

MINUTE ITEM

This Calendar Item No. C 29 was approved as Minute Item No. 29 by the California State Lands Commission by a vote of 3 to 0 at its 1-30-02 meeting.

CALENDAR ITEM

C29

A 11

01/30/02

S 7

PRC 8373

W 25739

N. Smith

GENERAL LEASE - PUBLIC AGENCY USE

LESSEE:

East Bay Municipal Utility District
375 Eleventh Street
Oakland, California 94607-4240

AREA, LAND TYPE, AND LOCATION:

Filled sovereign lands along the Carquinez Straits, town of Crockett, Contra Costa County.

AUTHORIZED USE:

Retention of an abandoned in-place 18-inch diameter steel pipeline previously used for the transport of potable water. The pipeline was drained and the ends were plugged and a recently constructed 18-inch diameter steel pipeline for transport of potable water is now in place.

LEASE TERM:

25 years, beginning April 26, 2001.

CONSIDERATION:

The public health and safety; with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interest.

OTHER PERTINENT INFORMATION:

1. Applicant has a right to use the uplands adjoining the lease premises.
2. This project is occurring because of the California Department of Transportation's construction of a new west span for the Carquinez Bridge, as part of the seismic retrofit project.

CALENDAR PAGE	000245
MINUTE PAGE	000263

CALENDAR ITEM NO. **C29** (CONT'D)

3. The California Department of Transportation, the Lead Agency pursuant to the California Environmental Quality Act (CEQA), has determined that the Carquinez Bridge Project is statutorily exempt from the requirements of the CEQA under California Streets and Highways Code Section 180.2. An EIS was adopted for the bridge project by the Federal Highway Administration and United States Coast Guard. Relocation of the water pipeline is a necessary component of the Carquinez Bridge Project.
4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

EXHIBIT:

- A. Location and Site Map

PERMIT STREAMLINING ACT DEADLINE:

March 30, 2002

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

CONCUR WITH THE CEQA LEAD AGENCY, THE CALIFORNIA DEPARTMENT OF TRANSPORTATION, THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061, AS A STATUTORILY EXEMPT PROJECT PURSUANT TO SECTION 180.2 OF THE STREETS AND HIGHWAYS CODE, SPECIAL ACTIONS NECESSARY TO PREVENT OR MITIGATE AN EMERGENCY.

SIGNIFICANT LANDS INVENTORY FINDING:

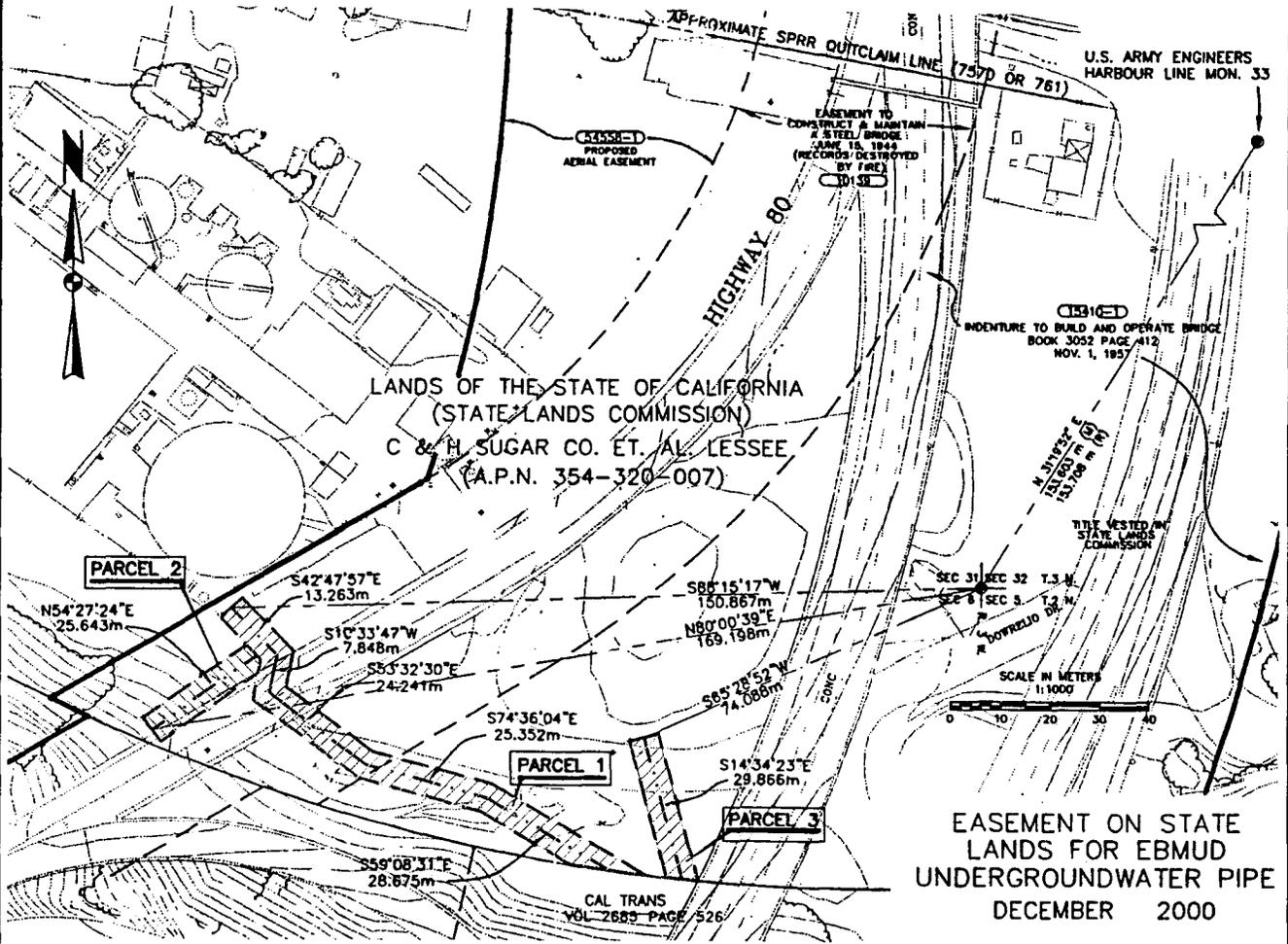
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

CALENDAR ITEM NO. C29 (CONT'D)

AUTHORIZATION:

AUTHORIZE ISSUANCE TO EAST BAY MUNICIPAL UTILITY DISTRICT OF A GENERAL LEASE - PUBLIC AGENCY USE, BEGINNING APRIL 26, 2001, FOR A TERM OF TWENTY-FIVE (25 YEARS), FOR AN ABANDONED IN-PLACE 18-INCH DIAMETER STEEL PIPELINE FORMERLY USED FOR TRANSPORT OF POTABLE WATER; AND FOR A NEWLY CONSTRUCTED 18-INCH DIAMETER STEEL PIPELINE FOR THE TRANSPORT OF POTABLE WATER ON THE LAND SHOWN ON EXHIBIT A (ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF); CONSIDERATION BEING THE PUBLIC HEALTH AND SAFETY, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENT IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST.

NO SCALE



NO SCALE

LOCATION MAP

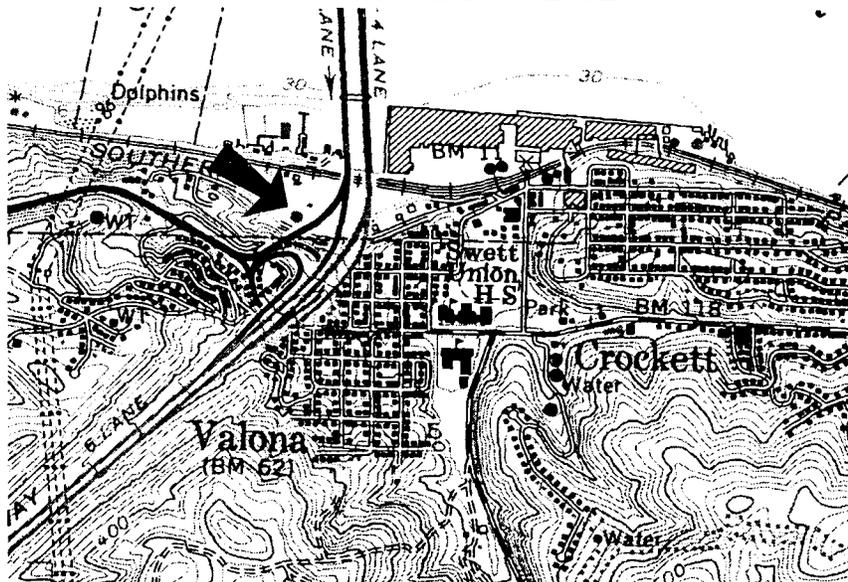


Exhibit A W 25739

East Bay
Municipal Utility District
GL - Public Use
Contra Costa County



This Exhibit is solely for purposes of generally defining the lease premises, and is not intended to be, nor shall it be construed as, a waiver of limitation of any state interest in the subject or any other property.

CALENDAR PAGE	00748
MINUTE PAGE	066236