

**CALENDAR ITEM
C61**

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02/20/15
PRC 5917.1
J. Sampson

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

APPLICANT:

Joel Everett Carey and Jane Naomi Kirkland, Trustees of the Carey-Kirkland Family Trust

AREA, LAND TYPE, AND LOCATION:

Sovereign land located in the Steamboat Slough, adjacent to 3438 Snug Harbor Drive, near Walnut Grove, Solano County.

AUTHORIZED USE:

Continued use and maintenance of an existing single-berth floating boat dock, ramp, two pilings, and bulkhead.

LEASE TERM:

10 years, beginning February 20, 2015

CONSIDERATION:

Single-Berth Floating Boat Dock, Ramp, and Two Pilings: \$154 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. On April 24, 2001, the Commission authorized a 10-year Recreational Pier Lease to Joel Carey and Jane Kirkland. That lease expired June 4, 2011. The Applicant is now applying for a General Lease – Recreational Use.

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3. The bank protection will mutually benefit both the public and the Applicants. The bank of Steamboat Slough 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.

AUTHORIZATION:

Authorize issuance of a General Lease – Recreational Use to Joel Everett Carey and Jane Naomi Kirkland, Trustees of the Carey-Kirkland Family Trust, beginning February 20, 2015, for a term of 10 years, for continued

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use and maintenance of an existing single-berth floating boat dock, ramp, and two pilings, 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 single-berth floating boat dock, ramp, and two pilings: \$154 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; liability insurance in an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 5917.1

LAND DESCRIPTION

A parcel 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:

All those lands underlying an existing single-berth floating boat dock, ramp and two wood pilings lying adjacent to that parcel described in Exhibit A of that Trust Transfer Deed, recorded April 28, 1994 in Book 1994 at Page 00043550 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.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared 01/07/15 by the California State Lands Commission Boundary Unit



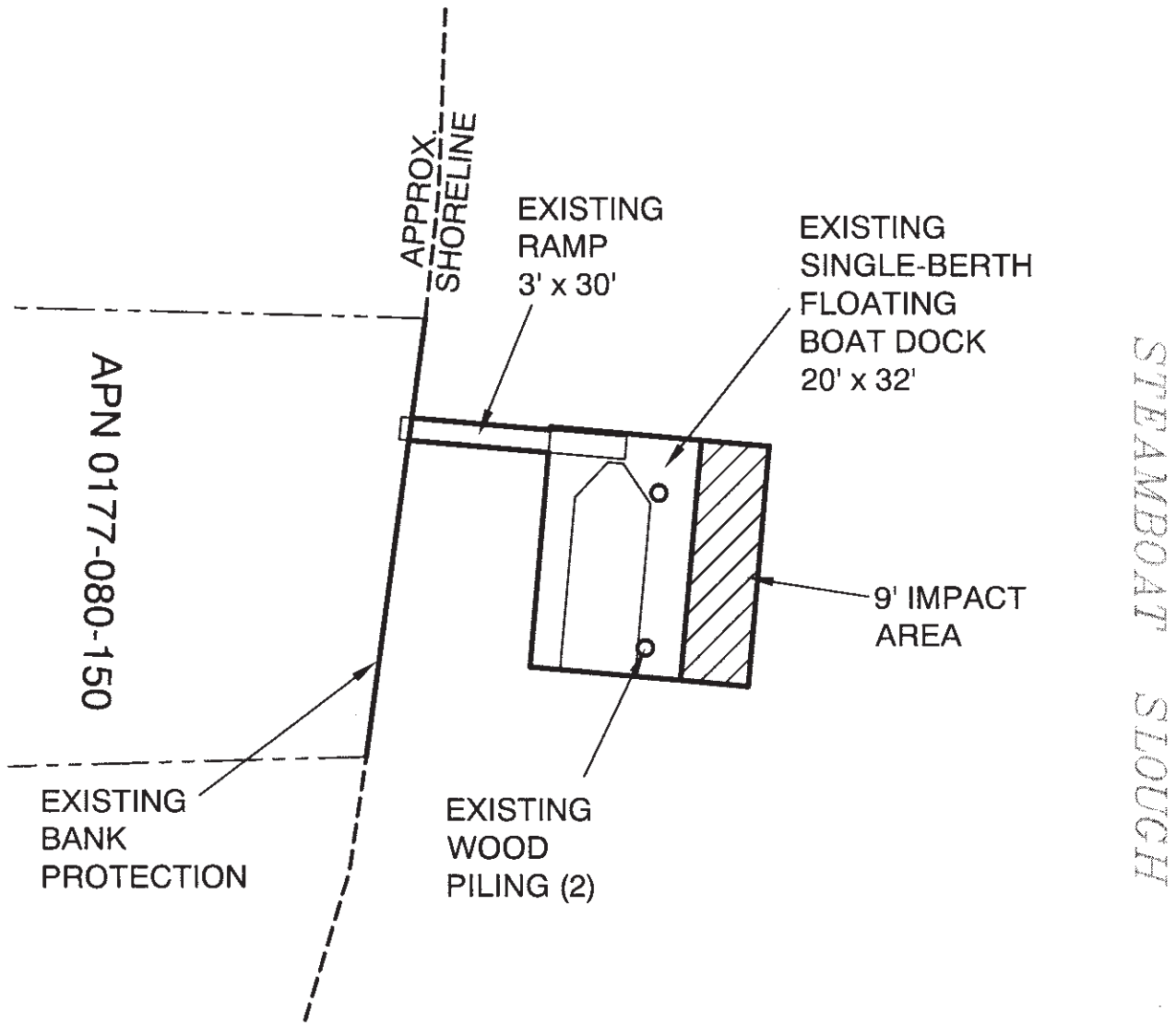
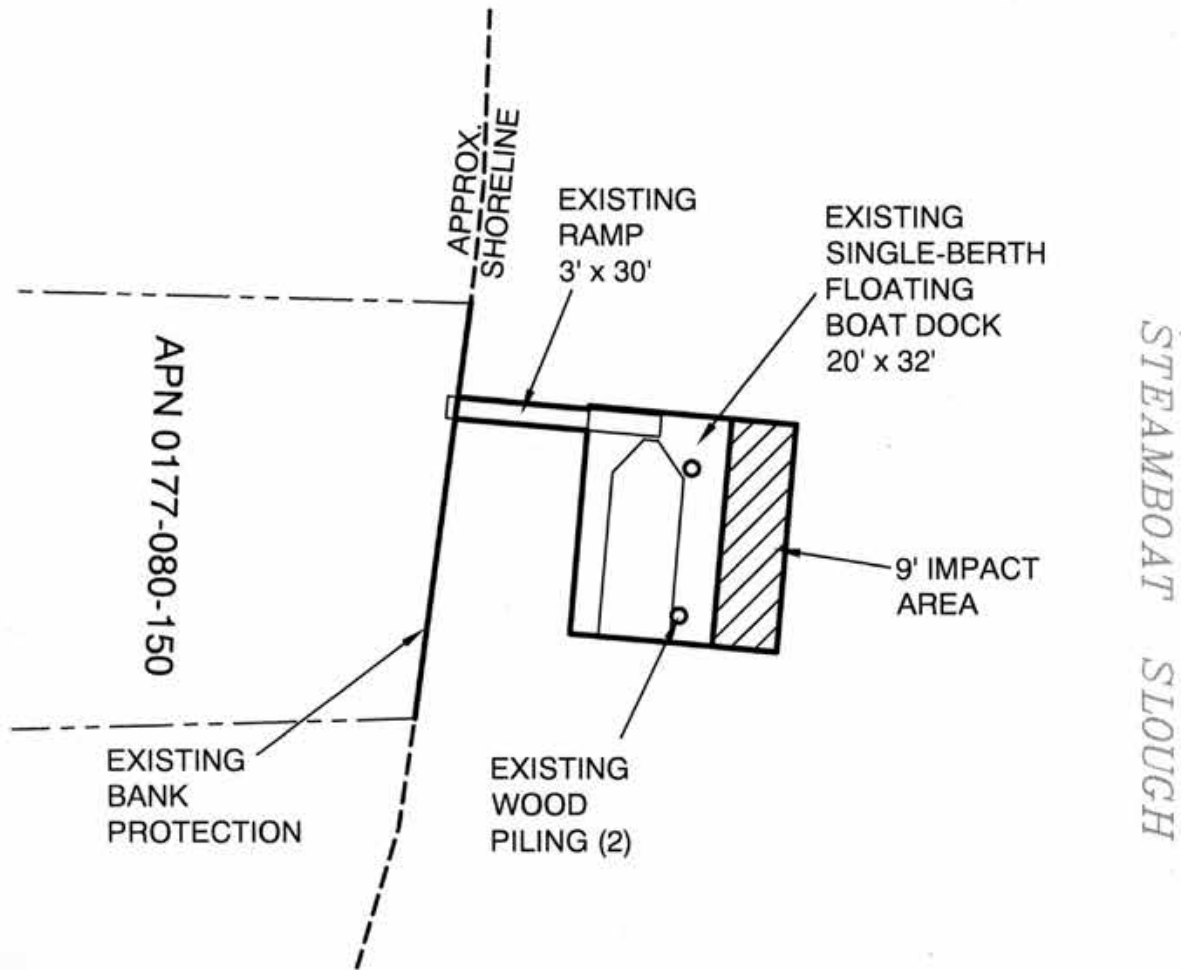


EXHIBIT A



NO SCALE

SITE



3438 SNUG HARBOR DRIVE, WALNUT GROVE

NO SCALE

LOCATION



Exhibit B

PRC 5917.1
 CAREY & KIRKLAND TRUSTEES
 APN 0177-080-150
 GENERAL LEASE -
 RECREATIONAL 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.