

**CALENDAR ITEM  
C52**

A 3  
S 4

12/02/13  
PRC 6103.1  
M. Schroeder

**GENERAL LEASE – RECREATIONAL USE**

**APPLICANTS:**

Jeffrey S. Hines and Barbara A. Hines, as Trustees of the Jeffrey and Barbara Hines Revocable Trust

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

Sovereign land in the Sacramento River, adjacent to 10451 Garden Highway, near Verona, Sutter County.

**AUTHORIZED USE:**

Construction, use and maintenance of an uncovered single-berth floating boat dock, gangway, and three pilings.

**LEASE TERM:**

10 years, beginning December 2, 2013.

**CONSIDERATION:**

\$239 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 no less than \$1,000,000 per occurrence.

**OTHER PERTINENT INFORMATION:**

1. Applicants own the upland adjoining the lease premises.
2. On February 9, 1982, the Commission authorized a 10-year Recreational Pier Permit to Howard E. and Shirley Ann Rogers for a floating dock. That permit expired February 8, 1992. In 1991, prior to expiration of the permit, the current owner at this time advised the dock had been removed. On April 9, 2013, the upland was deeded to Jeffrey S. Hines and Barbara A. Hines, as Trustees of the Jeffrey and Barbara Hines Revocable Trust, who are now applying for a General Lease – Recreational Use for the

CALENDAR ITEM NO. **C52** (CONT'D)

construction, use and maintenance of an uncovered single-berth floating boat dock, gangway, and three pilings.

3. The Applicants are proposing to construct a new U-shaped uncovered single-berth floating boat dock, gangway, and three pilings. A barge mounted pile driver and crane will be used to drive the steel pilings using a drop hammer pile driver. The dock and gangway will be manufactured off site, delivered to the nearest boat ramp, and then moved to the construction site with the pile driving barge. Construction will be scheduled using the appropriate in-water work windows for the Sacramento River.
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:**

Reclamation District 1000 and California Department of Fish and Wildlife.

**APPROVALS REQUIRED:**

U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, California Regional Water Quality Control Board, and Central Valley Flood Protection Board.

**EXHIBITS:**

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

CALENDAR ITEM NO. **C52** (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 Public Resources Code section 6370 et seq.

**AUTHORIZATION:**

Authorize issuance of a General Lease – Recreational Use to Jeffrey S. Hines and Barbara A. Hines, as Trustees of the Jeffrey and Barbara Hines Revocable Trust beginning December 2, 2013, for a term of 10 years, for the construction, use and maintenance of an uncovered single-berth floating boat dock, gangway, and three pilings as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; annual rent in the amount of \$239 per year, 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 an amount no less than \$1,000,000 per occurrence.

**EXHIBIT A**

**PRC 6103.1**

**LAND DESCRIPTION**

A parcel of tide and submerged land situate in the bed of the Sacramento River, lying adjacent to Lot 3 of fractional Section 36, Township 11 North, Range 3 East, M.D.B.&M., as shown on Official Government Township Plat approved August 5, 1870, County of Sutter, State of California and more particularly described as follows:

All those lands underlying a proposed uncovered single-berth floating boat dock, gangway and three pilings lying adjacent to that parcel described in Trust Transfer Deed, recorded April 9, 2013 in Document No. 2013-0005886 in Official Records of said County.

TOGETHER WITH a 10' impact area.

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

Accompanying plat is hereby made part of this description.

**END OF DESCRIPTION**

This description is based on Applicant provided design plans by Mid-Cal Construction Inc., dated May 7, 2013 found in the Application for Lease of State Lands for a proposed 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 as-built plans are submitted.

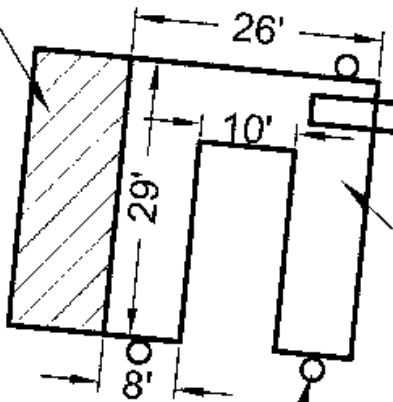
Prepared 10/17/13 by the California State Lands Commission Boundary Unit



SACRAMENTO RIVER

10' IMPACT AREA

PROPOSED GANGWAY  
3' X 60'



PROPOSED UNCOVERED  
SINGLE-BERTH  
FLOATING  
BOAT DOCK

PROPOSED  
STEEL PILES (3)

APPROX.  
SHORELINE

APN 35-361-003

### EXHIBIT A

Page 2 of 2

TS 10/17/13

LAND DESCRIPTION PLAT  
PRC 6103.1, HINES  
SUTTER COUNTY

CALIFORNIA STATE  
LANDS COMMISSION



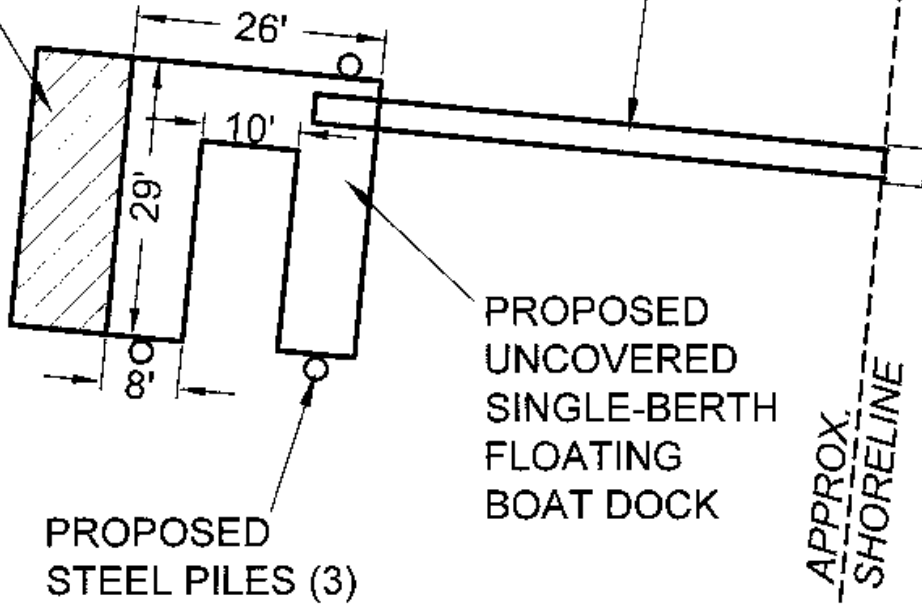
NO SCALE

### SITE

SACRAMENTO RIVER

10' IMPACT AREA

PROPOSED GANGWAY  
3' X 60'



APPROX. SHORELINE

APN 35-361-003

10451 GARDEN HIGHWAY, SACRAMENTO

NO SCALE

### LOCATION



MAP SOURCE: USGS QUAD

### Exhibit B

PRC 6103.1

HINES

APN 35-361-003

GENERAL LEASE -  
RECREATIONAL USE  
SUTTER 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 10/17/13