

**CALENDAR ITEM
C13**

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04/23/14

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PRC 6036.1

N. Lavoie

GENERAL LEASE – RECREATIONAL USE

APPLICANTS:

John Longeval Lewallen and Diana M. Lewallen, Trustees of the John and Diana Lewallen Trust

AREA, LAND TYPE, AND LOCATION:

Sovereign land located in the Sacramento River, adjacent to 13800 River Road, near Walnut Grove, Sacramento County.

AUTHORIZED USE:

Continued use and maintenance of an existing uncovered floating boat dock, ramp, and two pilings.

LEASE TERM:

10 years, beginning April 23, 2014.

CONSIDERATION:

\$80 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 an amount no less than \$1,000,000 per occurrence.

OTHER PERTINENT INFORMATION:

1. Applicants own the upland adjoining the lease premises.
2. On September 17, 2001, the Commission authorized a 10-year Recreational Pier Lease to John L. Lewallen and Diana D. Lewallen. That lease expired on July 22, 2011. In 1998, the Lewallens transferred their upland ownership into a trust. The Applicants are now applying for a new General Lease – Recreational Use.

CALENDAR ITEM NO. **C13** (CONT'D)

3. The dock facilities were removed in 2009 at the request of the local reclamation district for the placement of additional rock levee protection. The dock facilities were recently put back into place.
4. The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (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).

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.

CALENDAR ITEM NO. C13 (CONT'D)

AUTHORIZATION:

Authorize issuance of a General Lease – Recreational Use to John Longeval Lewallen and Diana M. Lewallen, Trustees of the John and Diana Lewallen Trust, beginning April 23, 2014, for a term of 10 years, for the continued use and maintenance of an existing uncovered floating boat dock, ramp, and two pilings 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 \$80, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease; liability insurance in an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 6036.1

LAND DESCRIPTION

A parcel of tide and submerged land situate in the bed of the Sacramento River, lying adjacent to Swamp and Overflowed Land Survey 305 patented November 24, 1871, County of Sacramento, State of California and more particularly described as follows:

All those lands underlying an existing uncovered floating boat dock, ramp and two pilings lying adjacent to that parcel described in Grant Deed, recorded December 31, 1998 in Document No. 199812311588 in Official Records of said County.

TOGETHER WITH any applicable Impact Area(s).

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of the right bank of said river.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared 02/06/14 by the California State Lands Commission Boundary Unit





SACRAMENTO RIVER

APPROX SHORELINE

EXISTING PILINGS (2)

9' IMPACT AREA

EXISTING UNCOVERED FLOATING BOAT DOCK 10' X 20'

EXISTING RAMP 3' X 38'

APN 142-0080-002

HIGHWAY 160 (RIVER ROAD)

EXHIBIT A

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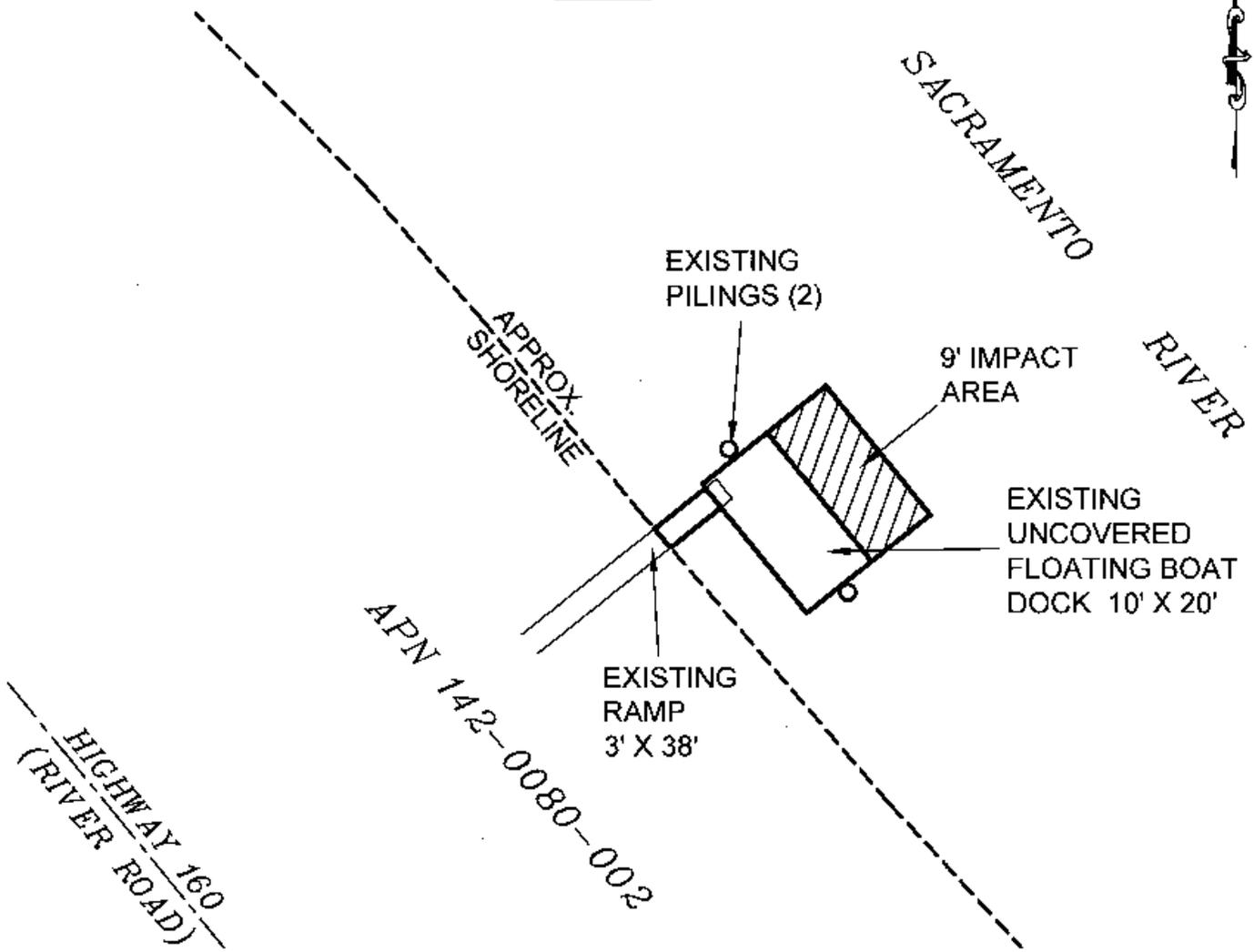
LAND DESCRIPTION PLAT
PRC 6036.1 LEWALLEN TRUST
SACRAMENTO COUNTY

CALIFORNIA STATE
LANDS COMMISSION



NO SCALE

SITE



13800 RIVER ROAD, WALNUT GROVE

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B
 PRC 6036.1
 LEWALLEN TRUST
 APN 142-0080-002
 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.