

**MINUTE ITEM**

This Calendar Item No. 32  
was approved as Minute Item  
No. 32 by the State Lands  
Commission by a vote of 3  
to 0 at its 11-5-91  
meeting.

**CALENDAR ITEM**

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11/05/91  
PRC 5617  
N. Smith

**RENT REVIEW**

**LESSEE:**

Atchison, Topeka and Santa Fe  
Railroad Company  
740 East Carnegie Drive  
San Bernardino, California 92408-3571

This is an Industrial Lease for a term of 49 years from November 3, 1975, with an existing annual rent of \$7,080.00 covering 2.952 acres of tide and submerged land at Point Richmond, Contra Costa County for an existing railroad freight slip.

The lease set forth provides that the State may adjust the annual rental to a different amount, effective on each fifth anniversary or subsequent anniversary following the fifth anniversary of the lease.

Staff has reviewed the lease in accordance with the Commission's rental regulations (2 Cal. Code Regs. 2003) and is recommending that the Commission approve the change in rent, as proposed. Staff has notified the Lessee of the change in rent as recommended herein within the time limits prescribed under the lease and has afforded the Lessee the opportunity to comment on the proposed change.

**AB 884:**

N/A

**OTHER PERTINENT INFORMATION:**

1. In 1985, Lessee requested that the annual rent established in 1980 continue for what was anticipated to be a short period during which Lessee planned to sell its upland and abandon the lease premises. Commission staff agreed to this request. Since that time the property has not sold, therefore Commission

staff recommends that the new rent of \$23,100, based on Fair Market Appraisal, be approved. Lessee is still hopeful of selling the upland within the next few months.

2. 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.

**EXHIBIT:**

- A. Location Map

**IT IS RECOMMENDED THAT THE COMMISSION:**

1. FIND THAT THIS 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.
2. APPROVE SETTING THE ANNUAL RENTAL FOR PRC 5617.1 AT \$23,100.00 FOR THE FOUR YEAR PERIOD BEGINNING NOVEMBER 3, 1991.

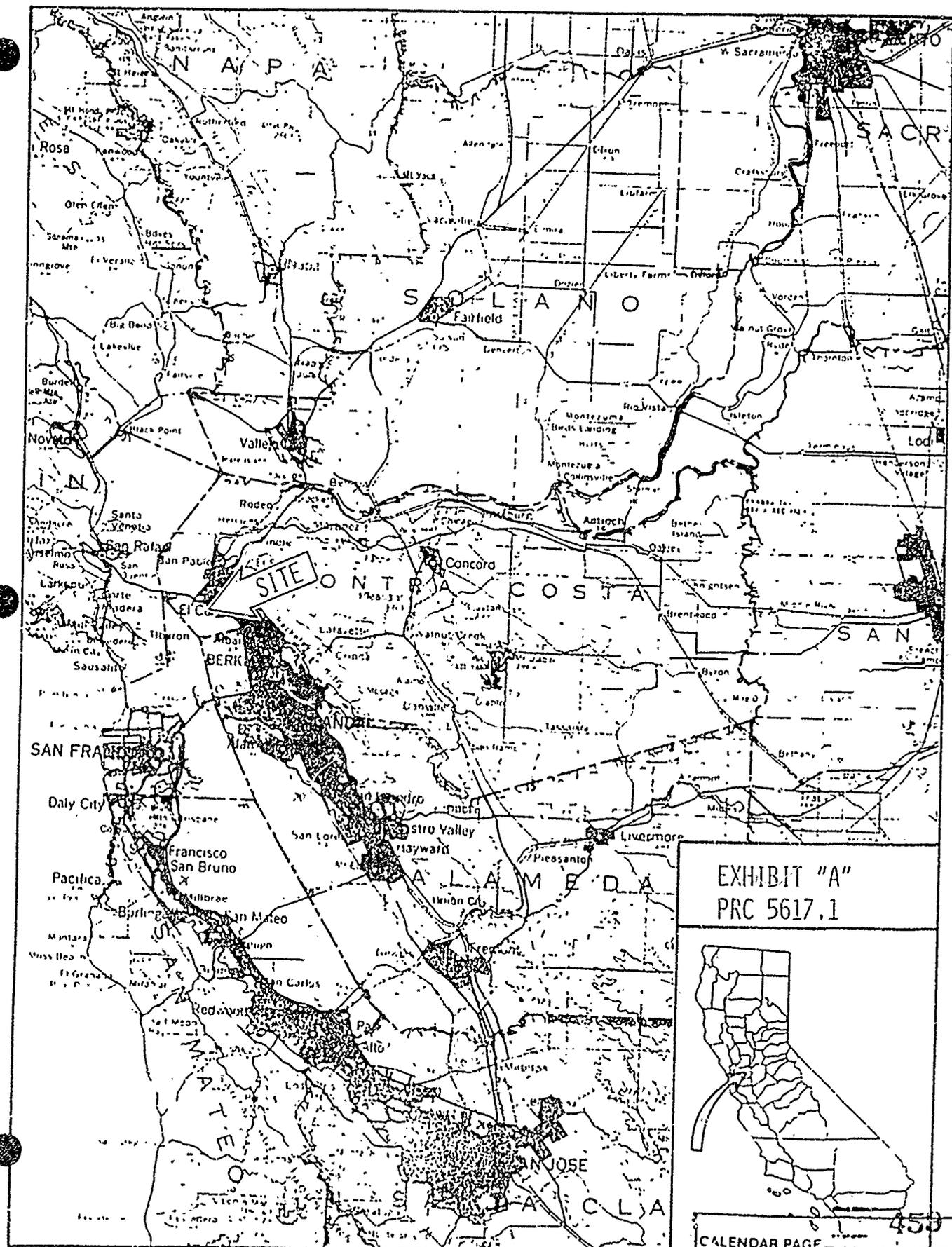


EXHIBIT "A"  
 PRC 5617.1



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