

**CALENDAR ITEM  
C05**

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09/20/13

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PRC 7231.1

G. Asimakopoulos

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

**APPLICANTS:**

Colin Boone Arnold and Victoria Lynn Arnold, Trustees of the Arnold Family Revocable Trust, Dated August 23, 1994

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

Sovereign land in the Sacramento River, adjacent to 2851 Garden Highway, near the city of Sacramento, Sacramento County.

**AUTHORIZED USE:**

Continued use and maintenance of an existing single-berth floating boat dock, gangway, five steel pilings, and bank protection previously authorized by the Commission; and the use and maintenance of an existing dock cover, two boat lifts, personal watercraft lift, storage shed, and electric and water utility outlets not previously authorized by the Commission.

**LEASE TERM:**

10 years, beginning August 23, 2013.

**CONSIDERATION:**

**Single-Berth Floating Boat Dock and Boat Lift with Cover, Gangway, five Steel Pilings, One Additional Boat Lift, a Personal Watercraft Lift, a Storage Shed, and Electric and Water Utility Outlets:** \$579 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.

CALENDAR ITEM NO. **C05** (CONT'D)

**OTHER PERTINENT INFORMATION:**

1. Applicants own the upland adjoining the lease premises.
2. On June 27, 2000, the Commission authorized a 10-year General Lease – Recreational and Protective Structure Use to James A. Carter and Judith M. Carter. That lease expired on June 30, 2008. On July 12, 2006, the upland property was transferred to Colin Boone Arnold and Victoria Lynn Arnold, Trustees of the Arnold Family Revocable Trust, dated August 23, 1994. The Applicants are now applying for a new General Lease – Recreational and Protective Structure Use.
3. The Applicants' existing dock cover, two boat lifts, personal watercraft lift, storage shed, and electric and water utility outlets have been in the Sacramento River for many years but were not previously authorized by the Commission. Staff recommends including these facilities as authorized improvements under the 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. **C05** (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 Colin Boone Arnold and Victoria Lynn Arnold, Trustees of the Arnold Family Revocable Trust, Dated August 23, 1994, beginning August 23, 2013, for a term of 10 years, for the continued use and maintenance of an existing single-berth floating boat dock, gangway, five steel pilings, and bank protection previously authorized by the Commission; and use and maintenance of an existing dock cover, two boat lifts, personal watercraft lift, storage shed, and electric and water utility outlets 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 dock facilities annual rent in the amount of \$579 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 7231.1**

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

All those lands underlying a covered single-berth floating boat dock, gangway, two boat lifts, personal watercraft lift, storage shed, electric and water utility outlets and five steel pilings lying adjacent to that Parcel 2 described in Exhibit "A" of Grant Deed, recorded July 12, 2006 in Book 20060712 at Page 0700 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 said Parcel 2.

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

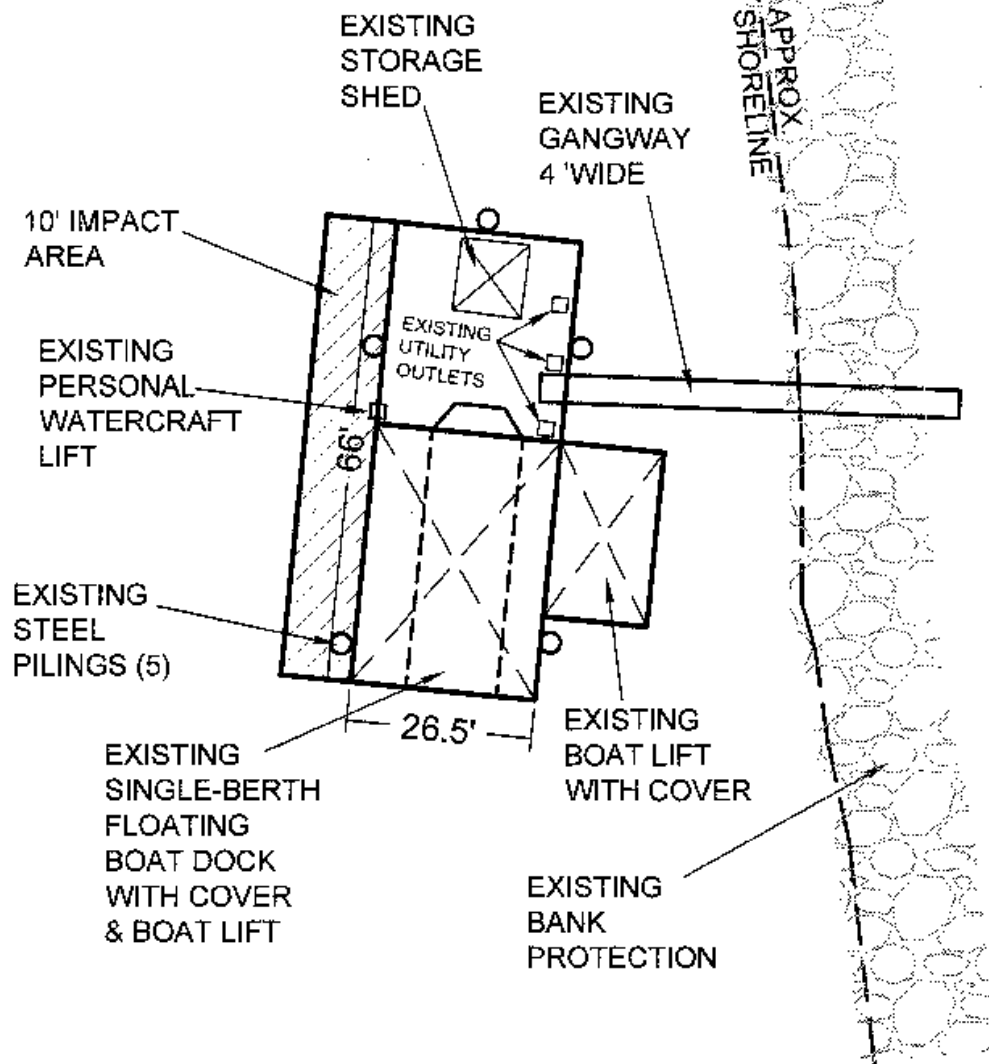
Accompanying plat is hereby made part of this description.

**END OF DESCRIPTION**

Prepared 07/10/2013 by the California State Lands Commission Boundary Unit



SACRAMENTO RIVER



APN 225-0210-043

## EXHIBIT A

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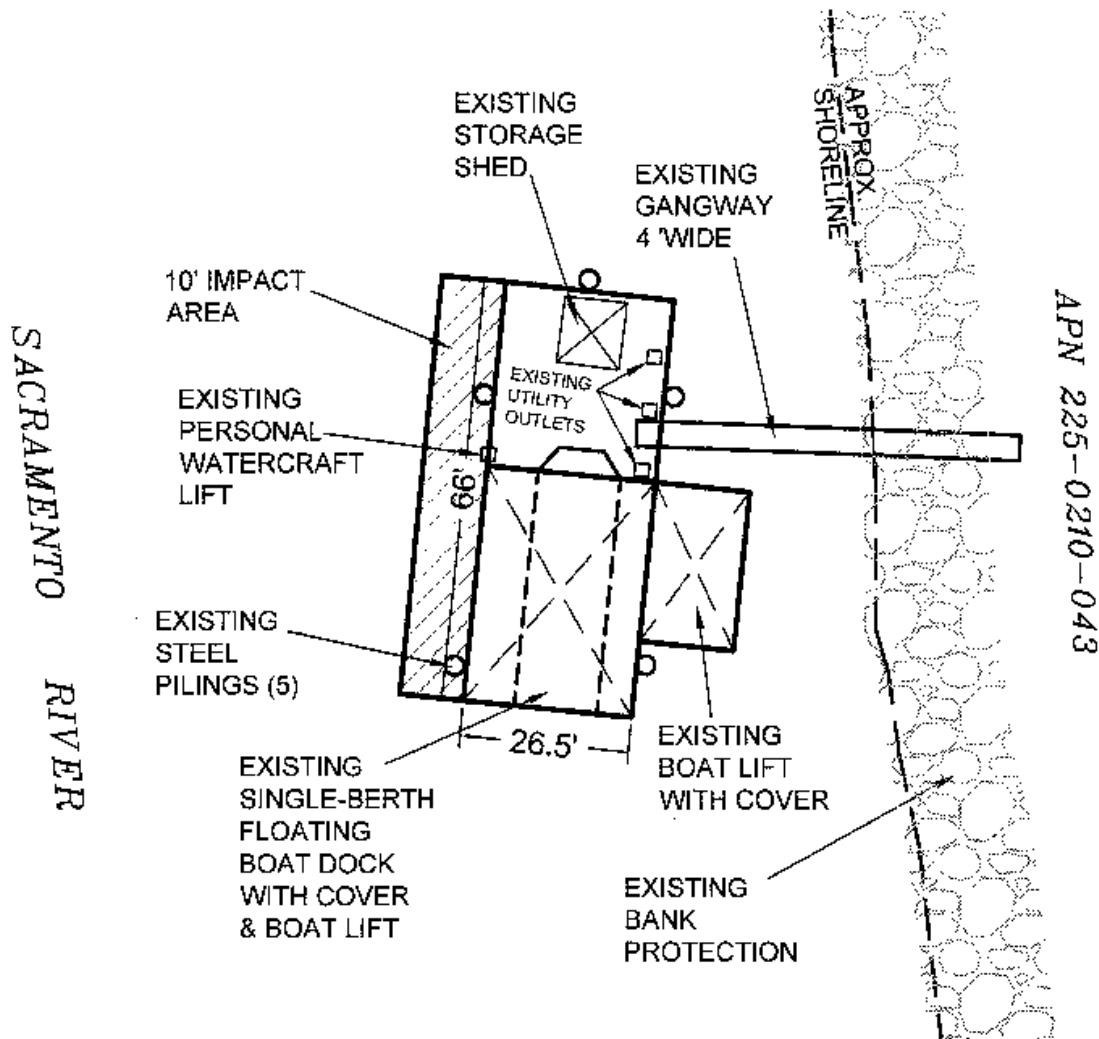
LAND DESCRIPTION PLAT  
PRC 7231.1, ARNOLD FAMILY  
REVOCABLE TRUST  
SACRAMENTO COUNTY

CALIFORNIA STATE  
LANDS COMMISSION



NO SCALE

## SITE



2851 GARDEN HIGHWAY, NEAR SACRAMENTO

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 7231.1

ARNOLD FAMILY REVOCABLE TRUST

APN 225-0210-043

GENERAL LEASE -  
RECREATIONAL & PROTECTIVE  
STRUCTURE USE  
SACRAMENTO COUNTY



TS 07/10/13