

**CALENDAR ITEM
C01**

A 4
S 3

04/23/14
PRC 8460.1
G. Asimakopoulos

GENERAL LEASE – RECREATIONAL USE

APPLICANTS:

Robert A. Hyer and Sonoma Hyer

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the Sacramento River, adjacent to 16510 County Road 117, near the city of West Sacramento, Yolo County.

AUTHORIZED USE:

Construction, use, and maintenance of a floating boat dock, floatable bridge gangway, and two steel pilings not previously authorized by the Commission.

LEASE TERM:

10 years, beginning April 23, 2014.

CONSIDERATION:

\$92 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 PROVISION:

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 June 2, 2003, the Commission authorized a 10-year Recreational Pier Lease to William Ray Planchon and Patricia V. Planchon for the construction, use, and maintenance of a floating boat dock and walkway. That lease expired on May 31, 2013. On May 26, 2004, the upland was deeded to Robert A. Hyer and Sonoma Hyer. In 2006, the California Department of Water Resources (DWR) removed the dock and walkway in order to perform emergency levee repairs and maintenance at this location.

CALENDAR ITEM NO. **C01** (CONT'D)

3. The Applicants are now applying for a General Lease – Recreational Use for the construction of a new floating boat dock, with a floatable bridge gangway and two steel pilings. A crane barge will be used to drive the pilings using a drop hammer pile driver. The dock will have a steel frame with encased foam floatation and aluminum or trek-type decking. The dock and gangway will be assembled on the upland and lowered into the river using the crane barge. Construction will be scheduled using the in-water work windows of August 1 through October 31 for the Sacramento River.
4. The existing bank protection is maintained by DWR, and is authorized under Lease No. PRC 8679.9.
5. 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.

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.

APPROVALS OBTAINED:

Reclamation District 1600
Central Valley Flood Protection Board

FURTHER APPROVALS REQUIRED:

U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, National Marine Fisheries Service, California Department of Fish and Wildlife, California Regional Water Quality Control Board.

CALENDAR ITEM NO. **C01** (CONT'D)

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 3, New Construction of Small Structures; California Code of Regulations, Title 2, section 2905, subdivision (c)(1).

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 Robert A. Hyer and Sonoma Hyer beginning April 23, 2014, for a term of 10 years, for the construction, use, and maintenance of a floating boat dock, floatable bridge gangway, and two steel pilings, 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 \$92, 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 8460.1

LAND DESCRIPTION

A parcel of tide and submerged land situate in the bed of the Sacramento River lying adjacent to Swamp and Overflow Survey 449, patented March 6, 1877, County of Yolo, State of California, more particularly described as follows:

All those lands underlying a proposed floating boat dock, proposed floatable bridge gangway and two (2) proposed pilings lying adjacent to that parcel as described in Exhibit "A" of that Individual Grant Deed recorded May 26, 2004, in Document Number 2004-0023067 in Official Records of said County.

TOGETHER WITH any applicable impact area(s).

EXCEPTING THEREFROM any portion(s) lying landward of the Ordinary High Water Mark of the left bank of the Sacramento River.

Accompanying plat is hereby made part of this description.

The description is based on Applicant provided design plans, by DCC Engineering Co. Inc. dated April 23, 2013, for proposed dock, 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.

END OF DESCRIPTION

Prepared April 1, 2014 by the California State Lands Commission Boundary Unit.



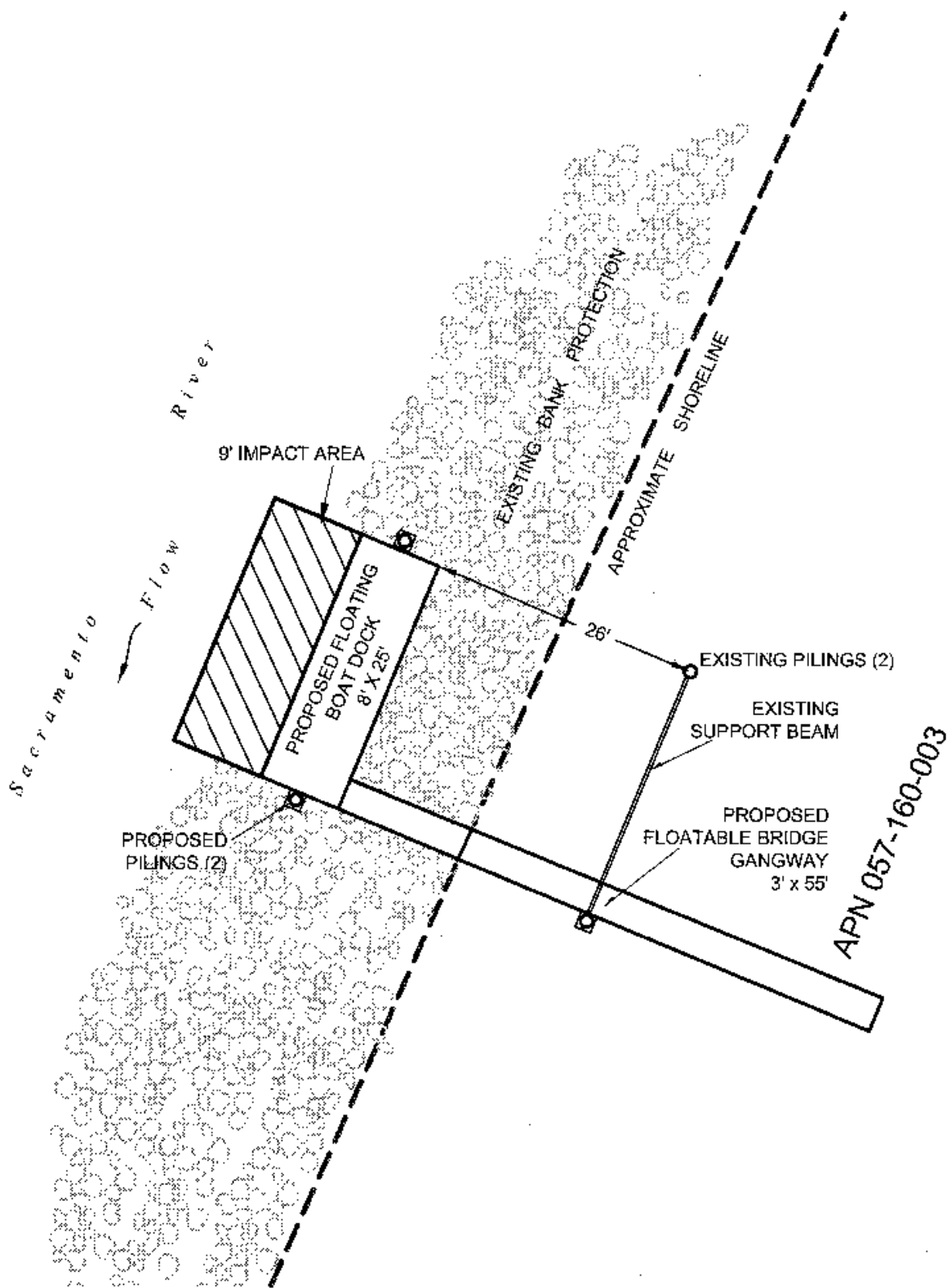


EXHIBIT A

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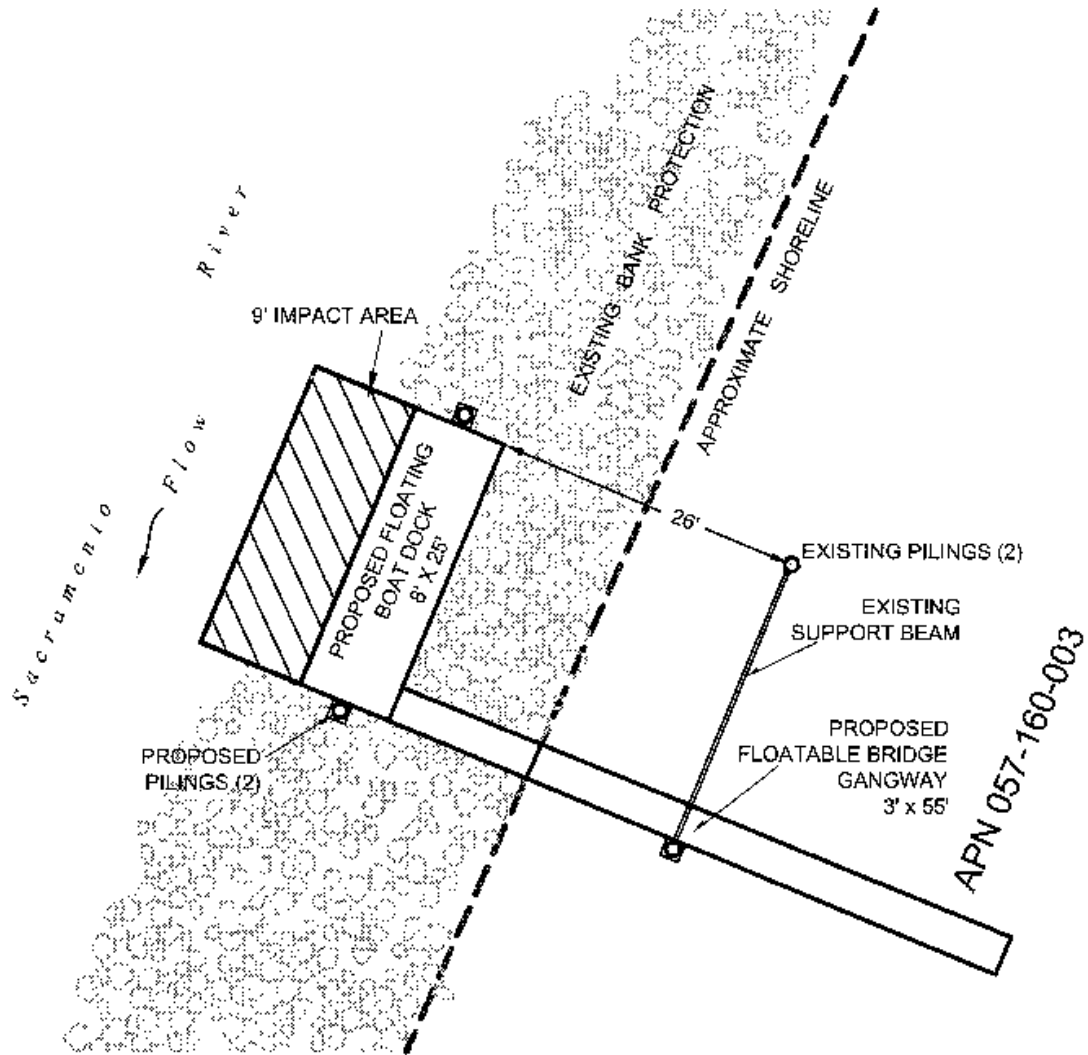
LAND DESCRIPTION PLAT
 PRC 8460.1, HYER
 YOLO COUNTY

CALIFORNIA STATE
 LANDS COMMISSION



NO SCALE

SITE



16510 COUNTY ROAD 117, NEAR WEST SACRAMENTO

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 8460.1
 HYER
 APN 057-160-003
 GENERAL LEASE -
 RECREATIONAL USE
 YOLO COUNTY



MLJ 04/1/2014

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.