

**CALENDAR ITEM
C34**

A 15
S 5

01/26/12
PRC 3930.1
N. Lavoie

REVISION OF RENT

LESSEE:

Delta Yacht Club

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the San Joaquin River, adjacent to Assessor's Parcel Number 129-120-01, near the city of Stockton, San Joaquin County.

AUTHORIZED USE:

Continued use and maintenance of an existing 30 foot by 600 foot floating boat dock, walkway, and approximately 600 feet of bank protection.

LEASE TERM:

20 years, beginning September 16, 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 revised from \$4,193 per year to \$5,267 per year, effective September 16, 2011.

OTHER PERTINENT INFORMATION:

1. On April 24, 2001, the Commission authorized a General Lease – Recreational and Protective Structure Use. The lease will expire September 15, 2020. The docking facilities are for the private use of the members of the Delta Yacht Club.
2. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Cal. Code Regs., tit. 14, § 15060, subd. (c)(3)), the staff has determined that this activity is not subject to the provisions of CEQA because it is not a "project" as defined by CEQA and the State CEQA Guidelines.

CALENDAR ITEM NO. **C34** (CONT'D)

Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, sections 15060, subdivision (c)(3), and 15378.

EXHIBITS:

- A. Land Description
- B. Site and Map Location

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is not subject to the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c)(3), because the activity is not a project as defined by Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.

AUTHORIZATION:

Approve the revision of rent for Lease No. PRC 3930.1 from \$4,193 per year to \$5,267 per year, effective September 16, 2011.

Exhibit A

W P 3930

LAND DESCRIPTION

A parcel of submerged land in the San Joaquin River adjacent to Tule Island, San Joaquin County, California, described as follows:

BEGINNING at a point on the northerly bank of said San Joaquin River from which U.S.E.D. Monument No. 155 D.W. bears S 52° 09' 42" E 5,467.44 feet; thence from said POINT OF BEGINNING along said northerly bank S 77° 40' W 293.83 feet; thence S 71° 59' W 40.00 feet; thence S 71° 59' W 314.50 feet; thence leaving said northerly bank S 23° 23' 30" E 25.13 feet; thence S 15° 14' E 40.00 feet; thence N 74° 12' 48" E 644.00 feet; thence N 15° 14' W 40.00 feet; thence N 15° 14' W 21.00 feet to the point of beginning.

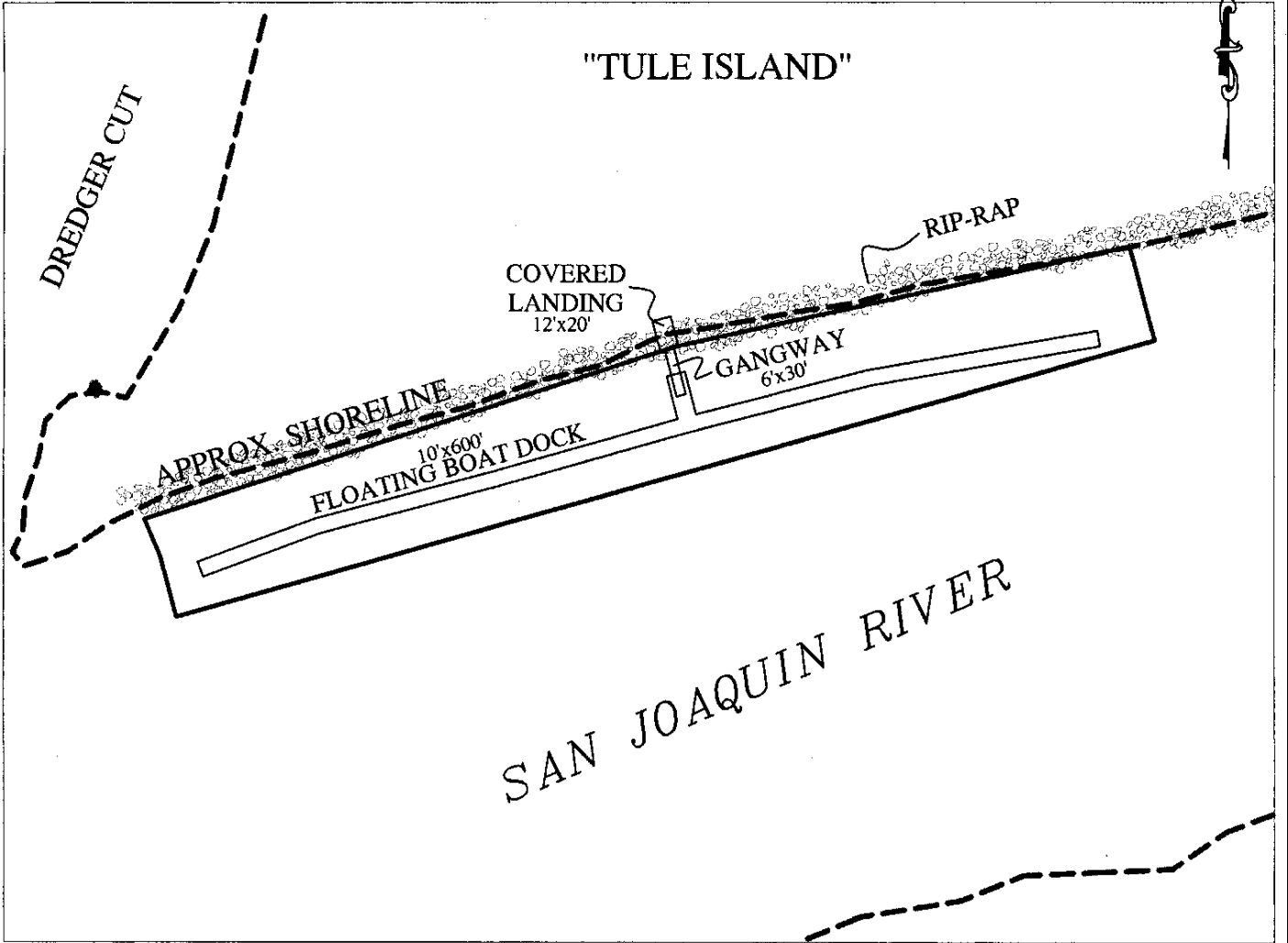
EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of said San Joaquin River.

END OF DESCRIPTION



NO SCALE

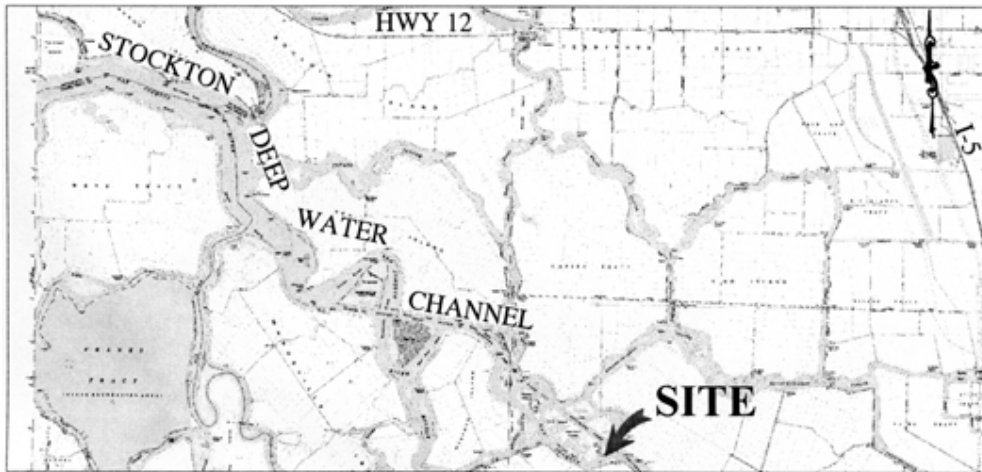
SITE



Tule Island, San Joaquin River (Stockton Deep Water Channel)

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 3930.1
 DELTA YACHT CLUB
 APN 129-120-01
 GENERAL LEASE -
 RECREATIONAL AND
 PROTECTIVE STRUCTURE USE
 SAN JOAQUIN COUNTY



This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the 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 any other property.

MJF 03/18/11