

Staff Report 30

APPLICANT:

County of Sacramento

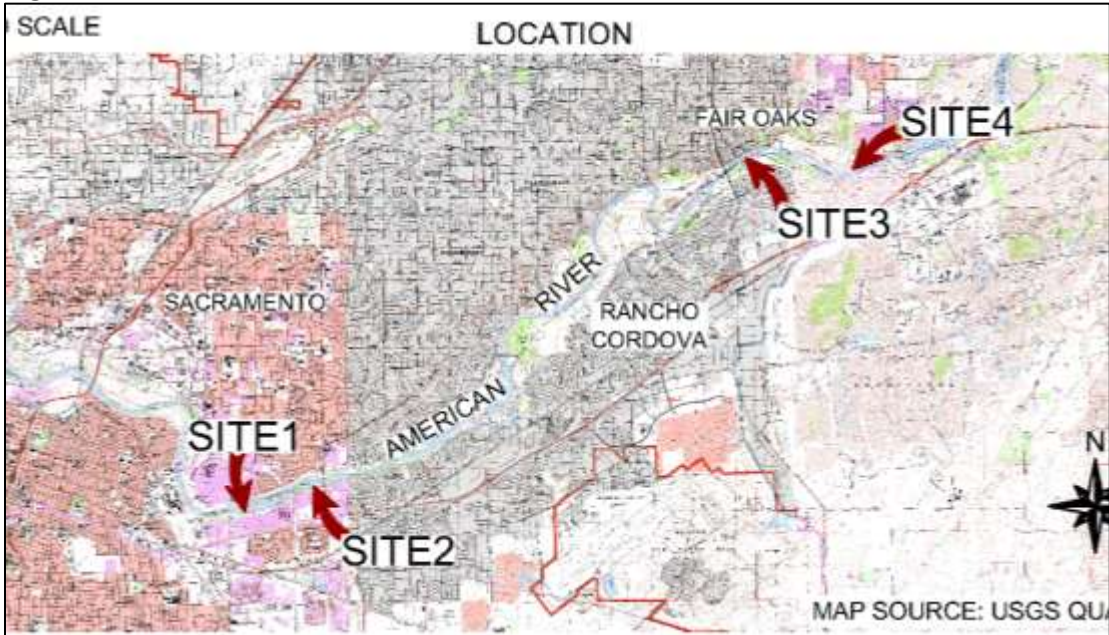
PROPOSED ACTION:

Issuance of a General Lease – Public Agency Use.

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the American River, adjacent to Assessor's Parcel Number (APN) 079-0020-001, near Howe Avenue; and adjacent to APN 078-0012-007, near Watt Avenue, Sacramento; and adjacent to APN 078-0260-011, near Hazel Avenue, Fair Oaks; and adjacent to APN 069-0010-021, near Sunrise Boulevard, Rancho Cordova, Sacramento County (as shown in Figure 1).

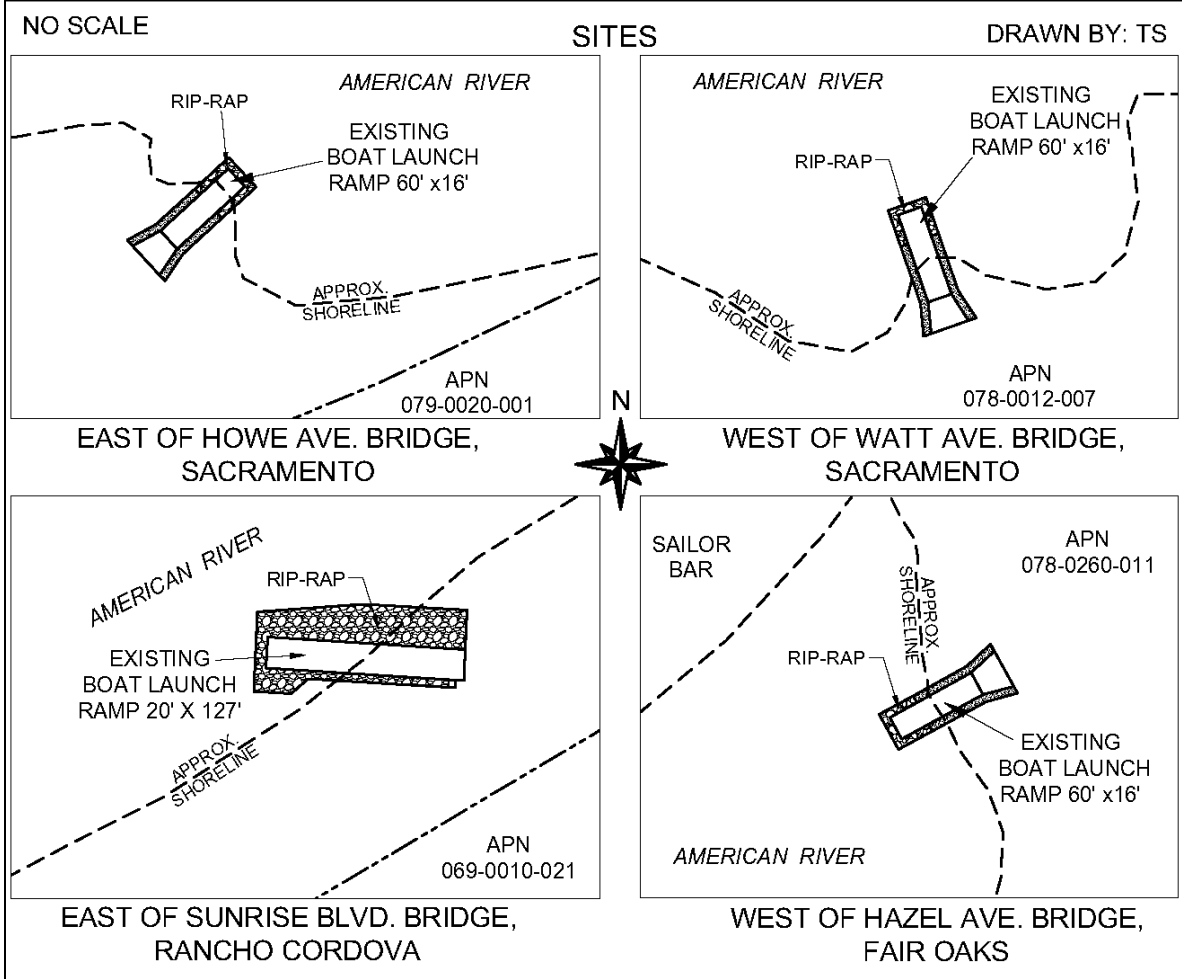
Figure 1. Location



AUTHORIZED USE:

Use of three 60-foot by 16-foot boat launch ramps, one 127-foot by 20-foot boat launch ramp, and rip rap (as shown in Figure 2).

Figure 2. Site Map



NOTE: This depiction of the lease premises is based on unverified information provided by the Applicant or other parties and is not a waiver or limitation of any State interest in the subject or any other property.

TERM:

20 years, beginning January 1, 2026.

CONSIDERATION:

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.

SPECIFIC LEASE PROVISIONS:

- Lessee shall indemnify, hold harmless, and, at the option of Lessor, defend Lessor from all damages, injuries, or claims arising from the installation, maintenance, or operation of Lessee’s facilities on State lands, including any attached, suspended, or otherwise fixed to the improvements.

STAFF ANALYSIS AND RECOMMENDATION:

AUTHORITY:

Public Resources Code sections 6005, 6216, 6301, 6321, 6321.2, 6501.1, and 6503; California Code of Regulations, title 2, sections 2000 and 2003.

PUBLIC TRUST AND STATE’S BEST INTERESTS:

On February 5, 2001, the Commission authorized a 25-year General Lease – Public Agency Use to the County of Sacramento, for the construction and use of three 60-foot by 16-foot boat launch ramps ([Item 53](#)). On September 13, 2007, the Commission authorized an amendment of the lease for the removal, construction, and use of a 110-foot by 20-foot boat launch ramp and retention of rip rap ([Item 40](#)). The lease expired December 31, 2025.

The Lessee is now applying for a General Lease – Public Agency Use for the use of four boat launch ramps and rip rap in the American River, Sacramento County.

Boat ramps, by their nature, are consistent with the Public Trust as they facilitate recreational use of the waterways. The four boat launch ramps provide public access to the American River Parkway for recreational boating and enjoyment of the waterway. The subject launch ramps and rip rap are managed by the County and are available for use by the general public. They help improve public access to the river by giving people the ability to launch their watercraft. The American River Parkway is 23 miles in length running along the American River, a designated State and National Wild and Scenic River. There are approximately 8 million visitors to the American River Parkway annually.

The proposed lease does not alienate the State's fee simple interest or permanently impair public rights. The lease is limited to a 20-year term, does not grant the lessee exclusive rights to the lease premises, and will have no significant impact on Public Trust-consistent uses or resources in the area. Upon termination of the lease, the lessee may be required to remove any improvements from State land and restore

the lease premises to their original condition. The proposed lease requires the lessee to indemnify the State for any liability incurred as a result of the lessee's activities thereon.

CLIMATE CHANGE:

INTRODUCTION:

The climate crisis is impacting California now. Likely impacts to the lease premises include, but are not limited to prolonged drought; extreme heat; lower streamflow, runoff, and river levels; as well as changes to the intensity and timing of precipitation events. These impacts can exacerbate natural hydrological processes such as erosion, scour, and sedimentation. These impacts may affect four existing concrete boat ramps and rip rap subject to the proposed lease, located on the American River.

DATA & PROJECTIONS:

The changing climate is affecting California's weather patterns, leading to more severe droughts and floods. Warmer temperatures have led California to experience a megadrought from 2000 to 2022, measured as the driest 22 years in the past 1200 years, and more megadroughts are projected through the end of the century ([Fifth National Climate Change Assessment: Southwest Region, 2023](#)). Sustained droughts reduce streamflow and river levels due to increased evaporation, declines in snowpack volumes, higher-elevation snow lines, earlier snowmelt, and reduced overall runoff. These changes are pronounced in the Sierra Nevada, where the headwaters to many of the state's rivers are located. It is projected that temperatures in the Sierra Nevada will increase by six to ten degrees Fahrenheit on average by the end of the century, and the snowline will move 1,500 to 3,000 feet higher in elevation. It is projected that by 2100, the annual Sierra Nevada snowpack, a critical source of water supply to rivers, will decrease from today's average by 60 percent. Rivers will be drawn down farther as temperatures continue to rise and demand for water increases withdrawals. Despite the region's increasing aridity, flooding from extreme precipitation events is projected to increase, attributed to earlier snowmelt, and more intense and frequent atmospheric rivers.

ANALYSIS:

The lease premises is likely to experience more extreme conditions over the lease term than in the past, due to climate change. Changes to the timing and amount of runoff from the higher elevations of the watershed will result in higher flood risks. Bank stability may be compromised due to increased channel erosion and undercutting from more intense precipitation and floods. Conversely, drought could lower water levels for longer portions of the year and expose structures that were historically submerged to more air, wind, and heat as well as reduce the functionality of the boat ramp. They could cease to function as intended, as water-related, water-dependent infrastructure.

RECOMMENDATIONS:

To reduce the likelihood of adverse impacts to the lease premises and improvements, the lessee should consider several adaptation strategies to improve resiliency to climate change. Nature-based strategies such as planting or restoring vegetation (e.g., shrubs, trees, grass) along the river can provide flood and erosion risk management benefits, as opposed to the rip rap that is currently in place. Fixed structures may need to be inspected more frequently to monitor degradation from exposure, and, in some cases, relocated away from frequently flooded areas or extended waterward to address long-term drought and low water levels. Any future construction or activities on State land would require a separate authorization from the Commission.

Regular maintenance, as referenced in the lease, may reduce the likelihood of severe structural degradation or dislodgement. Pursuant to the proposed lease, the Applicant acknowledges that the lease premises and adjacent upland are located in an area that may be subject to the effects of climate change.

CONCLUSION:

For all the reasons above, staff believe the issuance of this lease will not substantially interfere with Public Trust needs at this location, at this time, and for the term of the proposed lease; is consistent with the common law Public Trust Doctrine; and is in the best interests of the State.

OTHER PERTINENT INFORMATION:

1. Approval or denial of the application is a discretionary action by the Commission. Each time the Commission approves or rejects a use of sovereign

land, it exercises legislatively delegated authority and responsibility as trustee of the State's Public Trust lands. If the Commission denies the application, the Applicant may be required to remove the improvements. The Lessee has no right to a new lease or to renewal of any previous lease.

2. This action is consistent with the "Meeting Evolving Public Trust Needs" and "Leading Climate Activism" Strategic Focus Areas of the Commission's 2021-2025 Strategic Plan.
3. 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 14, section 15301. Authority: Public Resources Code section 21084 and California Code of Regulations, title 14, section 15061.

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 14, section 15301.

PUBLIC TRUST AND STATE'S BEST INTERESTS:

Find that the proposed lease will not cause an unreasonable interference with the public rights to navigation, fishing, and commerce or cause an unreasonable interference with Public Trust needs and values at this location, at this time, and for the term of the lease; is consistent with the Public Trust Doctrine; and is in the best interests of the State.

AUTHORIZATION:

Authorize issuance of a General Lease – Public Agency Use to the Applicant, beginning January 1, 2026, for a term of 20 years, for the use of four existing boat launch ramps and rip rap; consideration being the public use and benefit, with the

State reserving the right, at any time, to set a monetary rent as specified in the lease if the Commission finds such action to be in the State's best interests.