

CALENDAR ITEM

C72

A 14

S 7

09/20/13
PRC 4136.9
A. Franzoia

GENERAL LEASE - PUBLIC AGENCY USE

APPLICANT:

Central Contra Costa Sanitary District
5019 Imhoff Place
Martinez, CA 94553

AREA, LAND TYPE, AND LOCATION:

Sovereign land near the Carquinez Strait, adjacent to North Court Street

AUTHORIZED USE:

Operation, use, and maintenance of existing eight-inch-diameter sanitary sewer pipeline.

LEASE TERM:

45 years, beginning October 25, 2013.

CONSIDERATION:

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:

The lease includes provisions for periodic internal inspections and review by Commission staff.

OTHER PERTINENT INFORMATION:

1. Applicant has the right to use the upland adjoining the lease premises.
2. On January 23, 1969, the Commission authorized a 45-year non-exclusive Public Agency Permit with the Central Contra Costa Sanitary District. The pipeline provides sanitary sewer service to the City of Martinez Marina and adjacent upland uses. The lease will expire on October 24, 2013. Staff is recommending issuance of a new General Lease – Public Agency Use to

CALENDAR ITEM NO. **C72** (CONT'D)

the District for the operation, use, and maintenance of the existing eight-inch-diameter sanitary sewer pipeline.

3. The pipeline right-of-way is located within the exterior boundaries of lands granted to the East Bay Regional Park District pursuant to Chapter 815, Statutes of 1976, however lies within lands excepted out from said grant and subject to a lease PRC 8865.1 issued by the Commission to the City of Martinez for a marina and upland facilities.
4. The staff recommends that the Commission find that this activity is exempt from the requirements of the 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 Regulation, Title 2, section 2905.

5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et 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 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)

CALENDAR ITEM NO. **C72** (CONT'D)

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 non-exclusive General Lease – Public Agency Use to Central Contra Costa Sanitary District beginning October 25, 2013, for a term of 45 years, for an existing eight-inch-diameter sanitary sewer pipeline as described in Exhibit A and shown on Exhibit B (for reference purpose only) attached and by this reference made a part hereof; consideration is the public 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 best interest of the State.

EXHIBIT A
LAND DESCRIPTION

PRC 4136.9

A twenty (20) foot wide strip of ungranted tide and submerged land in the bed of the Carquinez Strait, lying adjacent to those lands granted to East Bay Regional Park District Chapter 815, Statutes 1967, Section 4, situate in Contra Costa County, State of California and lying ten (10) feet on each side of the following described centerline:

COMMENCING at the intersection of the north line of Tideland Survey No. 9 and the east line of North Court Street as shown on Map of "City of Martinez Waterfront Area" filed March 10, 1955, in Volume 16, Pages 39 to 43, Licensed Surveyor's Maps in the Office of the Contra Costa County Recorder; thence South $20^{\circ}03'30''$ East 240.00 feet to a point on the southeast line of the parcel excepted from said granted lands, said parcel also being that parcel of State Lands Commission (SLC) Lease PRC 8865 (formerly PRC 3194) said lease on file at the Sacramento Office of the SLC ; thence South $69^{\circ}56'30''$ West 23.08 feet to the POINT OF BEGINNING; thence North $19^{\circ}35'56''$ West 355.82 feet; thence North $69^{\circ}42'36''$ East 32.56 feet; thence North $19^{\circ}53'49''$ West 790.09 feet; thence North $27^{\circ}43'09''$ East 76.58 feet; thence North $69^{\circ}56'15''$ East 66.29 feet to the point of termination.

Sidelines of said strip to terminate on lines lying perpendicular to the beginning and terminus of said strip.

BASIS OF BEARINGS is CCS27, Zone 3, as shown on "Map of Martinez Waterfront Area" filed March 10, 1955, in Volume 16, Pages 39 to 43, Licensed Surveyors Maps in the office of the Contra Costa Recorder.

END OF DESCRIPTION

Prepared 7/11/13 by the California State Lands Commission Boundary Unit

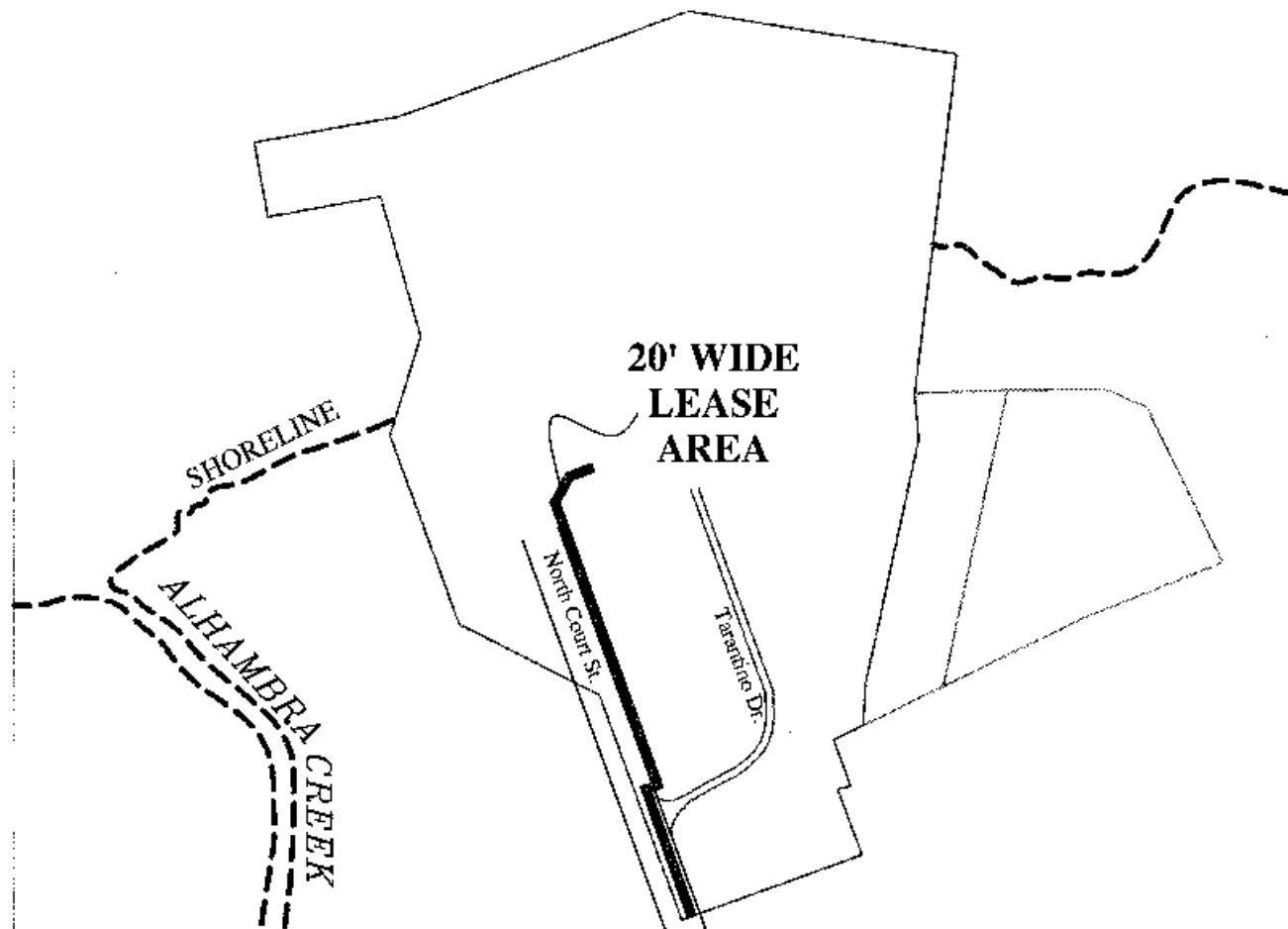


NO SCALE

SITE

CARQUINEZ

STRAIT



Sanitary Sewer Pipeline-
Martinez

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

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.

Exhibit B

PRC 4136.9
CENTRAL COSTA COUNTY
SANITARY DISTRICT
APN 373-040-003
GENERAL LEASE -
PUBLIC AGENCY USE
CONTRA COSTA COUNTY



MID-7/11/13