

MINUTE ITEM

This Calendar Item No. C05 was approved as Minute Item No. 05 by the California State Lands Commission by a vote of 3 to 0 at its 10-1-02 meeting.

**CALENDAR ITEM
C05**

A	8,15		10/01/02
		PRC 6445.1	WP 6445.1
S	2		L. Burks

ASSIGNMENT AND AMENDMENT OF LEASE

LESSEE/ASSIGNOR:

Mary Ashley
dba The Spot Resort
P. O. Box 965
Isleton, California 95641

ASSIGNEE:

Craig J. Chaffee
714 Rubier Way
Rio Vista, California 94571

AREA, LAND TYPE, AND LOCATION:

1.11 acres, more or less, of filled tide and submerged lands in the Sacramento River at Brannan Island, near the city of Rio Vista, Sacramento County.

AUTHORIZED USE:

Continued use and maintenance of an existing 24 foot by 64 foot mobile home site, complete with septic and leach line; seven 18 foot by 45 foot parking spaces for trailers or recreational vehicles; seven vehicle parking spaces; and camping and picnic area.

LEASE TERM:

20 years, beginning January 1, 1980, which expiration date was extended to October 9, 2002, pursuant to Commission action on September 19, 2000.

CONSIDERATION:

\$3,627.39 per year; with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

CALENDAR ITEM NO. C05 (CONT'D)

PROPOSED AMENDMENT:

1. Amend lease to include the drill and installation of one 4-inch domestic water well, with pump system. In the event of a failed well bore, the site will be abandoned pursuant to Sacramento County regulations. All other terms and conditions of the lease shall remain in effect without amendment.

OTHER PERTINENT INFORMATION:

1. On June 23, 1983, the Commission authorized issuance to Sadie Ashley and Mary Ashley of General Lease – Commercial Use No. PRC 6445.1 for operation of the RV park. Sadie Ashley has passed away. Craig Chaffee has submitted an application for continued use of the existing facility as an RV park. The existing RV park will be used solely for overnight camping trailers, small motor homes, or pickup campers, which will be using electric hookups only. All RV's staying in the park will be self-contained with the nearest dumpsite located just minutes away at Brannan Island State Park or just across the bridge in Rio Vista. The existing mobile home will remain as an office and caretaker unit for the purpose of managing the park. Currently the RV's use the existing sewer and water that are located on the adjacent parcel owned by the Weber Family. There is a signed agreement with the Weber Family for the use of these utilities; however, this agreement will expire on October 9, 2002, and will not be renewed. A new water well is proposed to be drilled on the lease premises to accommodate the park users which will obviate the need to use the adjacent owner's utilities.
2. As of October 9, 2002, when the agreement with the Weber Family expires, there will be no supply of water to the RV park so the Assignee is requesting permission be granted to install the water well in order to continue operations at the park. Concurrently, the Assignee is in negotiations for a new lease, but in the interim, permission to drill the water well will facilitate operations at the park.
3. **As to the Assignment:**
Pursuant to the Commission's delegation of authority and the State CEQA Guidelines [Title 14, California Code of Regulations, section 15060(c)(3)], the staff has determined that this activity is not subject to the provisions of the CEQA because it is not a "project" as defined by the CEQA and the State CEQA Guidelines.

CALENDAR ITEM NO. C05 (CONT'D)

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

4. **As to the Amendment (Water Well):**

Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 3, New Construction of Small Structures; Title 14, California Code of Regulations, section 15303.

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300.

EXHIBITS:

- A. Land Description
- B. Location Map
- C. Site Plan

PERMIT STREAMLINING ACT DEADLINE:

September 26, 2002

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

AS TO THE ASSIGNMENT:

FIND THAT THE ACTIVITY IS NOT SUBJECT TO THE REQUIREMENTS OF THE 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.

AS TO THE AMENDMENT (WATER WELL):

PURSUANT TO THE COMMISSION'S DELEGATION OF AUTHORITY AND THE STATE CEQA GUIDELINES (TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061), THE STAFF HAS DETERMINED THAT THIS ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA AS A CATEGORICALLY EXEMPT PROJECT. THE

CALENDAR ITEM NO. C05 (CONT'D)

PROJECT IS EXEMPT UNDER CLASS 3, NEW CONSTRUCTION OF SMALL STRUCTURES; TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15303.

AUTHORITY: PUBLIC RESOURCES CODE SECTION 21084 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15300.

AUTHORIZATION:

1. AUTHORIZE THE ASSIGNMENT OF LEASE NO. PRC 6445.1, A GENERAL LEASE - COMMERCIAL USE, OF FILLED TIDE AND SUBMERGE LANDS DESCRIBED ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF, FROM MARY ASHLEY TO CRAIG J. CHAFFEE; EFFECTIVE OCTOBER 1, 2002.
2. AUTHORIZE THE AMENDMENT OF GENERAL LEASE – COMMERCIAL USE PRC 6445.1, EFFECTIVE OCTOBER 1, 2002, WHICH AMENDS LEASE TO DRILL AND INSTALL A WATER WELL, WITH PUMP SYSTEM.
3. ALL OTHER TERMS AND CONDITIONS OF SAID LEASE SHALL REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.

Land Description

A parcel of tide and submerged land lying in the bed of the Sacramento River, Sacramento County, State of California, more particularly described as follows:

COMMENCING at a northwesterly corner of the exception to the Grant Deed from Herman H. Weber and Ida P. Weber, his wife, to Everett Wilcox, recorded January 15, 1971, in Book 71-01-15, Page 528, in the Office of the Recorder of Sacramento County; thence along the southwesterly line of said exception S 33° 13' 30" E 40.68 feet (N 33° 08' W per Book 71-01-15 Page 538), to the Project Channel Line of the Sacramento River Flood Control Project, said Project Channel Line being the easterly line of that parcel described in the exception to the Joint Tenancy Grant Deed from David N. Patch to Herman H. Weber and Ida Weber, his wife, recorded August 16, 1967 in Book 67-08-16, Page 199, in the Office of the Recorder of Sacramento County; thence along said Project Channel Line, S 15° 02' W 654.68 feet to the POINT OF BEGINNING; thence continuing along said line, also being a portion of the agreed line in Boundary Settlement Agreement B.L.A. No. 198 between Herman H. Weber, et al., and the State of California, recorded Jan. 12, 1981 in Book 810112P1030 Official Records, Sacramento County S 15° 02' W 108.00 feet; thence S 37° 24' E 242.97 feet; thence leaving said agreed line the following fourteen (8) courses:

S 25° 53' W	237.00 feet;
N 30° 30' W	164.06 feet;
N 03° 00' W	70.00 feet;
N 01° 00' E	130.00 feet;
N 10° 00' E	88.00 feet;
N 11° 19' 32" E	16.24 feet;
N 10° 00' E	70.00 feet;
S 86° 39' 25" E	38.00 feet to the point of beginning.

END OF DESCRIPTION

PREPARED BY: Richard Hansen

DATE: June 24, 1994

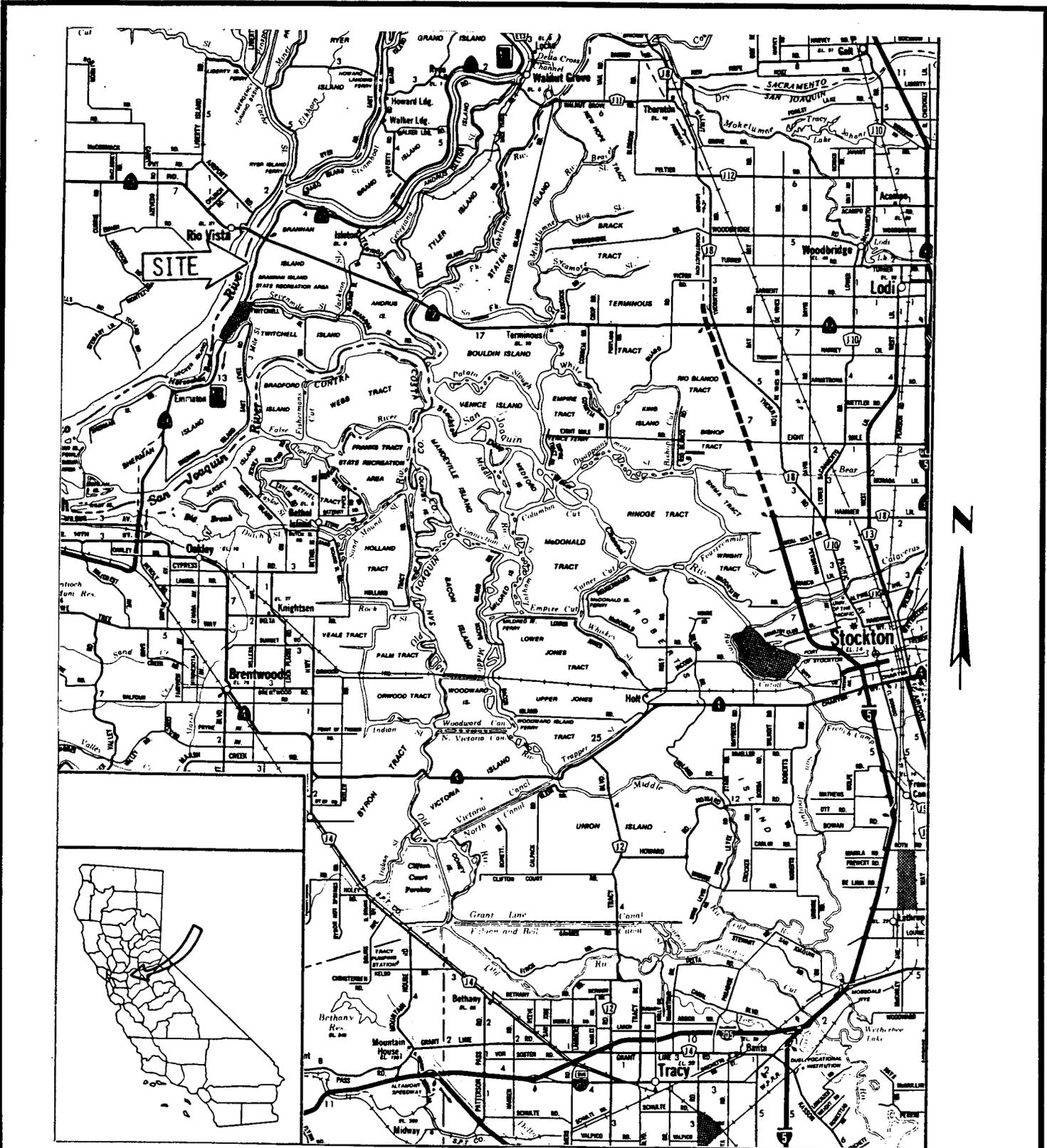


This exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by Lessee or other parties, and is not intended to be, nor shall it be construed as, a waiver or limitation of any state interest in the subject or other property.

Exhibit A
WP 6445

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CALENDAR PAGE

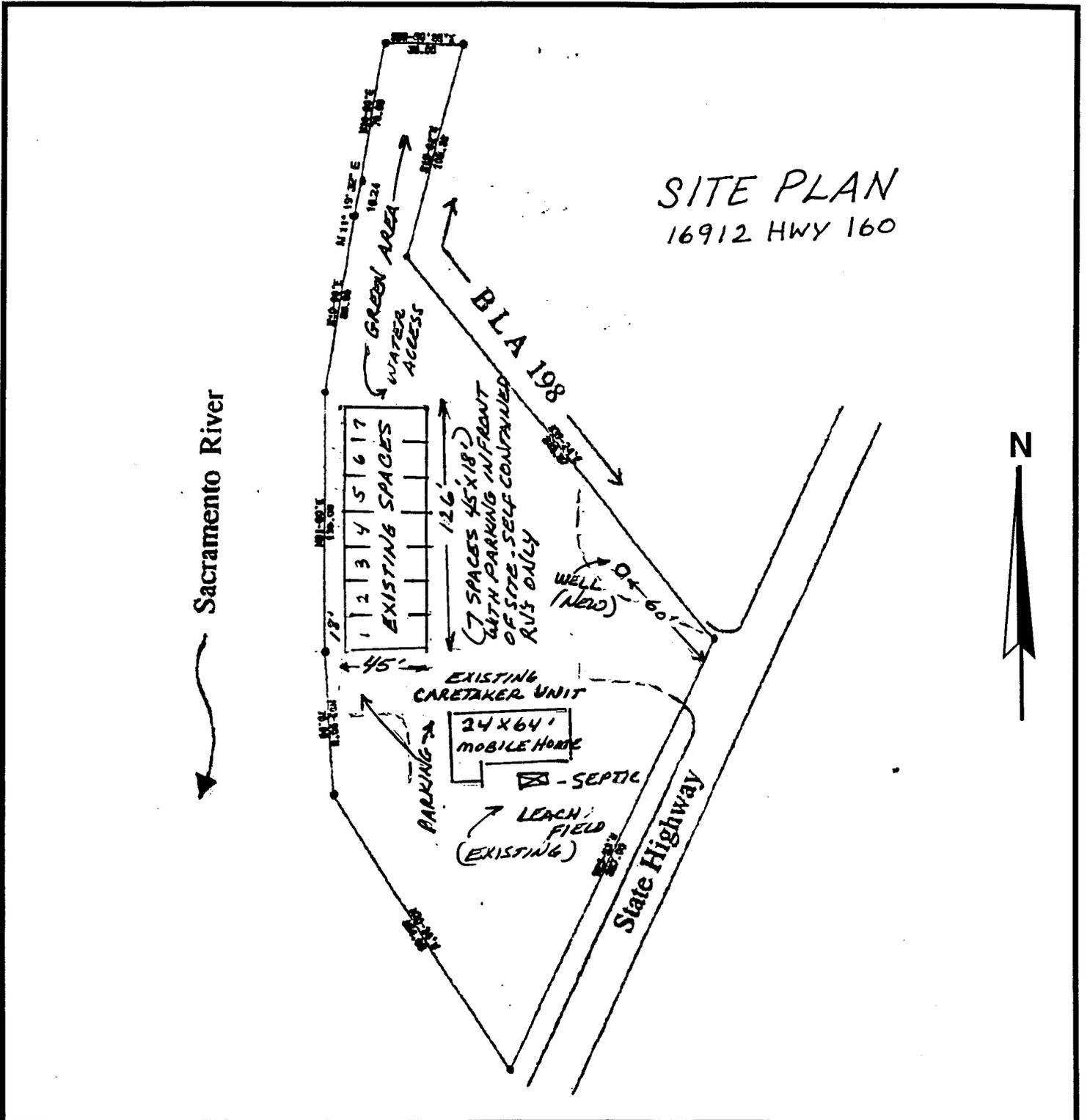
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MINUTE PAGE



Rio Vista Quad

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Exhibit B
WP 6445



This exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by 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 other property.

Exhibit C
WP 6445