

MINUTE ITEM

11/21/74
HAM

6. 49-YEAR PUBLIC AGENCY PERMIT, SUBMERGED LAND IN THE SACRAMENTO RIVER, SACRAMENTO COUNTY; UNITED STATES GOVERNMENT - W 8821, PRC 4964.

After consideration of Calendar Item 4 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. DETERMINES THAT A FINAL ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21085; 14 CAL. ADM. CODE 15100, ET SEQ.; AND 2 CAL. ADM. CODE 2910(a).
2. AUTHORIZES THE ISSUANCE TO THE UNITED STATES GOVERNMENT OF A 49-YEAR PERMIT FROM MAY 1, 1972; RENT FREE, BASED ON THE USE OF LANDS FOR GOVERNMENTAL PURPOSES IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY, AND WELFARE, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENTAL IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; FOR THE MAINTENANCE OF AN EXISTING FLOATING BARGE AND COVERED BOATHOUSE; ON THE LAND DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment:

Calendar Item 4 (3 pages)

CALENDAR ITEM

4.

11/74
HAM
W 8821

PUBLIC AGENCY PERMIT

APPLICANT: United States Government.

AREA, TYPE LAND AND LOCATION:

An approximate 44,175-square foot parcel of submerged land at the north bank of the Sacramento River, Natomas District, Sacramento County.

LAND USE:

Maintenance of an existing floating barge and covered boat-house for government-owned boats and machinery unloading.

TERMS OF PROPOSED LEASE:

Initial period: 49 years, from May 1, 1972.

CONSIDERATION:

Rent free permit, based on the use of lands for governmental purposes in the interest of the public health, safety and welfare, with the State reserving the right at any time to set a monetary rental if the Commission finds such action to be in the State's best interest.

PREREQUISITE TERMS:

Applicant is owner of upland.

STATUTORY AND OTHER REFERENCES:

- a. Public Resources Code: Div. 6, Parts 1 and 2.
- b. Administrative Code: Title 2, Div. 3, Arts. 1, 2, & 10;
Title 14, Sec. 15100, et seq.

OTHER PERTINENT INFORMATION:

1. The existing facility, formerly a long-standing trespass, is currently being used by the United States Air Force to cover and protect Air Force-owned boats and for loading and unloading heavy machinery.
2. The documents prepared for the applicant's signature were executed by the U. S. Army Corps of Engineers. In matters of real estate contracts, the Chief of the Division of Real Estate of the Corps is empowered and authorized to act on behalf of the Air Force. Contracts of this nature run to the United States Government instead of an administrative department. The permit has been so prepared and executed.
3. A draft environmental impact report was prepared and circulated by the Division in September, 1971. No

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adverse environmental effects were found to exist. Subsequently, the requirements of the California Environmental Quality Act of 1970 were revised (2 Cal. Adm. Code 2910a) to exempt certain categories of land use from the requirements of the Act. This transaction is within the purview of 2 Cal. Adm. Code 2910(a) in that it is an existing structure that is in an acceptable state of repair and there is no evidence of record to show injury to adjacent property, shoreline erosion, or other types of environmental degradation.

4. The annual rental value of the site is estimated to be \$300.

EXHIBITS: A. Land Description. B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT A FINAL ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21085; 14 CAL. ADM. CODE 15100, ET SEQ.; AND 2 CAL. ADM. CODE 2910(a).
2. AUTHORIZE THE ISSUANCE TO THE UNITED STATES GOVERNMENT OF A 49-YEAR PERMIT FROM MAY 1, 1972; RENT FREE, BASED ON THE USE OF LANDS FOR GOVERNMENTAL PURPOSES IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY, AND WELFARE, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENTAL IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; FOR THE MAINTENANCE OF AN EXISTING FLOATING BARGE AND COVERED BOATHOUSE; ON THE LAND DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

W 8821

A parcel of submerged land in the bed of the Sacramento River, located in the northeast quarter, Section 27, T 9 N, R 4 E, MDM, approximately one mile upstream from the confluence of the American River with the Sacramento River, Sacramento County, State of California, more particularly described as follows:

BEGINNING at a point located in the centerline of Sacramento County Road (16 feet wide Garden Highway) from which point the northeast corner of the above-mentioned Section 27 bears S 78° 48' 30" E, 590.2 feet; and N 00° 23' 30" E, 2883.27 feet; thence, from said TRUE POINT OF BEGINNING and along the above-mentioned centerline N 78° 48' 30" W, 301.30 feet; thence on a curve to the left, concave to the south and having a radius of 1876.44 feet, through a central angle of 07° 02' 00", a distance of 209.90 feet; thence leaving above-mentioned centerline the following 4 courses:

1. S 10° 00' 00" E, 265.00 feet;
2. S 82° 50' 00" E, 450.00 feet;
3. N 06° 54' 31" E, 91.26 feet;
4. North 140.00 feet to the TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM any portions lying landward of the ordinary high water mark.

END OF DESCRIPTION