

MINUTE ITEM

This Calendar Item No. C8  
was approved as Minute Item  
No. 8 by the State Lands  
Commission by a vote of 2  
to 0 at its 4/28/83 CALENDAR ITEM  
meeting.

C 0 8

4/28/83  
W 23010  
Maricle  
PRC 6404

GENERAL LEASE - RIGHT-OF-WAY USE

APPLICANT: Leslie Salt Co.  
P. O. Box 364  
Newark, California 94560

AREA, TYPE LAND AND LOCATION:  
A 0.295-acre parcel of tide and submerged  
land, Mowery Slough, Fremont, Alameda County.

LAND USE: Water intake structure and overhead electrical  
transmission line.

TERMS OF PROPOSED LEASE:

Initial period: 49-years from July 1,  
1982.

Surety bond: \$5,000.

Public liability insurance: Combined single  
limit coverage of \$1,000,000.

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:

Pursuant to 2 Cal. Adm. Code 2003.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is permittee of upland.

Filing fee has been received.

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|---------------|------------|
| CALENDAR PAGE | <u>37</u>  |
| MINUTE PAGE   | <u>602</u> |

CALENDAR ITEM NO. C 0 8 (CONTD)

STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 5, Parts 1 and 2; Div. 13.
- B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884: 5/5/83.

OTHER PERTINENT INFORMATION:

1. The project consists of replacing an existing armored submarine cable installed in 1926 and now inoperative with an overhead power line a minimum of 30-feet above the elevation of mean high water line.

The applicant's existing intake structure partially occupies sovereign land and is also included in the proposed lease.

2. Although the intake structure extends approximately 65-feet into the bed of Mowery Slough, which is approximately 150-feet wide at this location, the structure does not appear to constitute a hazard to the public trust for commerce, navigation and fisheries. Relative to the proposed poleline, the wires will be a minimum of 30-feet above the elevation of Mean High Water and will be designed for easy removal in the event it is necessary for the passage of a large vessel. The only known vessel using Mowery Slough that would necessitate the taking down of the electrical wires is Leslie's own dredge, the Mallard.
3. This project is exempt from CEQA under Class 1, Section 2905, Title 2 of the Cal. Adm. Code (intake Structure) and Section 15103 of Title 14 of the Cal. Adm. Code (new Overhead Line).
4. 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 "A" which

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|---------------|-----|
| CALENDAR PAGE | 38  |
| MINUTE PAGE   | 603 |

CALENDAR ITEM NO. C 0 8 (CONT'D)

authorizes Restricted Use. The project as proposed will not have a significant effect upon the identified environmental values.

APPROVALS OBTAINED:

United States Army Corps of Engineers, San Francisco Bay Conservation and Development Commission, and United States Fish and Wildlife Service.

FURTHER APPROVALS REQUIRED:

None.

EXHIBITS:

- A. Land Description.
- B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL DOCUMENT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH DOCUMENT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21084, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2905, AND FIND THAT THE PROJECT IS CONSISTENT WITH ITS USE CLASSIFICATION.
2. AUTHORIZE ISSUANCE TO LESLIE SALT CO. OF A 49-YEAR GENERAL LEASE - RIGHT-OF-WAY USE, FROM JULY 1, 1982; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$100, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISIONS OF A \$5,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE IN THE AMOUNT OF \$1,000,000, COMBINED SINGLE LIMIT COVERAGE; FOR A WATER INTAKE STRUCTURE AND OVERHEAD ELECTRICAL TRANSMISSION LINE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

W 23010

A parcel of tide and submerged land lying in the bed of Mowry Slough situate in the City of Fremont, County of Alameda, State of California, being more particularly described as follows:

BEGINNING at a point in the southerly line of Parcel "P" as described in the deed from Leslie Salt Co. to the State of California, recorded February 1, 1968, on Reel 2119, Image 305, Official Records of Alameda County, said point being the westerly terminus of that certain course having a bearing of S 58° 48' 54" W 222.1 feet; thence along said course N 58° 48' 54" E 40.0 feet; thence N 4° 07' 30" W 156.22 feet to an angle point in the northerly line of said Parcel "P" as said line is shown on that Record of Survey No. 551, recorded in Book 10 of Records of Survey at pages 29-85, Alameda County Records, said point being the easterly terminus of that course having a bearing of N 72° 44' 51" E 168.6 feet; thence along said course S 72° 44' 51" W 82.15 feet; thence S 4° 07' 30" E 154.50 feet to intersection with southerly line of said Parcel "P"; thence along said southerly line N 87° 30' 38" E 44.40 feet to the point of beginning.

This description is based on the California Coordinate System, Zone 3. All distances are grid distances. To obtain ground distances, multiply the grid distance by 1.0000587.

END OF DESCRIPTION

REVIEWED JUNE 7, 1982 BY TECHNICAL SERVICES UNIT, ROY MINNICK, SUPERVISOR.

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|---------------|------------|
| CALENDAR PAGE | <u>40</u>  |
| MINUTE PAGE   | <u>605</u> |

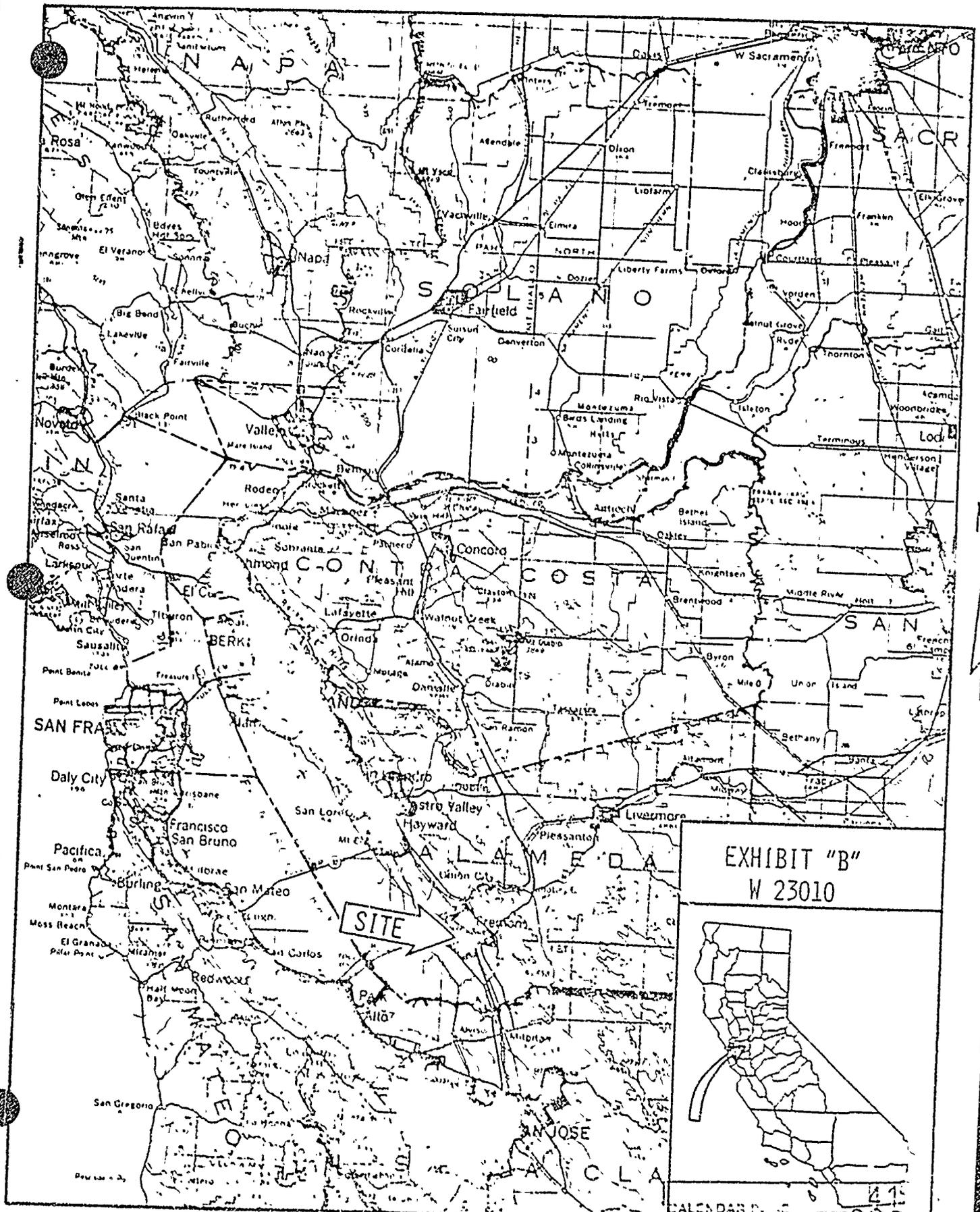


EXHIBIT "B"  
W 23010



CALENDAR 1965 41  
605

MINUTE PAGE