

MINUTE ITEM

This Calendar Item No. C12 was approved as Minute Item No. C12 by the State Lands Commission by a vote of 3 to 0 at its 9/22/76 meeting.

CALENDAR ITEM  
C12.

9/76  
W 20024  
ACS  
PRC 5188

MINOR COMMERCIAL LEASE

APPLICANT:

Wesley N. Dwyer  
1951 Garden Highway  
Sacramento, California 95833

AREA, TYPE LAND AND LOCATION:

A 35' x 260' (.209 acre) parcel of tide and submerged land in the bed of the Sacramento River, Sacramento County.

LAND USE:

Maintenance of floating boat dock.

TERMS OF PROPOSED LEASE:

Initial period: 10 years, from September 1, 1976.

Surety bond: \$1,000.

Public liability insurance: \$500,000 combined single limit.

CONSIDERATION:

\$225 per annum with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:

\$225 minimum rental for this type of lease or permit.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is owner of upland.

Filing fee has been received.

STATUTORY AND OTHER REFERENCES:

- A. Public Resources Code: Div. 6, Parts 1 & 2.
- B. Administrative Code: Title 2, Div. 3, Arts. 1, 2, 10 & 11.

OTHER PERTINENT INFORMATION:

1. An Environmental Impact Report is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907(a), which exempts an existing structure or facility that is in an acceptable state of repair and there is no evidence of record to show injury to adjacent property, shoreline erosion, or other types of environmental degradation.

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2. This project is situated on State land identified as possessing significant environmental values, pursuant to Public Resources Code 6370.1, and is classified in a significant use category, Class B.

Staff review indicates that there will be no significant effect upon the identified environmental values. This is an existing facility for which no adverse comments have been received.

EXHIBITS:     A. Land Description.     B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21085, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2907.
2. FIND THAT GRANTING OF THE APPLICATION WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1 ET SEQ. OF THE PUBLIC RESOURCES CODE.
3. AUTHORIZE ISSUANCE TO WESLEY N. DWYER OF A 10-YEAR MINOR COMMERCIAL LEASE FROM SEPTEMBER 1, 1976; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$225, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; WITH PROVISION OF A \$1,000 SURETY BOND AND PROVISION OF PUBLIC LIABILITY INSURANCE IN THE AMOUNT OF \$500,000 COMBINED SINGLE LIMIT FOR THE CONTINUED MAINTENANCE OF AN EXISTING FLOATING BOAT DOCK ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

W 20024

A parcel of tide and submerged land in the State owned bed of the Sacramento River, situated adjacent to and southerly of fractional Section 27, T 9 N, R 4 E, M.D.M., Sacramento County, State of California, more particularly described as follows:

BEGINNING at the southwest corner of Lot 8 of the Natomas Riverside Subdivision No. 1, as called for in Grant Deed recorded in Volume 3709, Page 45, Sacramento County records; thence S  $29^{\circ} 47' 40''$  E, 45 feet; thence N  $60^{\circ} 12' 20''$  E, 260 feet; thence N  $29^{\circ} 47' 40''$  W, 45 feet; thence S  $60^{\circ} 12' 20''$  W, 260 feet to the point of beginning.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of the Sacramento River.

END OF DESCRIPTION

Prepared *M. J. Graf* Checked *M. Hill*  
Reviewed *A. A. Dunnecke* Date *7/7/76*  
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