

**CALENDAR ITEM
C74**

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S 7

04/26/13
PRC 7956.9
S. Paschall

GENERAL LEASE – AGRICULTURAL USE

APPLICANT:

Carquinez Regional Environmental Education Center, Inc.

AREA, LAND TYPE, AND LOCATION:

A parcel of filled sovereign tidelands, along the southern shore of the Carquinez Strait, at 1694 Dowrelio Drive, within the unincorporated town of Crockett, Contra Costa County.

AUTHORIZED USE:

Use and maintenance of an existing horticulture center.

LEASE TERM:

10 years, beginning April 1, 2013.

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.

SPECIFIC LEASE PROVISIONS:

Liability insurance in the amount no less than \$1,000,000 per occurrence.

OTHER PERTINENT INFORMATION:

1. Applicant accesses the lease premises from a public road.
2. The Applicant is a nonprofit public benefit corporation whose property is dedicated to educational programs related to, and used in conjunction with preserving native wildlife species and completing habitat restoration and environmental enhancement projects along the Carquinez Strait Watershed. More than 6.5 acres of watershed have been restored to date.

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3. On May 12, 1997, pursuant to Calendar Item 61, the Commission authorized termination and amendment of certain California and Hawaiian Sugar Company, Inc. leases, including the deletion from their lease premises of lands not needed for their operations so that those lands may be used by the Carquinez Regional Environmental Education Center (CREEC). The Commission concurrently authorized the issuance of a Letter Agreement No. PRC 7956.9 to CREEC, beginning April 1, 1997 for a term of 10 years, for the storage and maintenance of containerized native trees and plants.
4. On April 9, 2002, pursuant to Calendar Item 35, the Commission authorized amendment of Letter Agreement No. PRC 7956.9, to extend the expiration date to March 31, 2013, all other terms and conditions remained in effect without amendment. The Applicant is now applying for a new lease.
5. On March 14, 2005, the Contra Costa County Zoning Administrator approved a land use permit for CREEC, to allow construction of a 1,152 square foot greenhouse.
6. The CREEC Horticulture Center currently consists of a 24' x 48' polycarbonate greenhouse with appurtenant utilities, two equipment storage sheds, material bins, and shaded plant tables within approximately 743' of chain link barbed wire fence.
7. The Applicant has current working partnerships with the Contra Costa Resource Conservation District and East Bay Regional Park District. Together, they manage projects funded through yearly Community Watershed Grants and implemented partially by volunteer labor provided by the Applicant's underserved Youth Group Program.
8. The staff recommends that the Commission find that this activity is exempt from the requirements of California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.
9. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et

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seq., but such activity will not affect those significant lands. 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. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (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 section 6370 et seq.

AUTHORIZATION:

Authorize Issuance of a General Lease – Agricultural Use to the Carquinez Regional Environmental Education Center, Inc., beginning April 1, 2013, for a term of 10 years, for use and maintenance of an existing horticulture center, as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; consideration to be 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.

EXHIBIT A

PRC 7956.9

LAND DESCRIPTION

A parcel of tide and submerged land, whether filled or unfilled, situate in Carquinez Straits, County of Contra Costa, State of California, and more particularly described as follows:

COMMENCING at United States Corps of Engineers Harbor Line Monument No. 33, shown of those maps entitled "Harbor Lines of Carquinez Strait, California" dated June 10, 1924 and August 31, 1965; thence South $30^{\circ}20'05''$ West 504.32 feet to a brass cap in concrete referred to in the indenture recorded in 3052 Official Records 412 Contra Costa County as the corner common to Section 31 and 32, Township 3 North, Range 3 West, and Sections 5 and 6, Township 2 North, Range 3 West, MDM; thence North $83^{\circ}36'03''$ West 675 feet to the POINT OF BEGINNING; thence North $53^{\circ}07'00''$ West 316 feet; thence South $44^{\circ}27'15''$ West 46 feet; thence South $51^{\circ}49'05''$ East 331 feet; thence North $27^{\circ}24'59''$ East 54 feet more or less to the POINT OF BEGINNING.

BASIS OF BEARINGS for this description is CCS 27 Zone 3. All distances are grid distances.

END OF DESCRIPTION

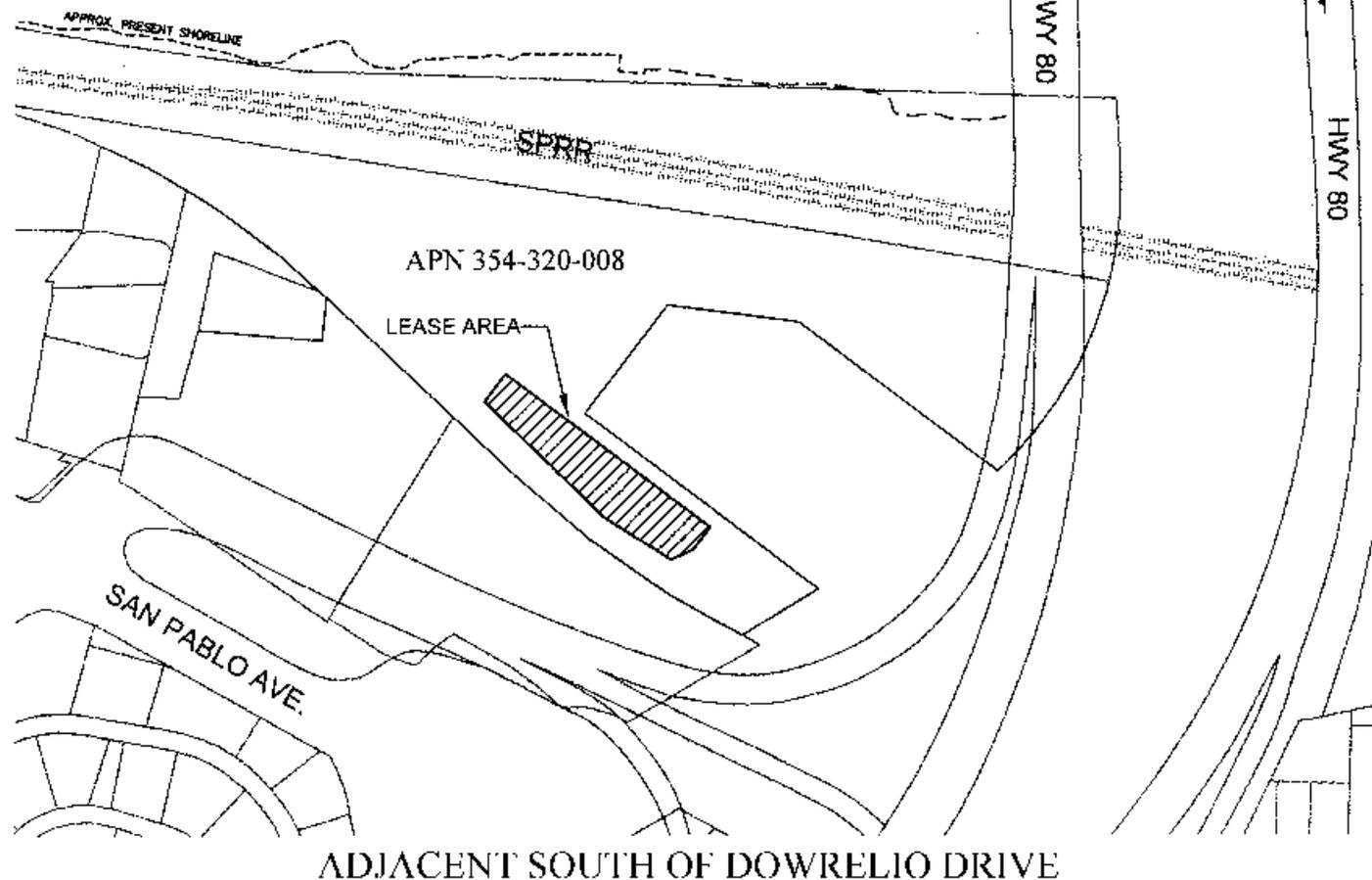
Revised by the California State Lands Commission Boundary Unit March 5, 2013. Original description prepared by SFBCC Staff, April 1997 as found in lease file for PRC 7656.



NO SCALE

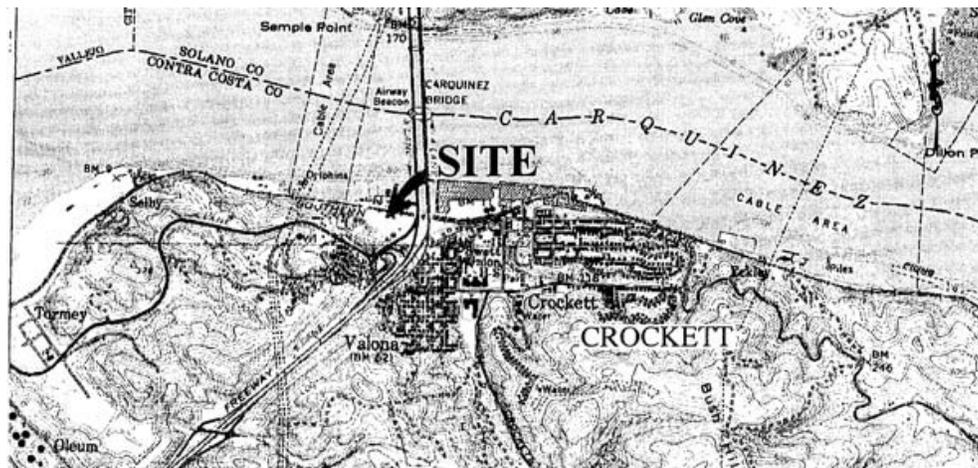
SITE

CARQUINEZ STRAITS



NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B
 PRC 7956.9
 CREEC
 APN 354-320-008
 GENERAL LEASE -
 AGRICULTURAL USE
 CONTRA COSTA COUNTY



JAK 03/29/13

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the 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 any other property.