

11. AMENDMENT OF COMMERCIAL LEASE PRC 3934.1, TIDE AND SUBMERGED LAND NEAR RIO VISTA, SACRAMENTO COUNTY; JOHN H. PIETZ - W 20211, PRC 3934.1.

After consideration of Calendar Item 10 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 NO. 154) 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 JOHN H. PIETZ OF AN AMENDMENT OF LEASE PRC 3934.1 ENLARGING SAID LEASED PREMISES TO 3.43 ACRES; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$857.50, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF \$5,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$400,000/\$800,000 FOR PERSONAL INJURY AND \$100,000 FOR PROPERTY DAMAGE; FOR THE EXPANSION OF A COMMERCIAL MARINA; ON THE LAND DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment:

Calendar Item 10 (3 pages)

CALENDAR ITEM

10.

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HAM
W 20211

AMENDMENT OF COMMERCIAL LEASE PRC 3934.1

APPLICANT: John H. Pietz.

AREA, TYPE LAND AND LOCATION:

A 3.43-acre parcel of tide and submerged land near Rio Vista,
Sacramento County.

LAND USE: For the expansion of a commercial marina.

TERMS OF ORIGINAL LEASE:

Initial period: 49 years, from April 25, 1968.

Surety bond: \$2,000.

Public liability insurance:

\$200,000/\$600,000 for personal injury and
\$25,000 for property damage.

Consideration: \$180.90 per annum.

TERMS OF PROPOSED AMENDMENT:

Surety bond: \$5,000.

Public liability insurance:

\$400,000/\$800,000 for personal injury and
\$100,000 for property damage.

CONSIDERATION: \$857.50 per annum, with the State reserving the right to
fix a different rental on each fifth anniversary of the
lease.

BASIS FOR CONSIDERATION:

Minimum rent for competitive area as provided in Commission
policy, Minute Item 18 of November 18, 1959.

PREREQUISITE TERMS:

U. S. Army Corps of Engineers permit issued.

Applicant is owner 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;
Title 14; Div. 6, Art. 6
- c. Commission Policy: Minute Item 18, November 18, 1959.

CALENDAR ITEM NO. 10. (CONTD)

OTHER PERTINENT INFORMATION:

This project required the preparation of an environmental impact report under the requirements of 14 Cal. Adm. Code and 2 Cal. Adm. Code. The draft environmental impact report has been circulated and no significant adverse comments were received. The Division has reviewed the limited comments received from other agencies; those limited comments and the reply of the staff have been incorporated into the final environmental impact report. The Division finds that this project will not have an adverse effect on the environment.

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 NO. 154) 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 JOHN H. PIETZ OF AN AMENDMENT OF LEASE PRC 3934.1 ENLARGING SAID LEASED PREMISES TO 3.43 ACRES; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$857.50, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF \$5,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$400,000/\$800,000 FOR PERSONAL INJURY AND \$100,000 FOR PROPERTY DAMAGE; FOR THE EXPANSION OF A COMMERCIAL MARINA; ON THE LAND DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

W 20211

A parcel of tide and submerged land lying in Three Mile Slough, adjacent to Sherman Island, Sacramento County, State of California, being more particularly described as follows:

COMMENCING at the southwest corner of that certain parcel of land described in the Administrator Deed from R. L. Upham to Louis Patrick, filed on September 7, 1948, in Book 1541, page 513, Official Records of Sacramento County; thence N 36° 16' 04" E, 4792.36 feet to the TRUE POINT OF BEGINNING; thence along the following 11 courses:

1. S 32° 37' E 267.13 feet;
2. S 00° 01" E 70.00 feet;
3. S 05° 09' W 637.00 feet;
4. S 84° 51' E 175.00 feet;
5. N 05° 09' E 475.00 feet;
6. N 84° 51' W 30.00 feet;
7. N 05° 09' E 100.00 feet;
8. N 84° 51' W 30.00 feet;
9. N 05° 09' E 177.00 feet;
10. N 37° 20' W 350.00 feet;
11. S 32° 54' 00" W 104.217 feet to the TRUE POINT

OF BEGINNING.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark.

END OF DESCRIPTION