

This Calendar Item No. C31 was approved as Minute Item No. 31 by the California State Lands Commission by a vote of 2 to 0 at its 06/07/04 meeting.

CALENDAR ITEM

C31

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PRC 7786

06/07/04

WP 7786.9

J. McComas

GENERAL LEASE -
PROTECTIVE STRUCTURE AND RECREATIONAL USE

APPLICANT:

Barbara Ewing Walker
10215 Garden Highway
Sacramento, CA 95837

AREA, LAND TYPE, AND LOCATION:

Tide and Submerged lands in the Sacramento River, adjacent to the Garden Highway, near the town of Verona, Sutter County.

AUTHORIZED USE:

Continued use and maintenance of an existing boat dock, ramp, walkway, retaining wall and bank protection.

LEASE TERM:

Ten years, beginning August 1, 2004.

CONSIDERATION:

Boat dock, walkway and ramp - No monetary consideration pursuant to Public Resources Code section 6503.5.

Retaining Wall and 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:

Liability insurance in the amount of no less than \$500,000.

OTHER PERTINENT INFORMATION:

1. On November 15, 1994, the Commission authorized a General Lease – Protective Structure and Recreational Use with Kent R. Walker. Since then, the property has been deeded to Barbara Ewing Walker. She is now

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applying for a new General Lease – Protective Structure and Recreational Use. Applicant qualifies for a rent free boat dock, ramp, and walkway because the applicant is a natural person who has improved the littoral land with, and uses the upland for, a single-family dwelling.

2. The retaining wall and bank protection at this location provides additional protection to the public levee from wave action at no cost to the public.
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, California Code of Regulations, section 2905.

4. This activity involves lands identified as possessing significant environmental value 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.

EXHIBITS:

- A. Site Map
- B. 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

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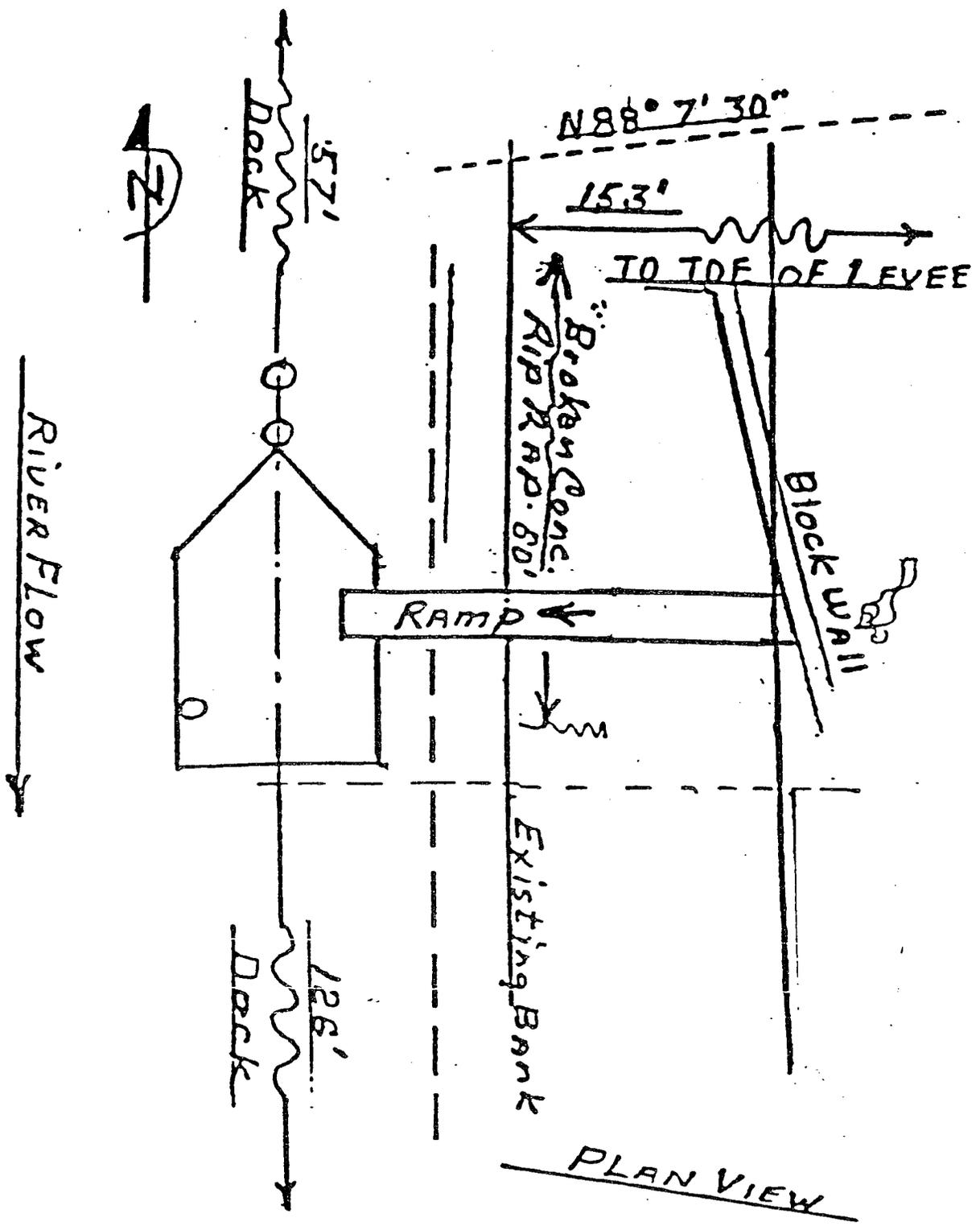
REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905(a)(2).

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 BARBARA EWING WALKER A GENERAL LEASE – PROTECTIVE STRUCTURE AND RECREATIONAL USE, BEGINNING AUGUST 1, 2004, FOR A TERM OF TEN YEARS, FOR CONTINUED USE AND MAINTENANCE OF AN EXISTING BOAT DOCK, RAMP, WALKWAY, RETAINING WALL AND BANK PROTECTION ON THE LAND SHOWN ON EXHIBIT A, ATTACHED, AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION: BOAT DOCK, RAMP AND WALKWAY: NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 6503.5; RETAINING WALL AND 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 IN THE AMOUNT OF NO LESS THAN \$500,000.



This exhibit is solely for purposes of generally defining the leased 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.

Exhibit A
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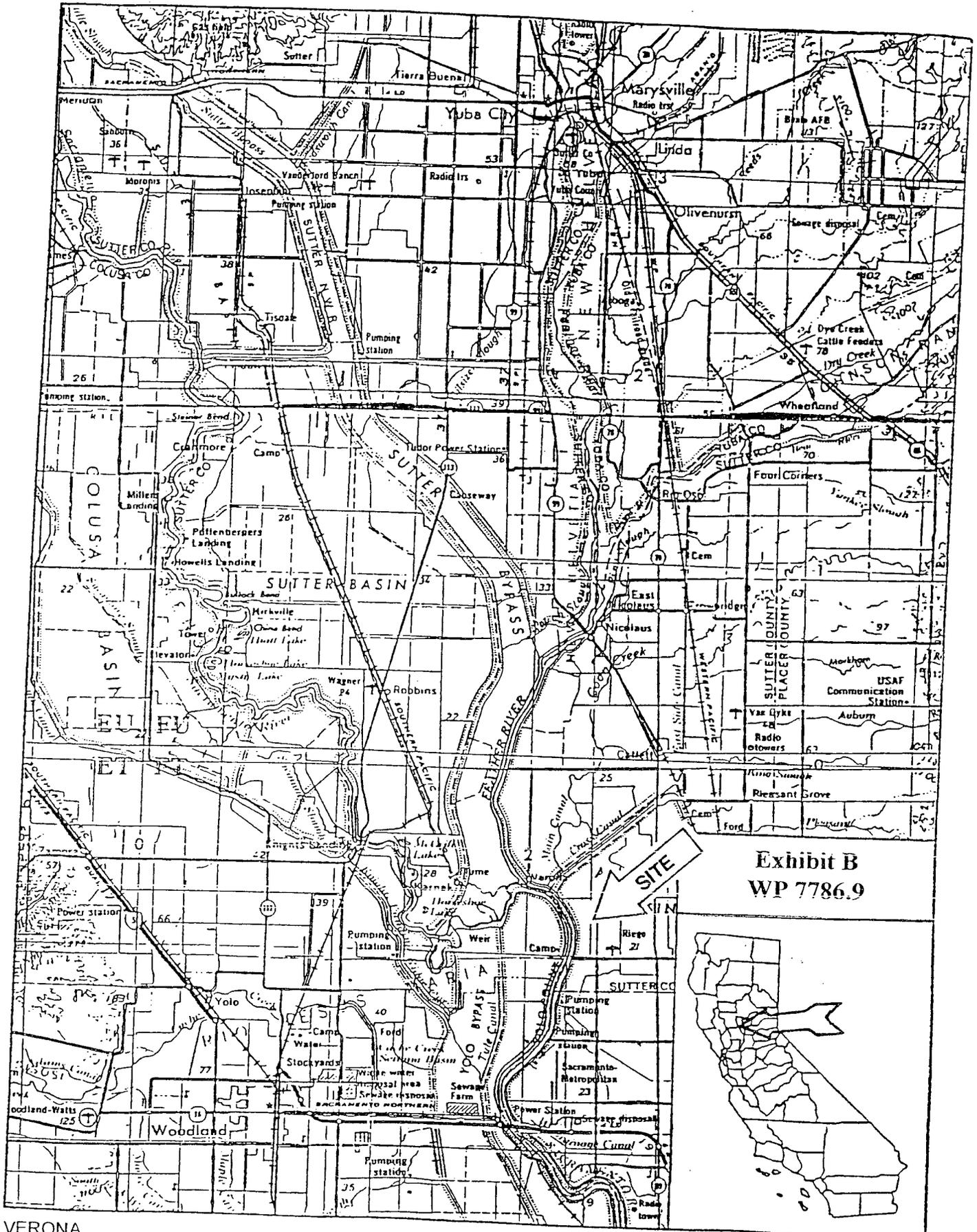


Exhibit B
WP 7786.9

VERONA

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JM 4/26/04