

MINUTE ITEM

6/6/74
ATD

8. AMENDMENT OF LEASE PRC 3264.1, TIDE AND SUBMERGED LAND IN THE BED OF THE SACRAMENTO RIVER AT FREEPORT, SACRAMENTO COUNTY; MARTIN A. STULTS - WP 3264, PRC 3264.1.

After consideration of Calendar Item 6 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. DETERMINES THAT A FINAL ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THIS PROJECT BY THE DIVISION FOLLOWING EVALUATION OF COMMENTS AND CONSULTATION WITH PUBLIC AGENCIES WHICH WILL ISSUE APPROVALS FOR THE PROJECT.
2. CERTIFIES THAT THE FINAL ENVIRONMENTAL IMPACT REPORT (EIR #151) HAS BEEN COMPLETED IN COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT OF 1970, AS AMENDED, AND THE STATE GUIDELINES AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
3. DETERMINES THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. AUTHORIZES THE ISSUANCE TO MARTIN A. STULTS OF AN AMENDMENT TO LEASE PRC 3264.1 THAT WILL:
 - A. CHANGE THE LAND DESCRIPTION TO THAT SHOWN IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF;
 - B. INCREASE THE SURETY BOND TO \$4,000.
 - C. AUTHORIZE ADDITIONAL RENTAL OF \$105.97 FOR THE INCREASED LEASED AREA DURING THE REMAINING PERIOD OF THE LEASE.

THE EFFECTIVE DATE OF THE AMENDMENT SHALL BE MAY 1, 1974; PROVIDED THAT ALL OTHER TERMS AND CONDITIONS OF LEASE PRC 3264.1 SHALL REMAIN IN FULL FORCE AND EFFECT.

Attachment:

Calendar Item 6 (3 pages)

CALENDAR ITEM

5/74
ATD
WP 3264

6.

AMENDMENT OF LEASE PRC 3264.1

APPLICANT: Martin A. Stults.

AREA, TYPE LAND AND LOCATION:

A 1.25-acre parcel (increased from 0.70-acre) of tide and submerged land in the bed of the Sacramento River at Freeport, Sacramento County.

LAND USE: The operation of a boat facility.

TERMS OF ORIGINAL LEASE:

Initial period: 10 years, from January 1, 1965.

Renewal option: 1 additional period of 5 years.

Consideration: \$202.31 per annum.

Surety bond: \$2,000.

TERMS OF AMENDED LEASE DURING REMAINING PERIOD:

8 months, from May 1, 1974, through December 31, 1974.

Renewal option: 1 additional period of 5 years.

Surety bond: \$4,000.

Consideration: \$361.26 per annum. Additional rental of \$105.97 is needed for the remaining 8-month period, from May 1, 1974, through December 31, 1974.

BASIS FOR CONSIDERATION:

Per acre nominal rental for this type of lease, pursuant to Administrative Code, Title 2, Division 3, Section 2005(b)(9).

PREREQUISITE TERMS:

U. S. Army Corps of Engineers permit issued.

Applicant is lessee or permittee of upland.

STATUTORY AND OTHER REFERENCES:

- a. Public Resources Code: Div. 6, Parts 1 and 2.
- b. Administrative Code: Title 2, Div. 3, Arts. 1, 2 and 10.

CALENDAR ITEM NO. 6. (CONTD)

OTHER PERTINENT INFORMATION:

The proposed lease amendment increases the leased area from 0.70 acre to 1.25 acres; annual rental is adjusted upward and the bond requirement increased.

EXHIBITS: A. Land Description. B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT A FINAL ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THIS PROJECT BY THE DIVISION FOLLOWING EVALUATION OF COMMENTS AND CONSULTATION WITH PUBLIC AGENCIES WHICH WILL ISSUE APPROVALS FOR THE PROJECT.
2. CERTIFY THAT THE FINAL ENVIRONMENTAL IMPACT REPORT (EIR #151) HAS BEEN COMPLETED IN COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT OF 1970, AS AMENDED, AND THE STATE GUIDELINES AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
3. DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. AUTHORIZE THE ISSUANCE TO MARTIN A. STULTS OF AN AMENDMENT TO LEASE PRC 3264.1 THAT WILL:
 - A. CHANGE THE LAND DESCRIPTION TO THAT SHOWN IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF;
 - B. INCREASE THE SURETY BOND TO \$4,000;
 - C. AUTHORIZE ADDITIONAL RENTAL OF \$105.97 FOR THE INCREASED LEASED AREA DURING THE REMAINING PERIOD OF THE LEASE.

THE EFFECTIVE DATE OF THE AMENDMENT SHALL BE MAY 1, 1974; PROVIDED THAT ALL OTHER TERMS AND CONDITIONS OF LEASE PRC 3264.1 SHALL REMAIN IN FULL FORCE AND EFFECT.

Attachment: Exhibit "A"

EXHIBIT "A"

WP 3264

A parcel of tide and submerged land in the bed of the Sacramento River, approximately at River Mile 45.3 and one mile south of Freeport, Sacramento County, State of California, more particularly described as follows:

BEGINNING at a point on the ordinary high water mark of the east bank of the Sacramento River, being the northwest corner of Swamp Land Survey No. 152, Sacramento County Survey, situated in Sections 23, 24, and 25, T 7 N, R 4 E, MDM; thence from said TRUE POINT OF BEGINNING southerly along said ordinary high water mark 750 feet more or less; thence on a line normal to said ordinary high water mark, westerly 70 feet, more or less, to a point in the Sacramento River; thence northerly along a line 70 feet, more or less, riverward from and parallel with said ordinary high water mark, 780 feet, more or less; thence on a line normal to said ordinary high water mark, easterly 70 feet, more or less, to a point on said ordinary high water mark immediately adjacent to the land owned by Walter Correa; and thence southerly along said ordinary high water mark 30 feet, more or less, to the true point of beginning.

END OF DESCRIPTION