

**CALENDAR ITEM
C19**

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04/23/14

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PRC 7764.1

J. Sampson

GENERAL LEASE - RECREATIONAL AND PROTECTIVE STRUCTURE USE

APPLICANTS:

Patrick C. Bradley and Nancy T. Immekeppel

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Georgiana Slough, adjacent to 17001 Terminous Road, city of Isleton, Sacramento County.

AUTHORIZED USE:

Continued use and maintenance of an existing single-berth covered floating boat dock, four pilings, gangway, ramp, utility shed, walkway, and bank protection.

LEASE TERM:

10 years, beginning June 1, 2014.

CONSIDERATION:

Single-berth covered floating boat dock, four pilings, gangway, ramp, utility shed, walkway: \$375 per year with the State reserving the right to fix a different rent periodically during the lease term, as provided for in the lease.

Bank protection: Public use and benefit, with the State 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 June 1, 2004, the Commission authorized a 10-year General Lease – Recreational and Protective Structure Use to Patrick C. Bradley, Trustee of the Patrick C. Bradley Trust dated August 14, 1998, and Nancy T. Immekeppel, Trustee of the Nancy T. Immekeppel Trust dated August 14,

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1998. That lease expires May 31, 2014. On January 10, 2010, the lessees deeded the upland interest to Patrick C. Bradley and Nancy T. Immekeppel. The Applicants are now applying for a General Lease – Recreational and Protective Structure Use.

3. The bank protection mutually benefits 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. 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 which have NOT been identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq.; however, the Commission has 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

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

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categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

AUTHORIZATION:

Authorize issuance of a General Lease – Recreational and Protective Structure Use to Patrick C. Bradley and Nancy T. Immekeppel beginning June 1, 2014, for a term of 10 years, for the continued use and maintenance of an existing single-berth covered floating boat dock, four pilings, gangway, ramp, utility shed, walkway, and bank protection as described in Exhibit A and as shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; consideration for single-berth covered floating boat dock, four pilings, gangway, ramp, utility shed, walkway: \$375 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 in an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 7764.1

LAND DESCRIPTION

A parcel of tide and submerged land situate in the bed of the Georgiana Slough, lying adjacent to Swamp and Overflowed Land Survey 849 patented April 2, 1873 and Swamp and Overflowed Land Survey 943 patented April 14, 1873, County of Sacramento, State of California and more particularly described as follows:

All those lands underlying an existing single berth covered floating boat dock with boat lift, gangway, walkway, ramp, shed, shade for jet ski and four pilings lying adjacent to that parcel described in Grant Deed, recorded January 22, 2010 in Book 20100122 at Page 1024 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 right bank of said slough.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared 02/19/14 by the California State Lands Commission Boundary Unit



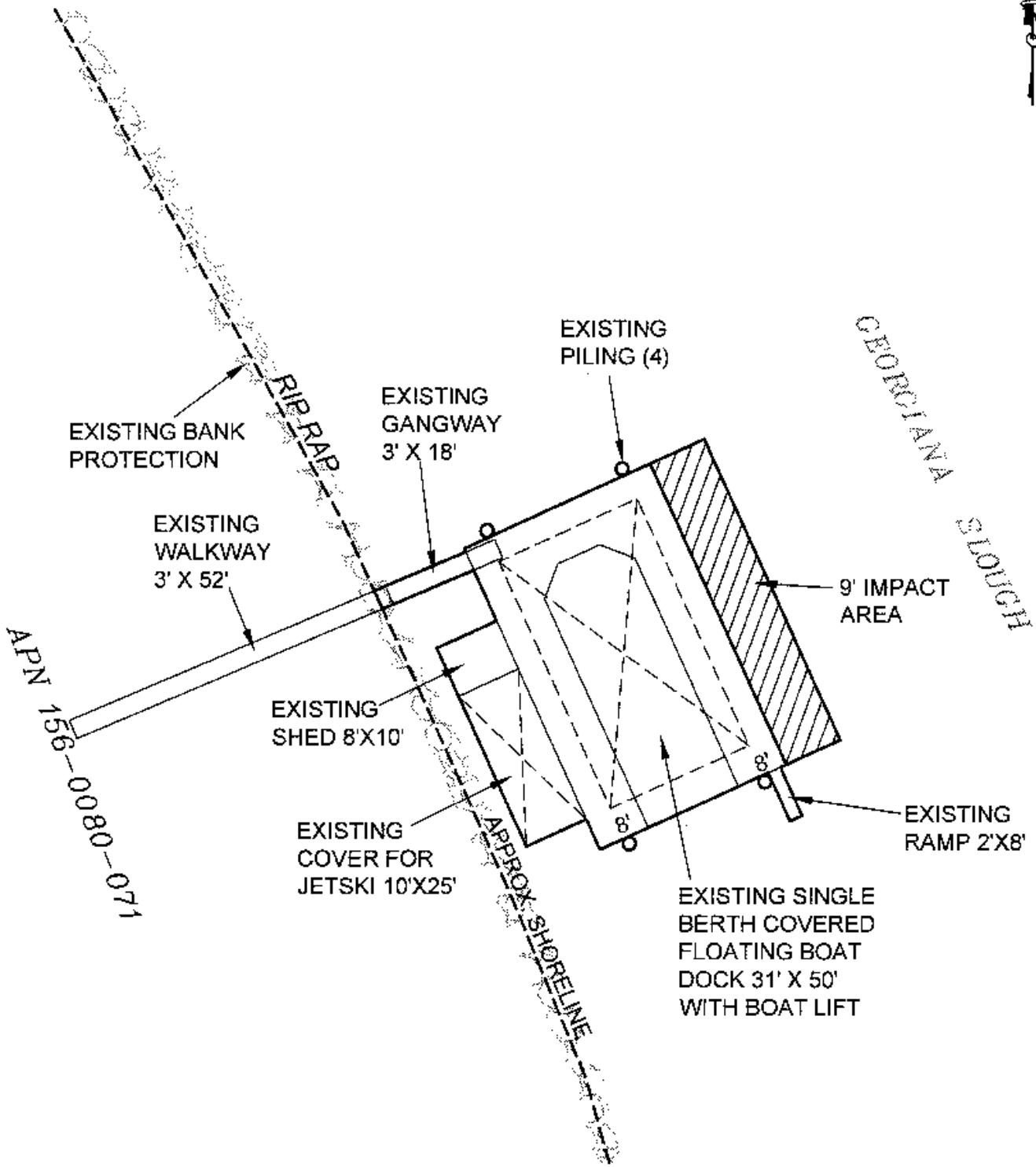


EXHIBIT A

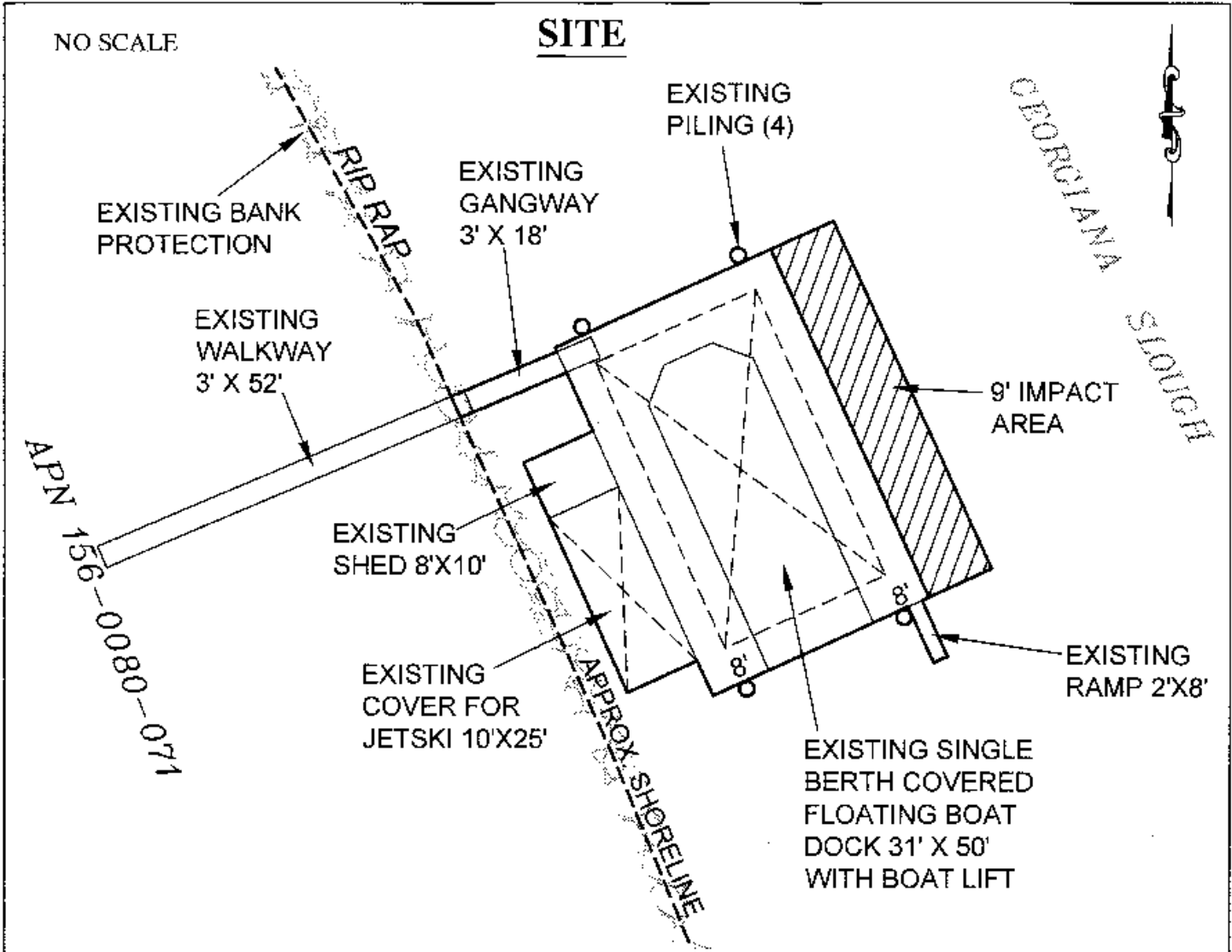
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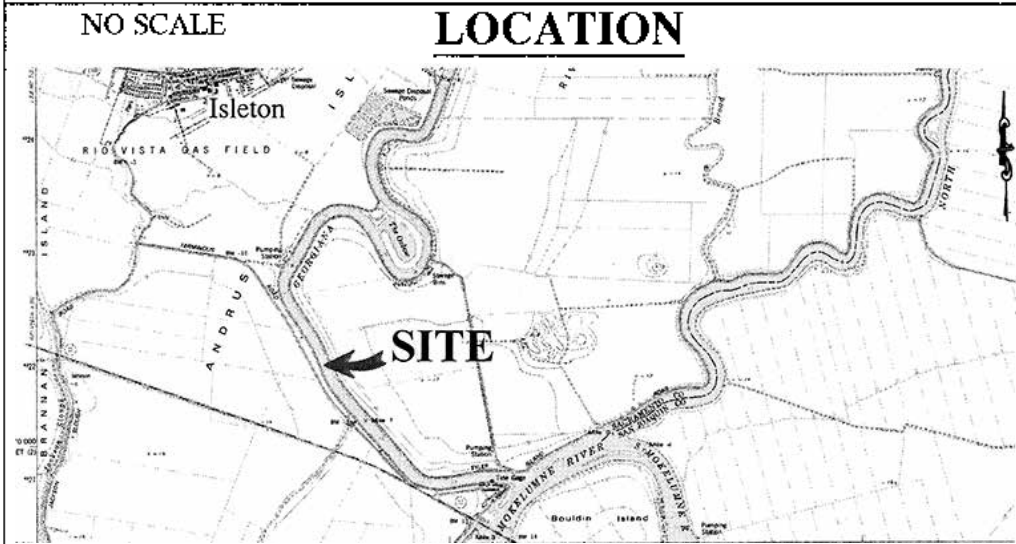
LAND DESCRIPTION PLAT
 PRC 7764.1 BRADLEY & IMMEKEPPEL
 SACRAMENTO COUNTY

CALIFORNIA STATE
 LANDS COMMISSION





17001 TERMINOUS RD., NEAR ISLETON



MAP SOURCE: USGS QUAD

Exhibit B

PRC 7764.1
 BRADLEY & IMMEKLEPPFEL
 APN 156-0080-071
 GENERAL LEASE -
 RECREATIONAL &
 PROTECTIVE STRUCTURE USE
 SACRAMENTO COUNTY



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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.