

MINUTE ITEM

This Calendar Item No. C04 was approved as Minute Item No. 04 by the California State Lands Commission by a vote of 3 to 0 at its 2/27/98 meeting.

**CALENDAR ITEM
C04**

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02/27/98
PRC7695 WP 7695.9
L. Burks

**TERMINATION OF GENERAL LEASE - RECREATIONAL USE
AND ISSUANCE OF A NEW RECREATIONAL PIER LEASE**

LESSEES:

John Joseph Ingram McDowell and
Marilyn S. McDowell
16909 Terminous Road
Isleton, California 95641

AREA, LAND TYPE, AND LOCATION:

0.05 acres, more or less, of tide and submerged lands in Georgiana Slough, Andrus Island, near the city of Isleton (APN 157-0100-075), Sacramento County.

AUTHORIZED USE:

One 12 foot x 20 foot single-berth floating dock; one 12 foot x 25 foot single-berth covered floating dock; ramp; and fixed walkway.

LEASE TERM:

Ten years, beginning July 19, 1998.

CONSIDERATION:

No monetary consideration pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

Liability insurance with coverage of no less than \$300,000.

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; Title 2, California Code of Regulations, section 2905 (a)(2).

Authority: Public Resources Code section 21084 and Title 14, California

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Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

2. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. 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.
3. Lessee has notified Lessor that on November 1, 1995, a residence was constructed on the adjacent upland parcel which now qualifies them for a "rent-free" recreational pier lease.

EXHIBITS:

- A. Site Plan
- B. Location Map

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (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 SECTIONS 6370, ET SEQ.

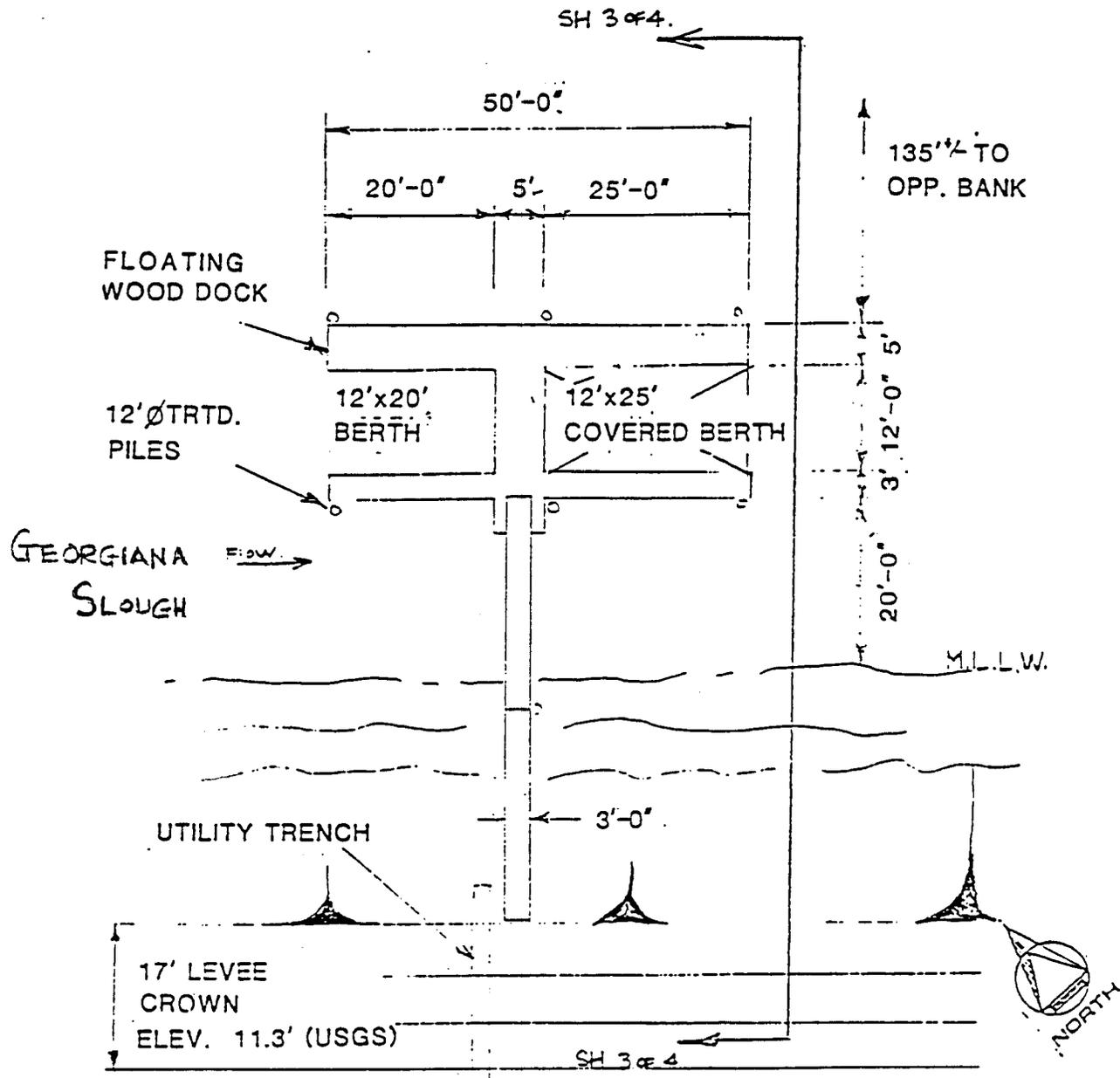
AUTHORIZATION:

AUTHORIZE TERMINATION OF GENERAL LEASE - RECREATIONAL USE (PRC 7695.1), EFFECTIVE JULY 18, 1998.

CALENDAR ITEM NO. **C04** (CONT'D)

AUTHORIZE ISSUANCE TO JOHN JOSEPH INGRAM MCDOWELL AND MARILYN S. MCDOWELL OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING JULY 19, 1998, FOR TWO EXISTING SINGLE-BERTH FLOATING DOCKS WITH RAMP LOCATED ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 6503.5; LIABILITY INSURANCE WITH COVERAGE OF NO LESS THAN \$300,000.

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PURPOSE: PRIVATE RECREATIONAL DOCK AND UTILITY TRENCH TO SERVICE UPLAND PROPERTY OWNER

DATUM: USGS

ADJACENT PROPERTY OWNERS:

1. GERALD TAYLOR
2. RICHARD & CHERYL GEMIGNANI
- 3.

SITE PLAN

JOHN AND MARILYN McDOWELL
 2472 MALAGA DRIVE
 SAN JOSE, CALIFORNIA 95125
 (408)466-2141

PROPOSED CONSTRUCTION OF RECREATIONAL DOCK AND UTILITY TRENCH.

LOCATION : APN 157-0100-075
 ANDRUS ISLAND, GEORGIANA SLOUGH

COUNTY OF : SACRAMENTO
 STATE OF : CALIFORNIA

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MINUTE PAGE **Exhibit A**
002653
 WP 7695

This Land description is solely for purposes of generally defining the lease premises, 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.

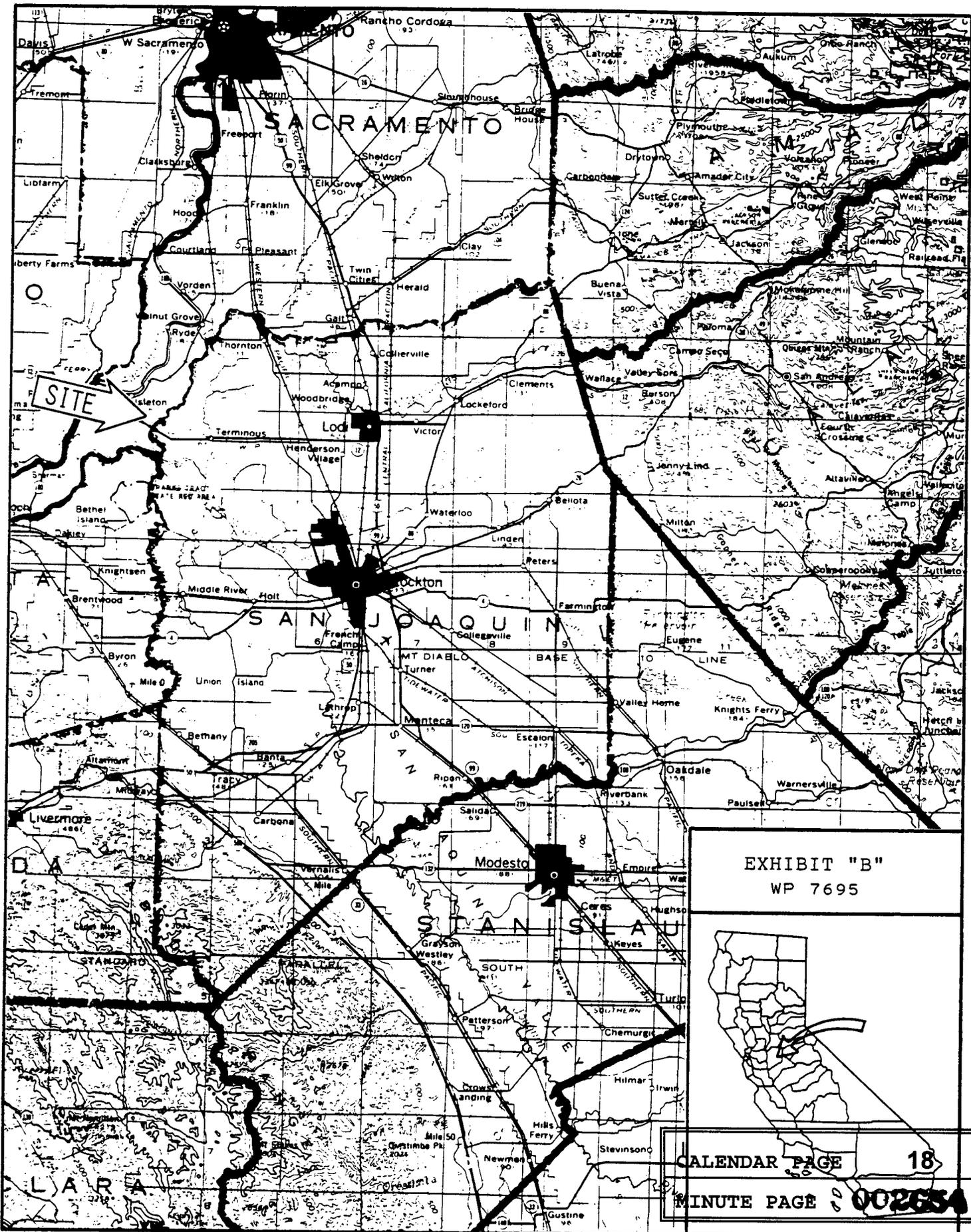


EXHIBIT "B"
WP 7695



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