

**CALENDAR ITEM
C12**

A 7, 8
S 2, 5

09/20/13
PRC 7727.1
R. Boggiano

GENERAL LEASE – RECREATIONAL USE

APPLICANT:

California Land and Water Company, a California Corporation

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Montezuma Slough, adjacent to Assessor's Parcel Number 0046-200-010, near Suisun City, Solano County.

AUTHORIZED USE:

Continued use and maintenance of an existing uncovered floating boat dock, two pilings, walkway, and a covered shed.

LEASE TERM:

10 years, beginning October 1, 2013.

CONSIDERATION:

\$450 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. Applicant owns the upland adjoining the lease premises.
2. On November 9, 1993, the Commission authorized a 20-year General Lease – Recreational Use to California Land and Water Company, effective October 1, 1993. That lease will expire on September 30, 2013. The Applicant is now applying for a new General Lease – Recreational Use.
3. The Applicant owns a private duck club located on the upland adjoining the lease premises. The docking facilities are utilized by the members of the duck club.

CALENDAR ITEM NO. **C12** (CONT'D)

4. The staff recommends that the Commission find that this activity is exempt from the requirements of 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).

SIGNIFICANT LAND 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 California Land and Water Company, a California Corporation, beginning October 1, 2013, for a term of 10 years, for the continued use and maintenance of an existing uncovered floating boat dock, two pilings, walkway, and a covered shed as described in Exhibit A and shown on Exhibit B (for reference

CALENDAR ITEM NO. **C12** (CONT'D)

purposes only) attached and by this reference made a part hereof; annual rent in the amount of \$450 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 7727.1

LAND DESCRIPTION

A parcel of tide and submerged land situate in the bed on Montezuma Slough, lying adjacent to Solano County Swamp and Overflow survey number 564, patented on January 17, 1876, in Book 7, Page 165, on file at the Sacramento Office of the California State Lands Commission, County of Solano, State of California, described as follows:

All those lands underlying an existing floating boat dock, walkway and covered shed lying adjacent to that parcel described as Parcel One in Grant Deed recorded March 20, 1995, as Document Number 1995-16320 in Official Records of said County.

TOGETHER WITH a ten foot impact area.

EXCEPTING THEREFROM any portion lying landward of the Ordinary High Water Mark of the left bank of Montezuma Slough.

Accompanying plat is hereby made a part of this description.

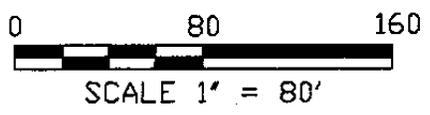
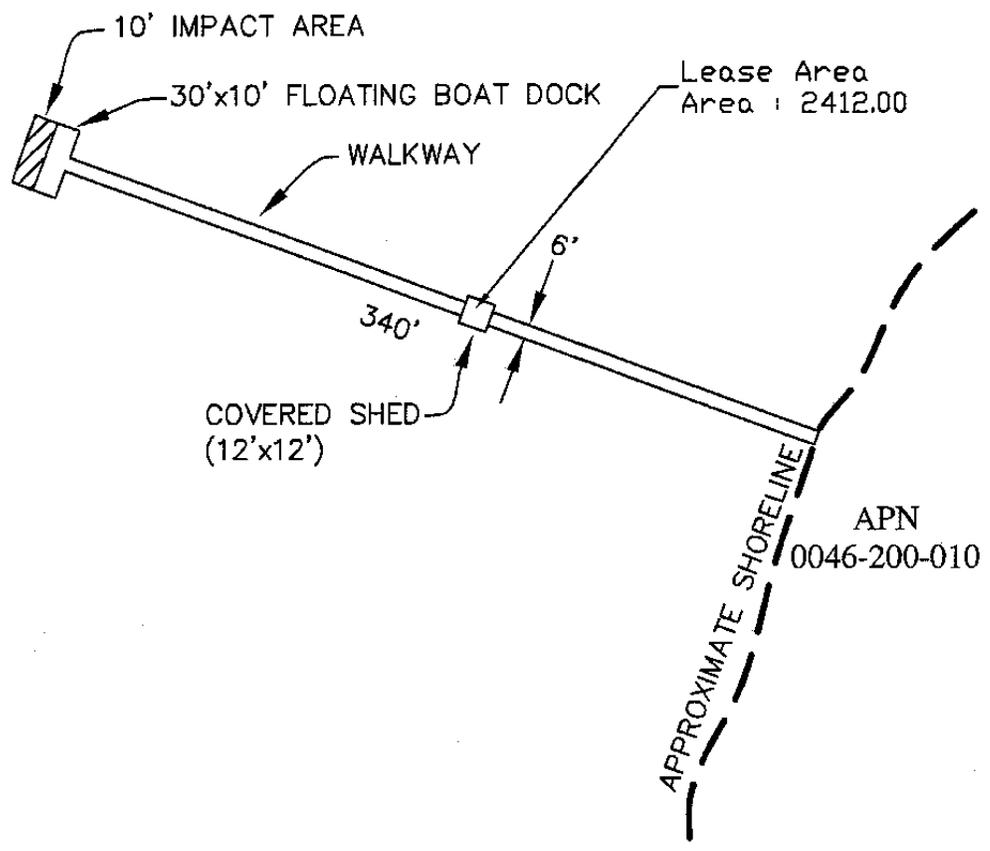
END OF DESCRIPTION

Prepared 12/10/2012 by the California State Lands Commission Boundary Unit.





MONTEZUMA SLOUGH



* ALL STRUCTURES SHOWN ARE EXISTING.

EXHIBIT A

Page 2 of 2

DJF 12/10/12

LAND DESCRIPTION PLAT
 PRC 7727.1, CALIFORNIA LAND
 AND WATER COMPANY
 SOLANO COUNTY

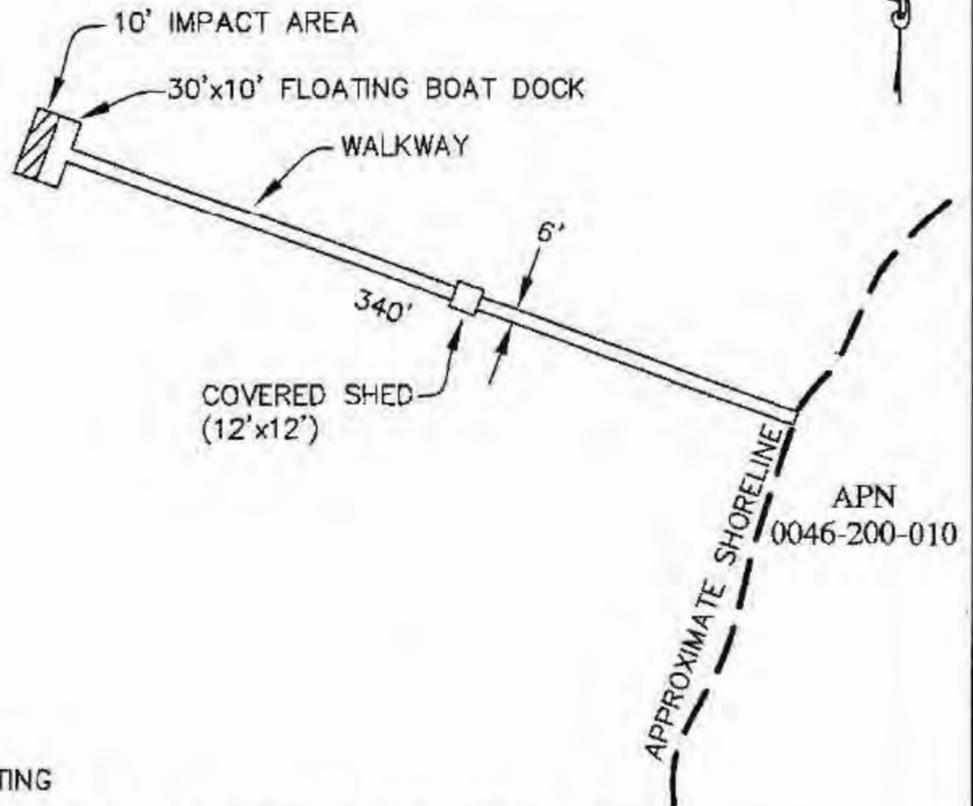
CALIFORNIA STATE
 LANDS COMMISSION



NO SCALE

SITE

MONTEZUMA SLOUGH



*ALL STRUCTURES ARE EXISTING

MONTEZUMA SLOUGH, GRIZZLY ISLAND

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 7727.1
 CALIFORNIA LAND AND
 WATER COMPANY
 APN 0046-200-010
 GENERAL LEASE -
 RECREATIONAL USE
 SOLANO 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.