

CALENDAR ITEM  
**C57**

A 11  
S 3

04/23/15  
PRC 5954.1  
V. Caldwell

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

**APPLICANT:**

Stephen P. Wombacher and Tonya D. Shy-Wombacher

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

Sovereign land located in Steamboat Slough, adjacent to Solano County Assessor's Parcel No. (APN) 0177-070-020 and 3466 Snug Harbor Drive, on Ryer Island, near Walnut Grove, Solano County.

**AUTHORIZED USE:**

Continued use and maintenance of an existing single-berth boathouse and walkway previously authorized by the Commission, use and maintenance of an existing uncovered floating boat dock, two wood pilings, gangway, landing, and bulkhead not previously authorized by the Commission.

**LEASE TERM:**

10 years, beginning October 29, 2014, subject to the continued right of access from the upland owner, whichever term is less.

**CONSIDERATION:**

**Single-Berth Boathouse, Walkway, Uncovered Floating Boat Dock, Two Wood Pilings, Gangway, and Landing:** \$175 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:**

1. If the letter of permission from the upland owner authorizing the use of improvements adjacent to Solano County APN 0177-070-020 terminates during the Lease term, then the Lease will terminate for that portion of the

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Lease and the improvements located adjacent to APN 0177-070-020, as shown on Exhibit B-2.

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

**OTHER PERTINENT INFORMATION:**

1. Applicant has the right to use the upland adjoining the lease premises at APN 0177-070-020, and Applicant owns the upland adjoining the lease premises at 3466 Snug Harbor Drive.
2. On April 26, 2005, the Commission authorized a General Lease – Recreational Use to Vikki Gilbert Graham for a single-berth boathouse and walkway adjacent to APN 0177-070-020. That lease expired on January 14, 2015. The Applicant has received permission to access the single-berth boathouse and walkway adjacent to APN 0177-070-020 from the upland owner, Thomas Liebner. The applicant is applying to bring these improvements under lease, in addition to improvements adjacent to their property.
3. On October 29, 2014, ownership of the upland at 3466 Snug Harbor Drive was transferred to Stephen P. Wombacher and Tonya D. Shy-Wombacher. The uncovered floating boat dock, two wood pilings, gangway, landing, and bulkhead were constructed many years ago but were not previously authorized by the Commission. The Applicant has applied for a General Lease – Recreational and Protective Structure Use.
4. The bulkhead will mutually benefit both the public and the Applicant. The bank of Steamboat Slough will have additional protection for the river channel from wave action provided at no cost to the public.
5. 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.

6. 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

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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-1. Site and Location Map
- B-2. 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 and Protective Structure Use to Stephen P. Wombacher and Tonya D. Shy-Wombacher beginning October 29, 2014, for a term of 10 years, subject to the continued right of access, whichever term is less, for the continued use and maintenance of an existing single-berth boathouse and walkway previously authorized by the Commission; use and maintenance of an existing uncovered floating boat dock, two wood pilings, gangway, landing, and bulkhead not previously authorized by the Commission as described on Exhibit A and shown on Exhibit B (for reference purposes only), attached and by this reference made a part hereof; consideration for the existing single-berth boathouse, walkway, uncovered floating boat dock, two wood pilings, gangway, and landing: \$175 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**

**PRC 5954.1**

**LAND DESCRIPTION**

Two parcels of tide and submerged land situate in the bed of the Steamboat Slough, lying adjacent to Swamp and Overflowed Land Survey 544 patented October 17, 1878, County of Solano, State of California and more particularly described as follows:

**PARCEL 1 – DOCK**

All those lands underlying an existing uncovered floating boat dock, ramp, two wood pilings and landing lying adjacent to that parcel described in Exhibit "A" of Grant Deed, recorded October 29, 2014 in Document No. 201400083445 in Official Records of said County.

TOGETHER WITH any applicable Impact Area(s).

ALSO TOGETHER WITH all those lands lying immediately beneath any existing bank protection structure adjacent to said parcel.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of said Steamboat Slough.

**PARCEL 2 – BOATHOUSE**

All those lands underlying an existing boathouse lying adjacent to that Parcel One described in Exhibit "A" of Grant Deed, recorded February 3, 2011 in Document No. 201100010910 in Official Records of said County.

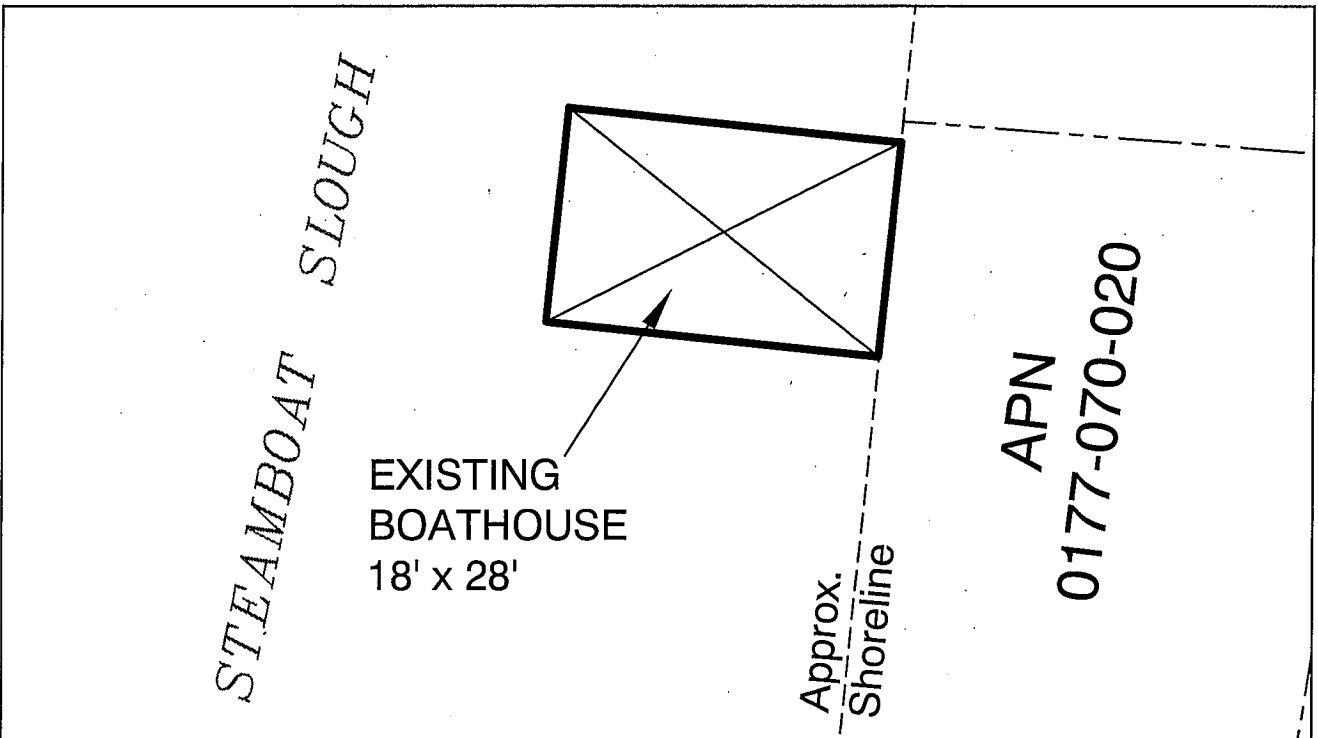
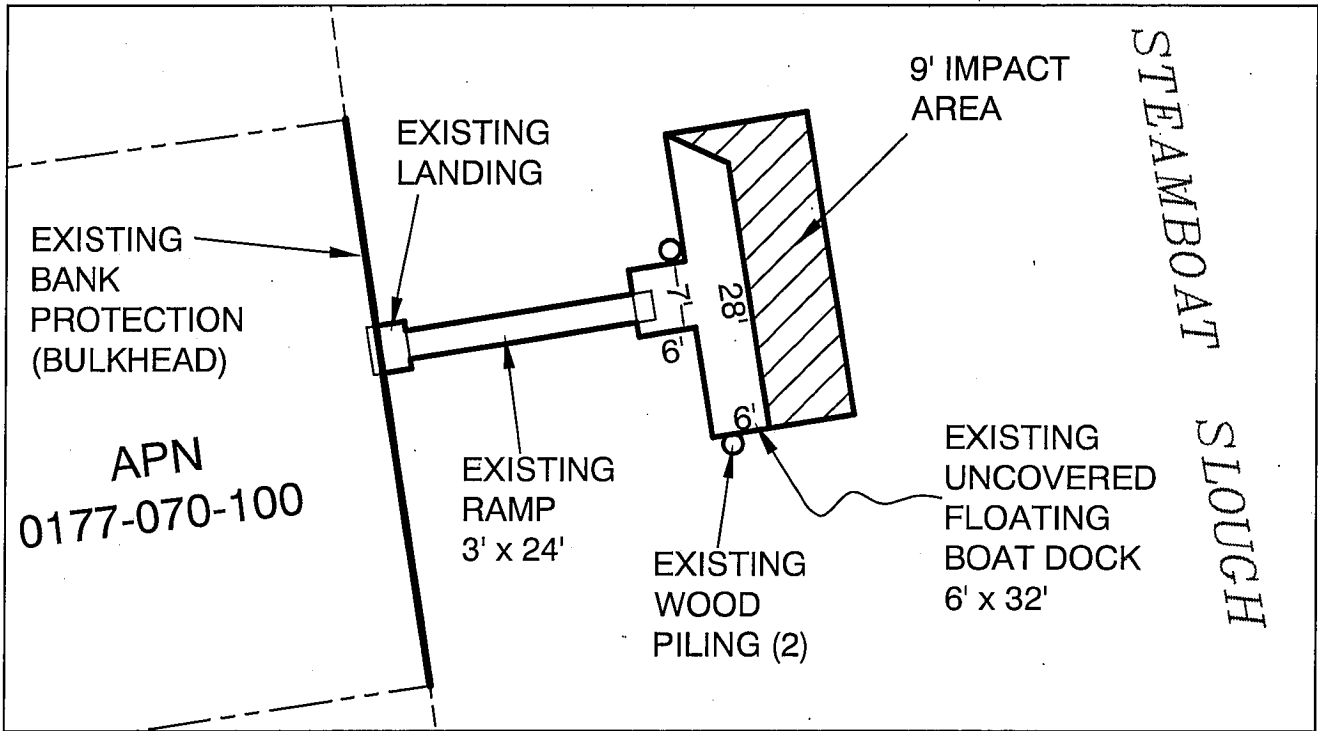
EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of said Steamboat Slough.

Accompanying plat is hereby made part of this description.

**END OF DESCRIPTION**

Prepared 02/05/15 by the California  
State Lands Commission Boundary Unit



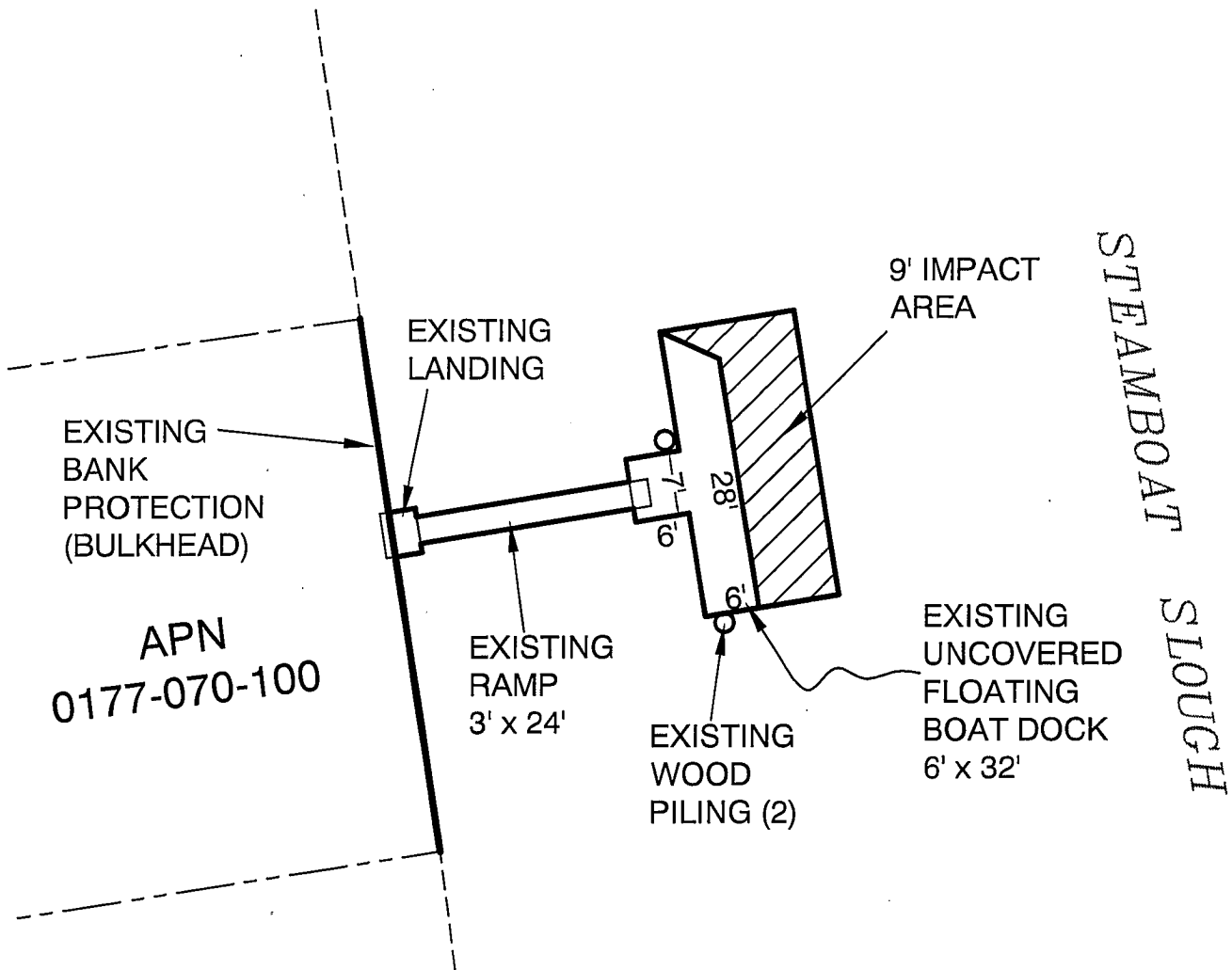


**EXHIBIT A**



NO SCALE

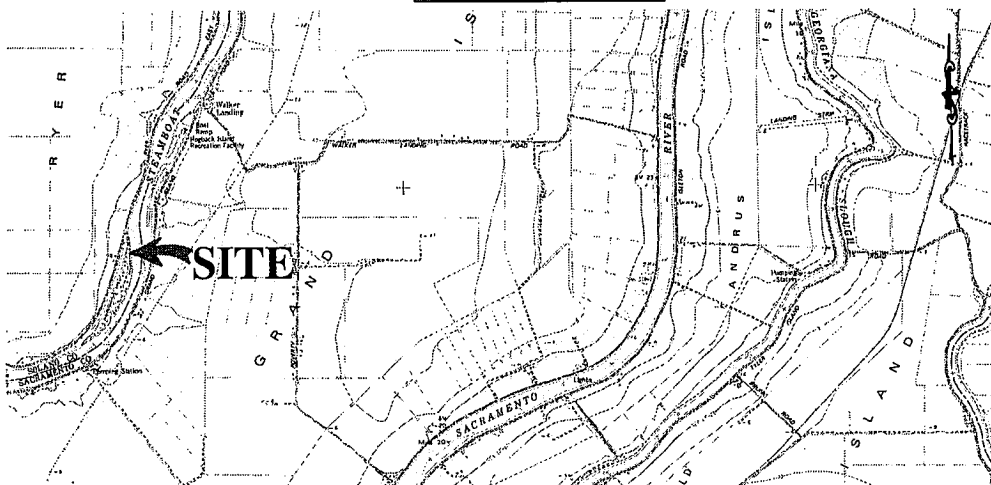
# SITE



3466 SNUG HARBOR DRIVE, NEAR WALNUT GROVE

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-1

PRC 5954.1  
 WOMBACHER  
 APNs 0177-070-100, -020  
 GENERAL LEASE -  
 RECREATIONAL AND  
 PROTECTIVE STRUCTURE USE  
 SOLANO COUNTY

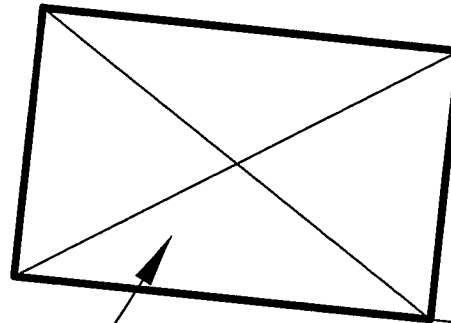


TS 02/05/15

NO SCALE

**SITE**

STEAMBOAT  
SLOUGH



EXISTING  
BOATHOUSE  
18' x 28'

EXISTING  
WALKWAY

Approx.  
Shoreline

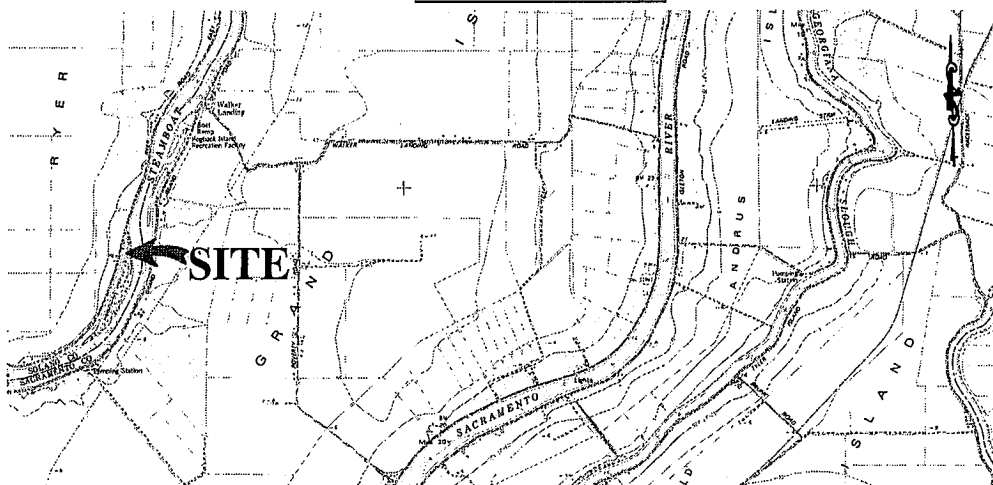
APN  
0177-070-020



APN 0177-070-020, NEAR WALNUT GROVE

NO SCALE

**LOCATION**



MAP SOURCE: USGS QUAD

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**Exhibit B-2**

PRC 5954.1  
WOMBACHER  
APNs 0177-070-100, -020  
GENERAL LEASE -  
RECREATIONAL AND  
PROTECTIVE STRUCTURE USE  
SOLANO COUNTY



TS 02/05/15