MINUTE ITEM

This Calendar Item No. C13 was approved as Minute Item No. 13 by the California State Lands Commission by a vote of 3 to 0 at its 12-9-05 meeting.

CALENDAR ITEM
C13

A 15

S 5

12/09/04
PRC8578 W 25962(1)
T. Lipscomb

GENERAL LEASE - RECREATIONAL USE

APPLICANTS:
Anthony P. Demattei and Gail J. Demattei

AREA, LAND TYPE, AND LOCATION:
Tide and submerged lands in the Sacramento River, Rio Viento Campground, Sherman Island, Sacramento County.

AUTHORIZED USE:
Construction, use, and maintenance of three proposed pedestrian windsurfing access ramps.

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

CONSIDERATION:
$102 per year; with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

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

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.

2. The three pedestrian access ramps are to be used for access into the water by campers and windsurfers at the Rio Viento Windsurfing Resort.

3. The Army Corps of Engineers has issued a Letter of Permission 200300778, which includes completed Section 7 endangered species consultations from the National Marine Fisheries Service (151422SWR00SA9187 (August 04, 2004), and U.S. Fish and Wildlife

Service, 1-1-04-F-0233 (August 13, 2004). The California Regional Water Quality Control Board issued Certification WDID#5A34CR00126 and Reclamation Board issued Permit #17728.

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 under the general rule that the CEQA applies only to projects which have the potential for causing a significant effect on the environment. The staff believes, based on the information available to it, that there is no possibility that this project may have a significant effect on the environment.

   Authority: Title 14, California Code of Regulations, section 15061 (b) (3).

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.

APPROVALS OBTAINED:

U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, National Marine Fisheries Service, California Regional Water Quality Control Board, California Department of Fish and Game, The Reclamation Board

EXHIBITS:

A. Site Map
B. Location Map

PERMIT STREAMLINING ACT DEADLINE:

November 14, 2004

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 BECAUSE THERE IS NO POSSIBILITY THAT THE ACTIVITY MAY HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT; TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 (b)(3).

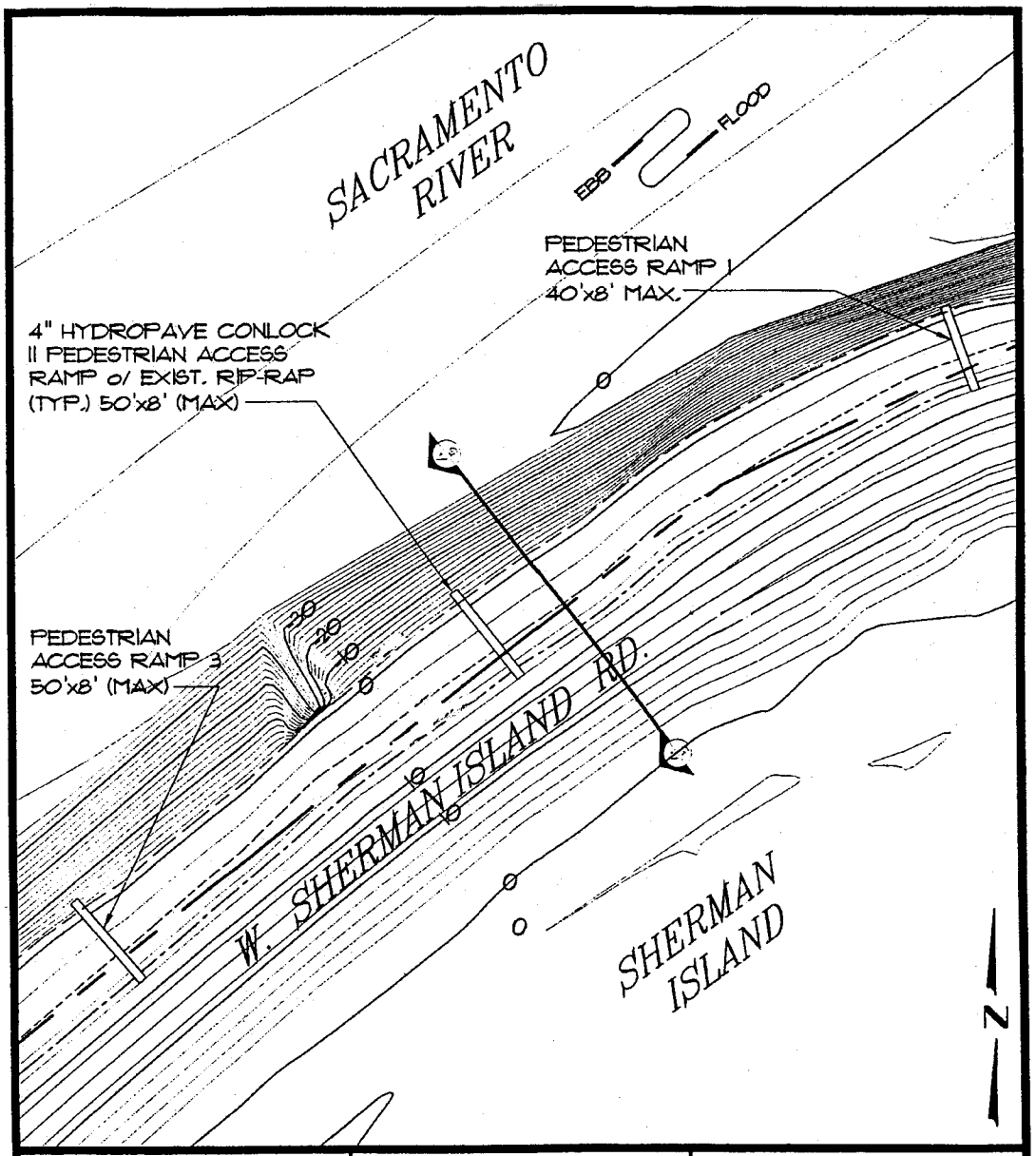
SIGNIFICANT LANDS INVENTORY FINDING:

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 ANTHONY P. DEMATTEI AND GAIL J. DEMATTEI OF A GENERAL LEASE - RECREATIONAL USE, BEGINNING DECEMBER 1, 2004, FOR A TERM OF TEN YEARS, FOR THE CONSTRUCTION, USE, AND MAINTENANCE OF THREE NEW PEDESTRIAN WINDSURFING ACCESS RAMPS AS REPRESENTED ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION: $102 PER YEAR; WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE. LIABILITY INSURANCE WITH COVERAGE OF NO LESS THAN $500,000.

Site Plan



OWNER: TONY DEMATTEI DATUM: NGVD DATE: 5/06/04	CONTENTS: SITE PLAN DCC ENGINEERING CO., INC. Architecture, Civil Engineering, Land Use Planning, Feasibility Studies, Environmental Permitting, Program/Construction Management	PROJECT ACCESS RAMPS SHEET: 3 OF 7, REV. 0

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
W 25962

TKL 11/01/2004

Location Map

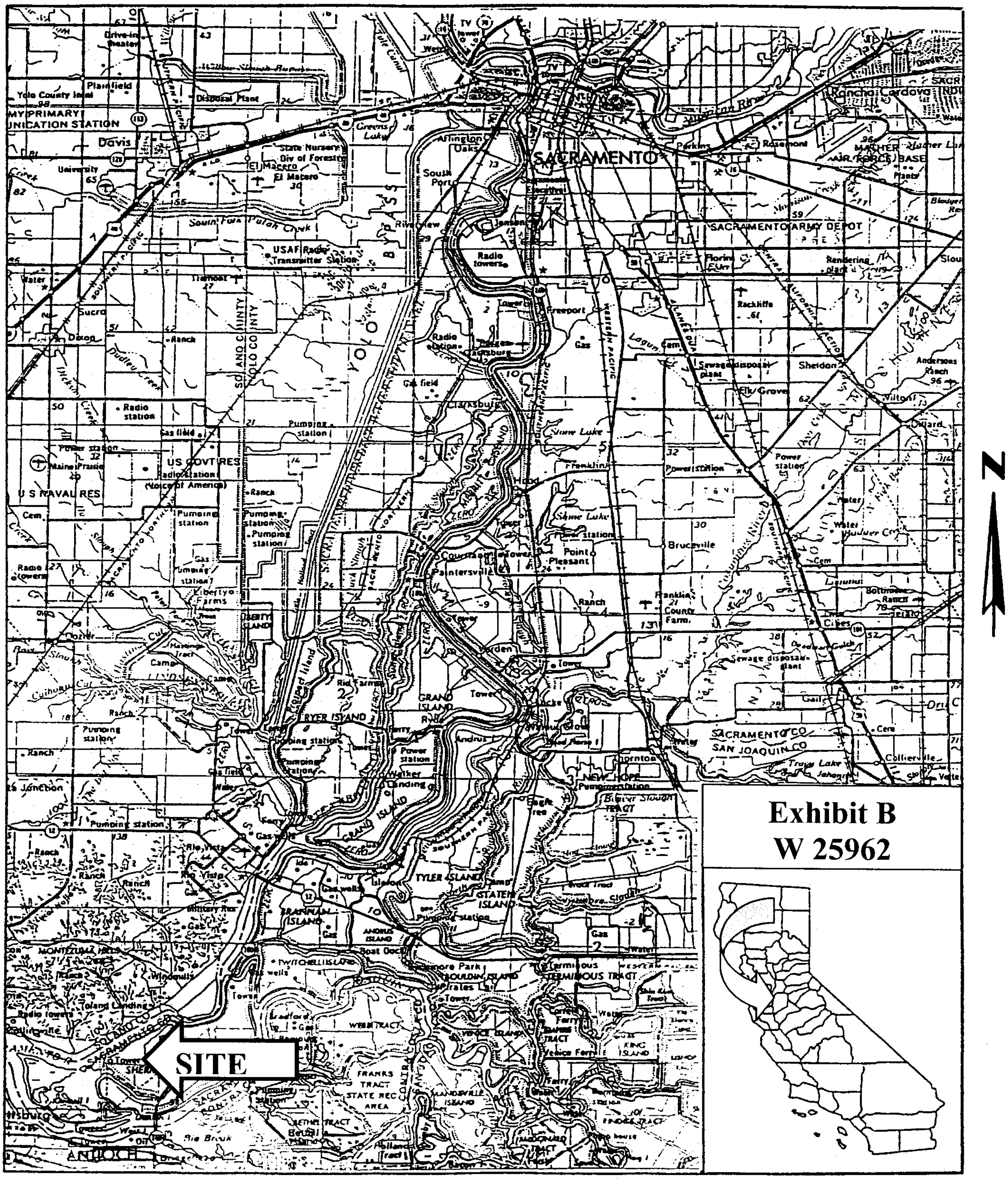


EXHIBIT CONSTRUCTED FROM USGS QUAD

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. 001919

CALENDAR PAGE MINUTE PAGE

TKL 11/1/2004