

**CALENDAR ITEM
C49**

A 11

08/19/15

PRC 6936.1

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W. Hall

**ACCEPTANCE OF A QUITCLAIM DEED AND ISSUANCE
OF A GENERAL LEASE – RECREATIONAL AND PROTECTIVE STRUCTURE USE**

LESSEE:

Robert A. McCaskill

APPLICANT:

Preston Scott McCaskill

AREA, LAND TYPE, AND LOCATION:

Sovereign land located in Steamboat Slough, adjacent to 13890 Grand Island Road, near the city of Walnut Grove, Sacramento County.

AUTHORIZED USE:

Continued use and maintenance of an existing uncovered floating boat dock with boat lift, ramp, dolphin, two pilings, and bank protection.

LEASE TERM:

10 years, beginning August 19, 2015.

CONSIDERATION:

Uncovered Floating Boat Dock with Boat Lift, Ramp, Dolphin and Two Pilings: \$222 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 January 24, 2006, the Commission authorized a 10-year General Lease - Protective Structure and Recreational Use to Robert A. McCaskill. That lease is set to expire on January 23, 2016.

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3. On January 12, 2012, the upland was deeded to Preston Scott McCaskill. The Lessee recently executed a quitclaim deed releasing his interest in the existing lease with the State.
4. The Applicant is now applying for a General Lease – Recreational and Protective Structure Use. Staff recommends acceptance of the quitclaim deed and issuance of a new lease.
5. **Acceptance of a Quitclaim Deed:** The staff recommends that the Commission find that the subject acceptance of a quitclaim deed does not have a potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment, and is, therefore, not a project in accordance with the California Environmental Quality Act (CEQA).

Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, sections 15060, subdivision (c)(3), and 15378.

6. **Issuance of Lease:** The staff recommends that the Commission find that this activity is exempt from the requirements of CEQA as a categorically exempt project. For the existing facilities, 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. **C49** (CONT'D)

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Acceptance of a Quitclaim Deed: Find that the subject acceptance of a quitclaim deed is not subject to the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c)(3), because the subject activity is not a project as defined by Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.

Issuance of Lease: 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:

1. Authorize acceptance effective August 18, 2015, of a quitclaim deed for Lease No. PRC 6936.9, a General Lease – Recreational and Protective Structure Use, issued to Robert A. McCaskill.
2. Authorize issuance of a General Lease – Recreational and Protective Structure Use to Preston Scott McCaskill beginning August 19, 2015, for a term of 10 years, for the continued use and maintenance of an existing uncovered floating boat dock with boat lift, ramp, dolphin, two 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 with boat lift, ramp, dolphin, and two pilings: \$222 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 6936.1

LAND DESCRIPTION

A parcel of tide and submerged land situate in the bed of the Steamboat Slough, lying adjacent to Swamp and Overflowed Land Survey 494 patented February 28, 1871, County of Sacramento, State of California and more particularly described as follows:

All those lands underlying an existing uncovered floating boat dock with single-berth, boat lift, ramp, one two-pile dolphin and two pilings lying adjacent to that parcel described in Grant Deed, recorded January 12, 2012 in Book 20120112 at page 0464 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.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared 07/09/15 by the California State Lands Commission Boundary Unit



STEAMBOAT
SLOUGH

EXISTING
TWO-PILE
DOLPHIN

9' IMPACT
AREA

9' IMPACT
AREA

EXISTING
UNCOVERED
FLOATING
BOAT DOCK
WITH
SINGLE-BERTH

EXISTING
PILINGS (2)

EXISTING
BOAT LIFT

APN
142-0160-002

EXISTING
RAMP 3'x18'

EXISTING
BANK
PROTECTION

APN
142-0160-003

EXHIBIT A

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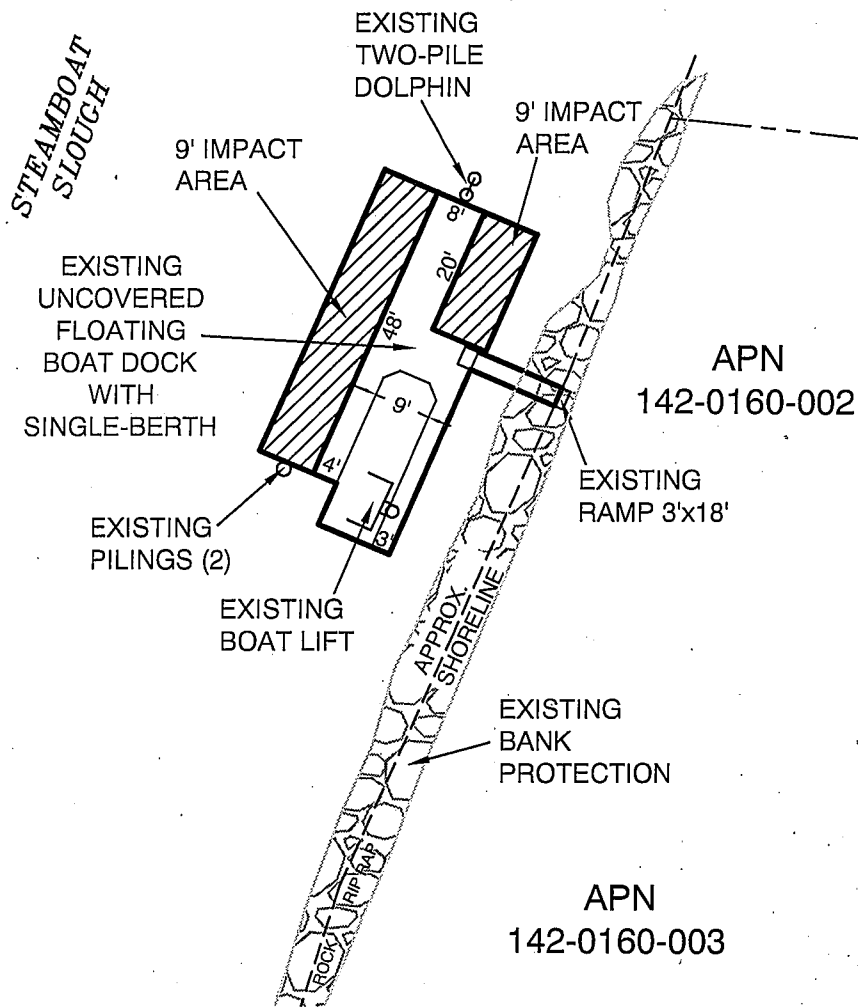
LAND DESCRIPTION PLAT
PRC 6936.1, MCCASKILL
SACRAMENTO COUNTY

CALIFORNIA STATE
LANDS COMMISSION



NO SCALE

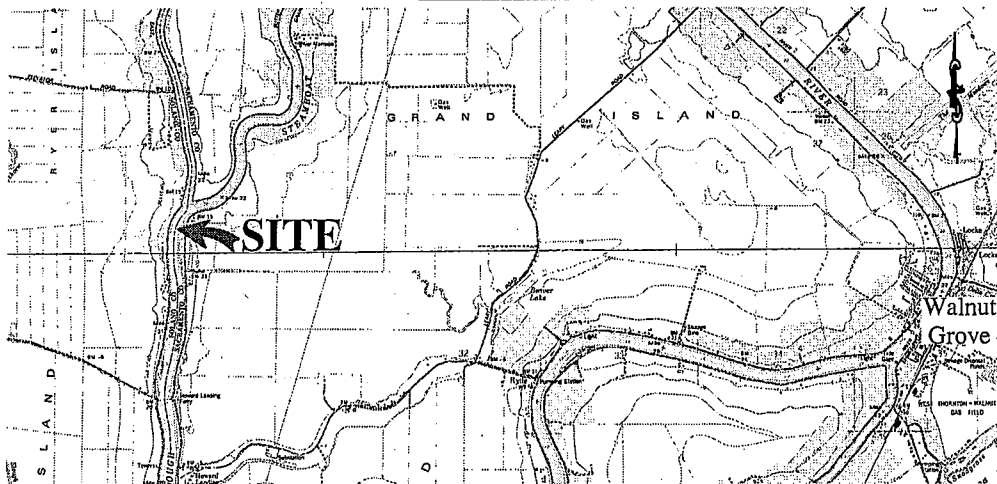
SITE



13890 GRAND ISLAND ROAD, NEAR WALNUT GROVE

NO SCALE

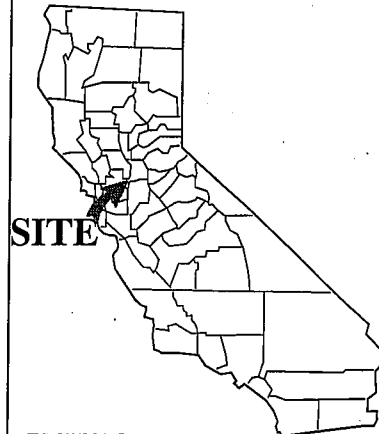
LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 6936.1
 MCCASKILL
 APN 142-0160-002 & 003
 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.