

CALENDAR ITEM
C40

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S 3

02/20/15
PRC 5780.1
V. Caldwell

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

APPLICANT:

Donna Obert Blower

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Georgiana Slough, adjacent to 15433 Andrus Island Road, near Walnut Grove, Sacramento County.

AUTHORIZED USE:

Continued use and maintenance of an existing deck with boat hoist and platform previously authorized by the Commission; and use and maintenance of an uncovered floating boat dock with two stabilizer poles and a galvanized cable, ramp, electric and water outlets, two speed buoys, and bank protection not previously authorized by the Commission.

LEASE TERM:

10 years, beginning December 1, 2014.

CONSIDERATION:

Deck with Boat Hoist and Platform, Uncovered Floating Boat Dock with Two Stabilizer Poles and a Galvanized Cable, Ramp, Electric and Water Utility Outlets, and Two Speed Buoys: \$426 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 to be in the State's best interests.

SPECIFIC LEASE PROVISIONS:

Liability insurance in an amount no less than \$1,000,000 per occurrence.

CALENDAR ITEM NO. **C40** (CONT'D)

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.
2. On February 17, 2005, the Commission authorized a General Lease – Recreational and Residential Use to Donna Obert Blower. That lease expired on November 30, 2014. The Applicant is now applying for a General Lease – Recreational and Protective Structure Use.
3. While the dock, appurtenant facilities, and bank protection have not been previously authorized by the Commission, they have existed at this location for many years. These existing facilities do not interfere with the public's current public trust needs and therefore, staff recommends authorization of these facilities.
4. The bank protection will mutually benefit both the public and the Applicant. The bank of Georgiana Slough will have additional protection for the river channel 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 which have NOT been identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq.; however, the Commission has declared that all lands are "significant" by nature of their public ownership (as opposed to "environmentally significant"). Since such declaration of significance is not based upon the requirements and criteria of Public Resources Code section 6370 et seq., use classifications for such lands have not been designated. Therefore, the finding of the project's consistency with the use classification as required by California Code of Regulations, Title 2, section 2954 is not applicable.

EXHIBITS:

- A. Land Description
- B. Site and Location Map

CALENDAR ITEM NO. **C40** (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).

AUTHORIZATION:

Authorize Issuance of a General Lease – Recreational and Protective Structure Use to Donna Obert Blower beginning December 1, 2014, for a term of 10 years, for the continued use and maintenance of an existing deck with boat hoist and platform previously authorized by the Commission; and use and maintenance of an uncovered floating boat dock with two stabilizer poles and a galvanized cable, ramp, electric and water outlets, two speed buoys, and bank protection not previously authorized by the Commission as described on Exhibit A and shown on Exhibit B (for reference purposes only), attached and by this reference made a part hereof; consideration for the existing deck with boat hoist, uncovered floating boat dock with two stabilizer poles and a galvanized cable, a platform, electric and water outlets, and two speed buoys; \$426 per year 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 interests; and liability insurance in an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 5780 .1

LAND DESCRIPTION

A parcel of tide and submerged land situate in the bed of the Georgiana Slough, lying adjacent to Swamp and Overflow Survey 360, patented April 14, 1871 of the County of Sacramento, State of California, and more particularly described as follows:

PARCEL 1 – BOAT DOCK, DECK

All those lands underlying existing floating boat dock, two (2) stabilizer poles, deck, wire cables, ramp, utility outlets, boat hoist, and platform adjacent to that parcel as described in that Quitclaim Deed recorded June 24, 1977 of that Document Number 78217 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 adjacent to said parcel.

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

PARCELS 2 & 3 –SPEED BUOYS (2)

Two circular parcels of land being 50 feet in diameter, underlying two (2) existing buoys lying adjacent to said parcels.

Accompanying plat is hereby made a part of this description.

END OF DESCRIPTION

Prepared November 20, 2014 by
the California State Lands Commission Boundary Unit.



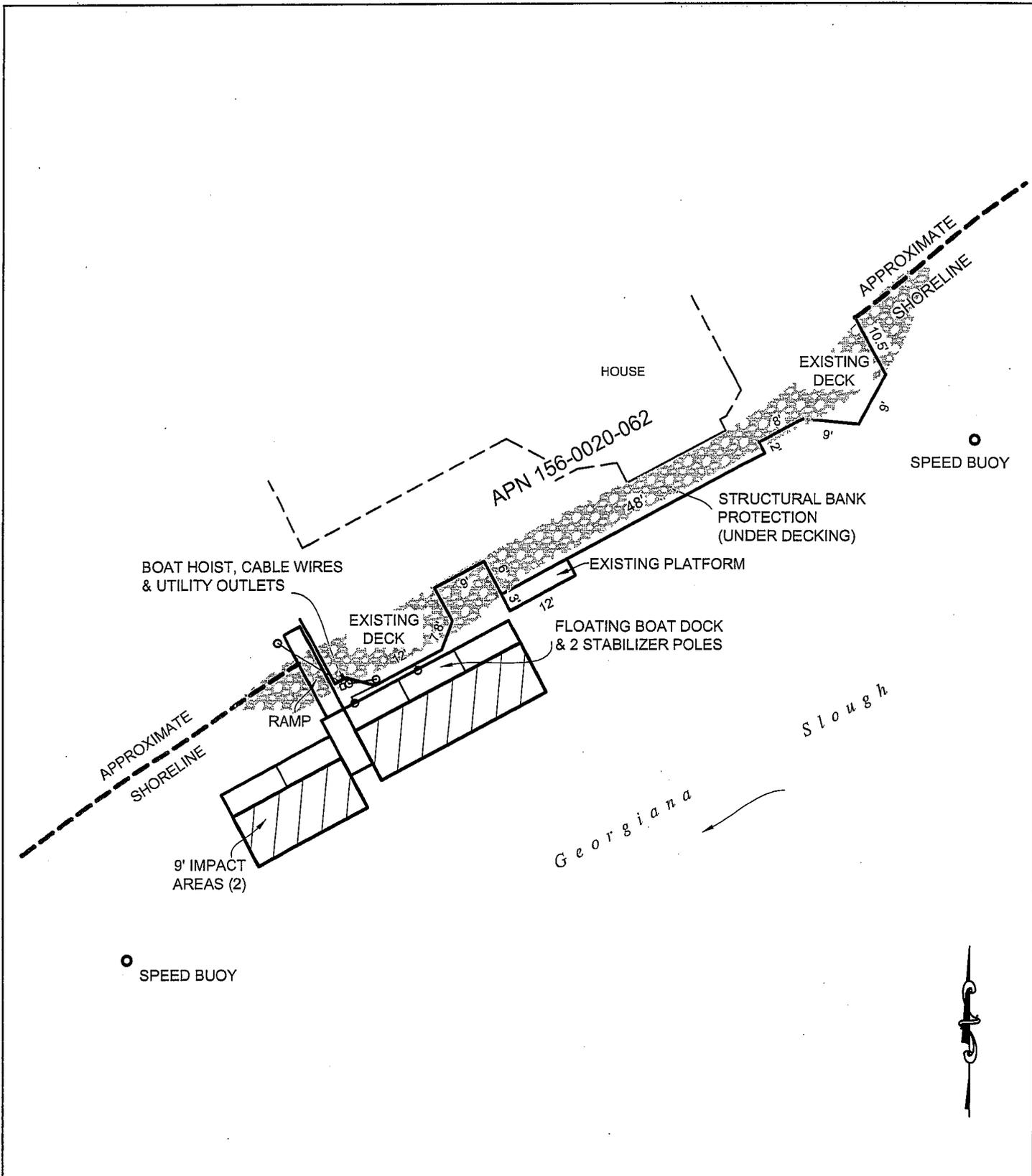


EXHIBIT A

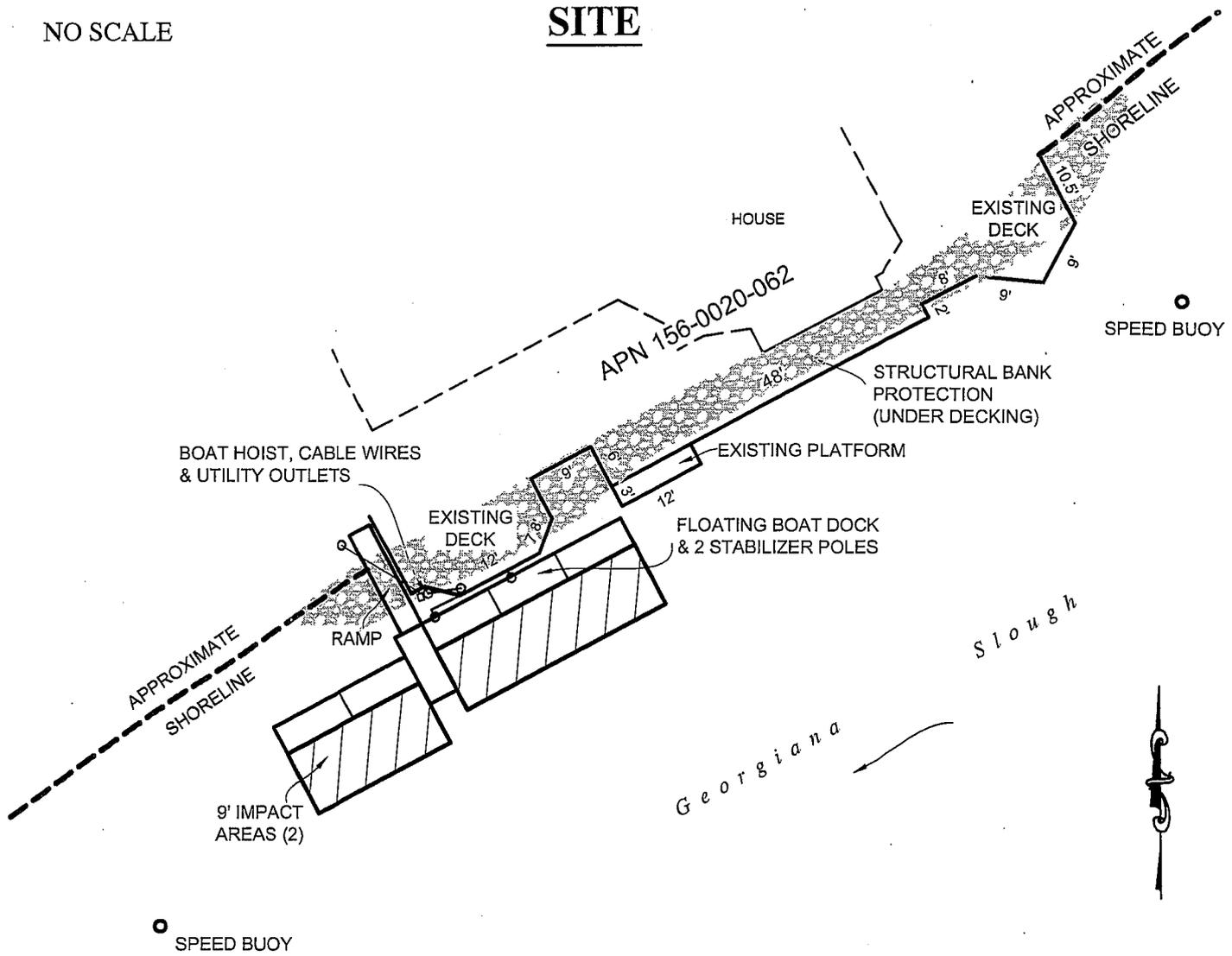
LAND DESCRIPTION PLAT
 PRC 5780.1, BLOWER
 SACRAMENTO COUNTY

CALIFORNIA STATE
 LANDS COMMISSION



NO SCALE

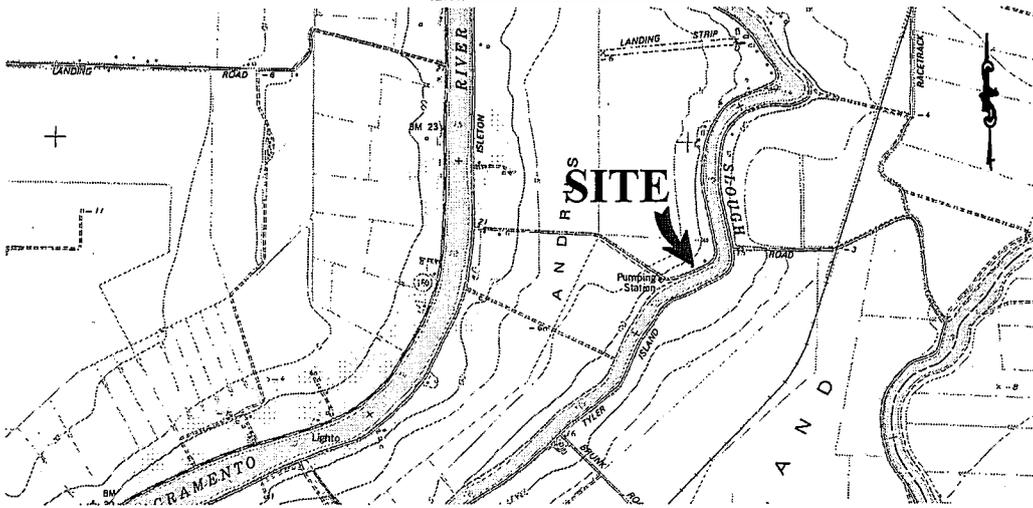
SITE



1543 ANDRUS ISLAND ROAD, GEORGIANA SLOUGH

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B
 PRC 5780.1
 BLOWER
 APN 156-0020-062
 GENERAL LEASE -
 RECREATIONAL &
 PROTECTIVE STRUCTURE USE
 SACRAMENTO COUNTY



MJJ 11/18/2014

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.