

**CALENDAR ITEM
C22**

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06/21/13

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PRC 7680.1

W. Hall

GENERAL LEASE – RECREATIONAL AND PROTECTIVE STRUCTURE USE

APPLICANT:

TDB Sacramento Delta Corporation

AREA, LAND TYPE, AND LOCATION:

Sovereign land located in Georgiana Slough, adjacent to 16853 Terminous Road, near the city of Isleton, Sacramento County.

AUTHORIZED USE:

Continued use and maintenance of an existing five-berth covered floating boat dock previously authorized by the Commission, and the use and maintenance of an existing uncovered dock, two jet ski floats, debris diverter, pilings, gangway and bank protection not previously authorized by the Commission.

LEASE TERM:

10 years, beginning May 1, 2013.

CONSIDERATION:

Five-berth covered floating boat dock, uncovered dock, two jet ski floats, debris diverter, pilings and gangway: \$1,504 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 the amount of no less than \$1,000,000 per occurrence.

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.

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2. On October 20, 2003, the Commission authorized a 10-year General Lease - Recreational Use to TDB Sacramento Delta Corporation for an existing five-berth covered floating boat dock. That lease expired on April 30, 2013. The Applicant is now applying for a new General Lease – Recreational and Protective Structure Use. The multiple owners of TDB Sacramento Delta Corporation use the facility for their personal recreational boating use.
3. The Applicant’s uncovered dock, two jet-ski floats, debris diverter, pilings, gangway and bank protection have been in Georgiana Slough for many years but have not been previously authorized by the Commission. Staff recommends bringing the improvements under lease.
4. The bank protection will mutually benefit both the public and the Applicants. The bank of Georgiana Slough 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 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. **C22** (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 Use to TDB Sacramento Delta Corporation, beginning May 1, 2013, for a term of 10 years, for the continued use and maintenance of an existing five-berth covered floating boat dock previously authorized by the Commission, and use and maintenance of an existing uncovered dock, two jet-ski floats, debris diverter, pilings, gangway and bank protection not previously authorized by the Commission, described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; consideration for five-berth covered floating boat dock, uncovered dock, two jet ski floats, debris diverter, pilings and gangway: annual rent in the amount of \$1,504, 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 the amount of no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 7680.1

LAND DESCRIPTION

A parcel of tide and submerged land in the bed of the Georgiana Slough situate in Sacramento County, State of California, and being adjacent to Parcel 3 of that certain parcel map filed in Book 125 of Parcel Maps at Page 12, Sacramento County Records, and being more particularly described as follows:

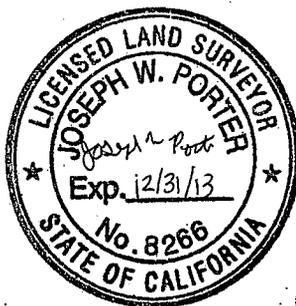
COMMENCING at the southwest corner of said Parcel 3; thence from said point of commencement along the southerly line of said Parcel 3, North 55°34'48" East 196.05 feet; thence leaving said line, North 34°25'12" West 39.04 feet to the POINT OF BEGINNING; thence from said point of beginning along the following four (4) courses:

- 1) North 24°53'30" West 304.92 feet,
- 2) South 72°02'06" East 173.29 feet,
- 3) South 18°23'36" East 204.44 feet, and
- 4) South 73°54'24" West 105.13 feet to the point of beginning.

EXCEPTING THEREFROM any portions lying landward of the Ordinary High Water Mark on the right (west) bank of the Georgiana Slough.

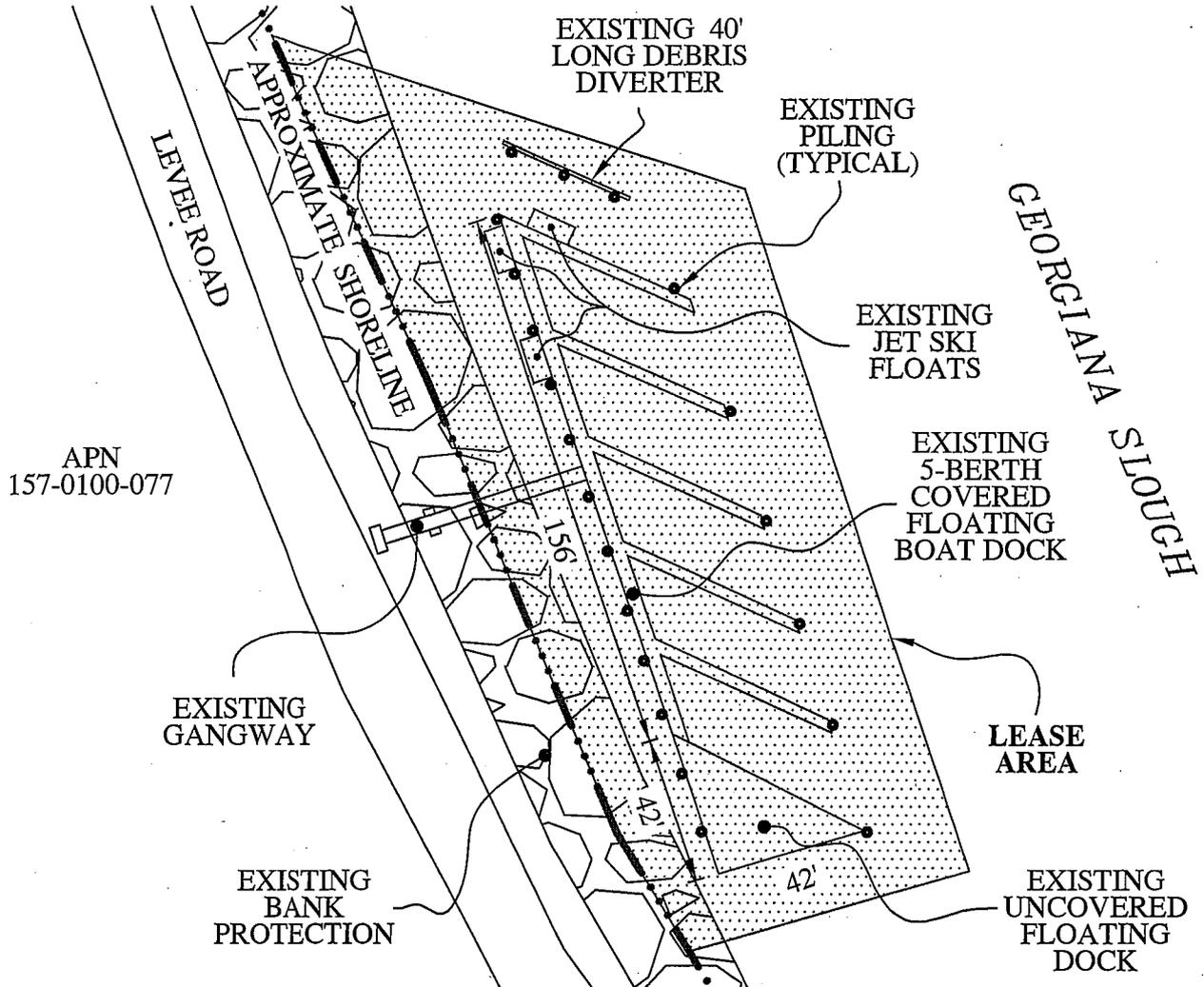
END OF DESCRIPTION

Prepared 04/03/2013 by the California State Lands Commission Boundary Unit.



NO SCALE

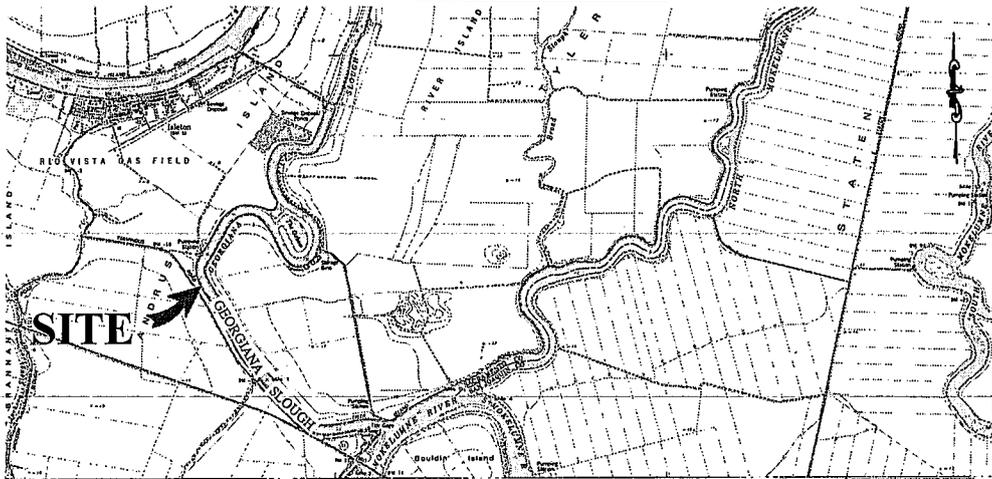
SITE



16853 TERMINOUS RD., ISLETON

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 7680.1
 TDB SACRAMENTO
 DELTA CORPORATION
 APN 157-0100-077
 GENERAL LEASE -
 RECREATIONAL &
 PROTECTIVE STRUCTURE USE
 SACRAMENTO COUNTY



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.

JWP 06/10/13