

MINUTE ITEM

This Calendar Item No. C35 was approved as Minute Item No. 35 by the California State Lands Commission by a vote of 3 to 0 at its 4-9-02 meeting.

**CALENDAR ITEM
C35**

A 11
S 7

04/09/02
PRC 7956.9 WP 7956.9
N. Smith

AMENDMENT OF AGREEMENT

LESSEE:

Carquinez Regional Environmental Education Center
PO Box 65
Crockett, California 94525

AREA, LAND TYPE, AND LOCATION:

A parcel of filled sovereign lands along the Carquinez Strait, town of Crockett, Contra Costa County.

AUTHORIZED USE:

Storage and maintenance of containerized native trees and plants to be used in conjunction with environmental restoration and enhancement projects along the Carquinez Strait Trail.

AGREEMENT TERM:

Ten years, beginning April 1, 1997.

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.

PROPOSED AMENDMENT:

Extend the expiration date of the Agreement to March 31, 2013 (an additional six years). All other terms and conditions of the Agreement shall remain in effect without amendment.

OTHER PERTINENT INFORMATION:

1. Applicant accesses the lease premises from a public road.

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2. The applicant is requesting a six-year extension on the agreement to qualify for a State grant for the purchase of items related to native plant propagation and maintenance. The applicant has been selected as a grant recipient administrated by the California Department of Parks and Recreation. Recipients of these grants must be able to demonstrate a land tenure of ten years before funds will be awarded.
3. 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 under the general rule that the CEQA applies only to projects which have the potential for causing a significant effect on the environment. The staff believes, based on the information available to it, that there is no possibility that this project may have a significant effect on the environment.

Authority: Title 14, California Code of Regulations, section 15061 (b)(3).

4. 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:

June 05, 2002

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RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 BECAUSE THERE IS NO POSSIBILITY THAT THE ACTIVITY MAY HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT; TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 (b)(3).

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 THE AMENDMENT OF AGREEMENT NO. PRC 7956.9, A LETTER OF AGREEMENT, OF LANDS DESCRIBED ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF, EFFECTIVE UPON EXECUTION OF AMENDMENT BY BOTH PARTIES, TO EXTEND THE EXPIRATION DATE TO MARCH 31, 2013; ALL OTHER TERMS AND CONDITIONS OF THE AGREEMENT WILL REMAIN IN EFFECT WITHOUT AMENDMENT.

Exhibit A

W25378

LAND DESCRIPTION

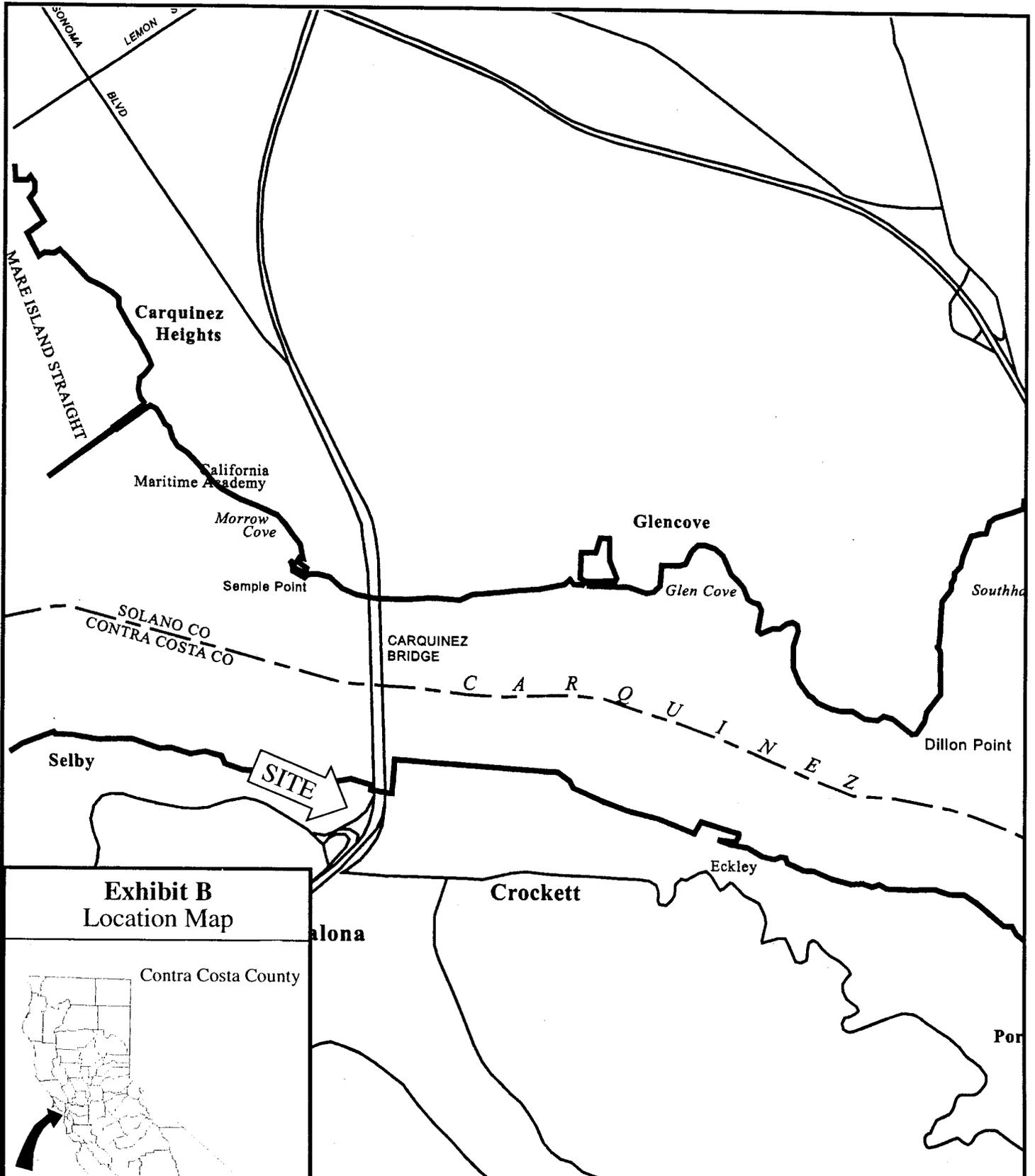
A parcel of tide and submerged land in the Carquinez Straits, Contra Costa County, California, said parcel being a loading dock, building and fenced yard more particularly described as follows:

COMMENCING at a monument set and marked by California and Hawaiian Sugar Corporation as No. 258 and since adopted by the United States Corps Engineers as their Harbor line Monument No. 33 and shown on those certain maps entitled "Harbor Lines for Carquinez Strait, California", dated June 10, 1924, and August 31, 1965, respectively; thence S 30° 20' 05" W, 504.32 feet to a brass cap in concrete referred to in the indenture recorded in 3052 O. R. 412 Contra Costa County as the corner common to Sections 31 and 32, T 3 N, R 3 W, and Sections 5 and 6, T 2 N, R 3 W, MDM; thence N 86° W, 667 feet more or less to the **TRUE POINT OF BEGINNING**, said point being the northeasterly corner of said parcel and the northeasterly corner of an existing loading dock and building; thence along said loading dock, building and fence N 56° W, 380 feet to an angle point in said fence; thence continuing along said fence N 65° W, 40 feet to the most northerly corner of said fence; thence continuing along said fence S 25° W, 35.5 feet to the most westerly corner of said fence; thence continuing along said fence S 53° E, 414.5 feet to the most southerly corner of said fence; thence along said fence and the southerly line of said building and loading dock, N 34° E, 63 feet more or less to the true point of beginning.

END OF DESCRIPTION

REVISED APRIL, 1997 BY SFBCC STAFF

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**Exhibit B
Location Map**



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 to as a waiver or limitation of any state interest in the subject or any other property.

Map Source: USGS

KR 3/2002

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