

**CALENDAR ITEM
C18**

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08/15/14

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PRC 6684.1

J. Sampson

GENERAL LEASE – RECREATIONAL USE

APPLICANTS:

Jack Durell Kelp and Candice Deak Kelp, as Co-Trustees and any Successor Trustees of the Kelp Family 2011 AB Revocable Trust, Created April 14, 2011

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the Georgiana Slough, adjacent to 431 West Willow Tree Lane, near the city of Isleton, Sacramento County.

AUTHORIZED USE:

Continued use and maintenance of an existing floating boat dock, two pilings, gangway, walkway, and one unattached piling.

LEASE TERM:

10 years, beginning June 21, 2014.

CONSIDERATION:

\$142 per year, with an annual Consumer Price Index adjustment.

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 August 17, 2004, the Commission authorized a Recreational Pier Lease to Jack D. Kelp and Candice D. Kelp. That lease expired June 20, 2014. On May 16, 2011, the Kelps deeded the upland property to Jack Durell Kelp and Candice Deak Kelp, as Co-Trustees and any Successor Trustees of The Kelp Family 2011 AB Revocable Trust, Created April 14, 2011. The Applicants are now applying for a General Lease – Recreational Use.

CALENDAR ITEM NO. **C18** (CONT'D)

3. 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.

4. 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.

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).

AUTHORIZATION:

Authorize issuance of a General Lease – Recreational Use to Jack Durell Kelp and Candice Deak Kelp, as Co-Trustees and any Successor Trustees of the Kelp Family 2011 AB Revocable Trust, Created April 14, 2011, beginning June 21, 2014, for a term of 10 years, for the continued use and maintenance of an existing floating boat dock, two pilings, gangway, walkway, and one unattached piling as described in Exhibit A

CALENDAR ITEM NO. **C18** (CONT'D)

and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; annual rent in the amount of \$142, with an annual Consumer Price Index adjustment; and liability insurance in an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 6684.1

LAND DESCRIPTION

Two (2) parcels of tide and submerged land situate in the bed of Georgiana Slough lying adjacent to Swamp and Overflow Survey 943 patented April 14, 1873, Sacramento County, State of California, more particularly described as follows:

PARCEL 1 – DOCK

All those lands underlying a floating boat dock, walkway, gangway, and two (2) pilings lying adjacent to those parcels as described in Exhibit “A” of that Trust Transfer Deed recorded May 16, 2011, in Book 20110516, Page 1163 of Official Records of said County.

PARCEL 2 – UNATTACHED PILING

All those lands underlying an unattached piling lying adjacent to said parcels.

TOGETHER WITH any applicable impact area(s).

EXCEPTING THEREFROM any portion(s) lying landward of the Ordinary High Water Mark of the right bank of the Georgiana Slough.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared May 28, 2014 by the California State Lands Commission Boundary Unit.



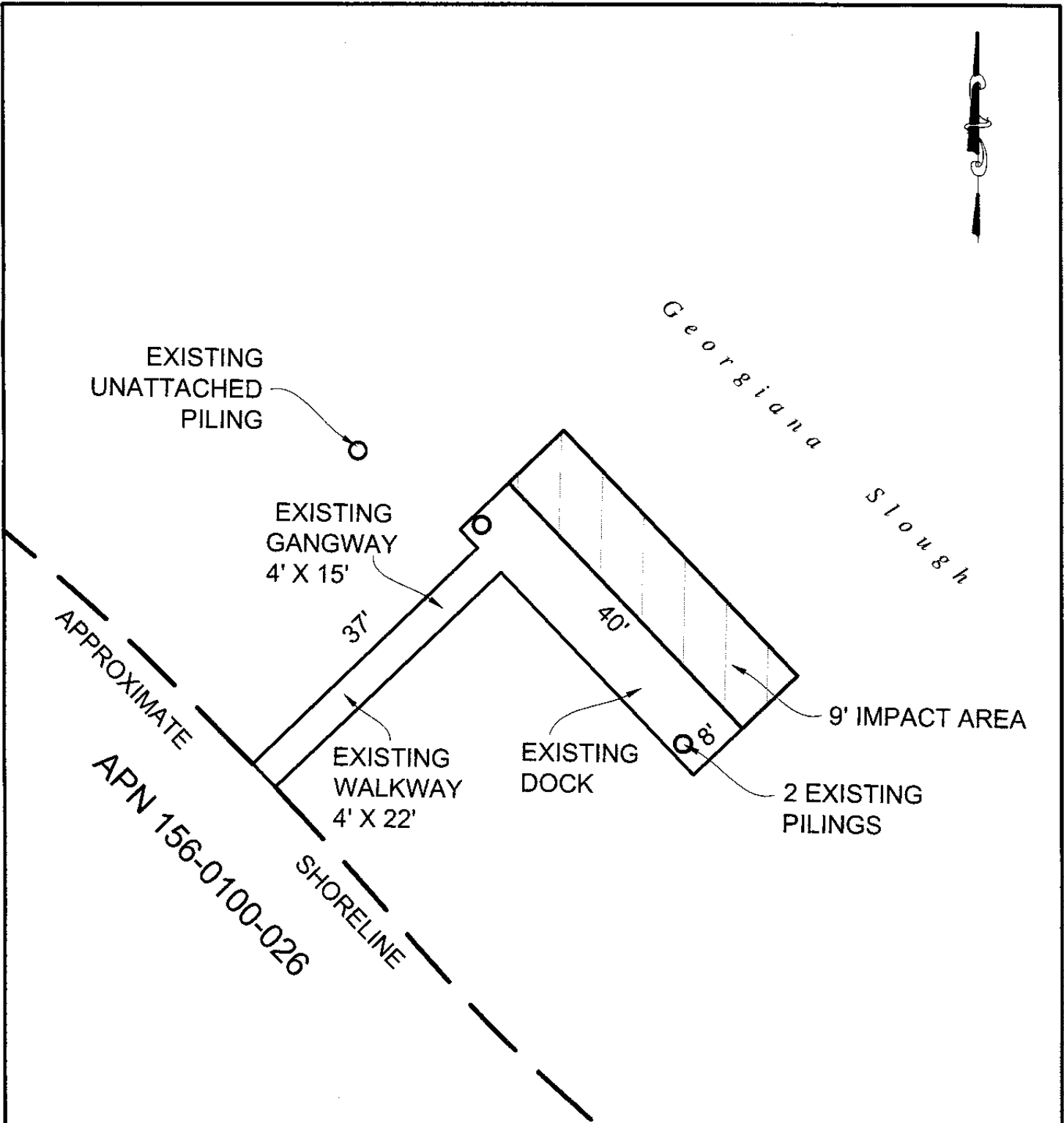
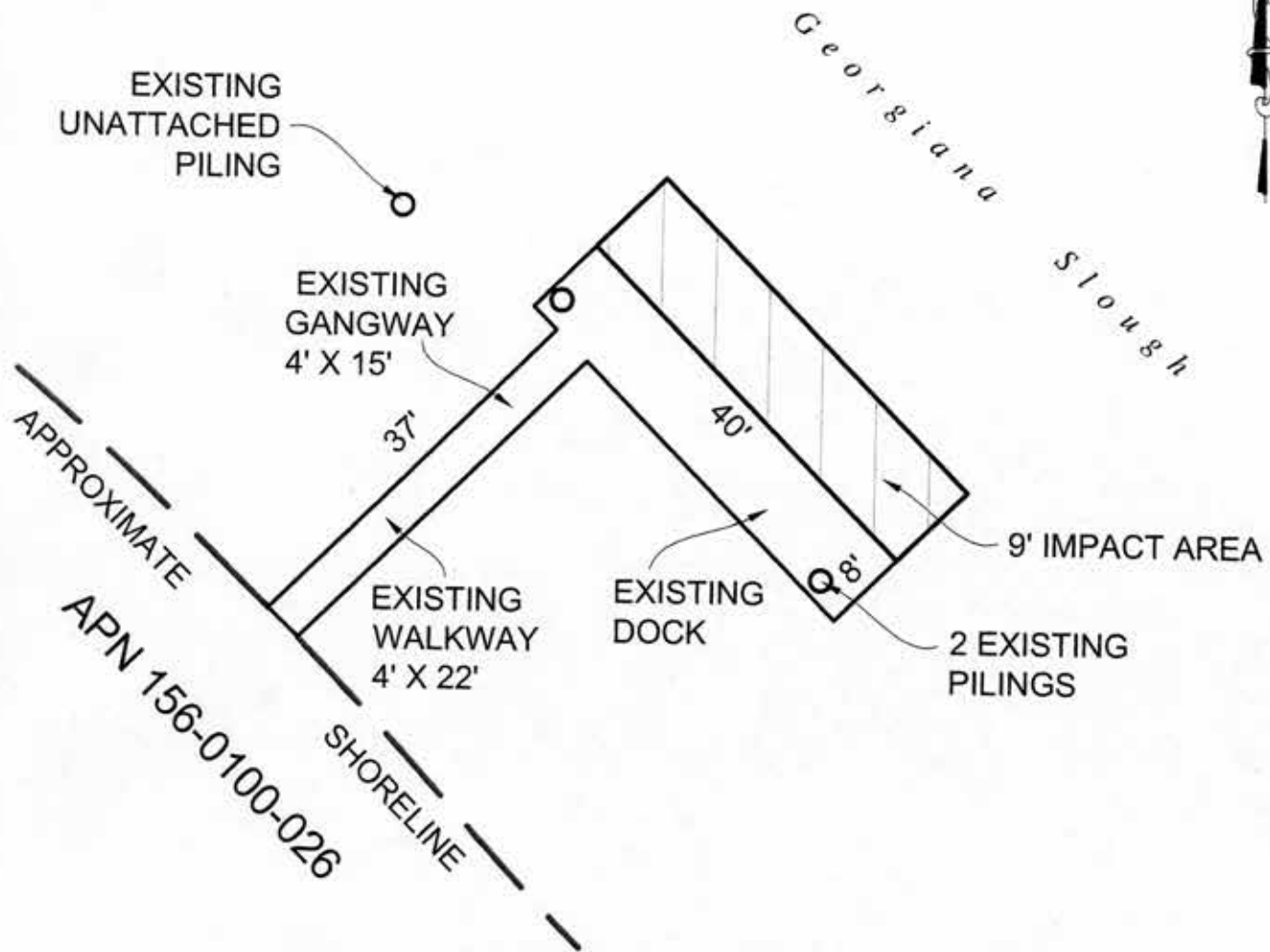


EXHIBIT A



NO SCALE

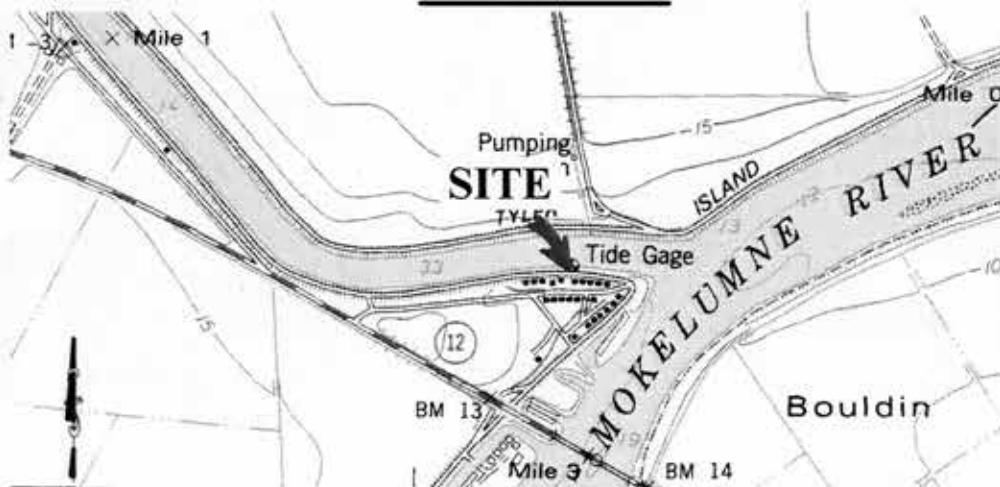
SITE



431 WEST WILLOW TREE LANE, NEAR ISLETON

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 6684.1
 KELP TRUST
 APN 156-0100-026
 GENERAL LEASE -
 RECREATIONAL USE
 SACRAMENTO COUNTY



SITE

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.