

**MINUTE ITEM**

This Calendar Item No. C28 was approved as Minute Item No. 28 by the California State Lands Commission by a vote of 3 to 0 at its 11/07/97 meeting.

**CALENDAR ITEM  
C28**

A 8  
S 4

11/07/97  
PRC 7968.1  
D. Jones

**AMENDMENT OF LEASE**

**LESSEE:**

Herman Harry Weber and Ida Pearl Weber, Trustees of the Weber Revocable Living Trust dated May 4, 1982  
16814 Highway 160  
Rio Vista, California 95641

**AREA, LAND TYPE, AND LOCATION:**

0.35 acre, more or less, of tide and submerged lands in the Sacramento River, near Rio Vista, Sacramento County.

**AUTHORIZED USE:**

Construction and maintenance of approximately 687 feet of bank protection; and the continued use and maintenance of a 19 foot x 23 foot deck; a 7 foot x 38 foot covered patio; six fishing platforms measuring 7 feet x 7 feet each; and two fishing platforms, one measuring 13 feet x 7 feet and one measuring 45 feet x 7 feet.

**LEASE TERM:**

Ten years, beginning July 1, 1997.

**CONSIDERATION:**

**Bank Protection:**

The public use and benefit, with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interest.

**Deck, Covered patio and  
Fishing Platforms:**

\$140 per year, with the State reserving the right to fix a different rent periodically during the lease term.

CALENDAR ITEM NO. C28 (CONT'D)

**PROPOSED AMENDMENT:**

The Lessee proposes to demolish the seven existing concrete fishing platforms and construct five new 15 foot x 16 foot cantilevered precast concrete fishing platforms. One existing 45 foot x 7 foot concrete deck area, formally called a fishing platform, will remain. The change proposed is designed to improve fishing access for park patrons by replacing the existing facilities with fewer and better accommodations. All other terms and conditions of the lease shall remain in full force and effect.

**Consideration:**

**Bank Protection:**

The public use and benefit, with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interest.

**Deck, Covered patio and  
Fishing Platforms:**

\$190 per year, with the State reserving the right to fix a different rent periodically during the lease term.

The amended consideration will be effective July 1, 1997.

**OTHER PERTINENT INFORMATION:**

1. Applicant owns the uplands adjoining the lease premises.
2. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 2, Replacement or Reconstruction; Title 14, California Code of Regulations, section 15302.

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300.

CALENDAR ITEM NO. C28 (CONT'D)

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

**APPROVALS OBTAINED:**

California Department of Fish and Game, Brannan Andrus Levee Maintenance District.

**FURTHER APPROVALS REQUIRED:**

U.S. Army Corps of Engineers, The Reclamation Board.

**EXHIBITS:**

- A. Site Map
- B. Location Map

**PERMIT STREAMLINING ACT DEADLINE:**

November 25, 1997.

**RECOMMENDED ACTION:**

IT IS RECOMMENDED THAT THE COMMISSION:

**CEQA FINDING:**

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 2, REPLACEMENT OR RECONSTRUCTION; TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15302.

**SIGNIFICANT LANDS INVENTORY FINDING:**

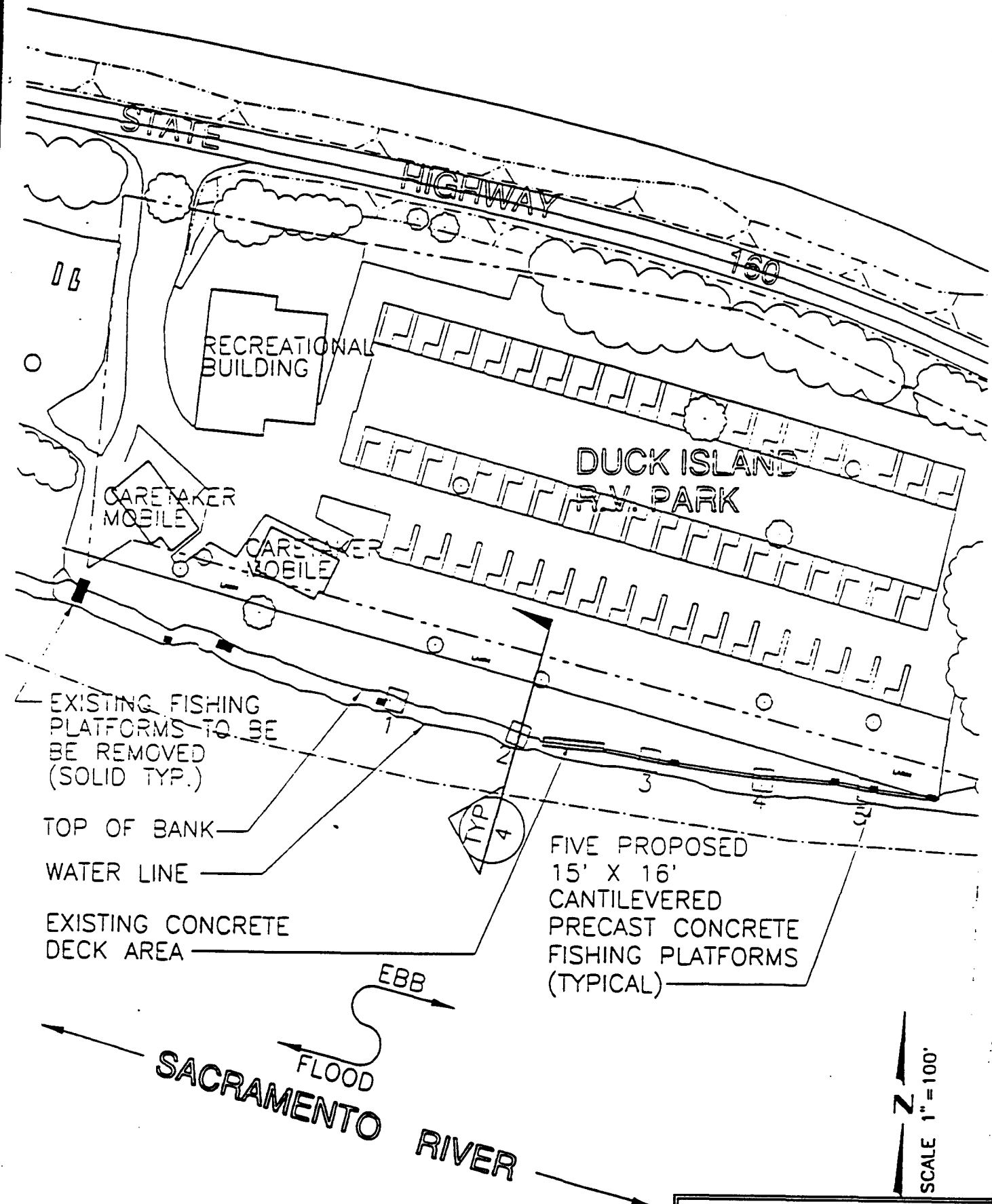
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

CALENDAR ITEM NO. **C28** (CONT'D)

**AUTHORIZATION:**

AUTHORIZE THE AMENDMENT OF LEASE NO. PRC 7968.1, A GENERAL LEASE - RECREATIONAL AND PROTECTIVE STRUCTURE USE, OF LANDS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF, EFFECTIVE JULY 1, 1997, TO DEMOLISH SEVEN EXISTING PRECAST CONCRETE FISHING PLATFORMS AND CONSTRUCT FIVE NEW 15 FOOT X 16 FOOT CANTILEVERED PRECAST CONCRETE FISHING PLATFORMS; CONSIDERATION FOR THE BANK PROTECTION BEING THE PUBLIC USE AND BENEFIT, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENT IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; CONSIDERATION FOR THE DECK, COVERED PATIO AND FISHING PLATFORMS BEING \$190 PER YEAR, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM. ALL OTHER TERMS AND CONDITIONS OF THE LEASE WILL REMAIN IN FULL FORCE AND EFFECT; SAID AMENDMENT IS EFFECTIVE JULY 1, 1997.

CALENDAR PAGE	105.3
MINUTE PAGE	002296



This Land description is solely for purposes of generally defining the lease premises, and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

CALENDAR PAGE	105.4
MINUTE PAGE	602297
Exhibit WP 7968	

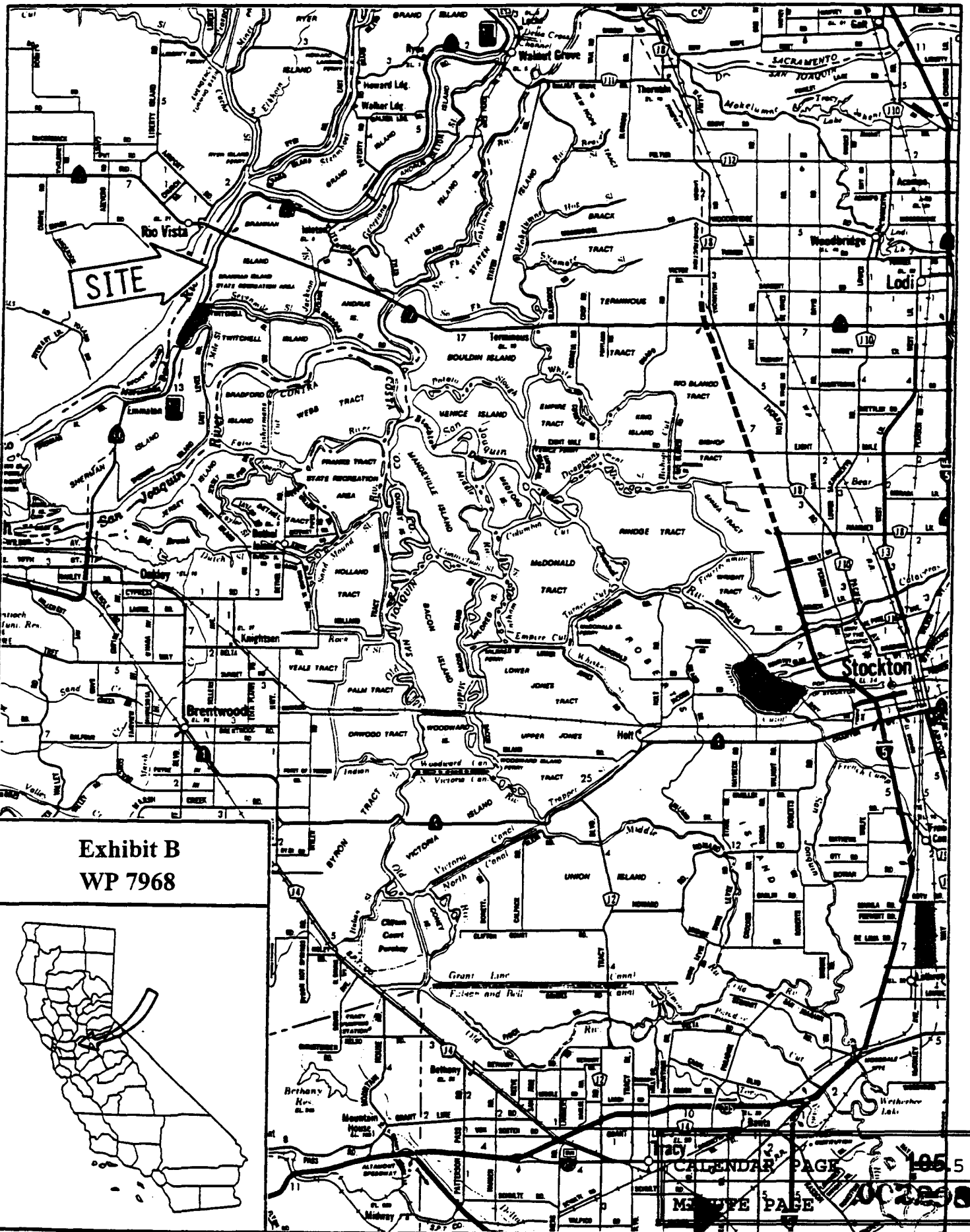


Exhibit B  
WP 7968



CALENDAR PAGE 195 5  
MAP PAGE 100258