

MINUTE ITEM

This Calendar Item No. C8  
was approved as Minute Item  
No. 2 by the State Lands  
Committee by a vote of 3  
to 0 at its 7-29-76  
meeting.

CALENDAR ITEM

7/76  
WP 4606.1  
SJS

C8.

ASSIGNMENT AND AMENDMENT OF RIGHT OF WAY PERMIT

APPLICANT: Industrial Tank, Inc.  
P. O. Box 831  
Martinez, California 94553  
(Assignor)

Sierra Reclamation and Disposal, Inc.  
P. O. Box 831  
Martinez, California 94553  
(Assignee)

AREA, TYPE LAND AND LOCATION:  
15' x 105' parcel of tide and submerged land  
in Pacheco Creek, Contra Costa County.

LAND USE: Maintenance of an effluent pipeline.

TERMS OF ORIGINAL LEASE:

Initial period: 49 years, from August 1, 1971.

Surety bond: \$2,000.

Public liability insurance: \$250,000/\$500,000  
per occurrence for bodily in-  
jury and \$100,000 for property  
damage.

Consideration: \$20.

TERMS OF PROPOSED LEASE:

Initial period: 49 years, from August 1, 1971

Surety Bond: \$2,000.

Public liability insurance: \$250,000/\$500,000  
per occurrence for bodily in-  
jury and \$100,000 for property  
damage.

CONSIDERATION: \$100 per annum, with the State reserving the  
right to fix a different rental on each fifth  
anniversary of the lease.

BASIS FOR CONSIDERATION:

\$100 minimum rental for this type of permit.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is lessee of upland.

Filing fee has been received.

CALENDAR ITEM NO. CS. (CONTD)

STATUTORY AND OTHER REFERENCES:

- A. Public Resources Code: Div. 6, Parts 1 & 2.
- B. Administrative Code: Title 2, Div. 3,  
Arts. 1, 2, 10 & 11.

OTHER PERTINENT INFORMATION:

1. A final environmental impact report was prepared by the Division pursuant to Sec. 6371 of the Public Resources Code (prior to the Commission being subject to CEQA), and implementing regulations.
2. This project is situated on State land identified as possessing significant environmental values, pursuant to Public Resources Code 6370.1, and is classified in a significant use category, Class C. This is an existing facility where there have been no adverse comments.

- EXHIBITS:      A. Land Description.      B. Location Map.  
                  C. Environmental Impact Report.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT A FINAL ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THIS PROJECT BY THE DIVISION, FOLLOWING EVALUATION OF COMMENTS AND CONSULTATION WITH PUBLIC AGENCIES WHICH WILL ISSUE APPROVALS FOR THE PROJECT.
2. CERTIFY THAT THE FINAL ENVIRONMENTAL IMPACT REPORT #17, HAD BEEN COMPLETED IN COMPLIANCE WITH SEC. 6371 OF THE PUBLIC RESOURCES CODE, AS AMENDED, AND THE STATE GUIDELINES, AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
3. FIND THAT GRANTING OF THE APPLICATION WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1 ET SEQ., OF THE PUBLIC RESOURCES CODE.
4. DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
5. AUTHORIZE THE ASSIGNMENT AND AMENDMENT OF PRC 4605.1, FROM INDUSTRIAL TANK, INC. TO SIERRA RECLAMATION AND DISPOSAL, INC., OF A 49-YEAR RIGHT OF WAY PERMIT FROM AUGUST 1, 1971, WITH ANNUAL RENT IN THE AMOUNT OF \$100 WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTIETH ANNIVERSARY OF THE LEASE; PROVISION OF A \$2,000 SURETY FUND; PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$250,000/\$500,000 PER OCCURRENCE FOR BODILY INJURY AND \$100,000 FOR PROPERTY DAMAGE; FOR THE MAINTENANCE OF AN EFFLUENT PIPELINE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

Lessee: Industrial Tank, Inc.

A parcel of tide and submerged land in the bed of Pacheco Creek situated in the County of Contra Costa, State of California, said parcel being a strip of land 15 feet in width, being parallel with and lying 5 feet southerly of and 10 feet northerly of the following described line:

BEGINNING at a point in the easterly boundary of that certain tract of land described as Parcel 408 in Exhibit "A" in that certain deed from V. P. Baker, et al., to Contra Costa County Flood Control and Water Conservation District dated March 10, 1969, and recorded May 7, 1969, in Book 5869 at page 126 of Official Records, Contra Costa County Records, said point of beginning bears N. 13° 20' 35" E., 7.47 feet from the beginning of the fourth (4th) course from the point of beginning of said Parcel 408; thence S. 86° 37' 18" W., 333.21 feet and the end of the herein-described line.

To the extent that the same shall cross the sovereign lands of the State of California in the bed of said Pacheco Creek.