

**CALENDAR ITEM
C10**

A 3
S 4

06/21/13
PRC 6725.9
V. Caldwell

GENERAL LEASE – PROTECTIVE STRUCTURE USE

APPLICANT:

Frank Sanderford Revocable Trust

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the Sacramento River, adjacent to 26160 Walch Avenue, near the city of Orland, Tehama County.

AUTHORIZED USE:

Continued use and maintenance of existing bank protection.

LEASE TERM:

20 years, beginning July 1, 2009.

CONSIDERATION:

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 September 25, 1984, the Commission authorized a 25-year General Lease – Protective Structure Use to Frank T. Sanderford and Marlene F. Sanderford. The ownership of the upland property has since been placed in the Frank Sanderford Revocable Trust. The lease expired June 30, 2009. The Applicant is now applying for a new General Lease – Protective Structure Use.

CALENDAR ITEM NO. **C10** (CONT'D)

3. The bank protection mutually benefits both the public and the Applicant. The bank of the Sacramento River will have additional protection from wave action provided at no cost to the public.
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.

AUTHORIZATION:

Authorize issuance of a General Lease – Protective Structure Use to Frank Sanderford Revocable Trust beginning July 1, 2009, for a term of 20 years, for the continued use and maintenance of existing bank protection

CALENDAR ITEM NO. **C10** (CONT'D)

as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; consideration to be the public use and benefit with the State reserving the right at any time to set a monetary rental if the Commission finds such action to be in the State's best interest; and liability insurance in an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 6725.9

LAND DESCRIPTION

A 30 foot wide strip of submerged land lying in the bed of the Sacramento River, adjacent to Lot No. 37 of Capay Rancho, as shown on official government plat approved October 19, 1908, County of Tehama, State of California, lying northeasterly of the following described line:

The Low Water of the right bank of the Sacramento River, adjacent to that parcel as described in Grant Deed recorded May 13, 1974 in Book 643, Page 61, Official Records of Tehama County.

The sidelines of said strip shall be prolonged or shortened so as to commence at a line perpendicular to the intersection of said low water with the northeasterly corner of said parcel and terminate at a line perpendicular to the intersection of said low water with the most northerly corner of said parcel.

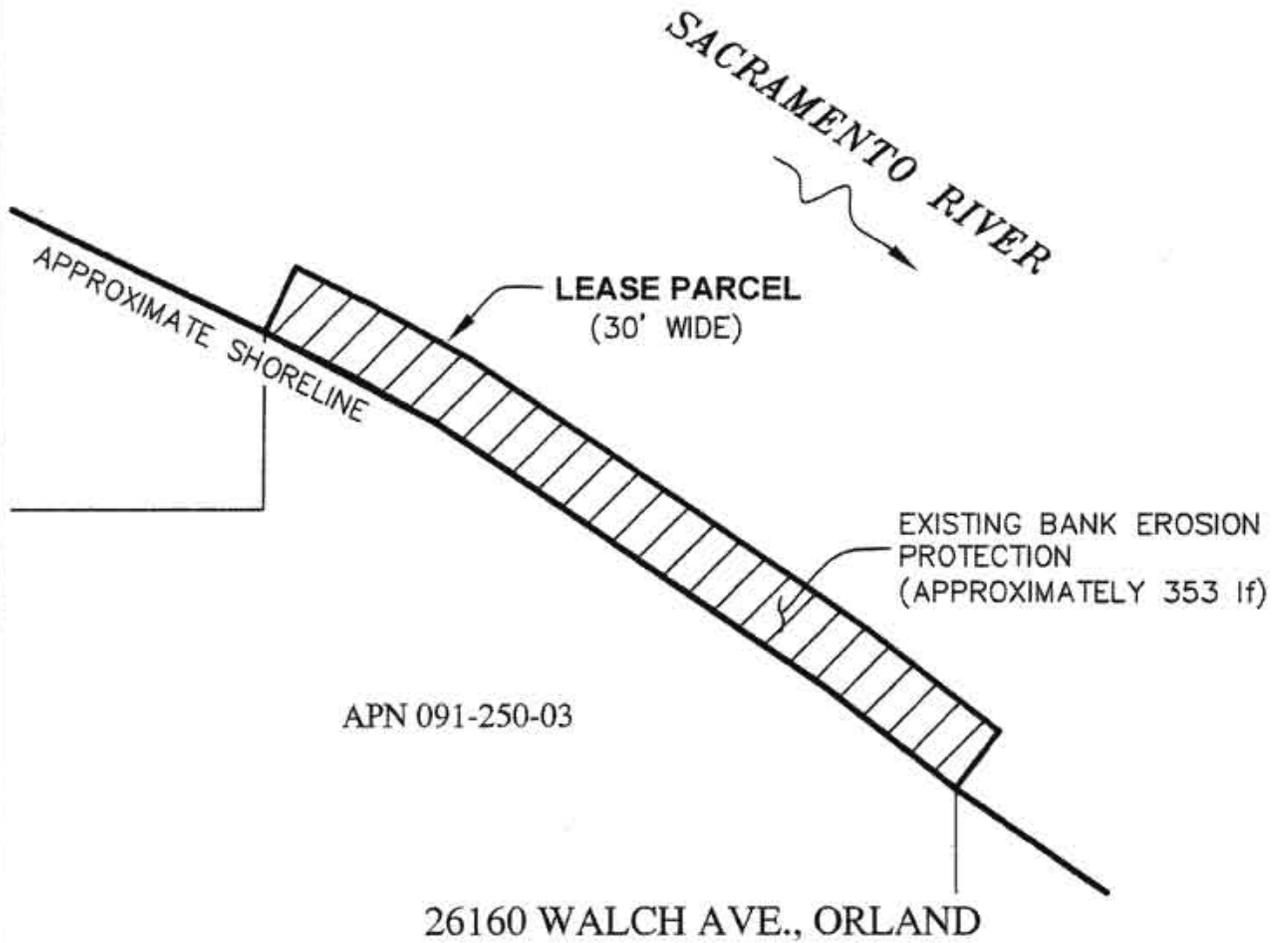
END OF DESCRIPTION

Prepared 04/02/2013 by the California State Lands Commission Boundary Unit.



NO SCALE

SITE



NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 6725.9
 FRANK SANDERFORD,
 TRUSTEE
 APN 091-250-03
 GENERAL LEASE -
 PROTECTIVE STRUCTURE USE
 TEHAMA COUNTY



DJF 04/02/13

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.