

**CALENDAR ITEM
C55**

A 11
S 3

04/23/15
W 26844
V. Caldwell

**GENERAL LEASE –
RECREATIONAL AND PROTECTIVE STRUCTURE USE**

APPLICANT:

Robert Spinardi and Debra Spinardi

AREA, LAND TYPE, AND LOCATION:

Sovereign land located on the Sacramento River, adjacent to 215 Edgewater Drive, near Rio Vista, Solano County.

AUTHORIZED USE:

Use and maintenance of an existing uncovered floating boat dock, four steel pilings, gangway, walkway, two-pile steel dolphin, and bulkhead not previously authorized by the Commission.

LEASE TERM:

10 years, beginning April 23, 2015

CONSIDERATION:

Uncovered Floating Boat Dock, Four Steel Pilings, Gangway Walkway, and Two-Pile Steel Dolphin: \$125 per year, with an annual Consumer Price Index adjustment.

Bulkhead: The public use and benefit, with the State reserving the right at any time to set a monetary rent if the Commission finds such to be in the State's best interests.

SPECIFIC LEASE PROVISIONS:

Liability insurance in an amount no less than \$1,000,000 per occurrence.

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.
2. The existing dock facilities were never authorized but have existed at this location for many years and were constructed prior to the Applicant's

CALENDAR ITEM NO. **C55** (CONT'D)

ownership of the uplands. The Applicant is now applying for a General Lease – Recreational and Protective Structure Use. Staff recommends authorization of these facilities.

3. The bulkhead will mutually benefit both the public and the Applicant. The bank of the Sacramento River will have additional protection for the river channel from wave action provided at no cost to the public.
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).

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.

CALENDAR ITEM NO. **C55** (CONT'D)

AUTHORIZATION:

Authorize issuance of a General Lease – Recreational and Protective Structure Use to Robert Spinardi and Debra Spinardi beginning April 23, 2015, for a term of 10 years, for the use and maintenance of an existing uncovered floating boat dock, four steel pilings, gangway, walkway, two-pile steel dolphin, and bulkhead not previously authorized by the Commission, as described in Exhibit A and shown on Exhibit B (for reference purposes only), attached and by this reference made a part hereof: consideration for the existing uncovered floating boat dock, four steel pilings, gangway, walkway, and two-pile steel dolphin; \$125 per year with an annual Consumer Price Index adjustment; consideration for the bulkhead: the public use and benefit, with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interests; and liability insurance in an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

W 26844

LAND DESCRIPTION

One parcel of tide and submerged land situated in the bed of the Sacramento River, lying adjacent to Rancho Los Ulpinos patented May 19, 1859, County of Solano, State of California, more particularly described as follows:

All those lands underlying an existing floating boat dock, two-pile steel dolphin, gangway, walkway, four steel pilings and bulkhead lying adjacent to that parcel described in Grant Deed recorded November 19, 2007 as Document Number 200700119336 in Official Records of Solano County.

TOGETHER WITH any applicable impact area.

ALSO TOGETHER WITH that land lying immediately beneath any bank protection structure lying adjacent to said deed.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of the right bank of the Sacramento River.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared 03/13/2015 by the California State Lands Commission Boundary Unit.



APN 0049-252-150

EXISTING BULKHEAD

EXISTING STEEL PILINGS (4) TYP

EXISTING FLOATING BOAT DOCK

IMPACT AREA
9' X 32'

EXISTING WALKWAY

EXISTING TWO-PILE STEEL DOLPHIN

EXISTING GANGWAY

APPROX. SHORELINE

SACRAMENTO RIVER
← RIVER FLOW

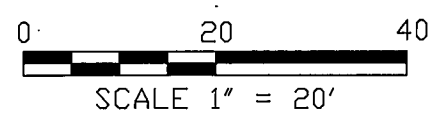


EXHIBIT A

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RGB 03/13/15

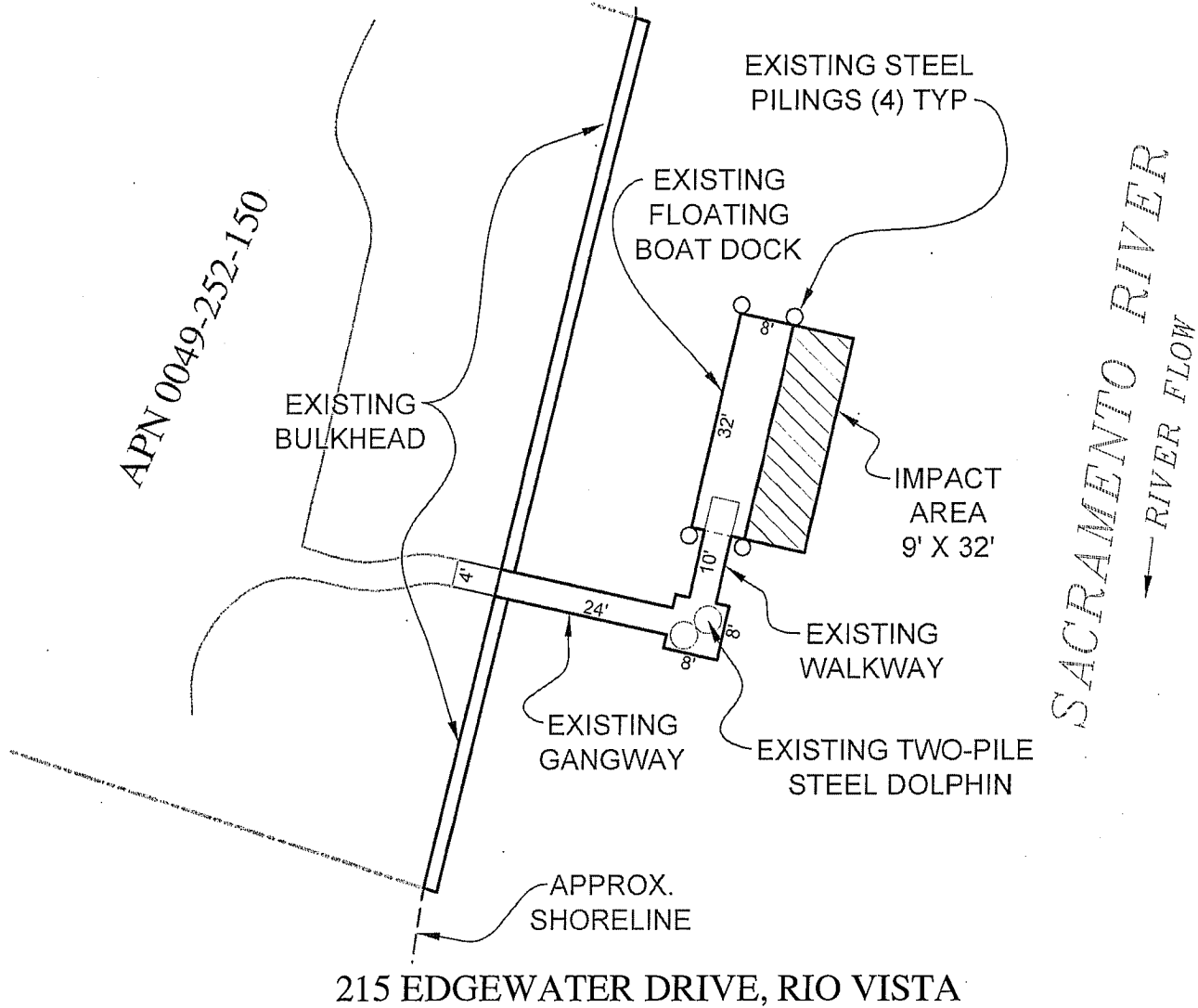
LAND DESCRIPTION PLAT
W 26844, SPINARDI
SOLANO COUNTY

CALIFORNIA STATE
LANDS COMMISSION



NO SCALE

SITE



NO SCALE

LOCATION

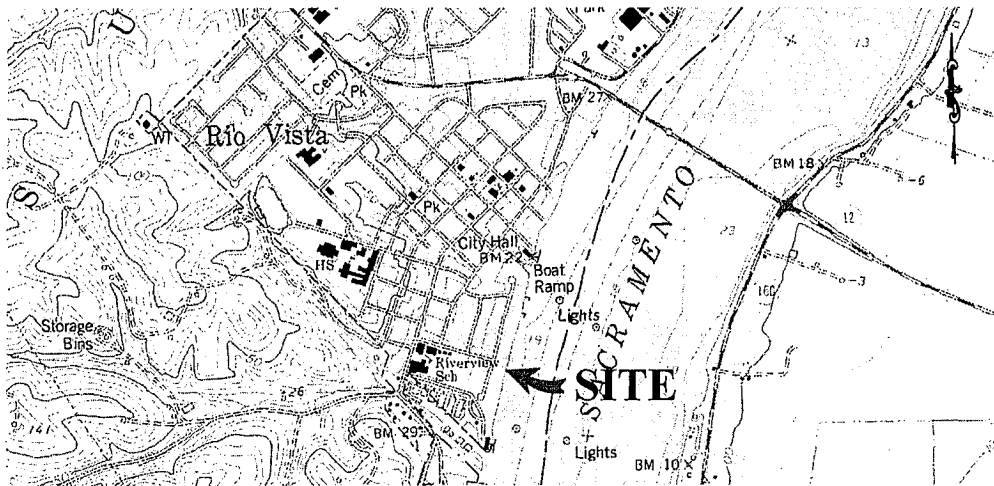


Exhibit B

W 26844
 SPINARDI
 APN 0049-252-150
 GENERAL LEASE -
 RECREATION AND
 PROTECTIVE
 STRUCTURE 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.