

**CALENDAR ITEM
C07**

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09/20/13
PRC 7214.1
R. Boggiano

GENERAL LEASE - RECREATIONAL USE

APPLICANTS:

James M. Talcott and Patricia Dykema, Trustees of the James M. Talcott Revocable Trust, dated March 16, 2006

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the Napa River, adjacent to 1576 Milton Road, near the city of Napa, Napa County.

AUTHORIZED USE:

Continued use and maintenance of an existing uncovered floating boat dock, pier, walkway, gangway, and two pilings.

LEASE TERM:

10 years, beginning August 23, 2013

CONSIDERATION:

\$212 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 an amount of no less than \$1,000,000 per occurrence.

OTHER PERTINENT INFORMATION:

1. Applicants own the upland adjoining the lease premises.
2. On February 5, 2001, the Commission authorized a 10-year Recreational Pier Lease to Charles B. Bogue and Maria E. Bogue. That lease expired on October 31, 2010. On August 24, 2011, ownership of the property transferred to James M. Talcott and Patricia Dykema, Trustees of the James M. Talcott Revocable Trust, dated March 16, 2006. The Applicants are now applying for a new General Lease – Recreational Use.

CALENDAR ITEM NO. **C07** (CONT'D)

3. 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.

4. 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.

AUTHORIZATION:

Authorize issuance of a General Lease - Recreational Use to James M. Talcott and Patricia Dykema, Trustees of the James M. Talcott Revocable Trust, dated March 16, 2006, beginning August 23, 2013, for a term of 10 years, for the continued use and maintenance of an existing uncovered floating boat dock, pier, walkway, gangway, and two pilings as described

CALENDAR ITEM NO. **C07** (CONT'D)

in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; annual rent in the amount of \$212 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 an amount of no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 7214.1

LAND DESCRIPTION

A parcel of tide and submerged land situate on the right bank of the Napa River, lying adjacent to Swamp and Overflow Location 840, patented July 3, 1893, County of Napa, State of California, and more particularly described as follows:

All those lands underlying an existing pier, ramp, two pilings and floating boat dock lying adjacent to that Lot as described in Exhibit "A" in that Grant Deed recorded August 24, 2011 as Document Number 2011-0019429, in Official Records of said County.

TOGETHER WITH a 10 foot impact area.

EXCEPTING THEREFROM any portion lying landward of the Ordinary High Water Mark of the right bank of the Napa River.

Accompanying plat is hereby made a part of this description.

END OF DESCRIPTION

Prepared May 16, 2013 by the California State Lands Commission Boundary Unit.



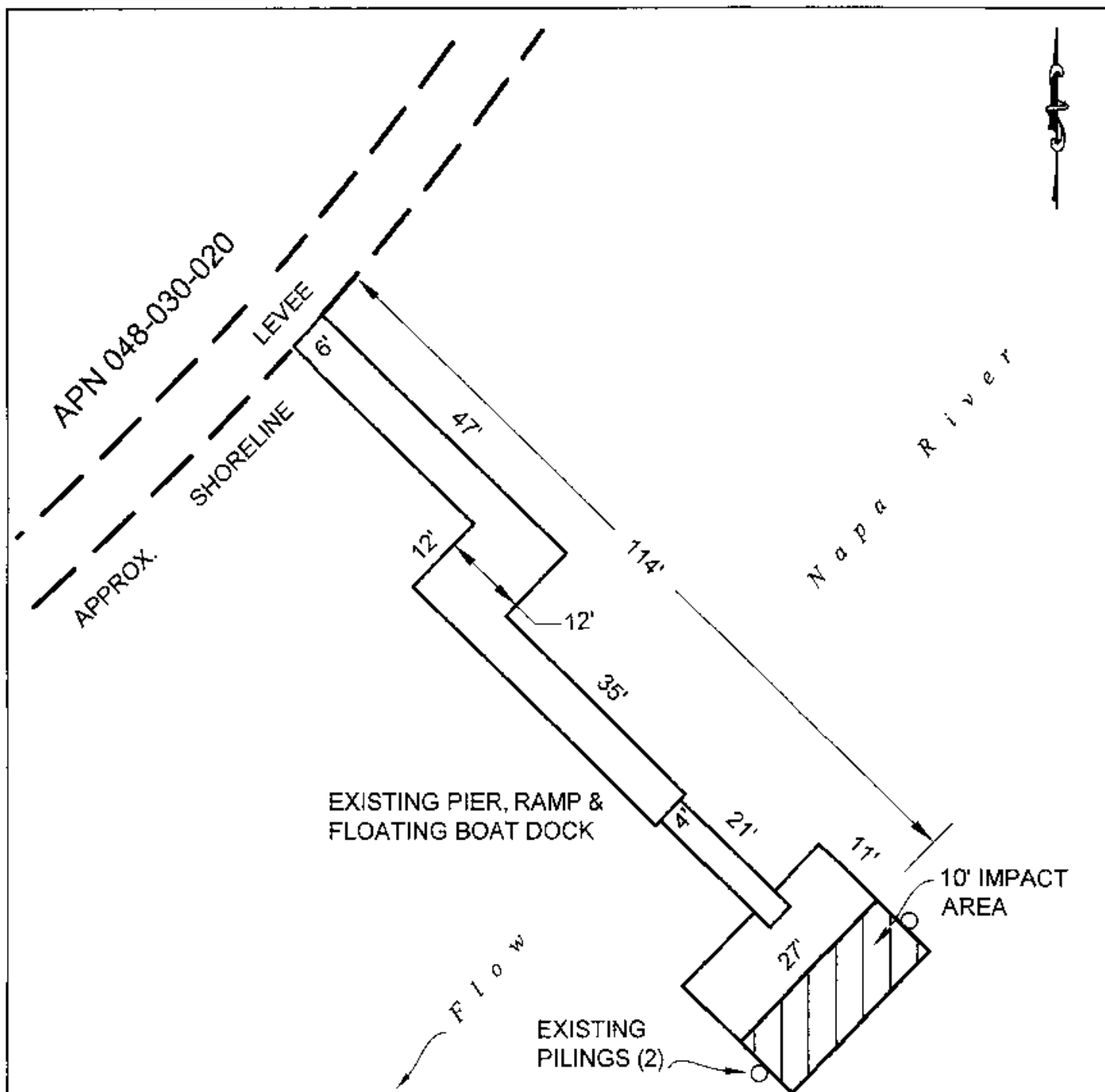


EXHIBIT A

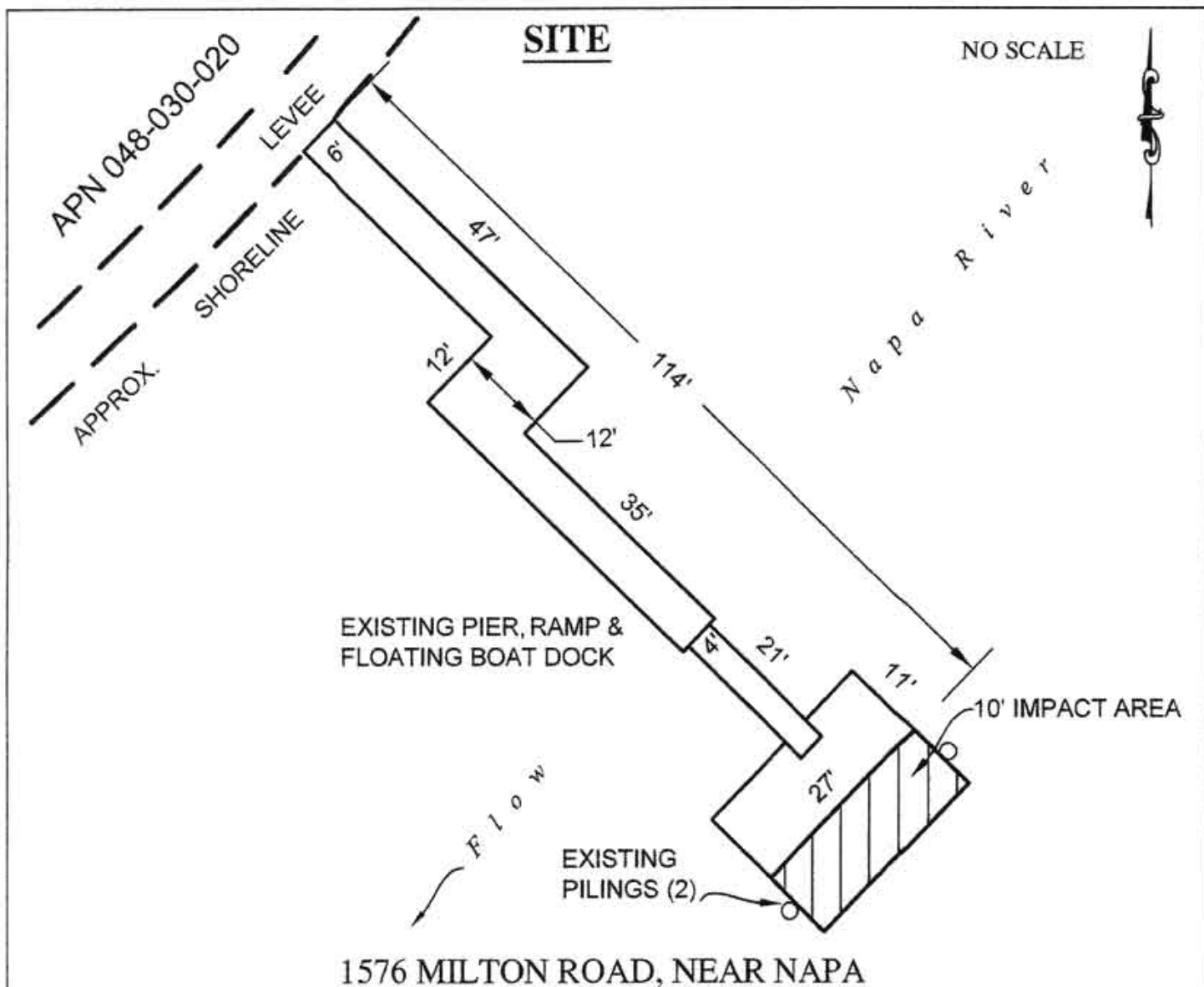
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LAND DESCRIPTION PLAT
PRC 7214.1, TALCOT / DYKEMA
NAPA COUNTY

CALIFORNIA STATE
LANDS COMMISSION





1576 MILTON ROAD, NEAR NAPA



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
 PRC 7214.1
 TALCOT / DYKEMA
 APN 048-030-020
 GENERAL LEASE -
 RECREATIONAL USE
 NAPA COUNTY



MJJ 05/06/13