

**CALENDAR ITEM
C03**

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06/19/14

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PRC 7213.1
G. Asimakopoulos

GENERAL LEASE – RECREATIONAL AND PROTECTIVE STRUCTURE USE

APPLICANTS:

Kenneth Erik Sorensen and Mary Elizabeth Sorensen, Trustees of the Sorensen Family 2000 Revocable Trust dated April 18, 2000.

AREA, LAND TYPE, AND LOCATION:

Sovereign land located in the Sacramento River, adjacent to 17444 Grand Island Road, at Long Island, near Walnut Grove, Sacramento County.

AUTHORIZED USE:

Continued use and maintenance of existing bank protection previously authorized by the Commission, and use and maintenance of an existing uncovered single-berth floating dock, gangway, and three-pile dolphin not previously authorized by the Commission.

LEASE TERM:

10 years, beginning June 19, 2014.

CONSIDERATION:

Uncovered Single-Berth Floating Dock, Gangway, and Three-Pile Dolphin: \$170 per year, with the State reserving the right to fix 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.

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2. On June 19, 1998, the Commission authorized a General Lease - Recreational and Protective Structure Use to James F. Weber and Barbara R. Weber, Trustees of the Weber Family Revocable Trust, for a floating boat dock, ramp, and rock rip rap. On September 3, 1999, the Commission authorized the assignment of the lease to Kenneth E. Sorensen and Mary Elizabeth Sorensen. On June 10, 2004, the upland property was transferred to Kenneth Erik Sorensen and Mary Elizabeth Sorensen, Trustees of the Sorensen Family 2000 Revocable Trust dated April 18, 2000. The lease expired on June 29, 2008. The Applicants are now applying for a new General Lease – Recreational and Protective Structure Use.
3. In 2004, the Applicants removed the existing floating boat dock and ramp, and constructed a new uncovered single-berth floating boat dock, gangway, and three-pile dolphin without Commission approval. Applicants have applied to the U.S. Army Corps of Engineers and the Central Valley Flood Protection Board for after-the-fact permits for these improvements. Staff recommends including these facilities as authorized improvements under the lease.
4. The bank protection will mutually benefit 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.
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 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.

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.

CALENDAR ITEM NO. **C03** (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 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 and Protective Structure Use to Kenneth Erik Sorensen and Mary Elizabeth Sorensen, Trustees of the Sorensen Family 2000 Revocable Trust dated April 18, 2000, beginning June 19, 2014, for a term of 10 years, for the continued use and maintenance of existing bank protection previously authorized by the Commission; and use and maintenance of an existing uncovered single-berth floating dock, gangway, and three-pile dolphin 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; consideration for the existing uncovered single-berth floating dock, gangway, and three-pile dolphin: \$170 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 7213.1

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 957 patented October 4, 1871, County of Sacramento, State of California and more particularly described as follows:

All those lands underlying an existing covered floating boat dock, gangway, and 3-pile dolphin lying adjacent to the right bank of said river and being adjacent to those parcels of land as described in those Grant Deeds, recorded November 17th, 1998 in Book 19981117, Page 0299 and April 9th, 1999 in Book 19990409, Page 0034 in Official Records of said County.

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

TOGETHER WITH any applicable impact area(s).

ALSO TOGETHER WITH those lands underlying any existing bank protective structure.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

PREPARED 5/15/14 BY THE CALIFORNIA STATE LANDS COMMISSION BOUNDARY UNIT



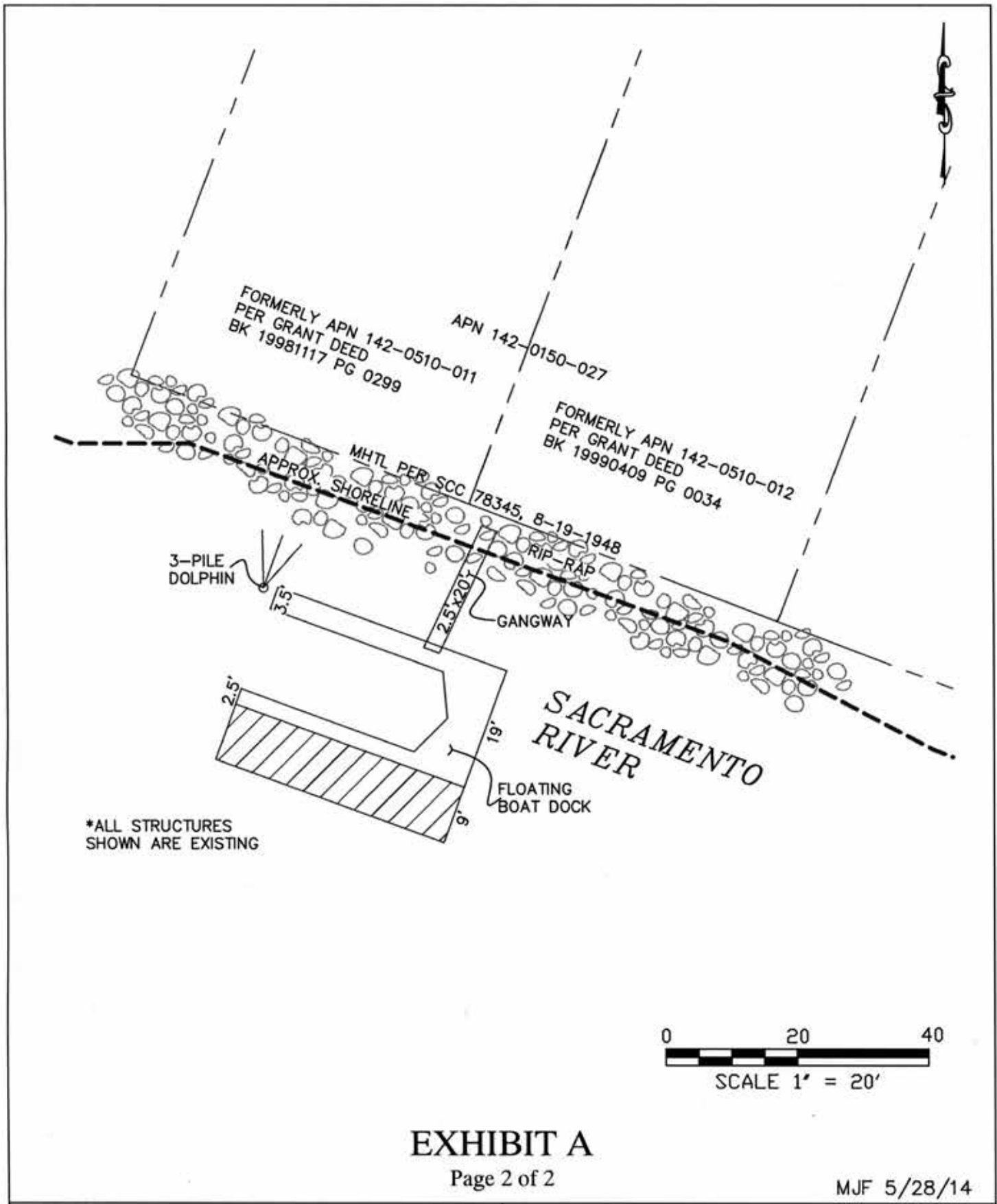


EXHIBIT A

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MJF 5/28/14

LAND DESCRIPTION PLAT
 PRC 7213.1, SORENSEN
 SACRAMENTO COUNTY

CALIFORNIA STATE
 LANDS COMMISSION



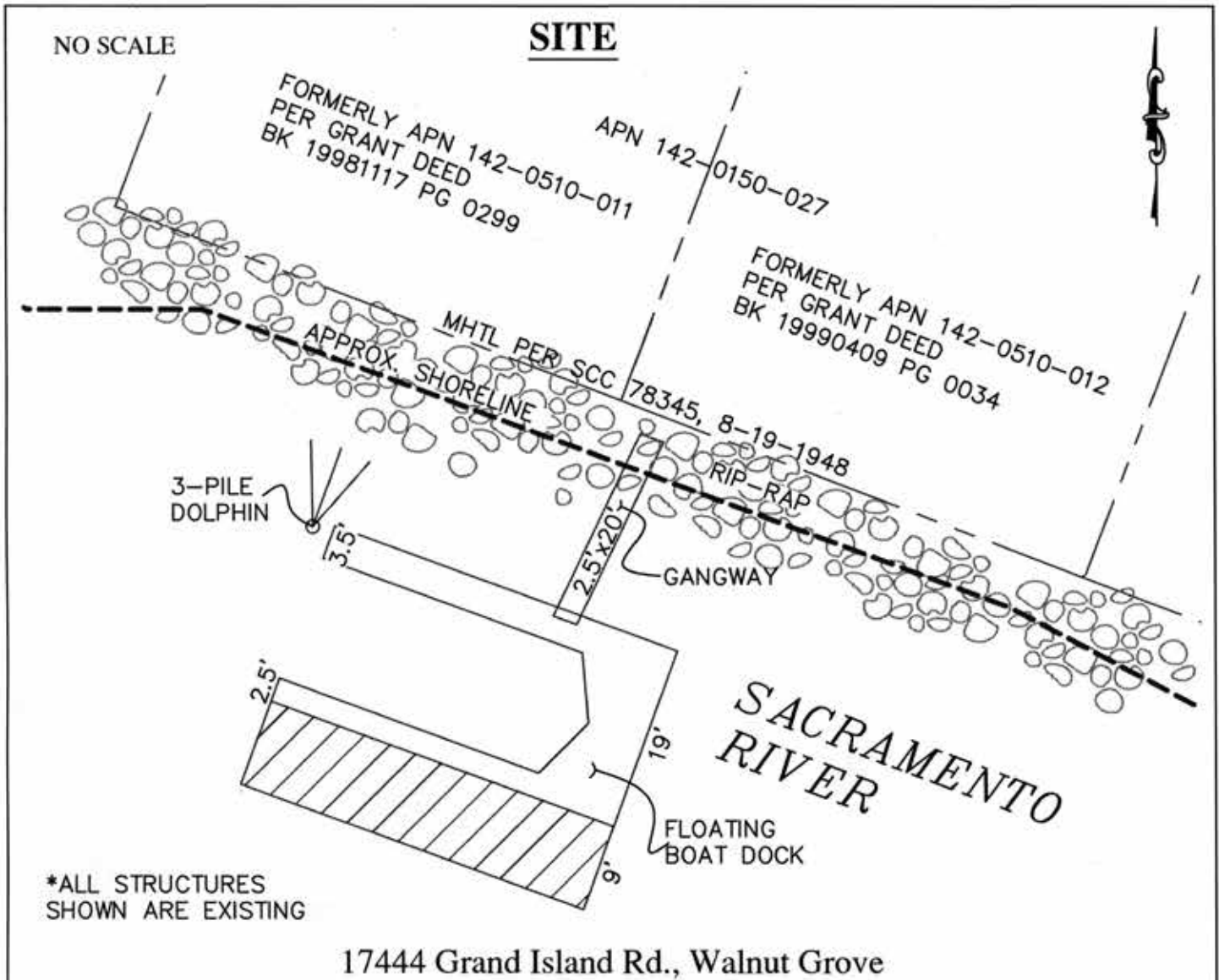


Exhibit B
 PRC 7213.1
 SORENSEN FAMILY 2000
 REVOCABLE TRUST
 APN 142-0150-027
 GENERAL LEASE -
 RECREATIONAL & PROTECTIVE
 STRUCTURE USE
 SACRAMENTO COUNTY



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.