

Staff Report 24

LESSEE:

Mary Kathleen Hildebrand, Trustee of the Mary Kathleen Hildebrand Revocable Trust

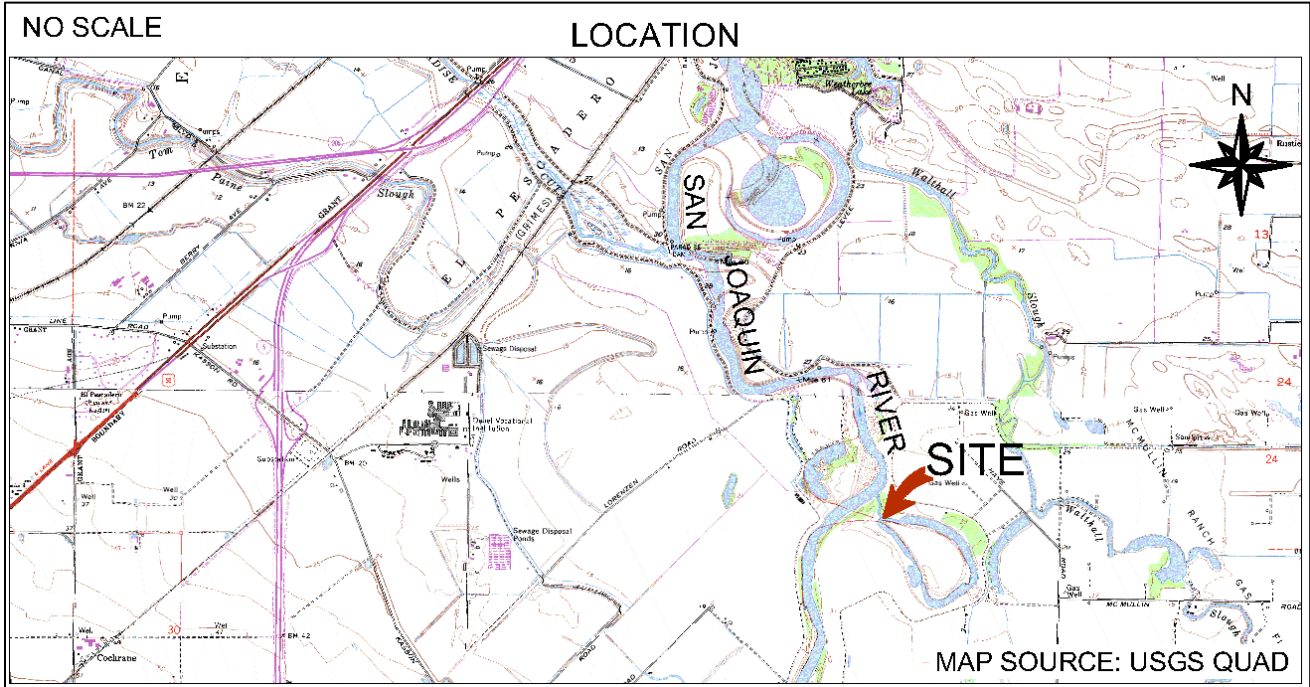
PROPOSED ACTION:

Revision of Rent.

AREA, LAND TYPE, AND LOCATION:

0.51 acres, more or less, of sovereign land in the historic bed of San Joaquin River, adjacent to 25443 Hays Road, near Manteca, San Joaquin County (as shown in Figure 1).

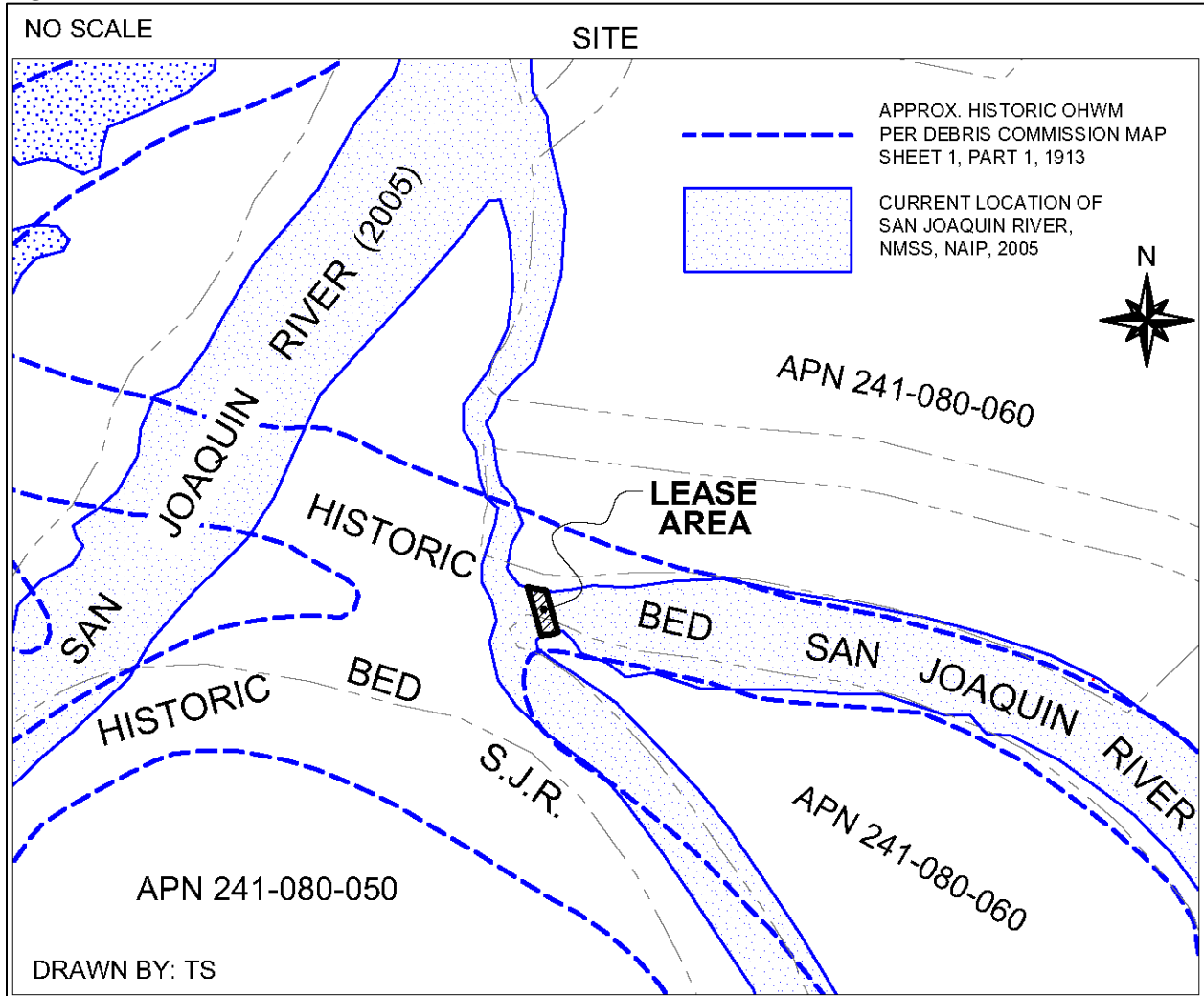
Figure 1. Location



AUTHORIZED USE:

Continued use and maintenance of an earthen fill road and culvert (as shown in Figure 2).

Figure 2. Site Map



NOTE: This depiction of the lease premises is based on unverified information provided by the Applicant or other parties and is not a waiver or limitation of any State interest in the subject or any other property.

TERM:

20 years, beginning December 2, 2013.

CONSIDERATION:

The 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 the rent be revised from \$450 per year to \$503 per year, effective December 2, 2023.

OTHER PERTINENT INFORMATION:

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. The Lessee has no right to a new lease or to renewal of any previous lease.
2. On December 2, 2013, the Commission authorized a General Lease – Right-of-Way Use ([December 2, 2013, Item 65](#)) to the lessee. The earthen fill road provides access for farm equipment across this portion of the historic bed of the San Joaquin River. On February 4, 2019, the Commission authorized an increase in the annual rent from \$230 to \$450, effective December 2, 2018 ([February 4, 2019, Item 42](#)). The lease will expire on December 1, 2033.
3. This action is consistent with the "Meeting Evolving Public Trust Needs" Strategic Focus Area of the Commission's 2021-25 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).

RECOMMENDED ACTION:

It is recommended that the Commission:

AUTHORIZATION:

Approve the revision of rent for Lease PRC 2511 from \$450 per year to \$503 per year, effective December 2, 2023.