

**CALENDAR ITEM  
C40**

A 8  
S 2

03/29/12  
WP 7465.9  
N. Lavoie

**GENERAL LEASE – PUBLIC AGENCY USE**

**APPLICANT:**

California Department of Fish and Game

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

Sovereign land in Montezuma Slough, adjacent to Assessor's Parcel Number 0046-230-03, Grizzly Island, Solano County.

**AUTHORIZED USE:**

Continued use and maintenance of three existing handicap access aluminum fishing piers previously authorized by the Commission and 26 pilings not previously authorized by the Commission.

**LEASE TERM:**

20 years, beginning October 1, 2010.

**CONSIDERATION:**

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 interest.

**OTHER PERTINENT INFORMATION:**

1. The Applicant owns the upland adjoining the lease premises.
2. On October 29, 1990, the Commission authorized a General Lease – Public Agency Use with the California Department of Fish and Game (DFG), for the construction of handicapped access fishing piers and platforms at four separate angling sites, located in Montezuma Slough and Roaring River Slough. The lease was for a term of 20 years, and expired on September 30, 2010. DFG is now applying for a new General Lease – Public Agency Use.

CALENDAR ITEM NO. **C40** (CONT'D)

3. Of the four proposed original angling sites, only one, known as site three, was improved. This site located on Montezuma Slough adjacent to Grizzly Island Road was improved with three fishing piers. DFG does not have plans to construct fishing piers at the other three sites. At the time DFG acquired the upland property adjacent to Montezuma Slough, 32 pilings were located adjacent to its parcel in the bed of Montezuma Slough. Six of the 32 existing pilings were used as supports for the construction of the three fishing piers previously authorized by the Commission. The remaining 26 pilings were not previously authorized by the Commission and staff is now recommending including those within the lease premises.
4. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Cal. Code Regs., tit. 14, § 15061), the staff has determined that this activity is exempt from the requirements of 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. **C40** (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 – Public Agency Use to the California Department of Fish and Game beginning October 1, 2010, for a term of 20 years, for the continued use and maintenance of three existing handicap access aluminum fishing piers previously authorized by the Commission and 26 pilings 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 to be 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 interest.

**EXHIBIT A**

**PRC 7465.9**

**LAND DESCRIPTION**

A parcel of tide and submerged land whether filled or unfilled, situate at the confluence of Montezuma Slough and Grizzly Slough, County of Solano, State of California and more particularly described as follows:

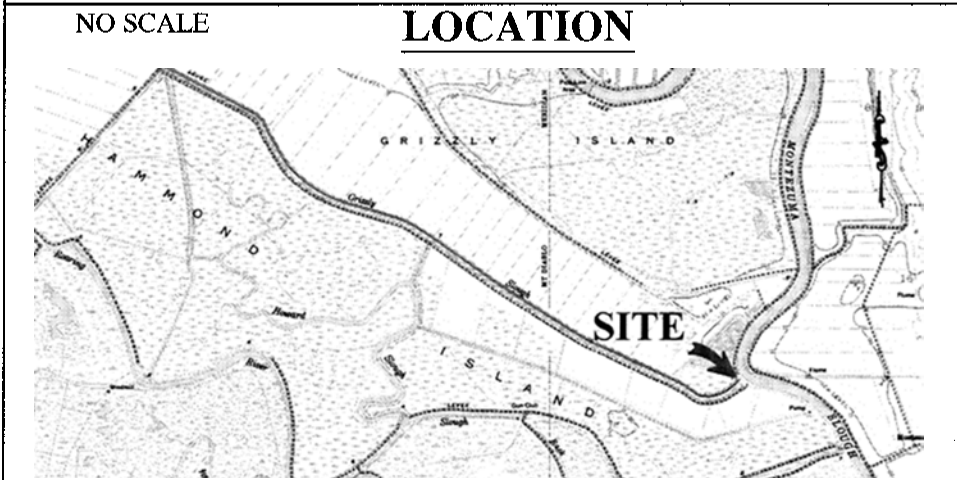
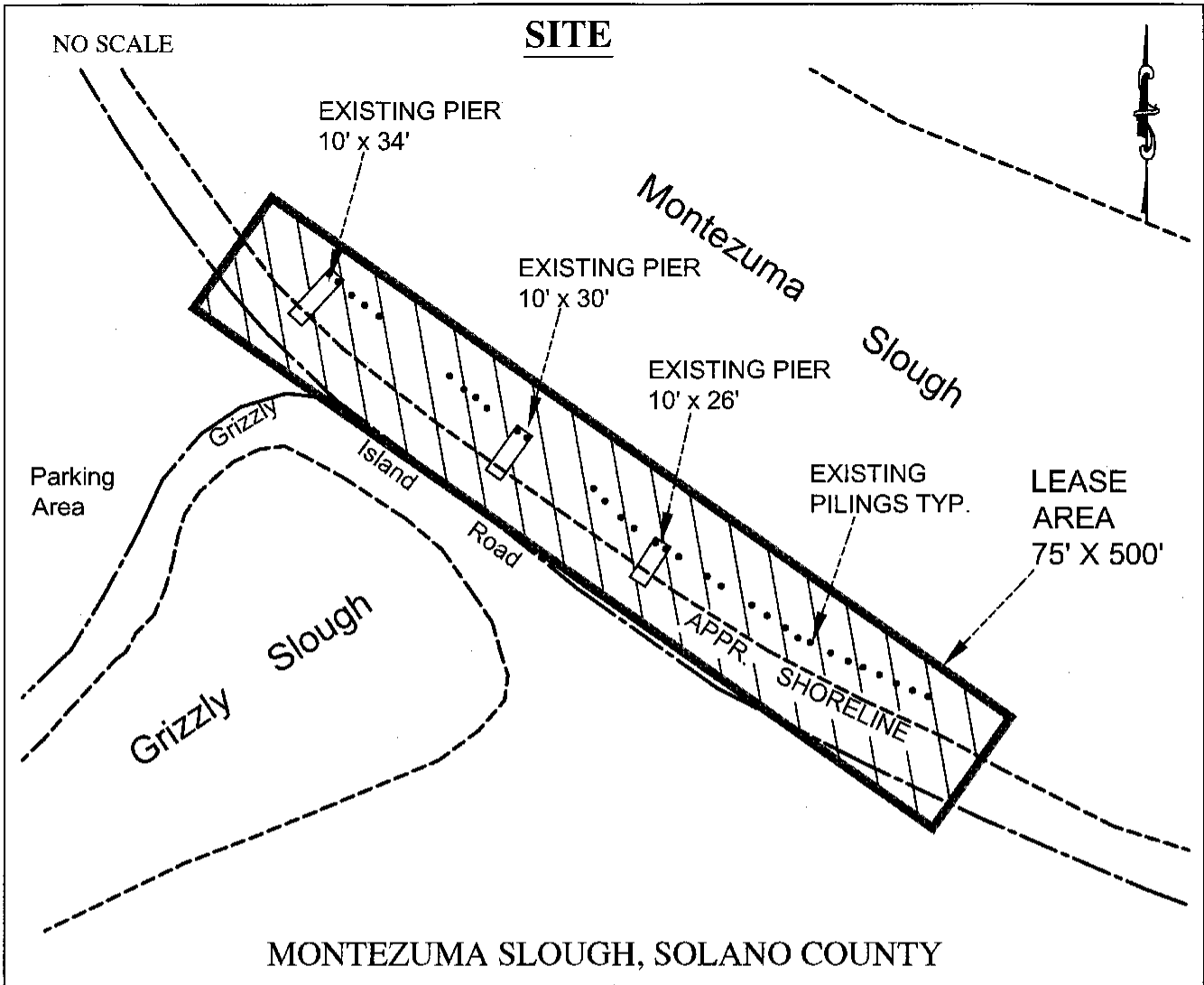
BEGINNING at the point with CCS27 Zone 2 (Epoch 1991.35) coordinates of Northing 156355.80 feet, Easting 2030672.12 feet, said point bearing North 55° 45' 53" West, 14184.93 feet from the NGS monument JECA13 (PID AE9120) having CCS27 Zone 2 (Epoch 1991.35) coordinates of Northing 148375.48 feet, Easting 2042399.30 feet; thence South 35° 07' 07" West, 75 feet; thence North 54° 52' 53" West, 500 feet; North 35° 07' 07" East, 75 feet; thence South 54° 52' 53" East, 500 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of said Montezuma Slough and said Grizzly Slough.

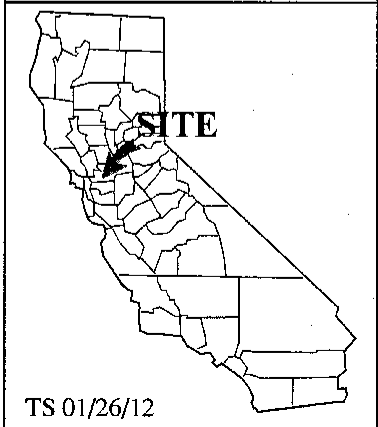
**END OF DESCRIPTION**

Prepared 01/26/12 by the California State Lands Commission Boundary Unit





**Exhibit B**  
 WP 7465.9  
 DEPARTMENT OF FISH  
 AND GAME  
 APN 0046-230-03  
 GENERAL LEASE-  
 PUBLIC AGENCY USE  
 SOLANO COUNTY



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.