

MINUTE ITEM

This Calendar Item No. C37 was approved as
Minute Item No. 37 by the California State Lands
Commission by a vote of 3 to 0 at its
6-27-00 meeting.

CALENDAR ITEM

C37

A 11

June 27, 2000

S 7

PRC 5736.1

D. Plummer

ASSIGNMENT OF LEASE

LESSEE/ASSIGNOR:

Wickland Oil Company,
a California Corporation
P.O. Box 13648
Sacramento, California 95853

ASSIGNEE:

C. S. Land, Inc.
P. O. Box 630
Martinez, California 94553

AREA, LAND TYPE, AND LOCATION:

35 acres, more or less, of filled and unfilled sovereign lands in San Pablo Bay
near Selby, Contra Costa County.

AUTHORIZED USE:

Retention of the existing fill for the future development of a water-related
industrial use.

CONSIDERATION:

\$10,000 per year; with the State reserving the right to fix a different rent
periodically during the lease term, as provided in the lease.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.
2. Lease No. PRC 5736.1 was issued to Wickland Oil Company for the retention of the existing fill which is the result of the deposit of slag from the previous mineral refinery activity at the site. The lease was entered into January 1, 1981, and will expire December 31, 2005. The site had previously been leased to American Smelting and Refining Company (ASARCO).

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The slag deposits were determined to contain hazardous amounts of heavy metals, and as the result of litigation, Wickland, ASARCO and State Lands entered into an Agreement for Entry of Consent Judgement, dated January 16, 1989. The Agreement laid the foundation for remediation of the site. The site has been capped with an asphalt layer and a water retention system has been installed. The site, for remediation purposes, is under the jurisdiction of the State Department of Toxic Substances Control.

The request for approval of the assignment is for the leasehold only. Wickland will not be released through this action from any continuing responsibility for ongoing remediation.

3. Wickland Oil Company, a California Corporation has requested approval of an assignment of General Lease – Industrial Use Lease No. PRC 5736.1 to C. S. Land, Inc., a California Corporation.
4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370, et seq. But will not affect those significant lands.
5. 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.

EXHIBITS:

- A. Land Description
- B. Location Map

PERMIT STREAMLINING ACT DEADLINE:

N/A

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RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE 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 APPROVAL OF THE ASSIGNMENT OF GENERAL LEASE - INDUSTRIAL USE LEASE NO. PRC 5736.1, FROM WICKLAND OIL COMPANY, A CALIFORNIA CORPORATION, TO C. S. LAND, INC., A CALIFORNIA CORPORATION AND AUTHORIZE THE EXECUTIVE OFFICER OR HIS DESIGNEE TO EXECUTE THE NECESSARY DOCUMENTS TO EFFECTUATE THIS TRANSACTION.

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EXHIBIT A
LAND DESCRIPTION

PRC Lease No. 5736.1 by and between Wickland, Inc., as Lessee, and the State of California acting through the State Lands Commission, as Lessor. Said Lease was recorded in the Official Records of Contra Costa County on July 27, 1981 and pertains to the following described real property:

A parcel of filled tide and submerged land situated in Section 36, T3N, R4W, and Section 1, T2N, R4W, MDM, Contra Costa County, California, and being more particularly described as follows:

COMMENCING at the southeast corner of said Section 36; thence north along the line common to said Section 36 and Section 31, T3N, R3W, MDM, a distance of 1310.10 feet to the northeast corner of Tide Land Survey No. 19; thence S 68°09'30" W 38.46 feet, to a point on the Bulkhead Line as shown on U.S. Engineers map of Harbor Lines for Carquinez Strait, dated March 1, 1940, and the TRUE POINT OF BEGINNING; thence S 68°06'38" W 627.46 feet; thence S 36°07'00" W 577.50 feet; thence S 31°07'00" W 625.68 feet; thence S 39°52'00" W 922.20 feet; thence S 49°28'00" W 139.47 feet; thence S 77°52'00" W 256.58 feet; thence S 68°52'00" W, 132.00 feet; thence S 78°37'00" W 710.16 feet; thence N 75°53'00" W 360 feet, more or less, to the mean high tide line of San Pablo Bay; thence northeasterly along the mean high tide line and the northerly and northeasterly lines of the existing wharf to the true point of beginning.

Record bearings were rotated 1°09'30" clockwise.

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EXHIBIT "B"
 PRC 5736.1

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