTERN PACIFIC CONSTRUCTION MATERIALS CO. ON MAY 27, 1982.

(ADDED 06/25/87)

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EXHIBIT "A"

LAND DESCRIPTION

~~NORTH~~ MIDDLE GROUND

PRC 5991.1

A parcel of State-owned sovereign land in the bed of Suisun Bay, Contra Costa and Solano Counties, California, said parcel described as follows:

COMMENCING at the corner common to Sections 4, 5, 8, and 9, T2N, R1W, MDM, thence along the following six (6) courses:

1. North 1,320.00 feet;
2. N 30° E 78.54 feet;
3. East 1,320.00 feet;
4. N 1° W 4,200.00 feet;
5. East 2,700.00 feet; and
6. North 3,992.62 feet to the POINT OF BEGINNING;
thence the following four courses:

7. North 1,157.38 feet;
8. West 4,149.97 feet;
9. South 1,157.38 feet; and
10. East 4,149.97 feet to the point of beginning

END OF DESCRIPTION

PREPARED JUNE 30, 1980 BY TECHNICAL SERVICES UNIT, ROY MINNICK, SUPERVISOR.

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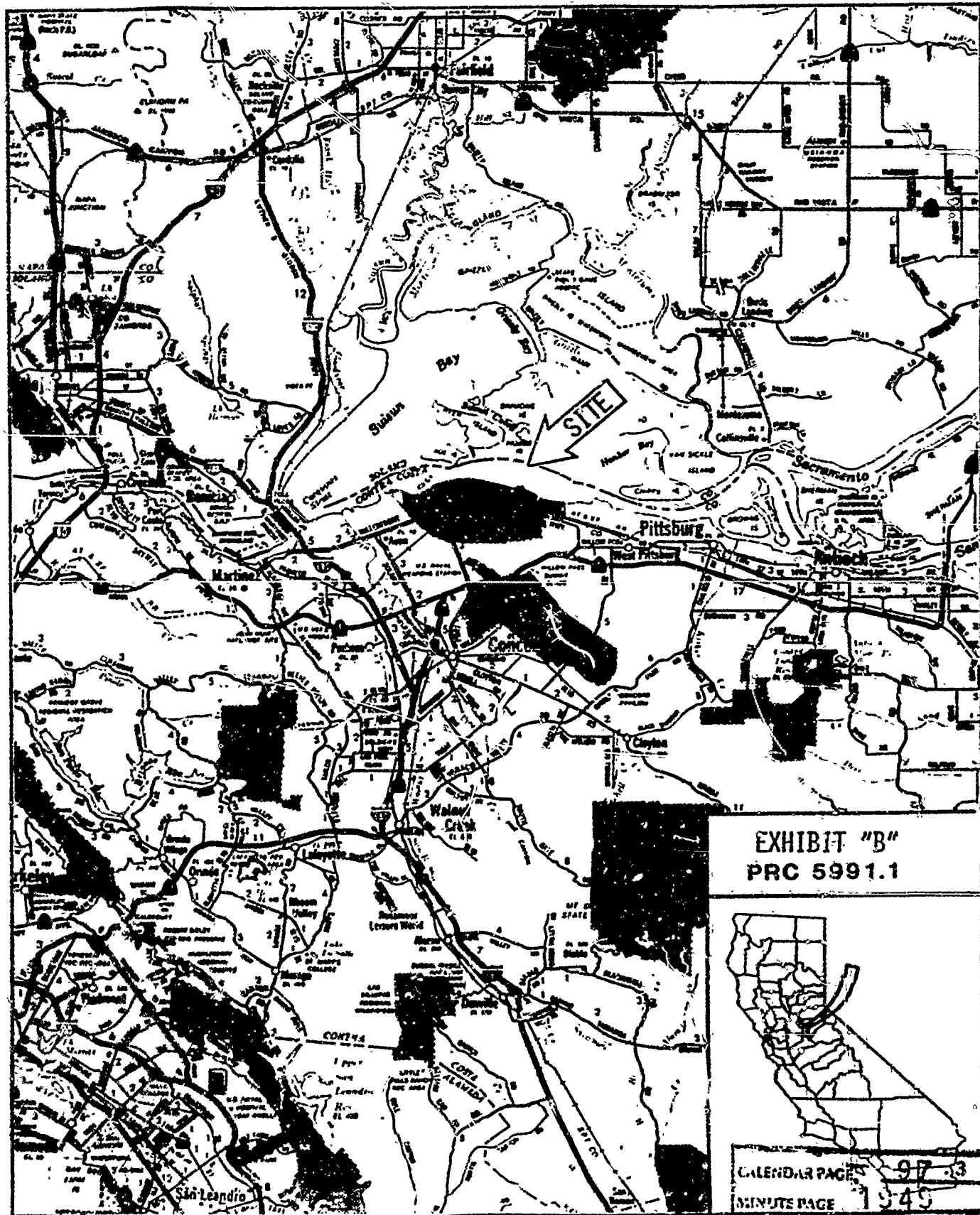


EXHIBIT "B"
 PRC 5991.1



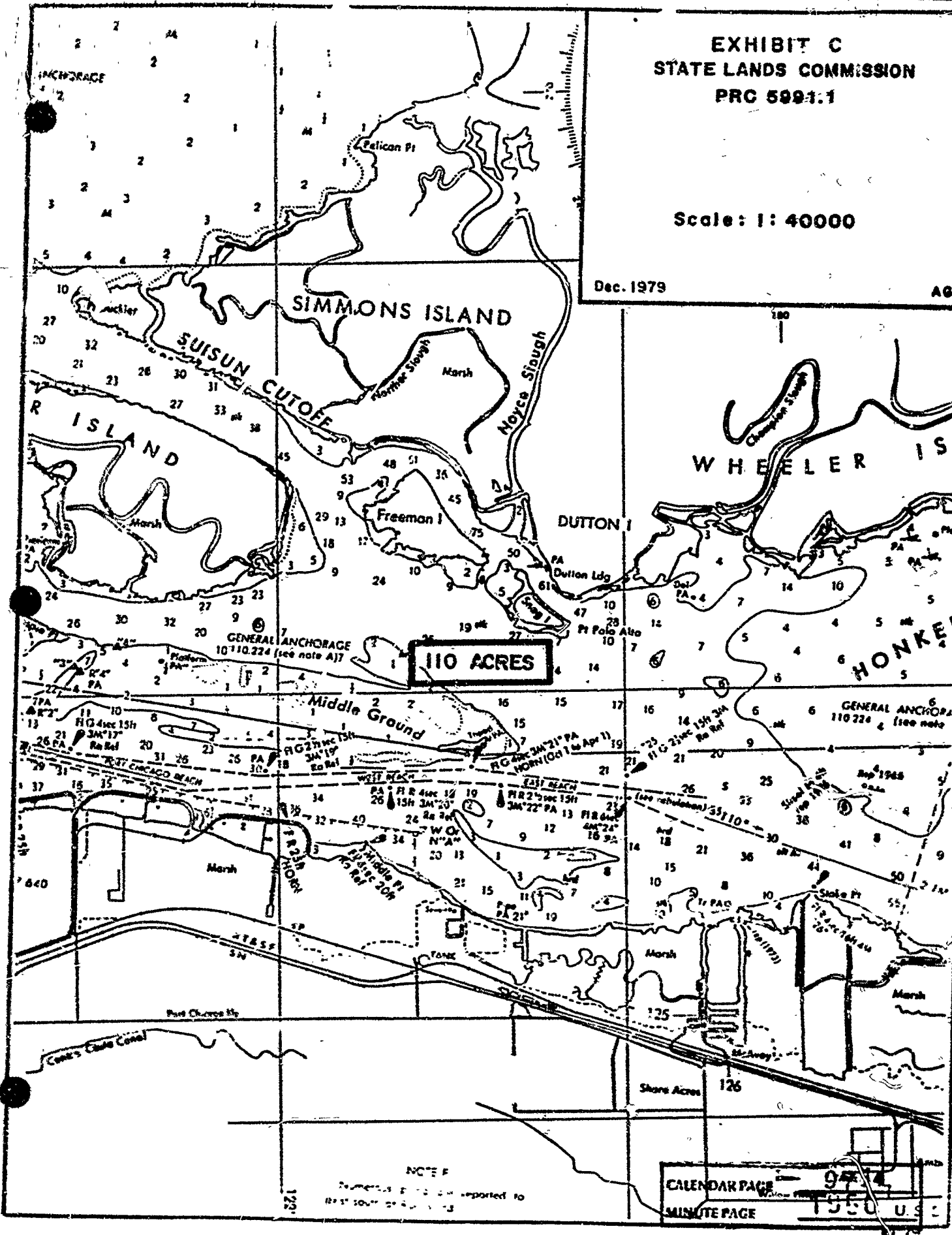
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EXHIBIT C
STATE LANDS COMMISSION
PRC 5991.1

Scale: 1: 40000

Dec. 1979

AG



110 ACRES

NOTE F

Numerous errors are reported to the State Lands Commission

CALENDAR PAGE

9574

MINUTE PAGE

1500 U.S.