

**CALENDAR ITEM
C56**

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03/25/08
PRC 6382.1
J. McComas

**AMENDMENT OF HOLDOVER TENANCY AGREEMENT
FOR A GENERAL LEASE – RECREATIONAL USE**

LESSEE:

Jeanne C. Bird/Jeanne C. Taylor

AREA, LAND TYPE, AND LOCATION:

0.09 acres, more or less, of sovereign lands in the Sacramento River, near the town of Courtland, Sacramento County.

AUTHORIZED USE:

Continued occupancy of the lease premises as a holdover Lessee on a month to month basis.

HOLDOVER TENANCY AGREEMENT TERM:

Six months, beginning December 1, 2007.

CONSIDERATION:

\$48.95 per month due the first of each month.

PROPOSED AMENDMENT:

Extend the term of the Holdover Tenancy Agreement from six months to seven months and confirm the termination date of said agreement to June 30, 2008. All other terms and conditions of the lease shall remain in effect without amendment.

OTHER PERTINENT INFORMATION:

1. Lessee owns the uplands adjoining the lease premises.
2. On December 3, 2007, the Commission authorized a Holdover Tenancy Agreement for Lease No. PRC 6382.1, on a month to month basis, for a maximum of six months, with conditions, beginning December 1, 2007.
3. The Holdover Tenancy Agreement incorrectly indicated June 30, 2008 as the ending date when the date should have been May 31, 2008. The date was corrected for the record prior to approval by the Commission and was

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approved by the Lessee's attorney. However, the calendar item and the Holdover Agreement, showing the June 30, 2008 date, has been relied upon by the Lessee in fulfilling the other terms of the Agreement.

4. In order to avoid confusion, staff is recommending the extension of the term of the Agreement from six months to seven months to coincide with the June 30, 2008 termination date.
5. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines [Title 14, California Code of Regulations, section 15060(c)(3)], the staff has determined that this activity is not subject to the provisions of the CEQA because it is not a "project" as defined by the CEQA and the State CEQA Guidelines.

Authority: Public Resources Code section 21056 and Title 14, California Code of Regulations, sections 15060(c)(3) and 15378.

6. 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 process, it is staff's opinion that the project, as proposed, is consistent with its use classification.

EXHIBIT:

- A. Site and Location Map

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS NOT SUBJECT TO THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15060(c)(3) BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY THE PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15378.

SIGNIFICANT LANDS INVENTORY FINDING:

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

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AUTHORIZATION:

AUTHORIZE THE AMENDMENT OF THE HOLDOVER TENANCY AGREEMENT FOR A GENERAL LEASE – RECREATIONAL USE LEASE NO. PRC 6382.1, OF LANDS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF, EFFECTIVE MARCH 25, 2008, TO EXTEND THE TERM OF THE AGREEMENT FROM SIX MONTHS TO SEVEN MONTHS ENDING JUNE 30, 2008; ALL OTHER TERMS AND CONDITIONS OF THE HOLDOVER AGREEMENT WILL REMAIN IN EFFECT WITHOUT AMENDMENT.