

MINUTE ITEM

This Calendar Item No. C11
was approved as Minute Item
No. 11 by the State Lands
Commission by a vote of 3
to 0 at its 8/25/76
meeting.

CALENDAR ITEM

8/76
WP 389
SJS

C11.

COMMERCIAL LEASE

APPLICANT: Newhall Land and Farming Company
Processing Division
P. O. Box 217
Dixon, California 95620

AREA, TYPE LAND AND LOCATION: An 0.367 acre parcel of submerged land in the Sacramento River, Yolo County.

LAND USE: Two dolphins and wharf.

TERMS OF PROPOSED LEASE:

Initial period: 15 years, from December 10, 1973.

Renewal options: 1 successive period of 10 years.

Surety bond: \$5,000.

Public liability insurance: \$50,000 per occurrence for bodily injury and \$100,000 for property damage.

CONSIDERATION: \$450 per annum, with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:

\$450 minimum rental for this type of lease.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is owner of upland.

Filing fee has been received.

STATUTORY AND OTHER REFERENCES:

A. Public Resources Code: Div. 16, Parts 1 & 2.

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

OTHER PERTINENT INFORMATION:

1. An Environmental Impact Report is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907(a) which exempts an existing structure or facility that is in an acceptable state of repair

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(Nonsubstantive Revision, 4/9/80)

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and there is no evidence of record to show injury to adjacent property, shoreline erosion, or other types of environmental degradation.

2. This project is situated on State land identified as possessing significant environmental values, pursuant to Public Resources Code 6370.1, and is classified in a significant use category, Class B. Staff review indicates that there will be no significant effect upon the identified environmental values. This is an existing facility for which no adverse comments have been received.
3. Lease PRC 389.1 expired December 10, 1973, with no option to renew. Applicant requested new lease and submitted all rental fees due.

EXHIBITS: A. Land Description. B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21085; 14 CAL. ADM. CODE 15100 ET SEQ.; AND 2 CAL. ADM. CODE 2907.
2. FIND THAT GRANTING OF THE APPLICATION WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1 ET SEQ. OF THE PUBLIC RESOURCES CODE.
3. AUTHORIZE ISSUANCE TO NEWHALL LAND AND FARMING COMPANY, PROCESSING DIVISION, OF A 15-YEAR COMMERCIAL LEASE FROM DECEMBER 10, 1973; WITH LESSEE'S OPTION TO RENEW FOR 1 SUCCESSIVE PERIOD OF 10 YEARS; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$450 PER ANNUM; WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF A \$5,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$50,000 PER OCCURRENCE FOR BODILY INJURY AND \$100,000 FOR PROPERTY DAMAGE, FOR A WHARF AND TWO DOLPHINS ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

WP 309

A parcel of tide and submerged land lying in the bed of the Sacramento River at North end of the town of Clarksburg, Yolo County, California being more particularly described as follows:

COMMENCING at a concrete monument at the intersection of Willow Point Road and Willow Avenue as shown on the Map of Holland Land Co. Subdivision No. 9A Recorded in Book 1 page 3A Records of said County; thence N 65° 04' E 1,207.93 feet; thence S 26° 08' 19" E 720.00 feet to the TRUE POINT OF BEGINNING; thence N 63° 51' 39" E 96.00 feet; thence S 32° 19' 00" E 155.53 feet; thence S 69° 22' 18" W 106.00 feet; thence N 28° 36' 22" W 161.22 feet to the point of beginning.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark.

The bearings used in this description are based on a bearing of S 27° 39' 30" E for the centerline of Willow Avenue as shown on said map.

END OF DESCRIPTION

Prepared J. P. [Signature] Checked D. W. [Signature]
Reviewed [Signature] Date 10/21/74

