

**CALENDAR ITEM
C39**

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06/22/17
PRC 4913.1
J. Toy

AMENDMENT OF LEASE AND REVISION OF RENT

LESSEE:

Dixon Boat and Fishing Club, Inc.

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Cache Slough, adjacent to 7504 Bartlett Road, near Dixon, Solano County.

AUTHORIZED USE:

Continued use and maintenance of two floating boat docks, a boat ramp, walkway, and five pilings.

LEASE TERM:

10 years, beginning July 1, 2012.

CONSIDERATION:

This lease provides that lessor may modify the rent periodically during the lease term. Pursuant to this provision, staff reviewed the rent under this lease and recommends that rent be revised from \$1,278 per year to \$1,256 per year, effective July 1, 2017.

PROPOSED AMENDMENT:

Amend the lease to replace the existing Exhibit B, Site and Location Map, with the attached Exhibit B, Site and Location Map (for reference purposes only). All other terms and conditions of the lease shall remain in effect without amendment.

STAFF ANALYSIS AND RECOMMENDATION:

Authority:

Public Resources Code sections 6005, 6216, 6301, 6501.1, 6503, and 503.5; California Code of Regulations, title 2, sections 2000 and 2003.

Public Trust and the State's Best Interests Analysis:

On April 26, 2013, the Commission authorized a 10-year General Lease – Recreational Use to Dixon Boat and Fishing Club, Inc., for two floating boat docks, a boat ramp, walkway, and five pilings ([Calendar Item C38, April 26, 2013](#)). That lease will expire on June 30, 2022.

CALENDAR ITEM NO. **C39** (CONT'D)

Staff conducted the rent review called for in the lease and recommends the rent be revised from \$1,278 to \$1,256 per year based on a reduced impact area for the two boat docks, and application of the current Delta Area Benchmark. Staff also recommends Exhibit B to the lease be amended to reflect the new reduced lease (impact) area.

The lease does not alienate the State's fee simple interest or permanently impair public rights. The recommended action will not substantially interfere with the Public Trust needs at this time and at this location. For these reasons, staff recommends finding the proposed action is in the best interests of the State.

OTHER PERTINENT INFORMATION:

1. This action is consistent with Strategy 2.2 of the Commission's Strategic Plan to ensure timely receipt of revenues and royalties from the use and development of State lands and minerals.
2. Amendment of the lease to make an adjustment in the lease area and approving the revision of the rent are not projects as defined by the California Environmental Quality Act because they are administrative actions that will not result in direct or indirect physical changes in the environment.

Authority: Public Resources Code section 21065 and California Code of Regulations, title 14, section 15378, subdivision (b)(5).

EXHIBITS:

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

RECOMMENDED ACTION:

It is recommended that the Commission:

PUBLIC TRUST AND STATE'S BEST INTERESTS:

Find that the proposed actions will not substantially interfere with the Public Trust needs and values at this location, at this time or for the foreseeable term of the lease, and are in the best interests of the State.

AUTHORIZATION:

1. Authorize the amendment of Lease No. PRC 4913.1, a General Lease – Recreational Use, effective July 1, 2017, to replace the existing Exhibit B, Site and Location Map, with the attached Exhibit B, Site and Location Map (for reference purposes only).

CALENDAR ITEM NO. **C39** (CONT'D)

2. Approve the revision of rent for Lease No. PRC 4913.1 from \$1,278 per year to \$1,256 per year, effective July 1, 2017.

EXHIBIT A

PRC 4913.1

LAND DESCRIPTION

A parcel of tide and submerged land lying in the bed of Cache Slough, Solano County, State of California, being more particularly described as follows:

COMMENCING at the southeast corner of that certain parcel described in Decree of Distribution of the Estate of Adelaide Norton, recorded March 26, 1937 in Book 173, page 86, Official Records of Solano County, State of California, said southeast corner being on the one-quarter section line running east and west through the center of Section 4, T 5 N, R 2 E, MDM, and bearing S 89° 45' E, 2634.72 feet from the one-quarter section corner common to Sections 4 and 5 of said township and range; thence N 89° 45' W, 100 feet; thence N 27° 45' W, 52.0 feet to the TRUE POINT OF BEGINNING; thence along the following 6 courses:

1. N 62° 15' E 35.0 feet;
2. N 23° 00' W 110.0 feet;
3. N 32° 00' W 70.0 feet;
4. N 24° 09' 43" W 208.98 feet;
5. S 62° 15' W 52.0 feet;
6. S 27° 45' E 388.0 feet;

to the point of beginning.

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

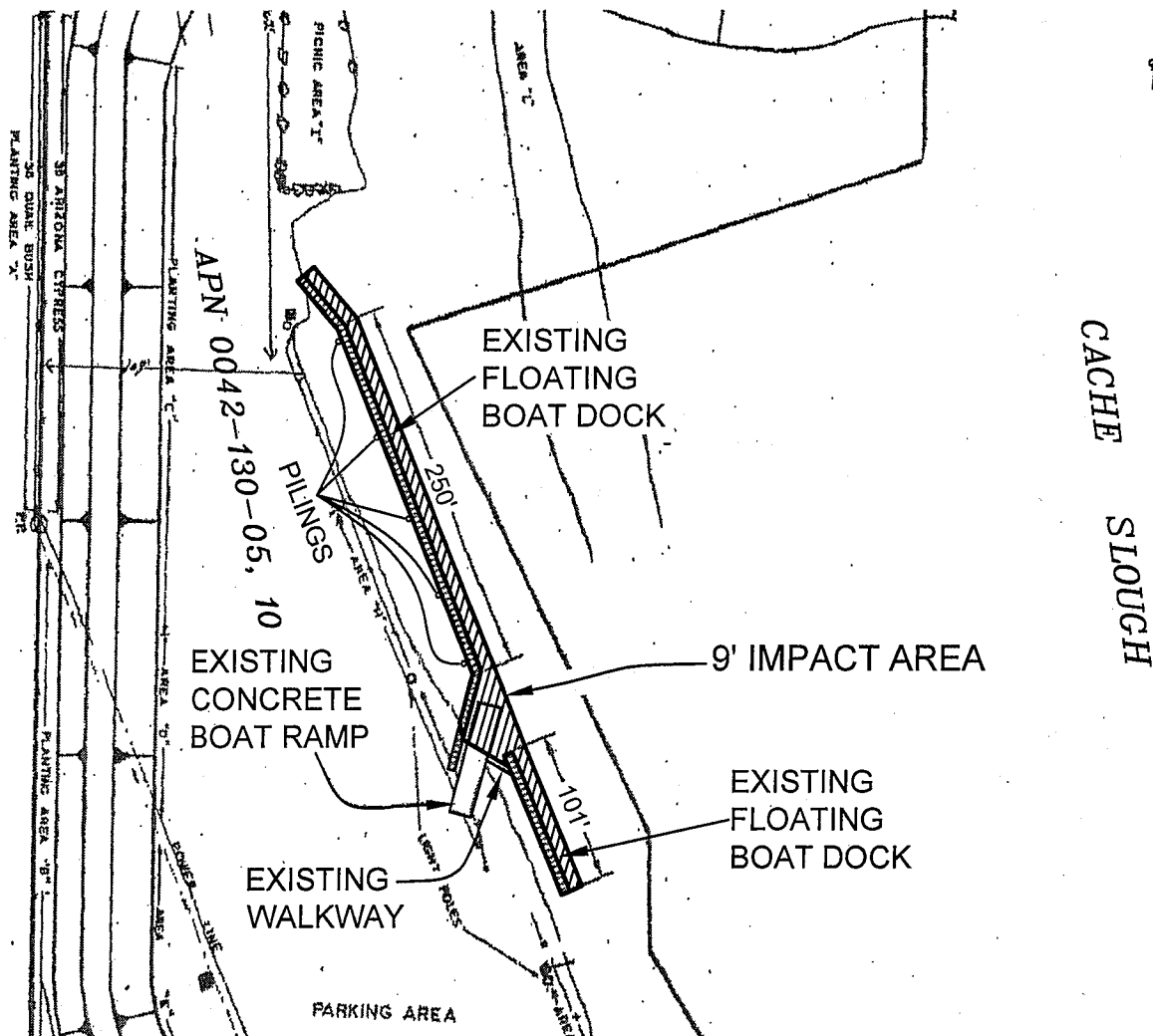
END OF DESCRIPTION

REVIEWED DECEMBER 1, 1982 BY BOUNDARY AND TITLE UNIT, LEROY WEED, SUPERVISOR.

The above description is based on that original description as found in PRC 4913 lease file.

NO SCALE

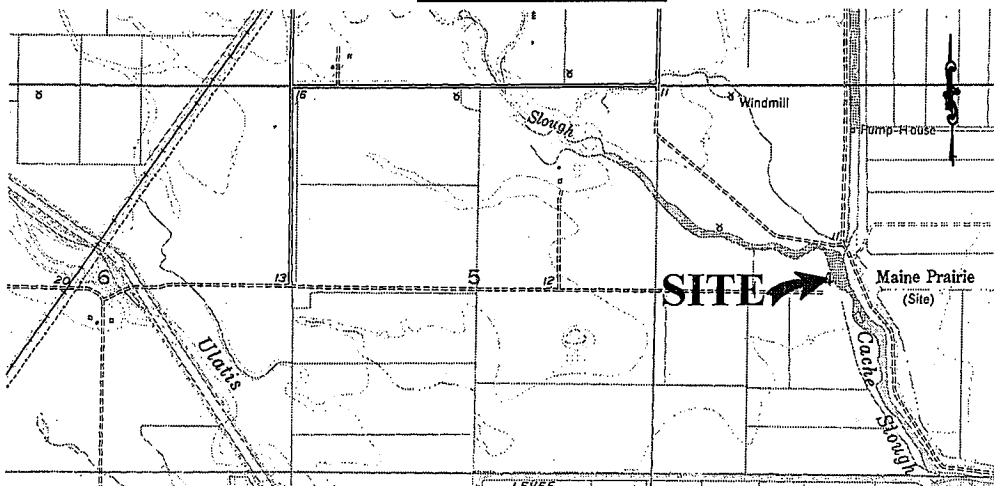
SITE



7504 BARTLETT ROAD, NEAR DIXON

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 4913.1
 DIXON BOAT & FISHING CLUB INC.
 APN 0042-130-05; -10
 GENERAL LEASE-
 RECREATIONAL USE
 SOLANO 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.