

MINUTE ITEM

This Calendar Item No. C12
was approved as Minute Item
No. 12 by the State Lands
Commission by a vote of 3
to 0 at its 7-19-93
meeting.

CALENDAR ITEM

C12

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07/19/93
PRC 5629
Jones

**AUTHORIZATION OF NEGOTIATED SETTLEMENT OF BACK RENT DUE,
WAIVER OF PENALTY AND INTEREST, AND
AUTHORIZATION OF NEW ANNUAL RENT FOR
GENERAL PERMIT - RECREATIONAL USE, PRC 5629**

LESSEE:

Yolo-Sutter Boat Club, Inc.
P. O. Box 28
Knights Landing, California 95645

AREA, TYPE LAND AND LOCATION:

A 0.229-acre parcel of submerged land in the State owned bed
of the Sacramento River, adjacent to Knights Landing, Yolo
County.

LAND USE:

Maintenance and operation of floating docks, walkways, and
boat launching facility.

CURRENT PERMIT TERMS:

Initial Period: 20 years from November 1, 1981.

Public liability insurance:

Combined single limit coverage
of \$300,000.

Consideration:

\$698.74 per annum.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Code Regs. 2003.

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

B. Cal. Code Regs.: Title 3, Div. 3; Title 14, Div. 6.

AB 884:

N/A.

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OTHER PERTINENT INFORMATION:

1. At its February 1979 meeting, the Commission approved a 15-year General Permit - Recreational Use to the Yolo-Sutter Boat Club, Inc. effective March 13, 1976. In settlement for previously occupying submerged land, Lessee agreed to pay \$450 which was due on August 1, 1979. Beginning March 13, 1979 the annual rent was \$110.00.
2. At its meeting on December 17, 1981, the Commission terminated the existing 15-year lease and approved a new 20-year General Permit - Recreational Use which commenced on November 1, 1981. The annual rent was \$200.
3. Pursuant to the terms of the Permit, in 1986 staff conducted a five-year rent review and determined the rent to be \$698.74 per annum. In a letter dated August 6, 1986, lessee was notified of this rent increase and subsequently submitted the required \$698.74; however, lessee resumed making annual rental payments of \$200.
4. Pursuant to the terms of the Permit, in 1992, staff again conducted a five-year rent review and determined the annual rent to be \$598.92.
5. Based on lessee's good faith efforts to comply with the provisions of its permit, and the Commission's statutory mandate to receive fair market rent for the use of the State's sovereign lands, an agreement has been reached concerning the back rent. Lessee will pay back rent in the amount of \$1,146.85 over a 12-month period in installments of \$95.57 each beginning July 1, 1993.
6. The new annual rent will be \$598.92 effective November 1, 1993.
7. 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.

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

EXHIBITS:

A. Site 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.
2. FIND THAT THIS ACTIVITY WILL INVOLVE LANDS IDENTIFIED AS POSSESSING SIGNIFICANT ENVIRONMENTAL VALUES PURSUANT TO P.R.C. 6370, ET SEQ., BUT THAT SUCH ACTIVITY WILL HAVE NO DIRECT OR INDIRECT EFFECT ON SUCH LANDS.
3. AUTHORIZE A NEGOTIATED SETTLEMENT OF BACK RENT IN THE AMOUNT OF \$1,146.85 TO BE PAID IN TWELVE (12) INSTALLMENTS OF \$95.57 EACH FOR GENERAL PERMIT - RECREATIONAL USE PRC 5629. SAID INSTALLMENTS SHALL COMMENCE JULY 1, 1993 AND BE DUE AND PAYABLE ON THE FIRST OF EACH MONTH UNTIL THE TOTAL AMOUNT HAS BEEN PAID IN FULL.
4. AUTHORIZE THE STAFF TO WAIVE PENALTY AND INTEREST, IF ANY.
5. AUTHORIZE A NEGOTIATED ANNUAL RENTAL OF \$598.92 EFFECTIVE NOVEMBER 1, 1993 FOR GENERAL PERMIT - RECREATIONAL USE PRC 5629. ALL OTHER TERMS AND CONDITIONS OF THE PERMIT SHALL REMAIN UNCHANGED.

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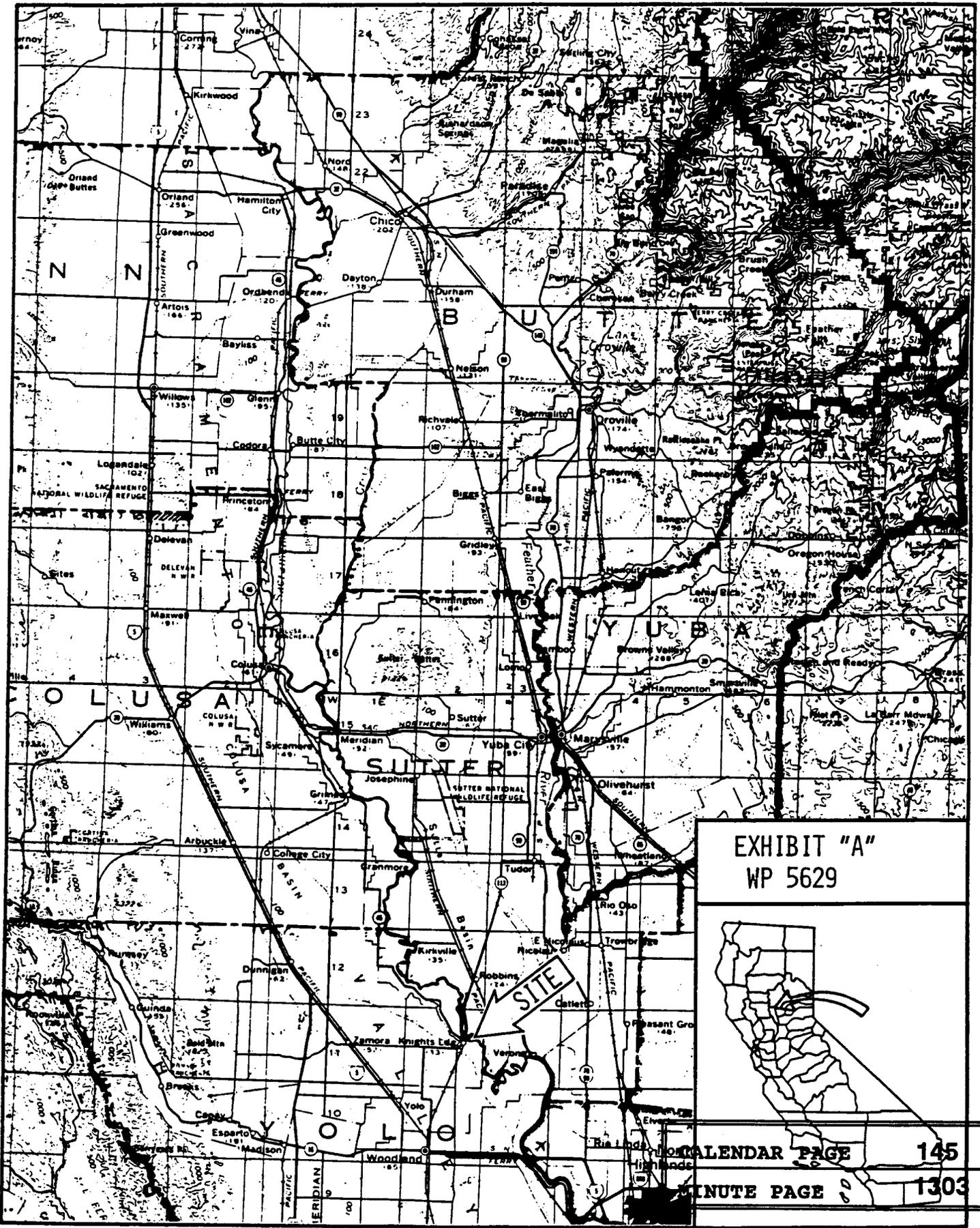
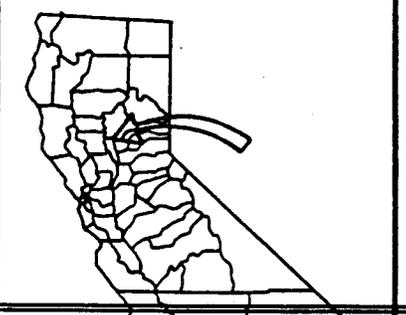


EXHIBIT "A"
WP 5629



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