

MINUTE ITEM

This Calendar Item No. C16  
was approved as Minute Item  
No. 16 by the State Lands  
Commission by a vote of 3  
to 0 at its 6/21/84  
meeting.

CALENDAR ITEM

A 9  
S 2

C16

06/21/84  
W 23301  
Lane  
PRC 6695

APPROVAL OF GENERAL LEASE - INDUSTRIAL USE

APPLICANT: Morris Shell and Dredging Company  
100 East "D" Street  
Petaluma, California 94952

AREA, TYPE LAND AND LOCATION:  
A 0.179-acre parcel of tide and submerged lands  
in the Petaluma River, Petaluma, Sonoma County.

LAND USE: Vessel moorage for off-loading fossilized  
oyster shells.

TERMS OF PROPOSED LEASE:

Initial period: Ten (10) years from April 1,  
1984.

Special: Lessee's insurance policies  
shall name State of  
California as additionally  
insured

CONSIDERATION: \$450 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.

APPLICANT STATUS:

Applicant is lessee of upland.

CALENDAR ITEM NO. C 16 CONT'D

PREREQUISITE CONDITIONS, FEES AND EXPENSES:  
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.

AB 884:

07/19/84.

OTHER PERTINENT INFORMATION:

1. The applicant desires to obtain a lease for an existing moorage site in the Petaluma River being utilized to off-load fossilized oyster shells to an upland processing plant. Farm products and redi-mix concrete are produced from the shells. The oyster shells are initially dredged from San Francisco Bay under State Lease PRC 5534.1 and barged to the off-loading site.

Special terms of the proposed lease are:

- a. Volumetric rental shall not apply if the oyster shells are dredged by the lessee consistent with terms of PRC 5534.1.
  - b. The lessee shall name the State as additionally insured for liability insurance and provide a certificate of coverage to State Lands Commission.
  - c. The lessee must hold a valid upland lease authorizing use.
2. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

CALENDAR PAGE	77
MINUTE PAGE	1287

3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorical exempt project. The project is exempt under Class 1, existing facilities; 2 Cal. Adm. Code 2905.

Authority: P.R.C. 21084, 14 Cal. Adm. Code 15300, and 14 Cal. Adm. Code 2905.

APPROVALS OBTAINED:

United States Army Corps of Engineers, City of Petaluma.

FURTHER APPROVALS REQUIRED:

None.

EXHIBITS:

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 AS A CATEGORICAL EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES; 2 CAL. ADM. CODE 2905.
2. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.
3. AUTHORIZE ISSUANCE TO MORRIS SHELL AND DREDGING COMPANY OF A TEN-YEAR GENERAL LEASE - INDUSTRIAL USE, FROM APRIL 1, 1984; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$450, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF PUBLIC LIABILITY INSURANCE: LESSEE'S INSURANCE POLICIES SHALL NAME THE STATE OF CALIFORNIA AS ADDITIONALLY INSURED FOR VESSEL MOORAGE FOR OFF-LOADING FOSSILIZED OYSTER SHELLS ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

W 23301

A parcel of land in Petaluma Creek, Petaluma, Sonoma County, California, described as follows:

BEGINNING at the northwest corner of Tract 13 of those lands quitclaimed to the State of California by deed recorded January 28, 1971, in Book 2510, Page 798, Official Records of Sonoma County; thence along the north line of those quitclaimed lands S  $69^{\circ} 27'$  E 260.00 feet; thence leaving said north line S  $20^{\circ} 33'$  W 30.60 feet; thence N  $69^{\circ} 27'$  W 260.00 feet; thence N  $20^{\circ} 33'$  E 30.00 feet to the point of beginning.

END OF DESCRIPTION

PREPARED FEBRUARY 14, 1984 BY BOUNDARY AND TITLE UNIT, LEROY WEED, SUPERVISOR

CALENDAR PAGE	79
MINUTE PAGE	1289

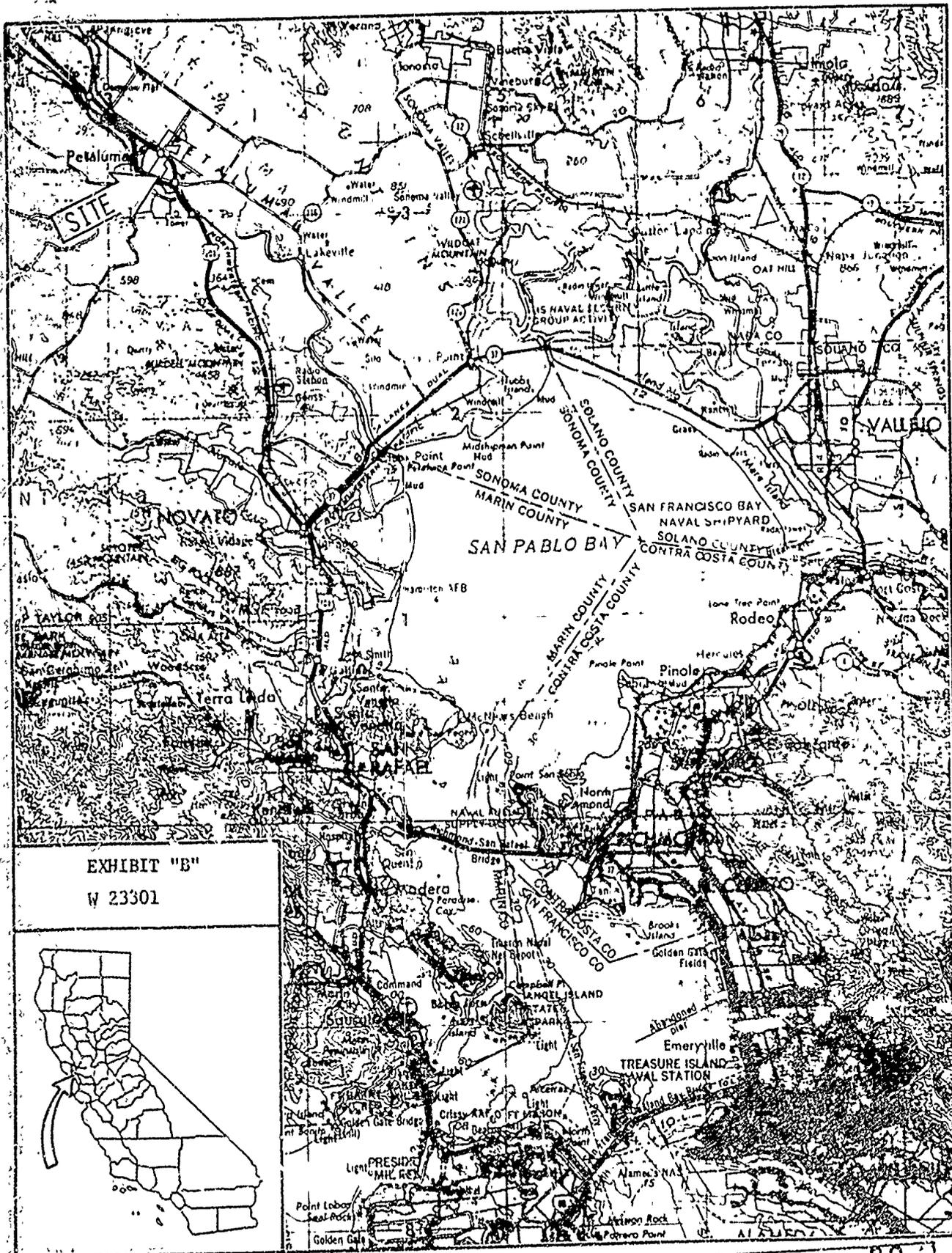


EXHIBIT "B"  
W 23301



CALENDAR PAGE 80  
MINUTE PAGE 1290