

**CALENDAR ITEM
C04**

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S 3

02/22/13
PRC 7604.1
G. Asimakopoulos

GENERAL LEASE - RECREATIONAL USE

APPLICANT:

John O. Wyatt, Trustee of the John O. Wyatt, Jr. Trust, Initially Established on August 14, 2001

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the Sacramento River, adjacent to 14060 State Highway 160, near Walnut Grove, Sacramento County.

AUTHORIZED USE:

Continued use and maintenance of an existing uncovered floating boat dock, two pilings, water utility, and gangway.

LEASE TERM:

10 years, beginning January 31, 2013.

CONSIDERATION:

\$233 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 the amount of no less than \$1,000,000.

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.
2. On April 9, 2002, the Commission authorized a 10-year General Lease – Recreational Use to John O. Wyatt. The lease expired on January 30, 2012. The lease is currently in holdover status and the Lessee paid rent through January 30, 2013. On April 4, 2012, ownership of the upland was transferred to John O. Wyatt, Trustee of the John O. Wyatt, Jr. Trust, initially established on August 14, 2001. The Applicant is now applying for a new General Lease – Recreational Use.

CALENDAR ITEM NO. **C04** (CONT'D)

3. 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.

4. 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 John O. Wyatt, Trustee of the John O. Wyatt, Jr. Trust, Initially Established on August 14, 2001, beginning January 31, 2013, for a term of 10 years, for the continued use and maintenance of an existing uncovered floating boat dock, two pilings, and gangway, as described in Exhibit A and shown on

CALENDAR ITEM NO. **C04** (CONT'D)

Exhibit B (for reference purposes only) attached and by this reference made a part hereof; consideration: \$233 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 the amount of no less than \$1,000,000.

EXHIBIT A

PRC 7604.1

LAND DESCRIPTION

A parcel of tide and submerged land situate on the right bank of the Sacramento River, lying adjacent to Lot 9 of Section 35, Township 5 North, Range 4 East, M.D.B.M., of Federal Lands patented by the U.S. as Serial No. 271, May 1, 1867, County of Sacramento, State of California, and more particularly described as follows.

PARCEL 1 –DOCK

All those lands underlying an existing uncovered floating boat dock, gangway, water utility and two pilings lying adjacent to Parcel 1 and Parcel 2 as described in that Trust Transfer Deed recorded April 4, 2012 as Book 20120404 Page 1729 in 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 right bank of the Sacramento River.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared September 27, 2012 by the California State Lands Commission Boundary Unit.



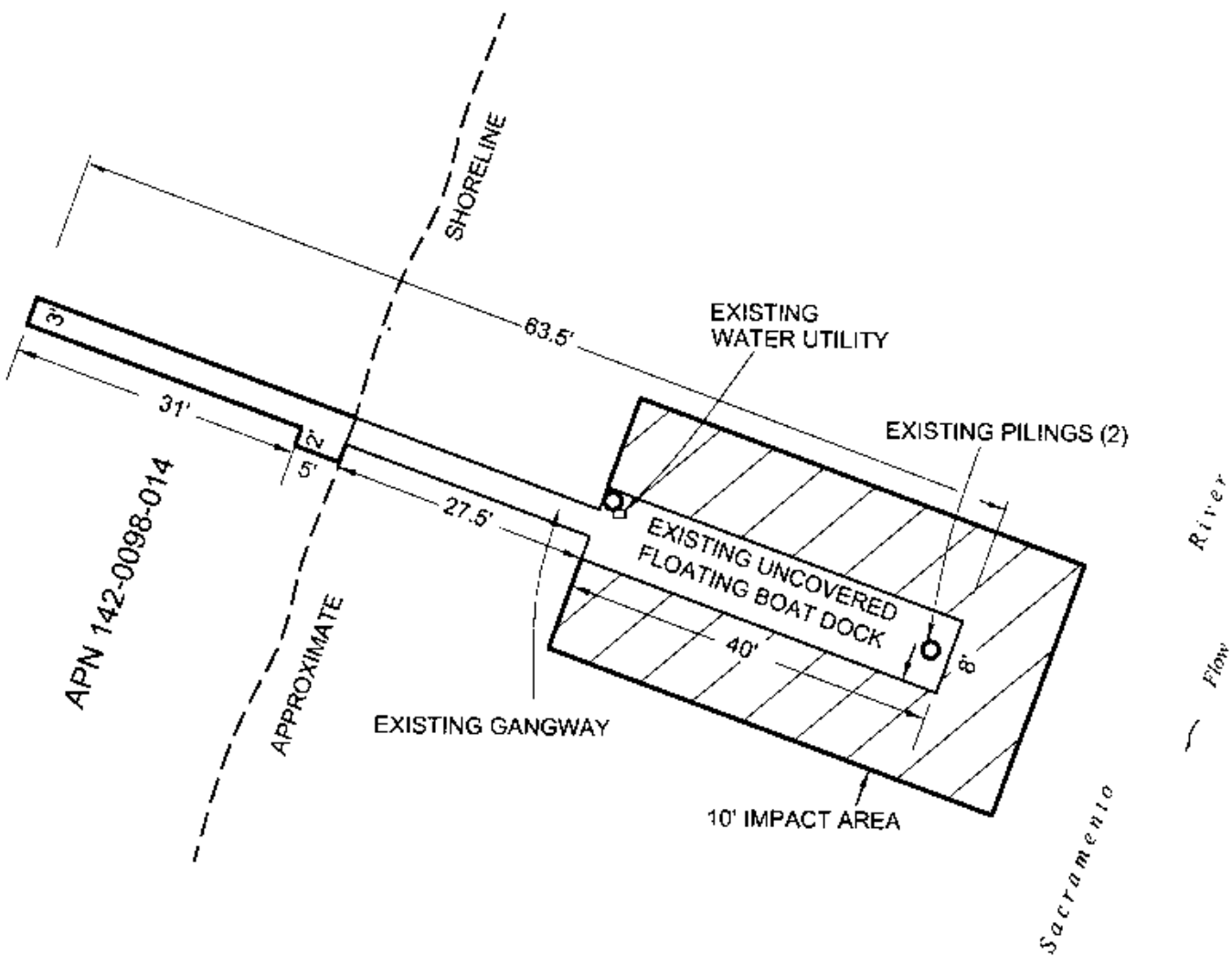


EXHIBIT A

MJJ 09/19/12

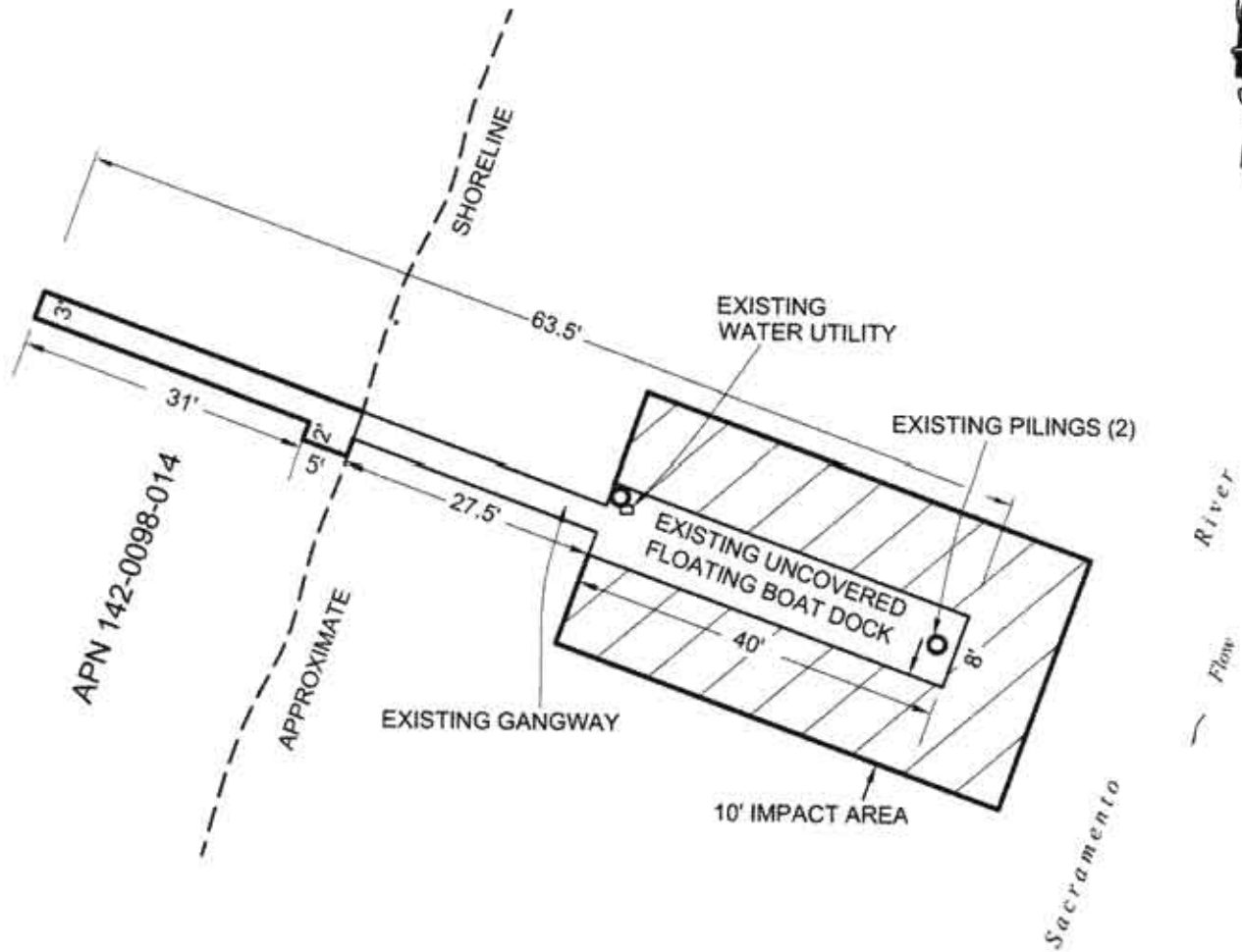
LAND DESCRIPTION PLAT
 PRC 7604.1, WYATT TRUSTEE
 SACRAMENTO COUNTY

CALIFORNIA STATE
 LANDS COMMISSION



NO SCALE

SITE



14060 STATE HWY. 160, WALNUT GROVE

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 7604.1
 WYATT, TRUSTEE
 APN 142-0098-014
 GENERAL LEASE -
 RECREATIONAL 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.