

MINUTE ITEM

This Calendar Item No. 32
was approved as Minute Item
No. 32 by the State Lands
Commission by a vote of 3
0 at its 12/15/76
meeting.

MINUTE ITEM

12/15/76
SJS
PRC 5215
DISTRICT -

32. PUBLIC AGENCY PERMIT - EAST BAY REGIONAL PARK DISTRICT -
W 21260.

During consideration of Calendar Item 32, attached, Lewis
Crutcher, Chief of Planning, East Bay Regional Park District,
appeared. He expressed the District's favor of this proposed
action.

Upon motion duly made and carried, the resolution as presented
in Calendar Item 32 was adopted by a vote of 3-0.

Attachment: Calendar Item 32 (5 pages)

CALENDAR ITEM

12/76
W 21260
SIS

32.

PUBLIC AGENCY PERMIT

APPLICANT: East Bay Regional Park District
11500 Skyline Boulevard
Oakland, California 94619

AREA, TYPE LAND AND LOCATION: Approximately 983 acres of State-owned tide and submerged lands, and 533 acres of land subject to the public trust in and around Pt. Pinole, Contra Costa County.

LAND USE: For the construction and maintenance of a recreational pier.

TERMS OF PROPOSED LEASE:

Initial period: 49 years from November 1, 1976.

Public liability insurance: \$6,000,000.

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

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is owner of upland.

Filing fee and processing costs have been received.

STATUTORY AND OTHER REFERENCES:

A. Public Resources Code: Div. 6, Parts 1 & 2.

B. Administrative Code: Title 2, Div. 3,
Arts. 1, 2, 10 & 11.

OTHER PERTINENT INFORMATION:

1. The annual rental value of the site is estimated to be \$90,000.
2. This project is situated on State land identified as environmentally significant, pursuant to Public Resources Code 6370.1, and is classified in a significant use category, Class C: Multiple Use. The project is determined to be a compatible use consistent with identified significant environmental values.

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CALENDAR ITEM NO. 32. (CONTD)

3. A negative declaration was prepared by the East Bay Regional Park District, pursuant to CEQA and implementing regulations. A Notice of Determination has been received. A copy of the Negative Declaration is on file with the office of the State Lands Commission and by reference made a part hereof.
4. Part of the funding for construction of the pier will be provided by the Wildlife Conservation Board (WCB). In order to obtain funding from the WCB, the Park District will have to sublease that portion of the subject lands, upon which the pier will be built, to the WCB. The WCB will then, in turn, enter into an operating agreement with the Park District for operation and maintenance of the pier.

EXHIBITS: A. Land Description. B. Location Map.
 C. Negative Declaration.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS PROJECT BUT THAT A NEGATIVE DECLARATION HAS BEEN PREPARED BY THE EAST BAY REGIONAL PARK DISTRICT, ON AUGUST 12, 1976.
2. CERTIFY THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED IN THE NEGATIVE DECLARATION.
3. DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. AUTHORIZE ISSUANCE TO THE EAST BAY REGIONAL PARK DISTRICT OF A 49-YEAR PUBLIC AGENCY PERMIT FROM NOVEMBER 1, 1976; IN CONSIDERATION OF THE PUBLIC USE AND BENEFIT WITH THE STATE RESERVING THE RIGHT ANY TIME TO SET A MONETARY RENTAL IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$6,000,000 COMBINED SINGLE LIMIT PER OCCURRENCE FOR BODILY INJURY AND PROPERTY DAMAGE; AS PROVIDED IN THE AGREEMENT ON FILE IN THE OFFICE OF THE COMMISSION AND BY REFERENCE MADE A PART HEREOF; FOR THE MANAGEMENT OF THE PARCELS AS PART OF THE PT. PINOLE REGIONAL SHORELINE AND FOR THE CONSTRUCTION AND MAINTENANCE OF A RECREATIONAL PIER ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.
5. APPROVE A SUBLEASE TO THE WILDLIFE CONSERVATION BOARD OF THAT PORTION OF THE LEASED PREMISES UPON WHICH THE APPROVED PIER WILL BE CONSTRUCTED.

EXHIBIT "A"

W 24260

Two parcels of land in San Pablo Bay, at Middle Point, Contra Costa County, California, more particularly described as follows:

PARCEL 1

COMMENCING at a point on the westerly right of way line of the Southern Pacific Railroad, said point being marked by a concrete monument with a Bethlehem Steel Corp. disc as shown on Record of Survey map filed in Book 50 of Licensed Surveyors Maps, page 32, Contra Costa County Records, said monument having California Coordinate System Zone 3 coordinates Y=547,160.85 and X=1,465,070.18, from which a concrete monument with a Bethlehem Steel Corp. disc at the northwesterly corner of Barchester Village Unit 1 bears N 50°28'52" E, 211.13 feet; thence from said point of commencement S 87°50'06"W, 1420.18 feet; thence S19°20'06"W, 565.11 feet; thence S30°20'06"W, 705.73 feet; thence S1°10'05"W, 141.77 feet; thence N89°00'05"W, 4827.86 feet to the TRUE POINT OF BEGINNING; thence N89°00'05"W, 1000.00 feet, thence N00°00'55"E, 7829.37 feet; thence N53°12'17"W, 6314.15 feet; thence S87°47'49"E, 900.00 feet; thence S65°36'59"E, 6700.09 feet; thence S00°33'32"W, 1000.09 feet; thence N65°36'59"E, 3916.17 feet; thence N89°05'48"W, 1068.20 feet; thence N51°47'43"W, 1781.25 feet; thence N87°47'43"W, 651.33 feet; thence S53°12'17"W, 396.00 feet; thence S11°27'15"W, 6281.60 feet; thence S26°09'53"W, 3183.42 feet; thence S46°03'25"W, 1928.27 feet to the true point of beginning.

PARCEL 2

COMMENCING at a point on the westerly right of way line of the Southern Pacific Railroad, said point being marked by a concrete monument with Bethlehem Steel Corp. disc as shown on Record of Survey map filed in Book 50 of Licensed Surveyors Maps, page 32, Contra Costa County Records, said monument having California Coordinate System, Zone 3, coordinates Y=547,160.85 and X=1,465,070.18, from which a concrete monument with a Bethlehem Steel Corp. disc at the northwesterly corner of Barchester Village Unit 1 bears N50°28'52"E, 211.13 feet; thence from said point of commencement along said westerly right of way line, N5°12'36"E, 302.59 feet; thence leaving said westerly right of way line S87°50'06"W, 252.09 feet; to the TRUE POINT OF BEGINNING; thence N5°12'36"E, 823.01 feet; thence along the arc of a tangent curve to the left, having a radius of 900.00 feet, through a central angle of

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41° 28' 30", an arc distance of 122.96 feet; thence N 3° 15' 57" E, 921.75 feet; thence N 27° 57' 00" W, 368.94 feet; thence along the arc of a tangent curve to the left, having a radius of 500.00 feet, through a central angle of 31° 57' 00", an arc distance of 278.24 feet; thence N 59° 49' 00" W, 599.13 feet; thence along the arc of a tangent curve to the right, having a radius of 1000.00 feet, through a central angle of 47° 45' 00", an arc distance of 746.13 feet; thence N 47° 04' 00" E, 698.24 feet; thence S 1° 25' 07" W, 408.50 feet; thence N 9° 27' 45" W, 542.50 feet; thence N 16° 33' 30" W, 722.60 feet; thence E 1° 19' 03" W, 309.09 feet; thence N 16° 19' 00" W, 152.50 feet; thence along the arc of a tangent curve to the right, having a radius of 1400.00 feet, through a central angle of 41° 19' 00", an arc distance of 1009.58 feet; thence N 23° 00' 00" E, 93.75 feet; thence along the arc of a tangent curve to the left, having a radius of 1800.00 feet, through a central angle of 19° 43' 00", an arc distance of 619.42 feet; thence N 3° 17' 00" E, 210.83 feet; thence along the arc of a tangent curve to the right, having a radius of 400.00 feet, through a central angle of 24° 40' 00", an arc distance of 172.21 feet; thence N 27° 57' 00" E, 101.09 feet; thence along the arc of a tangent curve to the right, having a radius of 200.00 feet, through a central angle of 39° 28' 00", an arc distance of 137.76 feet; thence N 67° 25' 00" E, 103.71 feet; thence along the arc of a tangent curve to the right, having a radius of 550.00 feet, through a central angle of 17° 01' 00", an arc distance of 163.30 feet; thence N 84° 26' 00" E, 243.87 feet; thence along the arc of a tangent curve to the right, having a radius of 100.00 feet, through a central angle of 66° 39' 00", an arc distance of 136.13 feet; thence S 28° 55' 00" E, 205.05 feet; thence along the arc of a tangent curve to the right, having a radius of 500.00 feet, through a central angle of 31° 57' 00", an arc distance of 278.24 feet; thence S 2° 53' 00" W, 28.32 feet; thence along the arc of a tangent curve to the left, having a radius of 400.00 feet, through a central angle of 33° 11' 00", an arc distance of 231.66 feet; thence S 30° 13' 00" E, 265.56 feet; thence along the arc of a tangent curve to the left, having a radius of 700.00 feet, through a central angle of 22° 55' 00", an arc distance of 279.98 feet; thence S 52° 00' 00" E, 358.00 feet; thence S 45° 58' 00" E, 303.29 feet; thence along the arc of a tangent curve to the left, having a radius of 500.00 feet, through a central angle of 23° 26' 00", an arc distance of 203.62 feet; thence S 69° 18' 00" E, 81.00 feet; thence along the arc of a tangent curve to the left, having a radius of 1500.00 feet, through a central angle of 22° 22' 00", an arc distance of 159.56 feet; thence N 73° 20' 00" E, 1074.00 feet; thence S 66° 10' 00" E, 1064.00 feet; thence S 43° 51' 00" E, 353.00 feet; thence

902°10'00"W, 644.00 feet; thence S77°42'00"E, 711.50 feet;
thence along the arc of a tangent curve to the right, having
a radius of 500 feet, through a central angle of $W 22^{\circ} 00'$,
an arc distance of 326.96 feet; thence S40°04'00"E, 160.88
feet; thence along the arc of a tangent curve to the left,
having a radius of 2000 feet, through a central angle of $10^{\circ} 35' 42''$,
an arc distance of 581.02 feet; thence on a line perpendicular
to the previous curve, $N00^{\circ} 33' 31'' E$, 1149.1 feet; then
 $N65^{\circ} 30' 19'' W$, 39.6, 1' feet; thence $N 89^{\circ} 05' 43'' W$, 1066.29 feet;
thence $S51^{\circ} 47' 43'' W$, 1721.75 feet; thence $N 87^{\circ} 47' 43'' W$, 659.13
feet; $S53^{\circ} 12' 17'' W$, 396.00 feet; thence $S11^{\circ} 27' 15'' E$, 6251.60
feet; $N26^{\circ} 02' 53'' W$, 3183.42 feet; thence $N87^{\circ} 40' 15'' E$, 3957.19
feet; thence $N61^{\circ} 20' 06'' E$, 1237.42 feet the arc point of
beginning.

TYPE OF DESCRIPTION

Property Metropolitan & Omaha Sheet 1 of 10
Revised by J. J. Kinnick Date 10/15/46
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