MINUTE ITEM
This Calendar Item No. C01 was approved as Minute Item No. 01 by the California State Lands Commission by a vote of 3 to 0 at its 9-3-99 meeting.

CALENDAR ITEM
C01

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PRC 6382.1

09/03/99
WP 6382.1
L. Burks

GENERAL LEASE - RECREATIONAL USE

LESSEE:

Jeanne C. Bird
P.O. Box 245
Courtland, California 95615

AREA, LAND TYPE, AND LOCATION:

0.09 acres, more or less, of tide and submerged lands in the Sacramento River, near the town of Courtland, Sacramento County.

AUTHORIZED USE:

A 6 foot by 204 foot floating boat dock (which includes 12 foot by 20 foot and 6 foot by 14 foot platform areas); 3 foot by 30 foot gangway; and a 6 foot by 13 foot portion of a storage cabin.

LEASE TERM:

Ten years, beginning December 1, 1997.

CONSIDERATION:

$470 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 $500,000.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.

2. On February 24, 1983, the Commission approved issuance to Bruce and Jeanne Bird, dba Birds Landing, of a 15 year General Lease – Commercial Use, effective December 1, 1982, for maintenance of a building structure, docks and gangway.

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3. As a consequence of the death of Bruce Bird in October, 1996, Jeanne Bird no longer wishes to continue operation of a commercial marina. Many of the structures at the facility have been removed. All that remain are a 204 foot floating boat dock, gangway, and a storage cabin partially situated within the Lease Premises. Jeanne Bird will be using the floating boat dock for her own private recreational purposes.

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

5. 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.

EXHIBITS:

A. Site Plan
B. Location Map

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

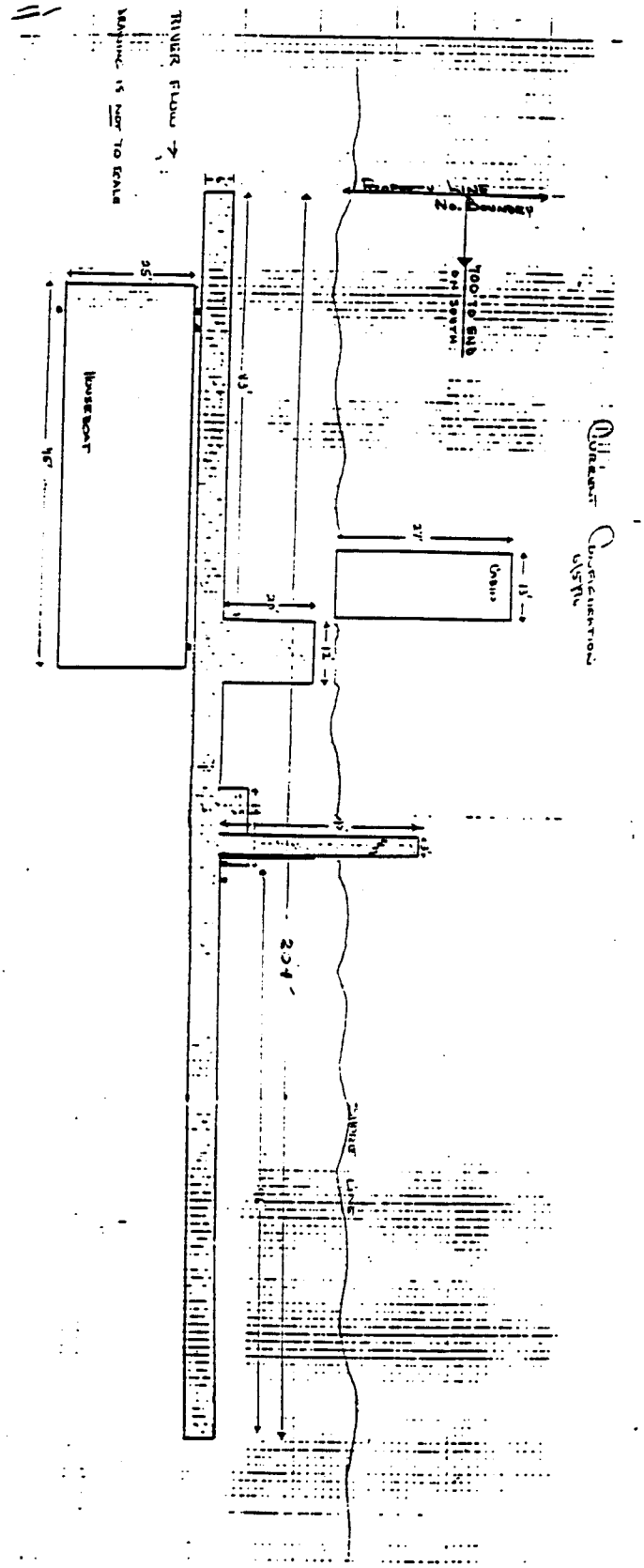
FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

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 ISSUANCE TO JEANNE C. BIRD OF A GENERAL LEASE - RECREATIONAL USE, BEGINNING DECEMBER 1, 1997, FOR A TERM OF TEN YEARS, FOR CONTINUED USE AND MAINTENANCE OF AN EXISTING FLOATING BOAT DOCK, STORAGE CABIN AND GANGWAY ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION: $470 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 WITH COVERAGE OF NO LESS THAN $500,000.



This exhibit is solely for purposes of generally defining the area to be leased, and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or other property.

Exhibit A

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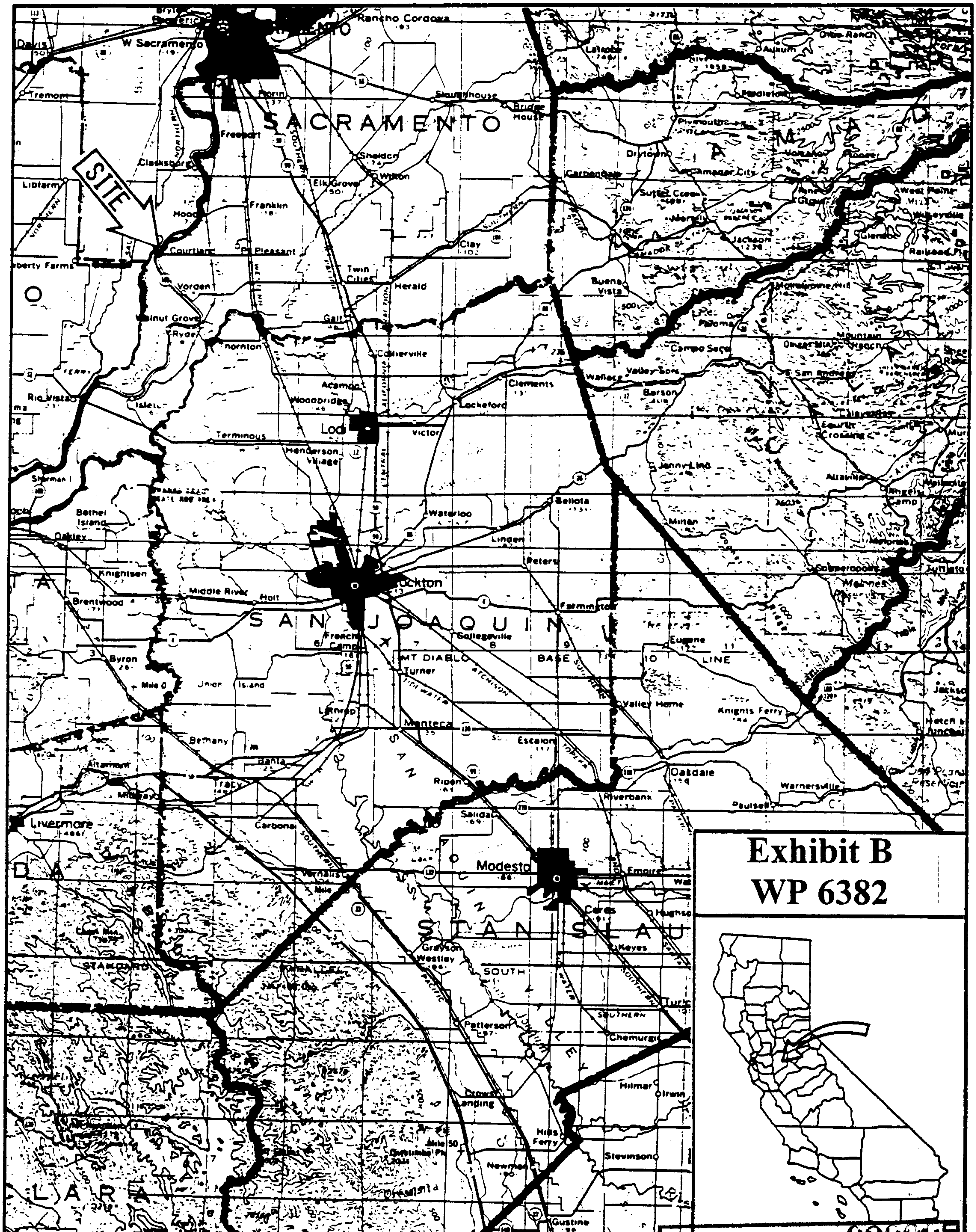

Exhibit B
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