

MINUTE ITEM

This Calendar Item No. 2
was approved as Minute Item
No. 2 by the State Lands
Commission by a vote of 3
to 0 at its 6/21
meeting.

CALENDAR ITEM

P.C. 07

6/81
WP 3440
Gordon
PRC 3440

TERMINATION OF LEASE NO. 3440.1
AND ISSUANCE OF GENERAL LEASE
RIGHT-OF-WAY USE

CURRENT LESSEE: El Camino Boat Club, Inc.
P. O. Box 796
San Mateo, California 94401

AREA, TYPE LAND AND LOCATION:
A 0.054-acre parcel of tide and submerged
lands in the bed of Little Potato Slough,
San Joaquin County.

LAND USE: Operation and maintenance of an armored
submarine cable utilized for the transmission
of electric energy.

TERMS OF ORIGINAL LEASE:

Initial period: 15 years from January 26,
1966.

Renewal options: Three successive periods
of 10 years each.

Consideration: \$100 for first 15-year
term.

TERMS OF PROPOSED LEASE:

Initial period: 30 years from January 26,
1981.

Special: Parties agree that Lease
No. 3440.1 P.R.C. Series,
dated April 8, 1966,
shall terminate January 26,
1981.

CONSIDERATION: \$100 per annum with the State reserving
the right to fix a different rental on
each fifth anniversary of the lease.

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CALENDAR ITEM NO. C 0 7 (CONTD)

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Adm. Code 2005.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is owner of upland.

Filing fee has been received.

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 & 2; Div. 13.

B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884 DEADLINE:

N/A.

OTHER PERTINENT INFORMATION:

1. The subject facilities are utilized to conduct electricity to applicant's upland improvements. Applicant is a non-profit California corporation.
2. To facilitate the issuance of a lease agreement consistent with the Commission's current rules and regulations, termination of the original lease is recommended.
3. An EIR is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907, Class 1(B), which exempts an existing structure or facility that is in an acceptable state or repair, and there is no evidence of record to show injury to adjacent property, shoreline erosion, or other types of environmental degradation.
4. This project is situated on State land identified as possessing significant environmental values pursuant to P.R.C. 6370.1, and is classified in a use category, Class B, which authorizes Limited Use.

Staff review indicates that there will be no significant effect upon the identified environmental values. This is an existing facility for which no adverse comments have been received.

CALENDAR ITEM NO. C 07 (CONTD)

APPROVALS REQUIRED AND OBTAINED:

This facility is subject to the jurisdiction of the United States Army Corps of Engineers, California Department of Fish and Game, California Central Valley Regional Water Quality Control Board, California Reclamation Board and the County of San Joaquin. The proposed lease is conditioned on the approval of all agencies having jurisdiction.

EXHIBITS: A. Land Description. B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL DOCUMENT HAS NOT BEEN PREPARED FOR THIS ACTIVITY, AS SUCH DOCUMENT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21084, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2907.
2. FIND THAT TERMINATION OF THE ORIGINAL LEASE AND GRANTING OF THE REPLACEMENT LEASE WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE P.R.C.
3. AUTHORIZE TERMINATION OF LEASE "NO. 3440.1, P.R.C. SERIES," DATED APRIL 8, 1966, EFFECTIVE JANUARY 26, 1981, AND ISSUANCE TO EL CAMINO BOAT CLUB, INC. A 30-YEAR GENERAL LEASE - RIGHT-OF-WAY USE, FROM JANUARY 26, 1981, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$100, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE, FOR OPERATION AND MAINTENANCE OF AN ARMORED SUBMARINE CABLE UTILIZED FOR THE TRANSMISSION OF ELECTRIC ENERGY ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

WP 3440

A parcel of tide and submerged land 10 feet wide in Little Potato Slough, San Joaquin County, California, approximately 0.5 mile northerly of the junction of Little Potato Slough and White Slough, lying 5 feet on each side of the following described center line:

COMMENCING at a stake on the southwesterly line of the Fong Yen property as shown on that map filed in Volume 10 at page 184, Book of Maps in the San Joaquin County Recorder's Office, thence the following 6 courses:

1. N 67°30'W 67 feet
 2. S 16°E 305 feet
 3. S 32°30'W 270 feet
 4. S 73°30'W 195 feet
 5. N 74°30'W 330 feet, and
 6. S 65°30'W 135 feet to the POINT OF BEGINNING;
- thence N 35°W 250 feet across Little Potato Slough and the terminus of the herein described center line.

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

END OF DESCRIPTION

REVISED NOVEMBER 5, 1980 BY TECHNICAL SERVICES UNIT, ROY MINNICK, SUPERVISOR.

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MINUTE PAGE	<u>1265</u>

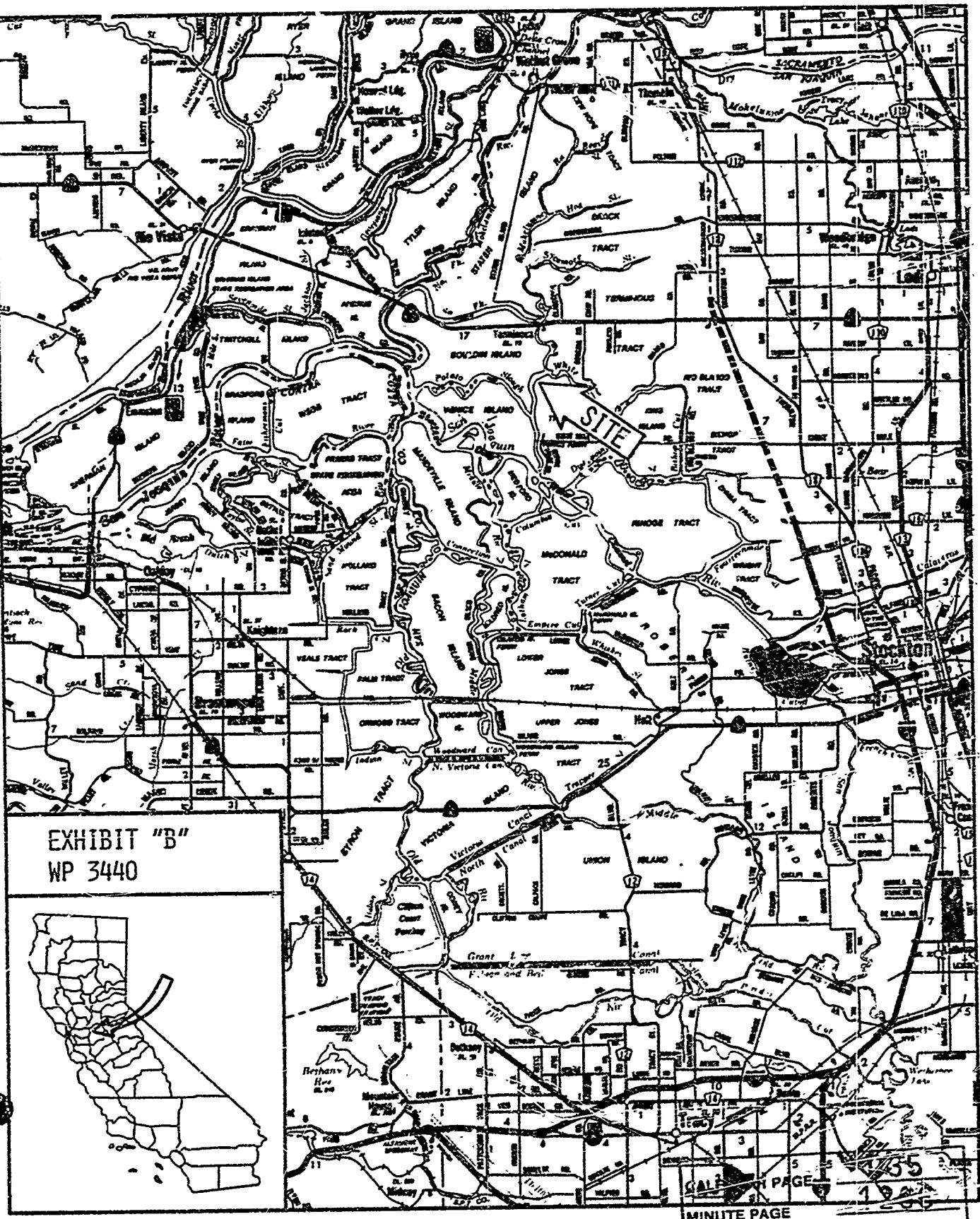


EXHIBIT "B"
WP 3440



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