

**CALENDAR ITEM  
C04**

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S 6

06/21/13  
PRC 8490.1  
G. Asimakopoulos

**GENERAL LEASE - RECREATIONAL USE**

**APPLICANTS:**

Jeffrey A. Omand and Diane Deary Omand, Trustees of the Diane Deary Omand and Jeffrey A. Omand Family Revocable Trust Dated July 21, 1992

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

Sovereign land in the Sacramento River, adjacent to 6770 Arabella Way, near the city of Sacramento, Sacramento County.

**AUTHORIZED USE:**

Continued use and maintenance of an existing single-berth floating boat dock, gangway, two pilings, and a two-pile dolphin previously authorized by the Commission, and the use and maintenance of an existing boat lift and jet-ski ramp not previously authorized by the Commission.

**LEASE TERM:**

10 years, beginning October 20, 2013.

**CONSIDERATION:**

\$425 per year, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

**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 20, 2003, the Commission authorized a 10-year Recreational Pier Lease to Jeffrey A. Omand and Diane Deary Omand, Trustees of the Diane Deary Omand and Jeffrey A. Omand Family Revocable Trust Dated July 21, 1992. That lease will expire on October 19, 2013. The Applicants are now applying for a new General Lease – Recreational Use.

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3. The boat lift and jet-ski ramp have existed for many years but were not previously authorized by the Commission. Staff recommends bringing the placement of these facilities under lease.
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).

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

5. 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 Jeffrey A. Omand and Diane Deary Omand, Trustees of the Diane Deary Omand and Jeffrey A. Omand Family Revocable Trust Dated July 21, 1992,

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beginning October 20, 2013, for a term of 10 years, for the continued use and maintenance of an existing single-berth floating boat dock, gangway, two pilings, and a two-pile dolphin previously authorized by the Commission; and the use and maintenance of an existing boat lift and jet-ski ramp 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; annual rent in the amount of \$425 per year, with the State reserving the right to fix a different rent periodically during the lease term, as provided for in the lease; and liability insurance in an amount no less than \$1,000,000 per occurrence.

**EXHIBIT A**

**PRC 8490.1**

**LAND DESCRIPTION**

A parcel of tide and submerged land situate in the bed of the Sacramento River lying adjacent to Lot 1 of fractional Section 32 & 33, Township 8 North, Range 4 East, MDM, as shown on Official Plat approved April 20, 1865, County of Sacramento, State of California, more particularly described as follows:

All those lands underlying an existing floating boat dock, jet ski ramp, gangway, a two pile dolphin and two (2) pilings lying adjacent to that parcel as described in that Grant Deed recorded October 30, 2001, in Book 20011030, Page 0928 of Official Records of said County.

TOGETHER WITH a 10 foot impact area.

EXCEPTING THEREFROM any portion lying landward of the Ordinary High Water Mark of the left bank of the Sacramento River.

Accompanying plat is hereby made part of this description.

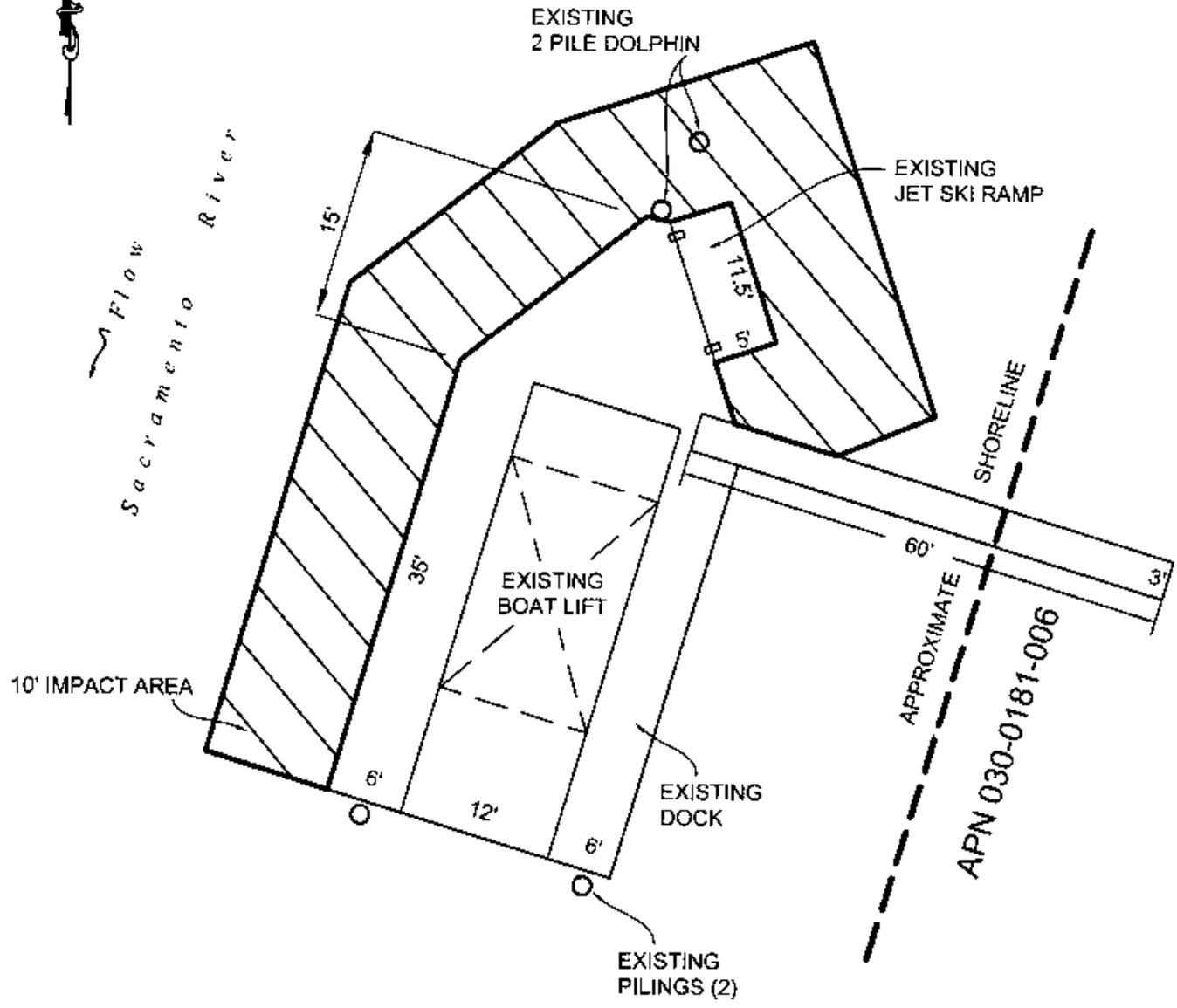
**END OF DESCRIPTION**

Prepared March 19, 2013 by the California State Lands Commission Boundary Unit.





Flow  
Sacramento River



# EXHIBIT A

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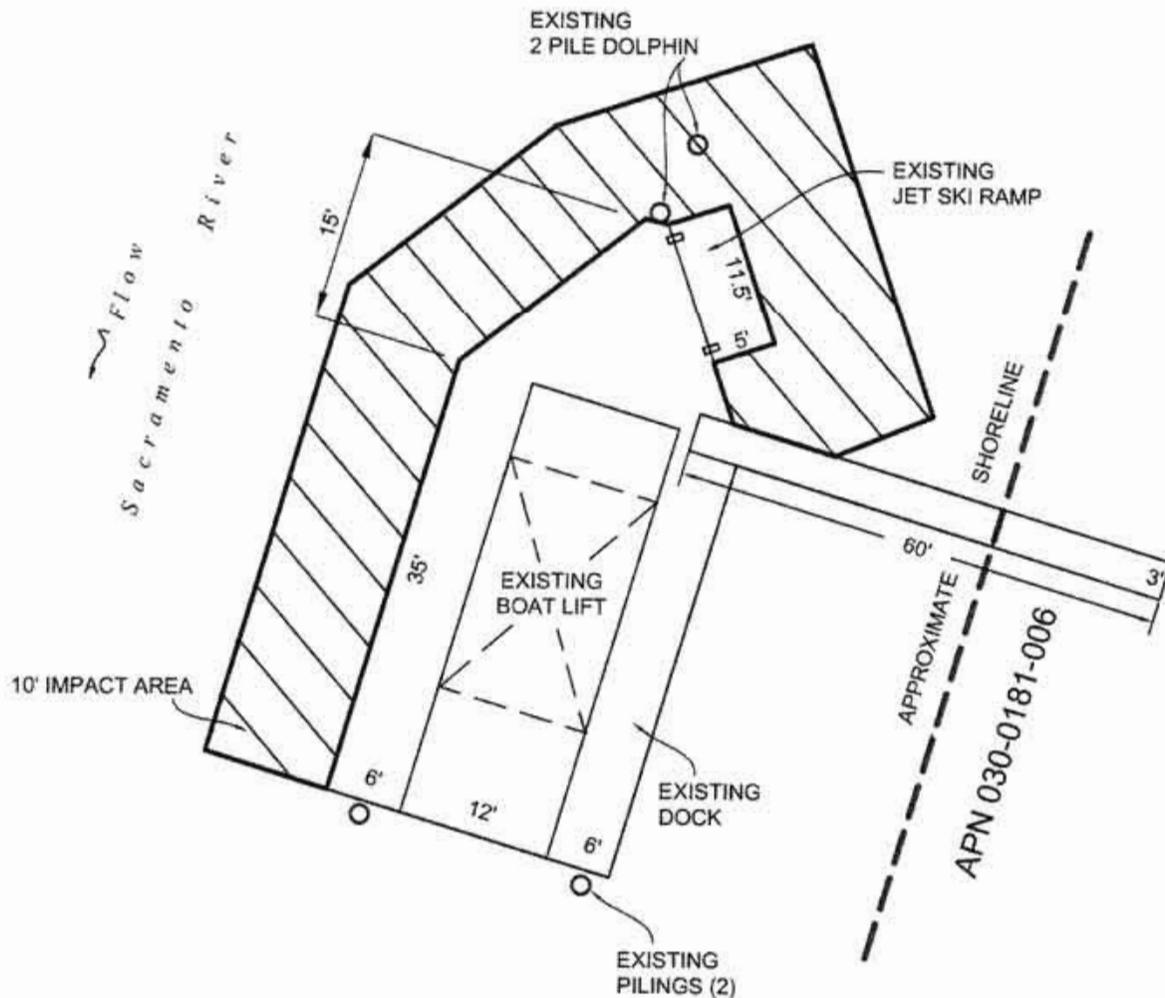
LAND DESCRIPTION PLAT  
PRC 8490.1, OMAND TRUST  
SACRAMENTO COUNTY

CALIFORNIA STATE  
LANDS COMMISSION



NO SCALE

# SITE



6770 ARABELLA WAY, SACRAMENTO

NO SCALE

# LOCATION



MAP SOURCE: USGS QUAD

# Exhibit B

PRC 8490.1

OMAND TRUST

APN 030-0181-006

GENERAL LEASE -

RECREATIONAL USE

SACRAMENTO COUNTY



MJJ 3/25/13

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.