

**CALENDAR ITEM
C12**

A 11

02/21/14

S 3

PRC 8488.1

W. Hall

GENERAL LEASE – RECREATIONAL USE

APPLICANT:

Delta Diamond Ventures, LLC, a California Limited Liability Company

AREA, LAND TYPE, AND LOCATION:

Sovereign land located in the Sacramento River, adjacent to 15175 State Highway 160, near the city of Isleton, Sacramento County.

AUTHORIZED USE:

Continued use and maintenance of an existing boat dock, walkway, and five pilings previously authorized by the Commission.

LEASE TERM:

10 years, beginning February 21, 2014.

CONSIDERATION:

\$199 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 the amount of no less than \$1,000,000 per occurrence.

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.
2. On October 20, 2003, the Commission authorized a 10-year Recreational Pier Lease to Robert R. Dron and Tracy A. Dron, Trustees of the Robert R. Dron and Tracy A. Dron Revocable Trust dated December 24, 1994, for the construction of a boat dock and walkway. That lease expired on September 30, 2013. On January 3, 2005, the upland was deeded to Delta Diamond Ventures, LLC, a California Limited Liability Company. Applicant is now applying for a General Lease – Recreational Use.

CALENDAR ITEM NO. **C12** (CONT'D)

3. Delta Diamond Ventures, LLC did not qualify for rent-free status pursuant to the original definition of Public Resources Code Section 6503.5 in effect at the time it obtained ownership of the upland. Staff recommends the Commission accept rent due in the amount of \$1,659 for the period from January 3, 2005, through February 20, 2014.
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 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. 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

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 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

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.

CALENDAR ITEM NO. **C12** (CONT'D)

AUTHORIZATION:

1. Authorize acceptance of rent due in the amount of \$1,659 for the period of January 3, 2005, through February 20, 2014.
2. Authorize issuance of a General Lease – Recreational Use to Delta Diamond Ventures, LLC, a California Limited Liability Company, beginning February 21, 2014, for a term of 10 years, for the continued use and maintenance of an existing boat dock, walkway, and five 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 \$199 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 the amount of no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 8488.1

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 346, patented December 17, 1875, County of Sacramento, State of California and more particularly described as follows:

All those lands underlying an existing floating boat dock, gangway, walkway and five pilings lying adjacent to that parcel described in Grant Deed, recorded January 3, 2005 in Book 20050103 at Page 2257 in Official Records of said County.

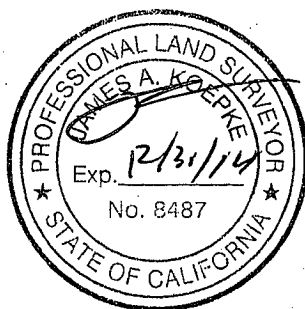
TOGETHER WITH a 9 foot impact area.

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

Prepared 10/18/13 by the California State Lands Commission Boundary Unit



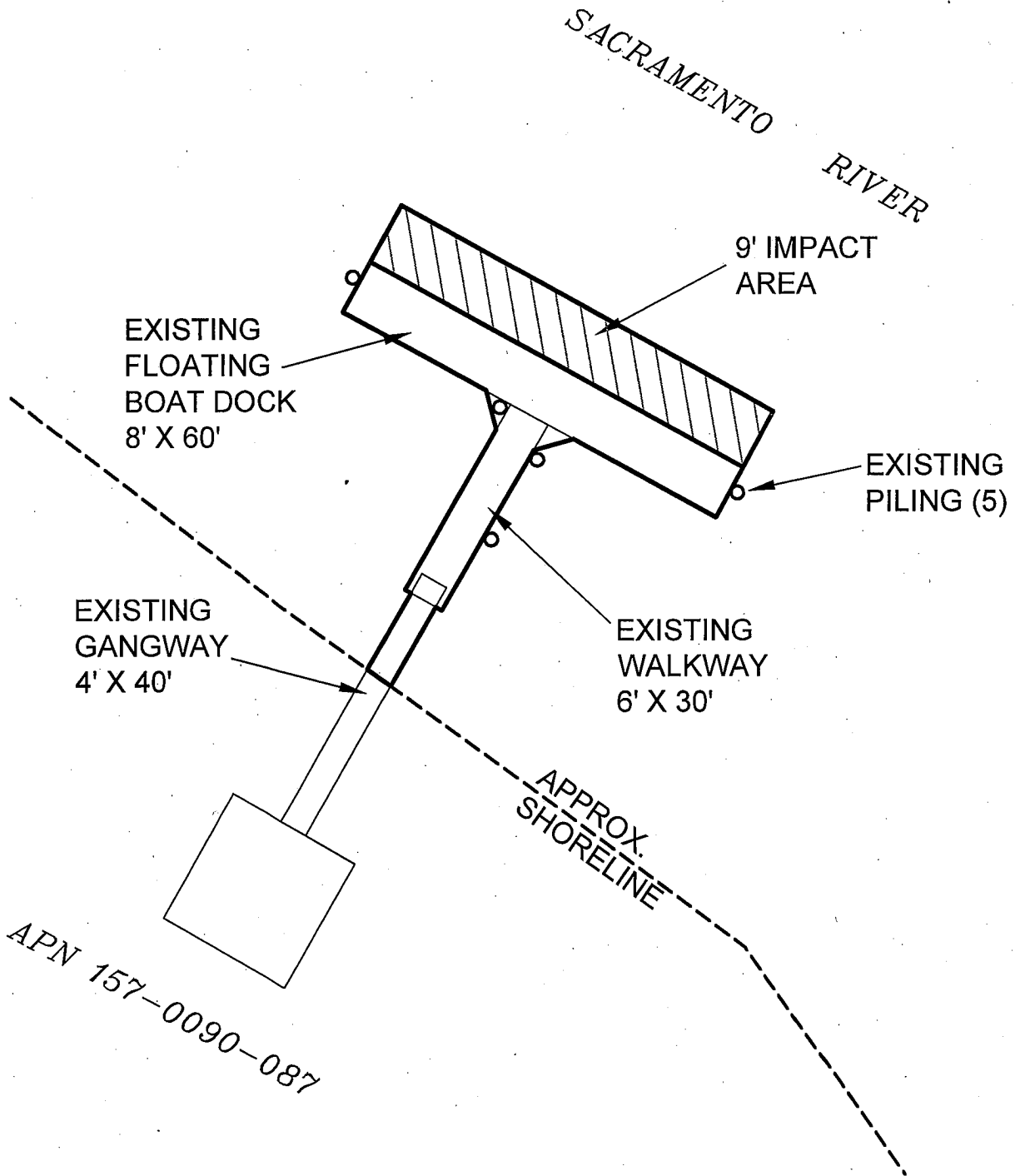


EXHIBIT A

Page 2 of 2

TS 10/18/13

LAND DESCRIPTION PLAT
PRC 8488.1, DELTA DIAMOND
VENTURES, INC.
SACRAMENTO COUNTY

CALIFORNIA STATE
LANDS COMMISSION



SITE



LOCATION

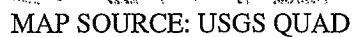


Exhibit B

A map of California with county boundaries. A small area in the northern central part of the state is shaded black and labeled 'SITE'.

TS 10/18/13