

MINUTE ITEM

This Calendar Item No. C14  
was approved as Minute Item  
No. 14 by the State Lands  
Commission by a vote of 2  
to 0 at its 5/23/85  
meeting.

CALENDAR ITEM:

C14

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05/23/85  
W 20866 PRC 6836  
Grimmett

GENERAL LEASE - COMMERCIAL USE

APPLICANT:

The Boathouse in Locke, Inc.  
and Frank Schmiedel, individually  
P. O. Box 1045  
Walnut Grove, California 95690

AREA, TYPE LAND AND LOCATION:

A 1.46-acre parcel of tide and submerged land  
in the Sacramento River at Locke, Sacramento  
County.

LAND USE:

Commercial marina and boat repair and storage  
building.

TERMS OF PROPOSED LEASE:

Initial period: 25 years beginning January 1,  
1985.

Surety bond: \$5,000.

Public liability insurance: Combined single  
limit coverage of \$500,000.

CONSIDERATION:

\$444 the first lease year, \$2,050 the second  
and third lease years, and \$2,500 the fourth  
lease year and thereafter; with the State  
reserving the right to fix a different rental  
on each fifth anniversary of the lease and  
payment of 1.5 cents per gallon, on the first  
100,000 gallons, and 2.0 cents per gallon on any  
amount over 100,000 gallons of fuel sold.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Adm. Code 2003.

CALENDAR ITEM NO. C14 (CONT'D)

APPLICANT STATUS:

Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee has been received.

STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884:

07/25/85.

OTHER PERTINENT INFORMATION:

1. The Boathouse in Locke, Inc. is a former Southern Pacific Railroad riverbank warehouse approximately 900 feet long that has been converted to a boat repair and storage building with an elevator facility to launch boats. Presently, there are about 380 feet of longitudinal dock with a fuel pump.

Expansion plans, for which permits have been obtained, are to replace the existing docks with 59 covered finger pier berths and an 80-foot gas dock.

Since Mr. Schmiedel's original application for the Boathouse, the site has been under intermittent study by staff to determine and resolve the various title, ownership, and boundary questions that arose.

As negotiated, the lease provides \$444 as rent for the first year of the lease and \$1,606 as back rent for all occupancy prior to January 1, 1985, including penalty and interest, if any. Beginning at the second lease year, after which marina expansion is to have occurred, the rent is to be \$2,050. Effective January 1, 1988, the annual rent is to be \$2,500. The lease also provides for the payment of fuel sales royalty of 1.5 cents per gallon on the first 100,000 gallons and 2.0 cents per gallon on any amount over 100,000 gallons of fuel sold.

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2. Lessor hereby consents to Lessee's subletting of all or any portion of the lease premises for berthing or mooring purposes in conjunction with normal commercial marina subleasing practices for terms of one year or less.
3. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 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.
4. A Negative Declaration was prepared and adopted for this project by Sacramento County. The State Lands Commission's staff has reviewed such document and believes that it complies with the requirements of the CEQA.

APPROVALS OBTAINED:

County of Sacramento, United States Corps of Engineers Permit No. 6502.

EXHIBITS:

- A. Land Description.
- B. Location Map.
- C. Negative Declaration.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT A NEGATIVE DECLARATION WAS PREPARED AND ADOPTED FOR THIS PROJECT BY SACRAMENTO COUNTY AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
2. FIND THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
3. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.

CALENDAR ITEM NO. 14 (CONT'D)

4. APPROVE AND ACCEPT \$1,606 AS THE AMOUNT OF BACK RENT DUE FOR ALL OCCUPANCY PRIOR TO JANUARY 1, 1985, INCLUDING PENALTY AND INTEREST, IF ANY.
5. AUTHORIZE ISSUANCE TO THE BOATHOUSE IN LOCKE, INC., AND FRANK SCHMIEDEL OF A 25-YEAR GENERAL LEASE - COMMERCIAL USE BEGINNING JANUARY 1, 1985; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$444 FOR THE FIRST YEAR OF THE LEASE, \$2,050 FOR THE SECOND AND THIRD YEARS, AND \$2,500 BEGINNING JANUARY 1, 1988 AND THEREAFTER; PAYMENT OF 1.5 CENTS PER GALLON ON THE FIRST 100,000 GALLONS, AND 2.0 CENTS PER GALLON ON ANY AMOUNT OVER 100,000 GALLONS OF FUEL SOLD; WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF A \$5,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$500,000; FOR THE OPERATION OF A COMMERCIAL MARINA AND BOAT REPAIR AND STORAGE BUILDING ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

(REVISED 05/14/85)

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EXHIBIT "A"

LAND DESCRIPTION

W 20866

A strip of tide and submerged land lying in the State-owned bed of the Sacramento River, vicinity of Locke, Sacramento County, California, said strip described as follows:

A strip of land 185.00 feet in width lying westerly of and immediately adjacent to the easterly boundary of the land described in that Grant Deed recorded May 4, 1978, in Book No. 7805-04, page 444, Sacramento County Records Office, said strip bounded on the north by the northerly boundary and the westerly prolongation of said northerly boundary of the land described in said Grant Deed and bounded on the south by the southerly boundary and the westerly prolongation of the southerly boundary of the land described in said Grant Deed.

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

END OF DESCRIPTION

REVIEWED DECEMBER 3, 1984 BY BOUNDARY SERVICES UNIT, M.L. SHAFER, SUPERVISOR

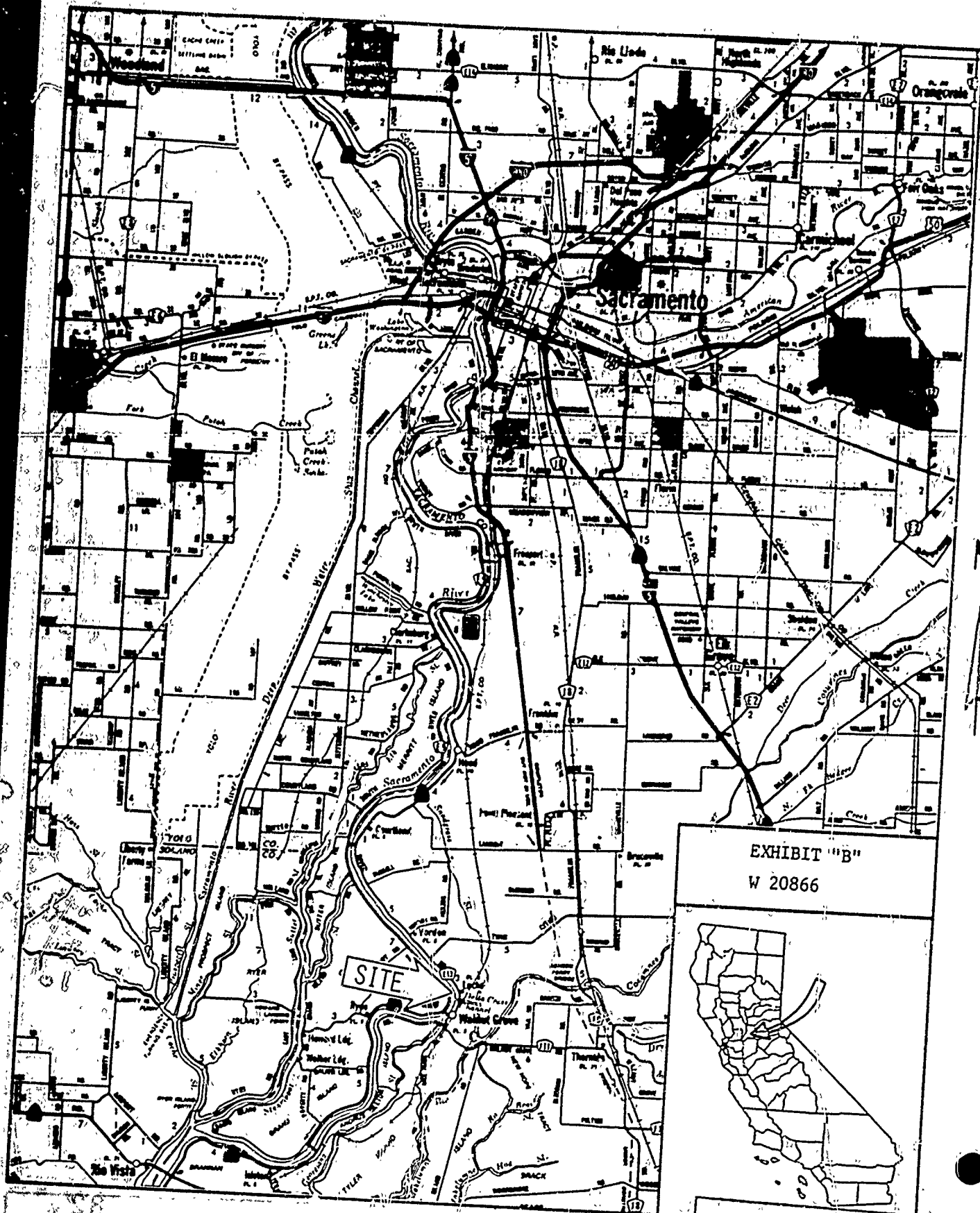


EXHIBIT "B"  
W 20866



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W20866

## NEGATIVE DECLARATION

Pursuant to Division 6, Title 14, Chapter 3, Article 6, Sections 15070 and 15071 of the California Administrative Code and pursuant to the Procedures for Preparation and Processing of Environmental Impact Reports adopted by the County of Sacramento pursuant to Sacramento County Ordinance No. SCC-116, the Environmental Coordinator of Sacramento County, State of California, does prepare, make, declare, publish, and cause to be filed with the County Clerk of Sacramento County, State of California, this Negative Declaration re: The Project described as follows:

1. Title and Short Description of Project:  
THE BOATHOUSE MARINA PLAN APPROVAL AND USE PERMIT  
The proposed project consists of an application for approval of development plans for a 59 berth marina and ancillary uses in the Locke SPA (County Ordinance 79-SPA-3) and a request for a use permit to allow a marina in the D-R zone.
2. Location of Project and Assessor's Parcel Number: The project is located along the eastern bank of the Sacramento River, at the community of Locke, in the Delta.  
APN: 142-110-21 and 28
3. Project Proponent: Frank and Jeanie Schreidai
4. Said project will not have a significant effect on the environment for the following reasons:
  - a) It will not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.
  - b) It will not have the potential to achieve short-term, to the disadvantage of long-term, environmental goals.
  - c) It will not have impacts which are individually limited, but cumulatively considerable.
  - d) It will not have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.
5. As a result thereof, the preparation of an environmental impact report pursuant to the Environmental Quality Act (Division 13 of the Public Resources Code of the State of California) is not required.
6. The attached Initial Study has been performed by the Sacramento County Environmental Impact Section in support of this Negative Declaration. Further information may be obtained by contacting the Section at 827 Seventh Street, Room 101, Sacramento, California, 95814, or phone (916) 440-7914.

ENDORSED:

MAY 31 1984

JOYCE RUSSELL SMITH, CLERK  
By M. ANDREWS, Deputy

AF/11/12/E/83

Environmental Coordinator of  
Sacramento County, State of  
California

By

J. G. G. G. G.

Environmental Coordinator

EXHIBIT "C"

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