

**CALENDAR ITEM  
C04**

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04/06/11  
WP 7224.9  
V. Caldwell

**RECREATIONAL PIER LEASE**

**APPLICANTS:**

Jerome Mix and Cynthia J. Mix, Trustees of the Jerome and Cynthia Mix 1993 Family Trust Dated October 7, 1993

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

Sovereign land in the Sacramento River, adjacent to 6333 Garden Highway, Sacramento County.

**AUTHORIZED USE:**

Continued use and maintenance of an existing uncovered single-berth floating boat dock with galvanized cables, stairs, and ramp as shown on the attached Exhibit A.

**LEASE TERM:**

10 years, beginning June 3, 2010.

**CONSIDERATION:**

No monetary consideration pursuant to Public Resources Code section 6503.5.

**SPECIFIC LEASE PROVISIONS:**

Liability insurance in the amount of no less than \$500,000.

**OTHER PERTINENT INFORMATION:**

1. The Applicant owns the uplands adjoining the lease premises.
2. On June 19, 1998, the Commission authorized a Recreational Pier Lease to Karl Douglas Cummings. That lease expired on July 25, 2008. On September 12, 2007, the property transferred to Tom E. Langeland. Staff made several attempts to get the new owner under lease, but was unsuccessful. Subsequently, on June 3, 2010, the property transferred to Jerry Mix aka Jerome Mix, who then placed the property into the Jerome Mix and Cynthia J. Mix, Trustees of the Jerome and Cynthia Mix 1993

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Family Trust Dated October 7, 1993. The Applicants are now applying for a new Recreational Pier Lease.

3. The Applicants qualify for a Recreational Pier Lease because the Applicants are natural persons who own the littoral land that is improved with a single-family dwelling.
4. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), staff has determined 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 sections 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.

**EXHIBIT:**

- A. 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 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 sections 6370, et seq.

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**AUTHORIZATION:**

Authorize issuance of a 10-year Recreational Pier Lease to Jerome Mix and Cynthia J. Mix, Trustees of the Jerome and Cynthia Mix 1993 Family Trust Dated October 7, 1993, beginning June 3, 2010, for the continued use and maintenance of an existing uncovered single-berth floating boat dock with galvanized cables, stairs, and ramp as shown on Exhibit A attached and by this reference made a part hereof; no monetary consideration pursuant to Public Resources Code section 6503.5; and liability insurance in the amount of no less than \$500,000.