

**CALENDAR ITEM
C01**

A 4
S 3

04/26/13
W 26597
G. Asimakopoulos

GENERAL LEASE - RECREATIONAL USE

APPLICANTS:

Shannon Mlcoch and Richard M. Hunt

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Elk Slough, adjacent to 52265 Nishida Lane, near Clarksburg, Yolo County.

AUTHORIZED USE:

Use and maintenance of an existing uncovered floating boat dock, three pilings, and ramp not previously authorized by the Commission.

LEASE TERM:

10 years, beginning April 26, 2013.

CONSIDERATION:

\$164 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 no less than \$1,000,000 per occurrence.

OTHER PERTINENT INFORMATION:

1. Applicants own the upland adjoining the lease premises.
2. The uncovered floating boat dock, three pilings, and ramp have existed in Elk Slough for many years but were not previously authorized by the Commission. The State Reclamation Board (now the Central Valley Flood Protection Board) issued a permit for the dock facilities on July 22, 2003. The Applicants are now applying for a General Lease – Recreational Use.

CALENDAR ITEM NO. **C01** (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 Shannon Mlcoch and Richard M. Hunt, beginning April 26, 2013, for a term of 10 years, for the use and maintenance of an existing uncovered floating boat dock, three pilings, and ramp 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; annual rent in the amount of \$164 per year, with the State

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reserving the right to fix a different rent periodically during the lease term, as provided for in the lease; and liability insurance in an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

W 26597

LAND DESCRIPTION

A parcel of tide and submerged land situate in the bed of the Elk Slough, lying adjacent to Swamp and Overflowed Land Survey 376 patented November 11, 1867, County of Yolo, State of California and more particularly described as follows:

All those lands underlying an existing uncovered floating boat dock, ramp float, ramp and three pilings lying adjacent to that parcel described in Grant Deed, recorded June 30, 1999 in Document No. 1999-0020365-00 in Official Records of said County.

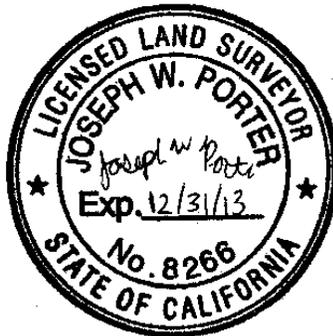
TOGETHER WITH a ten foot impact area.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of the right bank of said slough.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared 03/18/13 by the California State Lands Commission Boundary Unit





APN 043-110-027

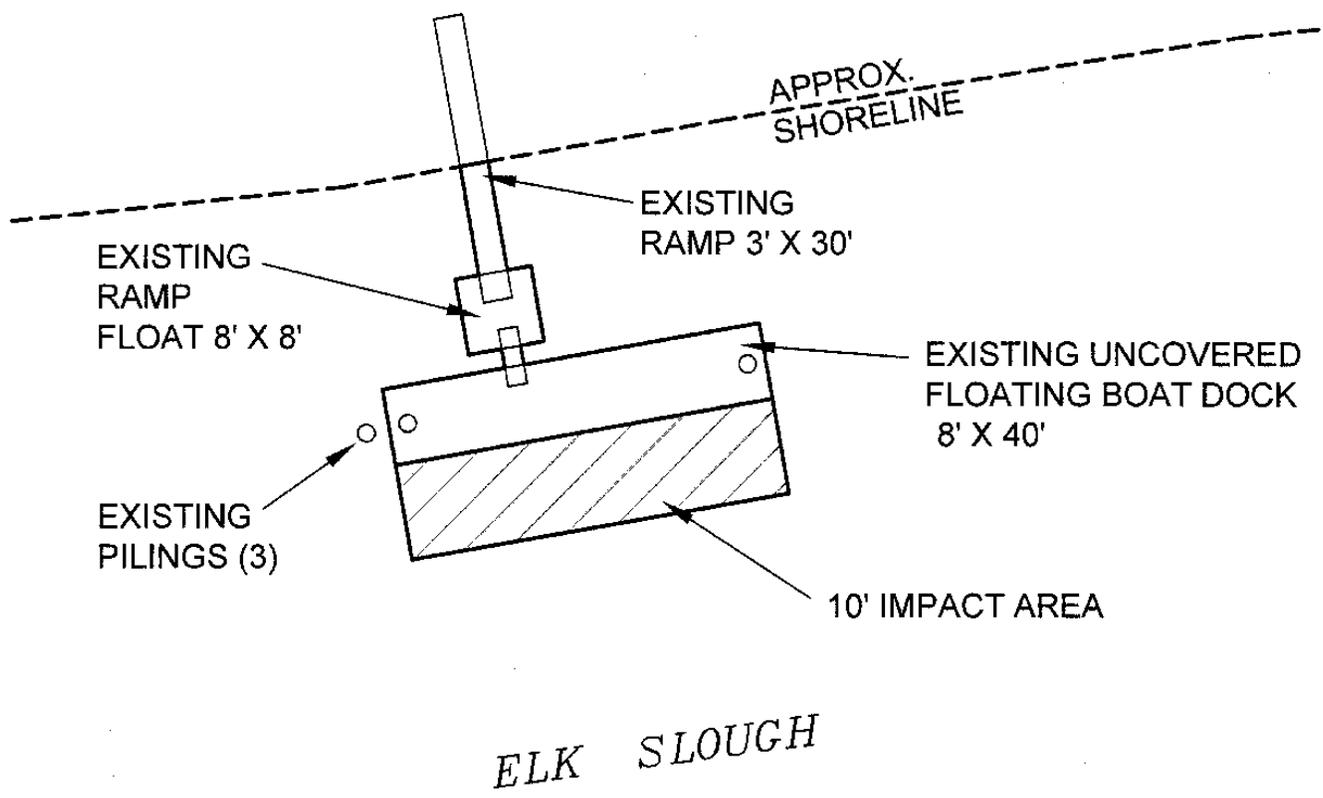


EXHIBIT A

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LAND DESCRIPTION PLAT
W 26597, MLCOCH & HUNT
YOLO COUNTY

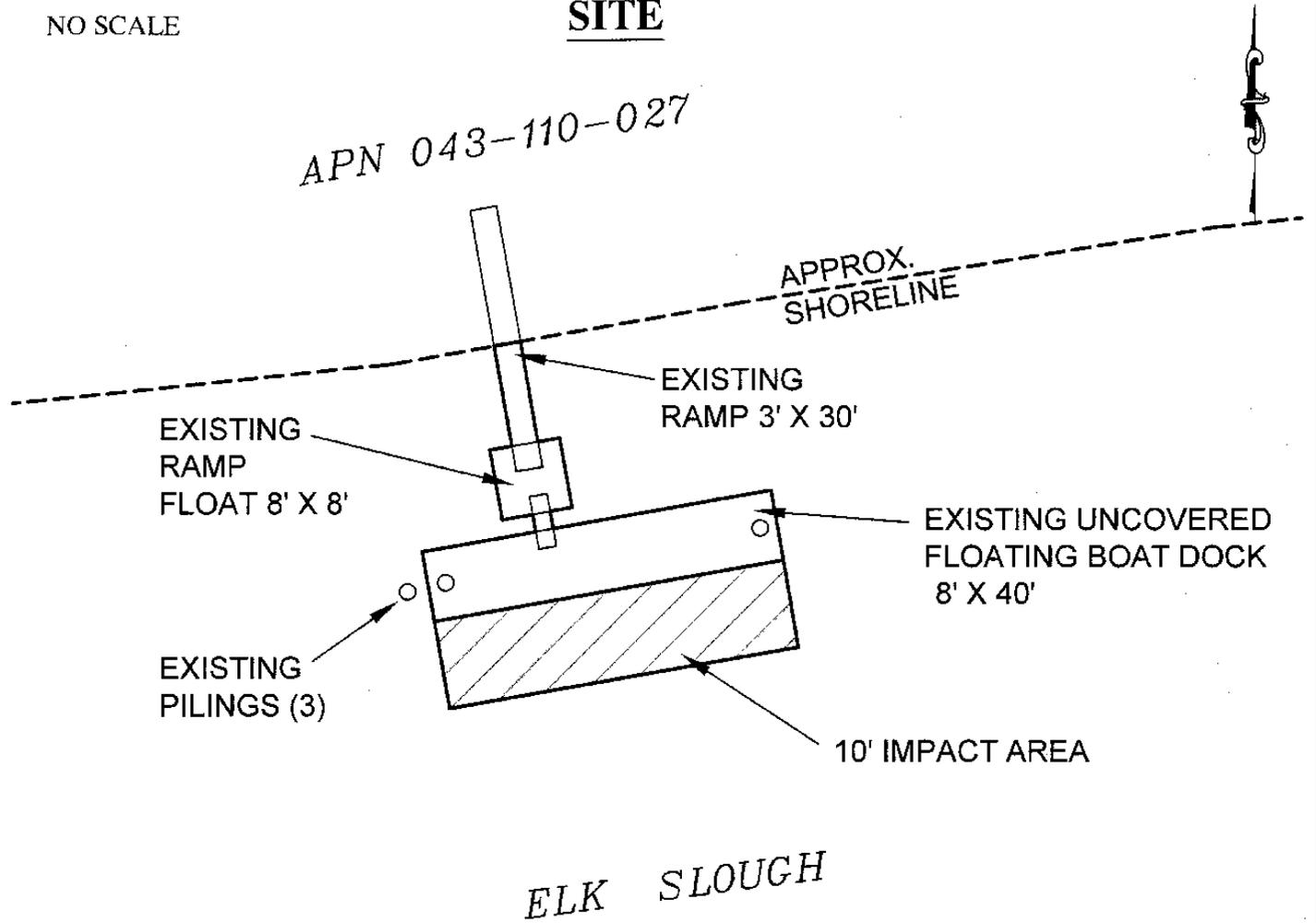
CALIFORNIA STATE
LANDS COMMISSION



NO SCALE

SITE

APN 043-110-027



52265 NISHIDA LANE, CLARKSBURG

NO SCALE

LOCATION



Exhibit B

W 26597
 MLCOCH & HUNT
 APN 043-110-027
 GENERAL LEASE -
 RECREATIONAL USE
 YOLO 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.