

MINUTE ITEM

This Calendar Item No. C14  
was approved at the Public  
Re. 14 by the State Lands  
Commission by a vote of 3  
to 0 at its 9/22/77  
meeting.

C14.

9/77  
W 20237  
Reese  
PRC 5393

GENERAL LEASE  
COMMERCIAL USE

APPLICANT:

Donald D. and Helen Petrie  
Pierce Harbor, Pierce Lane  
Benicia, California 94510

AREA, TYPE LAND AND LOCATION:

An 0.110 acre parcel of tide and submerged  
land in Goodycar Slough near Benicia, Solano  
County.

LAND USE:

Maintenance of a commercial marina.

TERMS OF PROPOSED LEASE:

Initial period: 15 years from November  
10, 1976.

Renewal Option: 3 successive periods  
of 10 years each.

Public liability insurance: \$300,000  
combined single limit.

CONSIDERATION:

\$225 per annum with the State reserving  
the right to fix a different rental on  
each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:

\$225 minimum rental for this type of lease.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is owner of the upland.

Filing fee has been received.

STATUTORY AND OTHER REFERENCES:

A. Public Resources Code: Div. 6, Parts 1 & 2.

B. Administrative Code: Title 2, Div. 3,  
Arts. 1, 2, 10 & 11.

OTHER PERTINENT INFORMATION:

1. The area was previously leased to Antonio  
Lopes and subsequently assigned to  
Joseph Garsky.

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CALENDAR ITEM NO. C14(CONTD)

2. An Environmental Impact Report is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907(a) which exempts an existing structure or facility that is in an acceptable state of repair and there is no evidence of record to show injury to adjacent property, shoreline erosion, or other types of environmental degradation.
3. This project is situated on State Land identified as possessing significant environmental values pursuant to Public Resources Code 6370.1, and is classified in a use category, Class B which authorizes Limited Use.

Staff review indicates that there will be no significant effect upon the identified environmental values. This is an existing facility for which no adverse comments have been received.

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRO 21085, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2907.
2. FIND THAT GRANTING OF THE LEASE WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE PUBLIC RESOURCES CODE.
3. AUTHORIZE ISSUANCE TO DONALD D. AND HELEN PETRIE OF A 15-YEAR GENERAL LEASE - COMMERCIAL USE FROM NOVEMBER 10, 1976; WITH THE LESSEE'S OPTION TO RENEW FOR 3 SUCCESSIVE PERIODS OF 10 YEARS EACH, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$225 WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF PUBLIC LIABILITY INSURANCE COMBINED SINGLE LIMIT IN THE AMOUNT OF \$300,000; FOR A COMMERCIAL MARINA ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

## EXHIBIT "A"

W 20237

A parcel of tide and submerged land in the bed of Goodyear Slough, Solano County, California, said parcel being westerly of and adjacent to that land described in the Grant Deed recorded July 2, 1959 in Book 982, page 124 Solano County Records, said parcel more particularly described as follows:

COMMENCING at the point of intersection of the southerly line of County Road No. 522 and the Southern Pacific Railroad Company's easterly right of way; thence N 82° 45' E along said county road to the ordinary high water mark of the westerly bank of Goodyear Slough; thence southerly along said ordinary high water mark, 55 feet more or less to the POINT OF BEGINNING; thence continuing southerly along said ordinary high water mark, 120 feet; thence N 86° 51' E, 40 feet; thence northerly along a line parallel with and 40 feet distant from the westerly ordinary high watermark, 120 feet to a point that bears N 86° 51' E from the point of beginning; thence S 86° 51' W, 40 feet to the point of beginning.

END OF DESCRIPTION

Prepared

M. J. Shaf

Checked

John K. [Signature]

Reviewed

John Kunnicke

Date

12/21/76