

**CALENDAR ITEM  
C29**

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S 6

06/19/14  
PRC 6671.1  
J. Sampson

**GENERAL LEASE – RECREATIONAL AND PROTECTIVE STRUCTURE USE**

**APPLICANT:**

Lucy M. Souza, Trustee of The Arthur J. And Lucy M. Souza Trust Dated December 18, 2007

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

Sovereign land located in the Sacramento River, adjacent to 3333 Garden Highway, near the city of Sacramento, Sacramento County.

**AUTHORIZED USE:**

Continued use and maintenance of an existing floating boat dock, two-pile dolphin, piling, and bank protection.

**LEASE TERM:**

10 years, beginning May 24, 2014.

**CONSIDERATION:**

**Floating boat dock, two-pile dolphin, and piling:** \$136 per year, with the State reserving the right to set a different rent periodically during the lease term, as provided in the lease.

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

**SPECIFIC LEASE PROVISIONS:**

Liability insurance in an amount no less than \$1,000,000 per occurrence.

**OTHER PERTINENT INFORMATION:**

1. Applicant owns the upland adjoining the lease premises.
2. On June 7, 2004, the Commission authorized issuance of a General Lease – Recreational and Protective Structure Use to Arthur J. Souza and Lucy M. Souza. That lease expired May 23, 2014. Arthur J. Souza is now

CALENDAR ITEM NO. **C29** (CONT'D)

deceased and the upland property has since been deeded to Lucy M. Souza, Trustee of the Arthur J. and Lucy M. Souza Trust Dated December 18, 2007. The Applicant is now applying for a General Lease – Recreational and Protective Structure Use.

3. The prior lease authorized a gangway to the floating boat dock. However, for safety reasons, the gangway has been removed and the Applicant has no immediate plans for replacement. Staff recommends issuance of a new lease for the existing dock, dolphin, piling, and bank protection.
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).

CALENDAR ITEM NO. **C29** (CONT'D)

**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 and Protective Structure Use to Lucy M. Souza, Trustee of the Arthur J. and Lucy M. Souza Trust Dated December 18, 2007, beginning May 24, 2014, for a term of 10 years, for continued use and maintenance of an existing floating boat dock, two-pile dolphin, piling, and bank protection as described on Exhibit A and shown on Exhibit B (for reference purposes only), attached and by this reference made a part hereof; consideration for the floating boat dock, two-pile dolphin, and piling: annual rent in the amount of \$136, with the State reserving the right to set a different rent periodically during the lease term, as provided in the lease; consideration for the bank protection: the public use and benefit with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interest; liability insurance in an amount no less than \$1,000,000 per occurrence.

**EXHIBIT A**

**PRC 6671.1**

**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 178, patented June 10, 1869, County of Sacramento, State of California and more particularly described as follows:

All those lands underlying an existing floating dock, two-pile dolphin, wood piling lying adjacent to that parcel described in Trust Transfer Grant Deed, recorded December 24, 2007 in Book 20071224 at Page 1588 in Official Records of said County.

TOGETHER WITH any applicable Impact Area(s).

ALSO TOGETHER WITH that land lying immediately beneath any bank protection structure adjacent to said parcel.

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

Accompanying plat is hereby made part of this description.

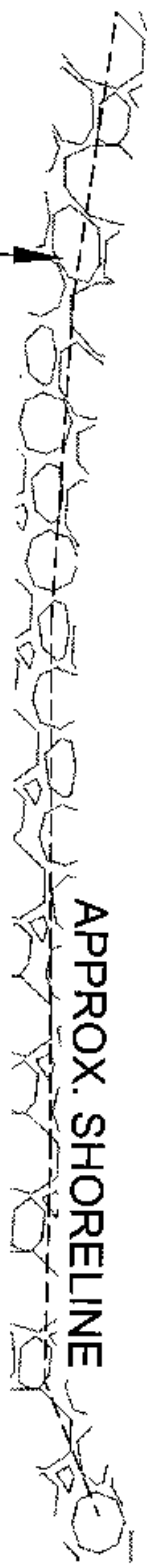
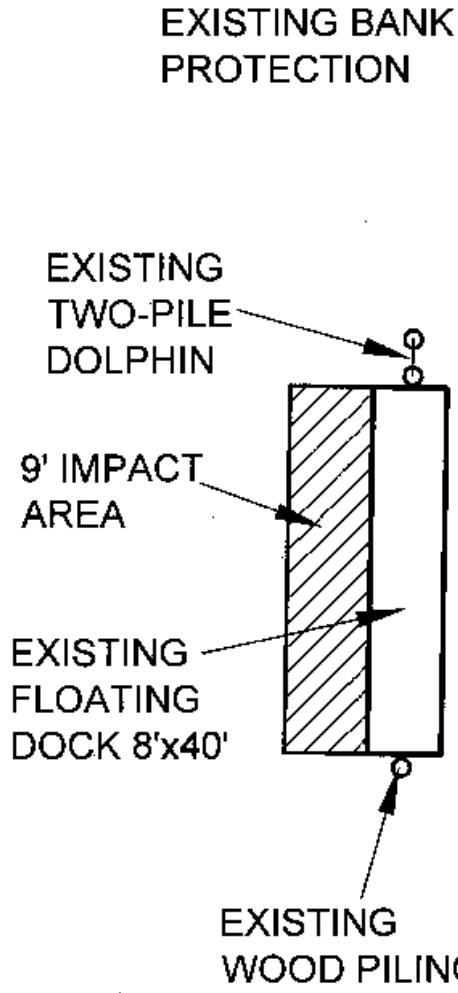
**END OF DESCRIPTION**

Prepared 04/17/14 by the California State Lands Commission Boundary Unit





SACRAMENTO RIVER



APN 225-0260-013

### EXHIBIT A

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LAND DESCRIPTION PLAT  
 PRC 6671.1, SOUZA  
 SACRAMENTO COUNTY

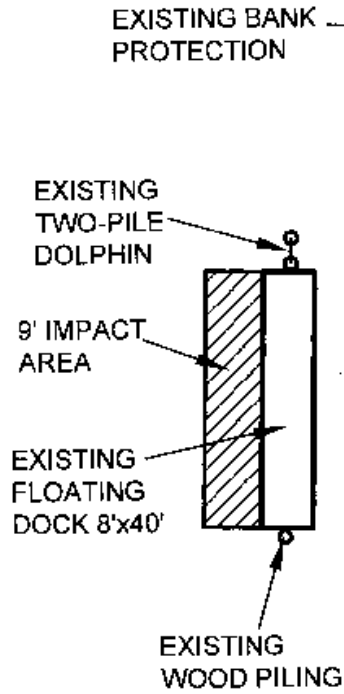
CALIFORNIA STATE  
 LANDS COMMISSION



NO SCALE

# SITE

SACRAMENTO RIVER



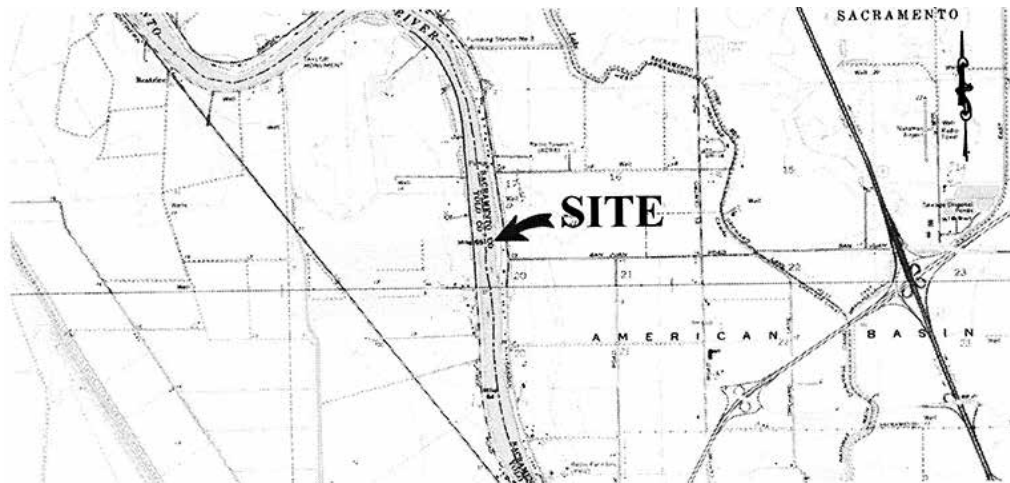
APN 225-0260-013

APPROX. SHORELINE

3333 GARDEN HIGHWAY, SACRAMENTO

NO SCALE

# LOCATION



MAP SOURCE: USGS QUAD

# Exhibit B

PRC 6671.1  
 SOUZA  
 APN 225-0260-013  
 GENERAL LEASE-  
 RECREATIONAL &  
 PROTECTIVE STRUCTURE USE  
 SACRAMENTO COUNTY



ES 04/17/14

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.