

MINUTE ITEM

This Calendar Item No. 38
was approved as Minute Item
No. 38 by the State Lands
Commission by a vote of 3
to 0 at its 12/22/83
meeting.

CALENDAR ITEM

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12/22/83
WP 4081
J. Sekelsky
A. Scott

REQUEST FOR AUTHORIZATION TO TAKE ALL STEPS NECESSARY
INCLUDING LITIGATION TO TERMINATE UNAUTHORIZED USE OF
STATE-OWNED TIDELANDS AND SUBMERGED LANDS IN THE
VICINITY OF THE DA ROSA MARINA ON
THE SACRAMENTO RIVER

BACKGROUND:

The Da Rosa Marina occupies filled and unfilled tidelands and submerged lands in the bed of the Sacramento River, approximately located at River Mile 53.9, Sacramento County. The marina was previously leased from the State Lands Commission as lease PRC 4081.1. That lease expired in 1974.

Efforts by staff to bring the marina facilities under lease since that time have been thwarted by transfers of the marina business and by a dispute with the owners of the adjacent uplands as to the location of the boundary between their uplands and State-owned tidelands. Staff is presently negotiating with the upland owners in an attempt to resolve the boundary dispute and bring the marina facilities under lease, or at least to have the existing improvements removed from State-owned lands.

The marina facilities are currently in a delapidated and unsafe condition. There are also unauthorized vessels tied to the docks which are contributing to the unsafe condition.

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CONCLUSION: Staff believes it is in the best interests of the State and the public to take all steps necessary, including litigation, to settle boundary questions, and to bring the marina facilities into compliance with Commission leasing regulations, or have them removed from State-owned lands.

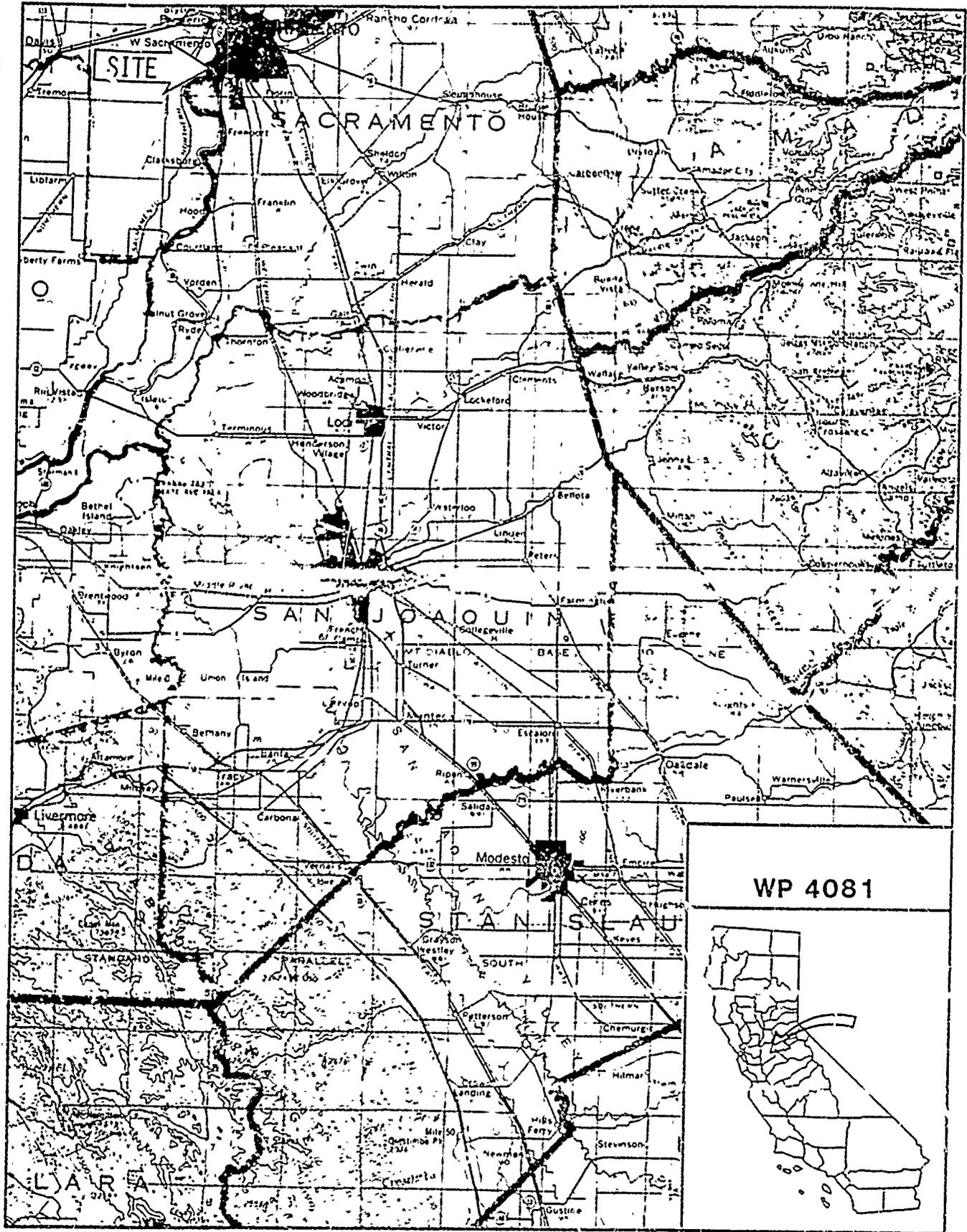
AB 884: N/A.

EXHIBITS: A. Site Map.

THEREFORE, IT IS RECOMMENDED THAT THE COMMISSION:

1. AUTHORIZE STAFF OF THE COMMISSION AND/OR THE OFFICE OF THE ATTORNEY GENERAL TO TAKE ALL STEPS NECESSARY, INCLUDING LITIGATION, TO SETTLE BOUNDARY DISPUTES AND TERMINATE UNAUTHORIZED USE OF FILLED AND UNFILLED TIDELANDS AND SUBMERGED LANDS IN THE VICINITY OF THE DA ROSA MARINA ON THE SACRAMENTO RIVER, SACRAMENTO COUNTY.
2. FIND THAT THIS ACTION IS EXEMPT FROM CEQA PURSUANT TO CAL. ADM. CODE SECTION 15001, BECAUSE IT IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND CAL. ADM. CODE SECTION 15378.

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Added 12/15/83

FILE NO. 100	187
FILE NO.	2905