

MINUTE ITEM

This Calendar Item No. C5
was approved as Minute Item
No. 5 by the State Lands
Commission by a vote of 3
0 at its 6-22-78
meeting.

CALENDAR ITEM

C5.

6/78
WP 2218
Scott

GENERAL LEASE
COMMERCIAL USE

APPLICANT: James R. and Jean Martin
7948 Pocket Road
Sacramento, California 95831

AREA, TYPE LAND AND LOCATION:
A 1.147 acre parcel of tide and submerged
land in the bed of the Sacramento River
approximately 8 miles south of I-80 bridge
crossing, Sacramento County.

LAND USE: Continued operation and maintenance of
an existing marina.

TERMS OF ORIGINAL LEASE:

Initial period: 5 years from August 7, 1973.

Renewal options: 1 successive period of
5 years.

Surety bond: \$2,000.

Public liability insurance: \$100,000/300,000
per occurrence for bodily
injury and \$50,000 for
property damage.

Consideration: \$317.91.

TERMS OF PROPOSED RENEWAL LEASE:

Initial period: 5 years from August 7, 1978.

Renewal options: 1 successive period of
5 years.

Surety bond: \$2,000.

Public liability insurance: \$100,000/300,000
per occurrence for bodily
injury and \$50,000 for
property damage.

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CALENDAR ITEM NO. 05. (CONTD)

CONSIDERATION: \$706.55 per annum.

BASIS FOR CONSIDERATION:
8% of appraised value of land.

PREREQUISITE TERMS, FEES AND EXPENSES:
Applicant is lessee of upland.

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 lessee has a lease from the upland owner and has exercised their right to renew for an additional 5 year period. The proposed renewal lease provides that a further extension of the lease of State land for the marina will be granted only if our lessee can secure additional and equal extensions to the upland lease.
2. An EIR is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907, Class 1B, which exempts an existing structure or facility that is in an acceptable state of repair and there is no evidence of record to show injury to adjacent property, shoreline erosion, or other types of environmental degradation.
3. 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 use category, Class B which authorizes Limited Use.

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.

CALENDAR ITEM NO. C5. (CONTD)

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN EIR 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 LEASE WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE PUBLIC RESOURCES CODE.
3. AUTHORIZE ISSUANCE TO JAMES R. AND JEAN MARTIN OF A 5-YEAR GENERAL LEASE - COMMERCIAL USE FROM AUGUST 7, 1978, WITH THE LESSEE'S OPTION TO RENEW FOR 1 SUCCESSIVE PERIOD OF 5 YEARS PROVIDED LESSEE SECURES AN EQUAL EXTENSION OF TIME ON THE UPLAND LEASE; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$706.55; PROVISION OF A \$2,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$100,000/300,000 PER OCCURRENCE FOR BODILY INJURY AND \$50,000 FOR PROPERTY DAMAGE, FOR THE CONTINUED OPERATION AND MAINTENANCE OF AN EXISTING MARINA ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

WP 2218

A rectangular parcel of tide and submerged land, 714 feet long and 110 feet wide, in the Sacramento River, Sacramento County, California described as follows:

The southerly line of said parcel being parallel with and 10 feet southerly of the most southerly edge of an existing floating dock, the easterly line of said parcel being 10 feet easterly of the most easterly edge of said dock, said dock being adjacent to that land described in that deed recorded February 9, 1951, in Volume 1990 at page 111, Official Records of Sacramento County.

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

END OF DESCRIPTION

Prepared *F. J. Conroy* Checked *Row*
Reviewed *A. J. Spunnecke* Date *11/22/77*
XB

