

**CALENDAR ITEM
C16**

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02/21/14

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PRC 5383.1

N. Lavoie

GENERAL LEASE – RECREATIONAL USE

APPLICANT:

Delta Beach Properties, Inc.

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the Sacramento River, adjacent to 14250 Isleton Road, near Isleton, Sacramento County.

AUTHORIZED USE:

Continued use and maintenance of an existing boat launch ramp and an accommodation dock previously authorized by the Commission; and the use and maintenance of 20 existing double-point mooring buoys not previously authorized by the Commission.

LEASE TERM:

10 years, beginning December 1, 2013.

CONSIDERATION:

\$2,620 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 per occurrence.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.
2. On April 5, 2004, the Commission authorized a General Lease – Recreational Use to Delta Beach Properties, Inc., a California Non-Profit Mutual Benefit Corporation, for the continued use and maintenance of a boat launching ramp, two floating boat docks, and two walkways. That lease expired November 30, 2013. The Applicant is now applying for a new General Lease – Recreational Use.

CALENDAR ITEM NO. C16 (CONT'D)

3. The Applicant is a non-profit corporation owned and operated by the tenants of the recreational vehicle park on the upland. When the Applicant purchased the upland in 2003, the double-point mooring buoys were already in place. Staff has reviewed evidence verifying the buoys were in place as early as 1997. In 2007, the dock to the south end of the upland was removed after being damaged in a storm, and the accommodation dock to the north was reconfigured without Commission authorization. The Applicant has obtained an after-the-fact permit from the U.S. Army Corps of Engineers for the buoys and the reconfiguration of the existing dock. Staff recommends including these facilities as authorized improvements under the lease.
4. 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.

5. 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

CALENDAR ITEM NO. **C16** (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).

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 Delta Beach Properties, Inc., beginning December 1, 2013, for a term of 10 years, for the continued use and maintenance of an existing boat launch ramp and an accommodation dock previously authorized by the Commission; and the use and maintenance of 20 existing double-point mooring buoys 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; annual rent in the amount of \$2,620 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 an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 5383.1

LAND DESCRIPTION

Two parcels of tide and submerged land in the bed of the Sacramento River, Sacramento County, California, adjacent to a portion of Swamp and Overflowed Survey No. 327, Sacramento County, in Section 33, T5N, R4E, MDM, being more particularly described as follows:

PARCEL 1 (Dock and Boat Ramp)

COMMENCING at the most northeasterly corner of a parcel of land as described in that deed from Ralph O. Meader and Joyce M. Meader, to Delta Beach Properties, Inc., dated November 25, 2003, recorded December 1, 2003, in Book 20031201, Page 2583 of Official Records of Sacramento County, thence N 31°20'30" W 65 feet more or less to the POINT OF BEGINNING; thence along the following nine (9) courses:

- 1) S 70°40'27" W 41.89 feet;
- 2) N 20°00'18" W 143.48 feet;
- 3) N 33°11'46" W 19.44 feet;
- 4) N 79°53'55" W 29.69 feet;
- 5) N 31°55'23" W 20.77 feet;
- 6) N 58°04'37" E 38.67 feet;
- 7) S 40°03'11" E 32.17 feet;
- 8) N 58°19'48" E 15.58 feet;
- 9) S 23°53'50" E 179.45 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM any portion thereof lying landward of the ordinary high water mark of said river.

PARCEL 2 (Buoy Field)

COMMENCING at the most northeasterly corner of a parcel of land as described in that deed from Ralph O. Meader and Joyce M. Meader, to Delta Beach Properties, Inc., dated November 25, 2003, recorded December 1, 2003, in Book 20031201, Page 2583 of Official Records of Sacramento County, thence N 40°08'31" W 345 feet more or less to the POINT OF BEGINNING; thence S 39°52'03" W 715.92 feet; thence S 18°02'51" E 168 feet more or less to the left bank of the Sacramento River; thence northeasterly along said bank 717 feet to a point from which the point of beginning bears N 18°02'05" W; thence leaving said bank N 18°02'05" W 169 feet more or less to the POINT OF BEGINNING.

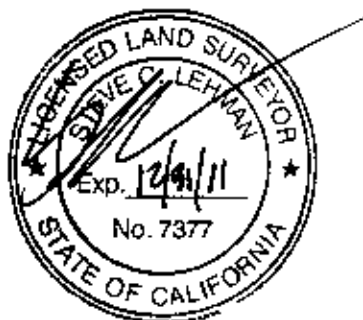
EXCEPTING THEREFROM any portion thereof lying landward of the ordinary high water mark of said river.

BASIS OF BEARINGS is CCS83, Zone 2. All distances are grid distances.

END OF DESCRIPTION

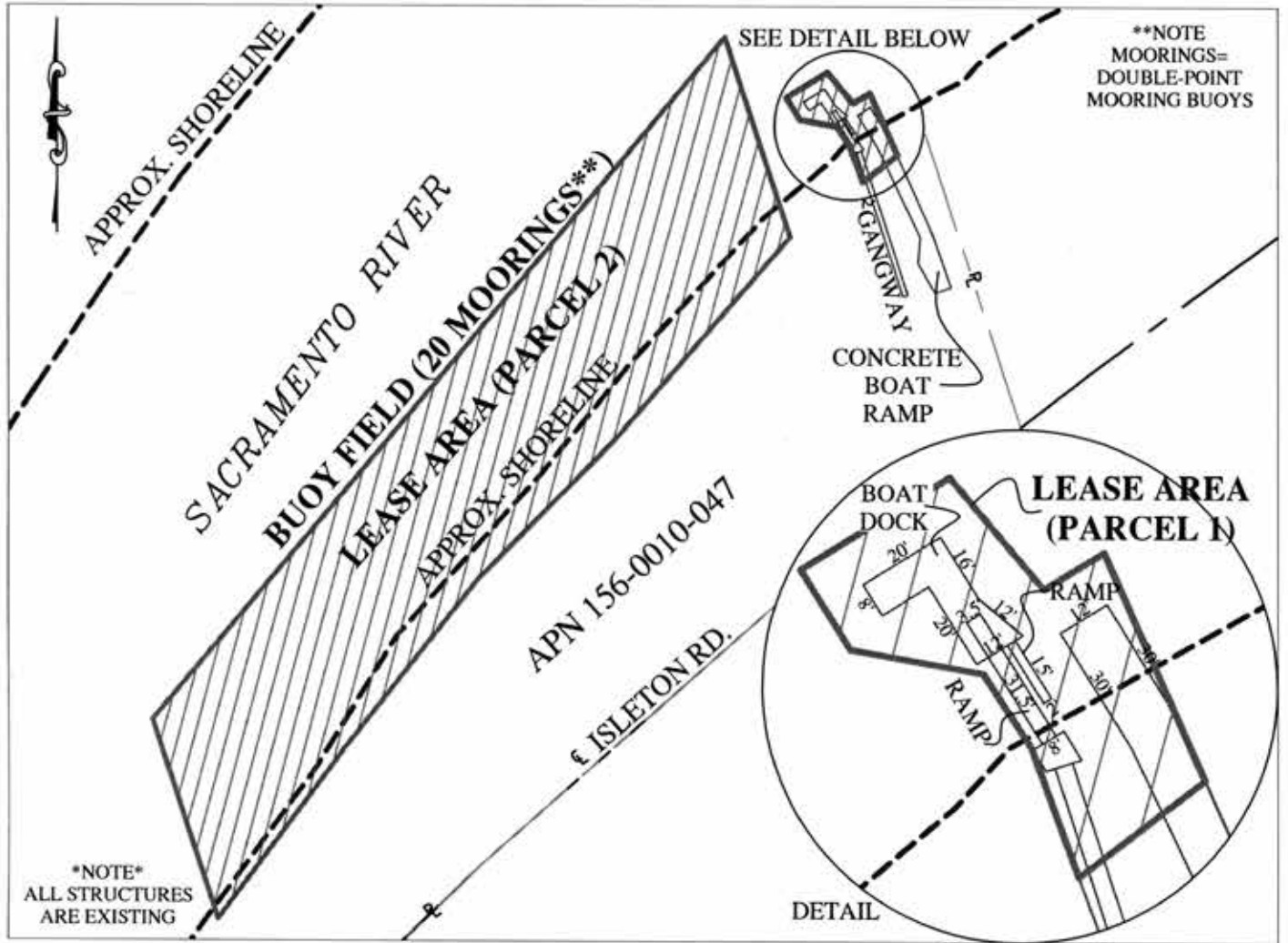
Prepared 5/18/10 by the California State Lands Commission Boundary Unit

Prepared by MJF
Reviewed by JAK



NO SCALE

SITE



**NOTE MOORINGS= DOUBLE-POINT MOORING BUOYS

NOTE ALL STRUCTURES ARE EXISTING

14250 Isleton Rd., Isleton

NO SCALE

LOCATION



Exhibit B

PRC 5383.1
 DELTA BEACH PROPERTIES, INC.
 APN 156-0010-047
 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.