

**STAFF REPORT  
20**

A 14  
S 3

08/23/19  
PRC 7659.1  
N. Lavoie

**CONTINUATION OF RENT**

**LESSEE:**

C&H Sugar Company

**AREA, LAND TYPE, AND LOCATION:**

Sovereign land adjacent to 830 Loring Avenue, in the Carquinez Strait, Crockett, Contra Costa County.

**AUTHORIZED USE:**

Continued use and maintenance of a sugar refinery, dock, and outfall pipelines.

**LEASE TERM:**

30 years, beginning September 24, 1992.

**CONSIDERATION:**

This lease provides that the Commission may modify the rent periodically during the lease term. Pursuant to this provision, staff reviewed the rent under this lease and recommends that rent be continued at \$583,524 per year, payable in monthly installments of \$48,627, effective September 24, 2019.

**OTHER PERTINENT INFORMATION:**

1. Approval or denial of the continuation of rent is a discretionary action by the Commission. Each time the Commission approves or rejects a continuation of rent, it exercises legislatively delegated authority and responsibility as trustee of the State's Public Trust lands as authorized by law. Upon expiration or prior termination of the lease, the Lessee has no right to a new lease or to renewal of any previous lease.
  
2. On September 23, 1992, the Commission authorized a 30-year General Lease – Industrial Use to California and Hawaiian Sugar Company for an existing sugar refinery and appurtenant facilities, beginning September 24, 1992 and expiring on September 23, 2022 ([Item 75, September 23, 1992](#)). The Commission authorized assignment of the lease on September 22, 1998, to C&H Sugar Company, Inc ([Item C1, September 22, 1998](#)). On October 20, 2003, the Commission authorized an amendment for the payment of rent on a monthly basis ([Item C41, October 20, 2003](#)). On

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August 8, 2005, the Commission approved a Request for Approval and Transfer of Controlling Interest from C&H Sugar Refining, Inc., to American Sugar Refining, Inc., effective upon completion of corporate reorganization. Under the terms of the assignment, the Lessee is to remain known as C&H Sugar Company, Inc. ([Item C48, August 8, 2005](#)).

3. This action is consistent with Strategy 2.2 of the Commission's Strategic Plan to ensure timely receipt of revenues and royalties from the use and development of State lands and minerals.
4. Approving the continuation of rent is not a project as defined by the California Environmental Quality Act because it is an administrative action that will not result in direct or indirect physical changes in the environment.

Authority: Public Resources Code section 21065 and California Code of Regulations, title 14, section 15378, subdivision (b)(5).

**EXHIBIT:**

- A. Site and Location Map

**RECOMMENDED ACTION:**

It is recommended that the Commission:

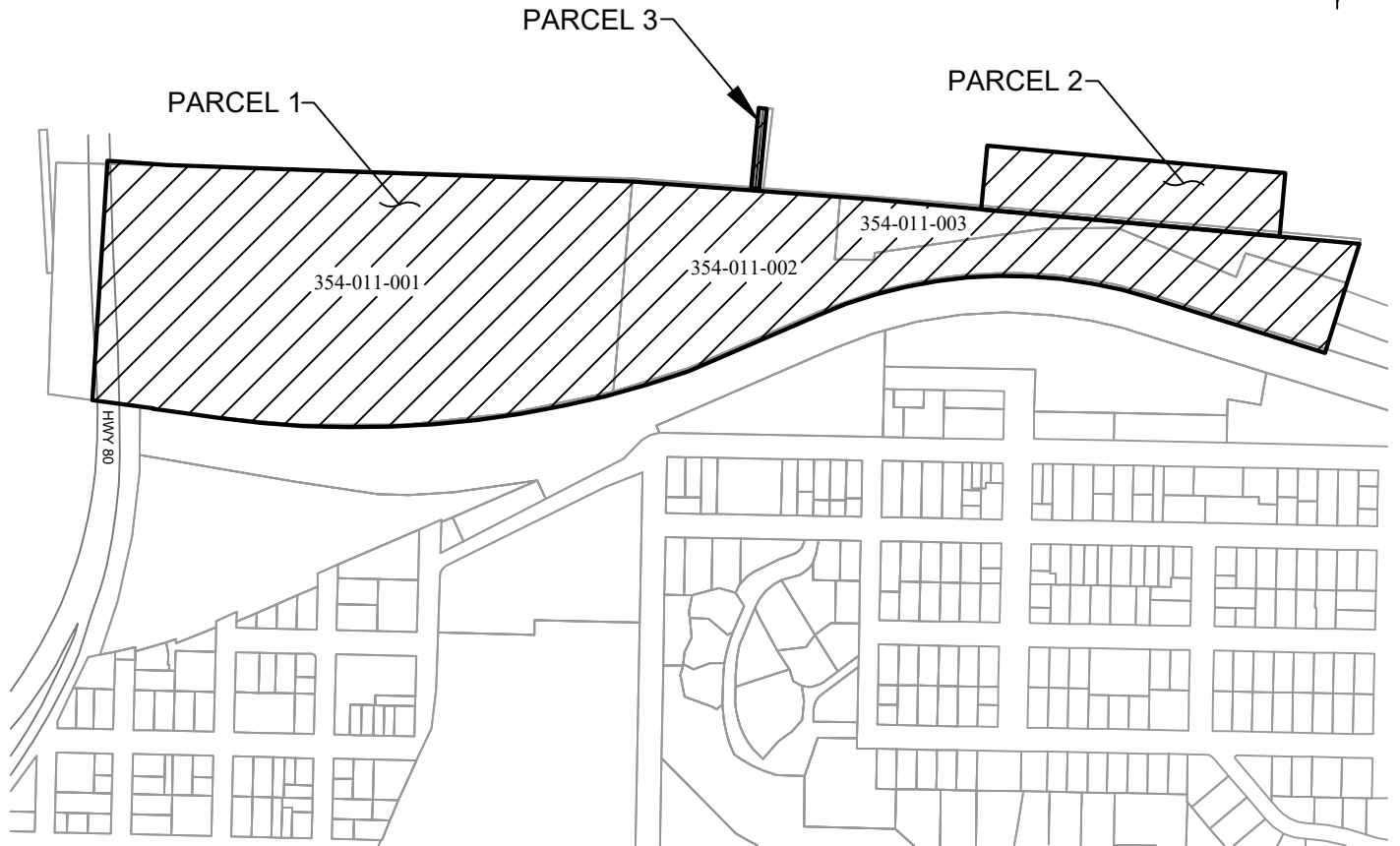
**AUTHORIZATION:**

Approve the continuation of rent for Lease No. PRC 7659.1 at \$583,524 per year, payable in monthly installments of \$48,627, effective September 24, 2019.

NO SCALE

# SITE

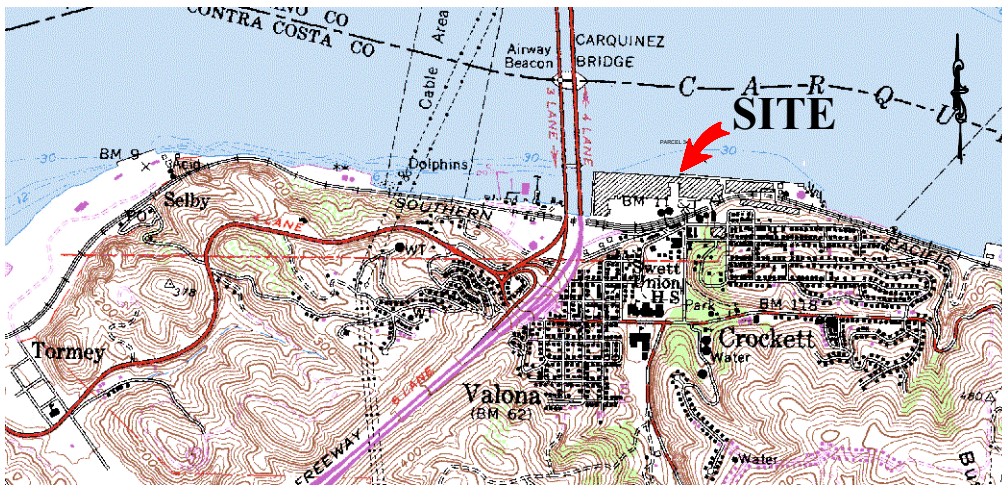
CAQUINEZ STRAIT



830 LORING AVE, CROCKETT

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 A

PRC 7659.1  
C&H SUGAR CO.  
GENERAL LEASE -  
INDUSTRIAL USE  
CONTRA COSTA COUNTY



JAK 7/19