

**CALENDAR ITEM
C16**

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12/02/13

W 26707

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M.J. Columbus

GENERAL LEASE – RECREATIONAL AND PROTECTIVE STRUCTURE USE

APPLICANT:

James L. Morris

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Georgiana Slough, adjacent to 14800 Race Track Road, near the city of Walnut Grove, Sacramento County.

AUTHORIZED USE:

Construction, use and maintenance of an uncovered floating boat dock, two pilings, one two-piling dolphin, metal gangway, utility conduits to accommodate electric, water, and irrigation lines, and bank protection.

LEASE TERM:

10 years, beginning December 2, 2013.

CONSIDERATION:

Uncovered Floating Boat Dock, Two Pilings, One Two-Piling Dolphin, Metal Gangway, and Utility Conduits to accommodate Electric, Water, and Irrigation Lines: \$196 per year, with the State reserving the right to fix a different rent periodically during the lease term, as provided for in the lease.

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 interest.

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. The Applicant is applying for a General Lease – Recreational and Protective Structure Use for the proposed construction of an uncovered

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floating boat dock facility. A crane barge will be used to drive pilings using a vibratory pile driver. The dock will have a steel frame with encased foam floatation and composite decking and will be assembled on the upland and lowered into Georgiana Slough (Slough) using a crane. A metal gangway will be lowered into the Slough using a crane. Bank protection will be placed on each side for erosion control. Trenching the levee crown will be done for the placement of a utility conduit to accommodate electric, water, and irrigation intake lines.

3. The bank protection will mutually benefit both the public and the Applicant. The bank of the Slough will have additional protection 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 3, New Construction of Small Structures; California Code of Regulations, Title 2, section 2905, subdivision (c)(1).

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 which have NOT been identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq.; however, the Commission has declared that all lands are "significant" by nature of their public ownership (as opposed to "environmentally significant"). Since such declaration of significance is not based upon the requirements and criteria of Public Resources Code section 6370 et seq., use classifications for such lands have not been designated. Therefore, the finding of the project's consistency with the use classification as required by California Code of Regulations, Title 2, section 2954 is not applicable.

APPROVALS OBTAINED:

California Department of Fish and Wildlife, Reclamation District No. 563,
California Regional Water Quality Control Board, U.S. Army Corps of Engineers,
U.S. Fish and Wildlife

CALENDAR ITEM NO. **C16** (CONT'D)

FURTHER APPROVALS REQUIRED:

Central Valley Flood Protection Board, National Marine Fisheries, County of Sacramento

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 3, New Construction of Small Structures; California Code of Regulations, Title 2, section 2905, subdivision (c)(1).

AUTHORIZATION:

Authorize issuance of a General Lease – Recreational and Protective Structure Use to James L. Morris beginning December 2, 2013, for a term of 10 years, for the construction, use, and maintenance of an uncovered floating boat dock, two pilings, one two-piling dolphin, metal gangway, utility conduits to accommodate electric, water, and irrigation lines, and bank protection 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 uncovered floating boat dock, two steel pilings, metal gangway, and utility conduit: \$196 per year, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease; 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 interest; and liability insurance with coverage of no less than \$1,000,000 per occurrence.

EXHIBIT A

W 26707

LAND DESCRIPTION

A parcel of tide and submerged land situate in the bed of the Georgiana Slough, lying adjacent to Swamp and Overflowed Land Survey 337 patented May 2, 1866, County of Sacramento, State of California and more particularly described as follows:

All those lands underlying a proposed uncovered floating boat dock, two pilings, dolphin cluster, gangway and utility conduit lying adjacent to those parcels described in Exhibit "A" of Grant Deed, recorded August 28, 2007 in Book 20070828 at Page 1202 in Official Records of said County.

TOGETHER WITH a ten foot impact area.

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

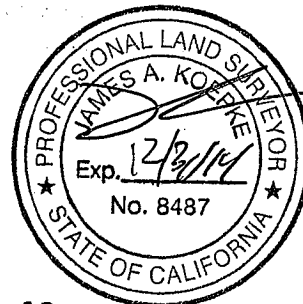
EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of the left bank of said slough.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

This description is based on Applicant provided site plan with placement of a proposed floating dock, together with any and all appurtenances pertaining thereto, to be built at a later date within the Lease time frame. This description is to be updated once final as-built plans are submitted.

Prepared 09/11/13 by the California State Lands Commission Boundary Unit



GEORGIANA SLOUGH

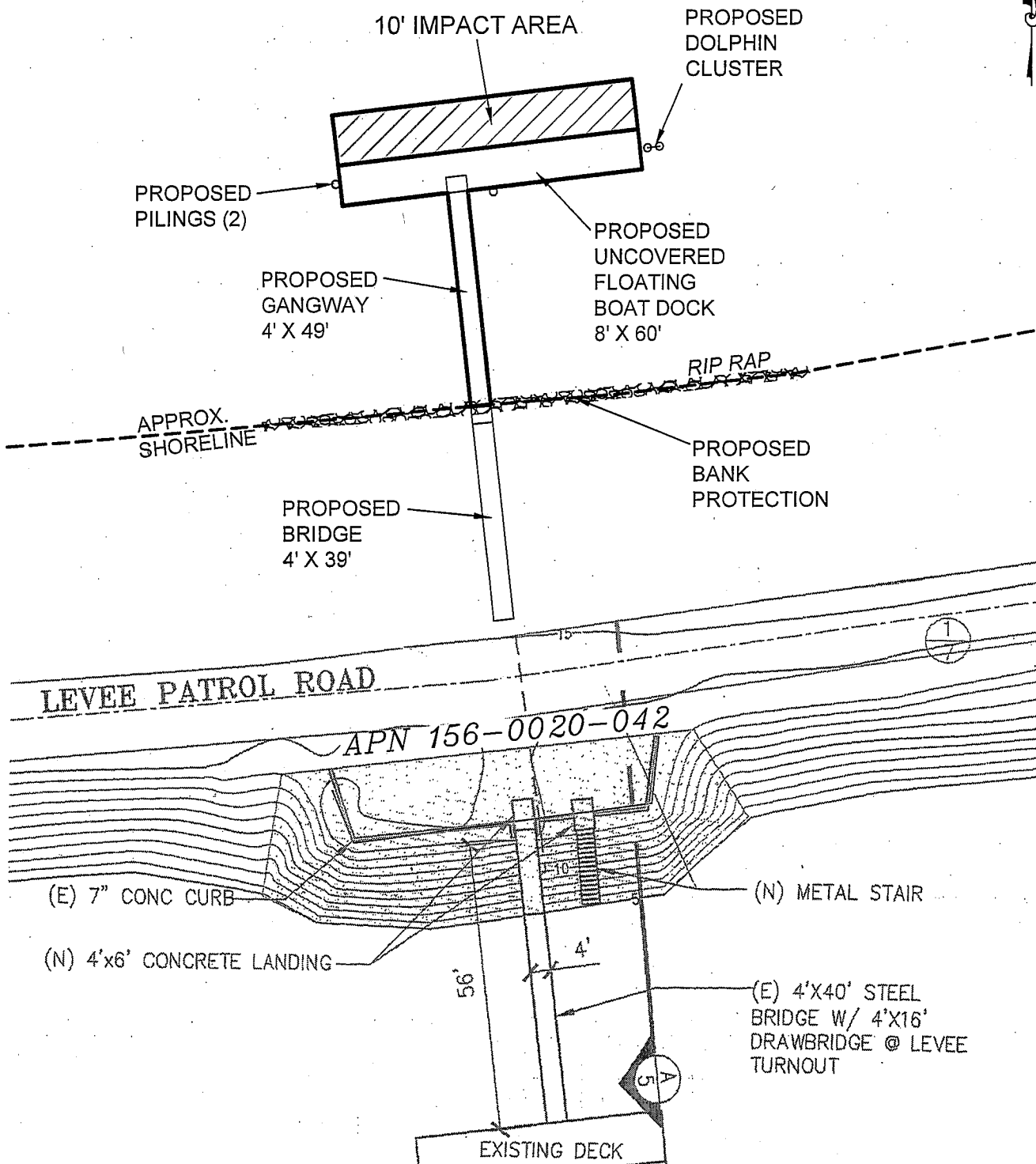


EXHIBIT A

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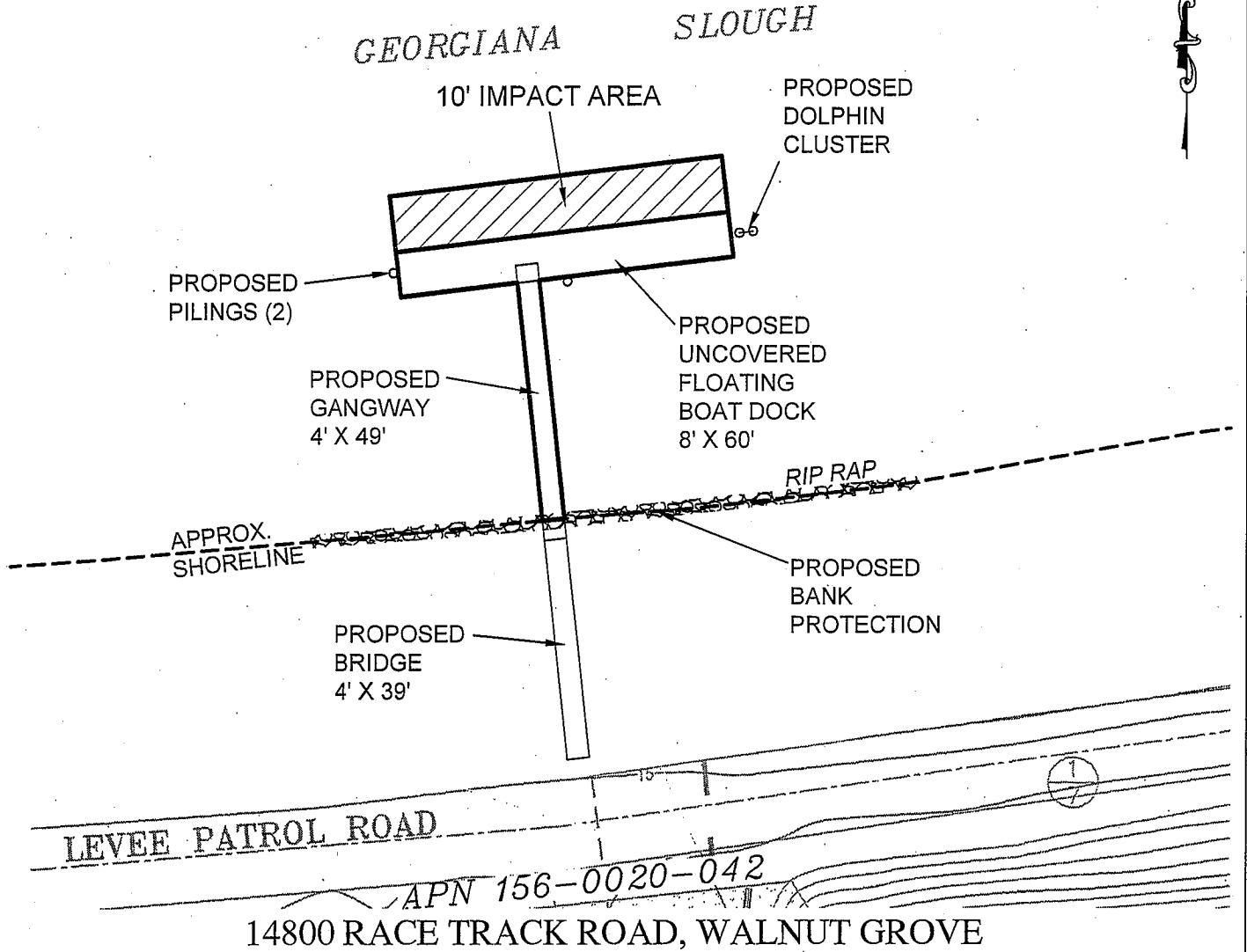
LAND DESCRIPTION PLAT
W 26707, MORRIS
SACRAMENTO COUNTY

CALIFORNIA STATE
LANDS COMMISSION



NO SCALE

SITE



NO SCALE

LOCATION

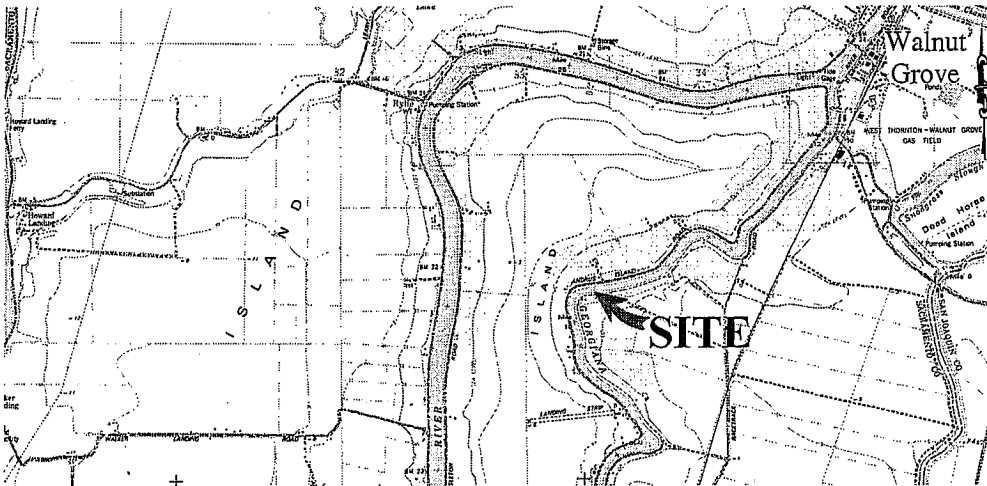
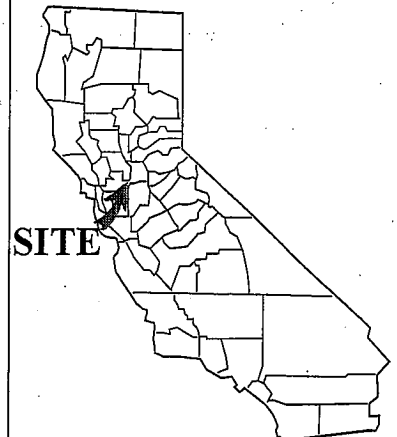


Exhibit B

W 26707
 MORRIS
 APN 156-0020-042
 GENERAL LEASE -
 RECREATIONAL &
 PROTECTIVE STRUCTURE USE
 SACRAMENTO COUNTY



TS 09/11/13

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.