

**CALENDAR ITEM  
C42**

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S 3

08/19/15  
PRC 8612.1  
G. Asimakopoulos

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

**APPLICANT:**

Michael D. Powell and Kirsten M. Powell, Trustees of the Powell Living Trust dated August 9, 2007

**AREA, LAND TYPE, AND LOCATION:**

Sovereign land located in Steamboat Slough, adjacent to 14811 Grand Island Road, on Grand Island, near Walnut Grove, Sacramento County.

**AUTHORIZED USE:**

Continued use and maintenance of an existing uncovered floating boat dock, metal gangway, three pilings, two unattached pilings, and bank protection.

**LEASE TERM:**

10 years, beginning June 1, 2015.

**CONSIDERATION:**

**Uncovered Floating Dock, Metal Gangway, Three Pilings, and Two Unattached Pilings:** \$157 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.
2. On June 20, 2005, the Commission authorized a 10-year General Lease - Protective Structure and Recreational Use with Roland Guy and Brenda J. Lazzaroni. That lease expired on May 31, 2015. On May 21, 2015, the upland property was transferred to Michael D. Powell and Kirsten M.

CALENDAR ITEM NO. **C42** (CONT'D)

Powell, Trustees of the Powell Living Trust dated August 9, 2007. The Applicant is now applying for a General Lease – Recreational and Protective Structure Use.

3. The bank protection will mutually benefit both the public and the Applicant. 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 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.

CALENDAR ITEM NO. **C42** (CONT'D)

**AUTHORIZATION:**

Authorize issuance of a General Lease – Recreational and Protective Structure Use to Michael D. Powell and Kirsten M. Powell, Trustees of the Powell Living Trust dated August 9, 2007, beginning June 1, 2015, for a term of 10 years, for the continued use and maintenance of an existing uncovered floating boat dock, metal gangway, three pilings, two unattached pilings, and bank protection, 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 uncovered floating boat dock, metal gangway, three pilings, and two unattached pilings: \$157 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 8612.1**

**LAND DESCRIPTION**

Three parcels of tide and submerged land situate in the bed of the Steamboat Slough, lying adjacent to Swamp and Overflowed Land Survey 499 patented June 3, 1869, County of Sacramento, State of California and more particularly described as follows:

**PARCEL 1 – DOCK**

All those lands underlying an existing uncovered floating boat dock, gangway and three pilings lying adjacent to that parcel described in Grant Deed, recorded May 21, 2015 in Book 20150521 at Page 1115 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 left bank of said slough.

**PARCELS 2 & 3 – UNATTACHED PILINGS**

All those lands underlying two existing unattached pilings lying adjacent to that parcel described in Grant Deed, recorded May 21, 2015 in Book 20150521 at Page 1115 in Official Records of said County.

Accompanying plat is hereby made part of this description.

**END OF DESCRIPTION**

Prepared 07/28/15 by the California State Lands Commission Boundary Unit



STEAMBOAT SLOUGH



EXISTING UNATTACHED PILINGS (2)

EXISTING UNCOVERED FLOATING BOAT DOCK 30' x 10'

9' IMPACT AREA

EXISTING GANGWAY 75' x 4'

APPROX SHORELINE

EXISTING BANK PROTECTION

EXISTING PILINGS (3)

9' IMPACT AREA

APN 142-0110-081

GRAND ISLAND RD.

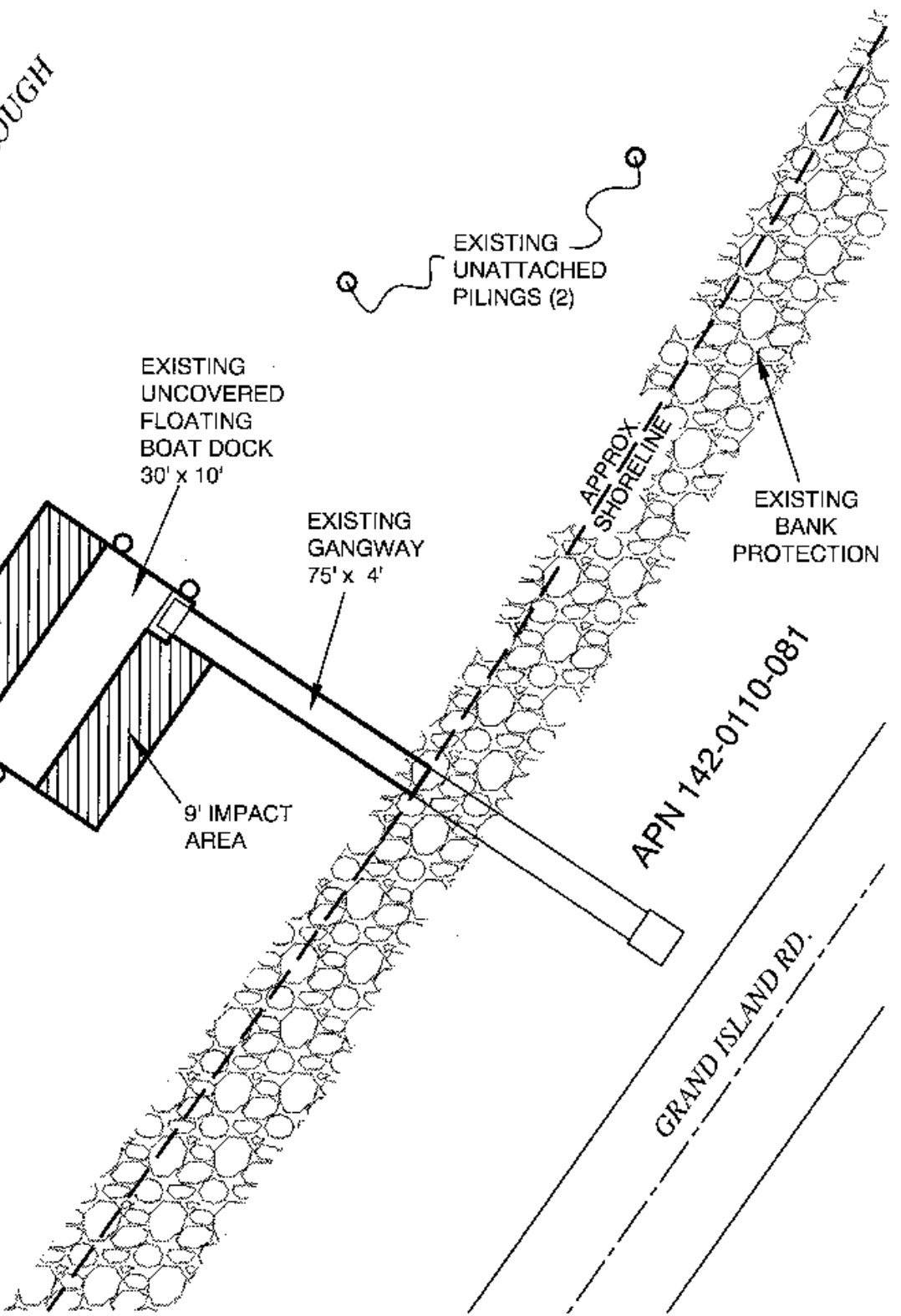


EXHIBIT A



NO SCALE

# SITE

STEAMBOAT SLOUGH

9' IMPACT AREA

EXISTING UNCOVERED FLOATING BOAT DOCK 30' x 10'

EXISTING GANGWAY 75' x 4'

EXISTING PILINGS (3)

9' IMPACT AREA

EXISTING UNATTACHED PILINGS (2)

APPROX SHORELINE

EXISTING BANK PROTECTION

APN 142-0110-081

GRAND ISLAND RD.

14811 GRAND ISLAND ROAD, GRAND ISLAND, NEAR WALNUT GROVE

NO SCALE

# LOCATION



MAP SOURCE: USGS QUAD

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.

# Exhibit B

PRC 8612.1  
 POWELL LIVING TRUST  
 APN 142-0110-081  
 GENERAL LEASE -  
 RECREATIONAL &  
 PROTECTIVE STRUCTURE USE  
 SACRAMENTO COUNTY



TS 07/28/15