

**CALENDAR ITEM
C09**

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06/01/09
WP 6614.9
C. Hudson

RECREATIONAL PIER LEASE

APPLICANTS:

Ida Belle Seebeck, Trustee of the Ida Belle Seebeck Trust Created April 18, 2001 and Ida Belle Seebeck and Melvin E. Seebeck, Jr., as Co-Trustees of the Ida Belle Seebeck Trust Created April 18, 2001

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Elk Slough, adjacent to 50265 Courtland Road, near Clarksburg, Yolo County.

AUTHORIZED USE:

Continued use and maintenance of an existing uncovered floating boat dock, two pilings, and a gangway as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning June 1, 2009.

CONSIDERATION:

No monetary consideration pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

Liability insurance in the amount of no less than \$500,000.

OTHER PERTINENT INFORMATION:

1. On August 3, 1994, the Commission authorized a Recreational Pier Lease with Melvin and Ida Belle Seebeck. That lease expired on May 6, 2004. The upland property has since been deeded to Ida Belle Seebeck, Trustee of the Ida Belle Seebeck Trust Created April 18, 2001, and to Ida Belle Seebeck and Melvin E. Seebeck, Jr., as Co-Trustees of the Ida Belle Seebeck Trust Created April 18, 2001. The Applicants are now applying for a new Recreational Pier Lease.

CALENDAR ITEM NO. C09 (CONT'D)

2. Applicants qualify for a Recreational Pier Lease because the Applicants are natural persons who own the littoral land that is improved with a single-family dwelling.
3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; Title 2, California Code of Regulations, section 2905 (a)(2).

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

4. This activity involves lands which have NOT been identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. However, the Commission has declared that all tide and submerged lands are "significant" by nature of their public ownership (as opposed to "environmentally significant"). Since such declaration of significance is not based upon the requirements and criteria of Public Resources Code sections 6370, et seq., use classifications for such lands have not been designated. Therefore, the finding of the project's consistency with the use classification as required by Title 2, California Code of Regulations, section 2954 is not applicable.

EXHIBIT:

- A. Site and Location Map

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

AUTHORIZATION:

AUTHORIZE ISSUANCE OF A TEN-YEAR RECREATIONAL PIER LEASE TO IDA BELLE SEEBECK, TRUSTEE OF THE IDA BELLA SEEBECK TRUST CREATED APRIL 18, 2001 AND IDA BELLE

CALENDAR ITEM NO. **C09** (CONT'D)

SEEBECK AND MELVIN E. SEEBECK, JR., CO-TRUSTEES OF THE IDA BELLE SEEBECK TRUST CREATED APRIL 18, 2001, BEGINNING JUNE 1, 2009, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING UNCOVERED FLOATING BOAT DOCK, TWO PILINGS, AND GANGWAY AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 6503.5; AND LIABILITY INSURANCE IN THE AMOUNT OF NO LESS THAN \$500,000.