

MINUTE ITEM
This Calendar Item No. C15 was approved as
Minute Item No. 15 by the California State Lands
Commission by a vote of 3 to 0 at its
10/06/04 meeting.

**CALENDAR ITEM
C15**

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10/06/04
PRC 6502 WP 6502.9
T. Lipscomb

**GENERAL LEASE –
PROTECTIVE STRUCTURE AND RECREATIONAL USE**

APPLICANTS:

Mathew A. Korn and Lisa J. Dobak

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, walkway, and
bank protection.

LEASE TERM:

Ten years, beginning October 1, 2004.

CONSIDERATION:

Boat Dock and Walkway: 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 rent 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.

CALENDAR ITEM NO. C15 (CONT'D)

OTHER PERTINENT INFORMATION:

1. On November 7, 1997, the Commission issued a General Lease – Recreational and Protective Structure Use to Edward R. and Mary D. Hilliard, for a floating boat dock, gangway, stairs and bank protection, for a ten year period, beginning October 1, 1993. The upland has subsequently deeded to Mathew A. Korn and Lisa J. Dobak. Applicants qualify for a rent-free boat dock and walkway because the applicants are natural persons who have improved the littoral land with, and use the upland, for a single-family dwelling.
2. The bank protection at this location mutually benefits both the public and the applicant. The bank of the River will have the additional protection from wave action provided 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 2, California Code of Regulations, section 2905.

4. 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.

EXHIBITS:

- A. Site Plan
- B. Location Map

PERMIT STREAMLINING ACT DEADLINE:

N/A

CALENDAR ITEM NO. C15 (CONT'D)

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

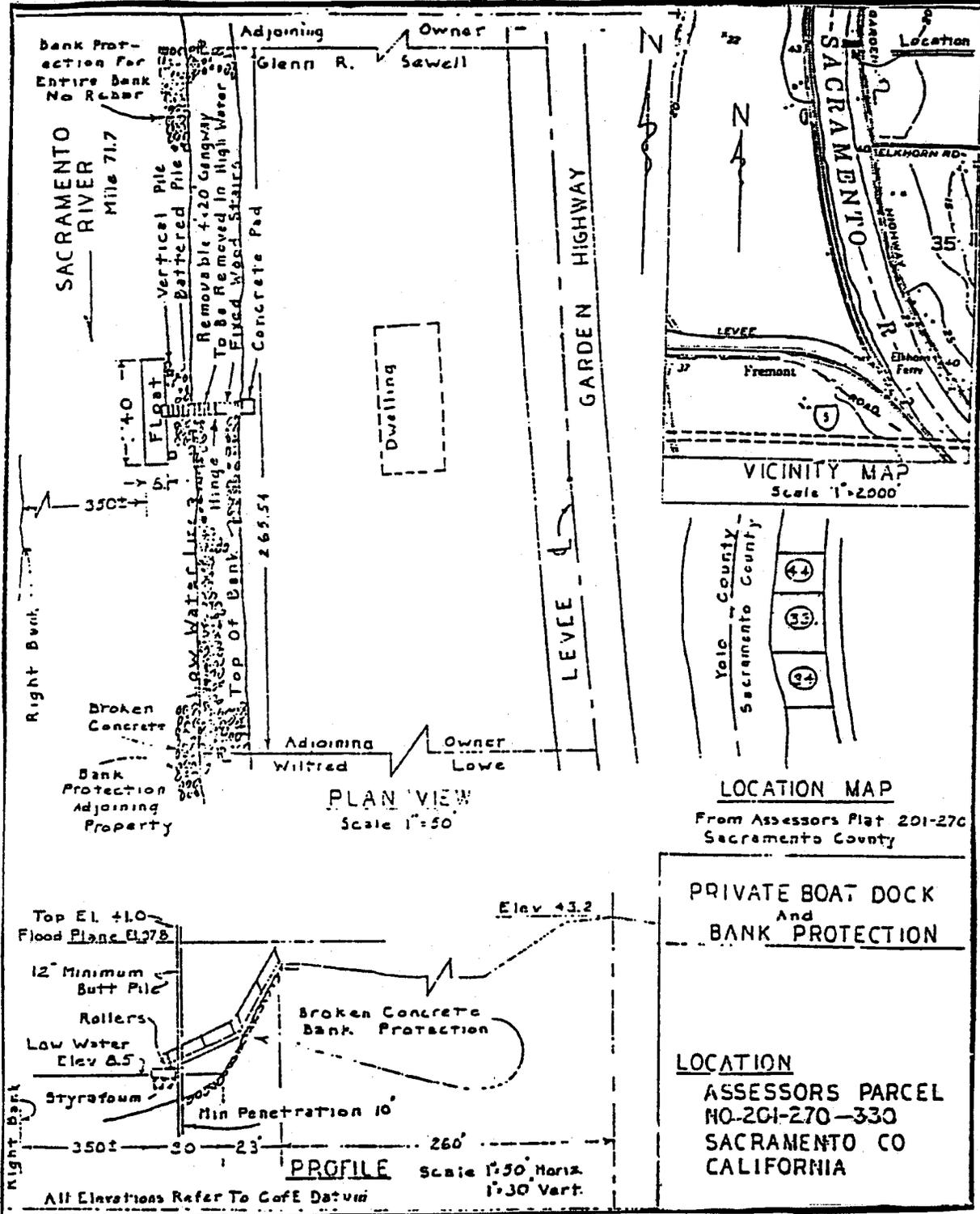
SIGNIFICANT LANDS INVENTORY FINDING:

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 MATHEW A. KORN AND LISA J. DOBAK OF A TEN-YEAR GENERAL LEASE – PROTECTIVE STRUCTURE AND RECREATIONAL USE, BEGINNING OCTOBER 1, 2004, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING FLOATING BOAT DOCK, WALKWAY, AND BANK PROTECTION AS REPRESENTED ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF;
CONSIDERATION: BOAT DOCK AND WALKWAY: 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 RENT 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.

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.

Section 3 Exhibit A
PRC 6502.9

TKL 09/01/2004

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Location Map

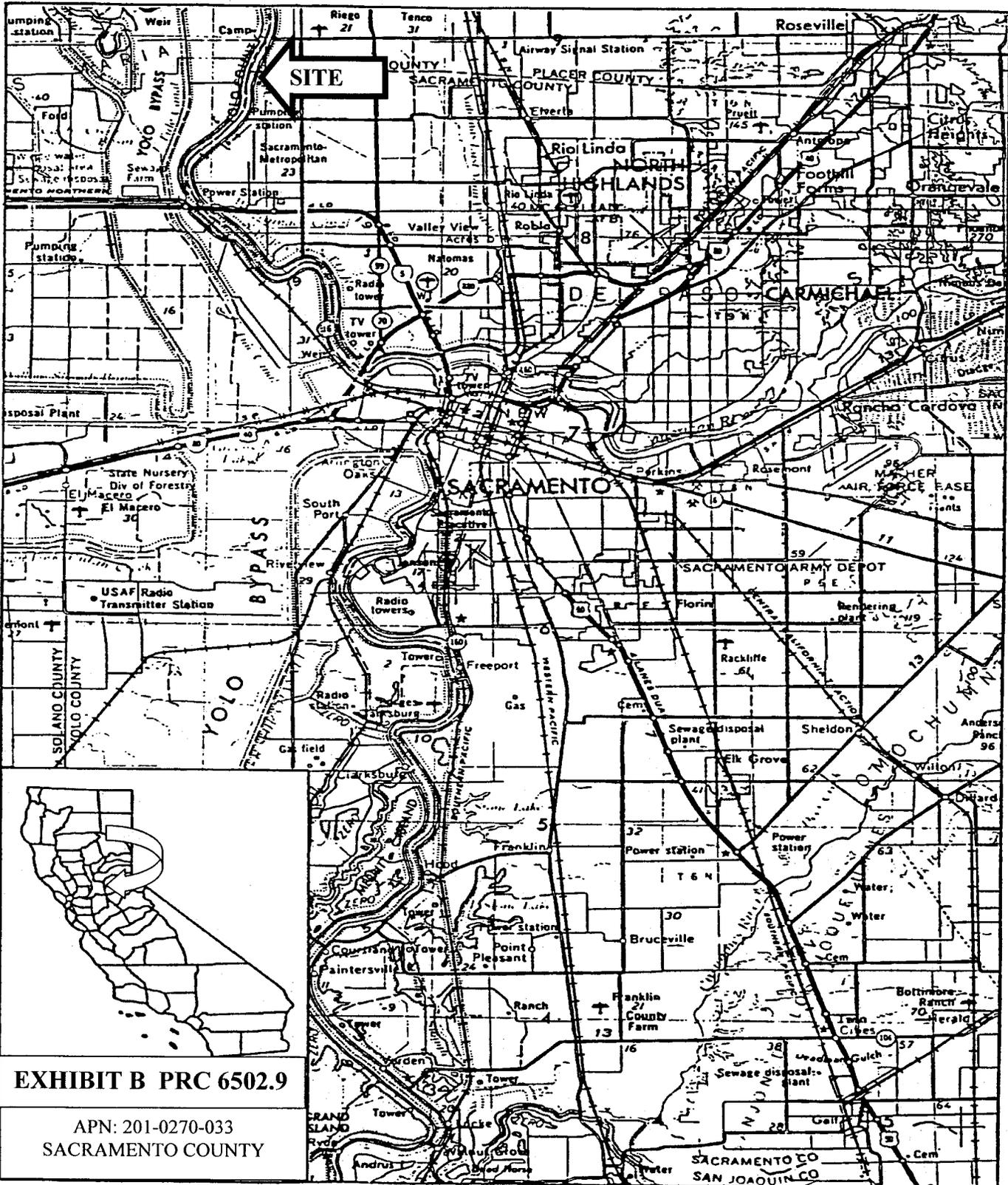


EXHIBIT B PRC 6502.9

APN: 201-0270-033
SACRAMENTO COUNTY

EXHIBIT CONSTRUCTED FROM USGS QUAD

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