MINUTE ITEM
This Calendar Item No. C03 was approved as Minute Item No. 03 by the California State Lands Commission by a vote of 3 to 0 at its 2-21-03 meeting.

CALENDAR ITEM
C03

A 5 | 02/21/03
PRC 6437 | WP 6437.9
S 6, 4 | R. Barham

GENERAL LEASE-
PROTECTIVE STRUCTURE AND RECREATIONAL USE

APPLICANT:
Emil Schultz, Trustee of The MAC Living Trust UTD 1-15-91

AREA, LAND TYPE, AND LOCATION:
Sovereign lands located in the Sacramento River, on the Garden Highway, north of the city of Sacramento, Sacramento County.

AUTHORIZED USE:
Continued use and maintenance of an existing floating boat dock, access ramp, pilings, and rip rap bank protection.

LEASE TERM:
Ten years, beginning June 12, 2001.

CONSIDERATION:
Floating Boat Dock, Access Ramp, and Pilings - 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 rental if the Commission finds such action to be in the State's best interest.

SPECIFIC LEASE PROVISIONS:
Combined single limit coverage of no less than $500,000.

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.

2. On October 29, 1990, the Commission authorized a Recreational Pier Lease with Jackson L. Oldham. The upland property was subsequently

transferred to Emil Schultz, Trustee of The MAC Living Trust UTD 1-15-91 who is applying for a new General Lease-Protective Structure and Recreational Use. Applicant qualifies for a rent free floating boat dock, access ramp, and pilings because the Applicant is a natural person who has improved the littoral land with, and use the upland, for a single-family dwelling.

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.

EXHIBIT:

A. Site and 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).

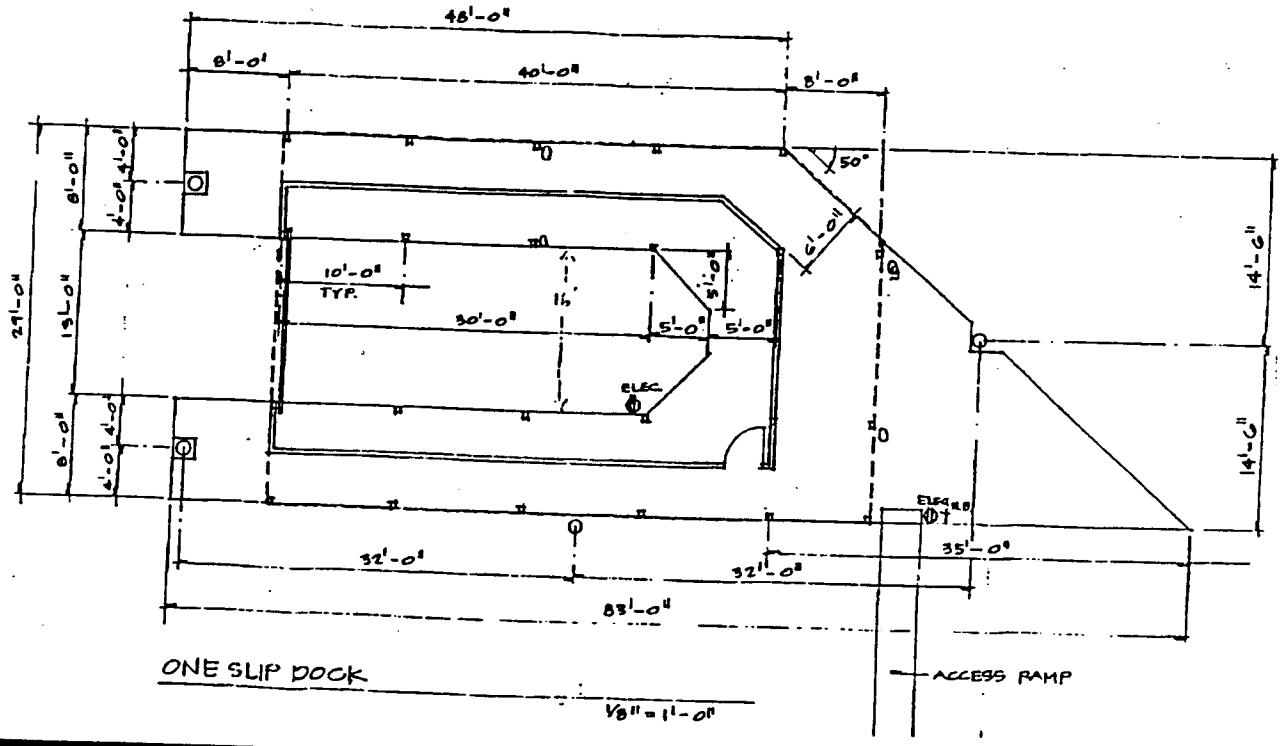
SIGNIFICANT LANDS INVENTORY FINDING:

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:

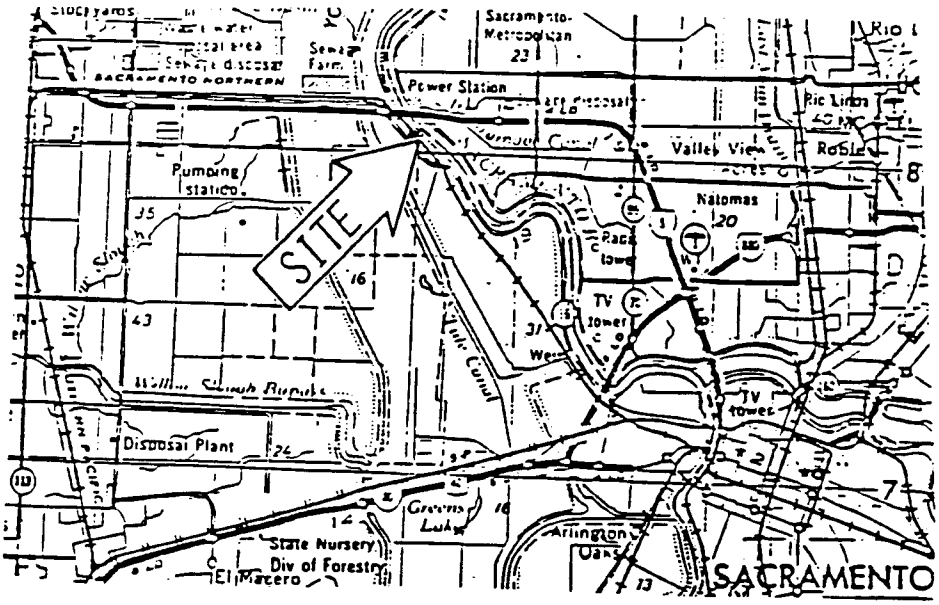
AUTHORIZE ISSUANCE TO EMIL SCHULTZ, TRUSTEE OF THE MAC LIVING TRUST UTD 1-15-91 OF A GENERAL LEASE BEGINNING JUNE 12, 2001, FOR A TERM OF TEN YEARS, FOR A FLOATING BOAT DOCK, ACCESS RAMP, PILINGS, AND RIP RAP BANK PROTECTION ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION: FLOATING BOAT DOCK, ACCESS RAMP, AND PILINGS: NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 6503.5; FOR THE RIP RAP BANK PROTECTION BEING THE PUBLIC USE AND BENEFIT; WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENTAL IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; LIABILITY INSURANCE: COMBINED SINGLE LIMIT COVERAGE OF NO LESS THAN $500,000.

SITE MAP



USGS
RWB (10/29/02)

LOCATION MAP



SECTION 3
Exhibit A
WP 6437.9

The MAC Living Trust
Sacramento County

This exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by lessee or other parties, and is not intended to be, nor shall it be construed to as a waiver or limitation of any state interest in the subject or any other property.