

**CALENDAR ITEM
C01**

A 9
S 6

10/14/14
PRC 8564.1
G. Asimakopoulos

GENERAL LEASE – RECREATIONAL USE

APPLICANTS:

Phillip Hiroshima and Jean Hiroshima, as Trustees of the Phillip Hiroshima and Jean Hiroshima 2003 Trust

AREA, LAND TYPE, AND LOCATION:

Sovereign land located in the Sacramento River, adjacent to 6508 Benham Way, near the city of Sacramento, Sacramento County.

AUTHORIZED USE:

Continued use and maintenance of an existing uncovered floating boat dock, gangway and two cables attached to two “deadmen” on the upland.

LEASE TERM:

10 years, beginning October 1, 2014.

CONSIDERATION:

\$125 per year, with an annual Consumer Price Index adjustment.

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.
2. On October 6, 2004, the Commission authorized a 10-year Recreational Pier Lease with Phillip Hiroshima and Jean Hiroshima, as Trustees of the Phillip Hiroshima and Jean Hiroshima 2003 Trust. That lease expired on September 30, 2014. The Applicants are now applying for a General Lease – Recreational Use.
3. 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,

CALENDAR ITEM NO. **C01** (CONT'D)

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.

4. 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 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 Use to Phillip Hiroshima and Jean Hiroshima, as Trustees of the Phillip Hiroshima and Jean Hiroshima 2003 Trust beginning October 1, 2014, for a term of 10 years, for the continued use and maintenance of an existing uncovered floating boat dock, gangway, and two cables attached to two “deadmen” on the upland, as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; annual rent in the amount of \$125, with an annual Consumer Price Index adjustment; and liability insurance in an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 8564.1

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 173 patented November 18, 1861, County of Sacramento, State of California and more particularly described as follows:

All those lands underlying an existing uncovered floating boat dock, gangway and appurtenant structures lying adjacent to the left bank of said river and being adjacent to and northwesterly of that lot as described in "Exhibit A" of that Trust Transfer Deed, recorded February 06, 2003 in Book 20030206, Page 0554 in Official Records of said County.

TOGETHER WITH any applicable impact area(s).

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 8/15/14 BY THE CALIFORNIA STATE LANDS COMMISSION BOUNDARY UNIT



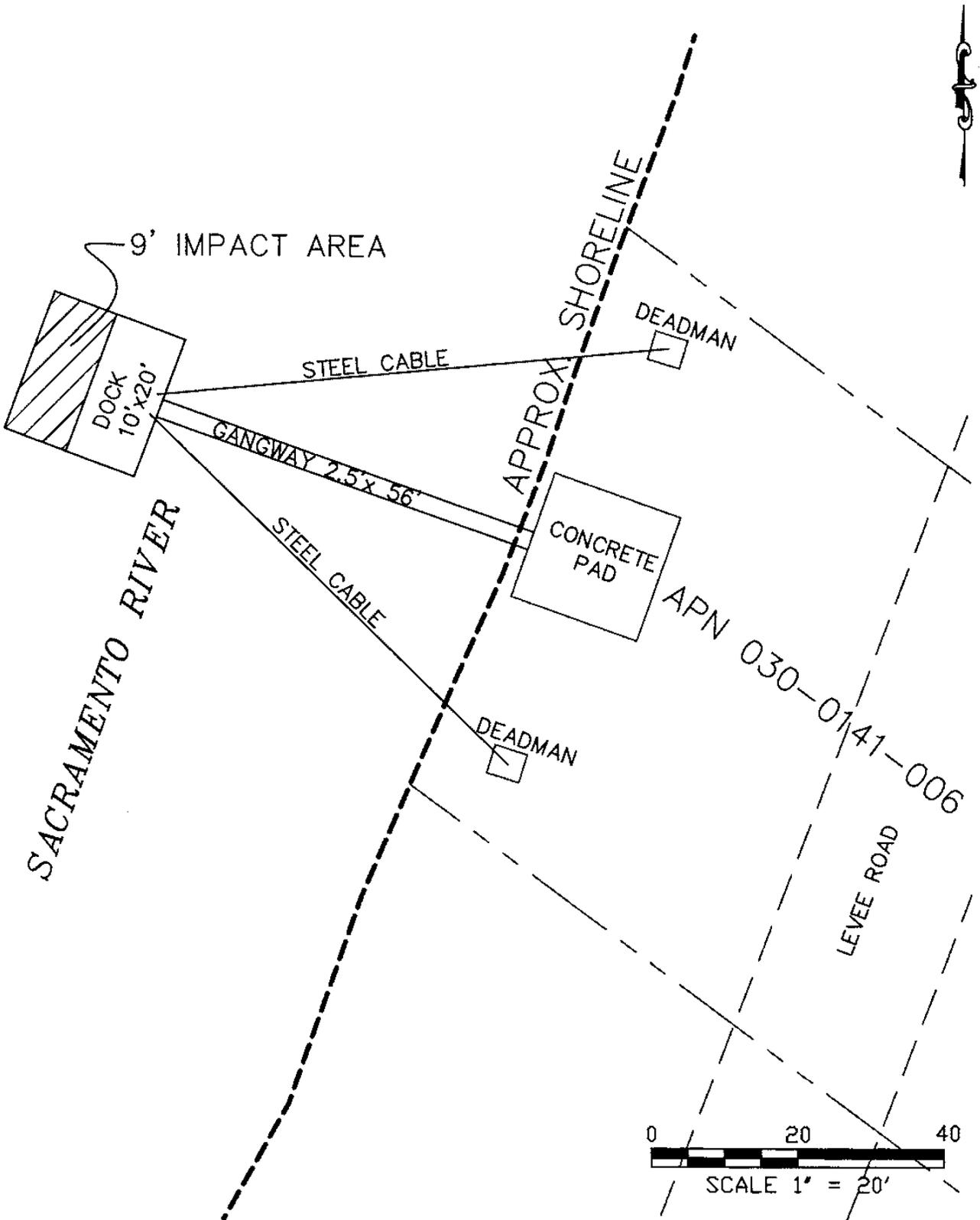


EXHIBIT A

MJF 8/15/14

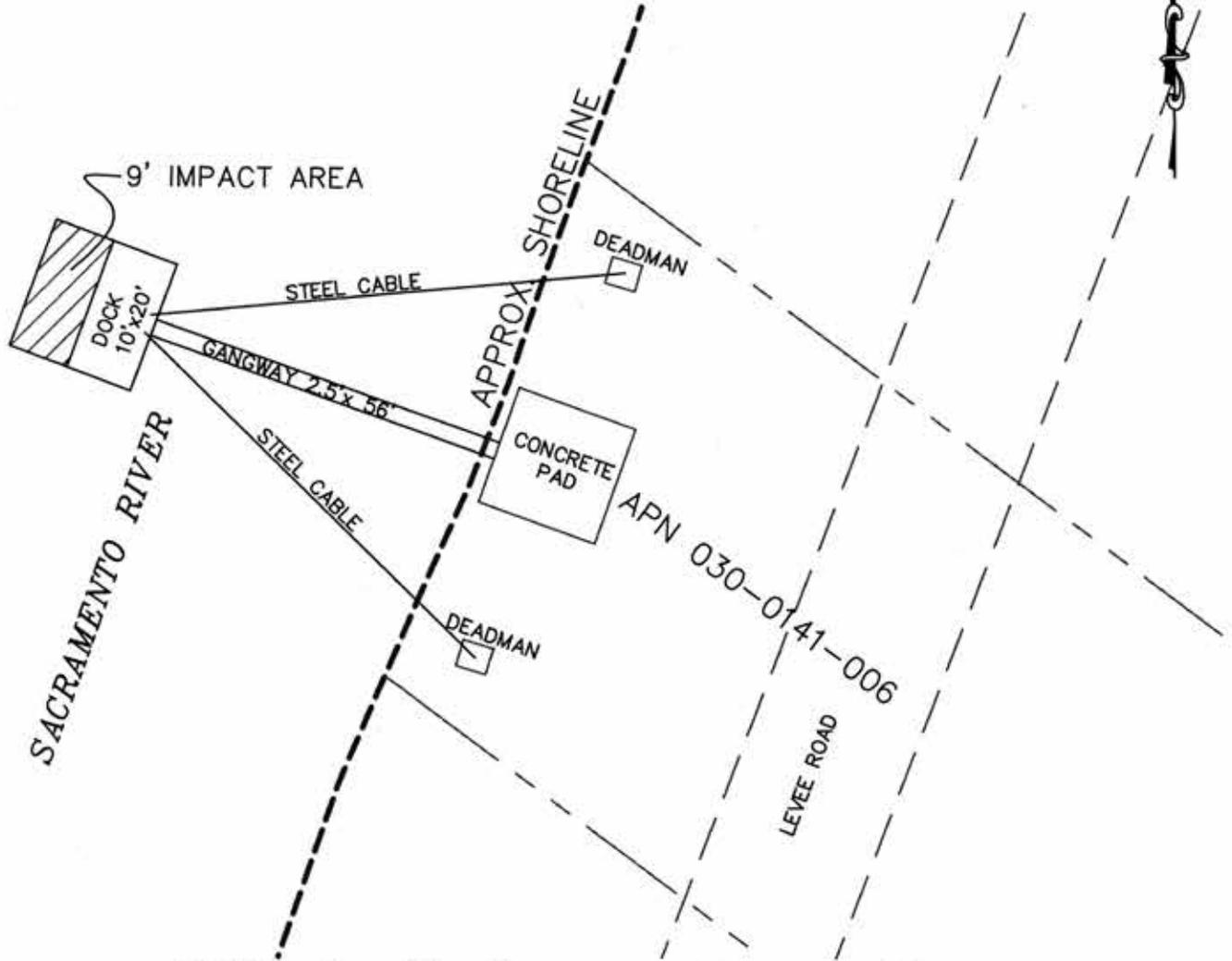
LAND DESCRIPTION PLAT
 PRC 8564.1, HIROSHIMA 2003 TRUST
 SACRAMENTO COUNTY

CALIFORNIA STATE
 LANDS COMMISSION



NO SCALE

SITE



6508 Benham Way, Sacramento - Sacramento River

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 8564.1
 HIROSHIMA 2003 TRUST
 APN 030-0141-006
 GENERAL LEASE -
 RECREATIONAL USE
 SACRAMENTO COUNTY



MJP 8/15/14

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.