

MINUTE ITEM
This Calendar Item No. C31 was approved as
Minute Item No. 31 by the California State Lands
Commission by a vote of 3 to 0 at its
2-21-03 meeting.

**CALENDAR ITEM
C31**

A 5 02/21/03
S 6,4 PRC 5865 WP 5865.9
N. Quesada

GENERAL LEASE - PROTECTIVE STRUCTURE AND RECREATIONAL USE

APPLICANTS:

Richard B. and Karen M. Kelly

AREA, LAND TYPE, AND LOCATION:

.012 acres, more or less, of sovereign lands in the Sacramento River, adjacent to the Garden Highway, Sacramento County.

AUTHORIZED USE:

Continued use and maintenance of an existing floating boat dock, gangway, walkway, and rock riprap.

LEASE TERM:

Ten years, beginning December 1, 2002.

CONSIDERATION:

1) Floating Boat Dock, Gangway, and Walkway - no monetary consideration pursuant to the Public Resources Code section 6503.5; 2) Rock Riprap - the public use and benefit as to the protective structure; 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:

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

OTHER PERTINENT INFORMATION:

1. On November 9, 1993, the Commission authorized a General Lease-Protective Structure and Recreational Use with Richard B. and Karen M. Kelly. That lease expired on November 30, 2002. Applicants are natural persons who have improved the littoral land with, and use the upland for, a single-family dwelling. Richard B. and Karen M. Kelly are now applying for a new Recreational Pier Lease.

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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 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.

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:

N/A

EXHIBIT:

- A. Site Map 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).

CALENDAR ITEM NO. C31 (CONT'D)

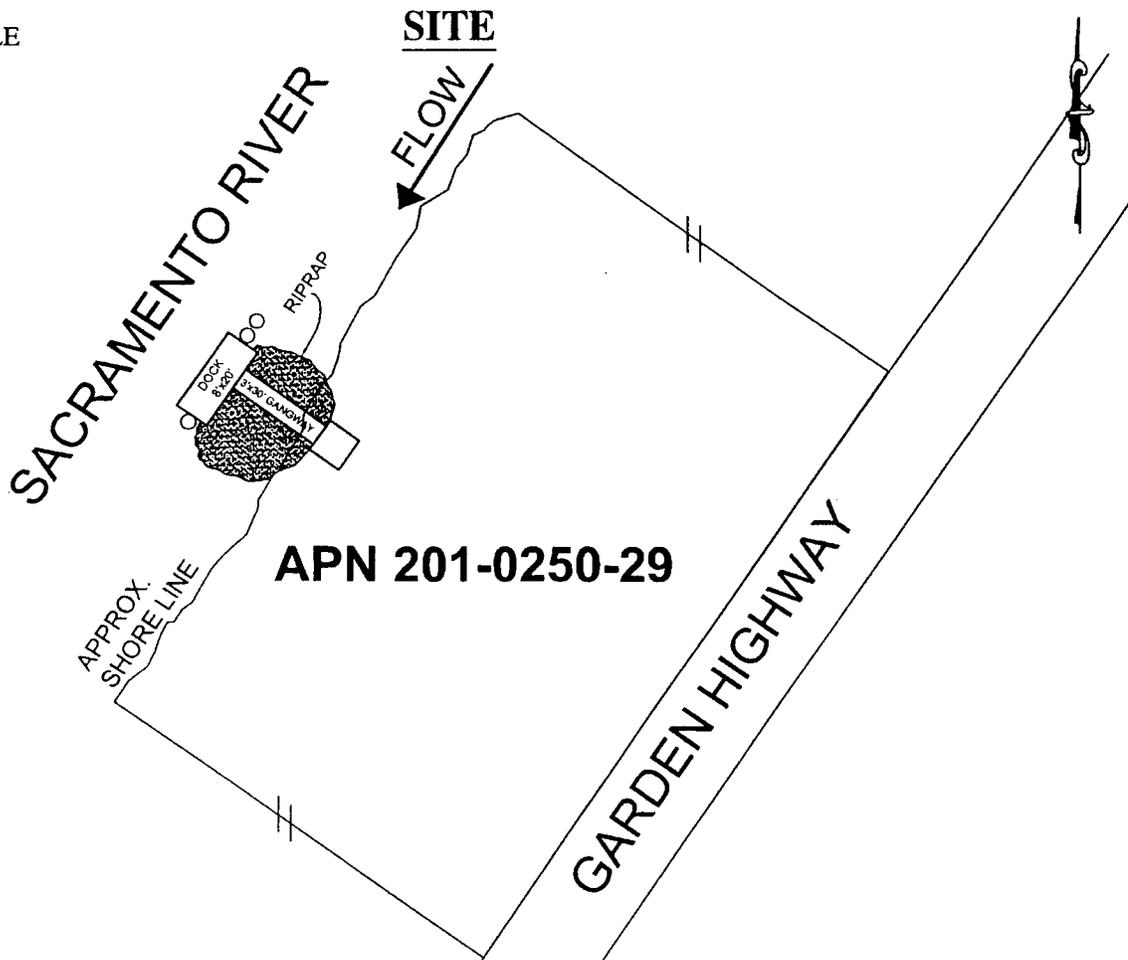
SIGNIFICANT LANDS INVENTORY FINDING:

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 RICHARD B. AND KAREN M. KELLY OF A GENERAL LEASE - PROTECTIVE STRUCTURE AND RECREATIONAL USE, BEGINNING DECEMBER 1, 2002, FOR A TERM OF TEN YEARS, FOR EXISTING RIPRAP BANK PROTECTION AND A FLOATING BOAT DOCK, GANGWAY, AND WALKWAY ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION: 1) FLOATING BOAT DOCK, GANGWAY, AND WALKWAY - NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 6503.5; 2) ROCK RIPRAP - THE PUBLIC USE AND BENEFIT; WITH THE STATE RESERVING THE RIGHT TO SET A MONETARY RENT 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.

NO SCALE



7257 GARDEN HIGHWAY
APN 201-0250-029

NO SCALE

LOCATION

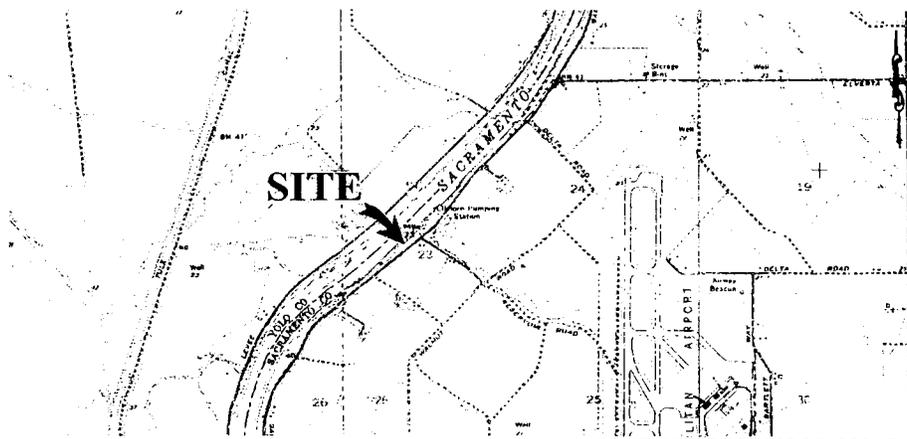


Exhibit A

PRC 5865.1
GENERAL LEASE
PROTECTIVE STRUCTURE
RECREATIONAL USE
SACRAMENTO COUNTY



This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties 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.

JAK 05/02

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