

**CALENDAR ITEM
C44**

A 4
S 3

12/02/13
W 26700
J. Sampson

GENERAL LEASE – RECREATIONAL AND PROTECTIVE STRUCTURE USE

APPLICANTS:

John A. Lambeth and Carson Lambeth

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the Sacramento River, adjacent to 33912 South River Road, near the city of Clarksburg, Yolo County.

AUTHORIZED USE:

Construction, use and maintenance of a covered single-berth boat dock, four steel-tubed concrete pilings, gangway, water and power utilities, and placement of bank protection.

LEASE TERM:

10 years, beginning December 2, 2013.

CONSIDERATION:

Covered single-berth boat dock, pilings, gangway, and water and power utilities: \$489 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: 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. Applicants own the upland adjoining the lease premises.
2. The Applicants are applying for a General Lease – Recreational and Protective Structure Use for the construction of docking facilities and placement of bank protection. The proposed docking facilities will include

CALENDAR ITEM NO. **C44** (CONT'D)

a 28-foot by 62-foot boat dock with a 16-foot by 50-foot covered slip and 4-foot by 51-foot gangway. The dock will be anchored by four steel-tubed concrete pilings and include conduit for electricity and water. All pilings will be driven using a vibratory hammer within the August 1st to October 31st in-water work window required by the California Department of Fish and Wildlife. Riprap will be installed 25 feet upstream and downstream of the proposed docking facilities.

3. The bank protection will mutually benefit both the public and the Applicants. The bank of the Sacramento River 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 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.

APPROVALS OBTAINED:

U.S. Army Corps of Engineers, U.S. Fish and Wildlife, and NOAA Fisheries.

FURTHER APPROVALS REQUIRED:

Central Valley Flood Protection Board, California Department of Fish and Wildlife, California Regional Water Quality Control Board, and Reclamation District 307.

EXHIBITS:

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

CALENDAR ITEM NO. **C44** (CONT'D)

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).

SIGNIFICANT LANDS INVENTORY FINDING:

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to the Public Resources Code section 6370 et seq.

AUTHORIZATION:

Authorize issuance of a General Lease – Recreational and Protective Structure Use to John A. Lambeth and Carson Lambeth beginning December 2, 2013, for a term of 10 years, for the construction, use, and maintenance of a covered single-berth boat dock, four steel-tubed concrete filled pilings, gangway, water and power utilities, and placement of bank protection described in Exhibit A and as shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; consideration for the covered single-berth boat dock, pilings, gangway, and water and power utilities: annual rent in the amount of \$489 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 in the amount of no less than \$1,000,000 per occurrence.

EXHIBIT A

W 26700

LAND DESCRIPTION

A parcel of tide and submerged land situate in the bed of the Sacramento River, lying adjacent to Swamp and Overflowed Land Survey 270, patented date September 13, 1866, County of Yolo, State of California and more particularly described as follows:

All those lands underlying the proposed covered single-berth slip, gangway and four pilings lying adjacent to that parcel described in Grant Deed, recorded May 28, 2009 in Document Number 2009 -0016570-00 in Official Records of said County.

TOGETHER WITH a 10 foot impact area.

ALSO TOGETHER WITH that land lying immediately beneath any proposed Bank Protection Structure adjacent to that parcel described in said Grant Deed.

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

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

This description is based on Applicant provided site plan by DCC Engineering Co., Inc., dated September 6, 2012 and revised February 1, 2013 for a proposed covered single-berth boathouse, 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.

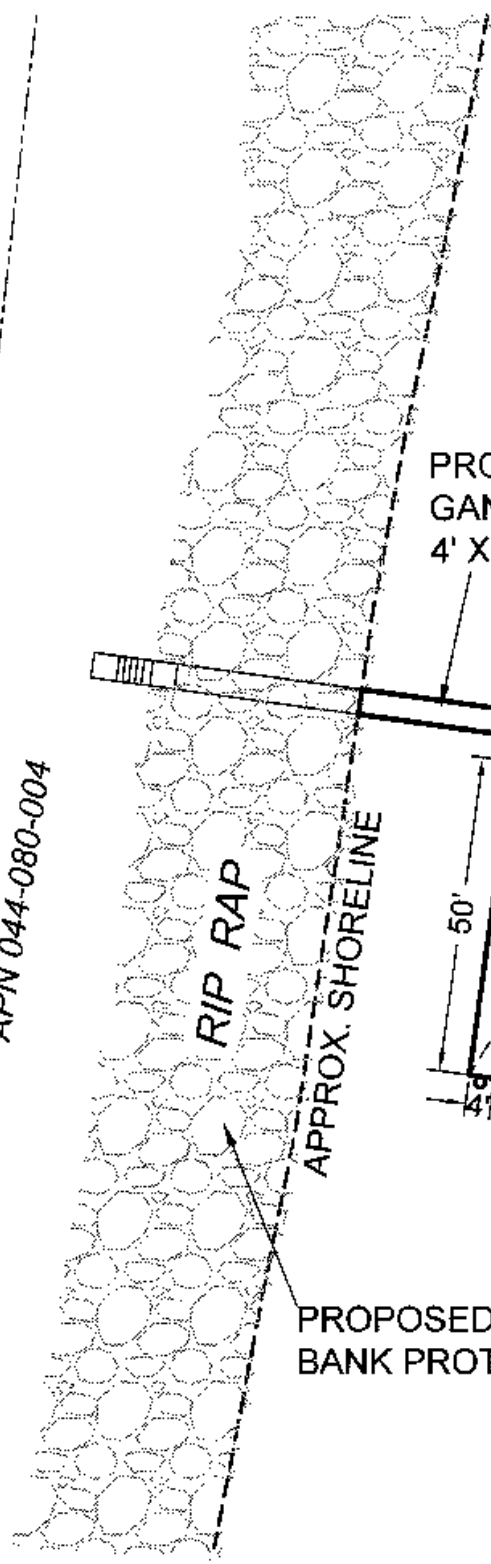
Prepared 08/12/13 by the California State Lands Commission Boundary Unit





SOUTH RIVER ROAD

APN 044-080-004



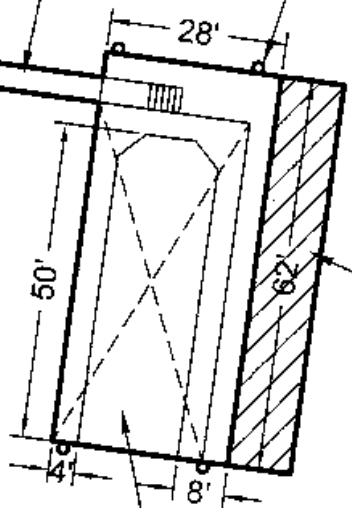
RIP RAP

APPROX. SHORELINE

PROPOSED BANK PROTECTION

PROPOSED GANGWAY
4' X 59'

PROPOSED STEEL PILING (4)



10' IMPACT AREA

PROPOSED COVERED SINGLE-BERTH SLIP

RIVER

SACRAMENTO

EXHIBIT A

LAND DESCRIPTION PLAT
W 26700, LAMBETH
YOLO COUNTY

CALIFORNIA STATE
LANDS COMMISSION

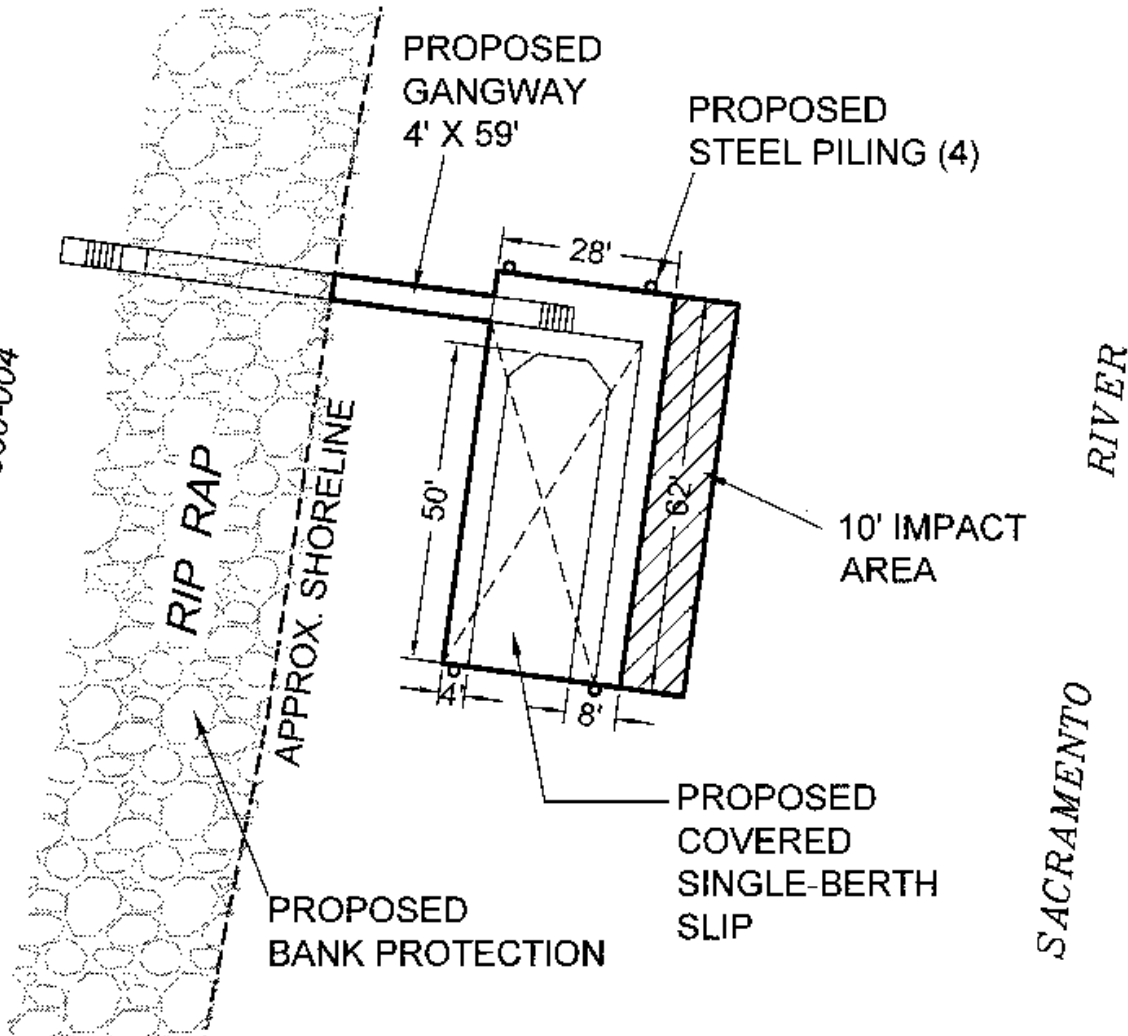


NO SCALE

SITE

SOUTH RIVER ROAD

APN 044-080-004



RIVER

SACRAMENTO

33912 S. RIVER ROAD, NEAR CLARKSBURG

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

W 26700
 LAMBETH
 APN 044-080-004
 GENERAL LEASE -
 RECREATIONAL & PROTECTIVE
 STRUCTURE 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.

TS 08/12/13