

MINUTE ITEM
This Calendar Item No. C04 was approved as
Minute Item No. 04 by the California State Lands
Commission by a vote of 3 to 0 at its
4-24-01 meeting.

CALENDAR ITEM
C04

A 11
S 7

PRC 4410

04/24/01
WP 4410.1
L. Burks

GENERAL LEASE - RIGHT OF WAY USE

APPLICANT:

General Chemical Corporation
501 Nichols Road
Pittsburg, California 94565-1098

AREA, LAND TYPE, AND LOCATION:

0.15 acres, more or less, of tide and submerged lands in Suisun Bay, near
Nichols, Contra Costa County.

AUTHORIZED USE:

Continued use and maintenance of an existing 12-inch diameter effluent
discharge pipeline. Discharge from this pipeline includes water from process
area air scrubbers, non-contact cooling water from the acid purification system,
the lab scrubber, process equipment flush waters, boiler blowdown, quality
assurance/control sink drains and stormwater from certain portions of the plant.

LEASE TERM:

15 years, beginning January 1, 2000.

CONSIDERATION:

\$375 per year; with the State reserving the right to fix a different rent periodically
during the lease term, as provided in the lease.

SPECIFIC LEASE PROVISIONS:

Insurance:

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

Bond:

\$5,000.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.

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2. On February 28, 1985, the Commission authorized issuance to Allied Corporation of a 15 year General Lease - Right of Way Use, effective January 1, 1985, for a 12-inch diameter effluent discharge pipeline located in Suisun Bay, near Nichols, Contra Costa County.
3. In 1987, Allied Chemical was sold to General Chemical Corporation. General Chemical Corporation has applied for a new General Lease - Right of Way Use. General Chemical Corporation's National Pollutant Discharge Elimination System Permit (NPDES) with the Regional Water Quality Control Board is currently in effect and there have been no major violations filed with the Board.
4. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 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; Title 2, California Code of Regulations, section 2905 (a)(2).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

5. 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.

EXHIBITS:

- A. Land Description
- B. Location Map

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

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CEQA FINDING:

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

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.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO GENERAL CHEMICAL CORPORATION OF A GENERAL LEASE - RIGHT OF WAY USE, BEGINNING JANUARY 1, 2000, FOR A TERM OF 15 YEARS, FOR CONTINUED USE AND MAINTENANCE OF AN EXISTING 12-INCH DIAMETER EFFLUENT DISCHARGE PIPELINE ON THE LAND DESCRIBED ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF \$375, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$1,000,000; SURETY IN THE AMOUNT OF \$5,000.

LAND DESCRIPTION

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All that real property situate in Suisun Bay, County of Contra Costa, State of California, described as follows:

COMMENCING at the northeast corner of a certain 30 acre tract described in deed from James K. Wilson, et al, to Charles K. McIntosh, dated May 21, 1912, recorded in Book 182 of Deeds, Page 112, in the Office of the Recorder of said Contra Costa County; thence from said point of commencement, N 01° 13' 54" E 601.26 feet; thence N 75° 28' 06" W 23.28 feet to the TRUE POINT OF BEGINNING; thence continuing from said point of beginning

N 75° 28' 06" W 31.45 feet; thence
N 32° 00' 00" E 69.30 feet; thence
N 44° 00' 00" E 161.58 feet; thence
S 46° 00' 00" E 30.00 feet; thence
S 44° 00' 00" W 158.42 feet; thence
S 32° 00' 00" W 56.70 feet; to the
point of beginning.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark.

END OF DESCRIPTION

REVIEWED JULY 19, 1984 BY BOUNDARY AND TITLE UNIT.

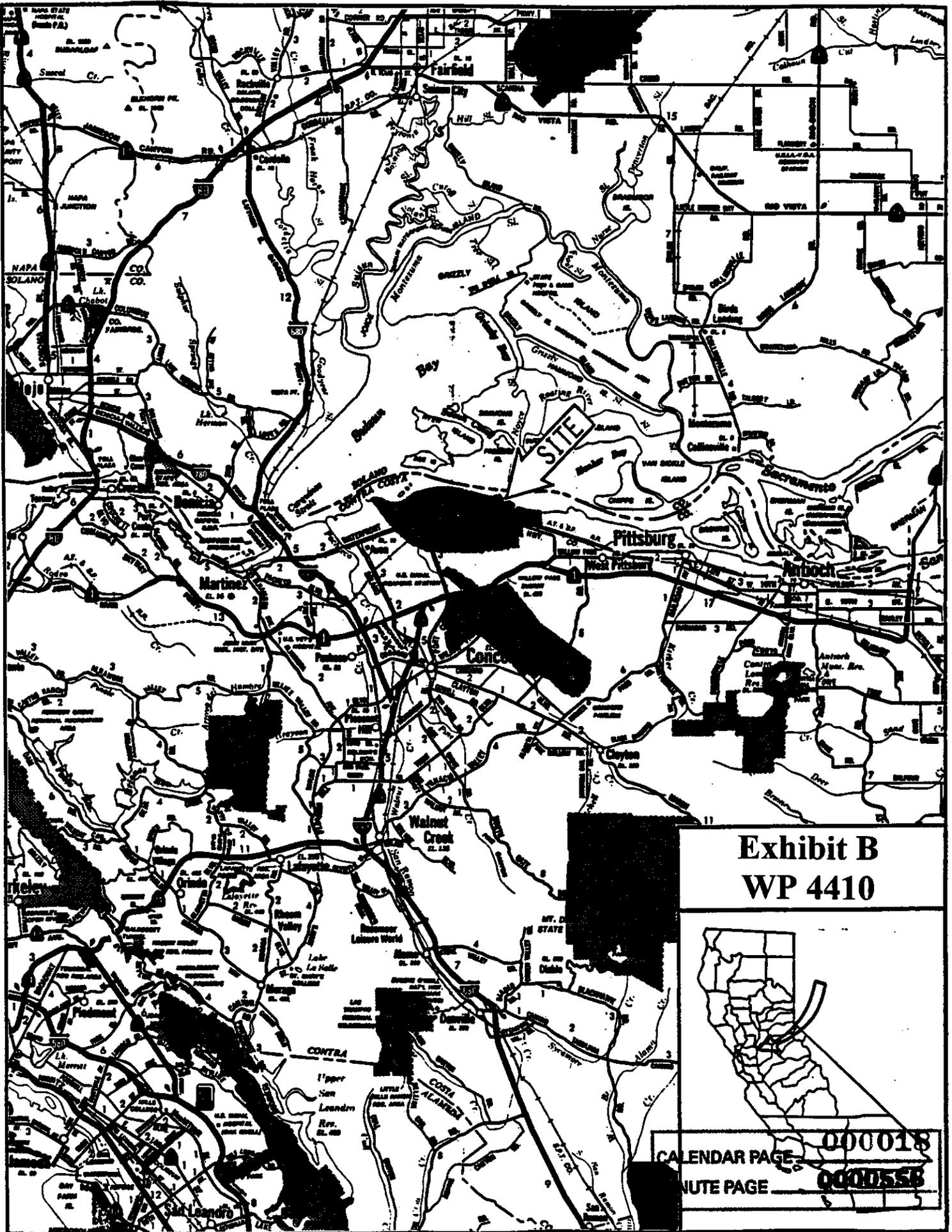
This exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by Lessee or other parties, and is not intended to be, nor shall it be construed as, a waiver or limitation of any state interest in the subject or other property.

Exhibit A

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**Exhibit B
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