

**CALENDAR ITEM
C53**

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06/29/15

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PRC 8579.1
G. Asimakopoulos

GENERAL LEASE – RECREATIONAL USE

APPLICANT:

Rio Viento RV Park, LLC
300 H Street, Suite D
Antioch, CA 94509

AREA, LAND TYPE, AND LOCATION:

Sovereign land located in the Sacramento River, adjacent to Assessor's Parcel Number 158-0080-013, on Sherman Island, near the city of Rio Vista, Sacramento County.

AUTHORIZED USE:

Continued use and maintenance of an existing uncovered T-shaped floating boat dock, eight anchors, landing float, transition plate, metal gangway, metal bridge, and concrete abutment.

LEASE TERM:

10 years, beginning December 1, 2015

CONSIDERATION:

\$434 per year, with an annual Consumer Price Index adjustment.

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 December 9, 2004, the Commission authorized a 10-year General Lease – Recreational Use with Anthony P. DeMattei and Gail J. DeMattei. The lease expired on November 30, 2014. On January 7, 2014, the upland was deeded to Rio Viento RV Park, LLC. The Applicant is now applying for a General Lease – Recreational Use.

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3. The lease has been in holdover and the rent is paid through November 30, 2015. Staff recommends starting the lease at the next anniversary on December 1, 2015.
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 Rio Viento RV Park, LLC, beginning December 1, 2015, for a term of 10 years, for the continued use and maintenance of an existing uncovered T-shaped

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floating boat dock, eight anchors, landing float, transition plate, metal gangway, metal bridge, and concrete abutment, as described 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 \$434, with an annual Consumer Price Index adjustment; and liability insurance in an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 8579.1

LAND DESCRIPTION

Two parcels of tide and submerged land in the bed of the Sacramento River lying adjacent to Sherman Island, County of Sacramento, State of California, and more particularly described as follows:

Parcel 1

A 4 foot wide strip of land the centerline of which is described as follows:

COMMENCING at the intersection of Sherman Island Road with the northwesterly line of that parcel as described in "Parcel A" of that Grant Deed recorded January 7, 2014 in Book 20140107 at Page 0241 of Official Records of said County; thence northeasterly 175 feet more or less to the intersection of Sherman Island Road with the southeasterly prolongation of the centerline of an existing metal bridge and metal gangway; thence northwesterly along said southeasterly prolongation 10 feet more or less to the intersection of said centerline with the southerly bank of said Sacramento River and the POINT OF BEGINNING; thence northwesterly 111 feet more or less along said centerline to a point lying 14 feet perpendicular to and southeasterly of the centerline of an existing floating dock and the POINT OF TERMINATION, said intersection point hereinafter referred to as "Point A".

The sidelines of said strip are to be lengthened or shortened to begin on the southerly bank of said Sacramento River and to terminate on a line perpendicular to said terminus and centerline.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of said southerly bank of the Sacramento River.

Parcel 2

A 78 foot wide strip of land the centerline of which is described as follows:

BEGINNING at the above described "Point A"; thence 28 feet northwesterly along the centerline and northwesterly prolongation of the above described metal bridge and metal gangway to the POINT OF TERMINATION.

The sidelines of said strip are to be lengthened or shortened to begin on a line perpendicular to said point of beginning and centerline and terminate on a line perpendicular to said terminus and centerline.

TOGETHER WITH any applicable impact area.

END OF DESCRIPTION

Prepared 04/24/15 by the California State Lands Commission Boundary Unit.



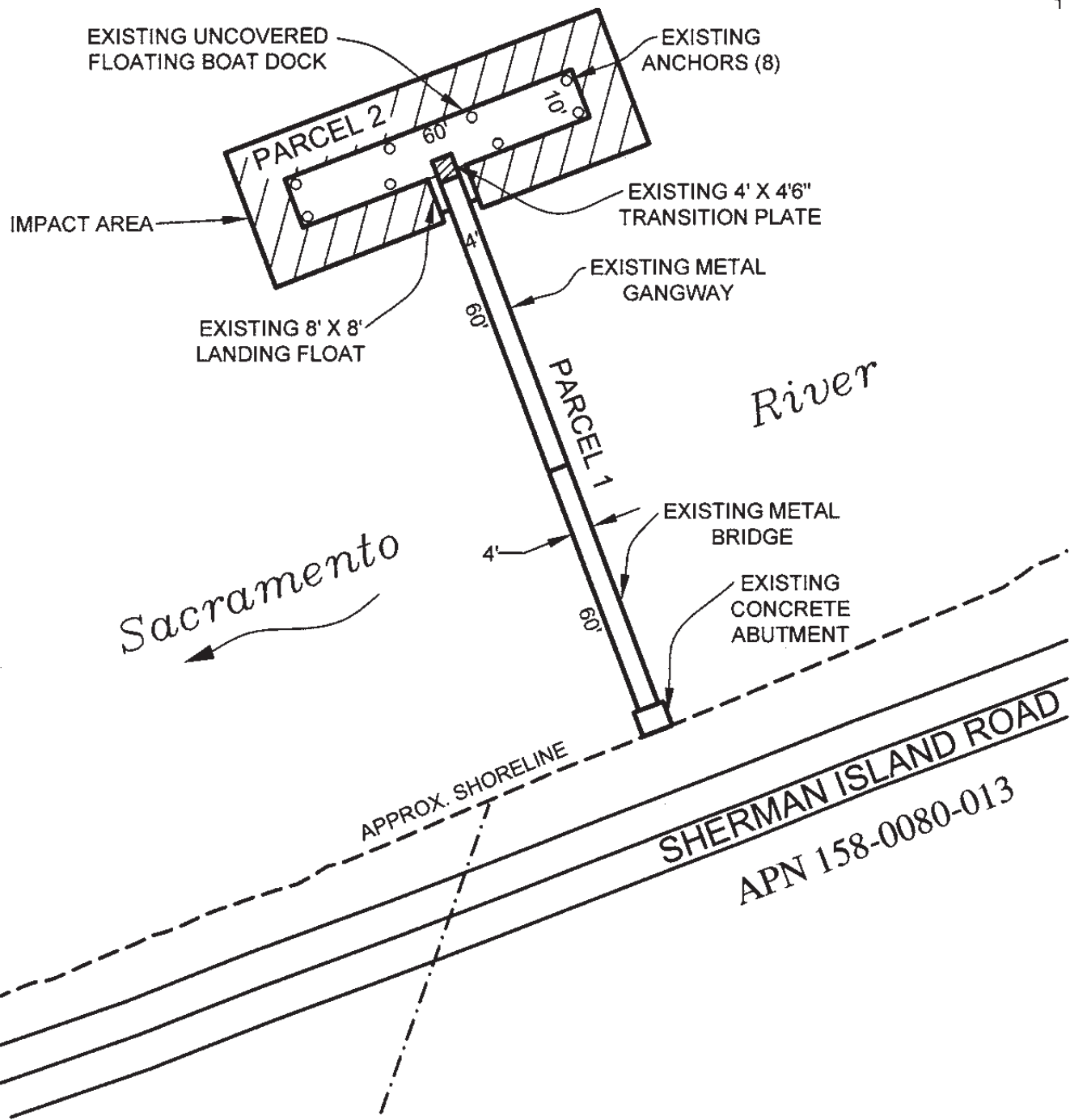
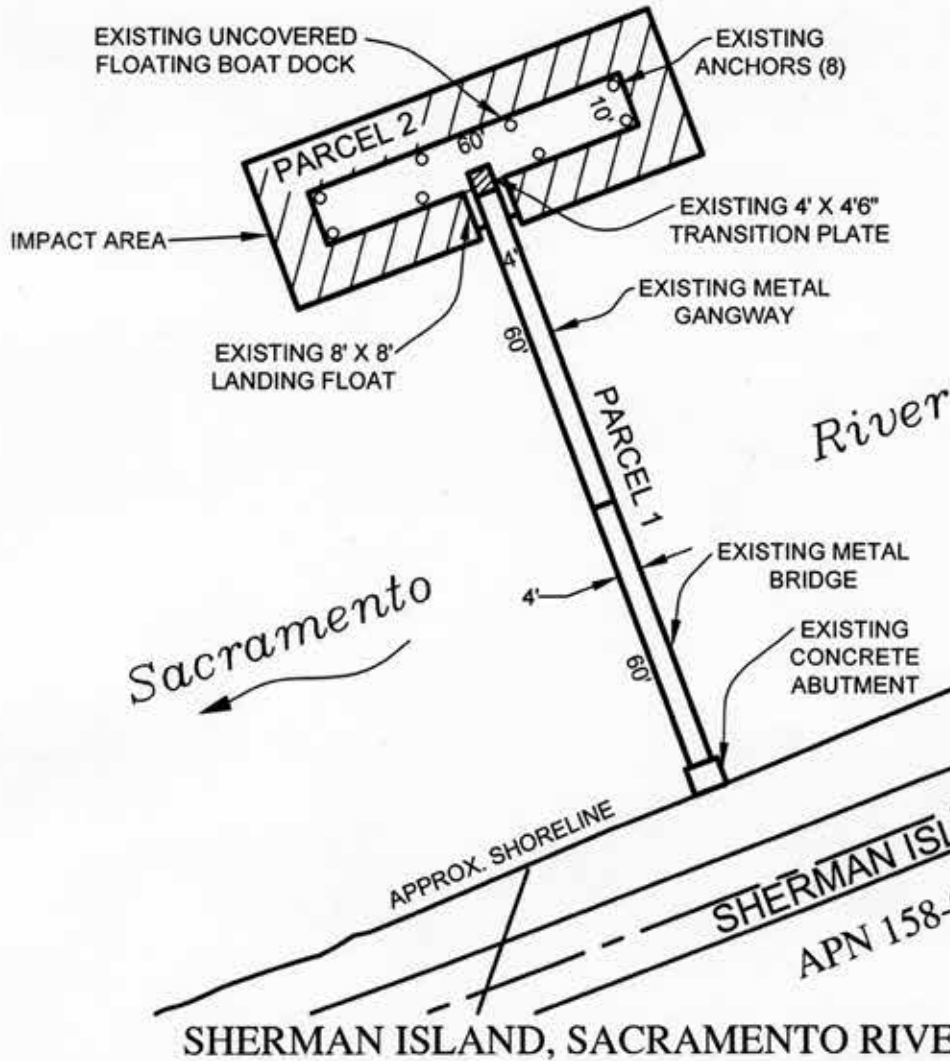


EXHIBIT A



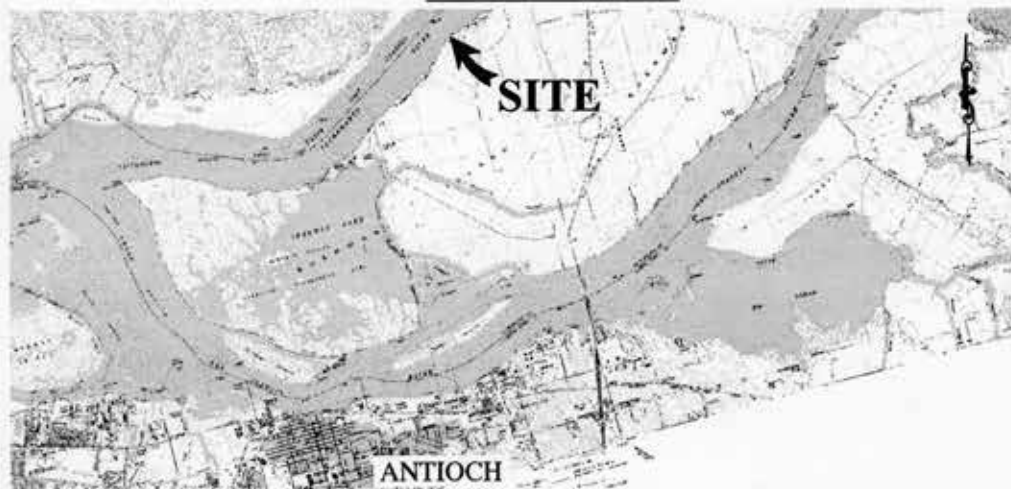
NO SCALE

SITE



NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 8579.1
 RIO VIENTO RV PARK, LLC
 APN 158-0080-013
 GENERAL LEASE -
 RECREATIONAL USE
 SACRAMENTO COUNTY



RGB 04/24/15

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.