

CALENDAR ITEM

C29

A 3

10/14/14

S 4

PRC 7786.1
S. Kreutzburg

GENERAL LEASE - RECREATIONAL AND PROTECTIVE STRUCTURE USE

APPLICANT:

Barbara Ewing Walker, Trustee of the Ewing Walker Revocable Trust

AREA, LAND TYPE, AND LOCATION:

Sovereign land located in the Sacramento River, adjacent to 10215 Garden Highway, near Verona, Sutter County.

AUTHORIZED USE:

Continued use and maintenance of an existing uncovered floating boat dock, ramp, one two-pile dolphin, one piling, and bank protection.

LEASE TERM:

10 years, beginning August 1, 2014.

CONSIDERATION:

Uncovered floating boat dock, ramp, one two-pile dolphin, one piling: \$155 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 interest.

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.
2. On June 7, 2004, the Commission authorized a General Lease - Protective Structure and Recreational Use to Barbara Ewing Walker. That lease expired on July 31, 2014. On September 7, 2007, ownership of the upland parcel was transferred to Barbara Ewing Walker, Trustee of the

CALENDAR ITEM NO. **C29** (CONT'D)

Ewing Walker Revocable Trust. 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 for the river channel 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).
5. 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

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.

CALENDAR ITEM NO. **C29** (CONT'D)

AUTHORIZATION:

Authorize issuance of a General Lease - Recreational and Protective Structure Use to Barbara Ewing Walker, Trustee of the Ewing Walker Revocable Trust beginning August 1, 2014, for a term of 10 years, for the continued use and maintenance of an uncovered floating boat dock, ramp, one two-pile dolphin, one piling, and bank protection 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 boat dock, ramp, one two-pile dolphin, and one piling: annual rent in the amount of \$155, 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 interest; and liability insurance in an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 7786.1

LAND DESCRIPTION

A parcel of tide and submerged land situate in the bed of the Sacramento River, lying adjacent to Lot 4, fractional Section 36, Township 11 North, Range 3 East, MDM., County of Sutter, State of California, and more particularly described as follows:

PARCEL 1 – DOCK

All those lands underlying an existing floating boat dock, ramp, one (1) piling and one (1) 2-pile dolphin lying adjacent to that parcel as described in Exhibit “A” of that Grant Deed recorded September 10, 2007 in Document 2007-0017983 of Official Records of said County.

TOGETHER WITH any applicable impact area(s).

ALSO TOGETHER WITH that land lying immediately beneath any bank protection structure lying adjacent to said parcel.

EXCEPTING THEREFROM any portion(s) lying landward of the Ordinary High Water Mark of the Sacramento River.

Accompanying plat is hereby made a part of this description.

END OF DESCRIPTION

Prepared July 9, 2014 by the California State Lands Commission Boundary Unit.





Sacramento River
→ *Flow*

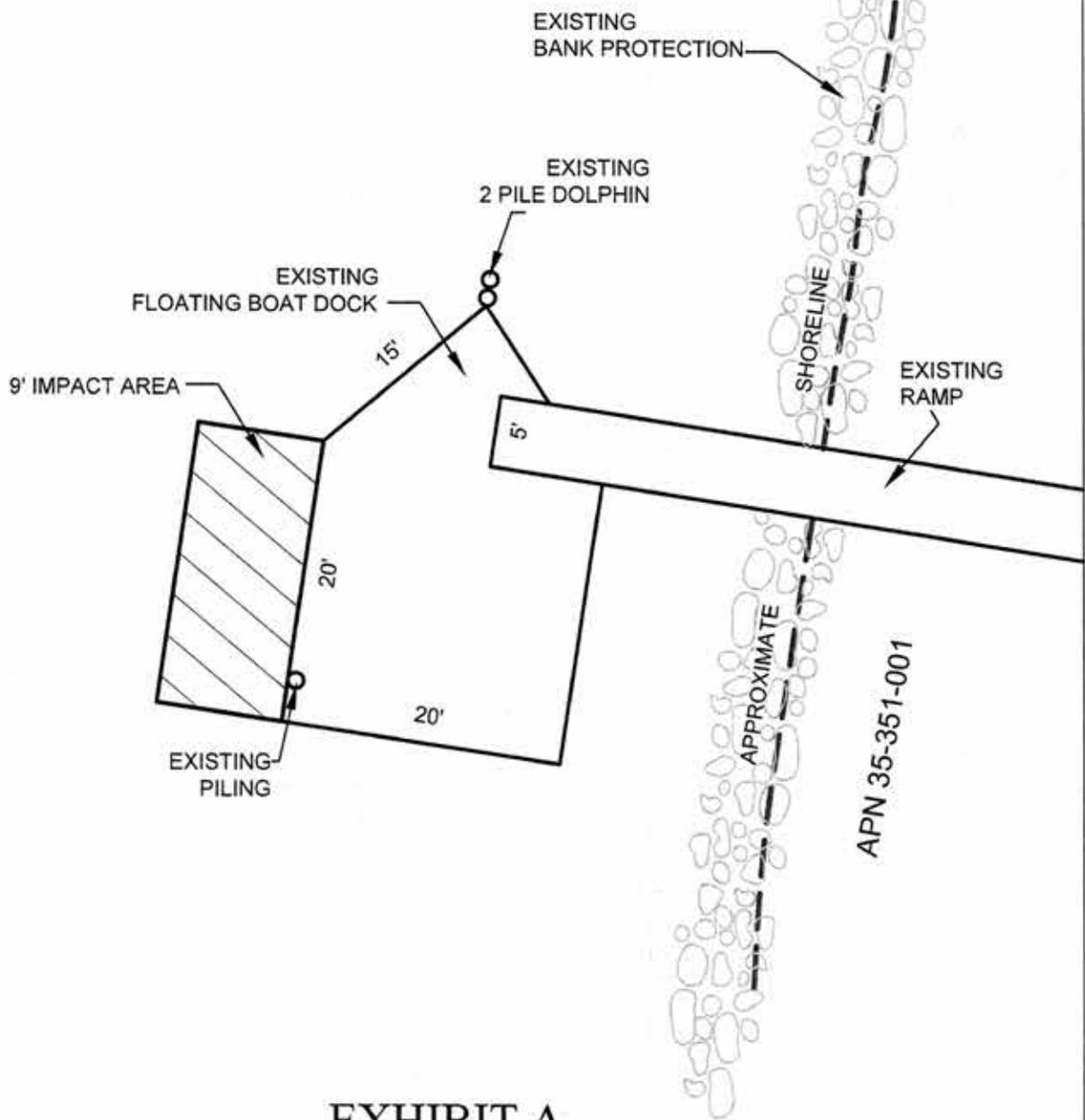


EXHIBIT A

Page 2 of 2

MJJ 9/09/2014

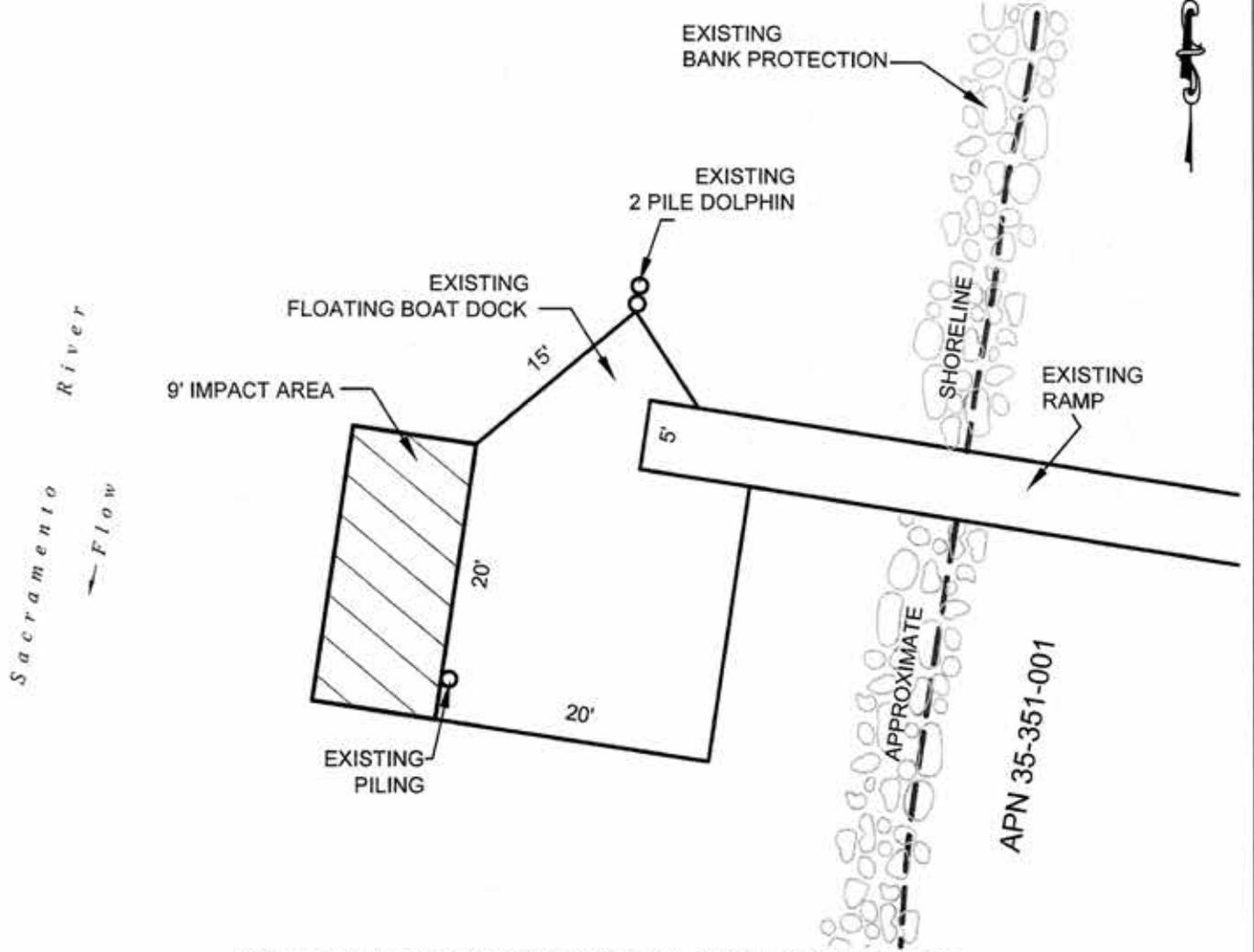
LAND DESCRIPTION PLAT
PRC 7786.1, WALKER
SUTTER COUNTY

CALIFORNIA STATE
LANDS COMMISSION



NO SCALE

SITE



10215 GARDEN HIGHWAY, NEAR VERONA

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 7786.1
 WALKER TRUST
 APN 35-351-001
 GENERAL LEASE -
 RECREATIONAL & PROTECTIVE
 STRUCTURE USE
 SUTTER COUNTY



MJJ 9/09/14

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.