

MINUTE ITEM
This Calendar Item No. C43 was approved as
Minute Item No. 43 by the California State Lands
Commission by a vote of 3 to 0 at its
4-26-05 meeting.

CALENDAR ITEM
C43

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PRC 5021
J. McComas

**GENERAL LEASE -
PUBLIC AGENCY USE**

APPLICANT:

City of Sacramento

AREA, LAND TYPE, AND LOCATION:

Tide and submerged lands in the Sacramento River at Garcia Bend Park, city of Sacramento, Sacramento County.

AUTHORIZED USE:

Continued use and maintenance of a boat launch ramp, boarding float, riprap, and maintenance dredging.

LEASE TERM:

15 years, beginning June 1, 2005.

CONSIDERATION:

The public use and benefit; with the State reserving the right at any time to set a monetary rent if the Commission finds that such action to be in the State's best interest. No royalty will be charged for dredged materials. Dredged materials may not be sold as the project will result in a public benefit.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.
2. On May 26, 1994, the Commission issued a General Lease - Public Agency Use to the city of Sacramento for a 15 year period beginning June 1, 1990. This lease covers the facilities located at Garcia Bend Park and will expire on May 31, 2005. The city of Sacramento is now applying for a new General Lease - Public Agency Use.
3. The lease will contain a provision, which would allow the Lessee to conduct maintenance dredging to provide for safe navigation. The

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exercise of this provision would require the prior authorization of Lessor, in writing, and proof of Lessee's compliance with the rules and regulations, i.e. permits, of the applicable public agencies having jurisdiction over such activity, such as the U. S. Army Corps of Engineers, U. S. Fish and Wildlife Service, NOAA Fisheries, California Department of Fish and Game, State Reclamation Board, and the California Regional Water Quality Control Board.

4. **BOAT LAUNCH RAMP, BOARDING FLOAT, AND RIPRAP:** Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; Title 2, California Code of Regulations, section 2905 (a)(2).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

MAINTENANCE DREDGING: Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 4, Minor Alterations to Land; Title 2, California Code of Regulations, section 2905 (d)(4).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. 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. Site Map
- B. Location Map

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PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

BOAT LAUNCH RAMP, BOARDING FLOAT AND RIPRAP: FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

MAINTENANCE DREDGING: FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 4, MINOR ALTERATIONS TO LAND; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (d)(4).

SIGNIFICANT LANDS INVENTORY FINDING:

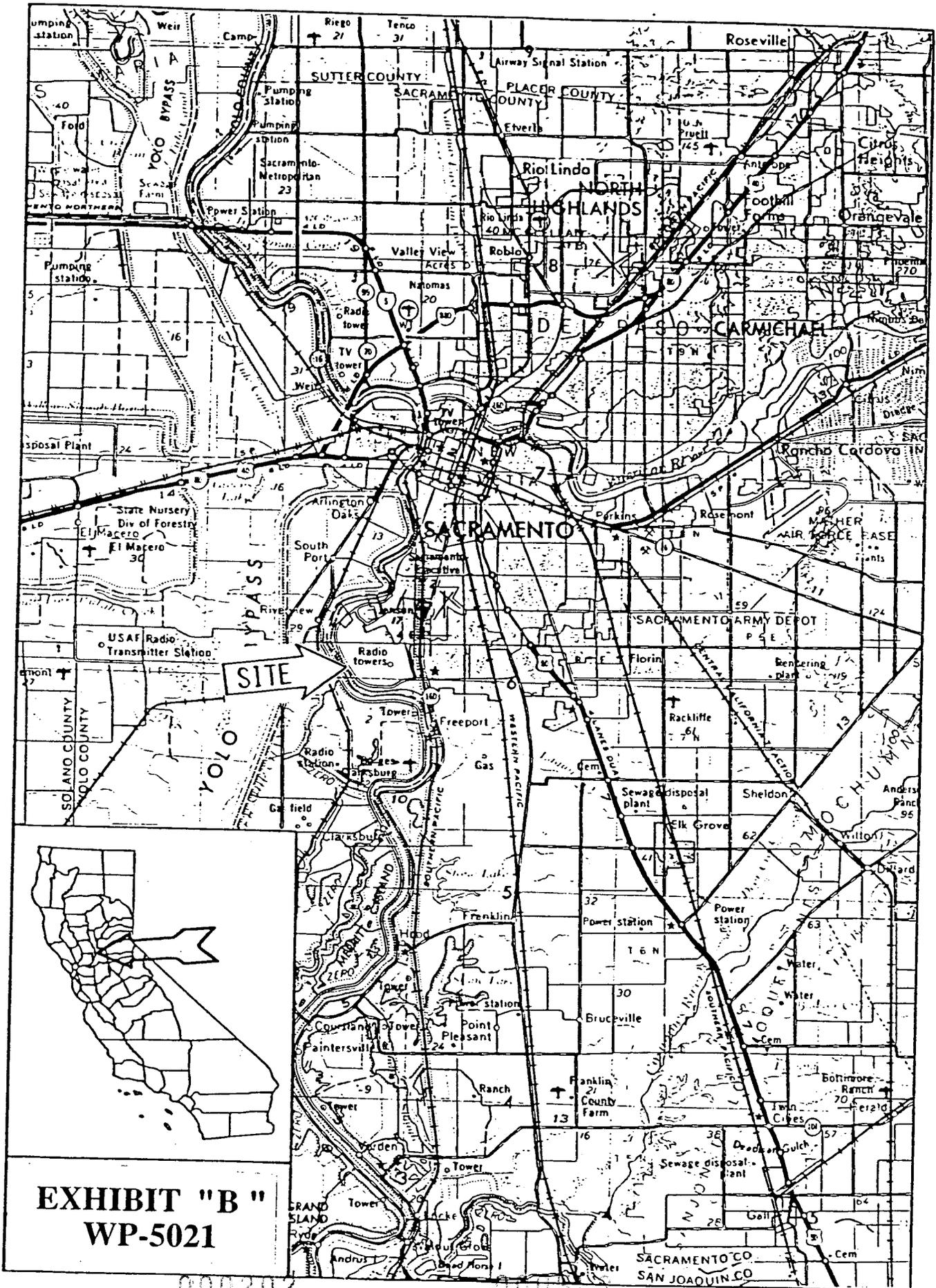
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO THE CITY OF SACRAMENTO OF A GENERAL LEASE - PUBLIC AGENCY USE, BEGINNING JUNE 1, 2005, FOR A TERM OF 15 YEARS, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING BOAT LAUNCH RAMP, BOARDING FLOAT, RIPRAP AND MAINTENANCE DREDGING PROVIDED THAT PRIOR TO ANY DREDGING THE LESSEE SHALL OBTAIN PRIOR WRITTEN CONSENT OF LESSOR, AS REPRESENTED ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION -THE PUBLIC USE AND BENEFIT, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENT IF THE COMMISSION FINDS THAT SUCH ACTION

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TO BE IN THE STATE'S BEST INTEREST. NO ROYALTY SHALL BE CHARGED FOR DREDGED MATERIALS AS THE PROJECT WILL RESULT IN A PUBLIC BENEFIT. DREDGED MATERIALS MAY NOT BE SOLD.



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