

**CALENDAR ITEM
C14**

A	8,15	10/29/10
S	5,14	WP 6850.9 M. Clark

GENERAL LEASE – RECREATIONAL AND PROTECTIVE STRUCTURE USE

APPLICANTS:

John W. Knickerbocker and Alison F. Knickerbocker, as Co-Trustees of the John W. Knickerbocker and Alison F. Knickerbocker Family Trust dated December 20, 1999.

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Steamboat Slough, adjacent to 14153 Grand Island Road, near the town of Walnut Grove, Sacramento County.

AUTHORIZED USE:

Continued use and maintenance of two existing pilings and bank protection and the retention of an existing uncovered floating boat dock and ramp as shown on Exhibit A.

LEASE TERM:

10 years, beginning May 8, 2010.

CONSIDERATION:

Uncovered Floating Boat Dock, Ramp, and Two Pilings: No monetary consideration pursuant to Public Resources Code section 6503.5.

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.

OTHER PERTINENT INFORMATION:

1. Applicants own the uplands adjoining the lease premises.

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2. On September 19, 2000, the Commission authorized a General Lease – Recreational and Protective Structure Use to John W. Knickerbocker and Alison F. Knickerbocker. The lease expired May 7, 2010. On The upland has been transferred to John W. Knickerbocker and Alison F. Knickerbocker, as Co-Trustees of the John W. Knickerbocker and Alison F. Knickerbocker Family Trust dated December 20, 1999. The Applicants are now applying for a new General Lease – Recreational and Protective Structure Use.
3. After reviewing the application, staff discovered that the previously authorized eight-foot by 24-foot uncovered floating boat dock and the three-foot by 30-foot ramp had been replaced with a four-foot by 40-foot uncovered floating boat dock and a 3.5-foot by 70-foot ramp. The Lessee has obtained a U.S. Army Corps of Engineers Letter of Permission authorizing the retention of the existing facilities.
4. The Applicants qualify for the rent-free use of the uncovered floating boat dock, two pilings, and ramp, because they are natural persons who own the littoral land that is improved with a single-family dwelling.
5. The bank protection will mutually benefit both the public and the Applicants. The bank of Steamboat Slough will have the additional protection from wave action provided at no cost to the public.
6. **Two Pilings and Bank Protection:** Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), staff has determined this activity is exempt from the requirements of CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; Title 2, California Code of Regulations, section 2905 (a)(2).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.
7. **Uncovered Floating Boat Dock and Ramp:** Pursuant to the Commission's delegation of authority and State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), staff has determined this activity is exempt from the requirements of CEQA as a categorically exempt project. The project is exempt under Class 3, New Construction of Small Structures, Title 2, California Code of Regulations, section 2905 (c)(1).

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

8. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is staff's opinion that the project, as proposed, is consistent with its use classification.

EXHIBIT:

- A. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Two Pilings and Bank Protection: Find that the activity is exempt from the requirements of CEQA pursuant to Title 14, California Code of Regulations, section 15061 as a categorically exempt project, Class 1, Existing Facilities; Title 2, California Code of Regulations, section 2905, (a)(2).

Uncovered Floating Boat Dock and Ramp: Find that the activity is exempt from the requirements of CEQA pursuant to Title 14, California Code of Regulations, section 15061 as a categorically exempt project, Class 3, New Construction of Small Structures, Title 2, California Code of Regulations, section 2905 (c)(1).

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 sections 6370, et seq.

AUTHORIZATION:

Authorize issuance of a General Lease – Recreational and Protective Structure Use to John W. Knickerbocker and Alison F. Knickerbocker, as Co-Trustees of the John W. Knickerbocker and Alison F. Knickerbocker Family Trust dated December 20, 1999, beginning May 8, 2010, for a term of 10 years, for the continued use and maintenance of two existing pilings and bank protection and the retention of an existing uncovered floating boat dock and ramp as shown on Exhibit A attached and by this reference made a part hereof; consideration for the uncovered floating boat dock,

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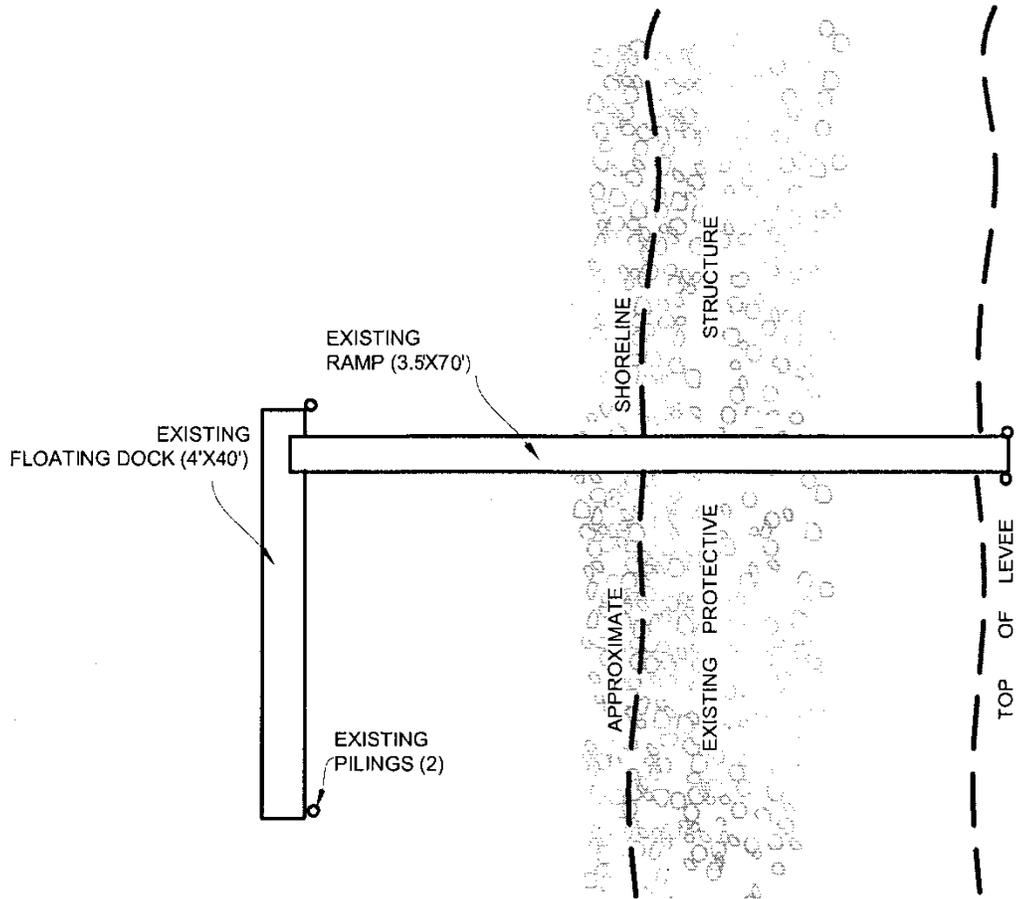
two pilings, and ramp: no monetary consideration pursuant to Public Resources Code section 6503.5; consideration for the bank protection: the public use and benefit with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interest; and liability insurance in the amount of no less than \$1,000,000.

NO SCALE

SITE

Slough

Steamboat
Flow



APN 142-0100-064

14153 GRAND ISLAND ROAD, NEAR WALNUT GROVE

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit A

WP 6850.9
 KNICKERBOCKER TRUST
 APN 142-0100-064
 GENERAL LEASE
 RECREATIONAL &
 PROTECTIVE STRUCTURE
 SACRAMENTO COUNTY



MIJ 08/10

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.