

MINUTE ITEM
This Calendar Item No. C15
was approved as Minute Item
No. 15 by the State Lands
Commission by a vote of 3
to 0 at its 11-26-01
meeting

CALENDAR ITEM
C15

A 2
S 4

11/26/01
PRC 8353 W 25801
L. Burks

GENERAL LEASE - PROTECTIVE STRUCTURE USE

APPLICANTS:

Roger L. Penner and Leona B. Penner
26124 Walch Avenue
Orland, California 95963

AREA, LAND TYPE, AND LOCATION:

0.05 acres, more or less, of sovereign lands in the Sacramento River, River Mile 207, near the town of Orland, Tehama County.

AUTHORIZED USE:

Proposed placement of 261 linear feet (approximately 1,400 cubic yards) of bank stabilization.

LEASE TERM:

Fifteen years, beginning November 25, 2001.

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: Combined single limit coverage of \$500,000.

OTHER PERTINENT INFORMATION:

1. Applicants own the uplands adjoining the lease premises.
2. 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

CALENDAR PAGE	000060
MINUTE PAGE	0000475

CALENDAR ITEM NO. C15 (CONT'D)

Class 4, Minor Alteration to Land; Title 14, California Code of Regulations, section 15304.

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300.

3. 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.

APPROVALS OBTAINED:

United States Army Corps of Engineers; California Department of Fish and Game; State Reclamation Board; Regional Water Quality Control Board.

EXHIBITS:

- A. Site Plan
- B. Location Map

PERMIT STREAMLINING ACT DEADLINE:

December 4, 2001

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 4, MINOR ALTERATION TO LAND; TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15304.

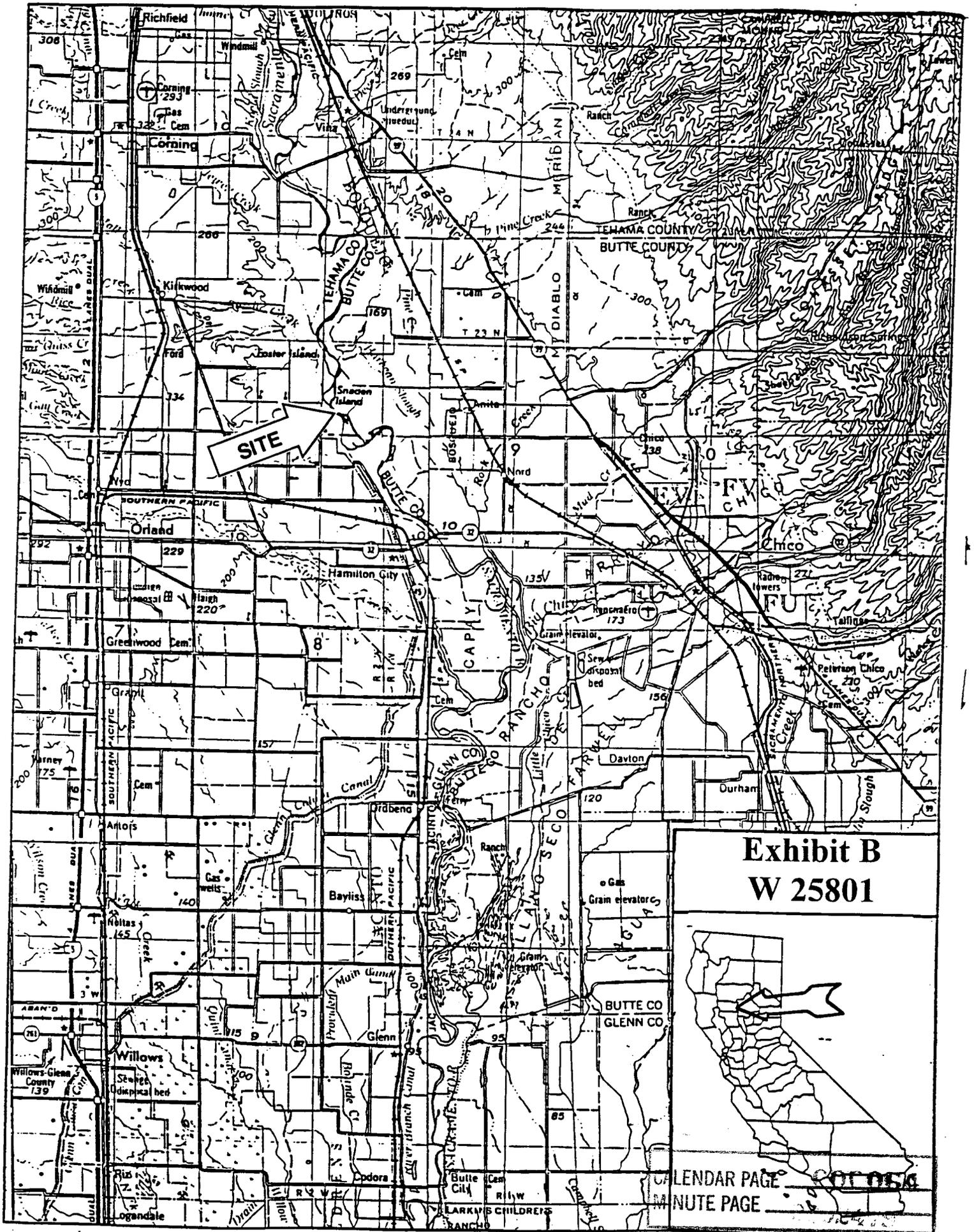
SIGNIFICANT LANDS INVENTORY FINDING:

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.

CALENDAR ITEM NO. C15 (CONT'D)

AUTHORIZATION:

AUTHORIZE ISSUANCE TO ROGER L. PENNER AND LEONA B. PENNER OF A GENERAL LEASE - PROTECTIVE STRUCTURE USE, BEGINNING NOVEMBER 25, 2001, FOR A TERM OF FIFTEEN YEARS, FOR PROPOSED PLACEMENT OF BANK STABILIZATION ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; IN CONSIDERATION OF 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 \$500,000.



**Exhibit B
W 25801**



CALENDAR PAGE 00056
MINUTE PAGE