

**CALENDAR ITEM
C58**

A 11
S 3

04/23/15
PRC 6074.1
V. Caldwell

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

APPLICANT:

Stuart Seiff and Marilou S. Seiff

AREA, LAND TYPE, AND LOCATION:

Sovereign land located on the Sacramento River, adjacent to 155 Edgewater Drive, in the city of Rio Vista, Solano County.

AUTHORIZED USE:

Continued use and maintenance of an existing uncovered floating boat dock, walkway, and gangway previously authorized by the Commission; two wood pilings, concrete landing, stairs, and bank protection not previously authorized by the Commission.

LEASE TERM:

10 years, beginning January 16, 2014.

CONSIDERATION:

Uncovered Floating Boat Dock, Two Wood Pilings, Walkway, Gangway, Concrete Landing, and Stairs: \$125 per year, with an annual Consumer Price Index adjustment.

Bank Protection: 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.

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2. On September 17, 2001, the Commission authorized a Recreational Pier Lease to Dean Gordon Potter for an uncovered floating boat dock, ramp and walkway. That lease expired on October 24, 2010. On January 16, 2014, the upland property transferred to Stuart Seiff and Marilou S. Seiff. The Applicant is now applying for a General Lease – Recreational and Protective Structure Use.
3. The two wood pilings, concrete landing, stairs, and bank protection have been in the Sacramento River for many years, but have not been previously authorized by the Commission. Staff recommends authorization of these facilities.
4. The bank protection will mutually benefit both the public and the Applicant. The bank of the Sacramento River will have additional protection for the river channel from wave action provided at no cost to the public.
5. 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.

6. 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

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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 and Protective Structure Use to Stuart Seiff and Marilou S. Seiff beginning January 16, 2014, for a term of 10 years, for the continued use and maintenance of an existing uncovered floating boat dock, walkway, and gangway previously authorized by the Commission; and two wood pilings, concrete landing, stairs, and bank protection 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 for the existing uncovered floating boat dock, two wood pilings, walkway, gangway, concrete landing, and stairs; \$125 per year with an annual Consumer Price Index adjustment; consideration for the bank protection: 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; and liability insurance in an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 6074.1

LAND DESCRIPTION

One parcel of tide and submerged land situated in the bed of the Sacramento River, lying adjacent to Rancho Los Ulpinos patented May 19, 1859, County of Solano, State of California, more particularly described as follows:

All those lands underlying an existing concrete pad, concrete stairs, walkway, gangway, and floating boat dock lying adjacent to that parcel described in Grant Deed recorded February 7, 2014 as Document Number 201400008579 in Official Records of Solano County.

TOGETHER WITH any applicable impact area.

ALSO TOGETHER WITH that land lying immediately beneath any bank protection structure lying adjacent to said deed.

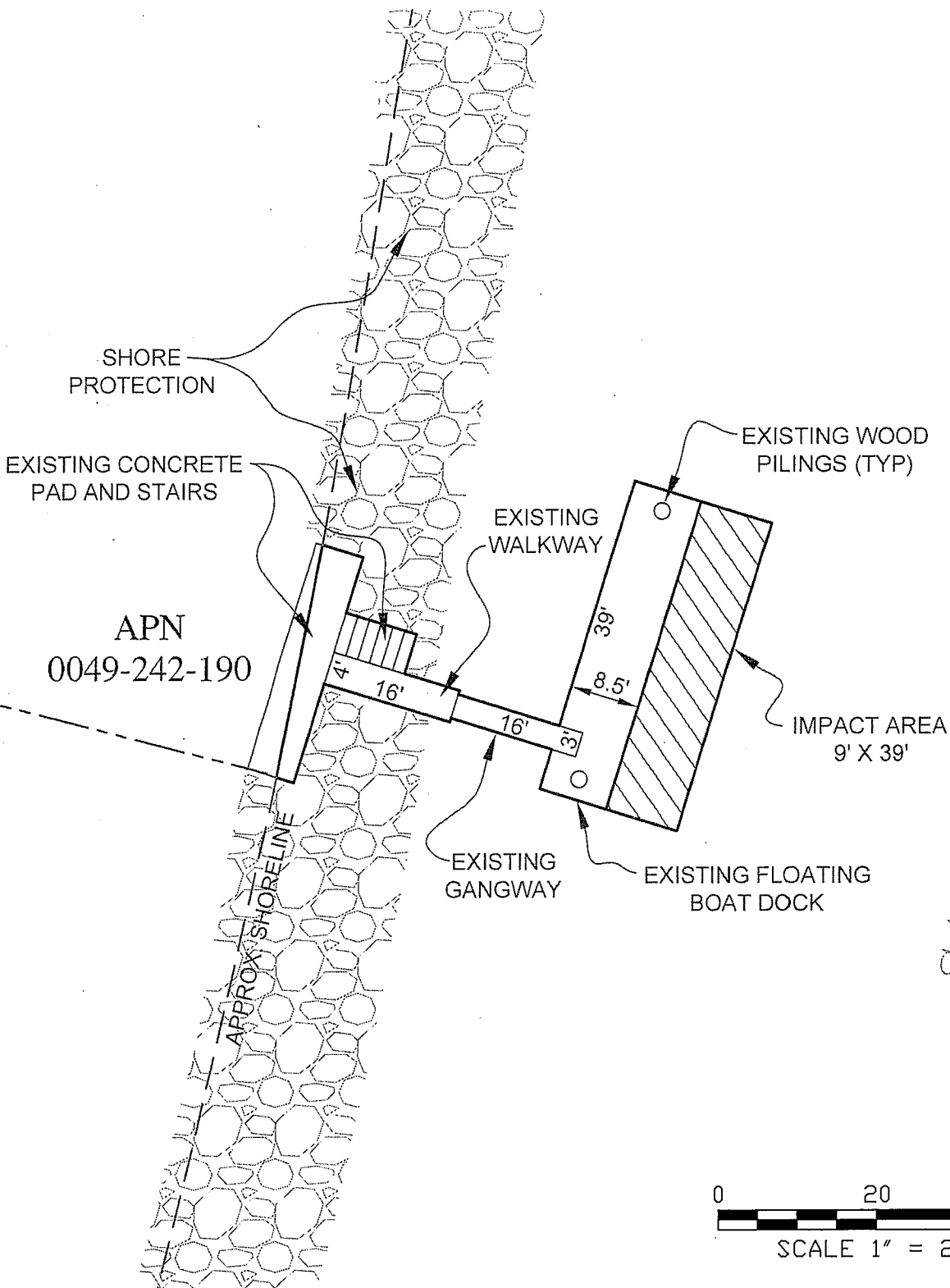
EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of the right bank of the Sacramento River.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared 02/19/2015 by the California State Lands Commission Boundary Unit.





SACRAMENTO RIVER
 RIVER FLOW

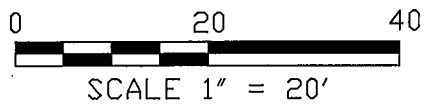


EXHIBIT A

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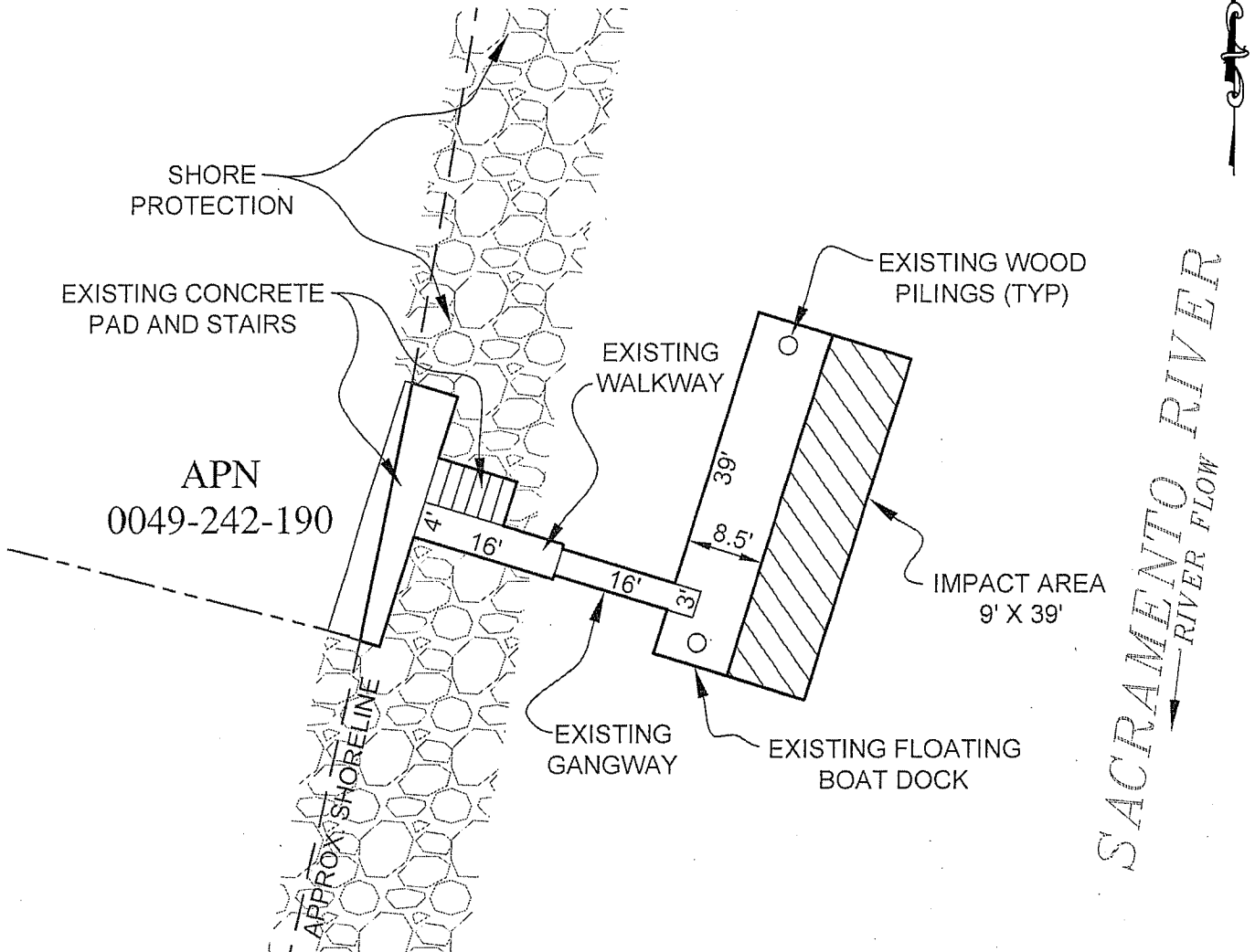
LAND DESCRIPTION PLAT
 PRC 6074.1, SEIFF
 SOLANO COUNTY

CALIFORNIA STATE
 LANDS COMMISSION



NO SCALE

SITE

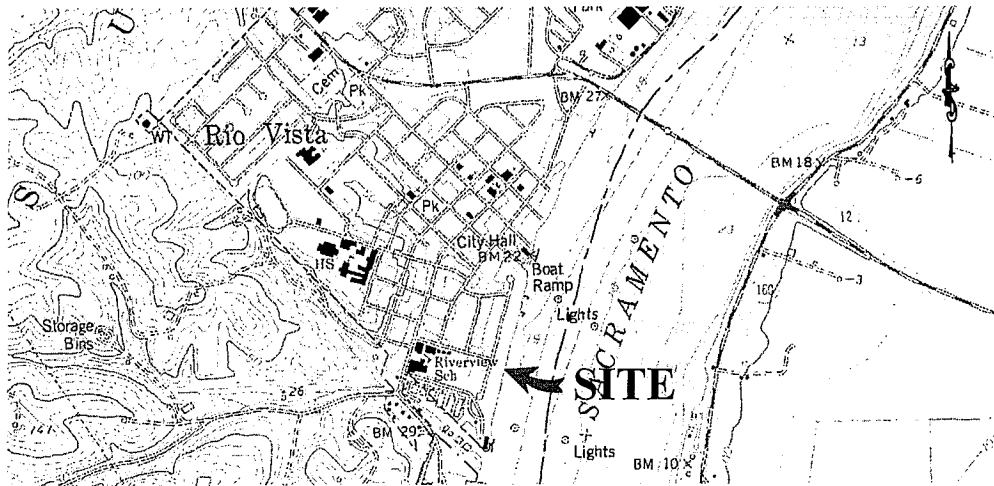


APN
0049-242-190

155 EDGEWATER DRIVE, RIO VISTA

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 6074.1

SEIFF

APN 0049-242-190

GENERAL LEASE -
RECREATIONAL & PRO-
TECTIVE STRUCTURE USE
SOLANO COUNTY



SITE

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.