MINUTE ITEM
This Calendar Item No. C19 was approved as Minute Item No. 19 by the California State Lands Commission by a vote of 3 to 0 at its 8-17-04 meeting.

CALENDAR ITEM
C19

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PRC 6437

08/17/04
WP 6437.9
T. Lipscomb

GENERAL LEASE-
PROTECTIVE STRUCTURE AND RECREATIONAL USE

APPLICANTS:
Lino Catabran and Linda Catabran

AREA, LAND TYPE, AND LOCATION:
Tide and submerged lands in the Sacramento River, near the city of Sacramento, Sacramento County.

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

LEASE TERM:
Ten years, beginning April 30, 2003.

CONSIDERATION:
Floating Boat Dock, Access Ramp & Pilings - No monetary consideration pursuant to the Public Resources Code secton 6503.5;

Bank Protection - 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.

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

OTHER PERTINENT INFORMATION:

1. On February 21, 2003, the Commission authorized a General Lease-Protective Structure and Recreational Use with the Emil Schultz, Trustee of the MAC Living Trust UTD 1-15-91. The upland property was transferred on April 30, 2003 to Lino Catabran and Linda Catabran who have applied for a new lease. Applicants qualify for a rent free floating

boat dock, access ramp, and pilings because the applicants are natural persons who have improved the littoral land with, and use the upland, for a single-family dwelling.

3. Bank protection at this location provides additional protection to the public levee 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 Locaton Map

PERMIT STREAMLINING ACT DEADLINE:

N/A

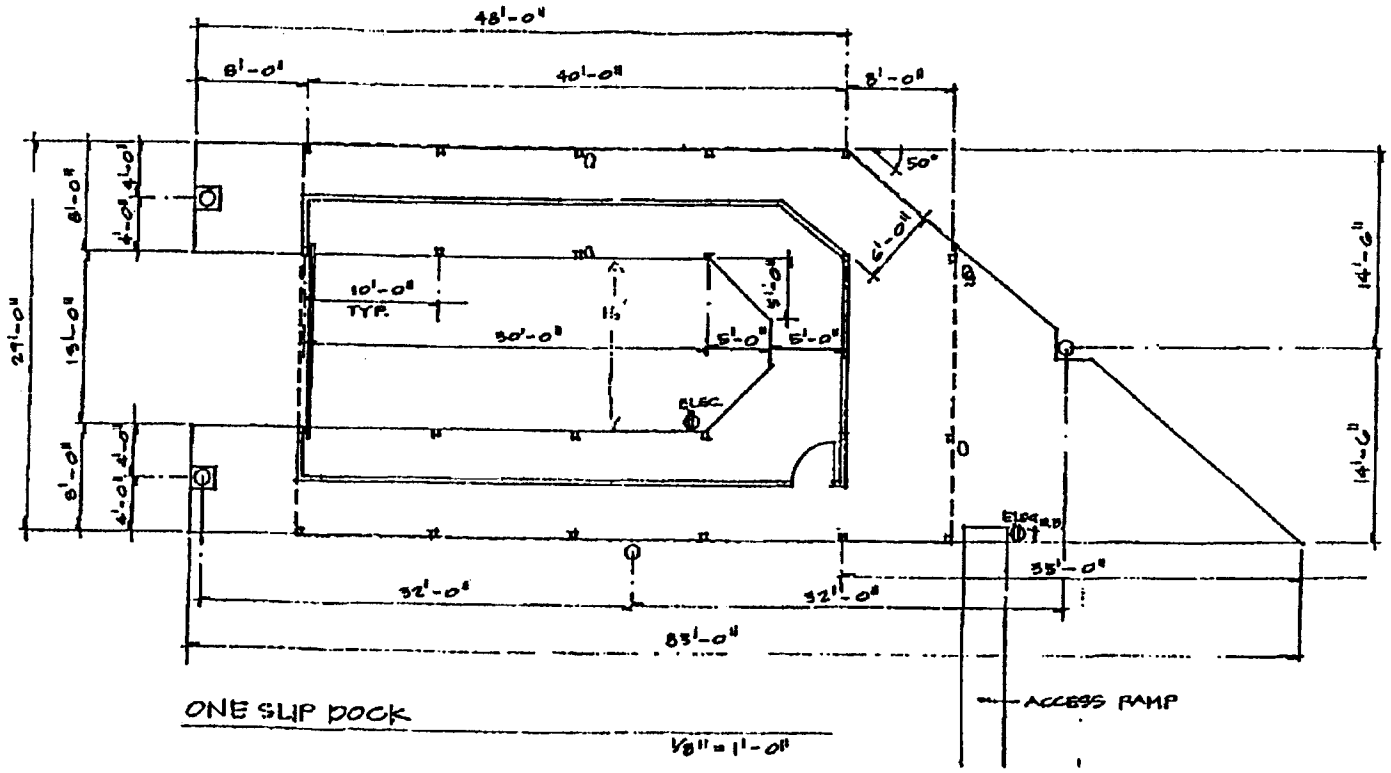
RECOMMENDED ACTION:
IT IS RECOMMENDED THAT THE COMMISSION:

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).

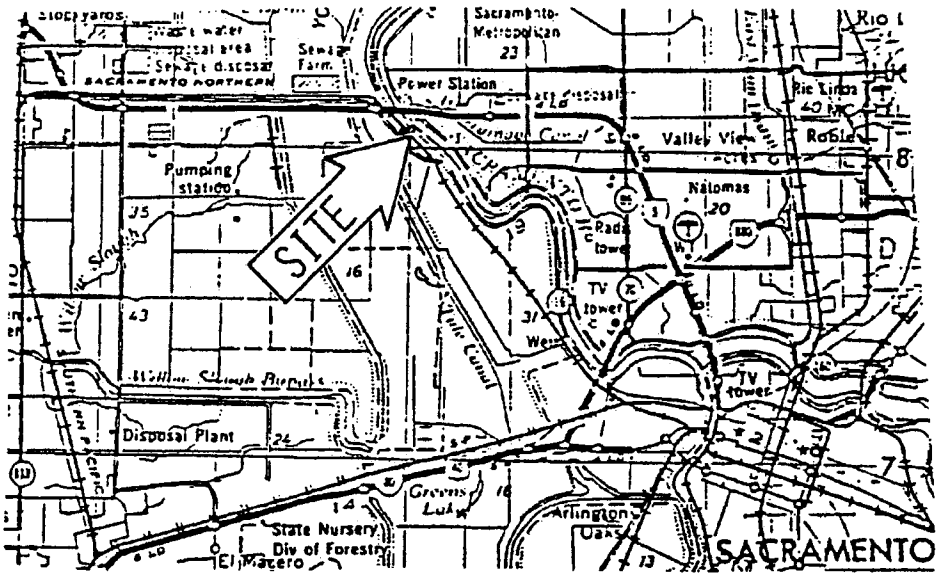
SIGNIFICANT LANDS INVENTORY FINDING:
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:
AUTHORIZE ISSUANCE TO LINO CATABRAN AND LINDA CATABRAN OF A GENERAL LEASE-PROTECTIVE STRUCTURE AND RECREATIONAL USE, BEGINNING APRIL 30, 2003, FOR A TERM OF TEN YEARS, FOR A FLOATING BOAT DOCK, ACCESS RAMP, PILINGS, AND RIP RAP BANK PROTECTION AS REPRESENTED ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION: FLOATING BOAT DOCK, ACCESS RAMP, AND PILINGS: NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 6503.5; RIP RAP BANK PROTECTION: 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; LIABILITY INSURANCE WITH COVERAGE OF NO LESS THAN $500,000.

SITE MAP



LOCATION MAP



Section 3
Exhibit A
WP 6437.9
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.

TKL 07/06/04