MINUTE ITEM
This Calendar Item No. 49 was approved as Minute Item No. 18 by the California State Lands Commission by a vote of 3 to 0 at its 8-17-04 meeting.

CALENDAR ITEM
C18

A 15 | 08/17/04
WP 7787.9
S 5 | T. Lipscomb

GENERAL LEASE - PROTECTIVE STRUCTURE AND RECREATIONAL USE

APPLICANT:
Palmyre B. Van De Maele

AREA, LAND TYPE, AND LOCATION:
.083 acres, more or less, of tide and submerged lands in Georgiana Slough, near the city of Isleton, Sacramento County.

AUTHORIZED USE:
Continued use and maintenance of an existing concrete bulkhead, floating boat dock, and gangway.

LEASE TERM:
Ten years, beginning August 15, 2004.

CONSIDERATION:
Concrete bulkhead -The public use and benefit; 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;

Floating boat dock and gangway – No monetary consideration pursuant to Section 6503.5 of the Public Resources Code.

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

OTHER PERTINENT INFORMATION:
1. Applicant owns the uplands adjoining the lease premises.

2. On November 15, 1994, the Commission authorized a ten-year General Lease - Protective Structure and Recreational Use to Hubert B. and Palmyre B. Van De Maele, beginning August 15, 1994. Palmyre B. Van De Maele, sole survivor, is now applying for a new lease.

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 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.

EXHIBITS:

A. Site Plan
B. Location Map

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:
IT IS RECOMMENDED THAT THE COMMISSION:

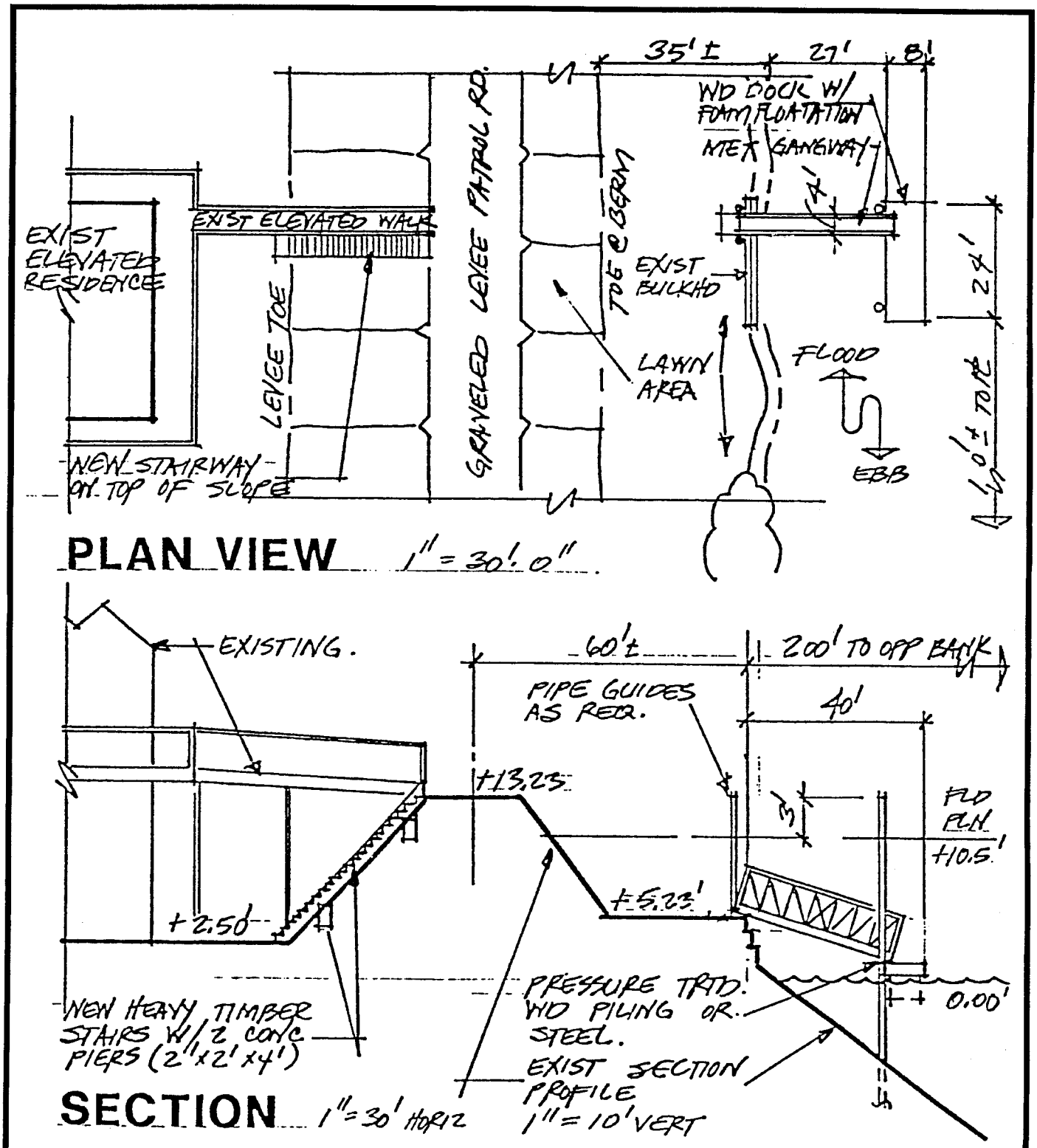
CEQA FINDING:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

AUTHORIZATION:

AUTHORIZE ISSUANCE TO PALMYRE B. VAN DE MAELE OF A GENERAL LEASE - PROTECTIVE STRUCTURE AND RECREATIONAL USE, BEGINNING AUGUST 15, 2004, FOR A TERM OF TEN YEARS, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING CONCRETE BULKHEAD, FLOATING BOAT DOCK, AND GANGWAY AS REPRESENTED ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION: CONCRETE BULKHEAD - THE PUBLIC USE AND BENEFIT, 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; FLOATING BOAT DOCK AND GANGWAY – NO MONETARY CONSIDERATION PURSUANT TO SECTION 6503.5 OF THE PUBLIC RESOURCES CODE; LIABILITY INSURANCE: COMBINED SINGLE LIMIT COVERAGE OF NO LESS THAN $500,000.

Site Plan

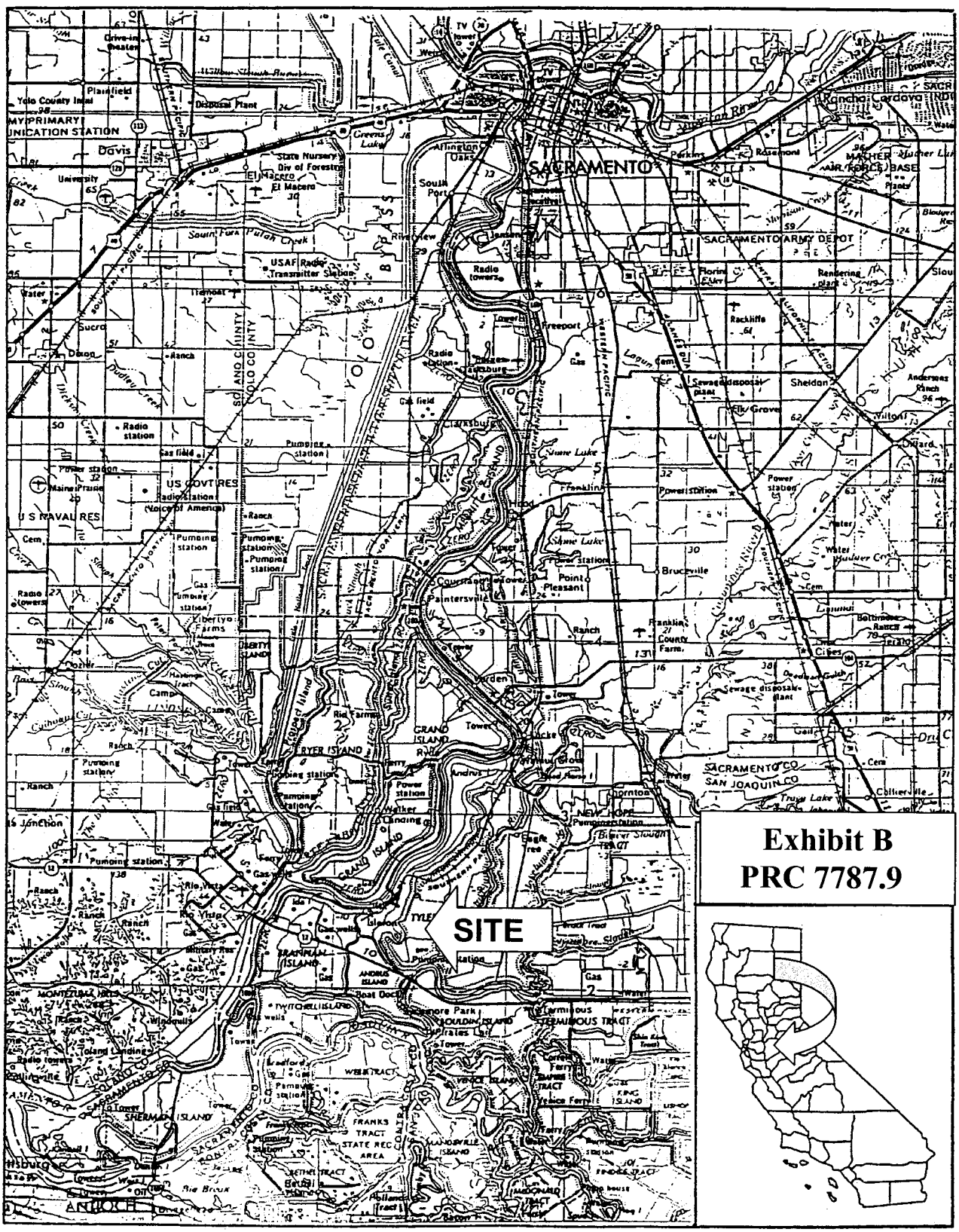


This exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by Lessee or other parties, and is not intended to be, nor shall it be construed as, a waiver or limitation of any state interest in the subject or other property.

EXHIBIT A
PRC 7787.9

TKL 6/1/2004

Location Map



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TKL 6/1/2004