

**CALENDAR ITEM  
C11**

A 8, 15  
S 5, 14

02/01/10  
PRC 5349.1  
M. Clark

**REVISION OF RENT**

**LESSEE:**

Barry Agri/Tech, Incorporated

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

0.051 acres, more or less, of sovereign lands in the Georgiana Slough, adjacent to 14260 River Road, near the town of Walnut Grove, Sacramento County.

**AUTHORIZED USE:**

Continued use and maintenance of an existing double-berth boat dock, gangplank, three pilings, and bank protection as shown on Exhibit A.

**LEASE TERM:**

Ten years, beginning March 23, 2004.

**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 revised from \$280 per year to \$349 per year, effective March 23, 2010.

**OTHER PERTINENT INFORMATION:**

1. On August 8, 2005, the Commission authorized a General Lease – Recreational and Protective Structure Use, to Barry Agri/Tech Incorporated. The lease will expire March 22, 2014.
2. The Lessee does not qualify for the rent-free use of sovereign lands for the docking facilities, because the Lessee does not own the littoral property as a natural person pursuant to Public Resource Code section 6503.5.

**EXHIBIT:**

- A. Site and Location Map

CALENDAR ITEM NO. **C11** (CONT'D)

**RECOMMENDED ACTION:**

It is recommended that the Commission:

**CEQA FINDING:**

Find that the activity is not subject to the requirements of 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 revision of rent for Lease No. PRC 5349.1 from \$280 per year to \$349 per year, effective March 23, 2010.