

MINUTE ITEM
This Calendar Item No. C26 was approved as
Minute Item No. 26 by the California State Lands
Commission by a vote of 2 to 0 at its
10/30/07 meeting.

**CALENDAR ITEM
C26**

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S 7

10/30/07
PRC 7659.1
J. McComas

CONTINUATION OF RENT

LESSEE:

C&H Sugar Company, Inc.
830 Loring Avenue
Crockett, California 94525-1199

AREA, LAND TYPE, AND LOCATION:

28 acres, more or less, of sovereign lands in the Carquinez Strait, in the town of
Crockett, Contra Costa County.

AUTHORIZED USE:

Continued use and maintenance of a sugar refinery, dock and outfall lines.

LEASE TERM:

30 years, beginning September 24, 1992.

CONSIDERATION:

This lease provides that Lessor may modify the rent periodically during the lease
term. Pursuant to this provision, staff has conducted a review of the rent under
this lease, and recommends that the rent be continued at \$38,475 per month,
effective September 24, 2007.

OTHER PERTINENT INFORMATION:

1. On September 23, 1992, the Commission authorized a 30-year General
Lease – Industrial Use to California and Hawaiian Sugar Company for an
existing sugar refinery beginning September 24, 1992 and expiring on
September 23, 2022. The Commission authorized assignment of the
lease on September 22, 1998, to C&H Sugar Company, Inc. On August 8,
2005, the Commission approved a Request for Approval and Transfer of
Controlling Interest from C & H Sugar Refining, Inc. to American Sugar
Refining, Inc. effective upon completion of corporate reorganization.

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2. The last revision of rent was approved by the Commission on October 20, 2003. At that time, the Lease was amended to allow rent be paid on a monthly basis rather than an annual basis, in equal installments of \$38,475 and that rent would be due no later than the 23rd day of each month.
3. On April 11, 2007, the California Regional Water Quality Control, San Francisco Bay Region, adopted order No. R2-2007-0032 to reissue C&H's permit NPDES Permit No. CA0005240 to allow discharge through the outfall lines.

EXHIBIT:

- A. Location Map

RECOMMENDED ACTION:

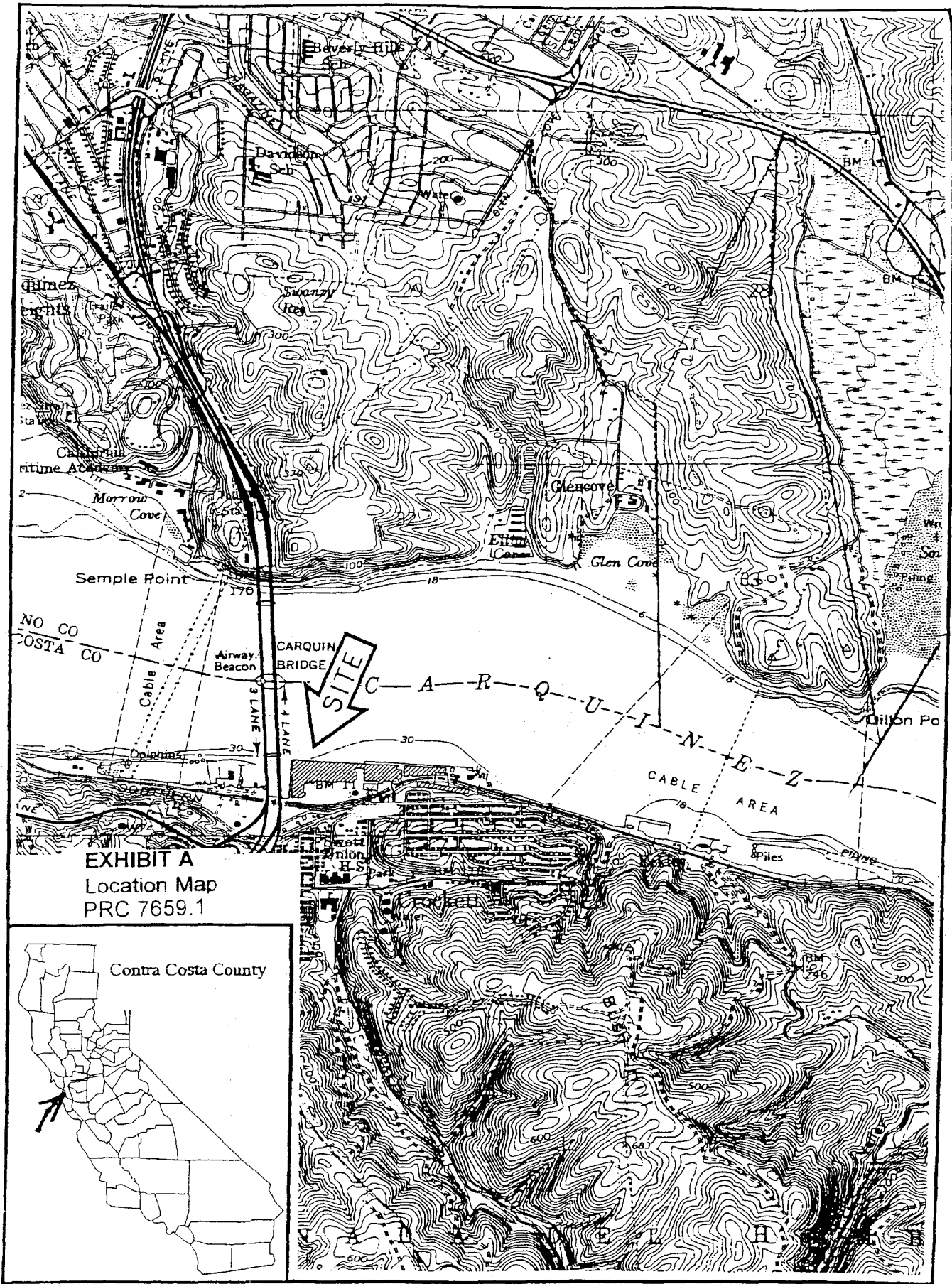
IT IS RECOMMENDED THAT THE COMMISSION:

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

AUTHORIZATION:

APPROVE THE CONTINUATION OF RENT FOR LEASE NO. PRC 7659.1 AT \$38,475 PER MONTH, EFFECTIVE SEPTEMBER 24, 2007.



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