

**CALENDAR ITEM  
C45**

A 8  
S 4

12/02/13  
PRC 5378.1  
J. Sampson

**GENERAL LEASE – RECREATIONAL USE**

**APPLICANT:**

Donald Thad Clark, Trustee of the Donald Thad Clark Trust, dated June 12, 2009

**AREA, LAND TYPE, AND LOCATION:**

Sovereign land in the Sacramento River, adjacent to 208 First Street, city of Isleton, Sacramento County.

**AUTHORIZED USE:**

Continued use and maintenance of four existing pilings and a ramp previously authorized by the Commission; and use and maintenance of two existing debris diverters and two floating boat docks not previously authorized by the Commission.

**LEASE TERM:**

10 years, beginning December 2, 2013.

**CONSIDERATION:**

\$597 per year, with the State reserving the right to fix a different rent periodically during the lease term, as provided for in the lease.

**SPECIFIC LEASE PROVISIONS:**

**Insurance:** Liability insurance in the amount no less than \$1,000,000 per occurrence.

**Other:** The lease contains a provision requiring the Applicant to repair the floating boat docks within one year of execution of the lease.

**OTHER PERTINENT INFORMATION:**

1. Applicant owns the upland adjoining the lease premises.
2. On November 7, 1997, the Commission authorized a General Lease – Recreational Use with James H. Bequette for a floating dock with walkway. That lease expired July 31, 2007. The upland parcel was

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subsequently deeded to Donald Thad Clark, Trustee of the Donald Thad Clark Trust, dated June 12, 2009. The Applicant is now applying for a General Lease – Recreational Use for the continued use and maintenance of four pilings and a ramp previously authorized by the Commission and use and maintenance of two existing floating boat docks and two debris diverters not previously authorized by the Commission.

3. After an original floating boat dock was destroyed, the Applicant built additional floating boat docks and debris diverters which are in need of repair. Applicant has submitted a work plan for repair and plans to complete the repairs within one year. Staff has reviewed and has no objections to the work plan.
4. **Lease Issuance**: 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.

5. **Dock Repair**: The staff recommends that the Commission find that this activity is exempt from the requirements of CEQA as a categorically exempt project. The project is exempt under Class 2, Replacement or Reconstruction; California Code of Regulations, Title 2, section 2905, subdivision (b).
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

CALENDAR ITEM NO. **C45** (CONT'D)

**RECOMMENDED ACTION:**

It is recommended that the Commission:

**CEQA FINDING:**

**Lease Issuance:** 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).

**Dock Repair:** 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 2, Replacement or Reconstruction; California Code of Regulations, Title 2, section 2905, subdivision (b).

**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 Donald Thad Clark, Trustee of the Donald Thad Clark Trust, dated June 12, 2009, beginning December 2, 2013, for a term of 10 years, for the continued use and maintenance of four existing pilings and a ramp previously authorized by the Commission, and use and maintenance of two existing debris diverters and two floating boat docks not previously authorized by the Commission as described in Exhibit A and as shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; annual rent in the amount of \$597, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease; and liability insurance in the amount of no less than \$1,000,000 per occurrence.

## EXHIBIT A

PRC 5378.1

### LAND DESCRIPTION

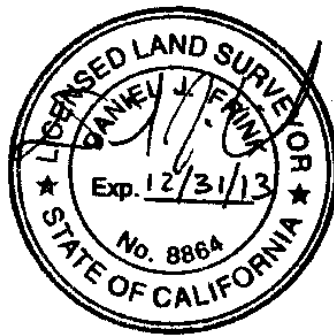
A parcel of tide and submerged land lying in the bed of the Sacramento River adjacent to Parcel 1A as described in Trust Transfer Deed recorded in Book 20090715, Page 767, Official Records of Sacramento County, on July 15, 2009, County of Sacramento, State of California, described as follows:

BEGINNING at the southeast corner of Parcel 1A, as described in said Trust Transfer Deed; thence along the east line of said Parcel 1A and the prolongation thereof N 7°30' W 117.30 feet; thence leaving the prolongation of said east line S 85°24'30" W 120.17 feet to the intersection of the northerly prolongation of the westerly line of said Parcel 1A; thence along said northerly prolongation and said westerly line S 7°30' E 131.69 feet to the southwesterly corner of said Parcel 1A; thence along the southerly line of said Parcel 1A N 78°33" E 120.30 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM any portion lying landward of the Ordinary High Water Mark of the left bank of the Sacramento River.

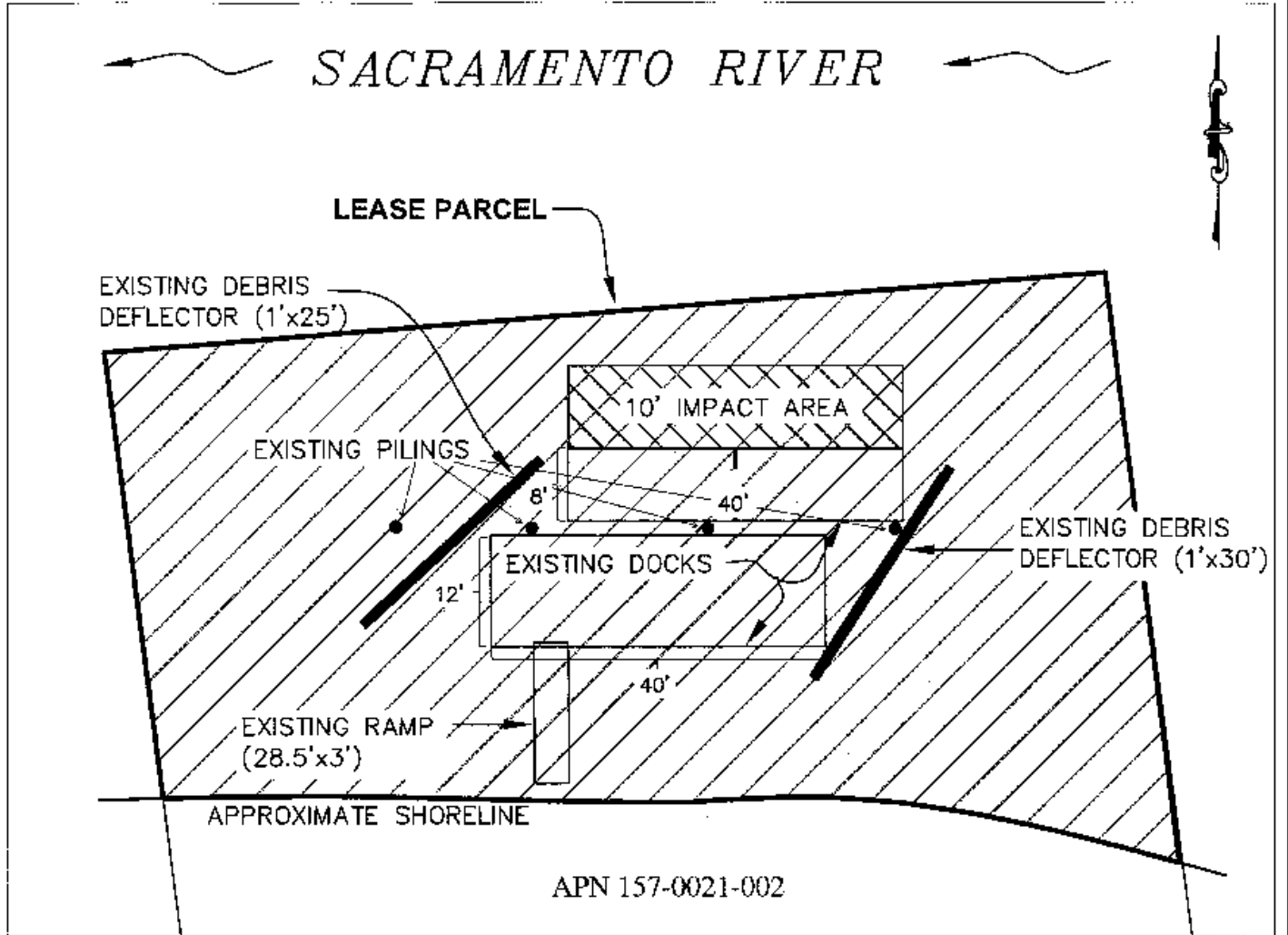
### END OF DESCRIPTION

Prepared 08/27/2013 by the California State Lands Commission Boundary Unit.



NO SCALE

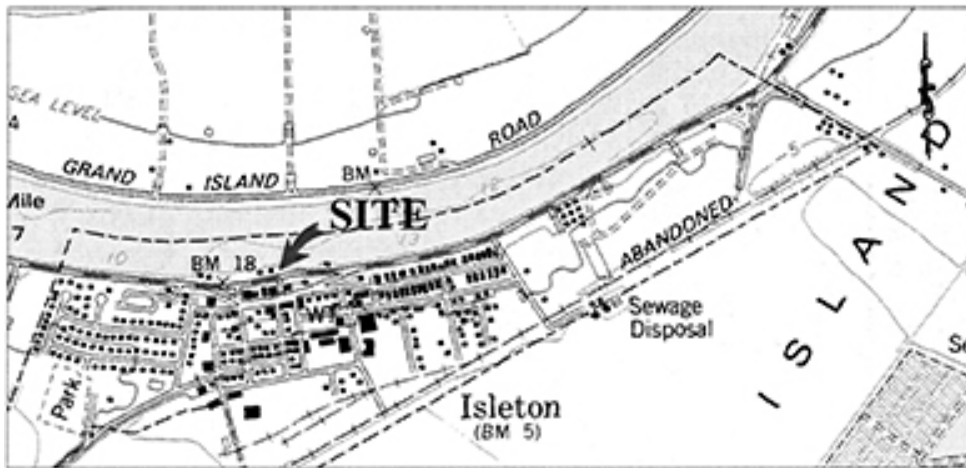
# SITE



208 1st Street, Isleton

NO SCALE

# LOCATION



MAP SOURCE: USGS QUAD

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.

# Exhibit B

PRC 5378.1

CLARK

APN 157-0021-002

GENERAL LEASE -  
RECREATIONAL USE  
SACRAMENTO COUNTY

