

CALENDAR ITEM
C54

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04/23/15
PRC 5581.1
V. Caldwell

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

APPLICANT:

Richard W. Lavezzo and Angela M. Lavezzo, Trustees of the Lavezzo Family Living Trust dated May 27, 2000

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the Sacramento River, adjacent to 2251 Garden Highway, near the city of Sacramento, Sacramento County.

AUTHORIZED USE:

Continued use and maintenance of an existing uncovered single-berth floating boat dock, two 2-pile wood dolphins, wood piling, gangway, and bank protection previously authorized by the Commission; and electric and water utility outlet not previously authorized by the Commission.

LEASE TERM:

10 years, beginning December 5, 2014.

CONSIDERATION:

Uncovered Single-Berth Floating Boat Dock, Two 2-Pile Wood Dolphins, Wood Piling, Gangway, Electric and Water Utility Outlet: \$455 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 action to be in the State's best interests.

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.

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2. On April 26, 2005, the Commission authorized a General Lease – Recreational and Protective Structure Use to Aaron Zeff, for an existing uncovered single-berth floating boat dock, two 2-pile wood dolphins, wood piling, gangway, and bank protection. The lease expired on March 31, 2015.
3. On February 13, 2014, the upland property was transferred to Richard W. Lavezzo. Subsequently on December 5, 2014, the property was transferred to Richard W. Lavezzo and Angela M. Lavezzo, Trustees of the Lavezzo Family Living Trust dated May 27, 2000. The electric and water utility outlet was installed by the previous owner and has existed on site for many years. Staff recommends authorization of this improvement. The Applicant is now applying for a General Lease – Recreational and Protective Structure Use.
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. 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.
6. 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

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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.

AUTHORIZATION:

Authorize issuance of a General Lease – Recreational and Protective Structure Use to Richard W. Lavezzo and Angela M. Lavezzo, Trustees of the Lavezzo Family Living Trust dated May 27, 2000, beginning December 5, 2014, for a term of 10 years, for the continued use and maintenance of an existing uncovered single-berth floating boat dock, two 2-pile wood dolphins, wood piling, gangway, and bank protection previously authorized by the Commission; and electric and water utility outlet not previously authorized by the Commission 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 existing uncovered single-berth floating boat dock, two 2-pile wood dolphins, wood piling, gangway, and electric and water utility outlet: \$455 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 5581.1

LAND DESCRIPTION

A parcel of tide and submerged land situate in the bed of the Sacramento River, lying adjacent to Swamp and Overflow Survey 828, patented April 5, 1869 of the County of Sacramento, State of California, and more particularly described as follows:

All those lands underlying an existing uncovered floating boat dock, a piling, two (2) two pile dolphins, gangway and utility outlet lying adjacent to that parcel as described in Exhibit "A" of that Grant Deed recorded December 5, 2014 in Book 20141205 Page 0352 of Official Records of said County.

TOGETHER WITH any applicable impact area(s).

ALSO TOGETHER WITH those lands lying immediately beneath any bank protection adjacent to said Lot.

EXCEPTING THEREFROM any portion(s) lying landward of the Ordinary High Water Mark of the Sacramento River.

Accompanying plat is hereby made a part of this description.

END OF DESCRIPTION

Prepared February 3, 2015 by the California State Lands Commission Boundary Unit.



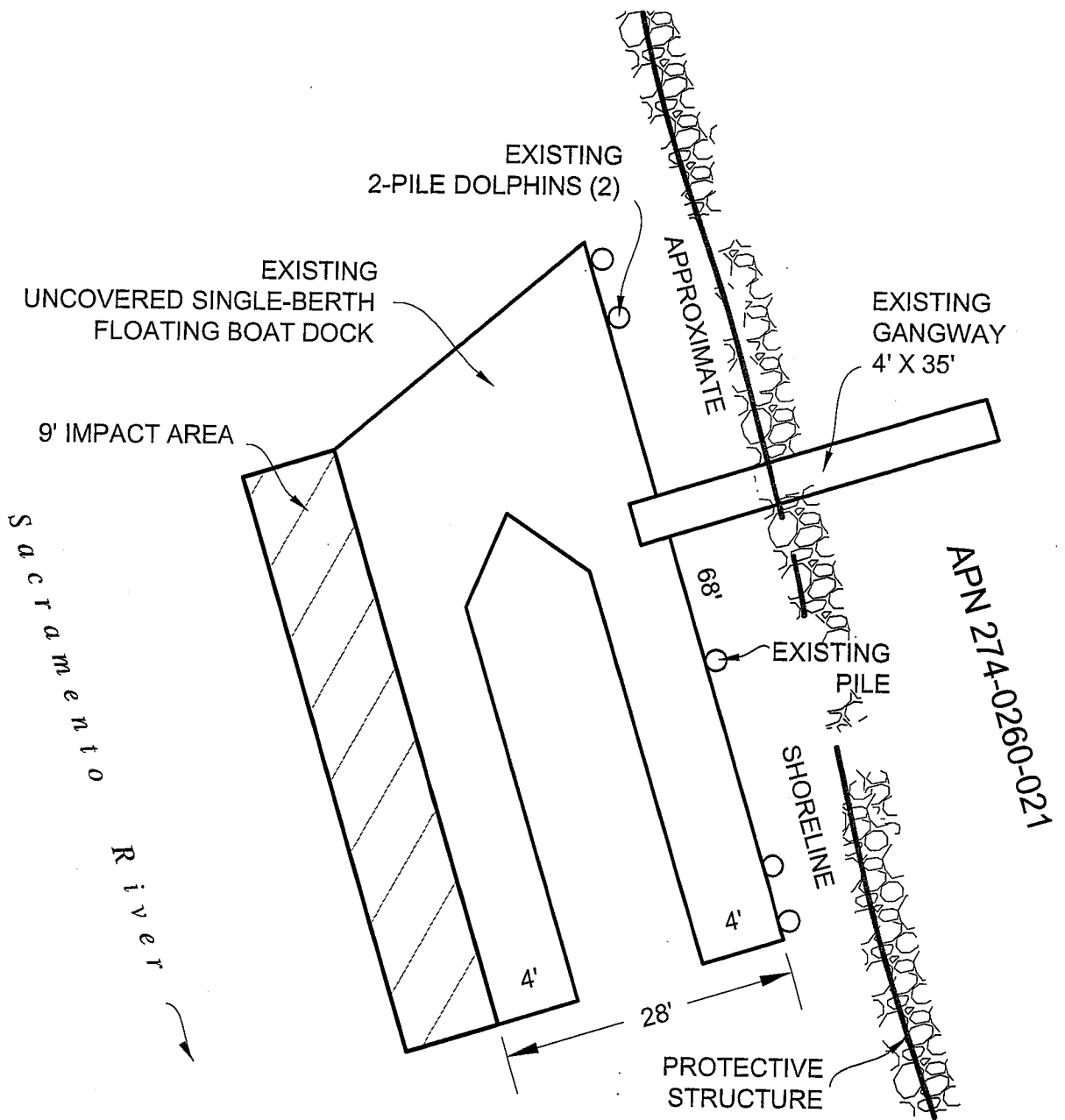


EXHIBIT A

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LAND DESCRIPTION PLAT
 PRC 5581.1 LAVEZZO TRUST
 SACRAMENTO COUNTY

CALIFORNIA STATE
 LANDS COMMISSION



