

**CALENDAR ITEM
C01**

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S 4

02/20/15
PRC 8750.1
G. Asimakopoulos

**TERMINATION OF A GENERAL LEASE – RECREATIONAL AND
PROTECTIVE STRUCTURE USE AND ISSUANCE OF A GENERAL
LEASE – RECREATIONAL AND PROTECTIVE STRUCTURE USE**

LESSEE:

Stephen M. Strunk and Johanna Jordan

APPLICANT:

Monica Pedrazzini

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the Sacramento River, adjacent to 10800 Garden Highway, near the city of Sacramento, Sutter County.

AUTHORIZED USE:

Continued use and maintenance of an existing uncovered floating boat dock, ramp, wood piling, two-pile wooden dolphin, and bank protection previously authorized by the Commission, and a pump with electric and water conduits not previously authorized by the Commission.

LEASE TERM:

10 years, beginning March 7, 2014.

CONSIDERATION:

Uncovered Floating Boat Dock, Ramp, Wood Piling, Two-Pile Wooden Dolphin, and Pump with Electric and Water Conduits: \$209 per year, with an annual Consumer Price Index adjustment.

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 to be in the State's best interests.

SPECIFIC LEASE PROVISIONS:

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

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OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.
2. On June 28, 2007, the Commission authorized a General Lease – Recreational and Protective Structure Use with Stephen M. Strunk and Johanna Jordan. That lease will expire on June 27, 2017. On March 7, 2014, the upland was deeded to Monica Pedrazzini. The Applicant is now applying for a new General Lease – Recreational and Protective Structure Use. Staff is recommending termination of the existing lease because the Lessee cannot be located for execution of a lease quitclaim deed.
3. The pump with electric and water conduits are used to irrigate the upland and have been on the dock facilities for many years, but were not previously authorized by the Commission. Staff recommends bringing the existing pump with electric and water conduits under lease.
4. The bank protection will mutually benefit both the public and the Applicant. The bank of the Sacramento River will have additional protection for the river channel from wave action provided at no cost to the public.
5. **Lease Termination:** The staff recommends that the Commission find that the subject lease termination does not have a potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment, and is, therefore, not a project in accordance with the California Environmental Quality Act (CEQA).

Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, sections 15060, subdivision (c)(3), and 15378.

6. **Issuance of New Lease:** 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).
7. Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.
8. 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

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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:

Lease Termination: Find that the subject lease termination is not subject to the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c)(3), because the subject activity is not a project as defined by Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.

Issuance of New Lease: 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.

AUTHORIZATION:

1. Authorize termination effective March 6, 2014, of Lease No. PRC 8750.9, a General Lease – Recreational and Protective Structure Use, to Stephen M. Strunk and Johanna Jordan.
2. Authorize issuance of a General Lease – Recreational and Protective Structure Use to Monica Pedrazzini beginning March 7, 2014, for a term of 10 years, for the continued use and maintenance of an existing uncovered floating boat dock, ramp, wood piling, two-pile wooden dolphin, and bank protection previously authorized by the Commission, and a pump with electric and water conduits not previously authorized by the Commission, as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; consideration for the existing uncovered floating boat dock, ramp,

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wood piling, two-pile wooden dolphin, and pump with electric and water conduits: \$209 per year with an annual Consumer Price Index adjustment; 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 interests; and liability insurance in an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 8750.1

LAND DESCRIPTION

A parcel of tide and submerged land situate in the bed of the Sacramento River, lying adjacent to Lot 2, Section 36, Township 11 North, Range 3 East, MDM as shown on the Official Township Plat, approved August 5th 1870, County of Sutter, State of California and more particularly described as follows:

All those lands underlying an existing uncovered floating boat dock, ramp, 2-pile dolphin, 1 piling and appurtenant structures lying adjacent to the right bank of said river and being adjacent to that parcel as described in Grant Deed, recorded March 7th, 2014 in Document Number 2014-0002590 in Official Records of said County.

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

TOGETHER WITH any applicable impact area(s).

ALSO TOGETHER WITH those lands underlying any existing bank protective structure.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

PREPARED 1/27/15 BY THE CALIFORNIA STATE LANDS COMMISSION BOUNDARY UNIT



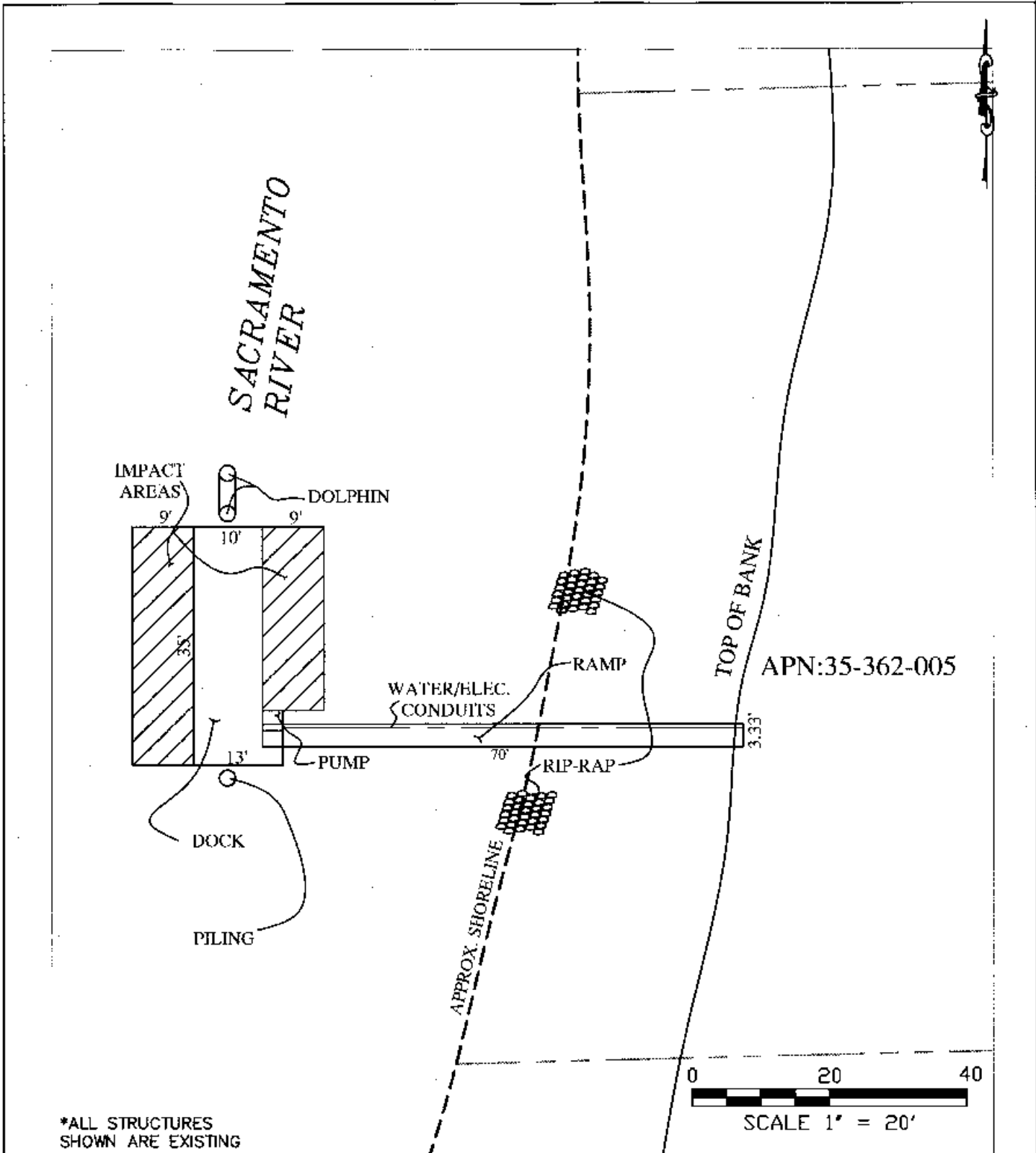


EXHIBIT A

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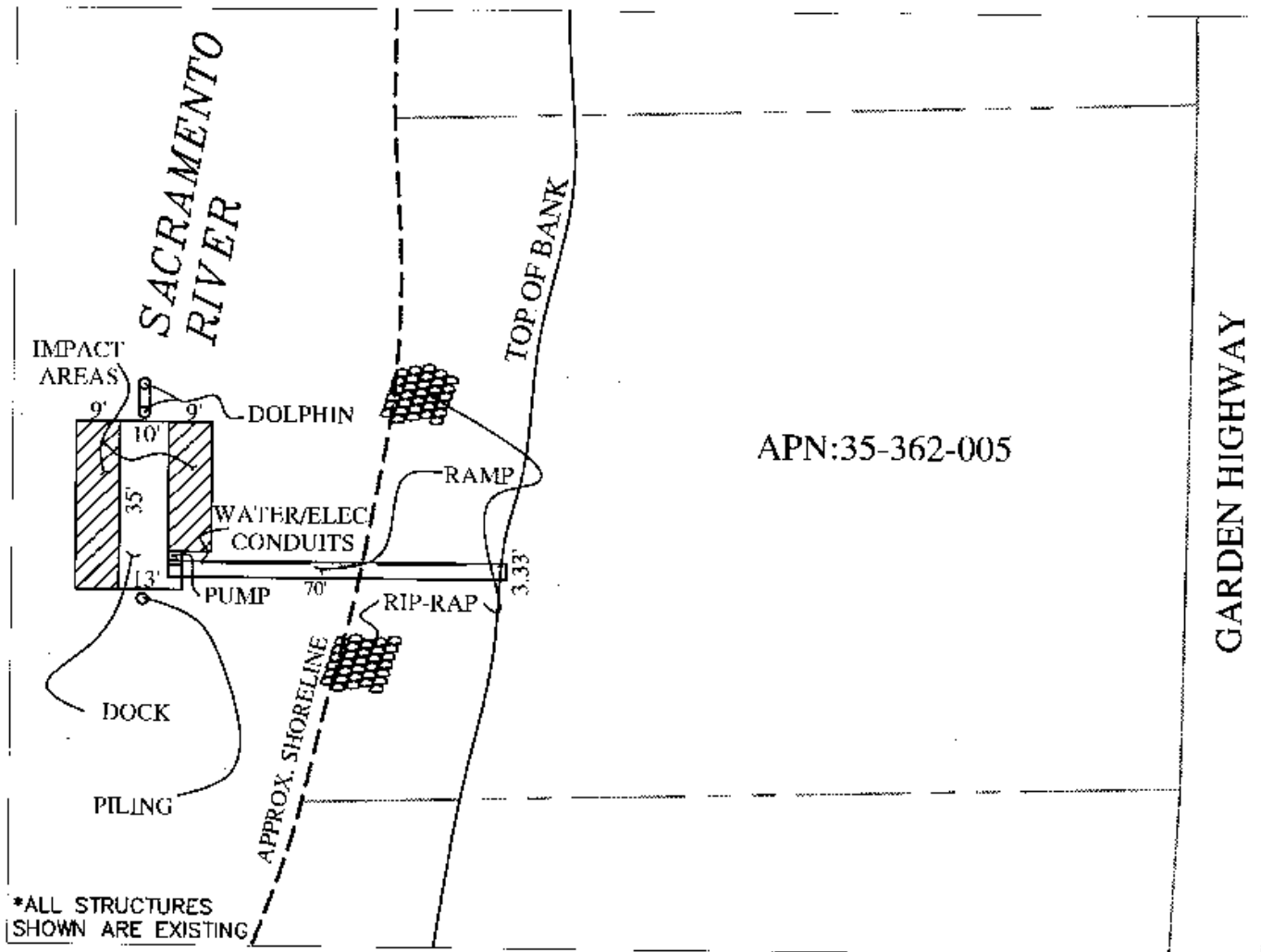
LAND DESCRIPTION PLAT
 PRC 8750.1, PEDRAZZINI
 SUTTER COUNTY

CALIFORNIA STATE
 LANDS COMMISSION



NO SCALE

SITE



10800 Garden Hwy, Sacramento River

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

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.

Exhibit B

PRC 8750.1
 PEDRAZZINI
 APN: 35-362-005
 GENERAL LEASE -
 RECREATIONAL &
 PROTECTIVE STRUCTURE USE
 SUTTER COUNTY



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