MINUTE ITEM

This Calendar Item No. C35 was approved as Minute Item No. 35 by the California State Lands Commission by a vote of 3 to 0 at its 10-20-03 meeting.

CALENDAR ITEM
C35

A 15

S 5

10/20/03
PRC 8489.1 W 25942
N. Quesada

GENERAL LEASE - RECREATIONAL USE

APPLICANTS:
Charles S. McDowell and Corinne L. McDowell

AREA, LAND TYPE, AND LOCATION:
0.08 acres, more or less, of sovereign lands in Georgiana Slough, near the city of Isleton, Sacramento County.

AUTHORIZED USE:
Construction, use and maintenance of a gangway, a double-berth boat dock, and pilings.

LEASE TERM:
Ten years, beginning October 20, 2003.

CONSIDERATION:
$ 455 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. Applicants own the uplands adjoining the lease premises.

2. Applicants do not qualify for a rent-free Recreational Pier Lease because they do not have a single-family dwelling on the uplands.

3. The Applicants are proposing to construct a gangway measuring 4 foot by 45 foot and a double-berth boat dock measuring approximately 75 foot by 32 foot (one measuring 32 feet by 15 feet and another measuring 45 feet by 16 feet) and four pilings.

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 3, New Construction of Small Structures; Title 2, California Code of Regulations, section 2905 (c)(1).

5. This activity involves lands which have NOT been identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. However, the Commission has declared that all tide and submerged lands are "significant" by nature of their public ownership (as opposed to "environmentally significant"). Since such declaration of significance is not based upon the requirements and criteria of Public Resources Code sections 6370, et seq., use classifications for such lands have not been designated. Therefore, the finding of the project's consistency with the use classification as required by Title 2, California Code of Regulations, section 2954 is not applicable.

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

APPROVALS OBTAINED:

Brannan-Island Levee Maintenance District, State Reclamation Board, Central Valley Region-Water Quality Control Board, Department of Fish and Game; U.S. Army Corps of Engineers.

EXHIBIT:

A. Site Map and Location Map

PERMIT STREAMLINING ACT DEADLINE:

January 18, 2003

RECOMMENDED ACTION:
IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

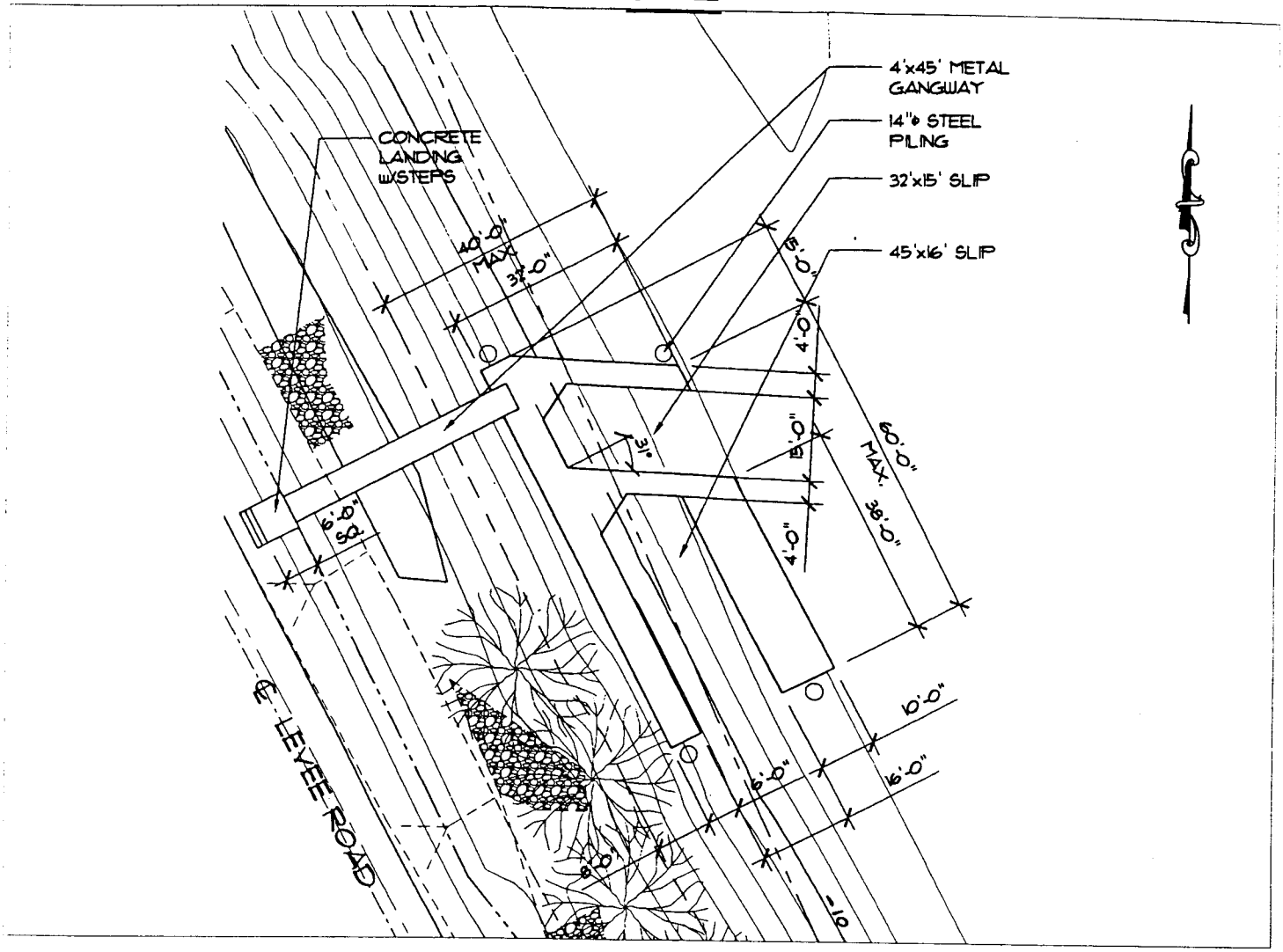
FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 3, NEW CONSTRUCTION OF SMALL STRUCTURES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (c)(1).

AUTHORIZATION:

AUTHORIZE ISSUANCE TO CHARLES S. MCDOWELL AND CORINNE L. MCDOWELL OF A GENERAL LEASE - RECREATIONAL USE, BEGINNING OCTOBER 20, 2003, FOR A TERM OF TEN YEARS, FOR THE CONSTRUCTION USE AND MAINTENANCE OF A GANGWAY, A DOUBLE-BERTH BOAT DOCK, AND PILINGS ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF $455, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF NO LESS THAN $500,000.

NO SCALE

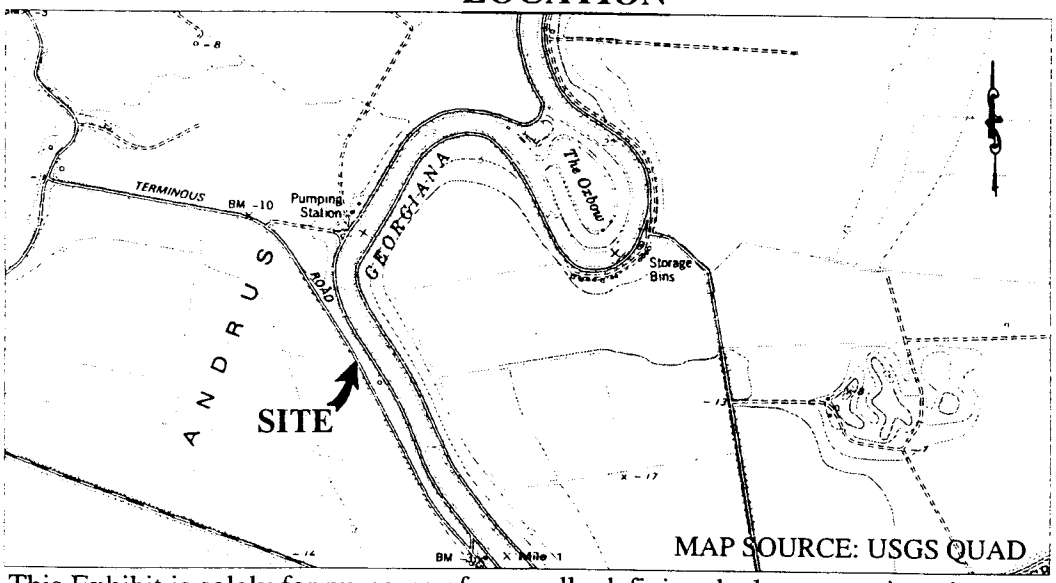
SITE



TERMINOUS RD., GEORGIANA SLOUGH,
SACRAMENTO CO.

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit A

W 25942

Charles S. & Corinne L. McDowell

APN 156-0080-069

GENERAL LEASE

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.

MJJ 09/03

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