

**MINUTE ITEM**

This Calendar Item No. C21 was approved as Minute Item No. 21 by the California State Lands Commission by a vote of 3 to 0 at its 2-17-05 meeting.

**CALENDAR ITEM  
C22**

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S 7

02/17/05  
PRC 6090.1  
T. Lipscomb

**CONTINUATION OF RENT**

**LESSEES:**

Wesley McClure and Larry M. McClure

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

0.05 acres, more or less, of tide and submerged lands in Old River, at Eucalyptus Island, near the city of Stockton, Contra Costa County.

**AUTHORIZED USE:**

Continued use and maintenance of an existing 125 foot long submerged electric power cable, 225 linear feet of protective structure (piling breakwater), and a 17 foot by 28 foot L-shaped fishing platform.

**LEASE TERM:**

Ten years, beginning February 1, 2000.

**CONSIDERATION:**

This lease provides that Lessor may modify the rent periodically during the lease term. Pursuant to this provision, staff has conducted a review of the rent under this lease, and recommends that the rent be continued at \$242 per year, effective February 1, 2005.

**OTHER PERTINENT INFORMATION:**

On December 17, 1981, the Commission issued a ten-year General Lease – Right of Way, to Leonard J. and Betty M. Low for an electrical power cable, protective structure and recreational use. On August 30, 1989, the Commission reissued a ten-year General Lease – Right of Way to East Bay Excavation Co., Inc. and Wesley and Fontella L. McClure for the same purpose. On December 3, 1999, the Commission issued a ten-year General Lease – Right of Way Use to Wesley and Larry M. McClure for the existing submerged electrical power cable, protective structure, and an L-shaped fishing platform. The electrical power cable is an armored cable from a PG&E power pole on Bras Island, crosses the Old River Island to Eucalyptus Island, and serves the lessee's

CALENDAR ITEM NO. C22 (CONT'D)

house on Eucalpytus Island. The fishing platform is located adjacent to the house.

**EXHIBIT:**

A. Location Map

**RECOMMENDED ACTION:**

IT IS RECOMMENDED THAT THE COMMISSION:

**CEQA FINDING:**

FIND THAT THE ACTIVITY IS NOT SUBJECT TO THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15060(c)(3) BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15378.

**AUTHORIZATION:**

APPROVE THE CONTINUATION OF RENT FOR LEASE NO. PRC 6090.1 AT \$242 PER YEAR, EFFECTIVE FEBRUARY 1, 2005.

# Location Map

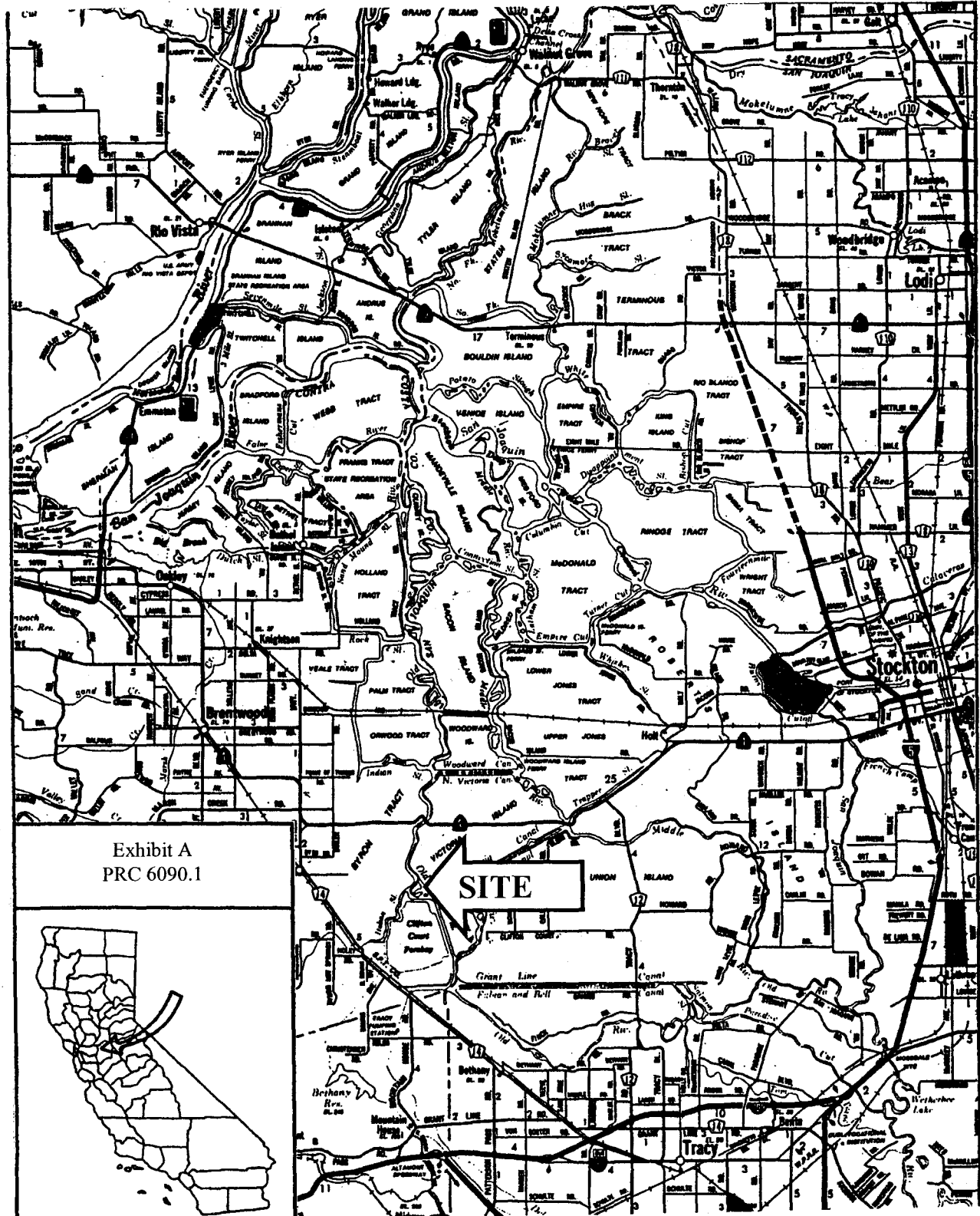


Exhibit A  
PRC 6090.1

SITE

EXHIBIT CONSTRUCTED FROM USGS QUAD

This exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by Lessee or other parties, and is not intended to be, nor shall it be construed as, a waiver or limitation of any state interest in the subject or other property.

TKL 11/29/2004

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