MINUTE ITEM
This Calendar Item No. C04
was approved as Minute Item
No. 4 by the State Lands
Commission by a vote of 3
to 0 at its 08-30-89
meeting.

CALENDAR ITEM
C04

A 10

S 7

08/30/89
PRC 6090
Bancroft

GENERAL LEASE - RIGHT-OF-WAY

APPLICANT: East Bay Excavating Co. Inc. and
Wesley and Fontella L. Mc Clure
125 Pontiac Street
San Leandro, California 94577

AREA, TYPE LAND AND LOCATION:
A 0.045 acre of tide and submerged land in the bed of the Old River at Eucalyptus Island, Contra Costa County.

LAND USE: Electrical cable crossing, protective structure and recreational pier.

TERMS OF ORIGINAL LEASE:
Initial period: Ten (10) years beginning February 1, 1980.

TERMS OF PROPOSED LEASE:
Initial period: Ten (10) years beginning February 1, 1990.

Public liability insurance: Combined single limit coverage of $100,000.

CONSIDERATION: $180 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. Code Regs. 2003.

APPLICANT STATUS:

Applicant is owner of upland.

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. Code Regs : Title 2, Div. 3; Title 14, Div. 6.

AB 884: N/A.

OTHER PERTINENT INFORMATION:

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

   Authority: P.R.C. 21084, 14 Cal. Code Regs. 15300, and 2 Cal. Code Regs. 2905.

2. The original lease expires January 31, 1990 with no provisions for renewal, Lessees desire to continue the existing use.

3. East Bay Excavation Co. Inc. has purchased the interest in the upland of Leonard J. and Betty M. Low, Parties to the original lease. A copy of the deed is on file.

EXHIBITS:

A-1. Land Description.
A-2. Land Description.
B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

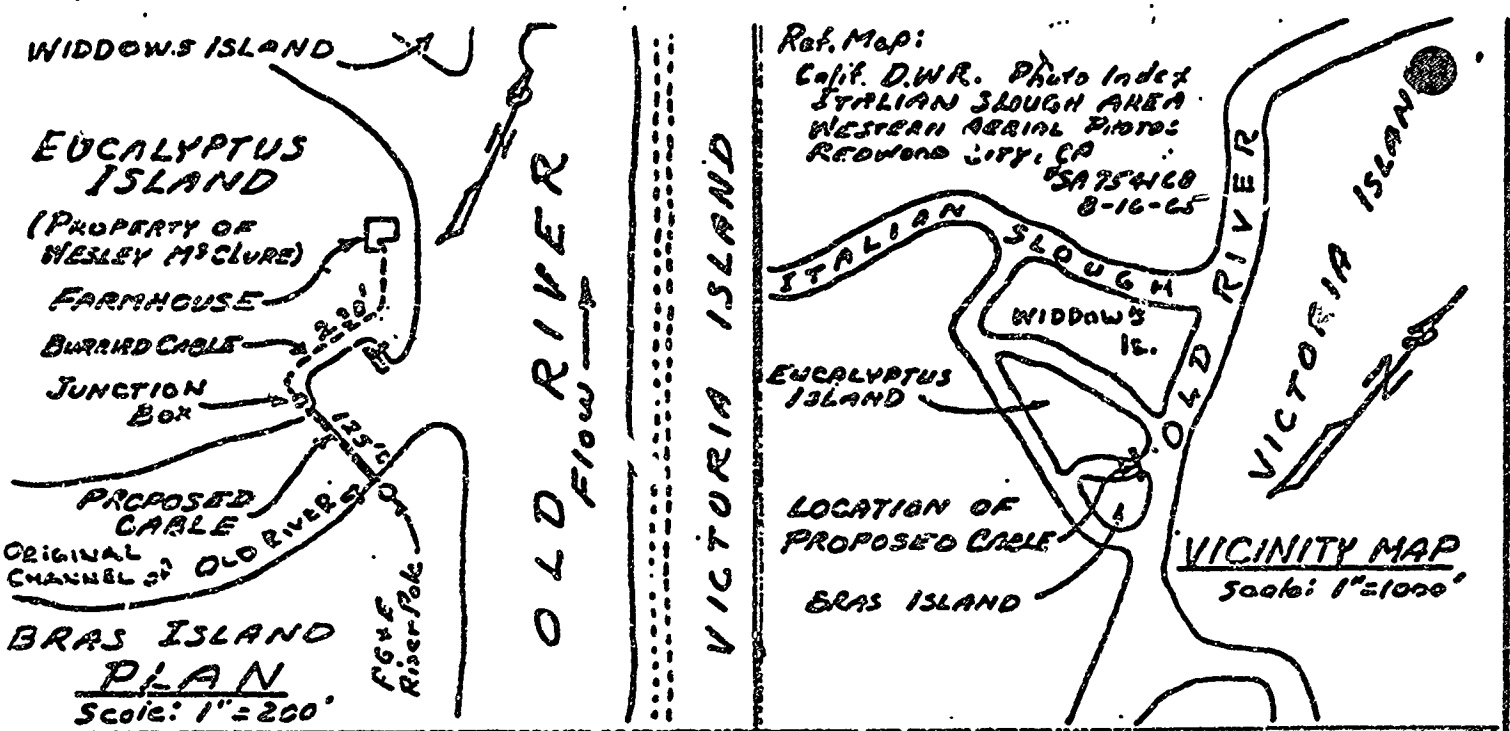
1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES, 2 CAL. CODE REGS. 2905(a)(2).

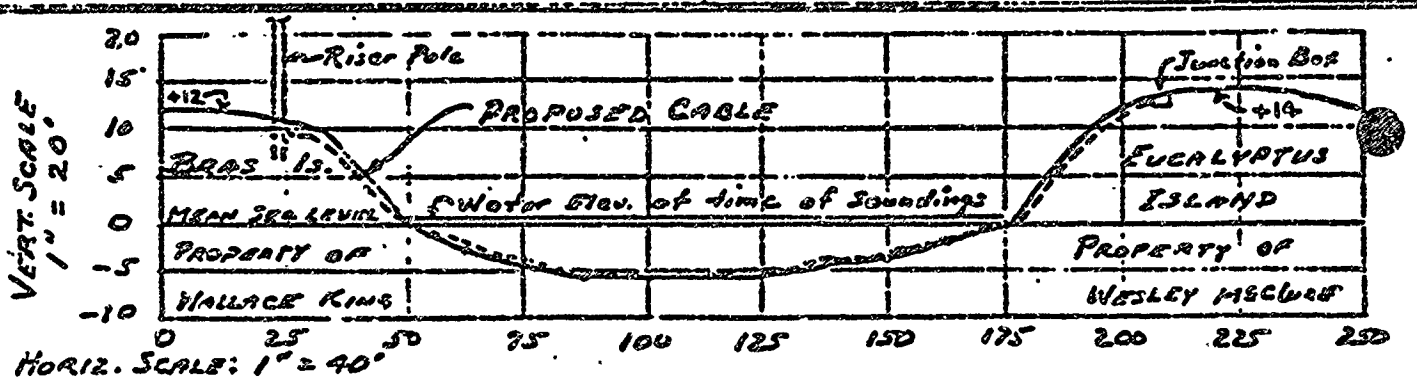
2. AUTHORIZE ISSUANCE TO EAST BAY EXCAVATING CO., INC. AND WESLEY AND FONTELLA MCCLURE OF A TEN-YEAR, GENERAL LEASE - RIGHT-OF-WAY, BEGINNING FEBRUARY 1, 1990; IN CONSIDERATION OF PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF $100,000; FOR THE LOCATION AND MAINTENANCE OF AN ARMORED SUBMARINE CABLE, PROTECTIVE STRUCTURE AND RECREATIONAL PIER ON THE LAND DESCRIBED ON EXHIBITS "A-1" AND "A-2" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A1"

LAND DESCRIPTION

PRC 6090.1





WATER DEPTH: 1.0 3.6 5.1 6.0 6.0 6.0 5.6 4.0 2.6 1.0

MEAN TIDE ELEVATIONS: (Ref. Rook Slough of Old River) 3.1 MSL High -0.4 " Low

SECTION VIEWED FROM OLD RIVER

Elevations are Mean Sea Level Datum

PURPOSE: TO EXTEND 120/240V. PG&E ELECTRIC SERVICE FOR PRIVATE USE TO AN EXISTING FARMHOUSE ON ISLAND.

CABLE TO BE PLACED ON CHANNEL BOTTOM WITHOUT EXCAVATION OR ALTERATION OF CHANNEL BOTTOM.

PROPOSED ARMORED SUBMARINE CABLE CROSSING SLOUGH BETWEEN BRAS & EUCALYPTUS ISLANDS, CONTRA COSTA COUNTY, CALIF.

APPLICATION BY:
WESLEY McCLURE
125 PONTIAC ST.
SAN LEANDRO, CA. 94577

DATE: 16 May 1979

Prepared by:
R.H. Ward
RICHARD H. WARD
CIVIL ENGINEER, RE 8375
Job 9005

Sheet 1 of 2

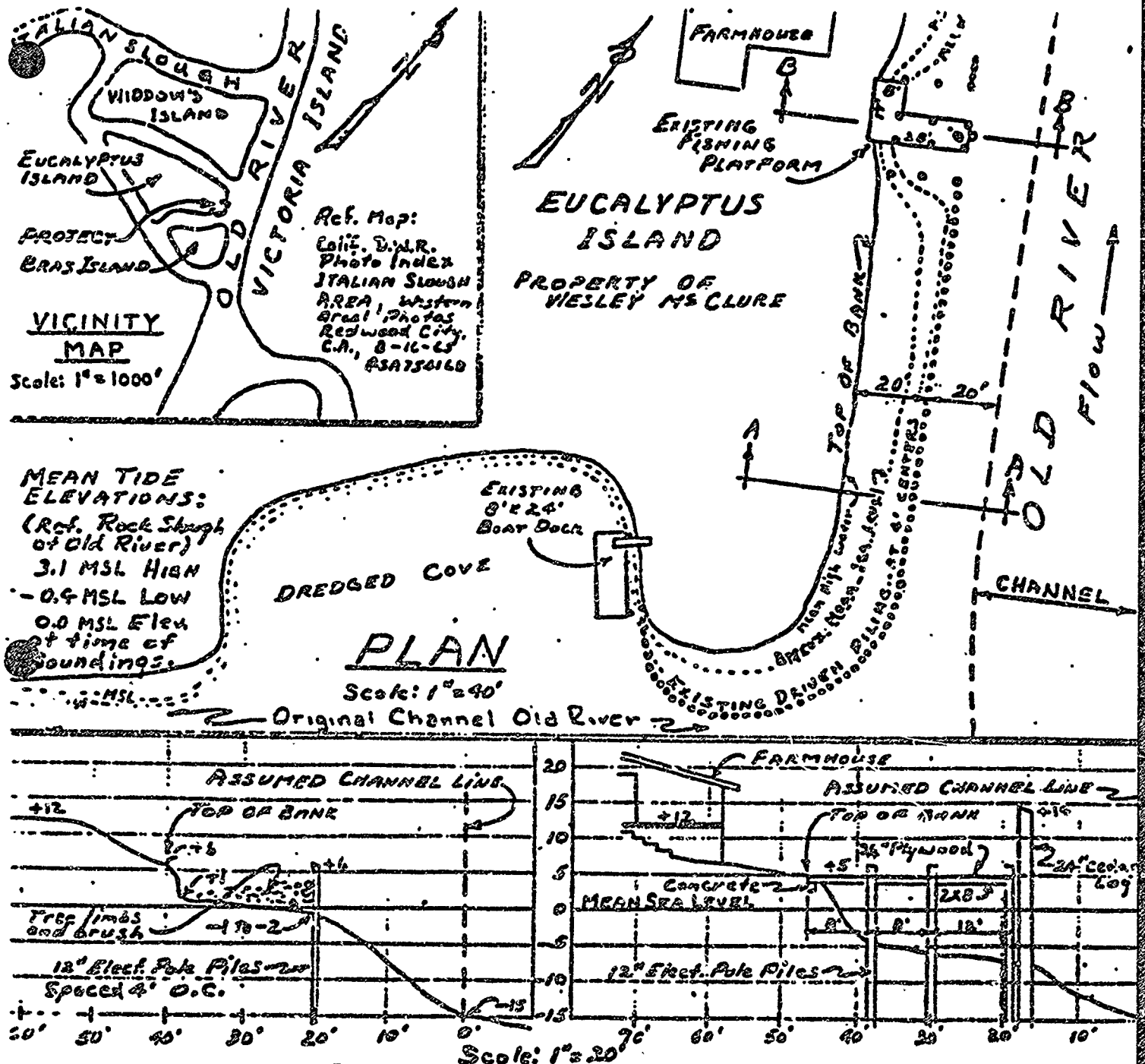
REVIEWED JUNE 16, 1989 BY BIU 1.

CALENDAR PAGE 20
MINUTE PAGE 2611

EXHIBIT "A2"

LAND DESCRIPTION

PRC 6090.1



Sect. A-A EROSION PROTECTION

PURPOSE: FISHING PLATFORM IS FOR RECREATION FISHING.

EROSION PROTECTION IS TO PREVENT CURRENT AND WASH OF MOTOR BOATS FROM ERODING TIP OF ISLAND.

Sect. B-B, FISHING PLATFORM

EXISTING FISHING PLATFORM AND EROSION PROTECTION AT EUCALYPTUS ISLAND FARM, CONTRA COSTA COUNTY, CALIF.

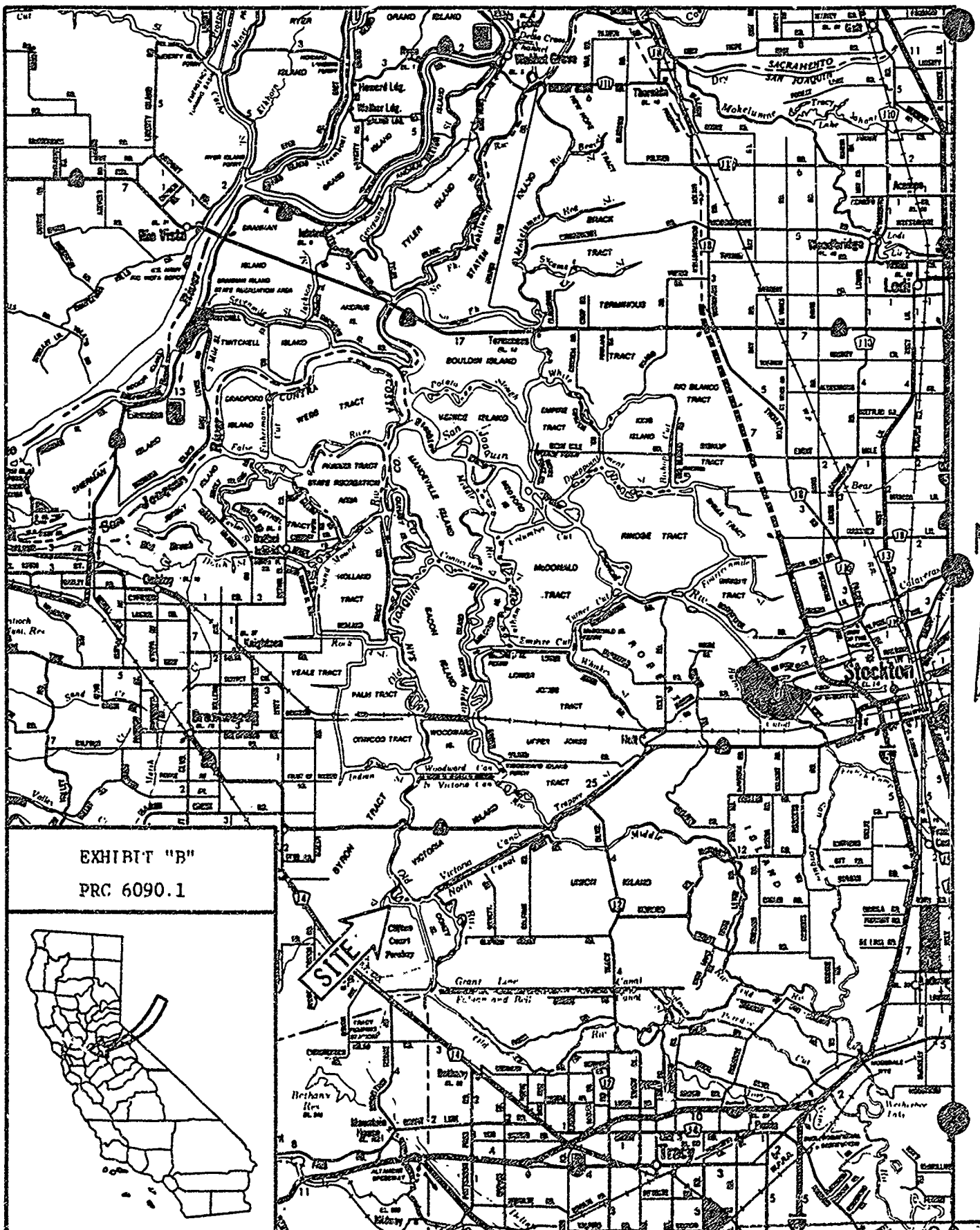
OWNER: WESLEY McCLURE
125 PONTIAC ST.
SAN LEANDRO, CA. 94577

sheet 2 of 2

DATE: July 9, 1979

REVIEWED JUNE 16, 1989 BY BIU 1.

CALENDAR PAGE 21
MINUTE PAGE 2612



CALENDAR PAGE 22

MINUTE PAGE 2613