**CALENDAR ITEM**

# C21

A 11 06/21/13

PRC 4052.1

S 2, 3 W. Hall

## GENERAL LEASE – RECREATIONAL USE

**APPLICANTS:**

Richard W. Tesene and Diane J. Tesene, as Trustees under the Tesene 1993 Revocable Intervivos Trust, under instrument dated July 15, 1993

**AREA, LAND TYPE, AND LOCATION**:

Sovereign land located in the Montezuma Slough, adjacent to 3400 Gum Tree Road, near the city of Suisun, Solano County.

**AUTHORIZED USE**:

Continued use and maintenance of an existing boathouse, walkway, ramp, two pilings and floating dock.

**LEASE TERM**:

10 years, beginning October 8, 2013.

**CONSIDERATION**:

$278 per year, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

**SPECIFIC LEASE PROVISIONS:**

Liability insurance in the amount of no less than $1,000,000 per occurrence.

**OTHER PERTINENT INFORMATION:**

1. Applicants own the upland adjoining the lease premises.

2. On February 2, 2004, the Commission authorized a 10-year Recreational Pier Lease to Richard W. Tesene and Diane J. Tesene, as Trustees under the Tesene 1993 Revocable Intervivos Trust, under instrument dated July 15, 1993, for an existing boathouse, walkway, ramp and floating dock. That lease expires on October 7, 2013. The Applicants are now applying for a new General Lease – Recreational Use.

3. The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

   Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

**EXHIBITS:**

A. Land Description
B. Site and Location Map

**RECOMMENDED ACTION**:
It is recommended that the Commission:

**CEQA FINDING:**

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

**SIGNIFICANT LANDS INVENTORY FINDING:**

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370 et seq.

**AUTHORIZATION:**

Authorize issuance of a General Lease – Recreational Use to Richard W. Tesene and Diane J. Tesene, as Trustees under the Tesene 1993 Revocable Intervivos Trust, under instrument dated July 15, 1993, beginning October 8, 2013, for a term of 10 years, for the continued use and maintenance of an existing boathouse, walkway, ramp, two pilings and floating dock described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; annual rent in the amount of $278 per year, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease; and liability insurance in the amount of no less than $1,000,000 per occurrence.

## EXHIBIT A

**PRC 4052.1**

## LAND DESCRIPTION

A parcel of tide and submerged land situate in the bed of Montezuma Slough, lying adjacent to Swamp and Overflowed Land Survey 564 patented January 17, 1876, County of Solano, State of California and more particularly described as follows:

> All those lands underlying an existing floating dock, walkway, ramp and boathouse lying adjacent to that parcel described in Grant Deed, recorded October 11, 1973 in Document No. 25045 in Official Records of said County.

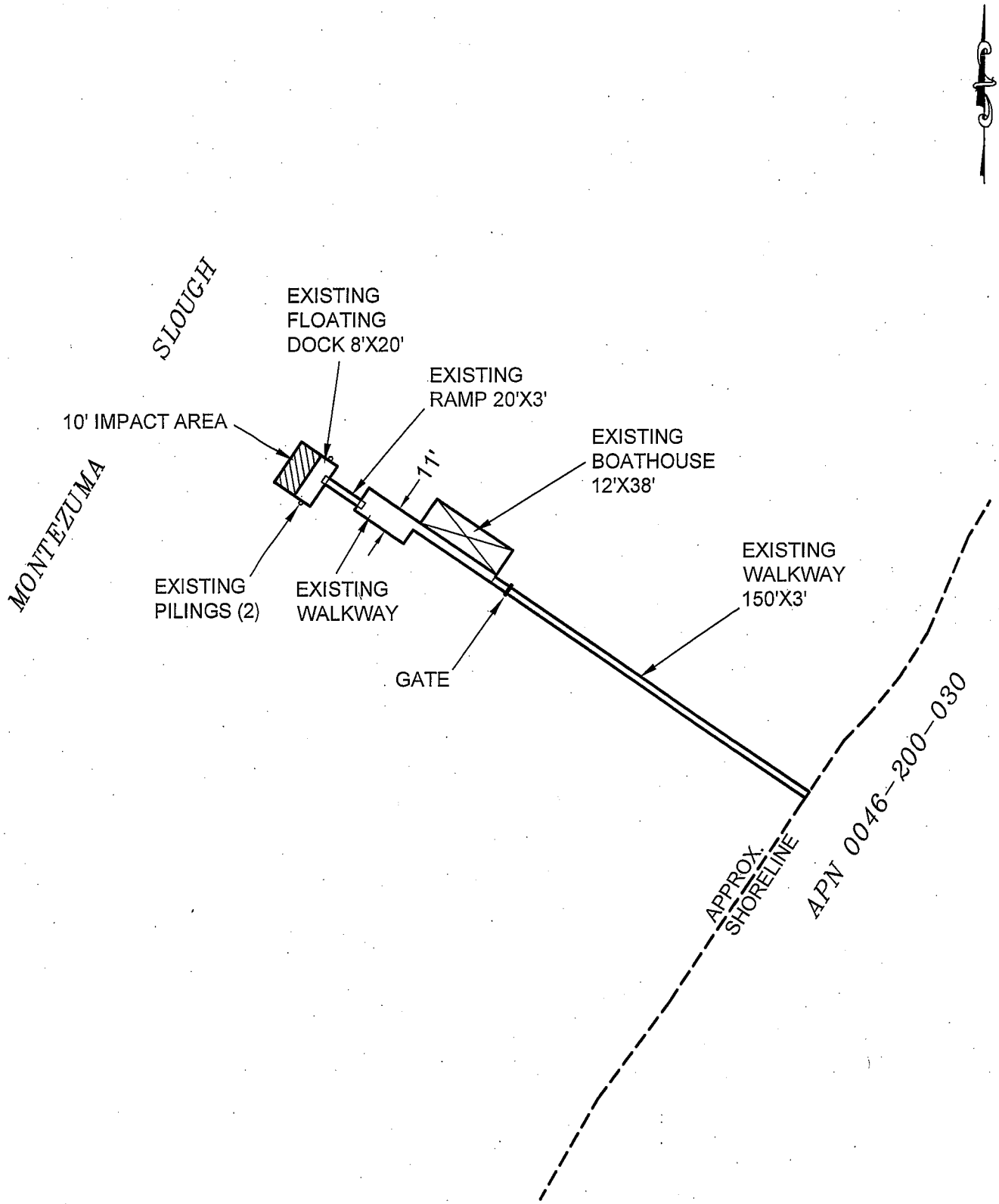
TOGETHER WITH a 10′ impact area.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of the left bank of said slough.

Accompanying plat is hereby made part of this description.

**END OF DESCRIPTION**

Prepared 02/14/13 by the California State Lands Commission Boundary Unit




# EXHIBIT A

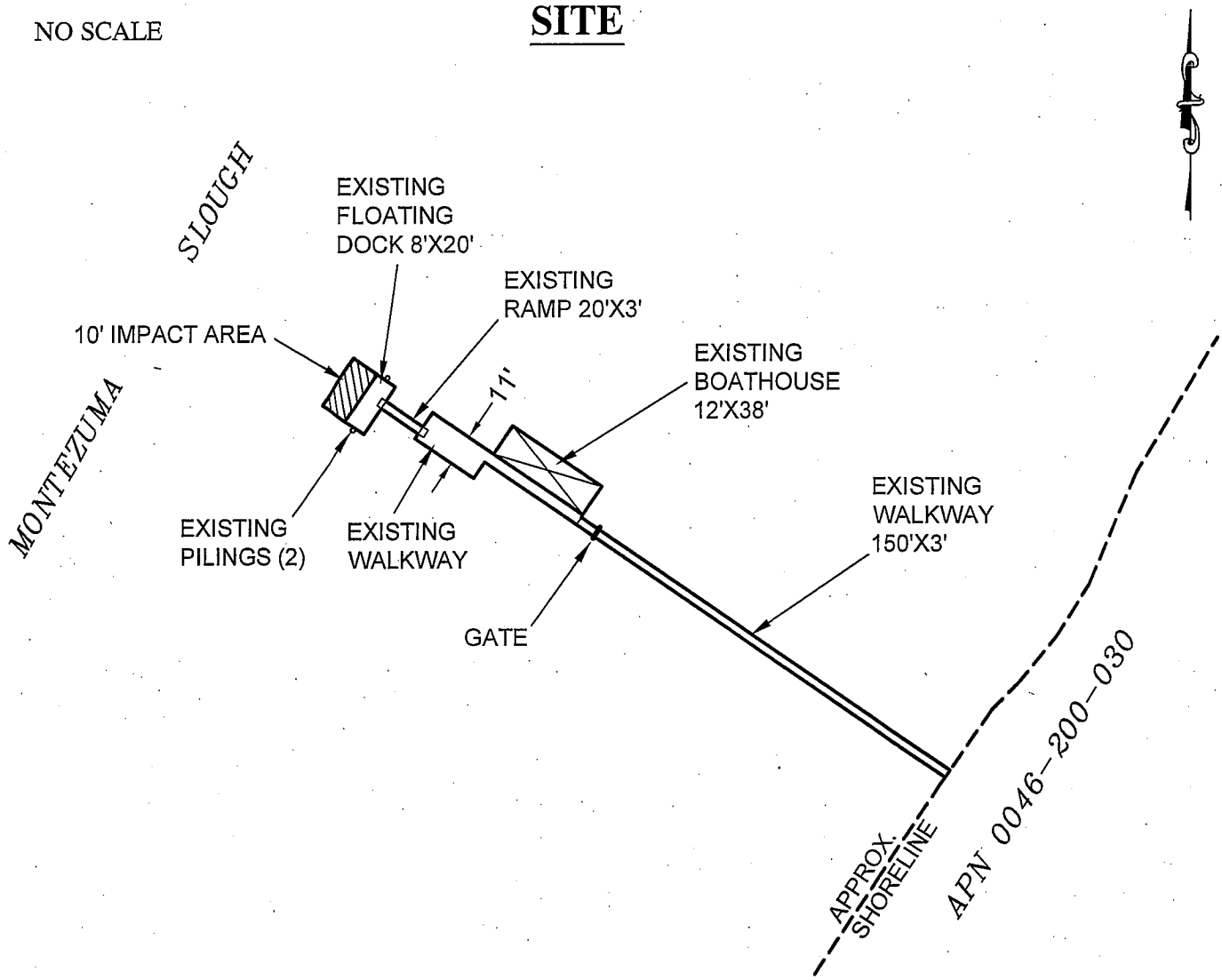
Page 2 of 2

TS 02/14/13

| | |
|---|---|
| LAND DESCRIPTION PLAT<br>PRC 4052.1, TESENE<br>SOLANO COUNTY | CALIFORNIA STATE<br>LANDS COMMISSION |

NO SCALE

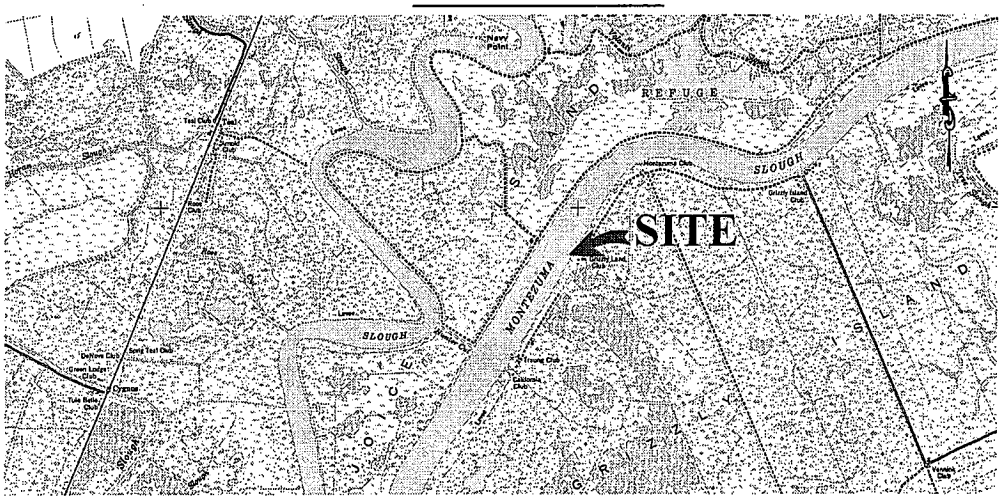
# SITE




3400 GUM TREE ROAD, GRIZZLY ISLAND, NEAR SUISUN CITY

NO SCALE

# LOCATION




MAP SOURCE: USGS QUAD

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 B

PRC 4052.1
TESENE
APN 0046-200-030
GENERAL LEASE - RECREATIONAL USE
SOLANO COUNTY

TS 02/14/13