

**CALENDAR ITEM
C09**

A 8, 15
S 5, 14

10/27/11
WP 8384.1
R. Boggiano

GENERAL LEASE – RECREATIONAL USE

APPLICANT:

Hubert K. Griesbach

AREA, LAND TYPE, AND LOCATION:

0.04 acres, more or less, of sovereign land in the Sacramento River, adjacent to Assessor's Parcel Number 142-0098-013, near the town of Walnut Grove, Sacramento County.

AUTHORIZED USE:

Continued use and maintenance of an existing uncovered floating boat dock, ramp, and two pilings, as shown on the attached Exhibit A.

LEASE TERM:

10 years, beginning January 31, 2012.

CONSIDERATION:

\$283 per year, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

SPECIFIC LEASE PROVISIONS:

Liability insurance in the amount of no less than \$1,000,000.

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.
2. On April 9, 2002, the Commission authorized a 10-year General Lease – Recreational Use to Hubert K. Griesbach. That lease will expire on January 30, 2012. The Applicant is now applying for a new General Lease – Recreational Use.
3. The Applicant does not qualify for a Recreational Pier Lease because the upland property is not improved with a single-family dwelling.

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4. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Cal. Code Regs., tit. 14, §15061), the staff has determined that this activity is exempt from the requirements of CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; Title 2, California Code of Regulations, section 2905 (a)(2).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, 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. Site and Location Map
- B. Land Description

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is exempt from the requirements of CEQA pursuant to Title 14, California Code of Regulations, section 15061 as a categorically exempt project, Class 1, Existing Facilities; Title 2, California Code of Regulations, section 2905 (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:

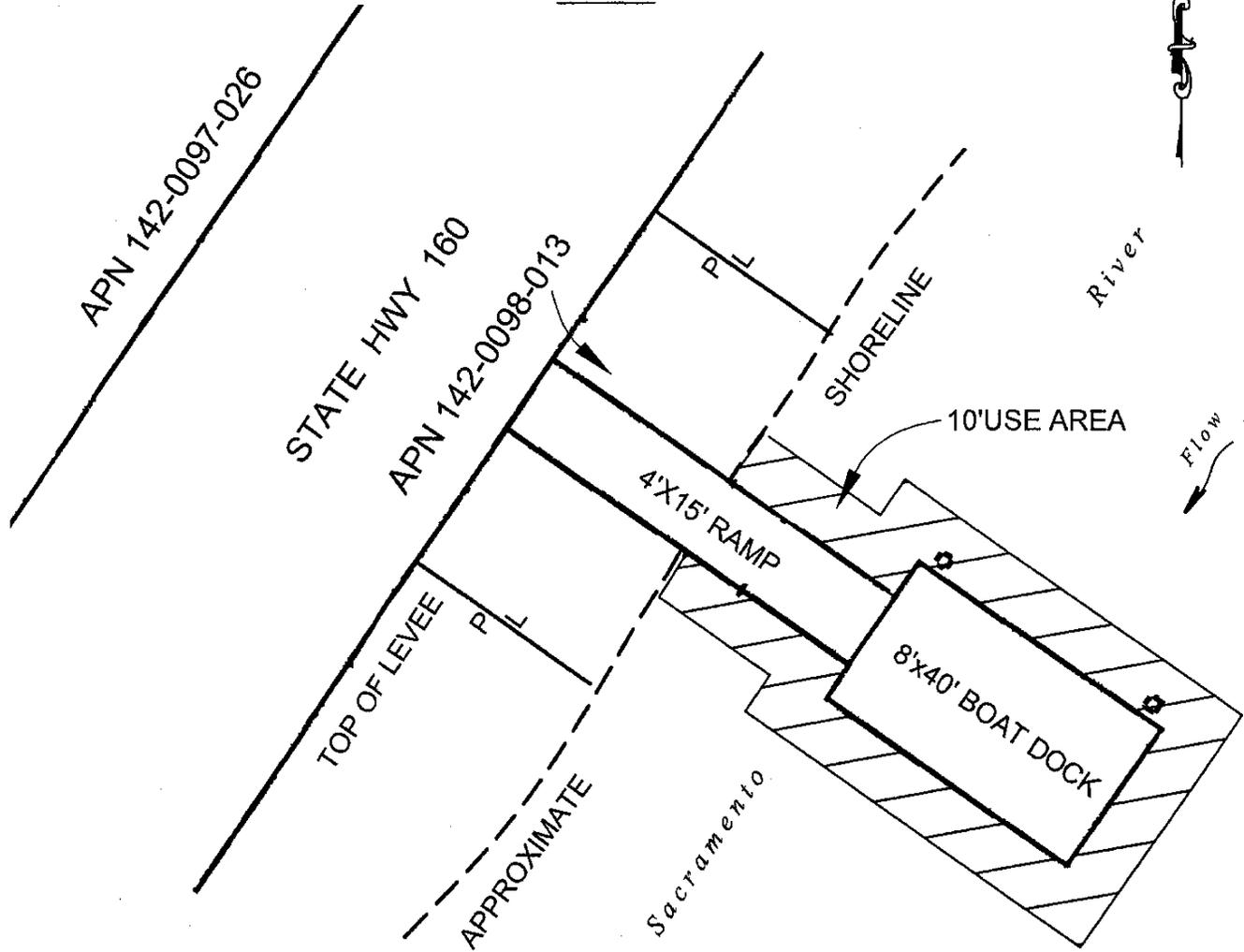
Authorize issuance of a General Lease – Recreational Use to Hubert K. Griesbach, beginning January 31, 2012, for a term of 10 years, for the continued use and maintenance of an existing uncovered floating boat dock, ramp, and two pilings, as shown on Exhibit A (for reference purposes only), and as described in Exhibit B attached and by this reference made a part hereof; annual rent in the amount of \$283, with the

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State reserving the right to fix a different rent periodically during the lease term, as provided in the lease; and liability insurance with coverage of no less than \$1,000,000.

NO SCALE

SITE



SACRAMENTO RIVER NEAR WALNUT GROVE

NO SCALE

LOCATION

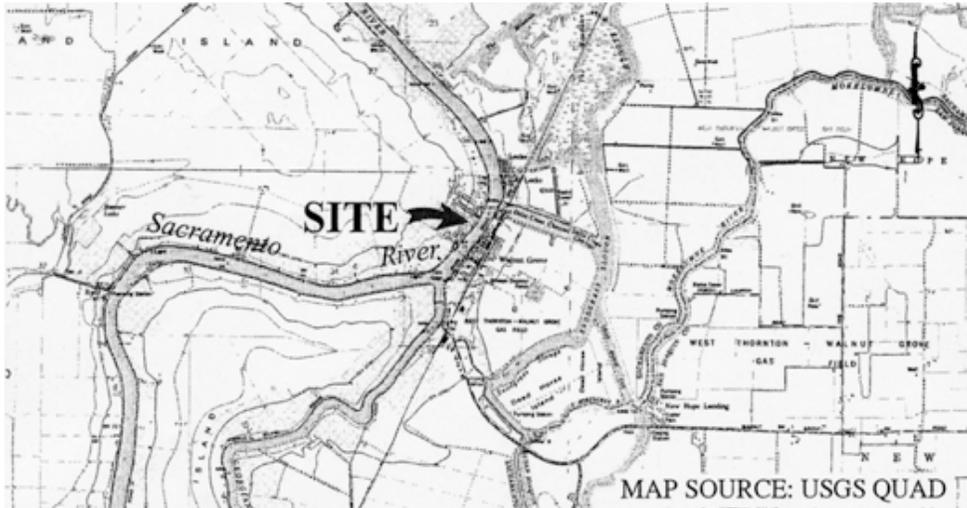


Exhibit A
 GRIESBACH
 PRC 8384.1
 GENERAL LEASE-
 RECREATIONAL USE
 APN 142-0097-026 &
 APN 142-0098-013
 SACRAMENTO COUNTY



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.

EXHIBIT B

PRC 8384.1

LAND DESCRIPTION

A parcel of tide and submerged land in the bed of the Sacramento River, situate adjacent to Lot 9 of Section 35, T5N, R4E, M.D.B.&M., as shown on that township plat approved June 18, 1859, Sacramento County, State of California, more particularly described as follows:

All those lands lying immediately beneath an existing pier, TOGETHER WITH the necessary use area extending 10 feet beyond its extremities, said pier being adjacent to and southeasterly of that land described in Grant Deed recorded September 24, 2001 in Book 20010924, Page 1092, Official Records of Sacramento County.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of the Sacramento River.

END OF DESCRIPTION

Prepared 08/29/2011 by the California State Lands Commission Boundary Unit

