

# Staff Report 24

## **LESSEE:**

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Diablo Water Ski Club, a California Corporation

## **PROPOSED ACTION:**

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Revision of Rent

## **AREA, LAND TYPE, AND LOCATION**

Sovereign land in Old River, adjacent to Assessor's Parcel Number 129-050-59, near Bacon Island and the area known as Berm "N," San Joaquin County.

## **AUTHORIZED USE:**

Continued use and maintenance of two existing club buildings, one water ski jump, five uncovered floating boat docks, two decks, a storage room, covered patio, and ten slalom marker buoys with anchors.

## **TERM:**

20 years, beginning May 1, 2006.

## **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 rent be revised from \$3,908 per year to \$4,200 per year, effective May 1, 2021.

## **OTHER PERTINENT INFORMATION:**

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1. Approval or denial of the revision of rent is a discretionary action by the Commission. Each time the Commission approves or rejects a revision of rent, it exercises legislatively delegated authority and responsibility as trustee of the State's Public Lands as authorized by law. Upon expiration or prior termination of

the lease, the Lessee has no right to a new lease or to renewal of any previous lease.

2. On December 14, 2006, the Commission authorized a General Lease – Recreational Use to Diablo Water Ski Club, a California Corporation, for a water ski facility that included two existing club buildings, one water ski jump, five uncovered floating boat docks, two decks, a storage room, covered patio, and ten slalom marker buoys with anchors ([Item 26, December 14, 2006](#)). On February 27, 2018, the Commission authorized a revision of rent ([Item 37, February 27, 2018](#)). The lease will expire on April 30, 2026.
3. The action is consistent with the “Meeting Evolving Public Trust Needs” Strategic Focus Area of the Commission’s 2021-2025 Strategic Plan.
4. Approving the revision of rent is not a project as defined by the California Environmental Quality Act because it is an administrative action 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).

## **EXHIBIT:**

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A. Site and Location Map

## **RECOMMENDED ACTION:**

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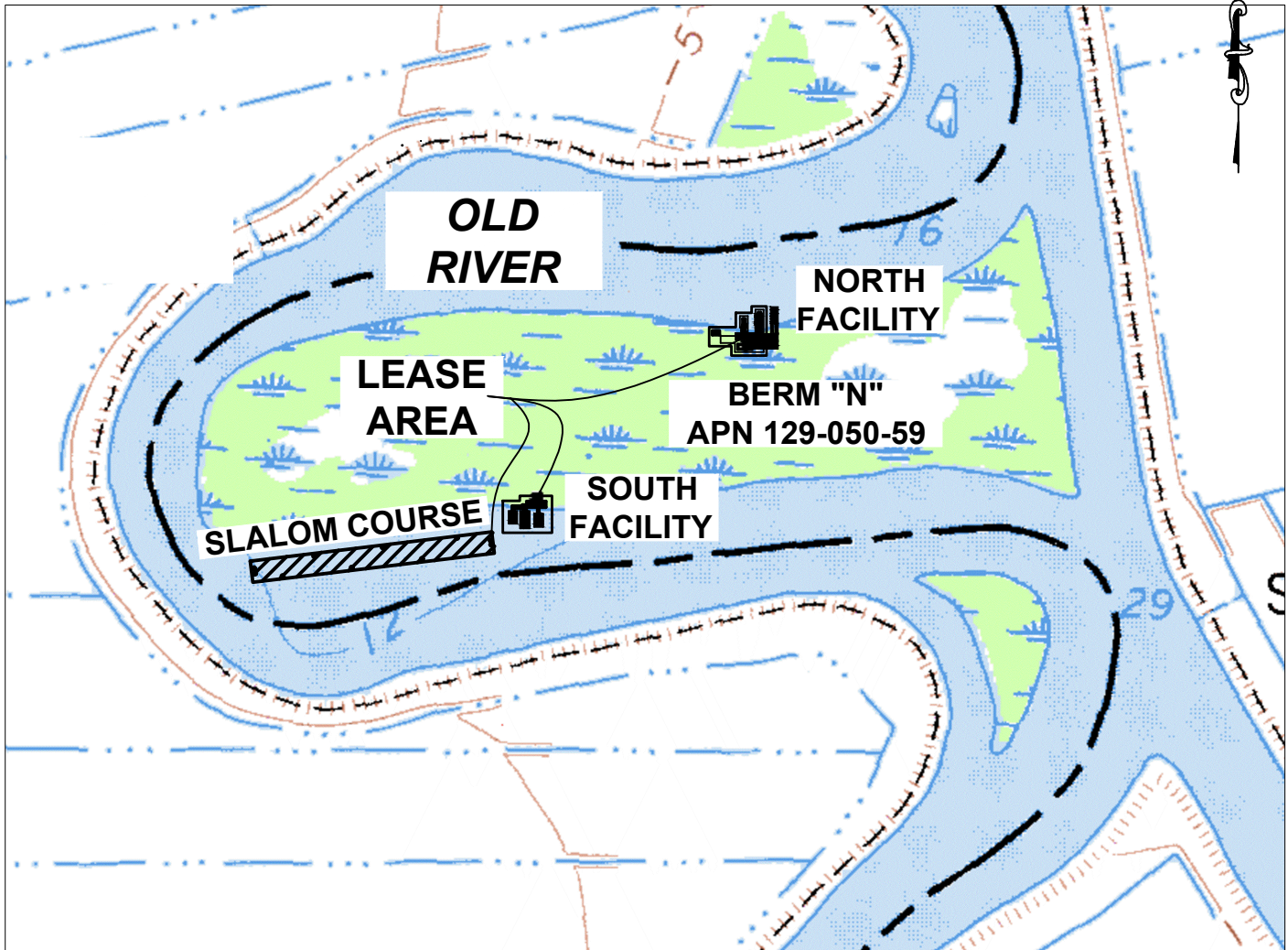
It is recommended that the Commission:

### **AUTHORIZATION:**

Approve the revision of rent for Lease PRC 6184 from \$3,908 per year to \$4,200 per year, effective May 1, 2021.

NO SCALE

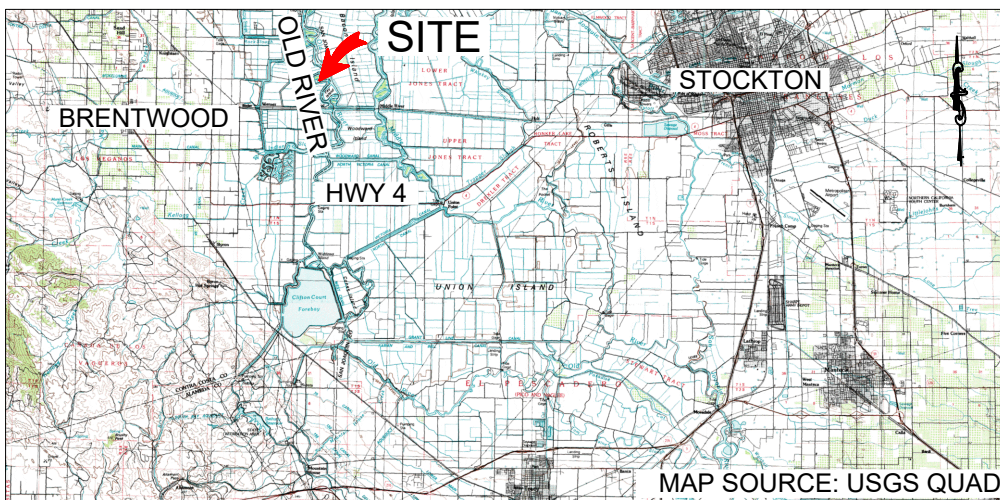
## SITE



OLD RIVER BETWEEN BACON ISLAND AND PALM TRACT

NO SCALE

## LOCATION



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.

## EXHIBIT A

PRC 6184  
APN 129-050-59  
DIABLO WATER SKI CLUB  
GENERAL LEASE -  
RECREATIONAL USE  
SAN JOAQUIN COUNTY



MJF 6/21/2021