

MINUTE ITEM
This Calendar Item No. 23 was approved as
Minute Item No. 23 by the California State Lands
Commission by a vote of 3 to 2 at its
06/20/05 meeting.

CALENDAR ITEM
C23

A 11
S 7

06/20/05
PRC 4769.1
N. Smith

AMENDMENT OF LEASE

LESSEE:

Shore Terminals LLC
Attn: Mr. Richard Brandes
2801 Waterfront Road
Martinez, California 94533

AREA, LAND TYPE, AND LOCATION:

14.04 acres, more or less, of sovereign lands in Suisun Bay, city of Martinez,
Contra Costa County.

AUTHORIZED USE:

Marine terminal for the receiving and shipping of gasoline and gasoline
components.

CONSIDERATION:

\$26,457 per year; with the State reserving the right to fix a different rent
periodically during the lease term, as provided in the lease.

PROPOSED AMENDMENT:

Construction of two new mooring dolphins to provide safe mooring for a specific
type of vessel, which is expected to begin operations late summer of 2005.
Additionally, the dolphins will be used for mooring many other types of ships. All
other terms and conditions of the lease shall remain in effect without amendment.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.
2. 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 as a categorically exempt project. The project is exempt under

CALENDAR ITEM NO. C23 (CONT'D)

Class 1, Existing Facilities; Title 14, California Code of Regulations, section 15301(d).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300.

3. 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.

EXHIBITS:

- A. Land Description
- B. Site Map

PERMIT STREAMLINING ACT DEADLINE:

July 20, 2005

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 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15301(d).

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.

AUTHORIZATION:

AUTHORIZE THE AMENDMENT OF LEASE NO. PRC 4769.1, A GENERAL LEASE - INDUSTRIAL USE, OF LANDS DESCRIBED ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF, EFFECTIVE JUNE 20, 2005, TO CONSTRUCT TWO NEW

CALENDAR ITEM NO. C23 (CONT'D)

MOORING DOLPHINS; ALL OTHER TERMS AND CONDITIONS OF THE LEASE WILL REMAIN IN EFFECT WITHOUT AMENDMENT.

Exhibit "A"

Description of Lands Covered by Lease No. PRC 4769.1

Real property situated in Contra Costa County State of California described as follows:

A parcel of tide and submerged land lying within Suisun Bay, near the city of Martinez, being more particularly described as follows:

COMMENCING at a 2" X 2" hub numbered 29, as shown on that Record of Survey recorded January 26, 1954 in Book 16 of Licensed Land Surveyors' Maps at page 14, Contra Costa County Records; thence South 79° 09' East along the northern line of Swamp and Overflow Survey No. 424, 83.16 feet to the TRUE POINT OF BEGINNING, said point also being on the line common to Sections 8 and 9, Township 2 North, Range 2 West, Mount Diablo Base Line and Meridian; thence North 00° 51' 00" East along said section line 2789.00 feet; thence leaving said section line North 71° 51' 00" East, 35.00 feet; thence North 10° 00' 00" West, 27.21 feet; thence North 33° 10' 09" West, 1490.20 feet; thence South 62° 47' 18" West, 259.56 feet; thence South 79° 58' 49" West 235.64 feet; thence North 27° 12' 42" West, 180.00 feet; thence North 62° 47' 18" East, 995.00 feet; thence South 27° 12' 42" East, 180.00 feet; thence South 45° 55' 59" West, 240.21 feet; thence South 62° 47' 18" West, 226.89 feet; thence South 33° 10' 09" East, 601.81 feet; thence North 56° 49' 51" East, 40.00 feet; thence South 33° 10' 09" East, 85.00 feet; thence South 56° 49' 51" West, 40.00 feet; thence South 33° 10' 09" East, 840.00 feet; thence North 71° 51' 00" East, 4.53 feet; thence South 00° 51' 00" West, 2841.06 feet to the northern line of said Swamp and Overflow Survey No. 424; thence North 79° 09' 00" West along the northern line of said Survey No. 424, 101.54 feet to the TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM any validly patented interest in that land covered by Tideland Survey No. 207 patented to J.M. Keith pursuant to that certain Tideland Patent recorded November 22, 1901 in Book 4 of Patents, page 402, Contra Costa County Official Records.

END OF DESCRIPTION



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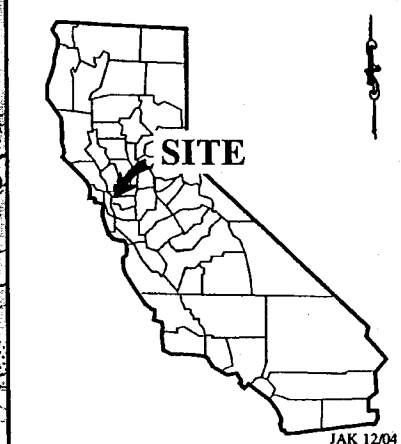
NO SCALE

SITE MAP

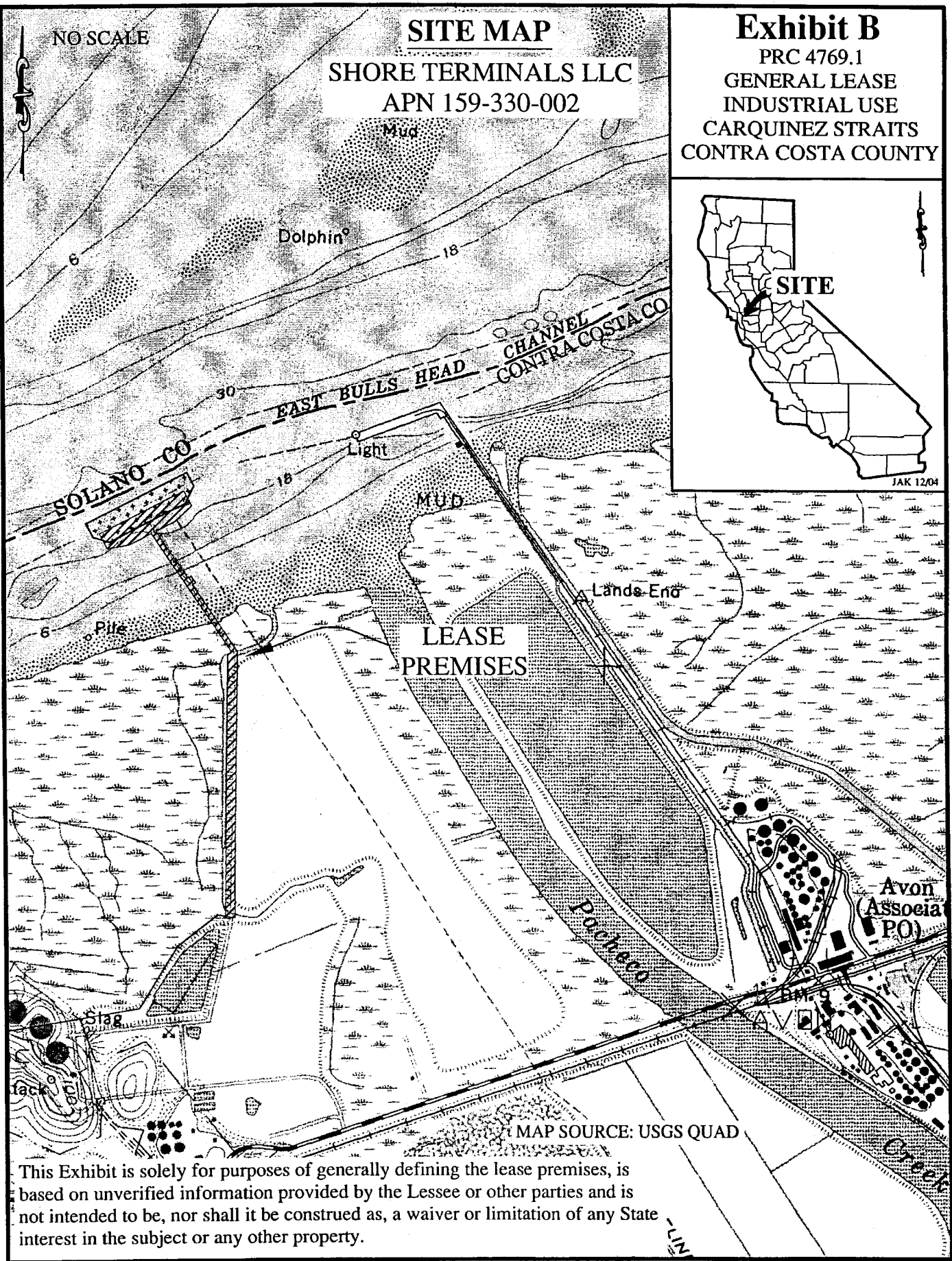
SHORE TERMINALS LLC

APN 159-330-002

Exhibit B
 PRC 4769.1
 GENERAL LEASE
 INDUSTRIAL USE
 CARQUINEZ STRAITS
 CONTRA COSTA COUNTY



JAK 12/04



MAP SOURCE: USGS QUAD

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

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