MINUTE ITEM

This Calendar Item No. C02 was approved as Minute Item No. 02 by the California State Lands Commission by a vote of 3 to 0 at its 04-05-04 meeting.

CALENDAR ITEM
C02

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PRC 7769

04/05/04
WP 7769.9
R. Barham

GENERAL LEASE – RECREATIONAL AND PROTECTIVE STRUCTURE USE

APPLICANT:
The Trust of Jack A. Lininger

AREA, LAND TYPE, AND LOCATION:
Tide and submerged lands in the Sacramento River at Long Island, near Walnut Grove, Sacramento County.

AUTHORIZED USE:
Continued use and maintenance of an existing floating boat dock, dolphins, ramp, and bank protection.

LEASE TERM:
Ten years, beginning March 1, 2004.

CONSIDERATION:
Floating Boat Dock, Dolphins and Ramp - 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 uplands adjoining the lease premises.

2. On May 26, 1994, the Commission authorized a General Lease- Recreational and Protective Structure Use with Jack A. Lininger. That lease expired on February 28, 2004. The upland property was subsequently transferred to The Trust of Jack A. Lininger, which is applying for a new General Lease- Recreational and Protective Structure Use. Applicant qualifies for a rent free floating boat dock, dolphins, and ramp because the applicant is a natural person who has improved the littoral land with, and uses the upland for, a single-family dwelling.

3. The bank protection at this location benefits both the public and the applicant. The bank of the river will have additional protection from wave action at no cost to the public.

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 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.

5. 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).

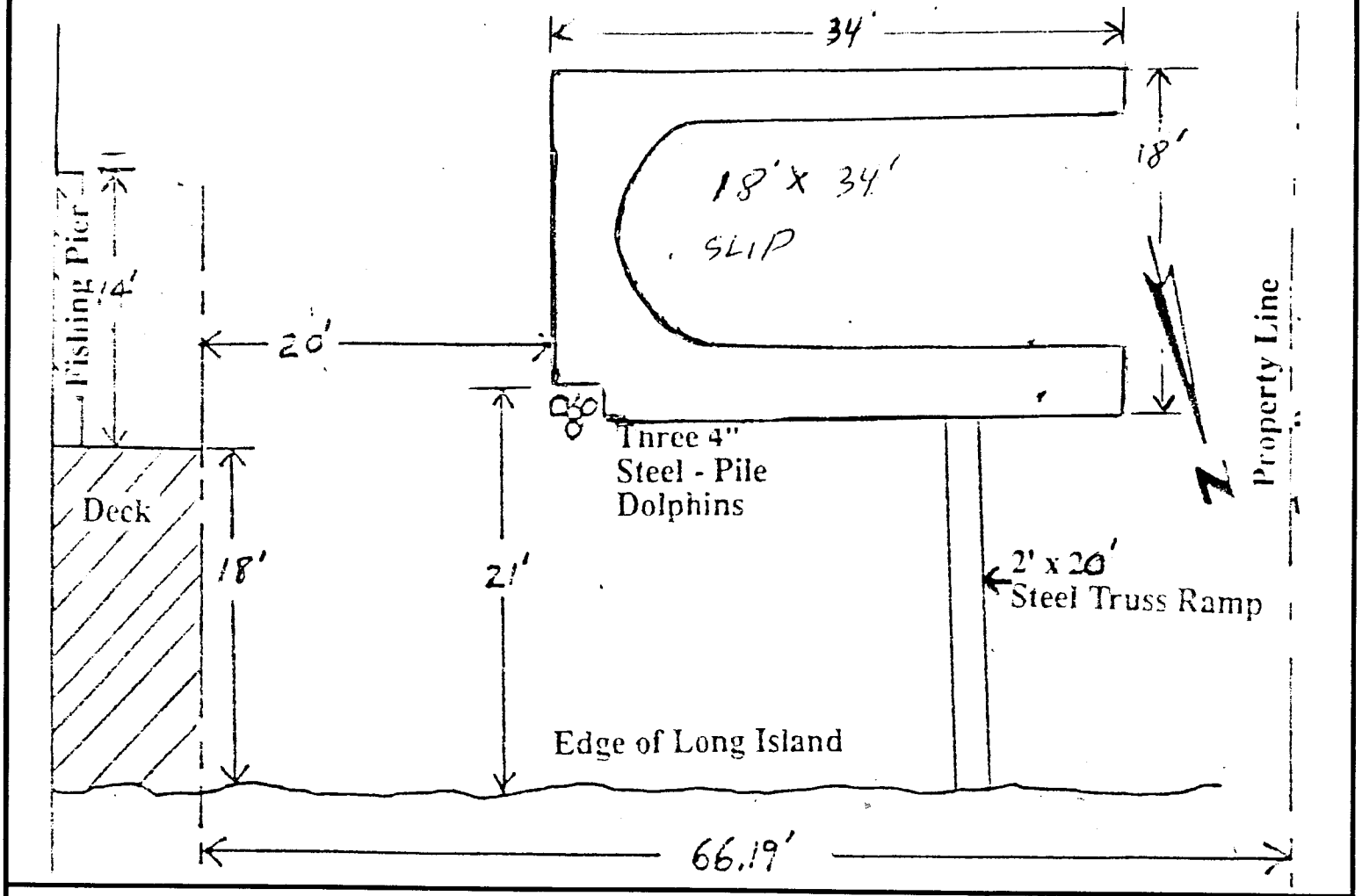
SIGNIFICANT LANDS INVENTORY FINDING:

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.

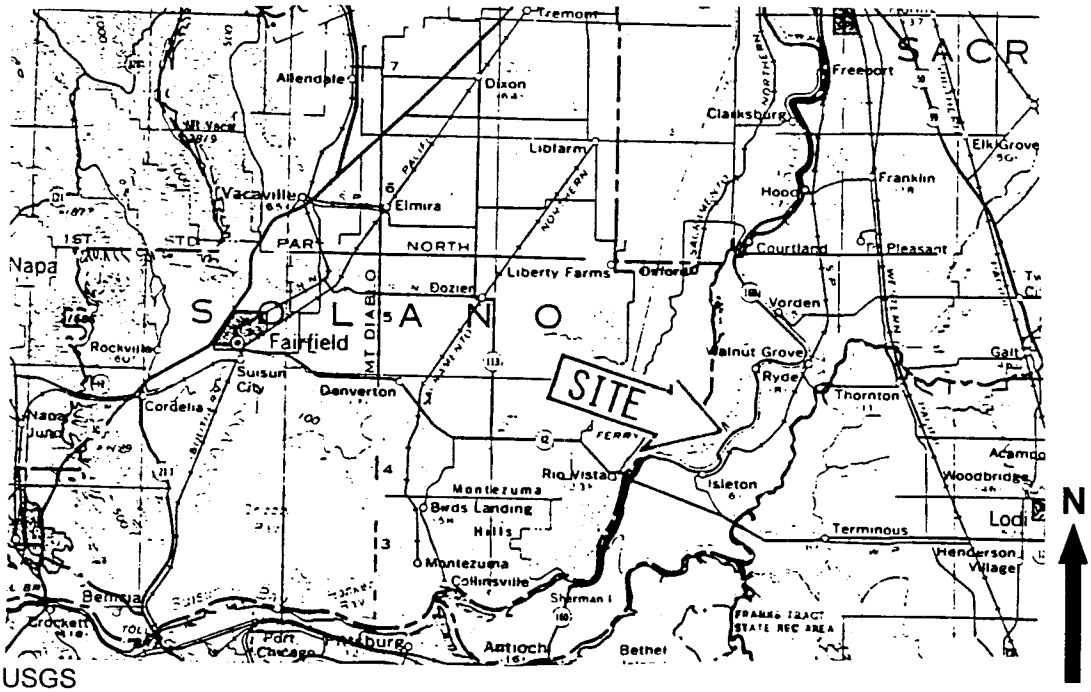
AUTHORIZATION:

AUTHORIZE ISSUANCE TO THE TRUST OF JACK A. LININGER OF A GENERAL LEASE-RECREATIONAL AND PROTECTIVE STRUCTURE USE, BEGINNING MARCH 1, 2004, FOR A TERM OF TEN YEARS, FOR A FLOATING BOAT DOCK, DOLPHINS, RAMP, AND BANK PROTECTION AS REPRESENTED ON THE LAND SHOWN ON EXHIBIT A, ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION: FLOATING BOAT DOCK, DOLPHINS, AND RAMP: 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; LIABILITY INSURANCE: COMBINED SINGLE LIMIT COVERAGE OF NO LESS THAN $500,000.

SITE MAP



LOCATION MAP



USGS

CALIFORNIA MAP

SECTION 3 Exhibit A

WP 7769.9

Jack A. Lininger 000009 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 as, a waiver or limitation of any state interest in the subject or any other property