

**CALENDAR ITEM  
C33**

A 7  
S 6

12/18/15  
PRC 6352.1  
G. Asimakopoulos

**GENERAL LEASE – RECREATIONAL AND  
PROTECTIVE STRUCTURE USE**

**APPLICANT:**

Marc A. Brennen and Patricia L. Brennen

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

Sovereign land located in the Sacramento River, adjacent to 2945 Garden Highway, near the city of Sacramento, Sacramento County.

**AUTHORIZED USE:**

Continued use and maintenance of an existing uncovered single-berth U-shaped floating boat dock, ramp, four pilings, two-pile dolphin, and bank protection previously authorized by the Commission, and a boat lift and jet-ski ramp not previously authorized by the Commission.

**LEASE TERM:**

10 years, beginning August 8, 2015.

**CONSIDERATION:**

**Uncovered Single-Berth U-Shaped Floating Dock, Boat Lift, Ramp, Jet-Ski Ramp, Four Pilings, and a Two-Pile Dolphin:** \$435 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.

CALENDAR ITEM NO. **C33** (CONT'D)

2. On August 8, 2005, the Commission authorized a General Lease – Protective Structure and Recreational Use to Marc A. Brennen and Patricia L. Brennen, for the continued use and maintenance of an existing uncovered single-berth U-shaped floating boat dock, ramp, one wood piling, a two-pile dolphin, bank protection, two new steel pilings, and strengthening of two existing wood pilings with steel sleeves. That lease expired on August 7, 2015. Sometime after August 8, 2005, the one remaining wood piling was removed, and a boat lift and jet-ski ramp were added to the facilities. The Applicant is now applying for a General Lease – Recreational and Protective Structure Use.
3. The bank protection will mutually benefit both the public and the Applicant. The bank of the Sacramento River will have additional protection from wave action provided at no cost to the public.
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

CALENDAR ITEM NO. **C33** (CONT'D)

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.

**AUTHORIZATION:**

Authorize issuance of a General Lease – Recreational and Protective Structure Use to Marc A. Brennen and Patricia L. Brennen beginning August 8, 2015, for a term of 10 years, for the continued use and maintenance of an existing uncovered single-berth U-shaped floating boat dock, ramp, four pilings, a two-pile dolphin, and bank protection previously authorized by the Commission, and a boat lift and jet-ski ramp not previously authorized by the Commission, as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; consideration for the uncovered single-berth U-shaped floating boat dock, boat lift, ramp, jet-ski ramp, four pilings, and a two-pile dolphin: \$435 per year, with an annual Consumer Price Index adjustment; consideration for the 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; and liability insurance in an amount no less than \$1,000,000 per occurrence.

**EXHIBIT A**

**PRC 6352.1**

**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 on August 2, 1869, County of Sacramento, State of California and more particularly described as follows:

All those lands underlying an existing uncovered single-berth u-shape floating boat dock, boat lift, jet-ski ramp, ramp, two-pile dolphin and four pilings lying adjacent to that parcel described in Individual Grant Deed recorded September 23, 1998 in Document Number 199809231196 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 said parcel.

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 08/11/15 by the California State Lands Commission Boundary Unit



SACRAMENTO RIVER

EXISTING UNCOVERED SINGLE-BERTH U-SHAPE FLOATING BOAT DOCK WITH BOAT LIFT

EXISTING TWO-PILE DOLPHIN

9' IMPACT AREA

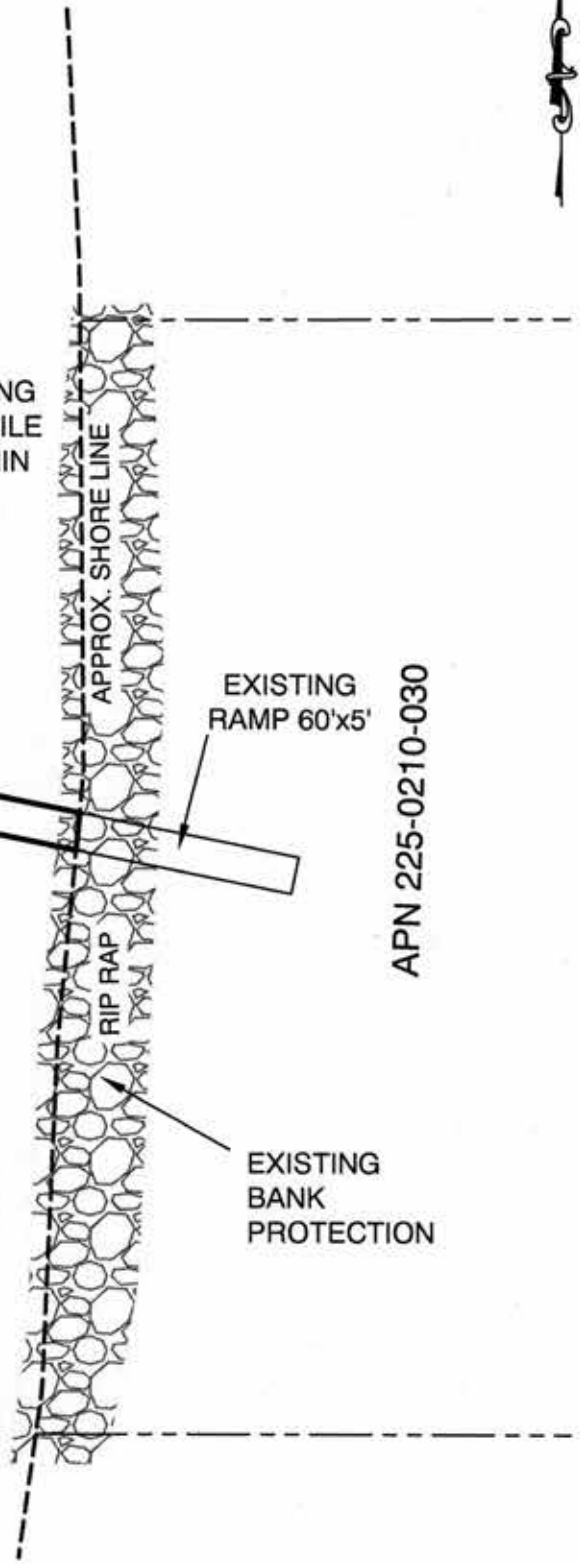
EXISTING RAMP 60'x5'

APN 225-0210-030

EXISTING PILINGS (4)

JET-SKI RAMP & 9' IMPACT AREA

EXISTING BANK PROTECTION



### EXHIBIT A

Page 2 of 2

TS 08/11/15

LAND DESCRIPTION PLAT  
PRC 6352.1, BRENNEN  
SACRAMENTO COUNTY

CALIFORNIA STATE  
LANDS COMMISSION



NO SCALE

### SITE

SACRAMENTO RIVER

EXISTING UNCOVERED SINGLE-BERTH U-SHAPE FLOATING BOAT DOCK WITH BOAT LIFT

EXISTING TWO-PILE DOLPHIN

9' IMPACT AREA

EXISTING PILINGS (4)

JET-SKI RAMP & 9' IMPACT AREA

EXISTING RAMP 60'x5'

EXISTING BANK PROTECTION

2945 GARDEN HIGHWAY, SACRAMENTO



APN 225-0210-030

NO SCALE

### LOCATION



MAP SOURCE: USGS QUAD

### Exhibit B

PRC 6352.1  
BRENNEN  
APN 225-0210-030  
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.