

MINUTE ITEM
This Calendar Item No. 19
was approved as Minute Item
No. 29 by the State Lands
Commission by a vote of 3
to 0 at its 11/20/86
meeting.

CALENDAR ITEM
19

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11/20/86
PRC 4157
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AMENDMENT OF COMMERCIAL MARINA LEASE

LESSOR: Freeport Properties,
a California limited
partnership
8250 Freeport Boulevard
Sacramento, California 95832

AREA, TYPE LAND AND LOCATION:
A 3.626-acre parcel as amended of tide and
submerged land, located in the Sacramento
River, Freeport, Sacramento County.

LAND USE: Commercial marina - realignment of existing
docks.

TERMS OF ORIGINAL LEASE:

Initial period: Ten years beginning
November 15, 1980.

Renewal options: One successive period of
ten years each.

Surety bond: \$2,000.

Public liability insurance: Combined single
limit coverage of \$500,000.

Consideration: \$2,500 per annum from
November 15, 1980 through
November 14, 1985, increased
to \$3,000 per annum effective
November 15, 1985.

CALENDAR ITEM NO. 19 (CONT'D)

TERMS OF PROPOSED AMENDMENT:

1. Revise Land Area from 2.39 acres, Existing Lease, to 3.626 acres.
2. Change the annual rental from \$3,000 per annum to \$4,550 per annum.
3. Change performance bond requirement from \$2,000 to \$9,000.

APPLICANT STATUS:

Applicant is owner of upland, Assessor's Parcel No. 119-050-020 and 030, and is presently negotiating with the County of Sacramento for the use of Assessor's Parcel No. 119-190-070, an adjacent upland parcel.

STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884: 04/04/87.

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorical exempt project. The project is exempt under Class 1, Existing Facilities, 2 Cal. Adm. Code 2905(a)(2).

Authority: P.R.C. 21084, 14 Cal. Adm. Code 15300, and 2 Cal. Adm. Code 2905.

2. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. project, as proposed, is consistent with its use classification.

CALENDAR ITEM NO. 19 ¹ (CONT'D)

3. The Applicant requests approval for the following activities at Freeport Marina:
- a) Extend the debris deflector by 30 feet.
 - b) Relocate the guest dock 20 feet, waterward from its present location, and secure it with new treated piling, and new three-pile dolphins.
 - c) Relocate the gas dock waterward from its present location, 40 feet waterward, to line up with the guest dock, and secure it with new treated piling and dolphins.
 - d) Construct a new connecting head pier, six feet by 40 feet, for access to the relocated gas dock.

4. The Applicant states:

"This past winter we came very close to losing the marina in the high water. We had one piling pulled out and were fortunate not to have lost all of them. It is imperative that we resecure the marina before this next year's high waters.

"Our application for expanding the docks and adding pilings and dolphins is primarily to strengthen the existing docks. This would be accomplished by putting everything in straight line allowing us to cable it all together."

5. Staff has been assured by the Applicant that the realigned dock will not be used for additional berthing space, but for the protection gained from the work, and to facilitate navigation and marina safety.

APPROVALS OBTAINED:

United States Army Corps of Engineers.

CALENDAR ITEM NO. 19¹ (CONT'D)

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 AS A CATEGORICAL EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES, 2 CAL. ADM. CODE 2905(a)(2).
2. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.
3. AUTHORIZE ISSUANCE OF AN AMENDMENT TO LEASE PRC 4157 TO PROVIDE FOR AN INCREASE OF THE LAND AREA IN SAID LEASE TO 3.626 ACRES, AS DESCRIBED ON EXHIBIT "A", AN INCREASE IN THE ANNUAL RENTAL TO \$4,550 PER ANNUM, EFFECTIVE NOVEMBER 20, 1986, AND AN INCREASE IN THE SURETY BOND REQUIREMENT TO \$9,000, FOR REALIGNED MARINA FACILITIES ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF. THIS AUTHORIZATION SPECIFICALLY PROHIBITS THE APPLICANT FROM INCREASING BERTHING SPACE AS A RESULT OF THIS ACTIVITY.

EXHIBIT "A"
LAND DESCRIPTION

PRC 4157.1

A parcel of tide and submerged land in the State owned bed of the Sacramento River, immediately north of the Freeport Bridge at Freeport, Sacramento County, California, said parcel being all that land lying immediately beneath dock and marina facilities TOGETHER WITH a 10 foot use area extending 10 feet from the extremities of said dock and marina facilities, said dock and marina facilities lying within the following described parcel of land:

COMMENCING at a point on the westerly right-of-way line of the Southern Pacific Railroad, Walnut Grove Branch, where said line intersects the prolongation of the Freeport Bridge centerline, said point being described as the "point of beginning" of Parcel No. 1 in a deed from Anna J. Hack to County of Sacramento and recorded May 2, 1928 in Book 181, Page 322 of the Official Records of Sacramento County, from which U.S.C.&G.S. triangulation station "CONTENT" bears S 1° 58' 30" E, 4109.11 feet, more or less; thence along the centerline of the Freeport Bridge S 77° 55' 30" W, 35 feet; thence N 12° 04' 30" W, 65 feet to the TRUE POINT OF BEGINNING; thence continuing N 12° 04' 30" W, 1330 feet; thence S 77° 55' 30" W, 193.99 feet; thence S 16° 04' 30" E, 487.21 feet; thence S 12° 04' 30" E, 843.98 feet; thence N 77° 55' 30" E, 160 feet to the point of beginning.

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

END OF DESCRIPTION

REVIEWED OCTOBER 9, 1986 BY BOUNDARY SERVICES UNIT, M. L. SHAFER, SUPERVISOR.

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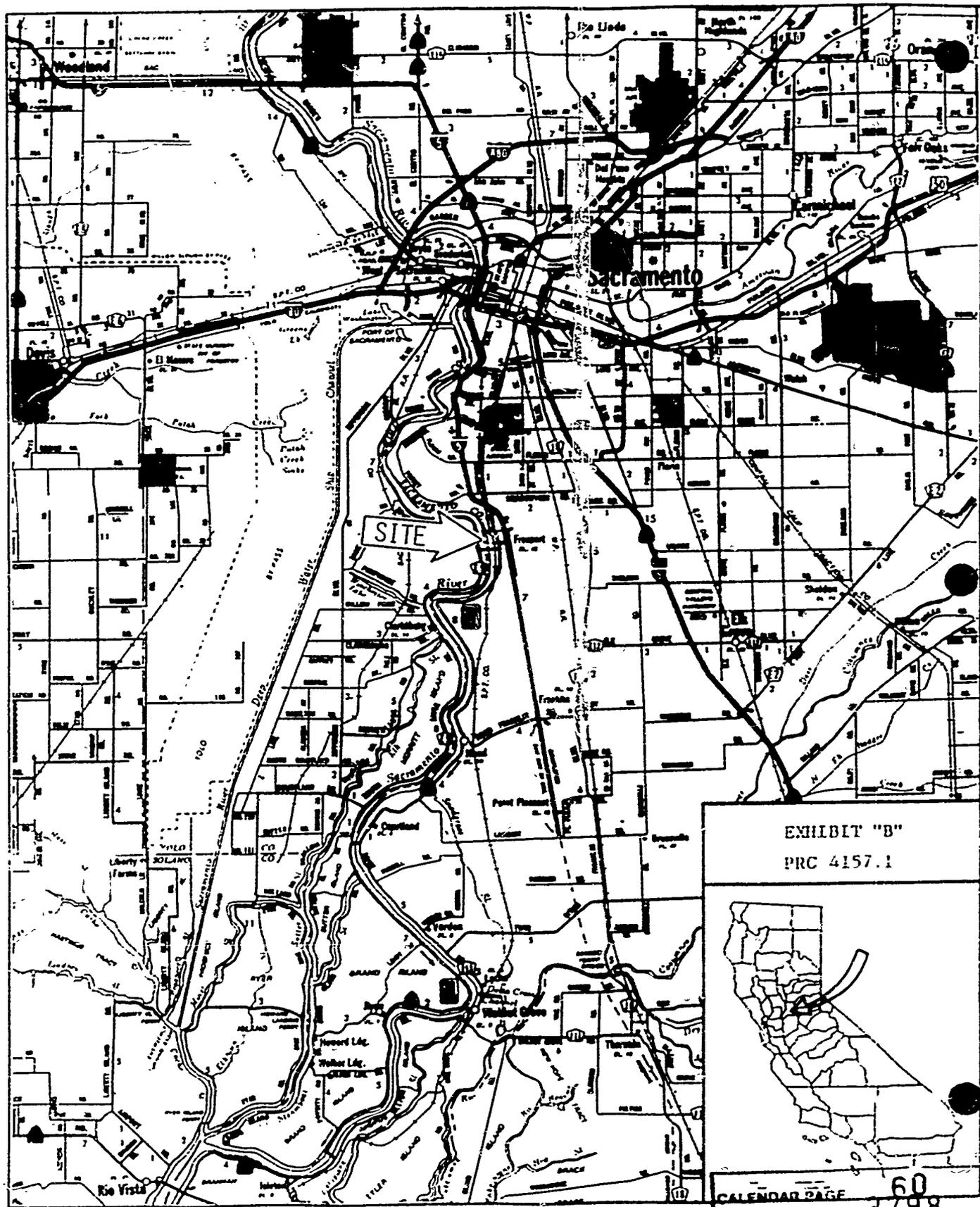


EXHIBIT "B"
PRC 4157.1

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