

**CALENDAR ITEM
C34**

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04/26/13
PRC 3590.1
N. Lavoie

GENERAL LEASE – RECREATIONAL USE

APPLICANTS:

Jaime Favila Jr. and Kathryn A. Favila

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the Sacramento River, adjacent to 7140 Pocket Road, near the city of Sacramento, Sacramento County.

AUTHORIZED USE:

Continued use and maintenance of an existing uncovered floating boat dock and three pilings with metal bracing.

LEASE TERM:

10 years, beginning December 12, 2012.

CONSIDERATION:

\$76 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 with coverage of no less than \$1,000,000 per occurrence.

OTHER PERTINENT INFORMATION:

1. Applicants own the upland adjoining the lease premises.
2. On April 24, 2001, the Commission authorized a 10-year Recreational Pier Lease to John M. Rodgers. That lease expired on March 4, 2011. Since the issuance of the lease, title to the upland property has transferred multiple times to different parties with the last ownership change to Jaime Favila Jr. and Kathryn A. Favila on December 12, 2012. The Favilas are now applying for a new General Lease – Recreational Use.

CALENDAR ITEM NO. **C34** (CONT'D)

3. The existing rip rap along the bank at this location is already covered under Lease No. PRC 7203.9, issued to the Central Valley Flood Protection Board.
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. **C34** (CONT'D)

AUTHORIZATION:

Authorize issuance of a General Lease – Recreational Use to Jaime Favila Jr. and Kathryn A. Favila, beginning December 12, 2012, for a term of 10 years, for the continued use and maintenance of an existing uncovered floating boat dock and three pilings with metal bracing, 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 \$76 per year, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease; liability insurance in the amount no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 3590.1

LAND DESCRIPTION

A parcel of tide and submerged land, situate in the bed of the Sacramento River lying adjacent to Swamp and Overflowed Lands Survey 334 patented September 20, 1865, County of Sacramento, State of California, and more particularly described as follows:

All those lands underlying an existing floating dock, pilings (3) and appurtenant structures adjacent to that parcel as described in "Exhibit A" of that Grant Deed recorded December 12, 2012 as Book 20121212 Page 0734 in Official Records of said County.

TOGETHER WITH a 10 foot impact area.

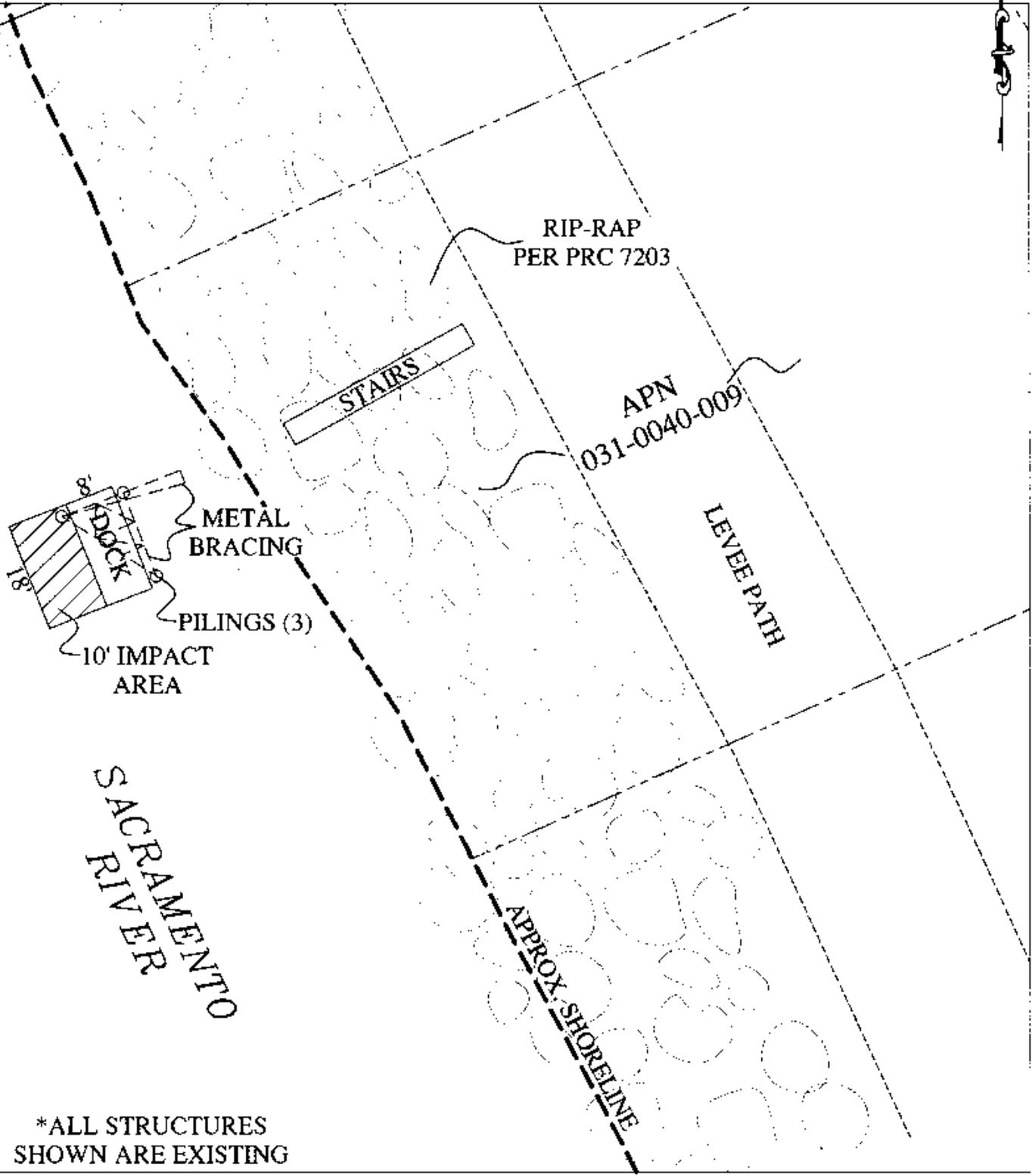
EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of said river

Accompanying plat is hereby made a part of this description.

END OF DESCRIPTION

PREPARED 2/13/13 BY THE CALIFORNIA STATE LANDS COMMISSION BOUNDARY UNIT





*ALL STRUCTURES SHOWN ARE EXISTING

EXHIBIT A

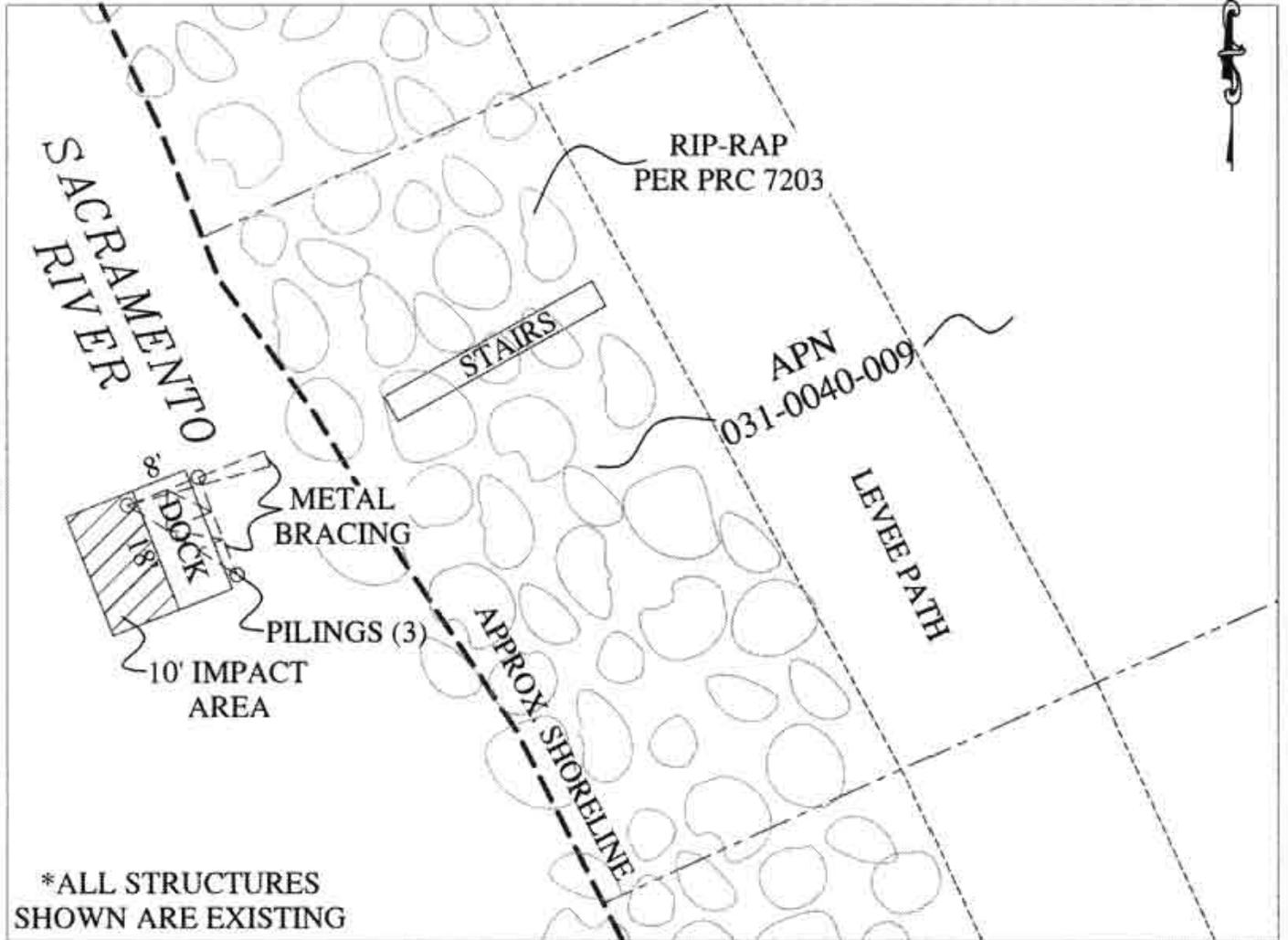
LAND DESCRIPTION PLAT
 PRC 3590.1 - FAVILA
 SACRAMENTO COUNTY

CALIFORNIA STATE
 LANDS COMMISSION



NO SCALE

SITE



*ALL STRUCTURES SHOWN ARE EXISTING

7140 Pocket Rd., Sacramento

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 3590.1

FAVILA

APN 031-0040-009

GENERAL LEASE -

RECREATIONAL USE

SACRAMENTO COUNTY



MJF 2/11/13

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.