

This Calendar Item No. C30 was approved as Minute Item No. 30 by the California State Lands Commission by a vote of 2 to 0 at its 06/07/04 meeting.

CALENDAR ITEM  
**C30**

A 5  
S 6

PRC 6671

06/07/04  
WP 6671.9  
J. McComas

GENERAL LEASE –  
PROTECTIVE STRUCTURE AND RECREATIONAL USE

**APPLICANTS:**

Arthur J. Souza and Lucy M. Souza

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

Sovereign lands in the Sacramento River, adjacent to the Garden Highway, city of Sacramento, Sacramento County.

**AUTHORIZED USE:**

Continued use and maintenance of an existing boat dock, gangway and bank protection.

**LEASE TERM:**

Ten years, beginning June 1, 2004.

**CONSIDERATION:**

Floating boat dock and gangway – No monetary consideration pursuant to Public Resources Code section 6503.5.

Bank Protection – The public use and benefit, with the State reserving the right at any time to set a monetary rental if the Commission finds such action to be in the State's best interest.

**SPECIFIC LEASE PROVISIONS:**

Liability insurance in the amount of no less than \$300,000.

**OTHER PERTINENT INFORMATION:**

1. On April 6, 1994, the Commission authorized a General Lease – Protective Structure and Recreational Use to Arthur J. Souza and Lucy M. Souza. That lease expired on May 23, 2004. Arthur J. and Lucy M. Souza are now applying for a new General Lease – Protective Structure and Recreational Use. Applicants qualify for a Recreational Pier Lease

CALENDAR ITEM NO. C30 (CONT'D)

because they are natural persons who have improved the littoral land with, and use the upland for, a single-family dwelling.

2. The bank protection at this location provides additional protection to the public levee from wave action at no cost to the public.
3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the 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.

4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. 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 Plan
- B. Location Map

**PERMIT STREAMLINING ACT DEADLINE:**

N/A

**RECOMMENDED ACTION:**

IT IS RECOMMENDED THAT THE COMMISSION:

**CEQA FINDING:**

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT

CALENDAR ITEM NO. C30 (CONT'D)

PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905(a)(2).

**SIGNIFICANT LANDS INVENTORY FINDING:**

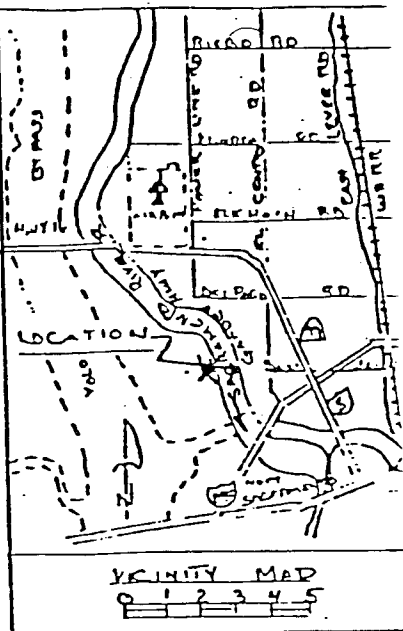
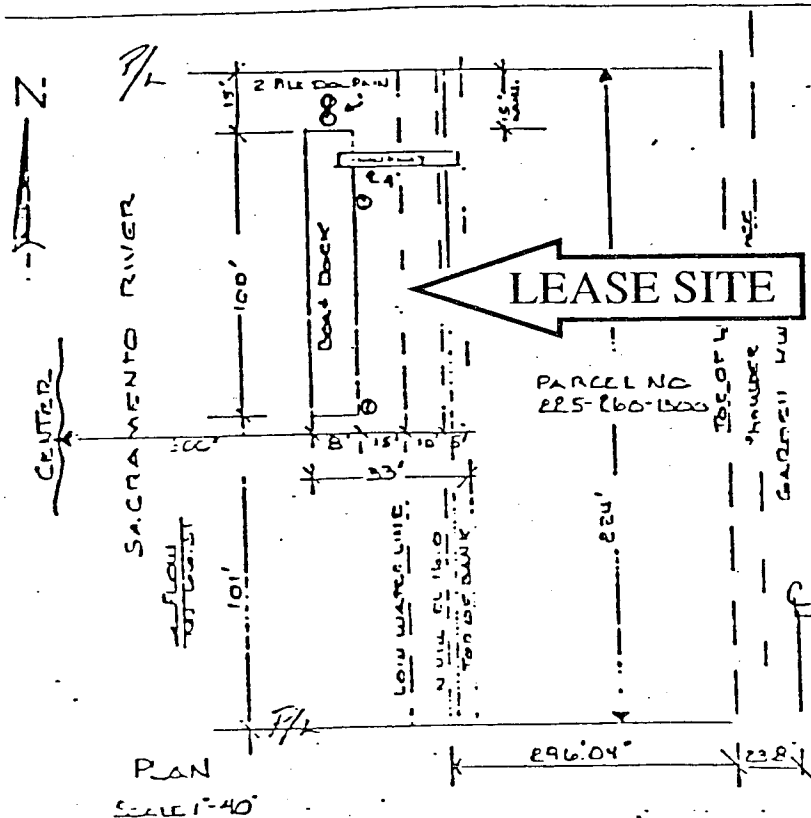
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

**AUTHORIZATION:**

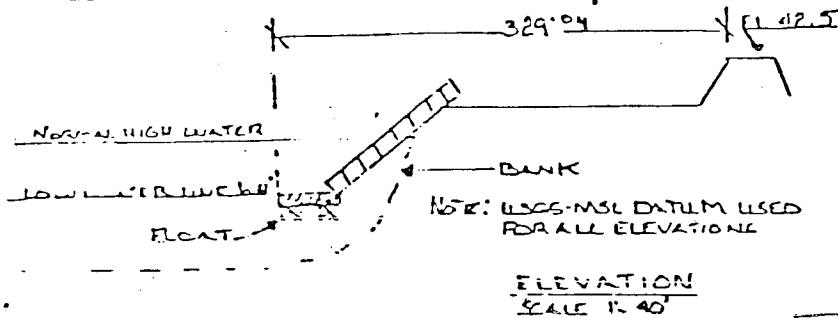
AUTHORIZE ISSUANCE TO ARTHUR J. SOUZA AND LUCY M. SOUZA OF A TEN-YEAR GENERAL LEASE – PROTECTIVE STRUCTURE AND RECREATIONAL USE, BEGINNING MAY 24, 2004, FOR CONTINUED USE AND MAINTENANCE OF AN EXISTING BOAT DOCK, GANGWAY AND BANK PROTECTION ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION: FLOATING BOAT DOCK AND GANGWAY: NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 6503.5; BANK PROTECTION: THE PUBLIC USE AND BENEFIT, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENTAL IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; LIABILITY INSURANCE IN THE AMOUNT OF NO LESS THAN \$300,000.

Area to be leased lies directly beneath dock and walkway, plus a necessary use area 10 feet in width around the entire dock and walkway. Excepting therefrom any portion lying above the ordinary high water mark.

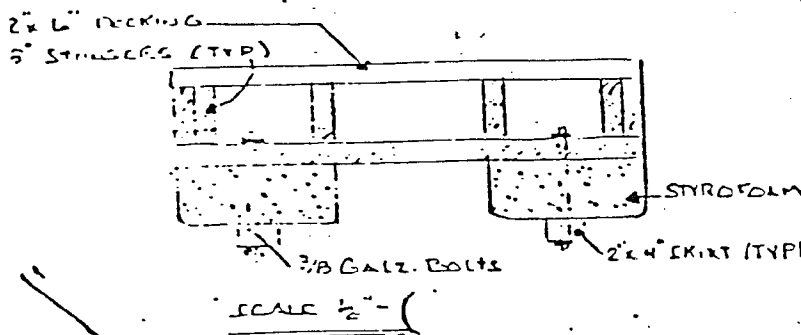
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PJO TIERRA SLD. DV.  
P/L N 225-260-1300



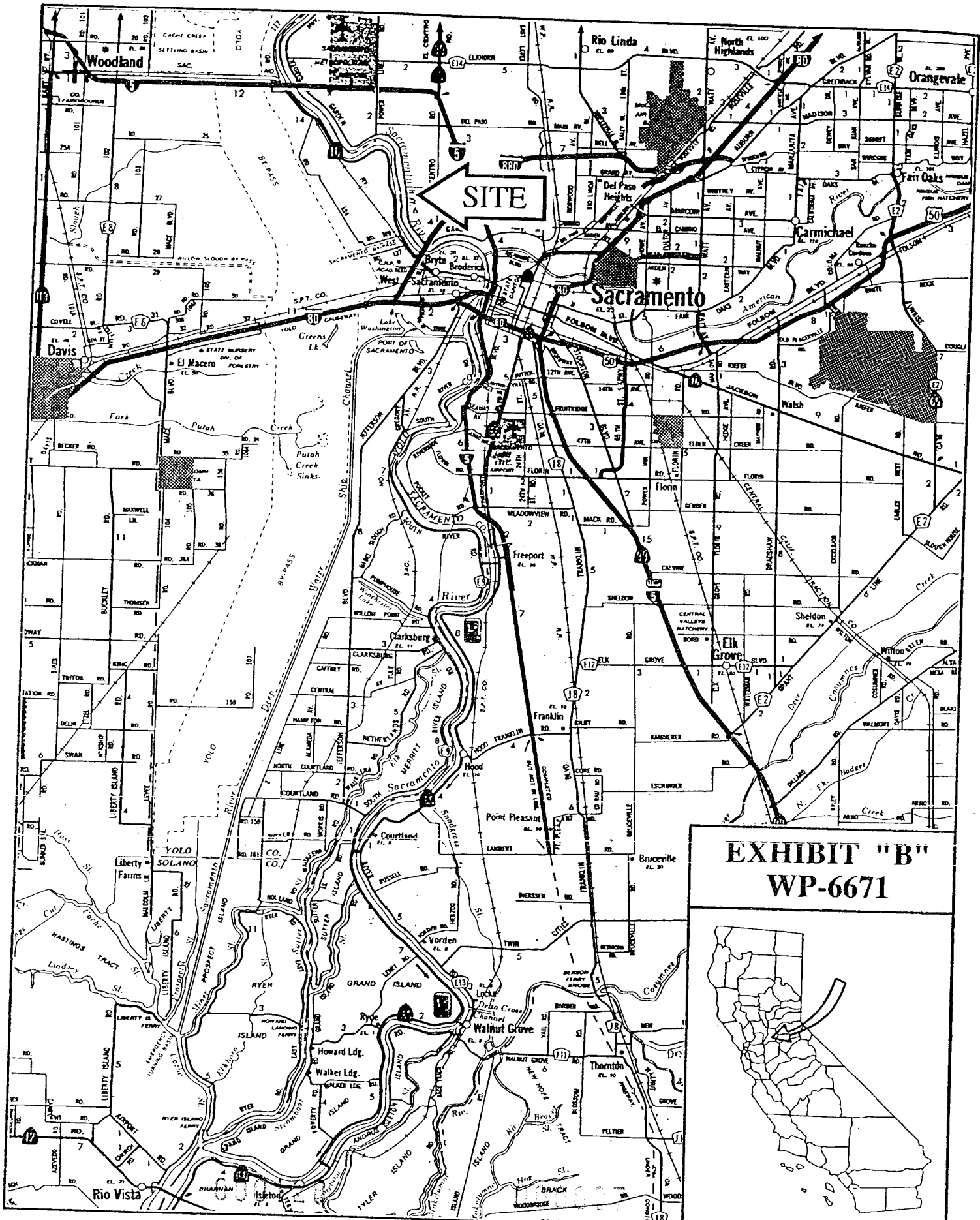
TOP OF PILING TO BE 3' MIN  
ABOVE FLOOD PLAIN EL.



**PROPOSED FLOAT**  
**LOCATION:** 225-260-1300  
 SACRAMENTO, CALIF  
**APPLICATION BY:**  
 ARTHUR LUIZ SOUZA  
 3333 GARDEN HWY  
 SACRAMENTO, CALIF.  
 95834  
**DATE:** 3-10-84  
**SHEET:** 1 OF 1

This exhibit is solely for purposes of generally defining the lease premises, 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 "A"**  
**WP-6671**



**SITE**

**EXHIBIT "B"**  
**WP-6671**



CALENDAR PAGE

MINUTE PAGE