

MINUTE ITEM

This Calendar Item No. C1
was approved as Minute Item
No. 1 by the State Lands
Commission by a vote of 3
to 0 at its 6-22-78
meeting.

CALENDAR ITEM

C1.

6/78
WP 1589
Maricle

INDUSTRIAL LEASE ASSIGNMENT

ASSIGNOR: Kaiser Gypsum Company
300 Lakeside Drive
Oakland, California 94666

ASSIGNEE: Domtar Gypsum America, Inc.
Clorox Building
1221 Broadway
Oakland, California 94612

AREA, TYPE LAND AND LOCATION:
7.49 acres, Tide and Submerged Land, San
Joaquin River, vicinity of Antioch, Contra
Costa County.

LAND USE: Operation and maintenance of a wharf and
appurtenances.

TERMS OF PRESENT LEASE (Lease now in first renewal):
Initial period: 10 years from December 1,
1970.

Remaining options: 1 successive period
of 10 years.

Surety bond: \$25,000.

Public liability insurance: \$500,000/\$1,000,000
per occurrence for bodily
injury and \$100,000 for
property damage.

Consideration: \$9,450 per annum.

TERMS OF PROPOSED ASSIGNMENT:

Period: 2 years, 8 months from
April 3, 1978 through
November 30, 1980.

Renewal options: 1 remaining successive
period of 10 years.

Surety bond: \$25,000.

Public liability insurance: \$500,000/\$1,000,000
per occurrence for bodily
injury and \$100,000 for
property damage.

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CALENDAR ITEM NO. 01. (CONTD)

CONSIDERATION: \$9,450 per annum.

BASIS FOR CONSIDERATION:

6.3% of appraised value of land. (Ten year rate)

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is owner of upland.

STATUTORY AND OTHER REFERENCES:

A. Public Resources Code: Div. 6, Parts 1 & 2.

B. Administrative Code: Title 2, Div. 3,
Arts. 1 and 2.

OTHER PERTINENT INFORMATION:

1. An EIR is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907, Class 1B, which exempts an existing structure or facility that is in an acceptable state of repair and there is no evidence of record to show injury to adjacent property, shoreline erosion, or other types of environmental degradation.

This project is situated on land identified as possessing environmental values in that the State Lands Commission stated all waterways under the Commission's jurisdiction have environmental significance. Staff finds this project to be compatible with Commission policy.

2. This present lease was merged with an earlier permit in 1971 (PRC 1577.1), and was amended to incorporate the combined land areas.
3. Staff recommends continuation of the existing rental rate until November 1980. If a lease renewal is then requested, appropriate rental adjustments can be made at that time.

EXHIBITS:

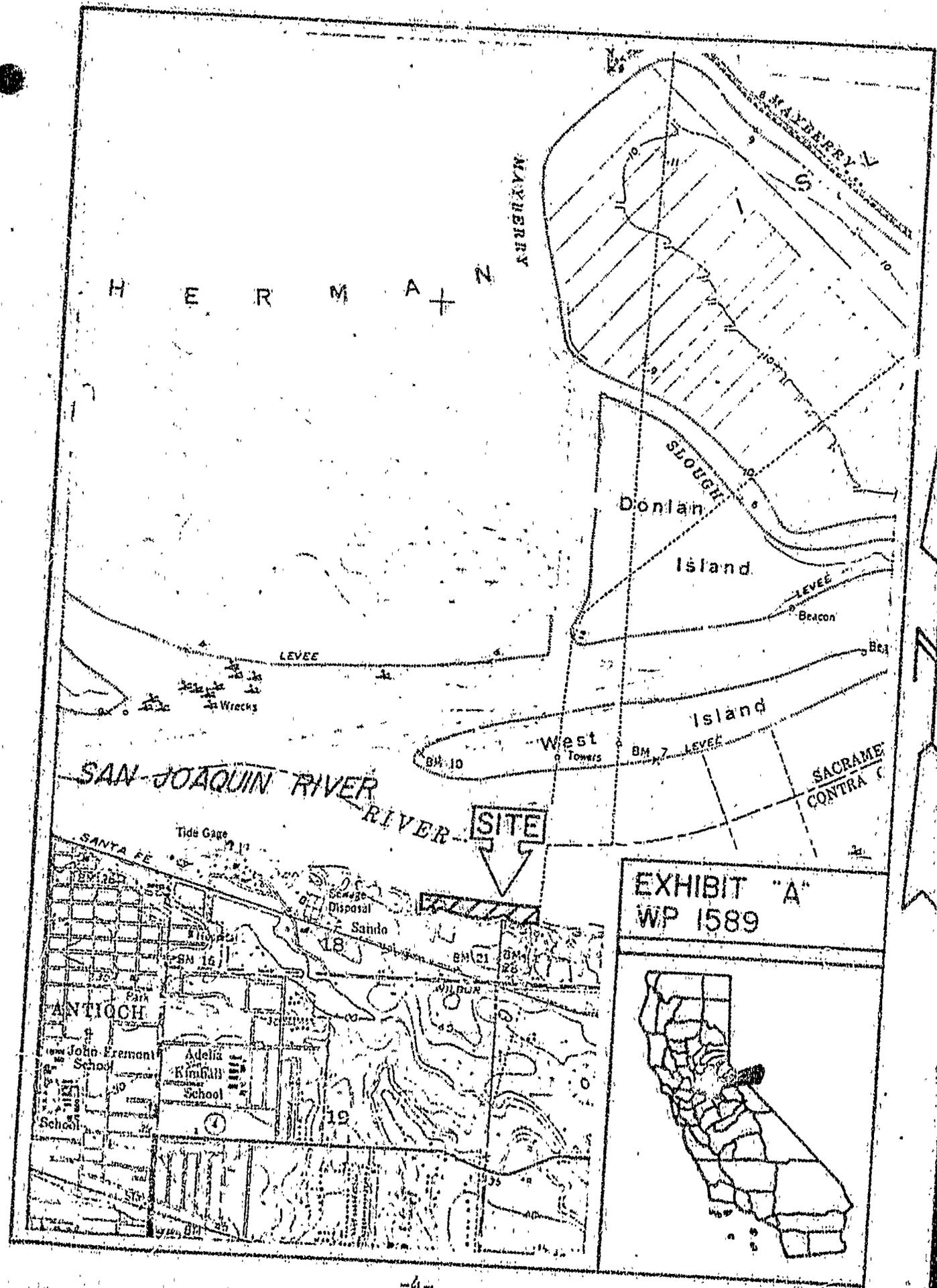
- A. Location Map.

CALENDAR ITEM NO. C1. (CONTD)

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN EIR HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21085, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2907.
2. FIND THAT GRANTING OF THE ASSIGNMENT WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE PUBLIC RESOURCES CODE.
3. APPROVE AN ASSIGNMENT OF LEASE PRC 1589.1, FROM KAISER GYPSUM COMPANY, INC., TO DOMTAR GYPSUM AMERICA, INC., EFFECTIVE APRIL 3, 197. WITH ASSIGNEE'S OPTION TO RENEW FOR 1 SUCCESSIVE PERIOD OF 10 YEARS; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$9,450; PROVISION OF A \$25,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$500,000/1,000,000 PER OCCURRENCE FOR BODILY INJURY AND \$100,000 FOR PROPERTY DAMAGE, FOR THE OPERATION AND MAINTENANCE OF A WHARF AND APPURTENANCES FOR INDUSTRIAL USE IN THE SAN JOAQUIN RIVER, VICINITY OF ANTIOCH, CONTRA COSTA COUNTY.

Attachment: Exhibit "A"



H E R M A N

MAYBERRY

Donlan

Island

Island

West Towers

SAN JOAQUIN RIVER

SITE

EXHIBIT "A"
WP 1589

ANTIOCH

Adelia Kimball School

John Fremont School