

MINUTE ITEM
This Calendar Item No. C18
was approved as Minute Item
No. 18 by the State Lands
Commission by a vote of 2
to 0 at its 9/14/88
meeting.

CALENDAR ITEM

A 9

C 18

09/14/88
PRC 5855
N. Smith

S 3

GENERAL LEASE - AGRICULTURAL USE

APPLICANT: Donald C. Rienecker
1500 Napa Road
Sonoma, California 95476

AREA, TYPE LAND AND LOCATION:
A 217-acre parcel of tide and submerged land
adjacent to Novato Creek, City of Novato, Marin
County.

LAND USE: Planting, cultivating, and harvesting hay,
grain, oats, and silage.

TERMS OF PROPOSED LEASE:
Initial period: Five years beginning
September 1, 1988.

CONSIDERATION: \$500 per annum; or 25 percent of gross income
per annum, whichever is greater.

BASIS FOR CONSIDERATION:
Pursuant to 2 Cal. Adm. Code 2003.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Minimum annual rent has been received.

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: N/A.

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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 4, Minor Alteration to Land, 2 Cal. Adm. Code 2905(d)(1).

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

2. This activity involves lands which have NOT been identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. However, the Commission has declared that all tide and submerged lands are "significant" by nature of their public ownership (as opposed to "environmental significant"). Since such declaration of significance is not based upon the requirements and criteria of P.R.C. 6370, et seq., use classifications for such lands have not been designated. Therefore, the finding of the project's consistency with the use classification as required by 2 Cal. Adm. Code 2954 is not applicable.

APPROVALS OBTAINED:

Department of Fish and Game.

EXHIBIT:

A. 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 4, MINOR ALTERATION TO LAND, 2 CAL. ADM. CODE 2905(d)(1).
2. AUTHORIZE ISSUANCE TO DONALD C. RIENECKER OF A FIVE-YEAR GENERAL LEASE - AGRICULTURAL USE BEGINNING SEPTEMBER 1, 1988; IN CONSIDERATION OF A BASE ANNUAL RENT IN THE AMOUNT OF \$500 OR 25 PERCENT OF GROSS INCOME PER ANNUM, WHICHEVER

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IS GREATER, FOR PLANTING, CULTIVATING, AND HARVESTING OF
HAY, GRAIN, OATS, AND SILAGE ON THE LAND DESCRIBED ON
EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

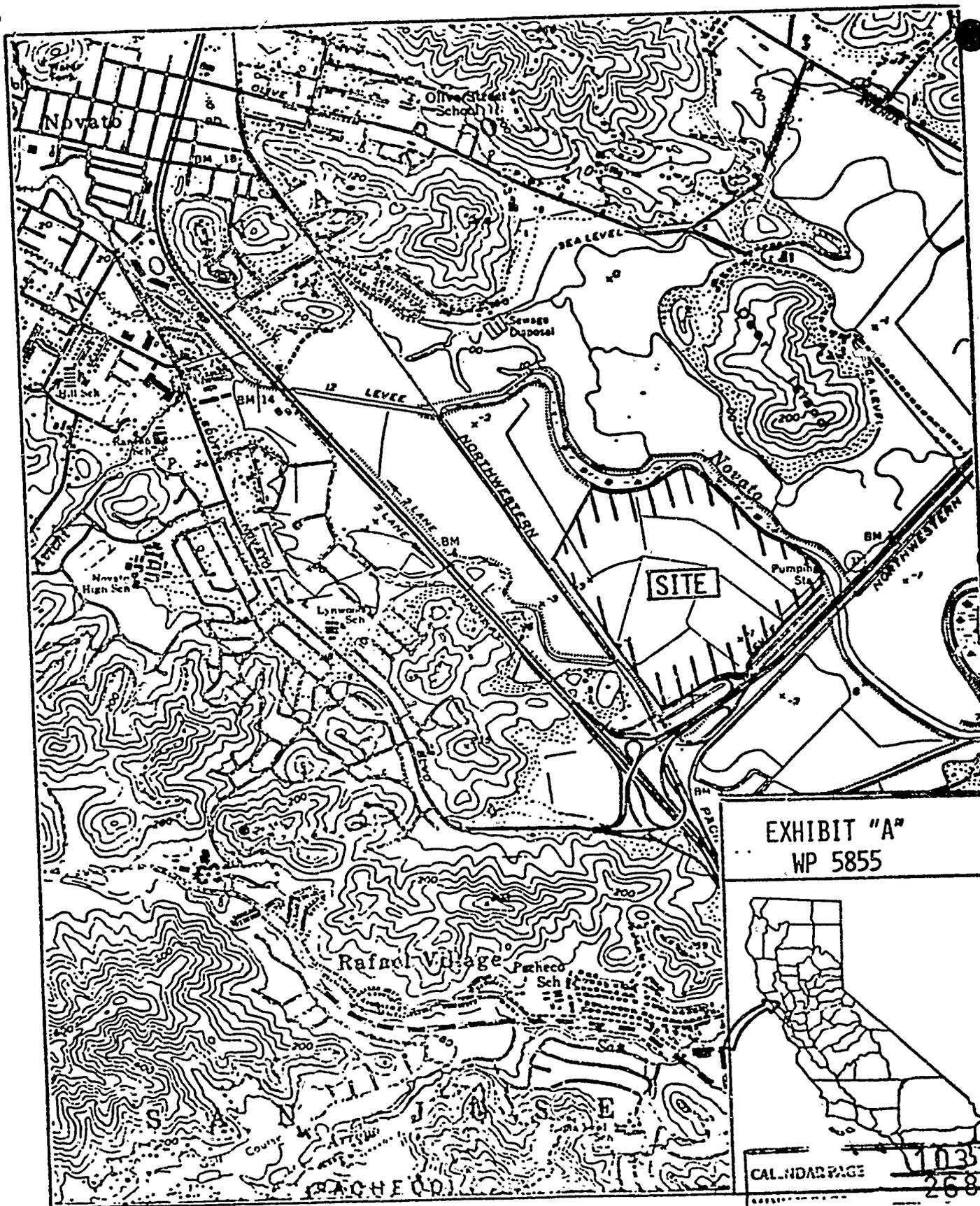


EXHIBIT "A"
WP 5855



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