

**CALENDAR ITEM
C41**

A 7
S 6

02/20/15
PRC 5645.1
V. Caldwell

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

APPLICANT:

Janice A. Ramos, as Trustee of the Janice A. Ramos Revocable Living Trust,
Dated May 28, 2009 and Janice A. Ramos

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the Sacramento River, adjacent to 3017 Garden Highway, near
the city of Sacramento, Sacramento County.

AUTHORIZED USE:

Continued use and maintenance of an existing uncovered floating boat dock
previously authorized by the Commission; and use and maintenance of a railing,
two steel pilings, gangway, and bank protection not previously authorized by the
Commission.

LEASE TERM:

10 years, beginning February 20, 2015.

CONSIDERATION:

**Uncovered Floating Boat Dock with Railing, Two Steel Pilings, and
Gangway:** \$125 per year, with an annual Consumer Price Index adjustment.

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 interests.

SPECIFIC LEASE PROVISIONS:

Liability insurance in an amount no less than \$1,000,000 per occurrence.

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.

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2. On April 13, 1999, the Commission authorized a Recreational Pier Lease to Theodore Bruns Revocable Living Trust Dated June 30, 1992, for an existing uncovered floating boat dock. The lease expired on March 27, 2009.
3. On February 23, 2010, an undivided one-half interest of the upland property was transferred to Janice A. Ramos, as Trustee of the Janice A. Ramos Revocable Living Trust, Dated May 28, 2009, and an undivided one-half interest to Theodora Graves. On June 4, 2010, Theodora Graves interest was transferred to Carl Theodore Ramos, whose interest was subsequently transferred on April 22, 2013, to Janice A. Ramos. All transfers were completed without Commission authorization.
4. The existing dock facilities, in their current configuration, have existed at this location in the Sacramento River since 2009, and were constructed prior to the Applicant's ownership of the upland. The Applicant is now applying for a General Lease – Recreational and Protective Structure Use. Staff recommends authorization of these facilities.
5. The bank protection will mutually benefit both the public and the Applicants. The bank of the Sacramento River will have additional protection for the river channel from wave action provided at no cost to the public.
6. 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.

7. 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

CALENDAR ITEM NO. **C41** (CONT'D)

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 Janice A. Ramos, as Trustee of the Janice A. Ramos Revocable Living Trust, Dated May 28, 2009 and Janice A. Ramos beginning February 20, 2015, for a term of 10 years, for the continued use and maintenance of an existing uncovered floating boat dock previously authorized by the Commission; and use and maintenance of a railing, two steel pilings, gangway, and bank protection not previously authorized by the Commission, as described on 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 floating boat dock with railing, two steel pilings, and gangway: \$125 per year with an annual Consumer Price Index adjustment; 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 interests; and liability insurance in an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 5645.1

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 284, certificate of purchase dated March 12, 1860, County of Sacramento, State of California and more particularly described as follows:

All those lands underlying uncovered floating boat dock with railing, gangway and two steel pilings lying adjacent to that parcel described in Quitclaim Deed, recorded April 22, 2013 in Book 20130422 at Page 1045 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 that parcel described in said Quitclaim Deed.

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 12/18/2014 by the California State Lands Commission Boundary Unit



SACRAMENTO RIVER

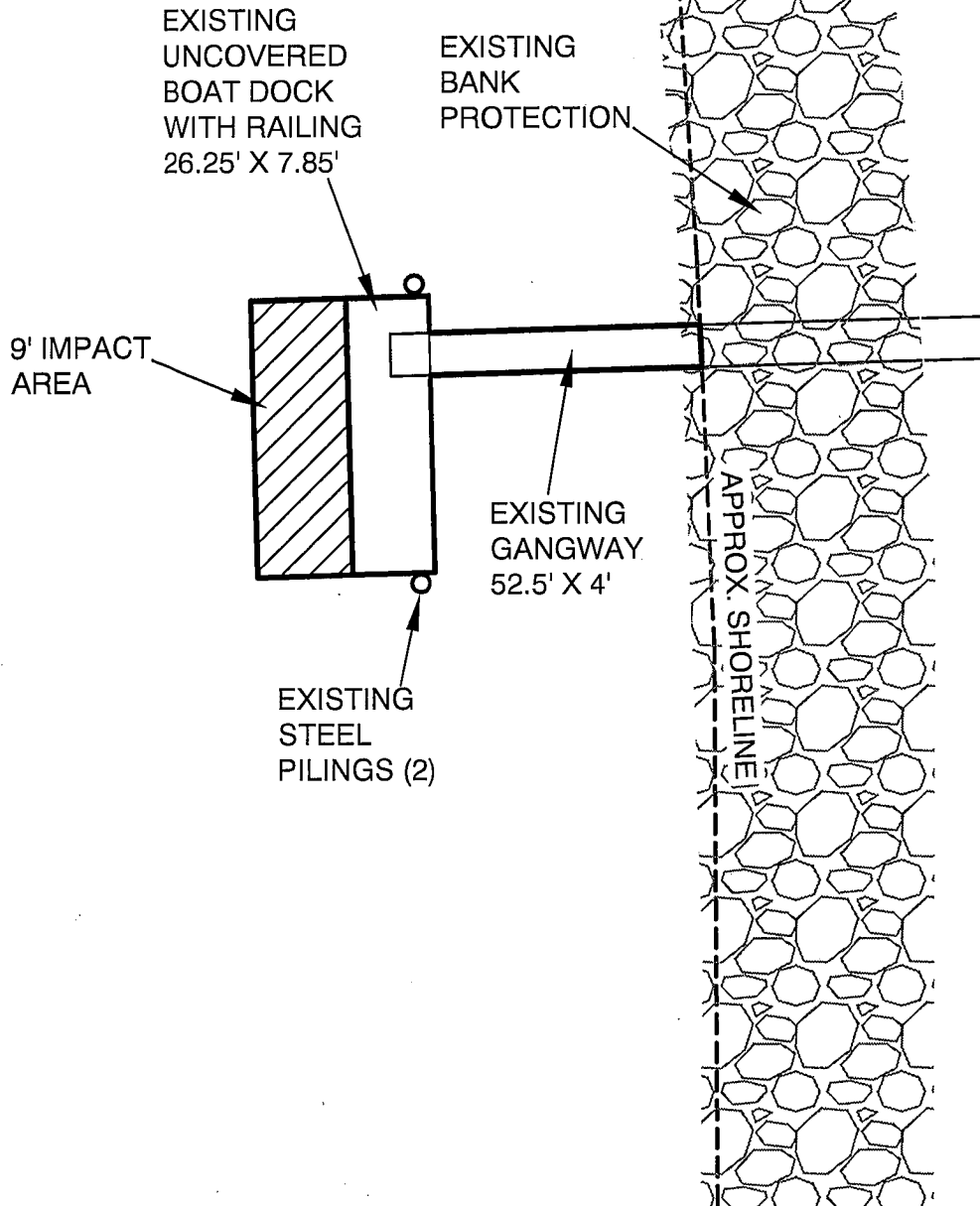


EXHIBIT A

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LAND DESCRIPTION PLAT
PRC 5645.1, RAMOS
SACRAMENTO COUNTY

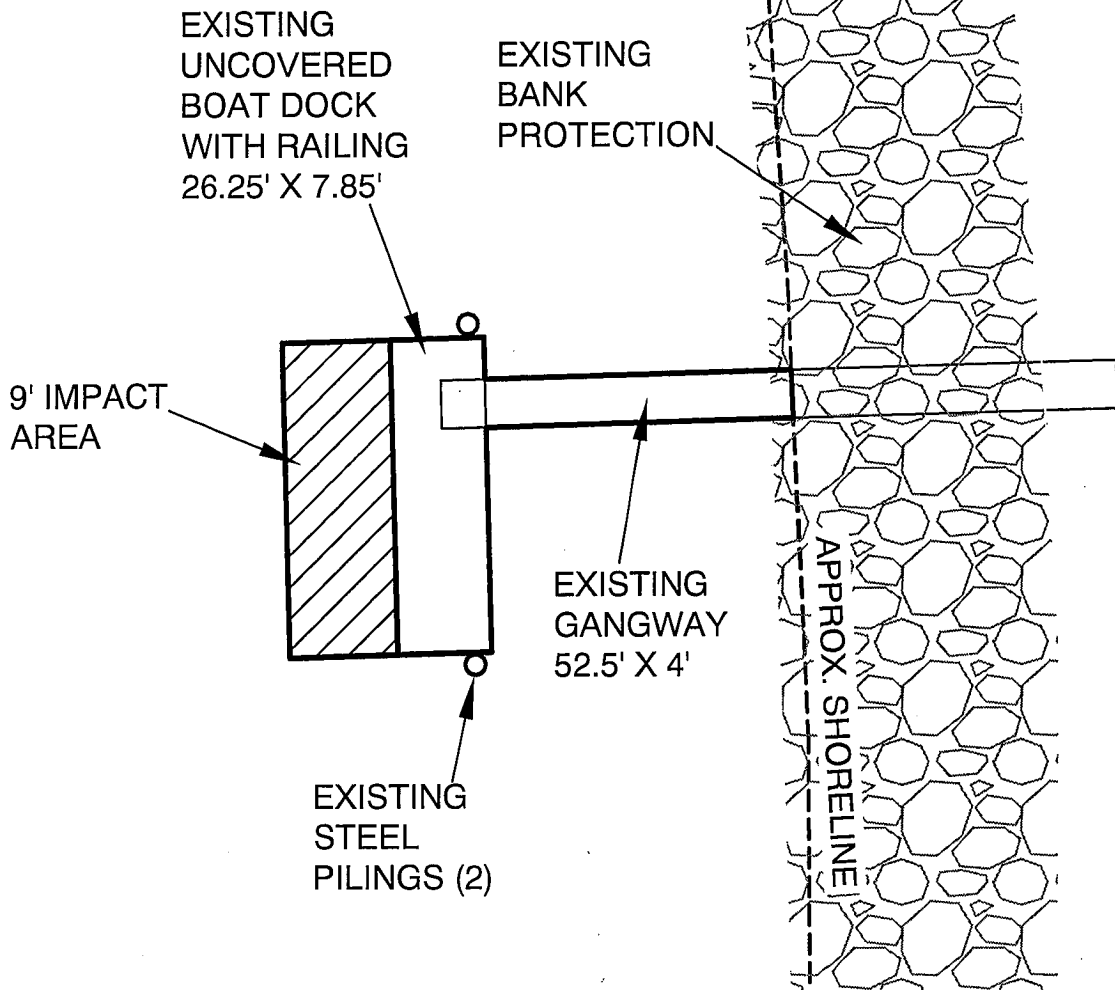
CALIFORNIA STATE
LANDS COMMISSION



NO SCALE

SITE

SACRAMENTO RIVER

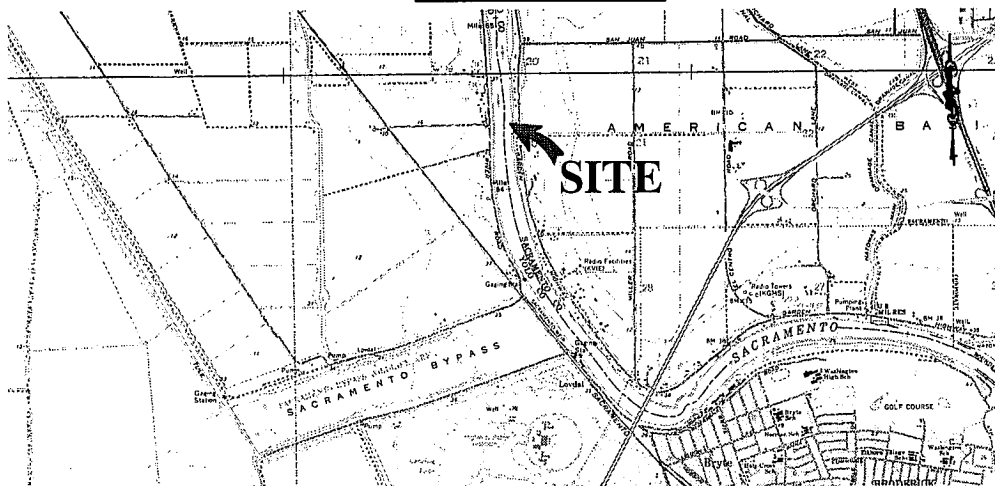


APN 225-0200-002

3017 GARDEN HIGHWAY, SACRAMENTO

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 5645.1
 RAMOS
 APN 225-0200-002
 GENERAL LEASE -
 RECREATIONAL AND
 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.

TS 12/18/14