

MINUTE ITEM

This Calendar Item No. C06 was approved as Minute Item No. 06 by the California State Lands Commission by a vote of 3 to 0 at its 12-3-99 meeting.

**CALENDAR ITEM
C06**

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S 6

12/03/99
PRC 5788.9 WP 5788.9
L. Burks

**TERMINATION OF GENERAL PERMIT- PROTECTIVE STRUCTURE
AND ISSUANCE OF A GENERAL LEASE – RECREATIONAL AND
PROTECTIVE STRUCTURE USE**

APPLICANTS:

Robert G. Foley and Linda J. Foley
Trustees of the Foley Revocable Trust
P.O. Box 227
Carmel Valley, California 93924

AREA, LAND TYPE, AND LOCATION:

Tide and submerged lands in the Sacramento River (APN 225-0090-025), adjacent to the Garden Highway, near the city of Sacramento, Sacramento County.

AUTHORIZED USE:

Continued use and maintenance of an existing 10 foot by 25 foot single-berth floating dock, a 3 foot by 60 foot ramp, and 1,100 cubic yards of granite rock riprap along 200 feet of shoreline.

LEASE TERM:

Ten years, beginning January 24, 2000.

CONSIDERATION:

Recreational Pier - no monetary consideration pursuant to Public Resources Code Section 6503.5; 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 interest.

SPECIFIC LEASE PROVISIONS:

Liability insurance: Combined single limit coverage of no less than \$500,000.

OTHER PERTINENT INFORMATION:

1. On September 27, 1978, the Commission authorized the approval of Lease No. PRC 5546.9, a 25-year General Permit – Protective Structure Use to Robert G. Foley, for placement of granite rock riprap along 200 feet

CALENDAR PAGE	000025
MINUTE PAGE	006701

CALENDAR ITEM NO. C06 (CONT'D)

of shoreline. On March 27, 1990, the Commission authorized the approval of Recreational Pier Lease No. PRC 5788.9 to Robert and Linda Foley for a floating dock and ramp, which is due to expire on January 23, 2000. This calendar item will terminate General Permit – Protective Structure No. PRC 5546.9 and combine it with a new General Lease – Recreational and Protective Structure Use No. PRC 5788.9 issued to Robert and Linda Foley, Trustees of the Foley Revocable Trust, for the floating dock, ramp and bank protection.

2. Applicant owns the uplands adjoining the lease premises.
3. 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.

4. 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:

CALENDAR ITEM NO. **C06** (CONT'D)

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:

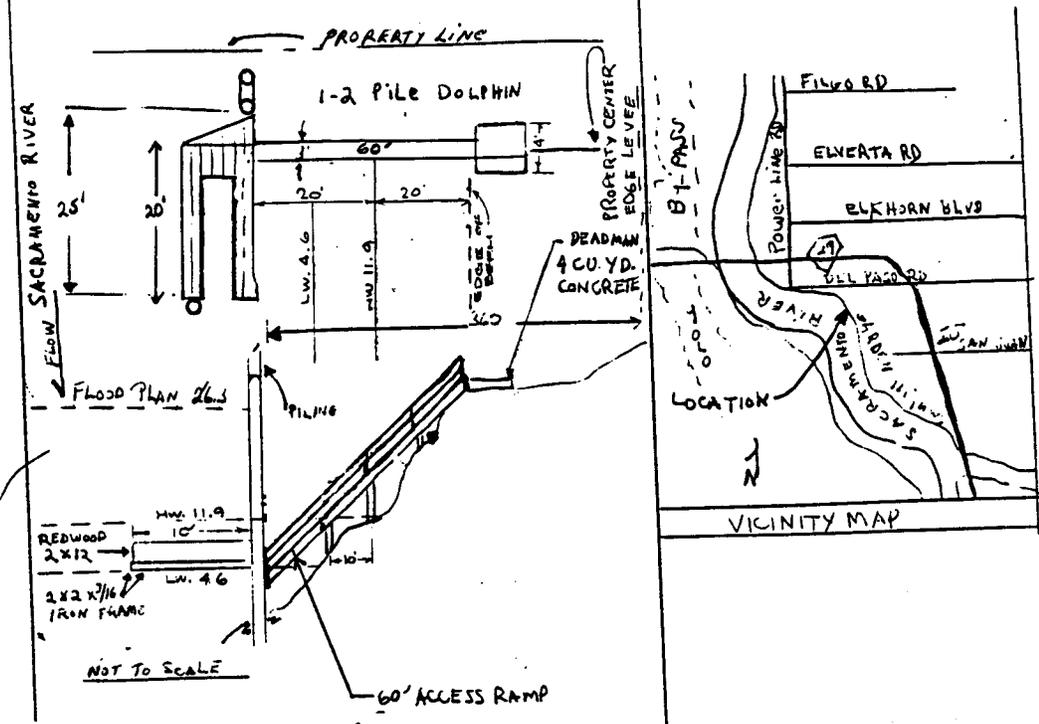
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION

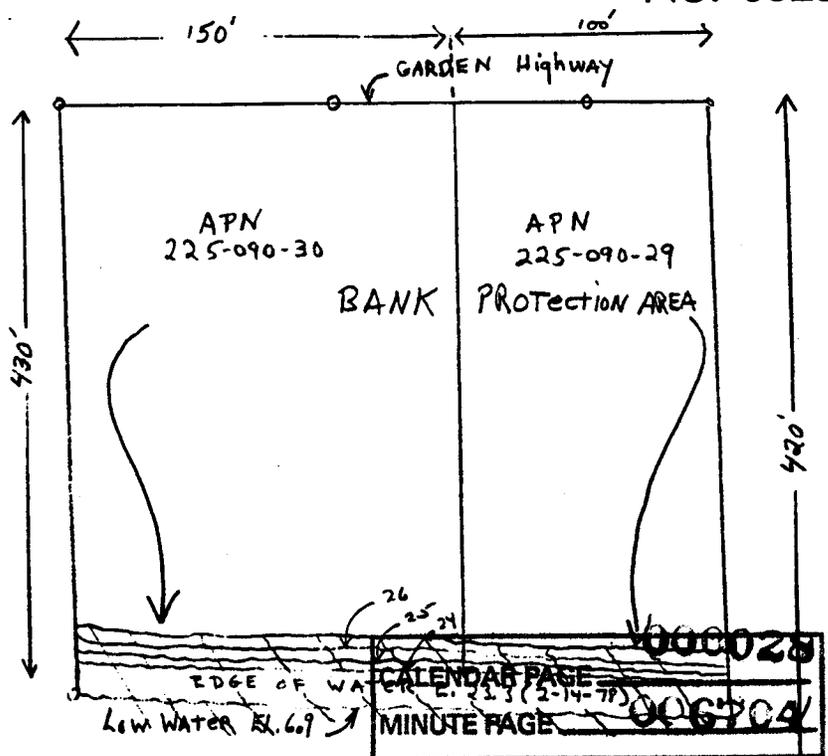
AUTHORIZE THE TERMINATION OF GENERAL PERMIT – PROTECTIVE STRUCTURE NO. PRC 5546.9, EFFECTIVE JANUARY 23, 2000.

AUTHORIZE ISSUANCE TO ROBERT G. FOLEY AND LINDA J. FOLEY, TRUSTEES OF THE FOLEY REVOCABLE TRUST OF A GENERAL LEASE - RECREATIONAL AND PROTECTIVE STRUCTURE USE, BEGINNING JANUARY 24, 2000, FOR A TERM OF TEN YEARS, FOR CONTINUED USE AND MAINTENANCE OF AN EXISTING FLOATING DOCK, RAMP AND BANK PROTECTION ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION: RECREATIONAL PIER – NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 6503.5; 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 INTEREST; LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF NO LESS THAN \$500,000.

No. 6626A

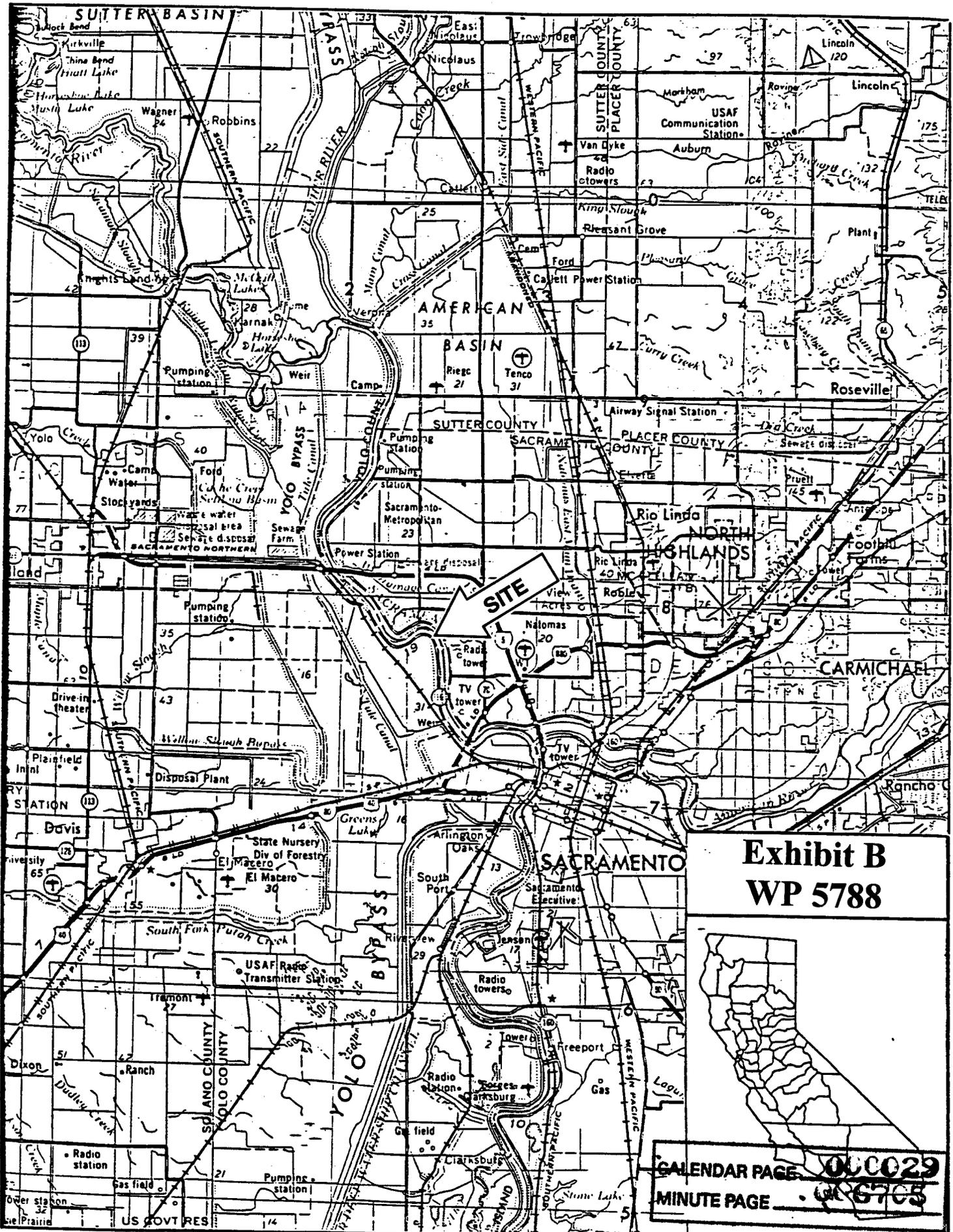


No. 6626



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
WP 5788



**Exhibit B
WP 5788**



CALENDAR PAGE **000029**
MINUTE PAGE **006705**