

**CALENDAR ITEM  
C32**

A 15  
S 5

10/19/12  
PRC 5226.1  
N. Lavoie

**GENERAL LEASE – RECREATIONAL USE**

**APPLICANT:**

Ray W. Walker, Trustee of The Walker Living Trust

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

Sovereign land in the Sacramento River, adjacent to 14370 Highway 160, near Walnut Grove, Sacramento County.

**AUTHORIZED USE:**

Continued use and maintenance of an existing uncovered floating boat dock, ramp, and fixed pier.

**LEASE TERM:**

10 years, beginning December 1, 2012.

**CONSIDERATION:**

\$795 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:**

**Insurance:**

Liability insurance with coverage of no less than \$1,000,000.

**Surety:**

Surety bond or other security in the amount of \$5,000.

**OTHER PERTINENT INFORMATION:**

1. Applicant owns the upland adjoining the lease premises.
  
2. On February 27, 1998, the Commission authorized a 15-year General Lease – Commercial Use to M. Earl Maben, dba Tunnel Trailer Park, effective December 1, 1997. On February 21, 2003, the Commission authorized the assignment of the lease to Frances R. Maben, Trustee of the M. Earl and Frances R. Maben Marital Trust, under Declaration of Trust dated August 5, 1999, dba Tunnel Trailer Park. On November 21,

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2006 the Commission authorized the assignment of the lease to Ray W. Walker, Trustee of the Walker Living Trust, and the amendment of the lease to include the Commission's "Best Management Practices for Marina Owners/Operators." That lease will expire on November 30, 2012, and the Applicant is now applying for a new General Lease – Recreational Use.

3. The upland is used as a mobile home park known as Tunnel Trailer Park. The residents of the upland mobile home park have no access to the dock facilities. The Applicant, who owns the park, but does not live on the upland, utilizes the dock for his private recreational boating purposes and no longer for commercial use. The bank protection at this location is authorized under Lease No. PRC 7203.9.
4. The staff recommends that the Commission find that this activity is exempt from the requirements of 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).

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**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 Ray W. Walker, Trustee of The Walker Living Trust, beginning December 1, 2012, for a term of 10 years, for the continued use and maintenance of an existing uncovered floating boat dock, ramp, and fixed pier as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; annual rent in the amount of \$795 per year, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease; liability insurance in the amount of no less than \$1,000,000; and surety in the amount of \$5,000.

**EXHIBIT A**

**PRC 5226.1**

**LAND DESCRIPTION**

A parcel of tide and submerged land situate on the right bank of the Sacramento River, lying adjacent to Swamp Land Survey 313 patented August 12, 1872, Sacramento County, State of California, more particularly described as follows:

Bounded on the on the north by the easterly prolongation of the north line of that parcel as described in that Grant Deed recorded September 1, 2006 of Book 20060901 Page 1924 in Official Records of said County; Bounded on the south by the easterly prolongation of the south line of said parcel; Bounded on the west by the ordinary high water mark of the right bank of the Sacramento River; Bounded on the east by a line lying parallel with and 55 feet perpendicular to said ordinary high water mark.

Accompanying plat is hereby made part of this description.

**END OF DESCRIPTION**

Prepared October 3, 2012 by the California State Lands Commission Boundary Unit.



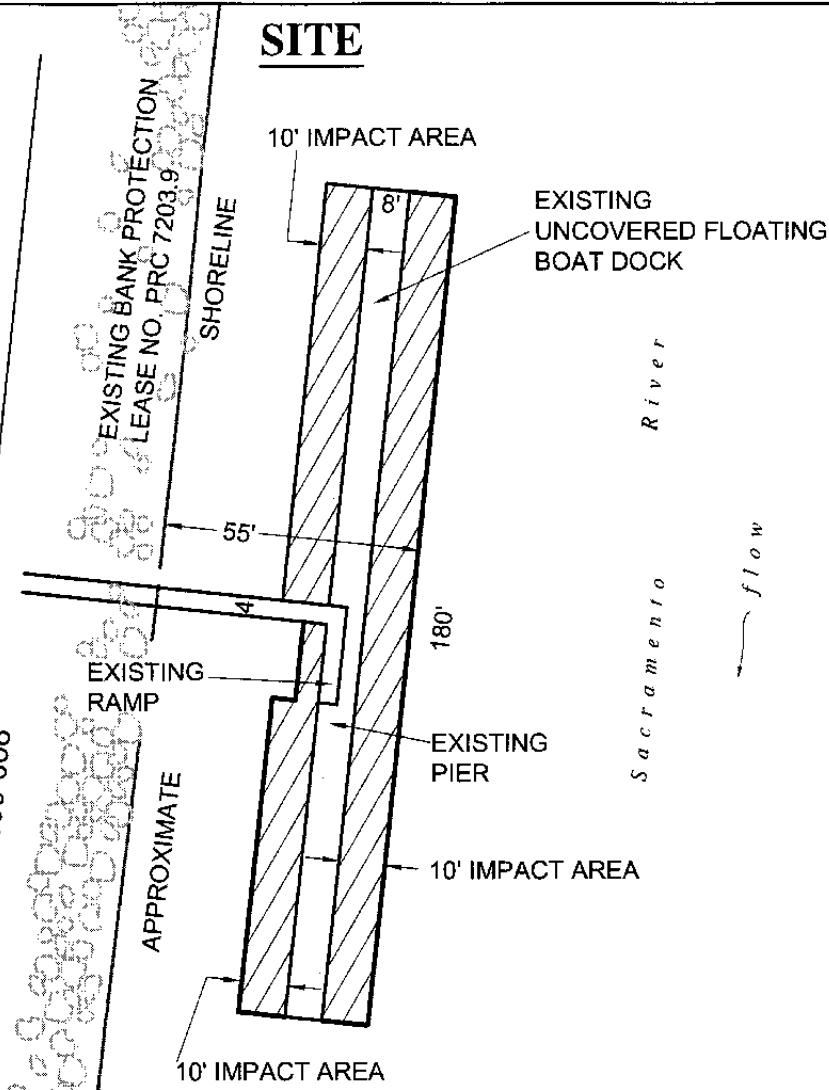
NO SCALE

APN 142-0100-033

HWY 160

APN 142-0100-068

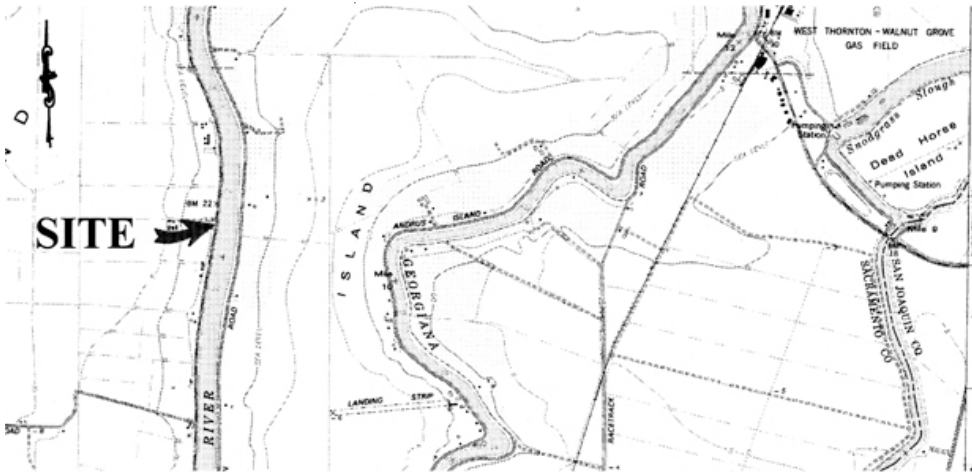
### SITE



14370 HIGHWAY 160, WALNUT GROVE

NO SCALE

### LOCATION



MAP SOURCE: USGS QUAD

### Exhibit B

PRC 5226.1  
 THE WALKER LIVING TRUST  
 APN 142-0100-033 & 068  
 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.