

MINUTE ITEM

This Calendar Item No. C14
was approved as Minute Item
No. 14 by the State Lands
Commission by a vote of 9
to 0 at its 3/23/82
meeting.

CALENDAR ITEM

C 1 4

3/23/82
W 22817
Lane
PRC 6130

GENERAL LEASE -- RIGHT-OF-WAY USE

APPLICANT: California Fish Growers, Inc.
P. O. Box 2714
San Francisco, California 94126

AREA. TYPE LAND AND LOCATION:
A 0.528-acre parcel of tide and submerged
land, located in the Pacific Ocean at Bodega
Bay, Sonoma County.

LAND USE: Maintenance and use of intake and outfall
water pipelines to support onshore fish
farm facility.

TERMS OF PROPOSED LEASE:

Initial period: Ten years from April 1,
1982.

Surety bond: \$2,000.

Public liability insurance: Combined single
limit coverage of \$200,000.

CONSIDERATION: \$100 until completion of construction or
March 31, 1983, whichever occurs first.
Thereafter, annual rent to be based on
two cents per diameter inch per linear
foot of the pipelines, with the State reserving
the right to fix a different rental on
each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Adm. Code 2003.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is lessee of upland.

Filing fee has been received.

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

B. Cal. Adm. Code: Title 2, Div. 3; Title 14,
Div. 6.

A 9

S 2

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AB 884: 12/24/82.

OTHER PERTINENT INFORMATION:

1. On August 20, 1981, the Commission authorized a Letter of Permission to California Fish Growers, Inc. to perform a geological investigation of the sand spit at the mouth of the Estero Americano, between Sonoma and Marin Counties, for a possible water supply to support an upland fish farm with the understanding a lease would be obtained if the project proved feasible.
2. The investigation proved the sand spit unworkable. As an alternative, the applicant plans to construct intake and outfall pipelines in the Pacific Ocean to supply water for and discharge waste from the proposed upland fish farm. Since the finalized length of the pipes cannot be determined until construction is in the final stages, staff recommends a rental of \$100, the minimum right-of-way use fee, until construction is completed or the construction limiting date, whichever comes first. Thereafter, staff recommends the Commission's approval of permitting the Executive Officer to set the annual rental at two cents per diameter inch per linear foot of the pipelines actually situated on State lands.
3. Under terms of the lease, the lessee must submit completed construction plans in detail to the State Lands Commission, in writing by June 1, 1982, showing the finalized diameter and length of pipelines within the leased premises.
4. Lessee has agreed to keep a valid lease or other agreement authorizing the use of the adjacent upland.
5. A negative declaration was prepared and certified by Sonoma County Planning

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Department, pursuant to CEQA and the State EIR Guidelines. Sonoma County Planning Department found that the project will not have a significant effect on the environment.

6. The project is situated on lands identified as possessing significant environmental values pursuant to P.R.C. 6370.1, and is classified in use category "C" which authorizes Multiple Use. The project as proposed will not have a significant effect upon the identified environmental values.

APPROVALS OBTAINED:

United States Army Corps of Engineers,
Regional Water Quality Control Board, and
the Department of Fish and Game.

FURTHER APPROVALS REQUIRED:

Sonoma County Planning Department.

EXHIBITS:

- A. Land Description.
- B. Location Map.
- C. Negative Declaration.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT A NEGATIVE DECLARATION HAS BEEN PREPARED FOR THIS PROJECT BY SONOMA COUNTY PLANNING DEPARTMENT.
2. CERTIFY THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED IN THE NEGATIVE DECLARATION.
3. DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT; AND IS CONSISTENT WITH THE LANDS USE CLASSIFICATION.
4. AUTHORIZE ISSUANCE TO CALIFORNIA FISH GROWERS, INC. OF A TEN-YEAR GENERAL LEASE - RIGHT-OF-WAY USE FROM APRIL 1, 1982; IN CONSIDERATION OF \$100 UNTIL COMPLETION OF CONSTRUCTION OR MARCH 31, 1983, WHICHEVER OCCURS FIRST; THEREAFTER, ANNUAL RENT IN THE AMOUNT OF TWO CENTS PER DIAMETER INCH PER LINEAR FOOT OF THE PIPELINES, TO BE SET BY THE EXECUTIVE OFFICER AT CONSTRUCTION COMPLETION; WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE

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LEASE; PROVISION OF \$2,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$200,000; FOR MAINTENANCE AND USE OF INTAKE AND OUTFALL WATER PIPELINES ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

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EXHIBIT "A"

LAND DESCRIPTION

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Two parcels of tide and submerged land 10 feet wide in the Pacific Ocean between Bodega Bay and Estero Americano, Sonoma County, California, lying 5 feet on each side of the following described centerlines:

COMMENCING at a 1/2" iron pipe and tag on the westerly boundary of the Bottarini lands, said pipe being the southerly end of that certain course bearing S 24° 12' 43" E 237.60 feet as shown on that "Record of Survey for Amos Simpson" filed in Book 114 of Maps, page 24, in the Sonoma County Recorders Office; thence the following five courses:

1. S 24° 12' 43" E 237.60 feet;
2. S 29° 38' 41" E 4,289.66 feet;
3. S 23° 48' 33" E 823.32 feet;
4. S 29° 18' 10" W 159.05 feet, and
5. N 68° 54' 05" W 240 feet to a point designated "A" and the POINT OF BEGINNING of Parcel 1; thence S 45° W 2200 feet to the end of the herein described centerline.

PARCEL 2

BEGINNING at point which bears N 68° 54' 05" W 100 feet from point designated "A" above; thence 500 feet to the end of the herein described centerline.

EXCEPTING THEREFROM any portions of the above described centerlines lying above the mean high tide line of the Pacific Ocean.

END OF DESCRIPTION

PREPARED JANUARY 15, 1982 BY TECHNICAL SERVICES UNIT, ROY MINNICK, SUPERVISOR.

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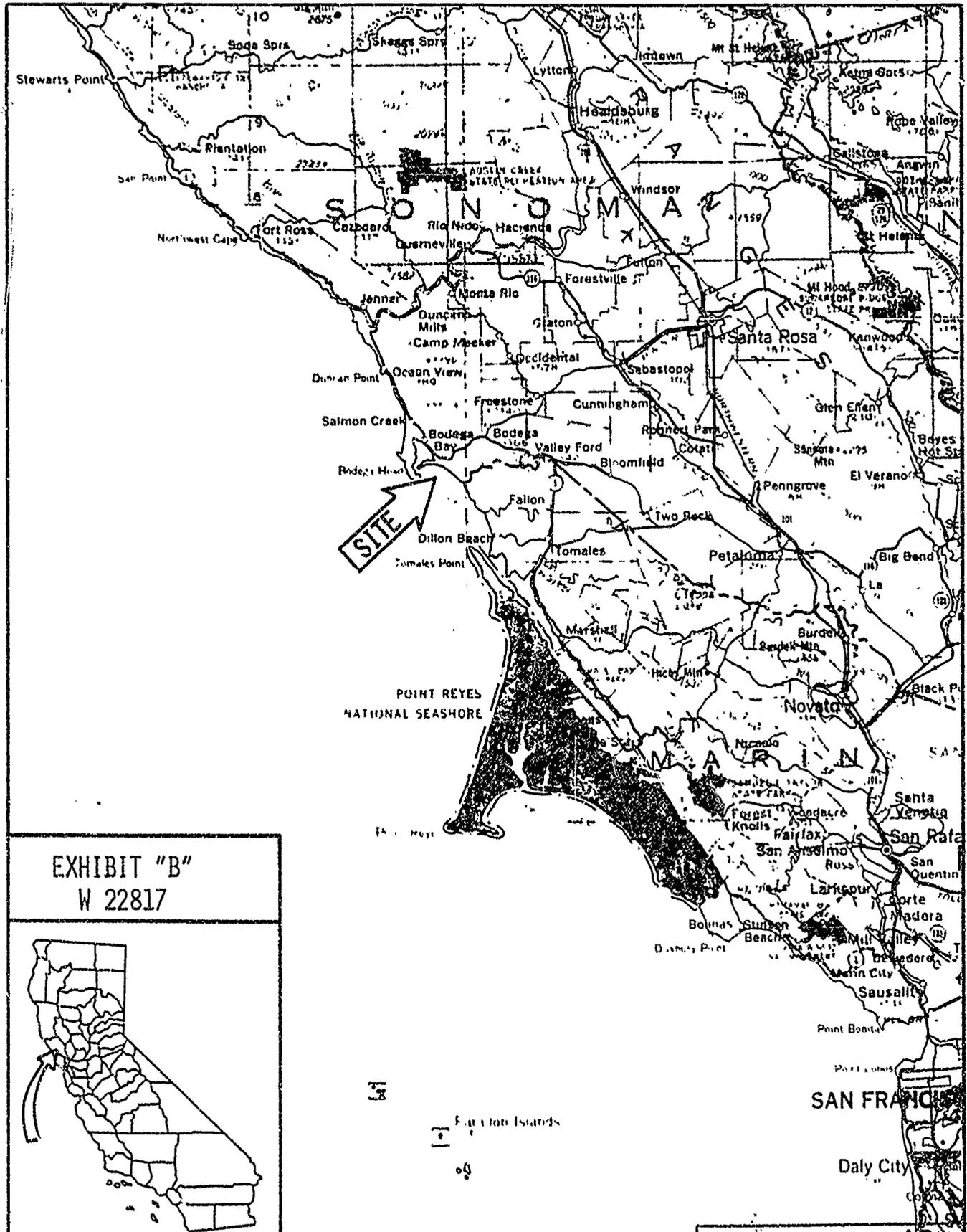


EXHIBIT "B"
W 22817



NOTICE OF NEGATIVE DECLARATION AND PUBLIC HEARING

DESCRIPTION OF PROJECT:

NOTICE IS HEREBY GIVEN that a Use and Coastal Permit Application has been filed with the Sonoma County Department of Planning for

Fish farm to produce 125 m/1 tons of fish per year; three full time employees, six seasonal employees; 12 circular tanks. Estero Lane, Bodega, California

FILE: UP 10057

ZONE: AE

AP#: 100-160-02

APPLICANT: SCOTT & ROY GORDON/RON DERING

FINDING: the Planning Director of the Sonoma County Department of Planning finds and determines that the project as described above will have no substantial adverse impact on the environment. This finding is based on the personal knowledge of the members of the committee of the environmental characteristics of the site and its surroundings and the environmental effects of the project.

Additional details of this project, copies of the Initial Study and/or records of the proceedings of the Project Review and Advisory Committee, together with any written comments are on file and available for inspection at the Sonoma County Planning Department, 575 Administration Drive, Santa Rosa, California

PUBLIC RESPONSE REQUESTED: The public is hereby invited to send comments on the finding described above to the Sonoma County Planning Department, 575 Administration Drive, Santa Rosa, California

NOTICE IS FURTHER GIVEN that the Sonoma County Board of Zoning Adjustments will conduct a public hearing on:

- (1) the environmental impact of the above project, and*
- (2) said application for a Use permit*

at the hour of 3:35 p.m. on March 11, 1982 in Room 107A, County Administration Building, 575 Administration Drive, Santa Rosa, California.

ALL INTERESTED PERSONS are hereby invited to be present and be heard thereon.

Secretary
Sonoma County Board of Zoning Adjustments

Publish Once

PRESS DEMOCRAT
February 28, 1982

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