

**CALENDAR ITEM
C32**

A 7
S 6

10/16/15
PRC 9140.1
V. Caldwell

CORRECTION TO PRIOR AUTHORIZATION

LESSEE:

Lee A. Stearn

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the Sacramento River, adjacent to 2611 Garden Highway, near the city of Sacramento, Sacramento County.

AUTHORIZED USE:

Use and maintenance of an existing uncovered floating boat dock, gangway, stairs, and bank protection.

LEASE TERM:

10 years, beginning December 17, 2014.

CONSIDERATION:

Uncovered Floating Boat Dock, Gangway, and Stairs: \$125 per year, with an annual Consumer Price Index adjustment.

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 interests.

SPECIFIC LEASE PROVISIONS:

Liability insurance in an amount no less than \$1,000,000 per occurrence.

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.
2. On April 23, 2015, the Commission authorized a General Lease – Recreational and Protective Structure Use to Lee A. Stearn. Staff has since discovered that the beginning date of the lease was incorrectly shown as April 23, 2015, in Calendar Item C50, under Lease Terms and Authorization. The true beginning date of the executed Lease is

CALENDAR ITEM NO. **C32** (CONT'D)

December 17, 2014. Therefore, staff is requesting Commission approval to correct the beginning lease date to December 17, 2014.

3. The staff recommends that the Commission find that the subject correction of prior authorization does not have a potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment, and is, therefore, not a project in accordance with the California Environmental Quality Act (CEQA).

Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, sections 15060, subdivision (c)(3), and 15378.

EXHIBITS:

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

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the subject correction of prior authorization is not subject to the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c)(3), because the subject activity is not a project as defined by Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.

AUTHORIZATION:

Authorize correction of the Commission's April 23, 2015, authorization of a General Lease – Recreational and Protective Structure Use, issued to Lee A. Stearn, to change the Lease beginning date shown as April 23, 2015 to December 17, 2014; all other terms and conditions of the prior authorization and lease remain unchanged and in effect.

EXHIBIT A

PRC 9140.1

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 206, patented date August 12, 1869, County of Sacramento, State of California and more particularly described as follows:

All those lands underlying an existing floating dock, gangway and stairway lying adjacent to that parcel described in Grant Deed, recorded November 9, 1998 in Document Number 199811091841 in Official Records of said County.

TOGETHER WITH any applicable Impact Area(s).

ALSO TOGETHER WITH that land lying immediately beneath any 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 left bank of said river.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared 09/14/15 by the California State Lands Commission Boundary Unit





SACRAMENTO RIVER

RIVER

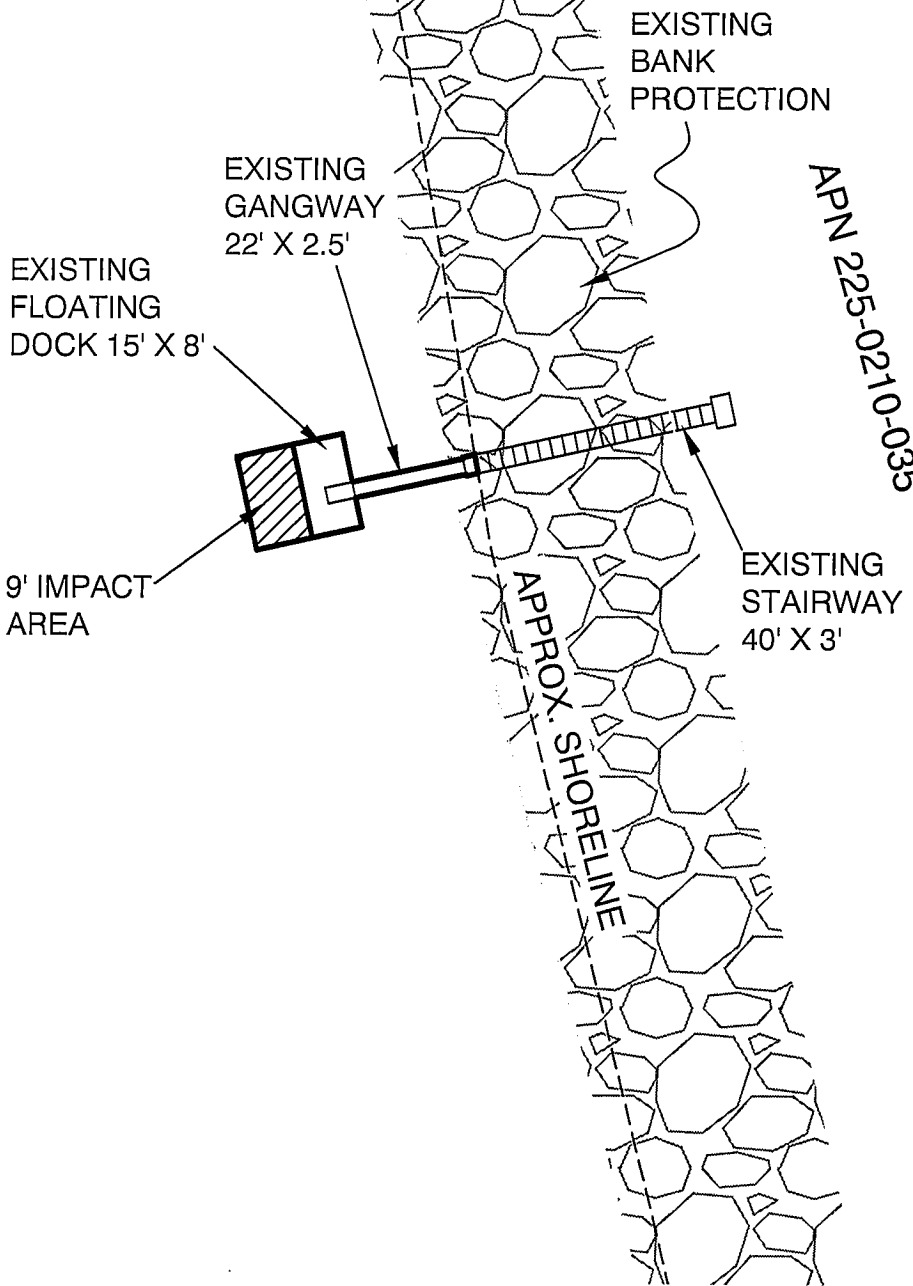


EXHIBIT A

LAND DESCRIPTION PLAT
 PRC 9140.1, STEARN
 SACRAMENTO COUNTY

CALIFORNIA STATE
 LANDS COMMISSION



NO SCALE

SITE

SACRAMENTO RIVER

RIVER

EXISTING FLOATING DOCK 15' X 8'

EXISTING GANGWAY 22' X 2.5'

9' IMPACT AREA

EXISTING BANK PROTECTION

APN 225-0210-035

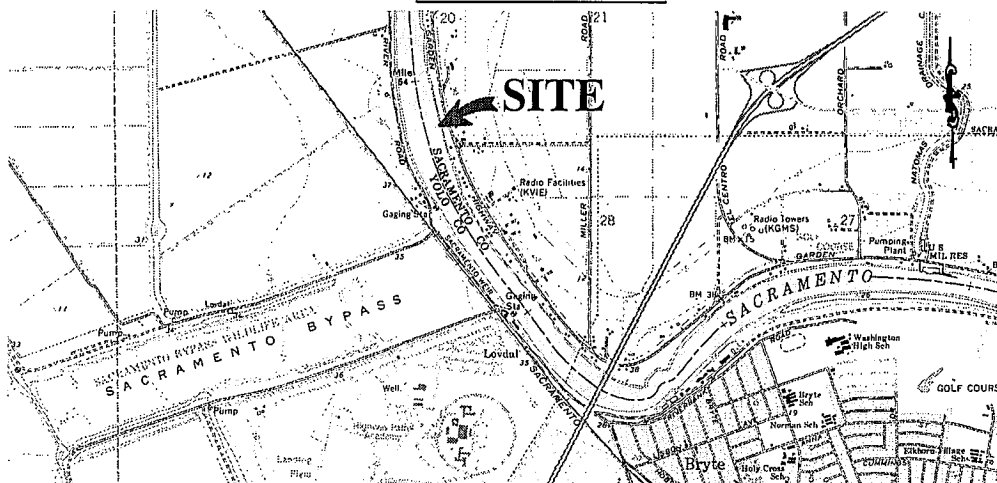
EXISTING STAIRWAY 40' X 3'

APPROX. SHORELINE

2611 GARDEN HIGHWAY, SACRAMENTO

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 9140.1
 STEARN
 APN 225-0210-035
 GENERAL LEASE -
 RECREATIONAL & PROTECTIVE
 STRUCTURE USE
 SACRAMENTO 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 09/14/15