

**CALENDAR ITEM  
C24**

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S 6

02/21/14  
PRC 7212.1  
J. Sampson

**GENERAL LEASE – RECREATIONAL AND PROTECTIVE STRUCTURE USE**

**APPLICANTS:**

Loche M. Johnson and Susan M. Johnson, and successors in trust, as Trustees of the Johnson Family Trust dated August 13, 1999

**AREA, LAND TYPE, AND LOCATION:**

Sovereign land in the Sacramento River, adjacent to 4603 Garden Highway, Sacramento, Sacramento County.

**AUTHORIZED USE:**

Continued use and maintenance of an existing floating boat dock, two-pile dolphin, gangway, and bank protection.

**LEASE TERM:**

10 years, beginning August 17, 2014.

**CONSIDERATION:**

Floating boat dock, dolphin, and gangway: \$221 per year, with the State reserving the right to set 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 an amount no less than \$1,000,000 per occurrence.

**OTHER PERTINENT INFORMATION:**

1. Applicants own the upland adjoining the lease premises.
2. On August 17, 2004, the Commission authorized a General Lease – Recreational and Protective Structure Use to Loche M. Johnson and Susan M. Johnson, and successors in trust, as Trustees of the Johnson

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Family Trust dated August 13, 1999. That lease expires August 16, 2014. The Applicants are now applying for a new General Lease – Recreational and Protective Structure Use.

3. The bank protection will mutually benefit both the public and the Applicants. The Sacramento River will have additional protection from wave action provided at no cost to the public.
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

**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.

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**AUTHORIZATION:**

Authorize issuance of a General Lease – Recreational and Protective Structure Use to Loche M. Johnson and Susan M. Johnson, and successors in trust, as Trustees of the Johnson Family Trust dated August 13, 1999, beginning August 17, 2014, for a term of 10 years, for the continued use and maintenance of an existing floating boat dock, two-pile dolphin, gangway, and bank protection 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 floating boat dock, two-pile dolphin, and gangway: annual rent of \$221, 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 in an amount no less than \$1,000,000 per occurrence.

**EXHIBIT A**

**PRC 7212.1**

**LAND DESCRIPTION**

A parcel of tide and submerged land situate in the bed of the Sacramento River, lying adjacent to Swamp and Overflowed Land Survey 194, patented July 11, 1865, County of Sacramento, State of California and more particularly described as follows:

All those lands underlying an existing floating boat dock, gangway, pilings and two-pile dolphin lying adjacent to that parcel described in Grant Deed, recorded August 12, 1999 in Document Number 199908131203 in Official Records of said County.

TOGETHER WITH any applicable Impact Area(s).

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

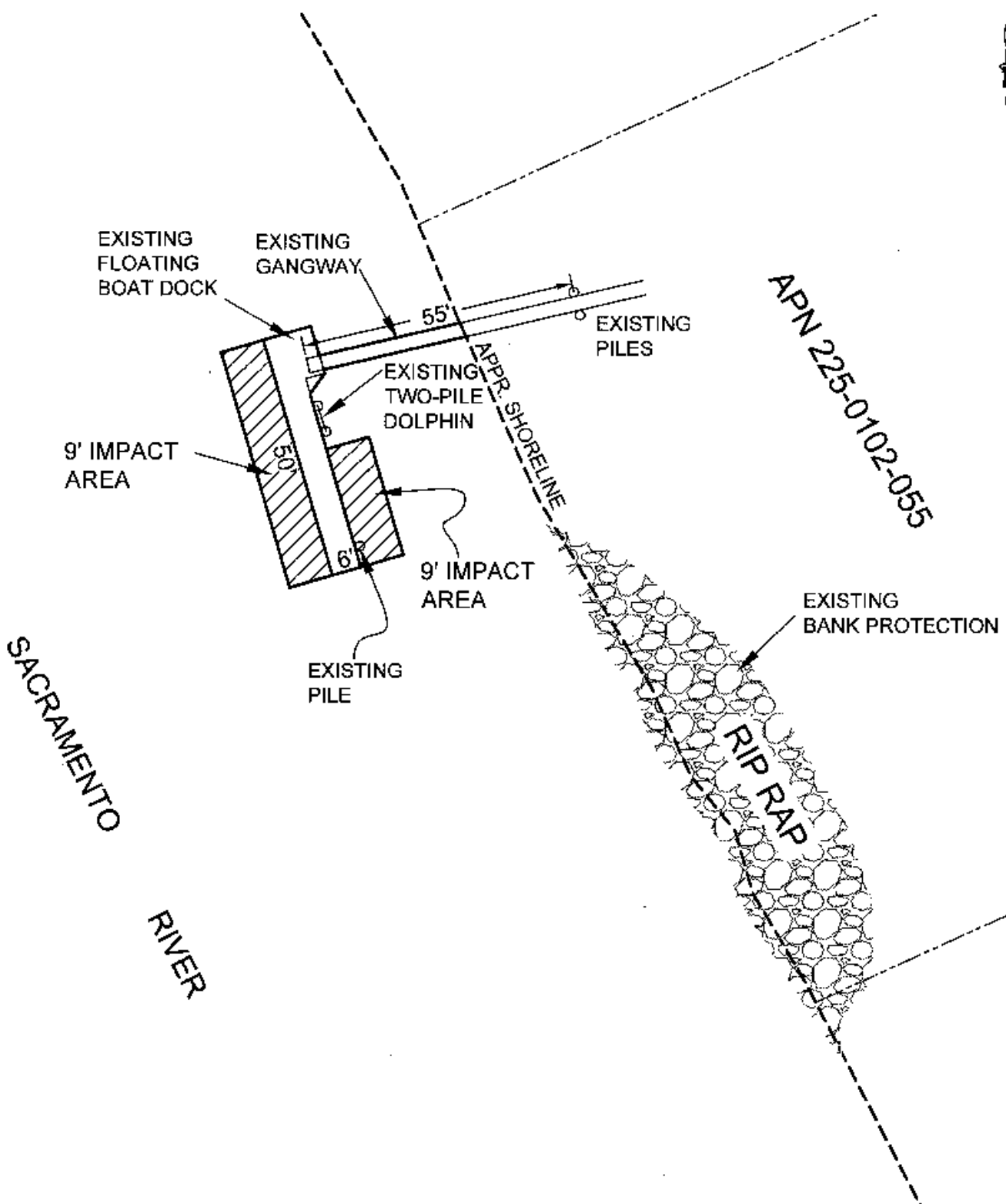
EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of the left bank of said river.

Accompanying plat is hereby made part of this description.

**END OF DESCRIPTION**

Prepared 01/30/14 by the California State Lands Commission Boundary Unit



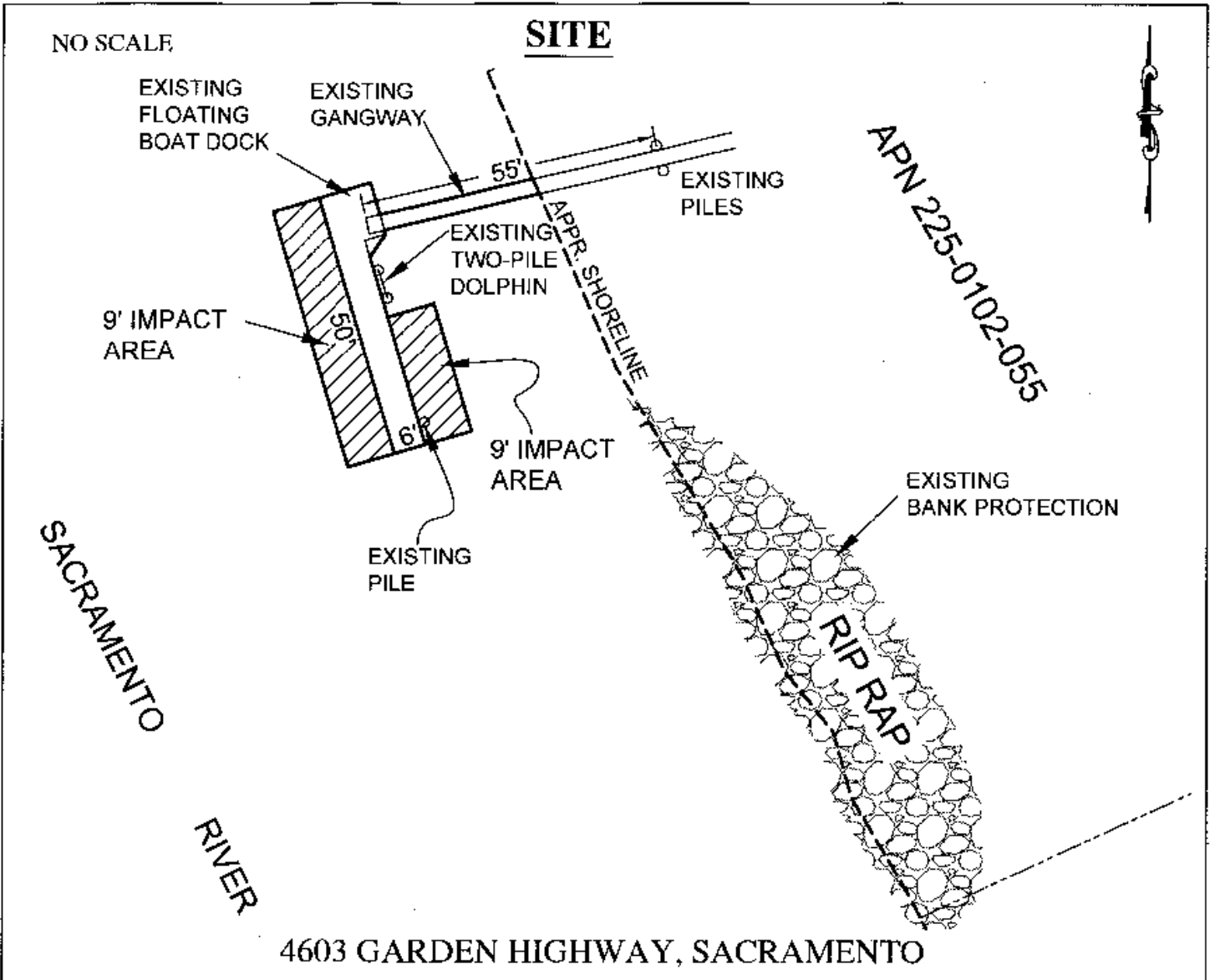


### EXHIBIT A

LAND DESCRIPTION PLAT  
PRC 7212.1, JOHNSON TRUSTEES  
SACRAMENTO COUNTY

CALIFORNIA STATE  
LANDS COMMISSION





MAP SOURCE: USGS QUAD

**Exhibit B**

PRC 7212.1  
 JOHNSON TRUSTEES  
 APN 225-0102-055  
 GENERAL LEASE-  
 RECREATIONAL &  
 PROTECTIVE STRUCTURE 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.