

**MINUTE ITEM**  
This Calendar Item No. C67 was approved as  
Minute Item No. 67 by the California State Lands  
Commission by a vote of 3 to 2 at its  
6-27-00 meeting.

**CALENDAR ITEM  
C67**

A 20  
S 10

June 27, 2000  
PRC 8174.9 W 25474  
N. Smith

**GENERAL LEASE - PUBLIC AGENCY USE**

**LESSEE:**

City of Fremont  
39550 Liberty Street  
Fremont, California 94537-5006

**AREA, LAND TYPE, AND LOCATION:**

0.80 acres, more or less, of sovereign lands in Alameda County Flood Control and Water Conservation District channel at Cushing Road, city of Fremont, Alameda County.

**AUTHORIZED USE:**

Extension of existing culvert and widening of Cushing Road.

**LEASE TERM:**

25 years, beginning March 2, 2000.

**CONSIDERATION:**

The public use and benefit; with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interest.

**OTHER PERTINENT INFORMATION:**

1. Applicant has right to use the uplands adjoining the lease premises.
2. A Negative Declaration was prepared and adopted for this project by the city of Fremont. The California State Lands Commission's staff has reviewed such document.

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3. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 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.

**APPROVALS OBTAINED:**

U.S. Army Corps of Engineers

**FURTHER APPROVALS REQUIRED:**

San Francisco Bay Regional Water Quality Control Board, Department of Fish and Game, Alameda County Flood Control and Water Conservation District and San Francisco Bay Conservation and Development Commission

**EXHIBITS:**

- A. Land Description
- B. Location Map

**PERMIT STREAMLINING ACT DEADLINE:**

September 2, 2000

**RECOMMENDED ACTION:**

IT IS RECOMMENDED THAT THE COMMISSION:

**CEQA FINDING:**

FIND THAT A NEGATIVE DECLARATION WAS PREPARED AND ADOPTED FOR THIS PROJECT BY THE CITY OF FREMONT AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

**SIGNIFICANT LANDS INVENTORY FINDING:**

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

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**AUTHORIZATION:**

AUTHORIZE ISSUANCE TO THE CITY OF FREMONT OF A GENERAL LEASE - PUBLIC AGENCY USE, BEGINNING MARCH 2, 2000, FOR A TERM OF 25 YEARS, FOR AN EXTENSION OF AN EXISTING CULVERT AND WIDENING OF CUSHING ROAD ON THE LAND DESCRIBED ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION: THE PUBLIC USE AND BENEFIT, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENT IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST.

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**EXHIBIT A**  
**LAND DESCRIPTION**

**W 25474**

A parcel of unsold State owned land in the City of Fremont, Alameda County, California, said parcel more particularly described as follows:

That portion of Section 23, T5S, R1W, MDM lying within a strip of land 300.00 feet in width lying 150.00 feet on each side of the following described line: COMMENCING at Station 30 + 41.13 on Cushing Road in the City of Fremont, Alameda County as shown on the plans entitled *Box Culvert Extention Cushing Parkway 8285 (PWC)*, dated 1999; thence N 72°00'04" E, 100.00 feet to the POINT OF BEGINNIG of the herein described line; thence S 72°00'04" W, 100.00 feet to the point of commencement; thence continuing S 72°00'04" W, 278.54 feet to the end of said line, said parcel is bounded on the east by Rancho de Auga Caliente, and is bounded on the west by Swamp and Overflowed Lands Survey Number 284.

**END DESCRIPTION**

Prepared January, 2000 by CSLC boundary staff.

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NO SCALE

Rancho Del  
Auga  
Caliente

S & O  
284

State  
Parcel  
35,440sq.ft.  
0.80 acres

CUSHING ROAD  
EXTENSION

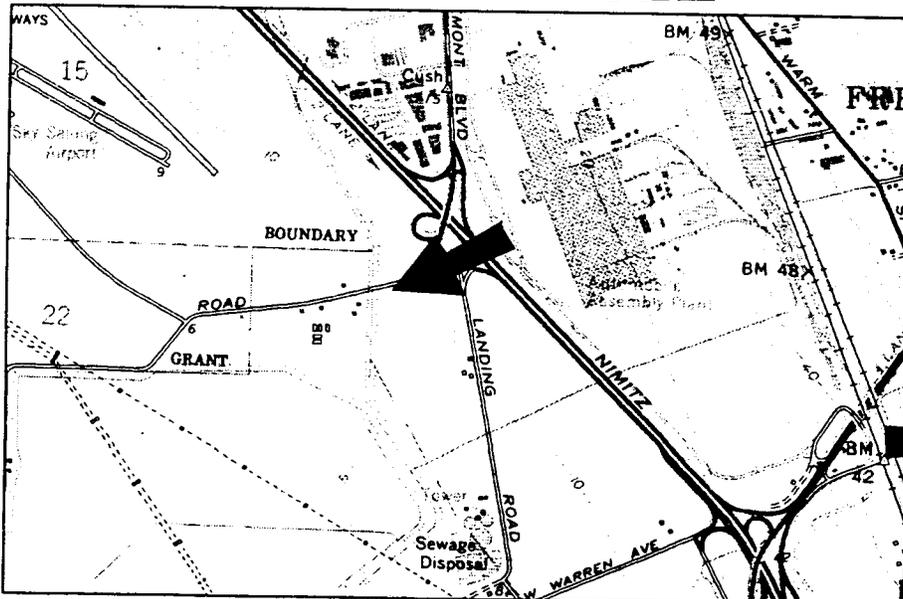
300.00 feet wide strip  
378.54 feet long

Alameda Co. Flood  
Control Dist.

State owned land need for extension  
of Cushing Road. Parcel is situated  
between Rancho Del Agua Caliente  
and S&O Lands Survey No. 284.

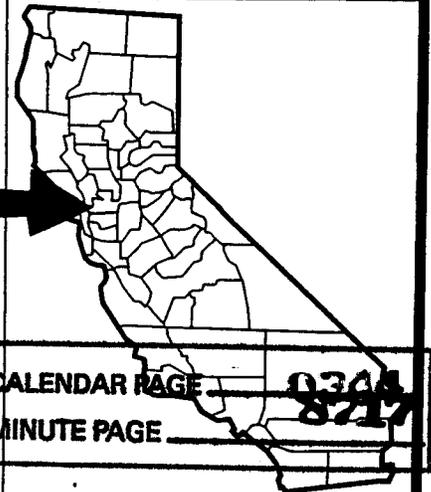
NO SCALE

### LOCATION MAP



### EXHIBIT B

W 25474  
GL -PAU  
City of Fremont  
Alameda County



This Exhibit is solely for purposes of generally defining the lease premises, and is not intended to be, nor shall it be construed as, a waiver of limitation of any state interest in the subject or any other property.

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