

**CALENDAR ITEM
C10**

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S 2

09/20/13
PRC 8456.1
R. Boggiano

GENERAL LEASE - RECREATIONAL USE

APPLICANTS:

Matthew A. Young and Pamela T. Young

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the Napa River, adjacent to 1308 Milton Road, near the city of Napa, Napa County.

AUTHORIZED USE:

Continued use and maintenance of an existing uncovered floating boat dock, walkway, and three pilings.

LEASE TERM:

10 years, beginning January 5, 2013

CONSIDERATION:

\$172 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 an amount of no less than \$1,000,000 per occurrence.

OTHER PERTINENT INFORMATION:

1. Applicants have a right to use the upland adjoining the lease premises. Assessor's Parcel Number (APN) 047-350-027 is situated between the Applicants' upland parcel, which has an address of 1308 Milton Road (APN 047-350-004), and the Napa River. The Applicants have an express easement over the intervening parcel for a right-of-way access to the bank of the Napa River for construction and maintenance of a docking facility.
2. On April 7, 2003, the Commission authorized a 10-year General Lease – Recreational Use to Matthew A. Young and Pamela T. Young for a walkway and four attached docks. That lease expired on January 4, 2013.

CALENDAR ITEM NO. C10 (CONT'D)

The Applicants are now applying for a new General Lease – Recreational Use.

3. The Applicants only constructed two of the four docks authorized in the previous lease and one of the constructed docks was subsequently removed. Consequently, only one of the four previously authorized floating boat docks remains adjacent to the property and is being considered in the new lease.
4. 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.

5. 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).

CALENDAR ITEM NO. **C10** (CONT'D)

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 Matthew A. Young and Pamela T. Young, beginning January 5, 2013, for a term of 10 years, for the continued use and maintenance of an existing uncovered floating boat dock, walkway, and three pilings as 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 \$172 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 an amount of no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 8456.1

LAND DESCRIPTION

A parcel of tide and submerged land situate in the bed of the Napa River lying adjacent to Swamp and Overflow Survey 107, patented September 3, 1877, County of Napa, State of California, more particularly described as follows:

All those lands underlying an existing uncovered floating boat dock, walkway and three (3) pilings lying adjacent to those parcels as described in that Grant Deed recorded October 9, 2003 in Document 2003-0055082 in Official Records of said County.

TOGETHER WITH a 10 foot impact area.

EXCEPTING THEREFROM any portion lying landward of the Ordinary High Water Mark of the right bank of the Napa River.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared July 17, 2013 by the California State Lands Commission Boundary Unit





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Flow

River

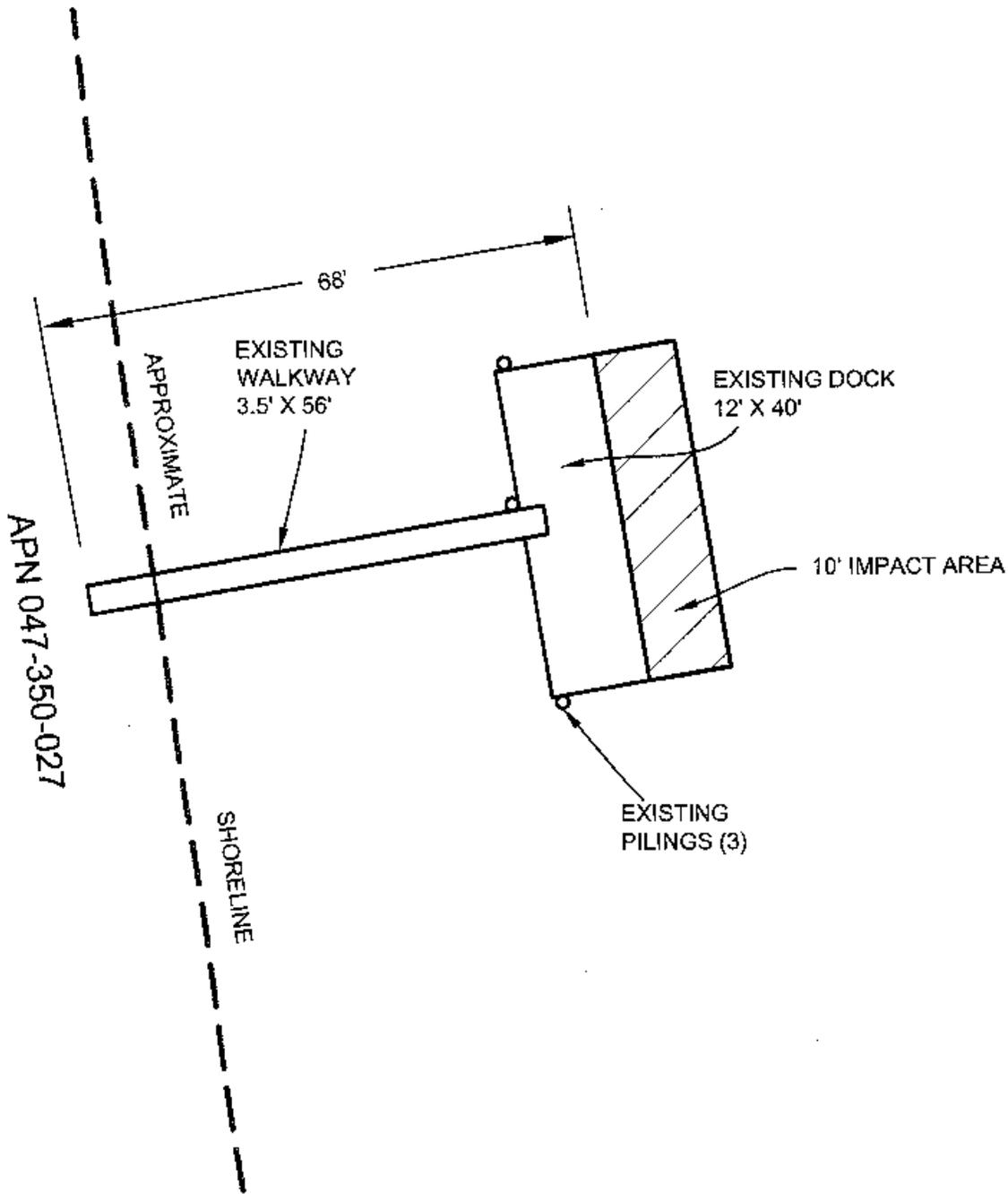


EXHIBIT A

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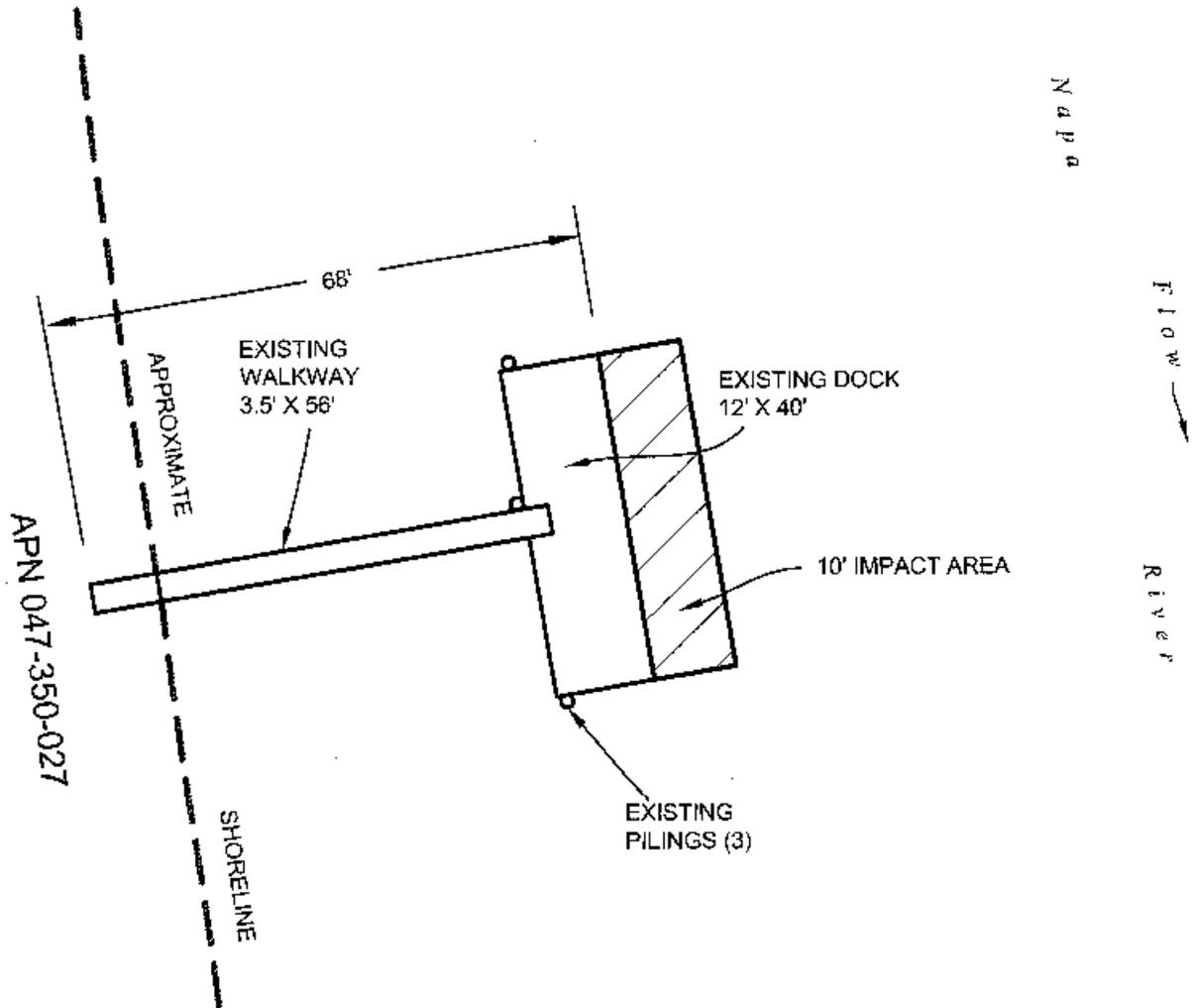
LAND DESCRIPTION PLAT
PRC 8456.1, YOUNG
NAPA COUNTY

CALIFORNIA STATE
LANDS COMMISSION



NO SCALE

SITE



1308 MILTON ROAD, NAPA RIVER

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 8456.1
 YOUNG
 APN 047-350-027
 GENERAL LEASE -
 RECREATIONAL USE
 NAPA COUNTY



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.