

MINUTE ITEM
This Calendar Item No. C07
was approved as Minute Item
No. C7 by the State Lands
Commission by a vote of 2
0 at its 117 1990
meeting.

CALENDAR ITEM

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WP 494 PKC 494
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APPROVAL OF LETTER OF AGREEMENT

APPLICANT: Mr. Gene Celli
905 West Magnolia Street
Stockton, California 95203

AREA, TYPE LAND AND LOCATION:
A 1.05-acre of tide and submerged land located
on the Sacramento River, at Sherman Island,
Sacramento County.

AUTHORIZED LAND USE:
Commercial Marina.

TERMS OF EXISTING LEASE:
Initial period: 30 years beginning
February 10, 1985.
Surety bond: \$10,000.
Public liability insurance: Combined single
limit coverage of \$500,000.
Consideration: \$1,755 per annum; five-year
rent review.
Special: Provision for lease
termination if pier structure
improvements not repaired by
December 31, 1987.

STATUTORY AND OTHER REFERENCES:
A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
B. Cal. Code Regs.: Title 2, Div. 3;
Title 14, Div. 6.

CALENDAR PAGE	32
MINUTE PAGE	41

CALENDAR ITEM NO. 007 (CONT'D)

AB 884:

N/A.

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15061), the staff has determined that this activity is exempt from the requirements of the CEQA because the activity is not a "project" as defined by CEQA and the State CEQA Guidelines.

Authority: P.R.C. 21065 and 14 Cal. Code Regs. 15378.

2. As authorized by the Commission on September 25, 1986, it was understood and agreed that lease PRC 494 would terminate if the Lessee's dock improvements were not completely repaired and in good operating condition by December 31, 1987, and that all structures would be removed from the leasehold premises in accordance with paragraph 13 of Section 4 of the lease document.
3. By this letter of agreement, the Commission and the Lessee agree that the time to complete the repairs of the dock improvements is extended to December 31, 1991, and that failure to complete the repairs by that time shall cause the lease to be terminated as of that date, and that all structures will be removed from the leasehold premises.

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. CODE REGS. 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. CODE REGS. 15378.

CALENDAR ITEM NO. 007 (CONT'D)

2. AUTHORIZE EXECUTION OF A LETTER OF AGREEMENT BETWEEN THE COMMISSION AND MR. GENE CELLI, PROVIDING THAT THE TIME TO COMPLETE THE REPAIRS OF THE DOCK IMPROVEMENTS IS EXTENDED TO DECEMBER 31, 1991, AND THAT FAILURE TO COMPLETE THE REPAIRS BY THAT TIME SHALL CAUSE THE LEASE TO BE TERMINATED AS OF THAT DATE, AND THAT ALL STRUCTURES WILL BE REMOVED FROM THE LEASEHOLD PREMISES AS SET OUT IN SAID PARAGRAPH 13 OF SECTION 4 OF LEASE PRC 494.

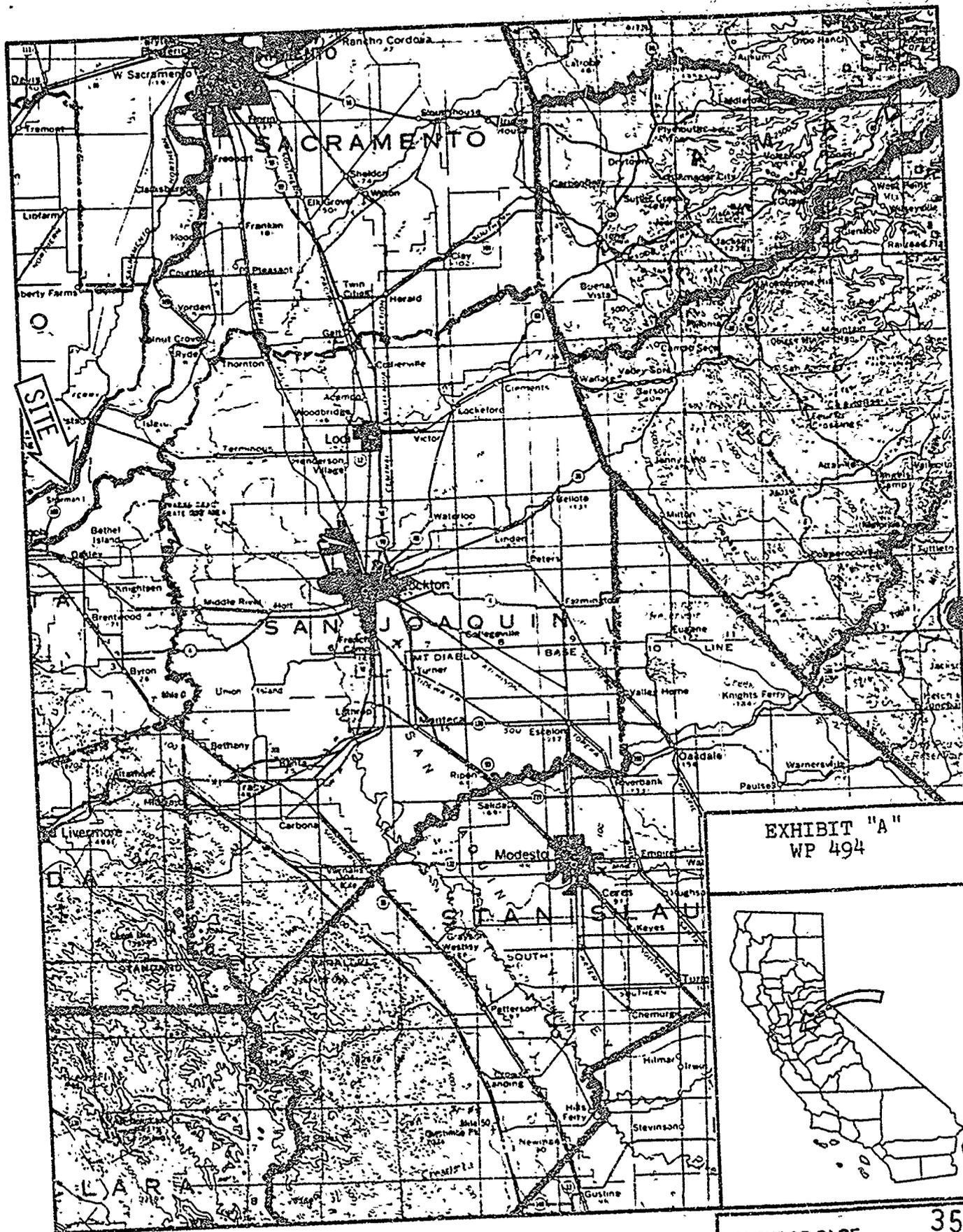


EXHIBIT "A"
WP 494



CALENDAR PAGE 35
MINUTE PAGE 44