

MINUTE ITEM
This Calendar Item No. C32 was approved as
Minute Item No. 32 by the California State Lands
Commission by a vote of 3 to 0 at its
06/28/07 meeting.

**CALENDAR ITEM
C32**

A 7
S 2

06/28/07
PRC 8711 W 26161
J. McComas

**RESCISSION OF THE COMMISSION'S AUGUST 24, 2006
AUTHORIZATION FOR MINUTE ITEM 39**

LESSEE:

Salt River Construction Corporation
167 Trinidad Drive
Tiburon, California 94920

AREA, LAND TYPE, AND LOCATION:

0.93 acres, more or less, of sovereign lands in the Napa River, near the city of Vallejo, Solano County.

AUTHORIZED USE:

Construction, use, and maintenance of a stacker/conveyor belt, along an existing wharf, that will be used to move clean fill material, from the uplands, onto barges, for transport to emergency levee repair sites and the barge loading area as shown on Exhibit A.

LEASE TERM:

Five years, beginning August 1, 2006.

CONSIDERATION:

\$450 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. On August 24, 2006, the Commission authorized issuance of a General Lease – Industrial Use to Salt River Construction Corporation for the construction, use, and maintenance of a stacker/conveyor belt, along an existing wharf in the Napa River, near the city of Vallejo, Solano County. The purpose of the project was to deliver, by barge, levee repair material to Suisun Resource Conservation District properties to restore the levee system integrity and to protect the wetland resources of the Suisun Marsh.

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2. The Lease required that the Lessee obtain any and all other necessary permits or authorizations from any and all public agencies having jurisdiction over the Loading Operation Site as well as the Levee Repair Sites. Lessee has not been able to obtain the necessary permits from all of the public agencies.
3. Lessee was notified by letter dated March 30, 2007, that the lease needed to be executed and to provide the required proof of insurance, bond, and the first year's rent.
4. Since the Lease was never fully executed, staff is requesting that the authorization made by the Commission at its August 24, 2006 meeting for Minute Item 39 be rescinded.
5. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines [Title 14, California Code of Regulations, section 15060 (c)(3)], the staff has determined that this activity is not subject to the provisions of the CEQA because it 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, sections 15060 (c)(3) and 15378.

6. 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:

Site and Location Map

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS NOT SUBJECT TO THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15060 (c)(3) BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY

CALENDAR ITEM NO. C32 (CONT'D)

PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14,
CALIFORNIA CODE OF REGULATIONS, SECTION 15378.

SIGNIFICANT LANDS INVENTORY FINDING:

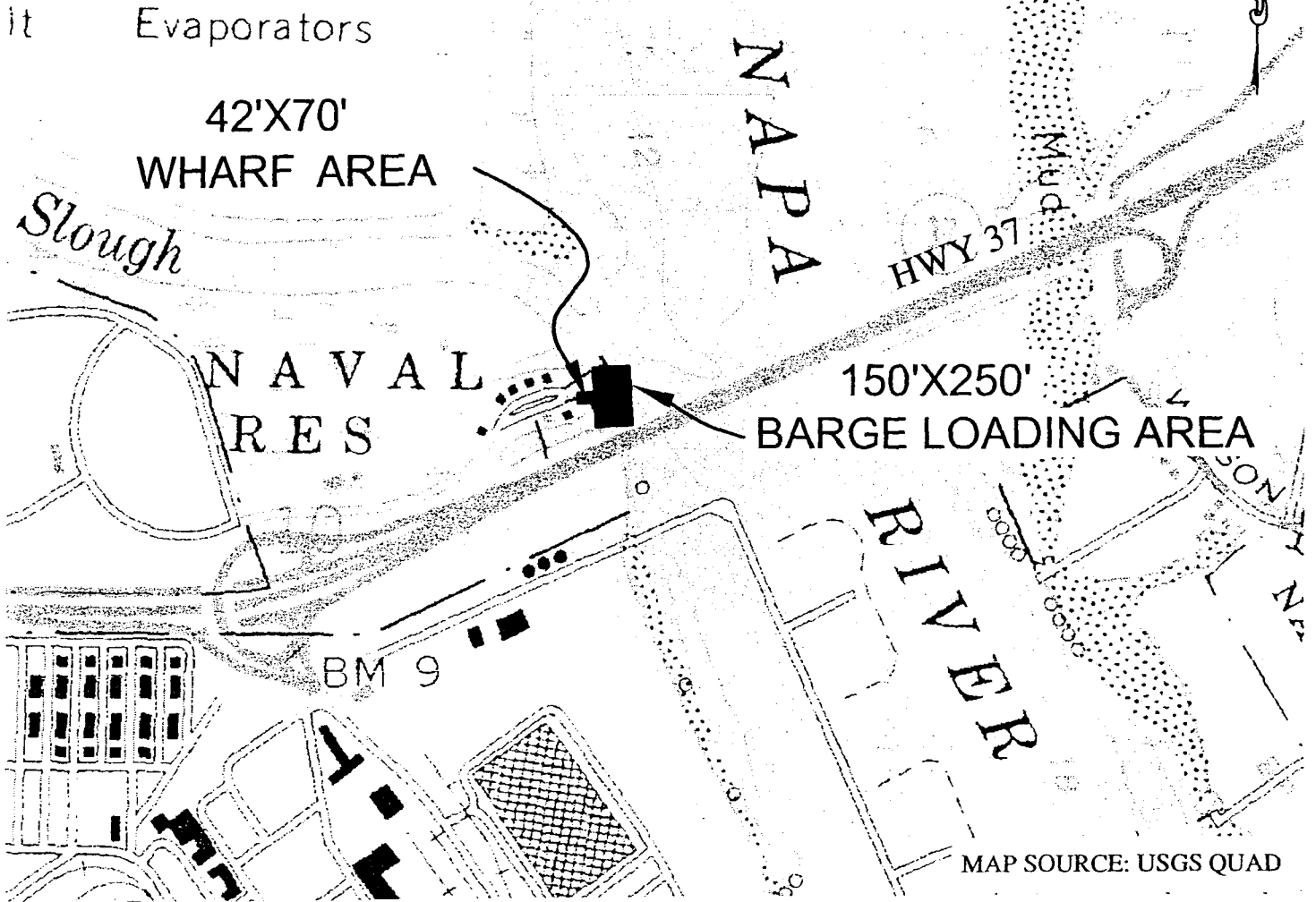
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE
CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE
LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370,
ET SEQ.

AUTHORIZATION:

AUTHORIZE RESCISSION OF THE AUTHORIZATION MADE BY THE
STATE LANDS COMMISSION AT ITS AUGUST 24, 2006 MEETING FOR
MINUTE ITEM 39, FOR THE ISSUANCE OF A GENERAL LEASE –
INDUSTRIAL USE FOR A STACKER/CONVEYOR BELT AND THE
BARGE LOADING AREA, SHOWN ON EXHIBIT A ATTACHED AND BY
REFERENCE MADE A PART HEREOF; EFFECTIVE JUNE 28, 2007.

NO SCALE

SITE



EMERGENCY LEVEE REPAIR LOADING SITE, NAPA RIVER

NO SCALE

LOCATION

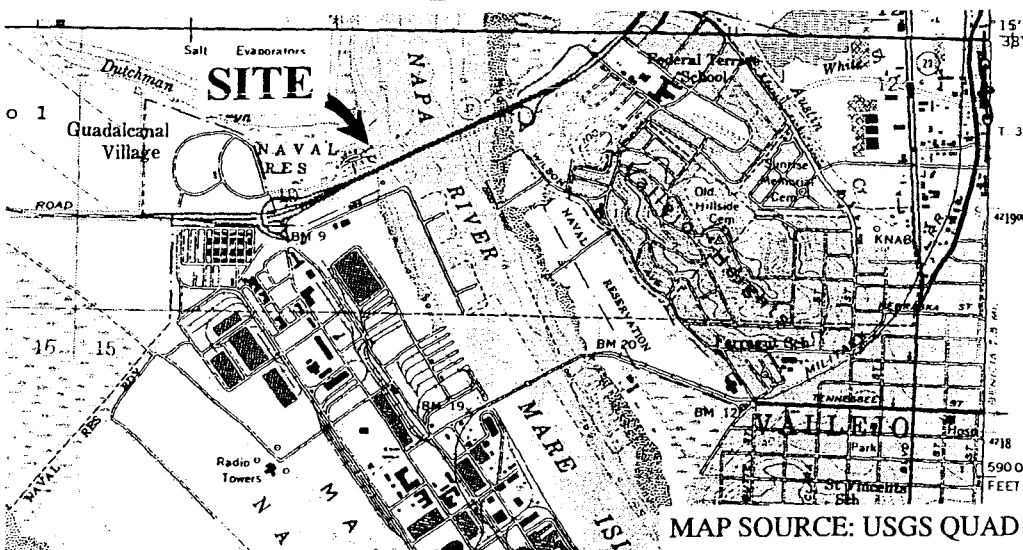


Exhibit A

W 26161

SALT RIVER CONSTRUCTION

APN 0067-040-22

GENERAL LEASE/INDUSTRIAL USE

SOLANO COUNTY



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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