

**CALENDAR ITEM
C42**

A 11
S 7

02/21/14
PRC 3820.1
W. Hall

GENERAL LEASE – RECREATIONAL USE

APPLICANT:

Bridge Marina Yacht Club

AREA, LAND TYPE, AND LOCATION:

Sovereign land located in the San Joaquin River, adjacent to 20 Fleming Lane, in the city of Antioch (Parcel A-1), and in Dutch Slough adjacent to an unnamed island identified as Assessor Parcel Number 037-191-016 (Parcel A-2), Contra Costa County.

AUTHORIZED USE:

Continued use and maintenance of an existing yacht club house (Parcel A-1) and boat dock (Parcel A-2) previously authorized by the Commission, and use and maintenance of an existing covered platform not previously authorized by the Commission.

LEASE TERM:

10 years, beginning September 24, 2014.

CONSIDERATION:

\$3,870 per year, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

SPECIFIC LEASE PROVISIONS:

Liability insurance in an amount no less than \$1,000,000 per occurrence.

OTHER PERTINENT INFORMATION:

1. Applicant has the right to use the upland adjoining the lease premises.
2. On August 26, 1982, the Commission authorized a 30-year General Lease - Recreational Use to Bridge Marina Yacht Club for a yacht club building and boat dock. That lease expired on September 23, 2012. The Applicant is now applying for a new General Lease – Recreational Use.

CALENDAR ITEM NO. **C42** (CONT'D)

3. After the expiration of the lease, the Applicant has continued to pay the annual rent while in holding-over. Rent is current through September 23, 2014. Therefore, staff recommends the lease term begin on September 24, 2014, the anniversary date of the lease.
4. The covered platform located on the boat dock was constructed as a shade structure and has existed for many years but was not previously authorized by the Commission.
5. The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

6. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. 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.

EXHIBITS:

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

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

CALENDAR ITEM NO. **C42** (CONT'D)

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 section 6370 et seq.

AUTHORIZATION:

Authorize issuance of a General Lease – Recreational Use to Bridge Marina Yacht Club, beginning September 24, 2014, for a term of 10 years, for the continued use and maintenance of an existing yacht club house and boat dock previously authorized by the Commission, and use and maintenance of an existing covered platform not previously authorized by the Commission, as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; annual rent in the amount of \$3,870, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease; and liability insurance in an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 3820.1

LAND DESCRIPTION

PARCEL A-1 (Yacht Club Building)

A parcel of tide and submerged land situate in the City of Antioch in the bed of San Joaquin River, Contra Costa County, California, more particularly described as follows:

BEGINNING at the point that bears North 87° 03' 13" West 26.00 feet from the Sta. 474 as shown on that map "Survey of the ORDINARY HIGH WATER MARK of the Southerly Bank of the San Joaquin River, Vicinity of Antioch", dated June, 1951 filed in the office of the California State Lands Commission (CSLC) CB 581, said station having CCS27, Zone III coordinates of Northing 555787.00 feet, Easting 1639403.00 feet; thence continuing along the Ordinary High Water Mark (OHWM) depicted on said map North 87° 03' 13" West 100.12 feet; thence leaving said line the following three (3) courses:

1. North 0° 08' 54" East 86.76 feet;
2. South 89° 23' 00" East 100.00 feet;
3. South 0° 08' 54" West 90.83 feet to the POINT OF BEGINNING.

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

PARCEL A-2 (Recreational Dock)

A parcel of tide and submerged land situate in the City of Antioch and adjacent to unnamed island in the bed of Dutch Slough, Contra Costa County, California, more particularly described as follows:

BEGINNING at the point that bears North 19° 23' 31" East 73.99 feet from the Sta. N 4 as shown on that map "Survey of the ORDINARY HIGH WATER MARK along Dutch Slough, Vicinity of Jersey Island", dated December, 1951 filed in the office of the California State Lands Commission (CSLC) CB 610A, said station having CCS27, Zone III coordinates of Northing 556190.00 feet, Easting 1652174.00 feet; thence continuing along the Ordinary High Water Mark (OHWM) depicted on said map along the following six (6) courses:

1. North 19° 23' 31" East 191.05 feet;
2. North 13° 43' 38" East 50.95 feet; thence leaving said line
3. South 70° 48' 39" East 74.70 feet;
4. South 18° 52' 08" West 167.86 feet;
5. South 14° 54' 09" West 69.35 feet;
6. North 74° 21' 45" West 76.80 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of said Dutch Slough.

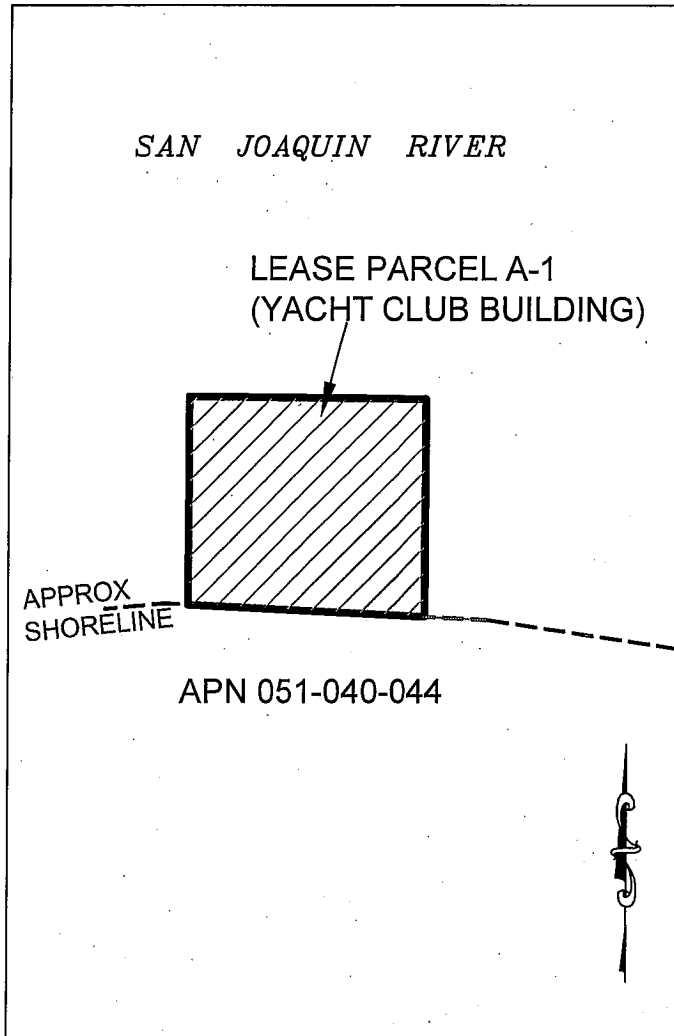
END OF DESCRIPTION

Prepared 12/23/13 by the California State Lands Commission Boundary Unit

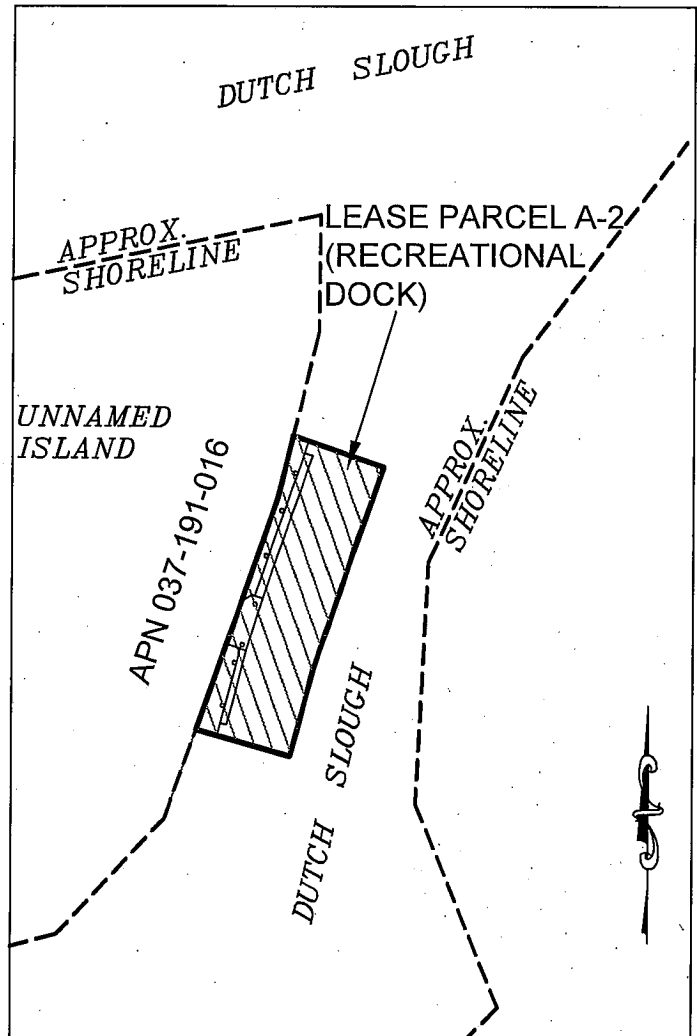


NO SCALE

SITE



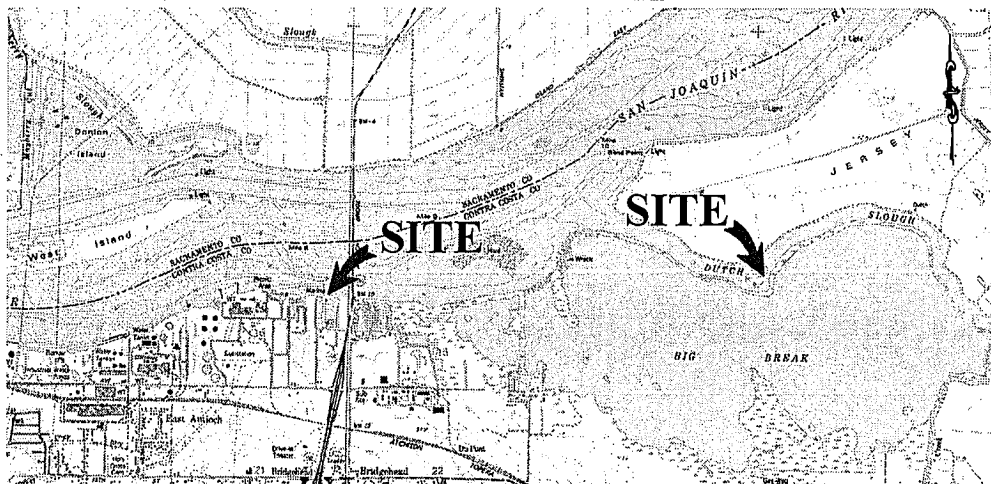
20 FLEMING LANE, ANTIOCH



DUTCH SLOUGH, ANTIOCH

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 3820.1
 BRIDGE MARINA
 YACHT CLUB
 APNs 051-040-044 & 037-191-016
 GENERAL LEASE -
 RECREATIONAL USE
 CONTRA COSTA 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.