

MINUTE ITEM

This Calendar Item No. C01 was approved as Minute Item No. 01 by the California State Lands Commission by a vote of 3 to 0 at its 2-27-98 meeting.

**CALENDAR ITEM
C01**

A 10
S 5

02/27/98
PRC6726 WP 6726.1
L. Burks

GENERAL LEASE - COMMERCIAL USE

LESSEES:

Donald E. Deckert and Jennifer C. Deckert
dba New Hope Landing
P.O. Box 417
Thornton, California 95686

AREA, LAND TYPE, AND LOCATION:

0.53 acres, more or less, of tide and submerged lands in the Mokelumne River, near Walnut Grove, San Joaquin County.

AUTHORIZED USE:

396 lineal foot outside dock; 224 lineal foot inside dock; 71 lineal foot inside/bulkhead dock; 11 individual slips, and wooden bulkheads.

LEASE TERM:

25 years, beginning July 1, 1995.

CONSIDERATION:

A minimum annual rent of \$860 against five percent (5%) of gross income per year from berthing and ten percent (10%) of gross income per year for all other income, whichever is greater, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

SPECIFIC LEASE PROVISIONS:

Insurance:

Combined single limit coverage of no less than \$1,000,000

Bond:

\$5,000

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.

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2. During negotiations with Lessee for renewal of this Lease, the floods of January 1997 completely demolished the marina facilities. Lessee has reconstructed Phase I of the marina facilities as was previously approved.
3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 2, Replacement or Reconstruction; Title 2, California Code of Regulations, section 2905 (b).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

APPROVALS OBTAINED:

San Joaquin County, State Reclamation District No. 348, United States Army Corps of Engineers

EXHIBITS:

- A. Site Plan
- B. Location Map

PERMIT STREAMLINING ACT DEADLINE:

February 10, 1998

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT

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PROJECT, CLASS 2, REPLACEMENT OR RECONSTRUCTION;
TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (b).

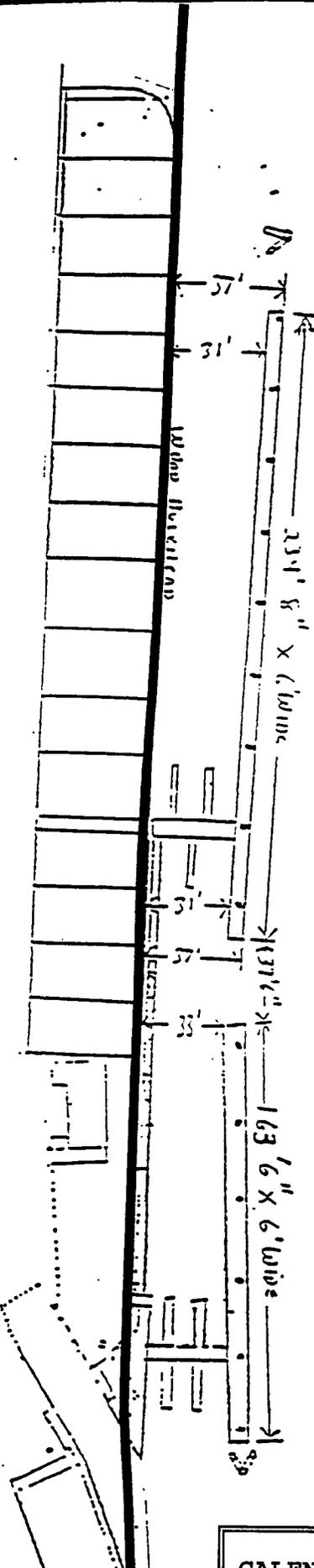
SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE
CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE
LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370,
ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO DONALD E. DECKERT AND JENNIFER C.
DECKERT, DBA NEW HOPE LANDING OF A GENERAL LEASE -
COMMERCIAL USE, BEGINNING JULY 1, 1995, FOR A TERM OF
25 YEARS, FOR CONTINUED USE OF AN EXISTING COMMERCIAL
MARINA LOCATED ON THE LAND SHOWN ON EXHIBIT A ATTACHED
AND BY THIS REFERENCE MADE A PART HEREOF; IN
CONSIDERATION OF A MINIMUM ANNUAL RENT OF \$860 AGAINST
FIVE PERCENT (5%) OF GROSS INCOME PER YEAR FROM
BERTHING AND TEN PERCENT (10%) OF GROSS INCOME PER
YEAR FROM ALL OTHER INCOME, WHICHEVER IS GREATER, WITH
THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT
PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE
LEASE; LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT
COVERAGE OF NO LESS THAN \$1,000,000; AND SURETY IN THE
AMOUNT OF \$5,000.

MOKELUMNE RIVER



SITE PLAN
NEW HOPE LANDING 13945 WEST WALNUT GROVE ROAD THORNTON CALIFORNIA 95686
LOCATED ON NEW HOPE TRACT. SAN JOAQUIN COUNTY CALIFORNIA PARCEL NUMBER 001-040-05 SECTION 1 - TOWNSHIP 4 NORTH - RANGE 4 EAST DATUM 0.00 USGS
PROPERTY OWNER DONALD E. DECKERT P. O. Box 417 THORNTON CALIFORNIA 95686 PHONE NUMBER 209-794-2627 SIGNATURE - DATE <i>Donald E. Deckert 6/18/82</i>

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This Land description is solely for purposes of generally defining the lease premises, and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

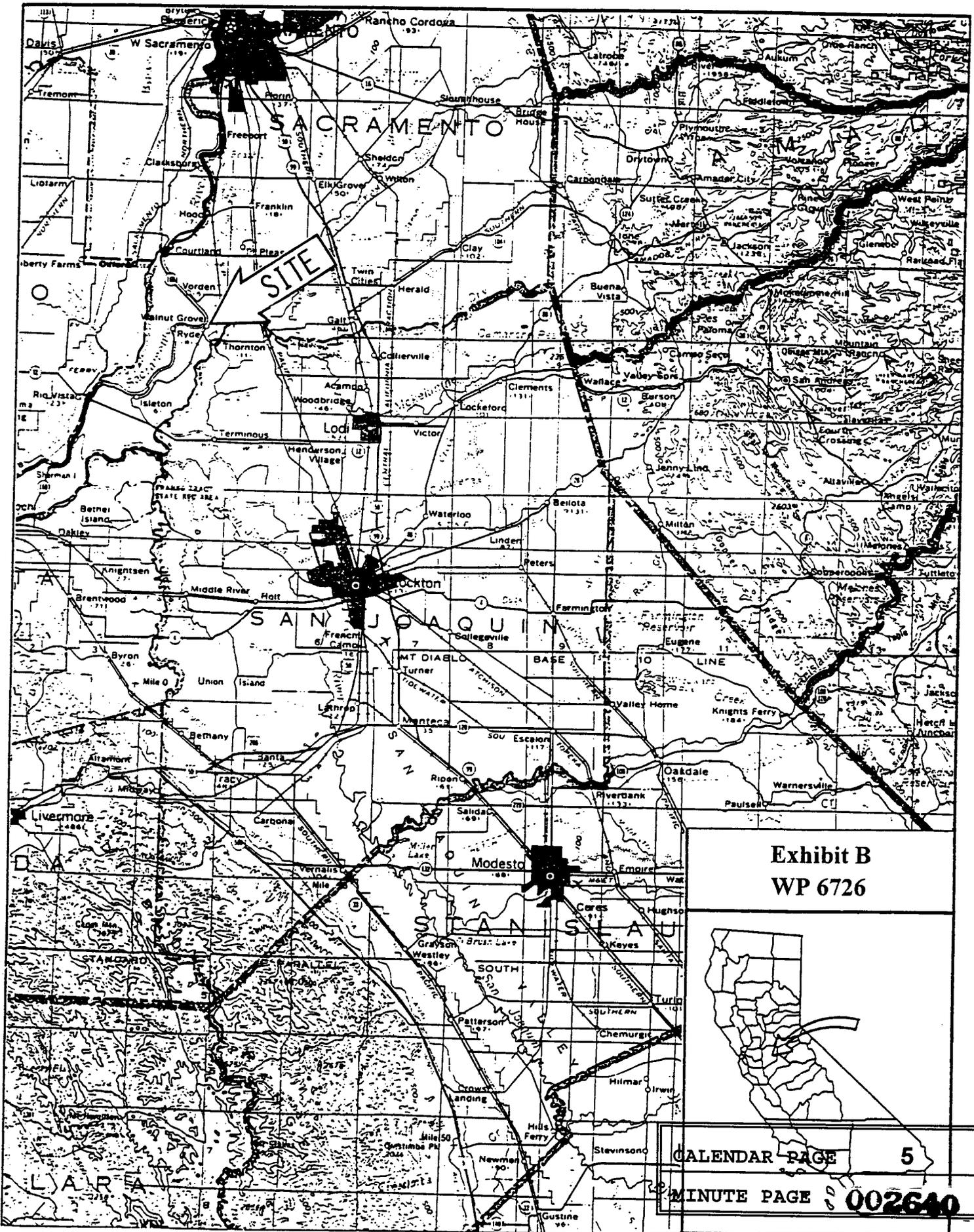


Exhibit B
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