

MINUTE ITEM

This Calendar Item No. 29  
was approved as Minute Item  
No. 9 by the State Lands  
Commission by a vote of 2  
to 0 at its 11/30/77  
meeting.

CALENDAR ITEM

11/77  
WP 2851  
Scott

C9.

ASSIGNMENT OF COMMERCIAL LEASE  
PRC 2851.1

ASSIGNOR: Bruno Giovannoni  
P. O. Box 638  
Isleton, California 95641

ASSIGNEE: Neil E. and Ruby L. Bryant  
Rt. 1 Box 70  
Isleton, California 95641

AREA, TYPE LAND AND LOCATION: A 1.141 acre parcel of tide and submerged  
land in Seven Mile Slough adjacent to Andrus  
Island, Sacramento County.

LAND USE: Maintenance of an existing commercial marina.

TERMS OF PROPOSED LEASE ASSIGNMENT:  
Initial Period: 10 years from April 28,  
1976.

Renewal options: 1 successive period of  
10 years.

Surety bond: \$1,000.

Public liability insurance: Combined single  
limit coverage of \$300,000

CONSIDERATION: \$1,096 per annum with the State reserving  
the right to fix a different rental on  
each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:  
8% of appraised value of land.

PREREQUISITE TERMS, FEES AND EXPENSES:  
Applicant is owner of upland.

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.

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OTHER PERTINENT INFORMATION:

1. The proposed assignment was started prior to the completion of processing of the first 10 year renewal as provided for in the lease. Therefore no filing fee was requested.
2. No processing fees were collected during the processing of the assignment. At the time processing began the policy of the Division was to collect processing fees only when the documents being processed did not provide for an annual rental. Therefore staff feels that it would be in the State's best interest to waive the processing fee at this time.
3. An Environmental Impact Report is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907, Class 1B, 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.
4. 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. 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 PROVISION OF PRC 21085, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2907.

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2. FIND THAT GRANTING OF THIS LEASE ASSIGNMENT WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE PUBLIC RESOURCES CODE.
3. AUTHORIZE THE APPROVAL OF AN ASSIGNMENT OF LEASE PRC 2851.1 BETWEEN BRUNO GIOVANNONI, (ASSIGNOR), AND NEIL E. AND RUBY L. BRYANT, (ASSIGNEES), OF A 10 YEAR COMMERCIAL LEASE FROM APRIL 28, 1976; WITH ASSIGNEE'S OPTION TO RENEW FOR 1 SUCCESSIVE PERIOD OF 10 YEARS; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$1,096; WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF A \$1,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF COMBINED SINGLE LIMIT COVERAGE OF \$300,000; AND WAIVE THE PROCESSING FEE; FOR THE CONTINUED OPERATION AND MAINTENANCE OF AN EXISTING COMMERCIAL MARINA ON THE LAND SHOWN ON EXHIBIT "A" ON FILE WITH THE OFFICE OF THE STATE LANDS COMMISSION.