

**CALENDAR ITEM
C35**

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04/26/13
PRC 4726.1
N. Lavoie

GENERAL LEASE – RECREATIONAL USE

APPLICANTS:

Kathleen F. Gallo and Patrick T. Beckley

AREA, LAND TYPE, AND LOCATION:

Sovereign land located in Georgiana Slough, adjacent to 405 West Willow Tree Lane, near the city of Isleton, Sacramento County.

AUTHORIZED USE:

Continued use and maintenance of an existing uncovered floating single-berth boat dock, four pilings, ramp, and deck.

LEASE TERM:

10 years, beginning January 26, 2013.

CONSIDERATION:

\$248 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:

The proposed lease contains provisions requiring that:

1. The existing deck with railing cannot be expanded, and if repairs to any portion of the existing deck cost more than 50 percent of the base value of the deck with railing, the deck must be removed from the lease premises.
2. No permanent deck-related improvements are to be constructed or placed on the open dock area, including, but not limited to, wet bars, barbecues, grills, hot tubs, refrigerators, sinks, or sun shades.

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3. No permanent enclosure is to be constructed or permitted on the open dock area.
4. Any use of the improvements that could be construed as a residential use (e.g. enclosed and covered patio, bathroom, sunroom, office, studio, or apartment) is prohibited.

OTHER PERTINENT INFORMATION:

1. Applicants own the upland adjoining the lease premises.
2. On October 20, 2003, the Commission authorized a 10-year Recreational Pier Lease to Leone K. Beckley. That lease expired on January 25, 2013. On August 13, 2012, the upland property was transferred to Leone K. Beckley, Kathleen F. Gallo, and Patrick T. Beckley. Leone K. Beckley has since passed away. The Applicants are now applying for a new General Lease – Recreational Use.
3. The staff recommends 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 which were NOT identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq.; however, the Commission declared that all lands are “significant” by nature of their public ownership (as opposed to “environmentally significant”). Since such declaration of significance is not based upon the requirements and criteria of Public Resources Code section 6370 et seq., use classifications for such lands have not been designated. Therefore, the finding of the project’s consistency with the use classification as required by California Code of Regulations, Title 2, section 2954 is not applicable.

EXHIBITS:

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

CALENDAR ITEM NO. **C35** (CONT'D)

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).

AUTHORIZATION:

Authorize issuance of a 10-year General Lease – Recreational Use to Kathleen F. Gallo and Patrick T. Beckley, beginning January 26, 2013, for the continued use and maintenance of an existing uncovered floating single-berth boat dock, four pilings, ramp, and deck, as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; annual rent in the amount of \$248 per year, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease; and liability insurance in the amount of no less than \$1,000,000.

EXHIBIT A

PRC 4726.1

LAND DESCRIPTION

A parcel of tide and submerged land situate in the Georgiana Slough, lying adjacent to Swamp and Overflow Survey No. 943, patented July 14, 1873, County of Sacramento, State of California, and more particularly described as follows

PARCEL 1 – DOCK

All those lands underlying an existing deck, ramp and uncovered floating single-berth boat dock lying adjacent to Parcel 1 and Parcel 2 as described in that Deed of Trust recorded July 18, 1965, as Document Number 57378 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 Georgiana Slough.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared February 28, 2013, by the California State Lands Commission Boundary Unit.

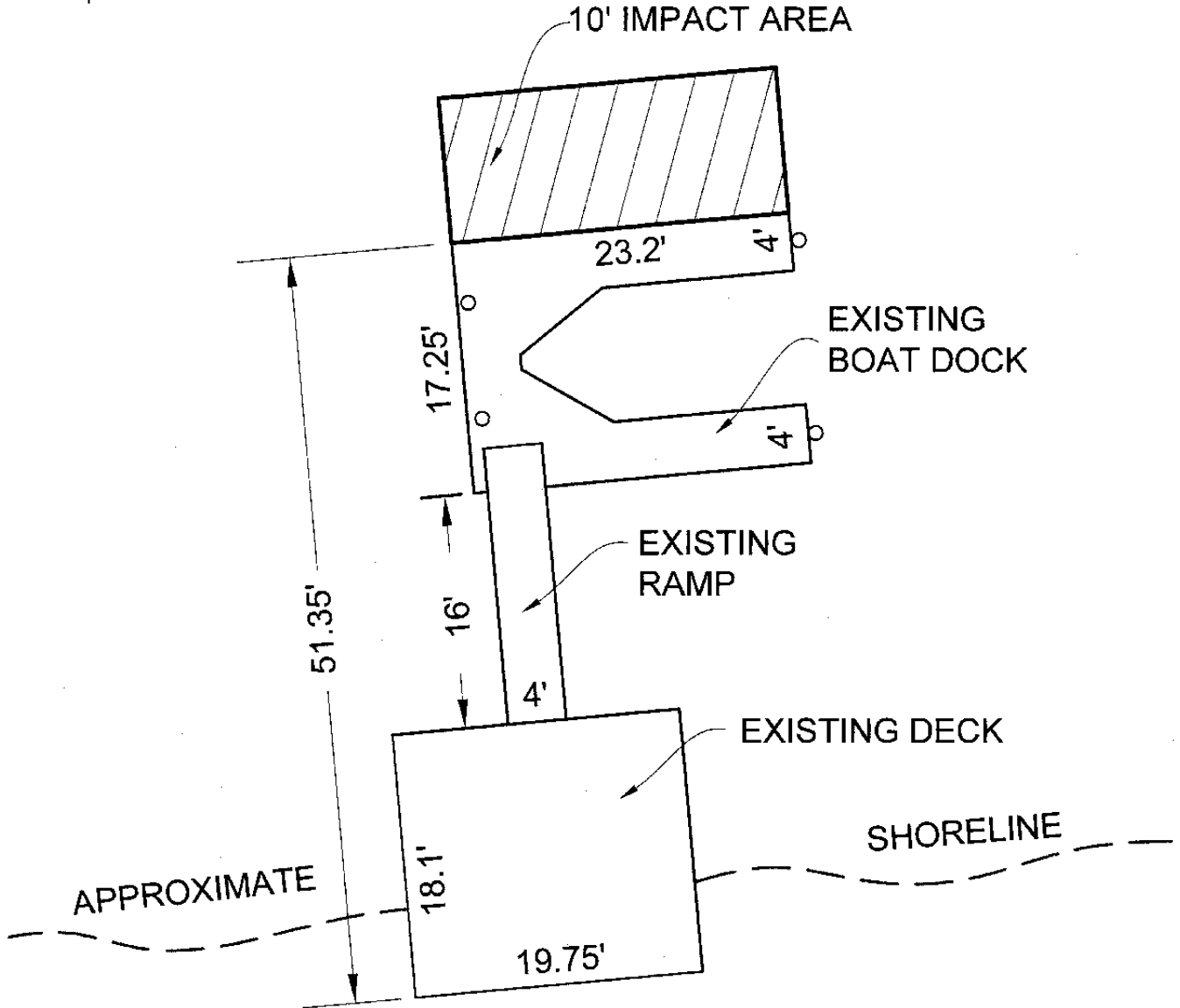




Georgiana

Slough

flow →



APN 156-0100-012

EXHIBIT A

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LAND DESCRIPTION PLAT
 PRC 4726.1, BECKLEY
 SACRAMENTO COUNTY

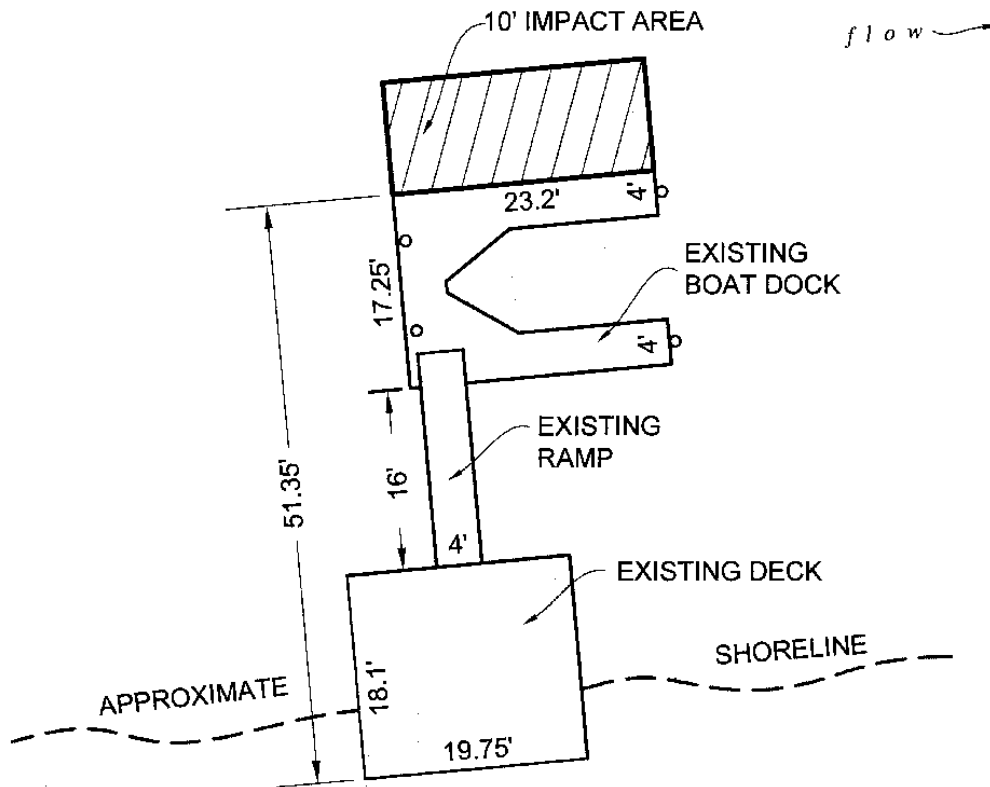
CALIFORNIA STATE
 LANDS COMMISSION



NO SCALE

SITE

Georgiana Slough

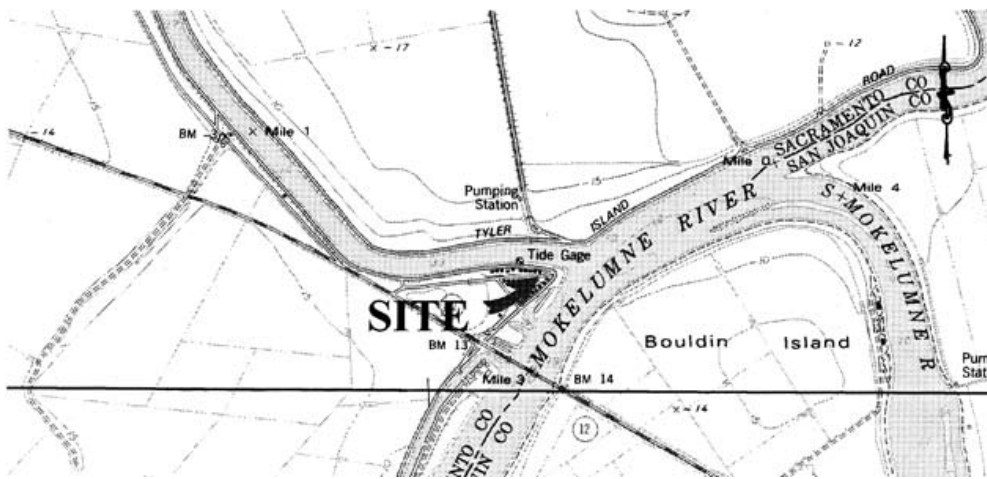


APN 156-0100-012

405 WEST WILLOW TREE LANE, NEAR ISLETON

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B
 PRC 4726.1
 BECKLEY
 APN 156-0100-012
 GENERAL LEASE -
 RECREATIONAL USE
 SACRAMENTO COUNTY



MJJ 02/28/13

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.