

**CALENDAR ITEM
C26**

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06/19/14
PRC 8518.1
J. Sampson

GENERAL LEASE – RECREATIONAL USE

APPLICANTS:

Patrick J. Waltz and Linda J. Waltz, Trustees of the Patrick and Linda Waltz 2013 Revocable Trust

AREA, LAND TYPE, AND LOCATION:

Sovereign land located in the Sacramento River, adjacent to 6991 Garden Highway, city of Sacramento, Sacramento County.

AUTHORIZED USE:

Continued use and maintenance of an existing floating boat dock, gangway, and two steel pilings.

LEASE TERM:

10 years, beginning April 5, 2014.

CONSIDERATION:

\$169 per year, with the State reserving the right to set a different rent periodically during the lease term.

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 April 5, 2004, the Commission authorized issuance of a 10-year Recreational Pier Lease to Patrick J. Waltz. That lease expired on April 4, 2014. On July 2, 2013, the upland ownership was transferred to Patrick J. Waltz and Linda J. Waltz, Trustees of the Patrick and Linda Waltz 2013 Revocable Trust. The Applicants are now applying for a General Lease – Recreational Use.

CALENDAR ITEM NO. **C26** (CONT'D)

3. 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.

4. 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.

AUTHORIZATION:

Authorize issuance of a General Lease – Recreational Use to Patrick J. Waltz and Linda J. Waltz, Trustees of the Patrick and Linda Waltz 2013 Revocable Trust beginning April 5, 2014, for a term of 10 years, for the continued use and maintenance of an existing floating boat dock, gangway, and two steel pilings as described in Exhibit A and shown on

CALENDAR ITEM NO. **C26** (CONT'D)

Exhibit B (for reference purposes only) attached and by this reference made a part hereof; annual rent in the amount of \$169, with the State reserving the right to set a different rent periodically during the lease term, as provided in the lease; liability insurance in an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 8518.1

LAND DESCRIPTION

A parcel of tide and submerged land in the bed of the Sacramento River lying adjacent to Swamp and Overflow Survey 923, patented May 18, 1872, Sacramento County, State of California, more particularly described as follows:

PARCEL 1 – DOCK

All those lands underlying an existing floating boat dock, gangway and two (2) pilings lying adjacent to that parcel as described in that Trust Transfer Deed recorded July 2, 2013, in Book 20130702, Page 0670 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 right bank of the Sacramento River.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared March 28, 2014 by the California State Lands Commission Boundary Unit.



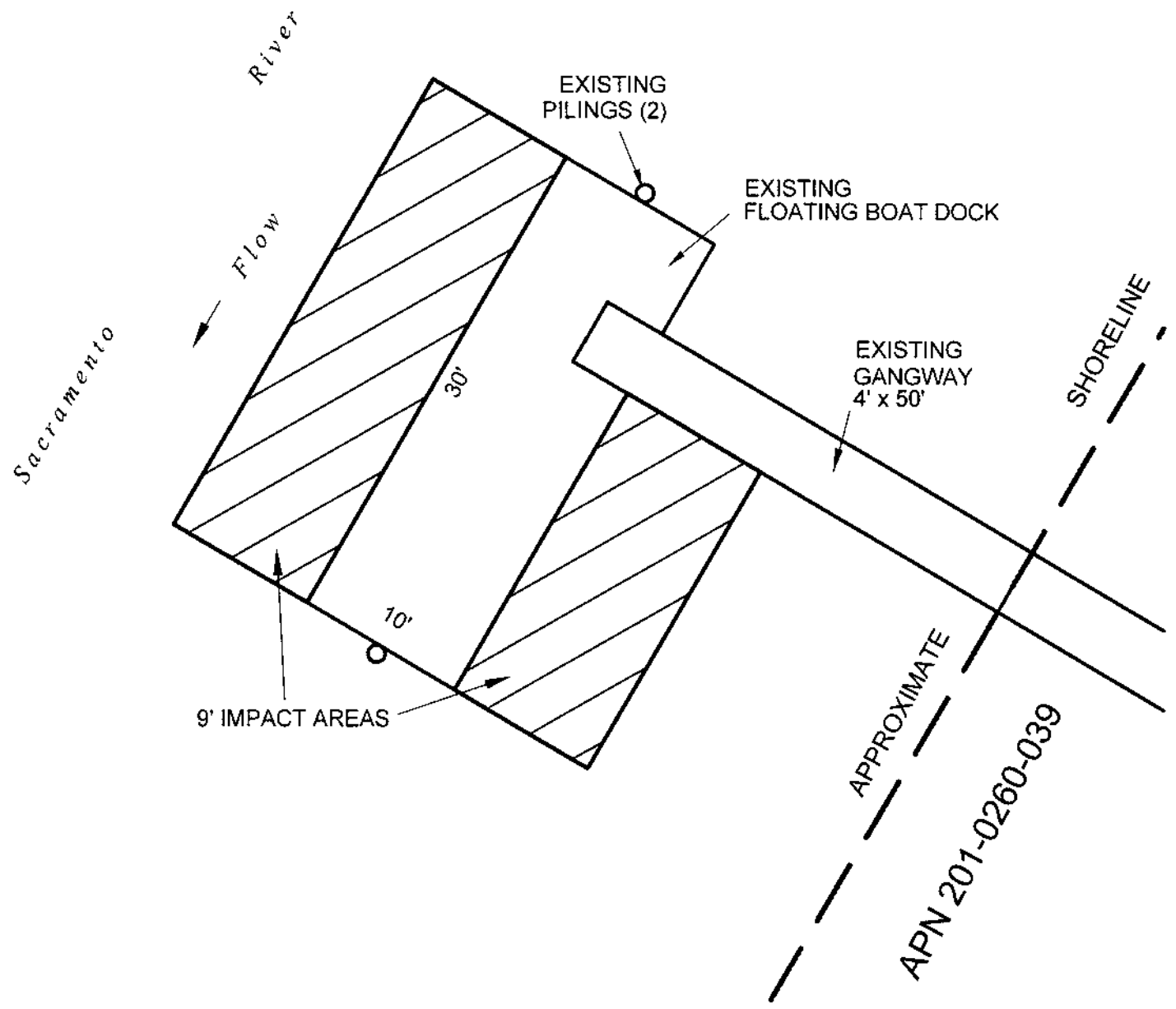


EXHIBIT A

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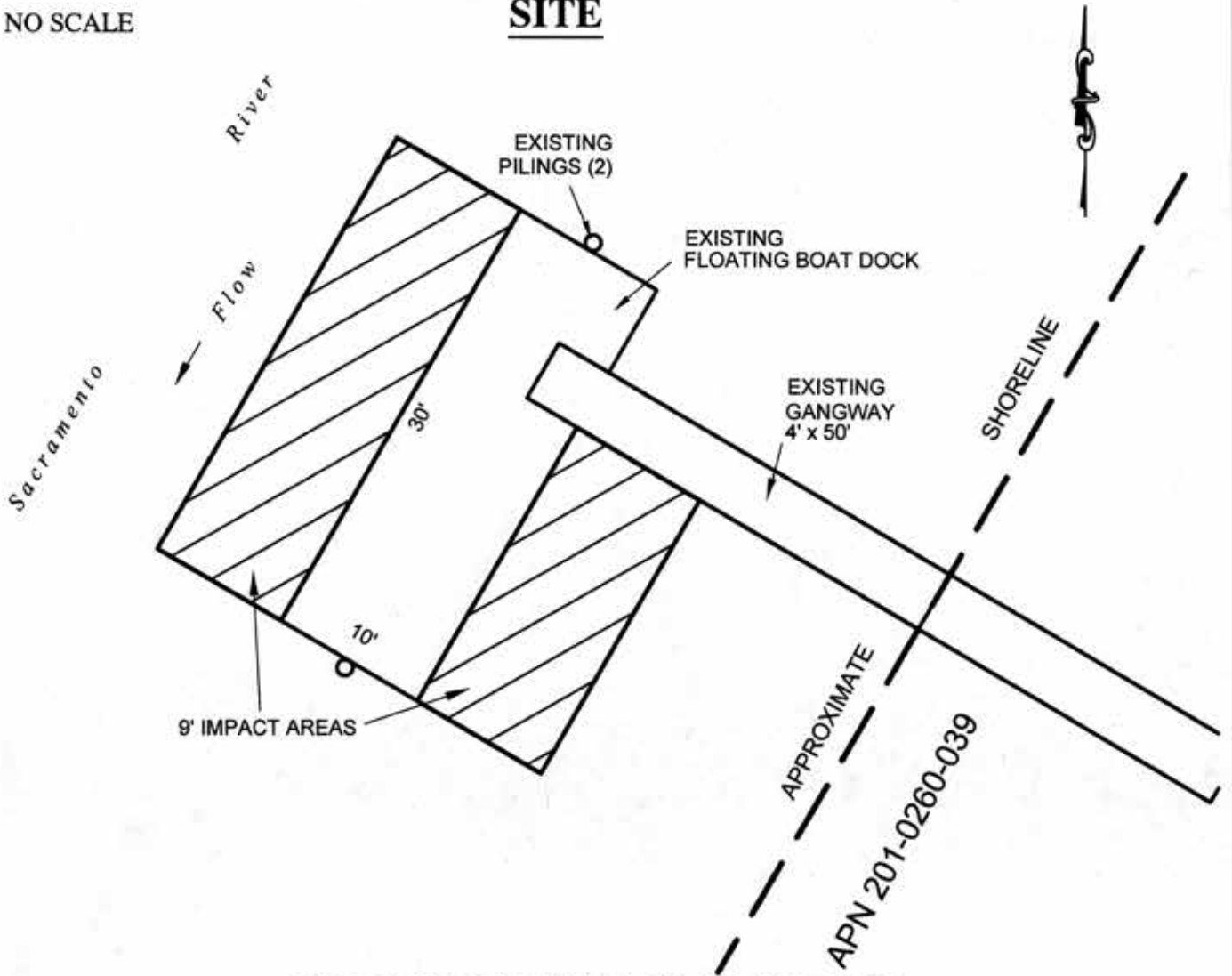
LAND DESCRIPTION PLAT
 PRC 8518.1, WALTZ
 SACRAMENTO COUNTY

CALIFORNIA STATE
 LANDS COMMISSION



NO SCALE

SITE



6991 GARDEN HWY., SACRAMENTO

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 8518.1

WALTZ

APN 201-0260-039

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.