

MINUTE ITEM

This Calendar Item No. C07 was approved as
Minute Item No. 07 by the California State Lands
Commission by a vote of 3 to 6 at its
4-20-00 meeting.

**CALENDAR ITEM
C07**

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S 5

PRC 2771.1

04/20/00
WP 2771.1
L. Burks

**AMENDMENT OF
GENERAL LEASE – COMMERCIAL USE**

APPLICANT:

Port Stockton Boaters, Inc.
P. O. Box 1744
Stockton, California 95201

AREA, LAND TYPE, AND LOCATION:

3.80 acres, more or less, of partially filled tide and submerged lands in the San Joaquin River, at Headreach Island, near the city of Stockton, San Joaquin County.

AUTHORIZED USE:

Continued use and maintenance of floating docks, shoreline bulkhead, and recreational facilities.

LEASE TERM:

20 years, beginning September 1, 1991.

CONSIDERATION:

\$1,363 per year; with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

PROPOSED AMENDMENTS:

1. Amend lease to include one five-mile per hour speed marker buoy to the existing authorized improvements.
2. Amend lease to increase the rent an additional \$50 per year. The revised rent will be \$1,413 per year.

All other terms and conditions of the lease shall remain in effect without amendment.

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OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.
2. Lessee has submitted an application for placement of one five-mile speed marker buoy in the waterway to slow down boat traffic and eliminate large swells caused by the larger boats. These swells are causing damage to their docks. The United States Coast Guard has requested they place the marker buoy in the waterway outside the existing lease area. Staff recommends that \$50 be charged for the additional lease area occupied by the marker buoy.
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 3, New Construction of Small Structures; Title 2, California Code of Regulations, section 2905 (c)(5).

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:

California Department of Boating and Waterways; United States Coast Guard.

EXHIBITS:

- A. Land Description
- B. Location Map

PERMIT STREAMLINING ACT DEADLINE:

May 26, 2000

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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 PROJECT, CLASS 3, NEW CONSTRUCTION OF SMALL STRUCTURES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (c)(5).

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 THE AMENDMENTS OF LEASE NO. PRC 2771.1, A GENERAL LEASE - COMMERCIAL USE, OF LANDS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF, EFFECTIVE APRIL 20, 2000, TO; 1) AMEND LEASE TO INCLUDE ONE FIVE-MILE PER HOUR SPEED MARKER BUOY TO THE EXISTING AUTHORIZED IMPROVEMENTS; AND 2) AMEND LEASE TO INCREASE THE RENT AN ADDITIONAL \$50 PER YEAR, TO \$1,413 PER YEAR; ALL OTHER TERMS AND CONDITIONS OF THE LEASE WILL REMAIN IN EFFECT WITHOUT AMENDMENT.

San Joaquin River

⊗ MARKER BUOY

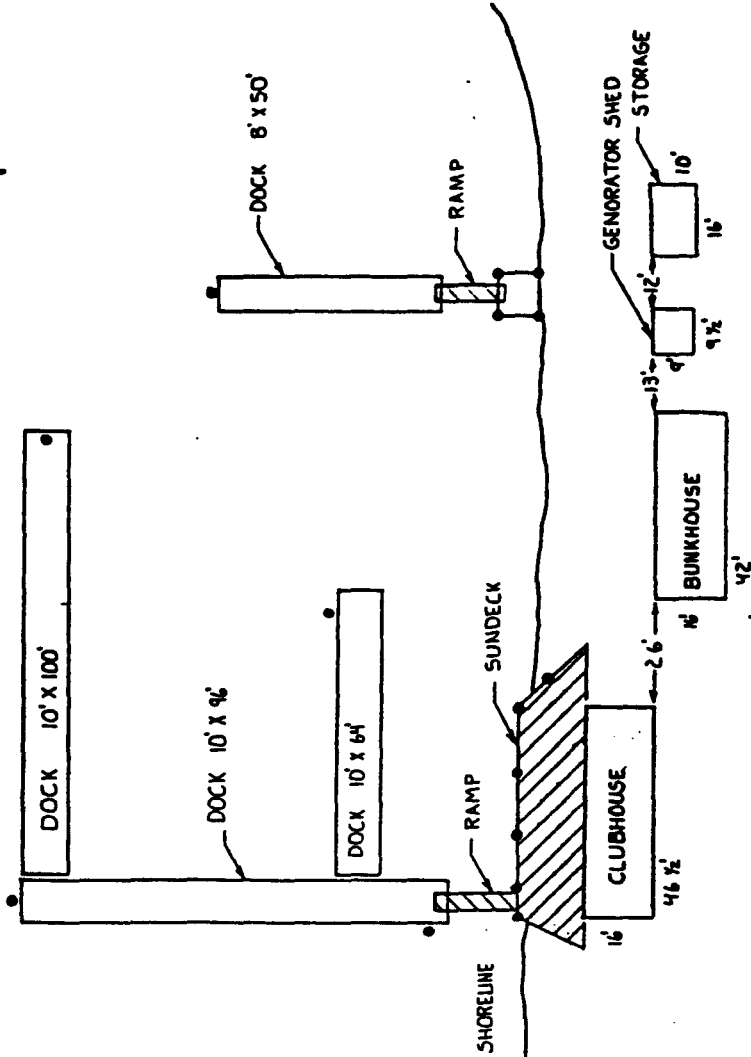
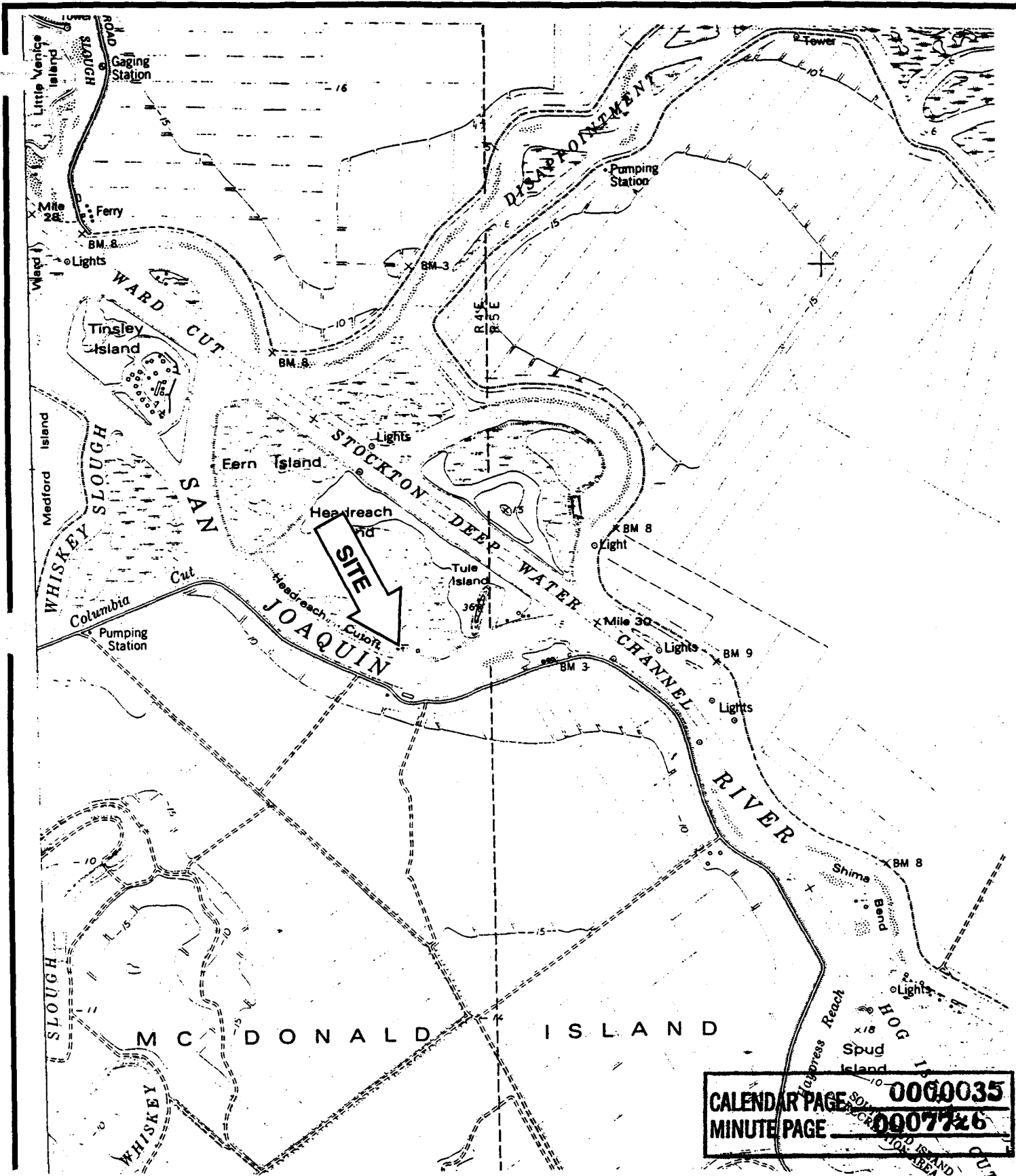


EXHIBIT "A"
Site Map
PRC 2771.1
San Joaquin River
SAN JOAQUIN COUNTY

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No Scale



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

Exhibit B
WP 2771