

**CALENDAR ITEM  
C30**

A 14  
S 3

04/05/16  
PRC 5782.1  
V. Caldwell

**CORRECTION TO PRIOR AUTHORIZATION**

**APPLICANT:**

Kathrine M. Walton

**LEASE:**

*AREA, LAND TYPE, AND LOCATION:*

Sovereign land in Mare Island Strait, adjacent to 19 Sandy Beach Road, near the city of Vallejo, Solano County.

*AUTHORIZED USE:*

Continued use and maintenance of a portion of an existing residence, deck, and appurtenant facilities.

*CORRECTED AUTHORIZED USE:*

Continued use and maintenance of a portion of an existing residence, deck, dock, and appurtenant facilities.

*LEASE TERM:*

30 years, beginning February 9, 2016.

*CONSIDERATION:*

\$1,212 per year; with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

*CORRECTED CONSIDERATION:*

\$1,131 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.

CALENDAR ITEM NO. **C30** (CONT'D)

**STAFF ANALYSIS AND RECOMMENDATION:**

**Statutory Authority:**

Public Resources Code sections 6005, 6216, 6301, 6503.5, and 6505.5; California Code of Regulations, Title 2, section 2000, subdivision (b).

**Public Trust and State's Best Interests Analysis:**

Correction of the Commission's authorization will not result in any impacts to the public trust. The administrative action of correcting the labeling of the authorized uses and rent on a prior authorization will not interfere with public trust needs at this location and doing so is in the State's best interests.

**OTHER PERTINENT INFORMATION:**

1. Applicant owns the uplands adjoining the lease premises and the underlying fee title to the patented tidelands.
2. On February 9, 2016, the Commission authorized termination of a General Lease – Recreational and Residential Use and termination of an Agreement and Consent to Encumbrancing of Lease No. PRC 5782.1, issued to David J. Lamoree And Betty J. Lamoree in favor of The Vintage Bank in an amount up to \$200,000; and issuance of a General Lease – Recreational and Residential Use to Katherine M. Walton. Staff has since discovered that a portion of the authorized improvements were incorrectly categorized as deck instead of dock. This change has been corrected resulting in a change in the authorized improvements and the annual rent. Therefore, staff is requesting Commission approval to correct the consideration to \$1,131 per year.
3. Staff recommends this correction as it promotes Strategy 1.1 of the Commission's Strategic Plan to deliver the highest levels of public health and safety in the protection, preservation, and responsible economic use of the lands and resources under the Commission's jurisdiction.
4. Approving the correction of prior authorization is not a project as defined by the California Environmental Quality Act (CEQA) because it is an administrative action that will not result in direct or indirect physical changes in the environment.

Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378, subdivision (b)(5).

CALENDAR ITEM NO. **C30** (CONT'D)

**EXHIBITS:**

- A. Land Description
- B. Site and Location Map

**RECOMMENDED ACTION:**

It is recommended that the Commission:

**PUBLIC TRUST AND STATE'S BEST INTERESTS:**

Find that the proposed correction will not substantially interfere with the public trust needs and values at this location; find this action is consistent with the common law public trust doctrine and is in the best interests of the State.

**AUTHORIZATION:**

Authorize correction of the Commission's February 9, 2016, authorization of a General Lease – Recreational and Residential Use to Kathrine M. Walton, to change the authorized use to include a dock and change the consideration from \$1,212 per year to \$1,131 per year; all other terms and conditions of the prior authorization and lease to remain unchanged and in effect.

**EXHIBIT A**

**PRC 5782.1**

**LAND DESCRIPTION**

A parcel of submerged land situate in Mare Island Strait, City of Vallejo, County of Solano, State of California, lying adjacent to and within the external boundaries of Parcel 24 as shown on that certain Record of Survey titled "Sandy Beach Cabin Sites", filed February 14, 1944 in Book 1 of Maps, at Pages 1 and 2, Solano County Records, and being more particularly described as follows:

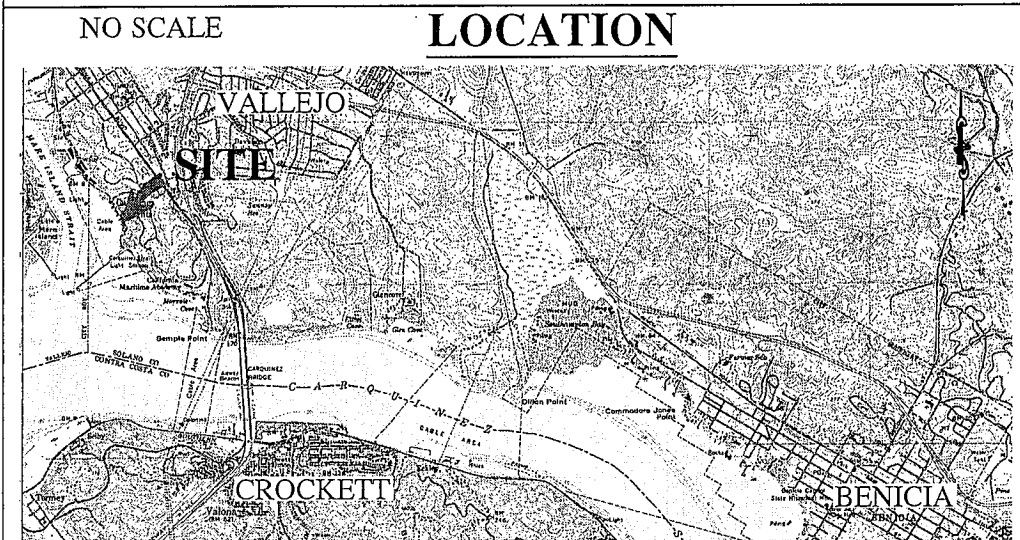
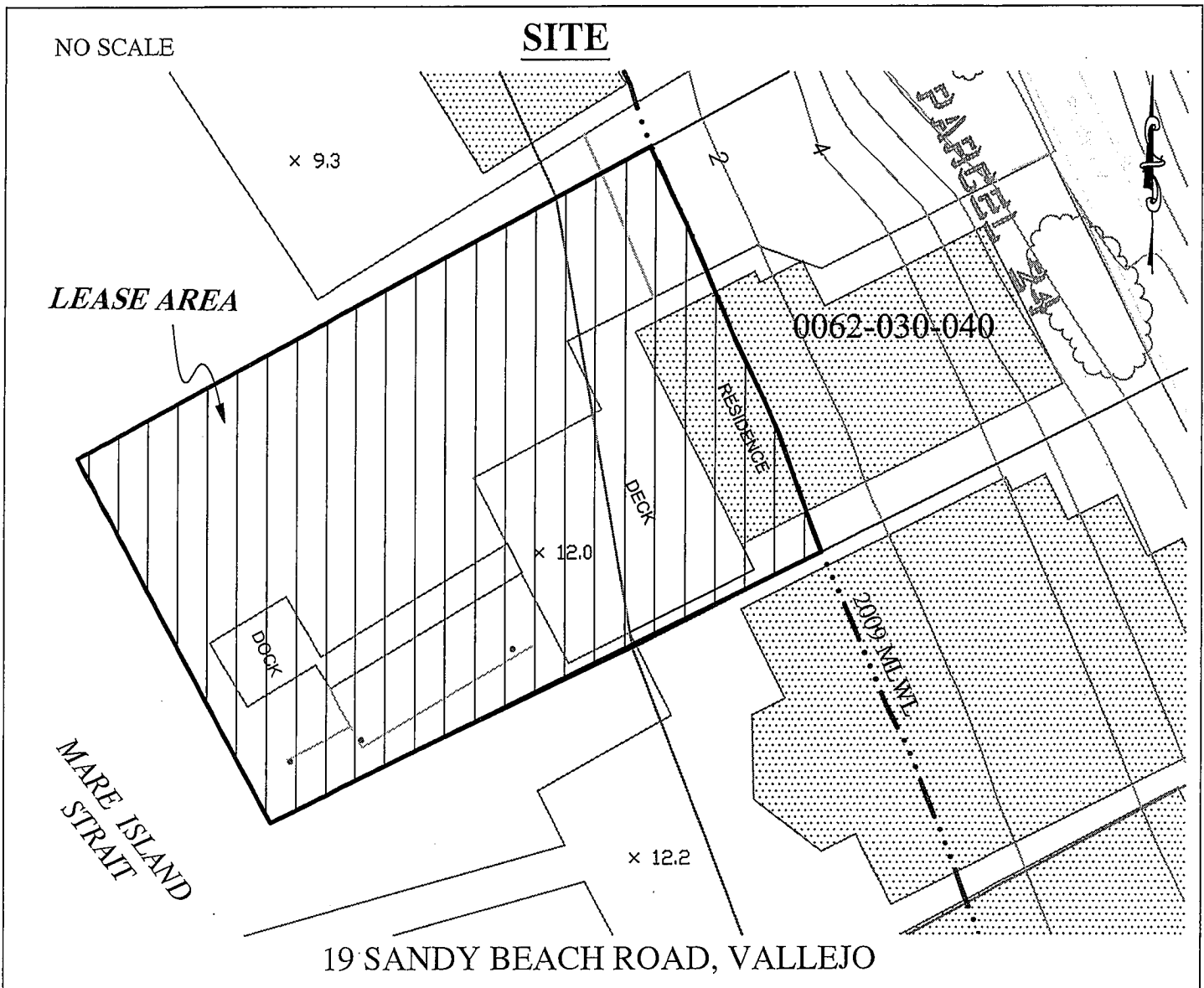
BEGINNING at the most northerly corner of said parcel; thence southwesterly along the northwesterly boundary and the southwesterly prolongation of said boundary, 146.5 feet; thence leaving said prolongation in a southeasterly direction perpendicular to said prolongation to a point on the southwesterly prolongation of the southeasterly boundary of said parcel; thence northeasterly along said southwesterly prolongation and the southeasterly boundary of said parcel, 144.3 feet to the easterly corner of said parcel; thence in a northwesterly direction along the northeasterly boundary of said parcel to the POINT OF BEGINNING.

EXCEPTING THEREFROM any portion lying landward of the ordinary low water mark of Mare Island Strait.

**END OF DESCRIPTION**

Prepared 10/22/2015 by the California State Lands Commission Boundary Unit.





MAP SOURCE: USGS QUAD

**Exhibit B**  
 PRC 5782.1  
 WALTON  
 APN 0062-030-040  
 GENERAL LEASE -  
 RESIDENTIAL &  
 RECREATIONAL 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.