

**CALENDAR ITEM
C17**

A 9
S 3

02/22/13
W 26625
V. Caldwell

GENERAL LEASE – RECREATIONAL AND PROTECTIVE STRUCTURE USE

APPLICANTS:

Jill Steinbacher and Michael Steinbacher

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the Sacramento River, adjacent to 13201 River Road, near the town of Walnut Grove, Sacramento County.

AUTHORIZED USE:

Construction, use, and maintenance of a single-berth uncovered floating boat dock, six steel pilings, metal gangway and bridge, concrete landing, utility conduit to accommodate electric, water, and irrigation lines; and use and maintenance of existing bank protection not previously authorized by the Commission.

LEASE TERM:

10 years, beginning February 22, 2013.

CONSIDERATION:

Proposed Single-Berth Uncovered Floating Boat Dock, Six Steel Pilings, Metal Gangway and Bridge, Concrete Landing, Utility Conduit: \$310 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.

CALENDAR ITEM NO. **C17** (CONT'D)

OTHER PERTINENT INFORMATION:

1. Applicants own the upland adjoining the lease premises.
2. The Applicants are applying for a General Lease – recreational and Protective Structure Use for the proposed construction of a single-berth uncovered floating boat dock with four steel pilings. A crane barge will be used to drive the pilings using a vibratory pile driver. The dock will have a steel frame with encased foam floatation and composite decking. The dock will be assembled on the upland and lowered into the river using a crane. The gangway and bridge will have two steel support pilings and be constructed out of metal, and also lowered into the river using a crane. A concrete landing will be constructed on the edge of the levee crown and rip rap will be placed on each side for erosion control. Trenching the levee crown will be done for the placement of a utility conduit to accommodate electric, water, and irrigation intake lines. Construction will be scheduled using the appropriate in-water work windows for the Sacramento River. The bank protection has existed on site for many years without prior Commission approval.
3. The bank protection will mutually benefit both the public and the Applicants. The bank of the Sacramento River will have additional protection from wave action provided at no cost to the public.
4. **Single-Berth Uncovered Floating Boat Dock, Six Pilings, Metal Gangway and Bridge, Concrete Landing, and Utility Conduit:** 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 3, New Construction of Small Structures; California Code of Regulations, Title 2, section 2905, subdivision (c)(1).

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

5. **Bank Protection:** The staff recommends that the Commission find that this activity is exempt from the requirements of 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).

CALENDAR ITEM NO. C17 (CONT'D)

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 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.

APPROVAL OBTAINED:

U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, National Marine Fisheries, California Department of Fish and Wildlife, California Regional Water Quality Control Board, Central Valley Flood Protection Board, Reclamation District 551

FURTHER APPROVAL REQUIRED:

County of Sacramento

EXHIBITS:

- A. Land Description
- B. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Single-Berth Uncovered Floating Boat Dock, Six Pilings, Metal Gangway and Bridge, Concrete Landing, and Utility Conduit: 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 3, New Construction of Small Structures; California Code of Regulations, Title 2, section 2905, subdivision (c)(1).

Bank Protection: 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).

CALENDAR ITEM NO. C17 (CONT'D)

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 and Protective Structure Use to Jill Steinbacher and Michael Steinbacher beginning February 22, 2013, for a term of 10 years, for construction, use, and maintenance of a single-berth uncovered floating boat dock, six steel pilings, metal gangway and bridge, concrete landing, utility conduit; and use and maintenance of existing bank protection not previously authorized by the Commission as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; consideration for the single-berth uncovered floating boat dock, six steel pilings, metal gangway and bridge, concrete landing, and utility conduit: \$310 per year, 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 with coverage of no less than \$1,000,000.

EXHIBIT A

W 26625

LAND DESCRIPTION

A parcel of tide and submerged land situate in the bed of the Sacramento River lying adjacent to Swamp and Overflow Survey 296 patented October 19, 1875, Sacramento County, State of California, more particularly described as follows:

PARCEL 1 – DOCK

All those lands underlying a proposed single-berth floating boat dock, four (4) steel pilings, and gangway lying adjacent to that Parcel as described in Exhibit "A" of that Grant Deed recorded May 31, 2012, in Book 20110531, Page 1333 in Official Records of said County.

TOGETHER WITH an impact area.

ALSO TOGETHER WITH that land lying immediately beneath any bank protection structure adjacent to said Parcel.

This description is based on Applicant provided design plans found in the Application for Lease of State Lands for a proposed pier, together with any and all appurtenances pertaining thereto, to be built at a later date within the Lease time frame. This description is to be updated once final as-built plans are submitted.

Accompanying plat is hereby made part of this description.

EXCEPTING THEREFROM any portion lying landward of the Ordinary High Water Mark of the right bank of the Sacramento River.

END OF DESCRIPTION

Prepared November 28, 2012 by the California State Lands Commission Boundary Unit.



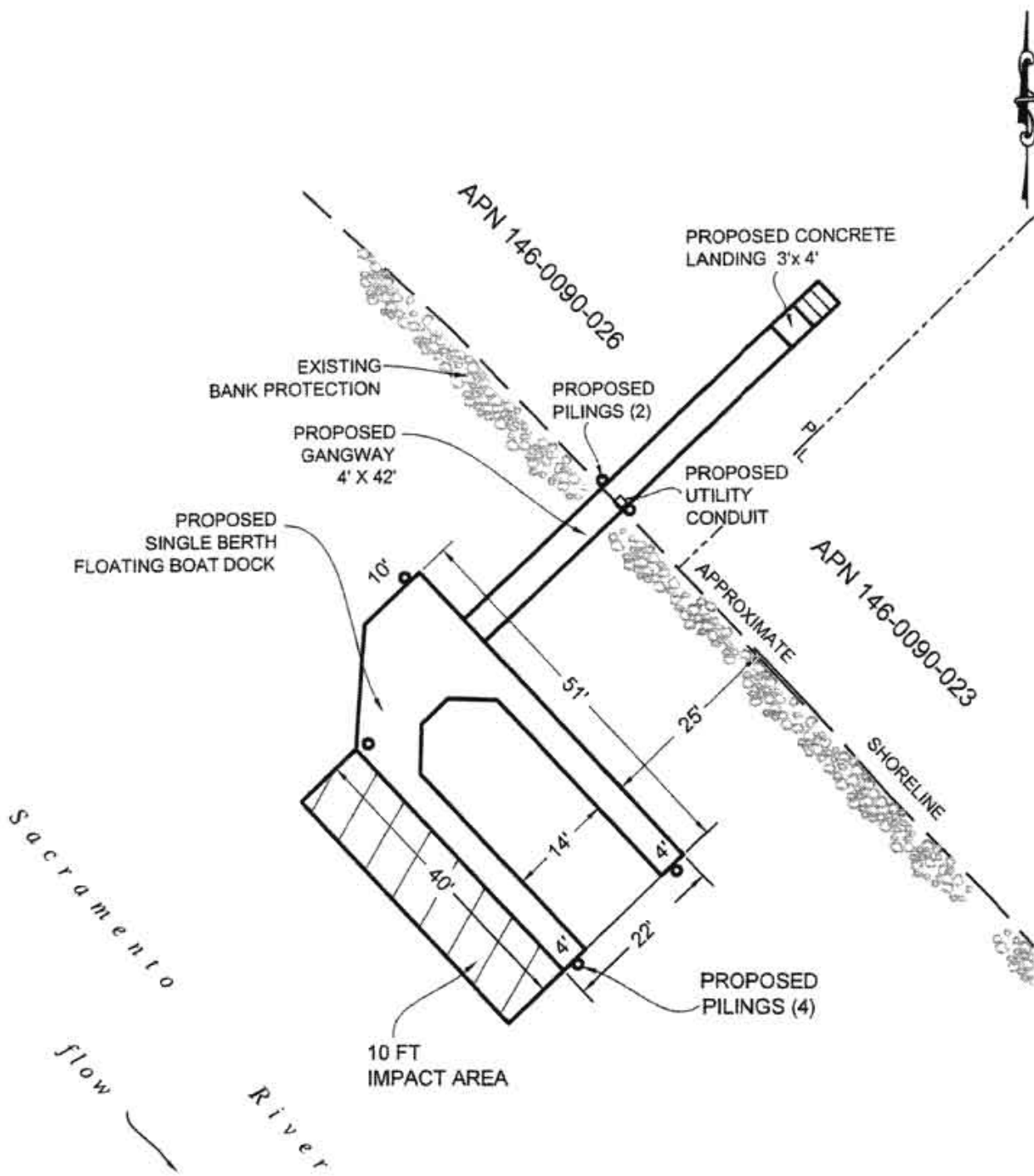


EXHIBIT A

MJJ 11/28/12

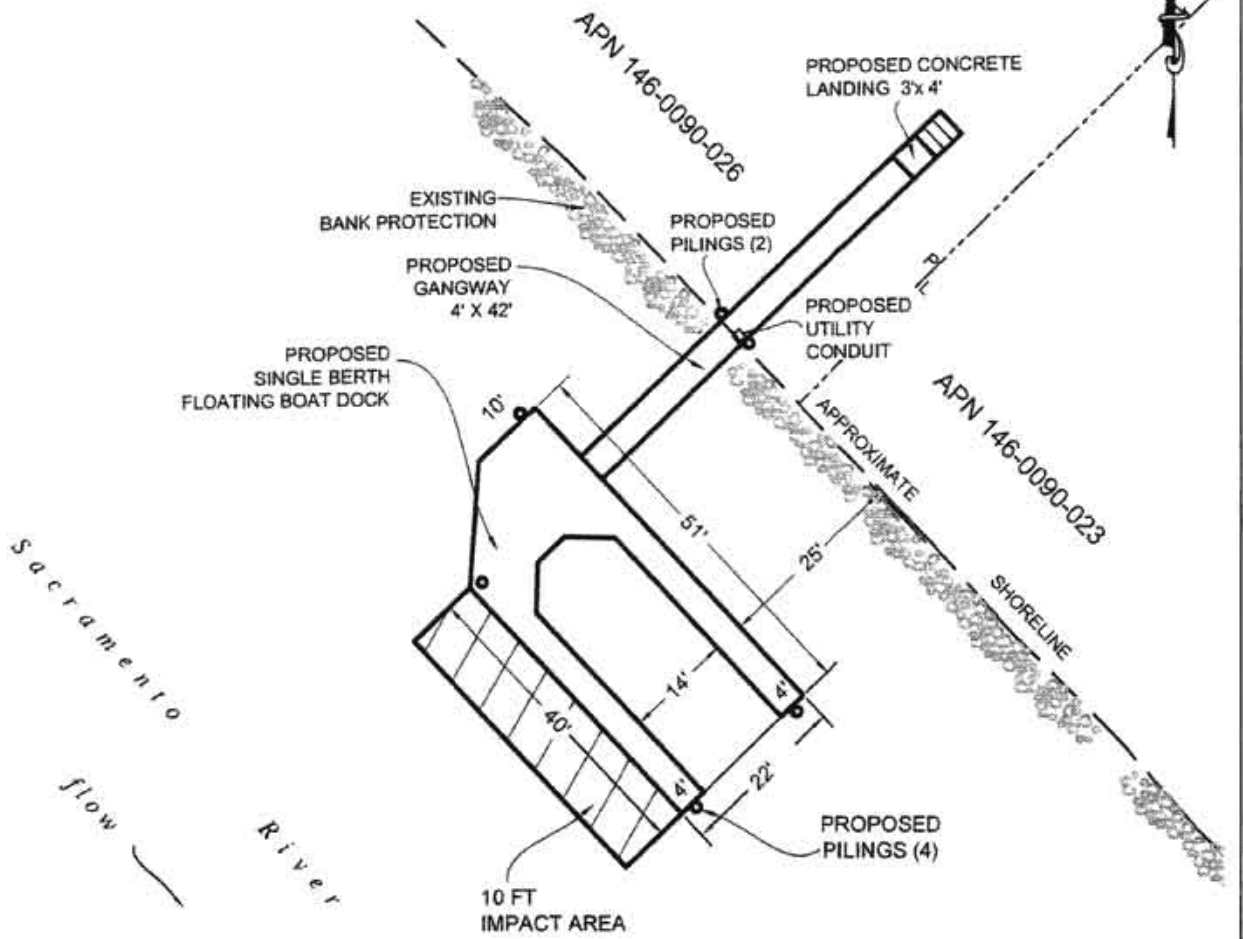
LAND DESCRIPTION PLAT
W 26625, STEINBACHER
SACRAMENTO COUNTY

CALIFORNIA STATE
LANDS COMMISSION



NO SCALE

SITE



13201 RIVER ROAD, NEAR WALNUT GROVE

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

W 26625
 STEINBACHER
 APN 146-0090-023 & 026
 GENERAL LEASE -
 RECREATIONAL &
 PROTECTIVE STRUCTURE USE
 SACRAMENTO COUNTY



MJJ 11/28/12

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.