

**CALENDAR ITEM
C09**

A 10
S 2

08/15/14
PRC 6617.1
A. Franzoia

REVISION OF RENT

LESSEE:

Bodega Farms

AREA, LAND TYPE, AND LOCATION:

0.48 acre, more or less, of sovereign land in the Pacific Ocean at Estero Americano and Bodega Bay, near Bodega Bay, Sonoma County.

AUTHORIZED USE:

Continued use and maintenance of one 12-inch diameter polyethylene saltwater intake pipeline at Estero Americano and one 8-inch diameter polyethylene outfall pipeline in Bodega Bay to support an onshore shellfish farm.

LEASE TERM:

15 years, beginning August 1, 2009.

CONSIDERATION:

This lease provides that Lessor may modify the rent periodically during the lease term. Pursuant to this provision, staff conducted a review of the rent under this lease and recommends rent be revised from \$251 per year to \$274 per year, effective July 31, 2014, with the State reserving the right to fix a different rent periodically during the lease term.

OTHER PERTINENT INFORMATION:

1. Lessee has the right to use the upland.
2. On June 23, 2011, the Commission authorized a General Lease-Right-of-Way Use to Bodega Farms for the continued use and maintenance of one 12-inch diameter polyethylene saltwater intake pipeline at Estero Americano and one 8-inch diameter polyethylene outfall pipeline in Bodega Bay to support an onshore shellfish farm; the lease commenced on August 1, 2009, and will expire on July 31, 2024.

CALENDAR ITEM NO. **C09** (CONT'D)

3. Staff conducted the rent review called for in the lease and recommends the rent increase.
4. Staff recommends that the Commission find that the subject revision of rent does not have a potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment, and is, therefore, not a project in accordance with the California Environmental Quality Act (CEQA).

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

EXHIBIT:

- A. Site and Location Map

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 6617.1 from \$251 per year to \$274 per year, effective July 31, 2014.

NO SCALE

SITE

APN 100-160-002

**10' WIDE
LEASE AREA
PARCEL 2**

12" INTAKE
PIPE

APPROX. O.H.W.M.

**40' WIDE
LEASE AREA
PARCEL 1**

8" OUTFALL
PIPE

ESTERO
AMERICANO

SANDBAR

BODEGA BAY

8" INTAKE
PIPE

Mouth of Estero Americano and Bodega Bay

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit A

PRC 6617.1
APN 100-160-002
BODEGA FARMS
GENERAL LEASE -
RIGHT-OF-WAY USE
SONOMA COUNTY



MJF 07/10/14

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.