

MINUTE ITEM

This Calendar Item No. C42  
was approved as Minute Item  
No. 42 by the State Lands  
Commission by a vote of 2  
to 0 of its 7/11/97  
meeting.

CALENDAR ITEM  
**C42**

A 8, 11

07/11/97

S 4, 7

PRC 5733.1

H. Maricle

**CONSIDER AUTHORIZATION ALLOWING LESSEE TO EMPLOY OTHER OPERATORS ON ITS OWN BEHALF UNTIL REPLACEMENT OF ITS OWN EQUIPMENT PURSUANT TO LEASE COVENANT TO DREDGE SAND FROM THE AREA COVERED BY LEASE PRC NO. 5733.1 IN CARQUINEZ STRAIT, SOLANO AND CONTRA COSTA COUNTIES**

**LESSEE:**

Bell Marine Company, Inc.  
775 Seaport Blvd.  
Redwood City, California 94063

**AREA, LAND TYPE, AND LOCATION:**

474 acres, more or less, of submerged lands in Carquinez Strait, near Benicia, Solano and Contra Costa Counties.

**AUTHORIZED USE:**

Sand and gravel extraction operations.

**EXISTING LEASE TERM:**

Five years, beginning May 23, 1995.

**CONSIDERATION:**

23% of the weighted average sales price.

**BOND:**

\$21,000

**INSURANCE:**

Liability Insurance: \$1,000,000

**OTHER PERTINENT INFORMATION:**

1. On June 10, 1997, the Lessee lost the service of its barge when it capsized near Point Pinole. In cooperation with federal and state agencies, recovery operations are being planned to refloat the vessel and

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CALENDAR ITEM NO. C42 (CONT'D)

dispose of it. The Lessee is also in the process of obtaining replacement equipment to continue with sand and gravel activities at the lease location.

2. The Lessee has contracted with other sand and gravel companies, with compensation, to continue sand mining and transport thereof to the Lessee's Redwood City Yard until the replacement equipment has been purchased. In compliance with the lease, the Lessee has requested permission for such employment of the other sand and gravel companies. The sand volume reporting procedures required under the lease will continue without interruption.
3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA because the activity is not a "project" as defined by the CEQA and the State CEQA Guidelines. Authority: Public Resources Code section 21065 and Title 14, California Code of Regulations, section 15378.

**RECOMMENDED ACTION:**

IT IS RECOMMENDED THAT THE COMMISSION:

**CEQA FINDING:**

FIND THAT THIS ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061, BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS SECTION 15378.

**AUTHORIZATION:**

AUTHORIZE ISSUANCE OF A LETTER OF PERMISSION TO BELL MARINE COMPANY, INC., APPROVING THE EMPLOYMENT OF THIRD PARTY OPERATORS TO DREDGE AND TRANSPORT SAND FROM THE PREMISES DESCRIBED IN LEASE NO. PRC 5733.1 TO THE LESSEE'S REDWOOD CITY YARD, UNTIL LESSEE'S REPLACEMENT EQUIPMENT CAN BE PUT INTO SERVICE.