

**CALENDAR ITEM  
C03**

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09/20/13

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PRC 5523.1

G. Asimakopoulos

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

**APPLICANTS:**

Mary V. Ingram and David M. Ingram

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

Sovereign land in the Sacramento River, adjacent to 7045 Garden Highway, city of Sacramento, Sacramento County.

**AUTHORIZED USE:**

Continued use and maintenance of existing bank protection previously authorized by the Commission; and use and maintenance of an existing uncovered floating single-berth boat dock with boat lift, gangway, dolphin, and two pilings not previously authorized by the Commission.

**LEASE TERM:**

10 years, beginning August 23, 2013.

**CONSIDERATION:**

**Uncovered Floating Single-Berth Boat Dock with Boat Lift, Gangway, Dolphin and Two Pilings:** \$269 per year, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

**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 interest.

**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.

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2. On June 2, 2003, the Commission authorized a 10-year General Lease – Protective Structure Use to David M. Ingram and Mary V. Ingram. That lease expired on March 28, 2009. The Applicants are now applying for a new General Lease – Recreational and Protective Structure Use.
3. In addition to the continued use and maintenance of the existing bank protection, the Applicants are requesting authorization for an existing uncovered floating single-berth boat dock, boat lift, gangway, dolphin and two pilings. This docking facility was constructed in 2007 without Commission approval. Applicants obtained an after-the-fact permit from the California Central Valley Flood Board in 2010, and are in the process of obtaining an after-the-fact permit from the U.S. Army Corps of Engineers. Staff recommends including the boat dock, boat lift, gangway, dolphin, and pilings as authorized improvements in the proposed lease.
4. The bank protection will mutually benefit both the public and the Applicants. The bank of the Sacramento River will have additional protection from wave action provided at no cost to the public.
5. 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.

6. 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

CALENDAR ITEM NO. **C03** (CONT'D)

**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.

**AUTHORIZATION:**

Authorize issuance of a General Lease – Recreational and Protective Structure Use to Mary V. Ingram and David M. Ingram, beginning August 23, 2013, for a term of 10 years, for the continued use and maintenance of existing bank protection previously authorized by the Commission; and the use and maintenance of an existing uncovered floating single-berth boat dock, boatlift, gangway, dolphin, and two pilings 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 floating single-berth boat dock, boat lift, gangway, dolphin, and two pilings: annual rent in the amount of \$269 per year, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease; 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 interest; and liability insurance in an amount no less than \$1,000,000 per occurrence.

**EXHIBIT A**

**PRC 5523.1**

**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 923, patented May 18, 1872, County of Sacramento, State of California and more particularly described as follows:

All those lands underlying an existing uncovered single-berth floating boat dock with boat lift, gangway, dolphin and two steel pilings lying adjacent to that parcel described in Interspousal Transfer Deed, recorded May 14, 2003 in Book 20030514 at Page 0600 in Official Records of said County.

TOGETHER WITH a 10 foot impact area.

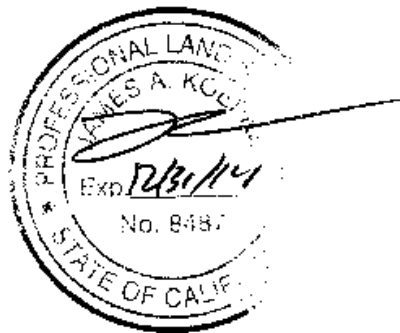
ALSO TOGETHER WITH that land lying immediately beneath any Bank Protection Structure adjacent to that parcel described in said Deed.

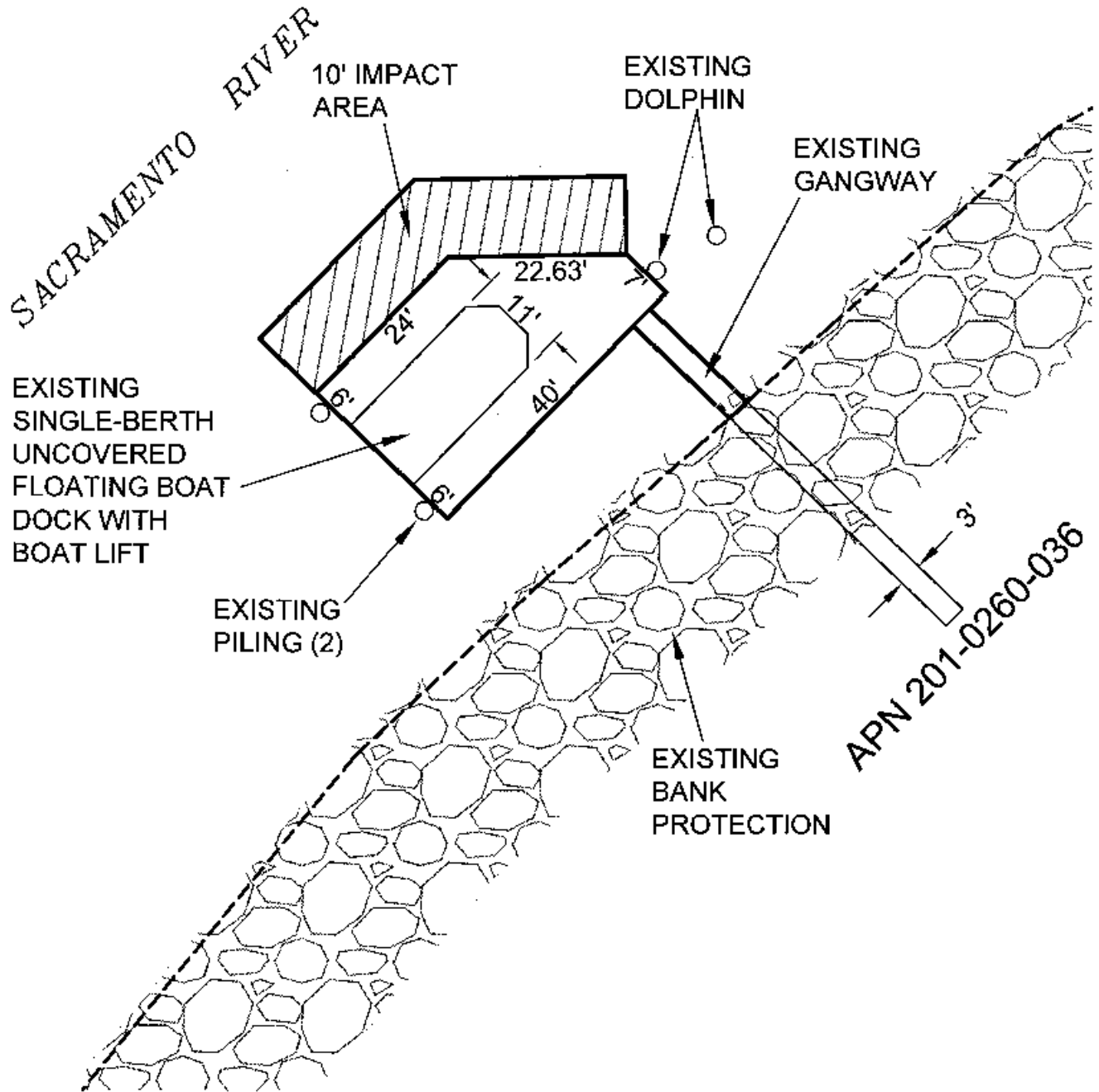
EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of the left bank of said river.

Accompanying plat is hereby made part of this description.

**END OF DESCRIPTION**

Prepared 06/25/2013 by the California State Lands Commission Boundary Unit





## EXHIBIT A

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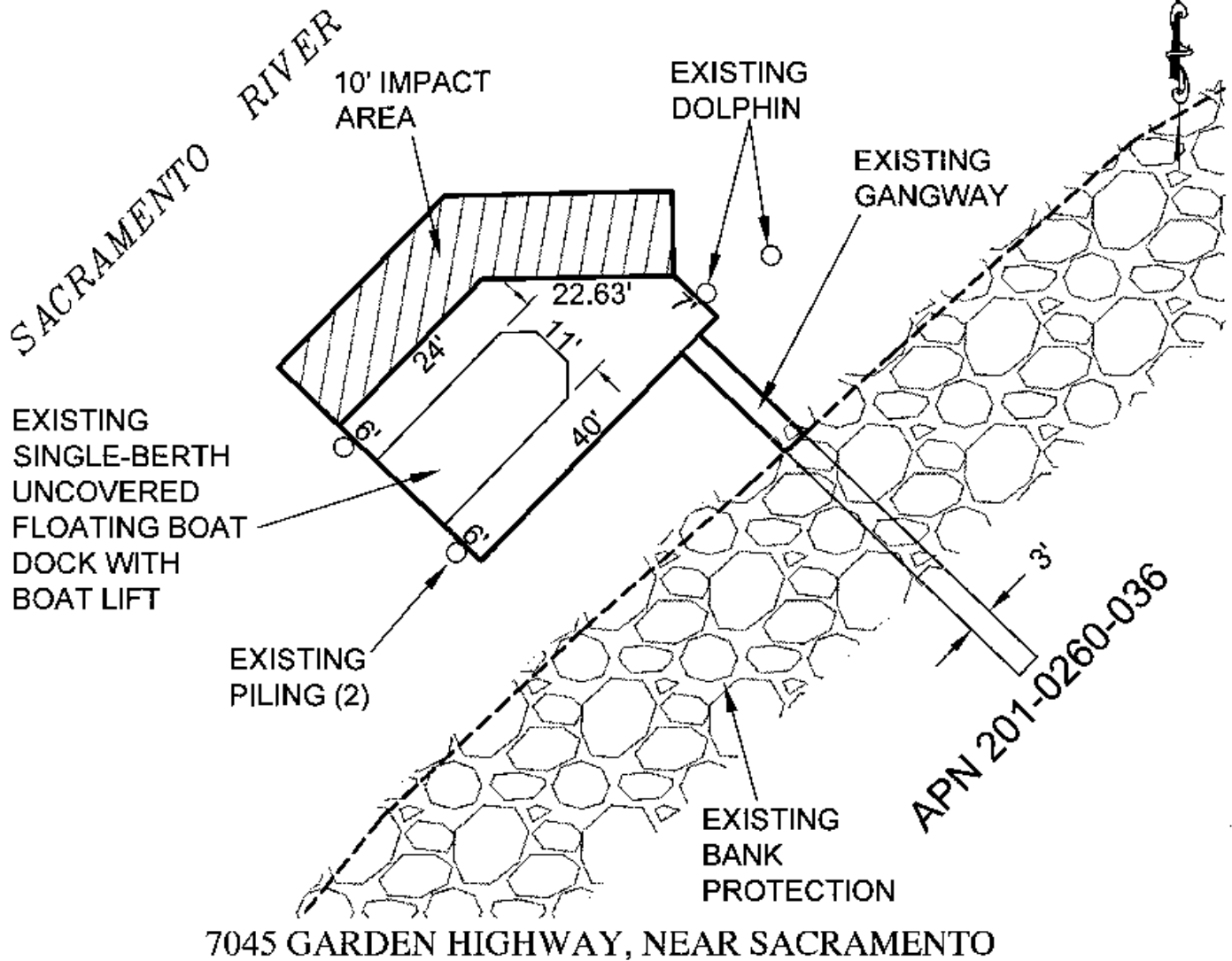
LAND DESCRIPTION PLAT  
PRC 5523.1, INGRAM  
SACRAMENTO COUNTY

CALIFORNIA STATE  
LANDS COMMISSION



NO SCALE

## SITE



NO SCALE

## LOCATION



MAP SOURCE: USGS QUAD

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.

## **Exhibit B**

PRC 5523.1  
INGRAM  
APN 201-0260-036  
GENERAL LEASE -  
RECREATIONAL & PROTECTIVE  
STRUCTURE USE  
SACRAMENTO COUNTY



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