MINUTE ITEM
This Calendar Item No. C18 was approved as Minute Item No. 18 by the California State Lands Commission by a vote of 3 to 0 at its 12-9-04 meeting.

CALENDAR ITEM
C18

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12/09/04
PRC 7817 WP 7817.9
V. Massey

GENERAL LEASE
PROTECTIVE STRUCTURE AND RECREATIONAL USE

APPLICANTS:
George Grinzewitsch and
Delia Grinzewitsch

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

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

LEASE TERM:
Ten years, beginning January 31, 2005.

CONSIDERATION:

Floating Boat Dock and Steel Ramp:	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.

OTHER PERTINENT INFORMATION:
1. Applicants own the uplands adjoining the lease premises.

2. On March 1, 1995, the Commission authorized a General Lease – Protective Structure and Recreational Use with George and Delia Grinzewitsch. That lease will expire on January 31, 2005. George and Delia Grinzewitsch are now applying for a new General Lease – Protective Structure and Recreational Use. Applicants qualify for a rent-free floating boat dock and steel ramp because the applicants are natural persons who have improved the littoral land with, and use the upland, for a single-family dwelling.

3. 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.

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.

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

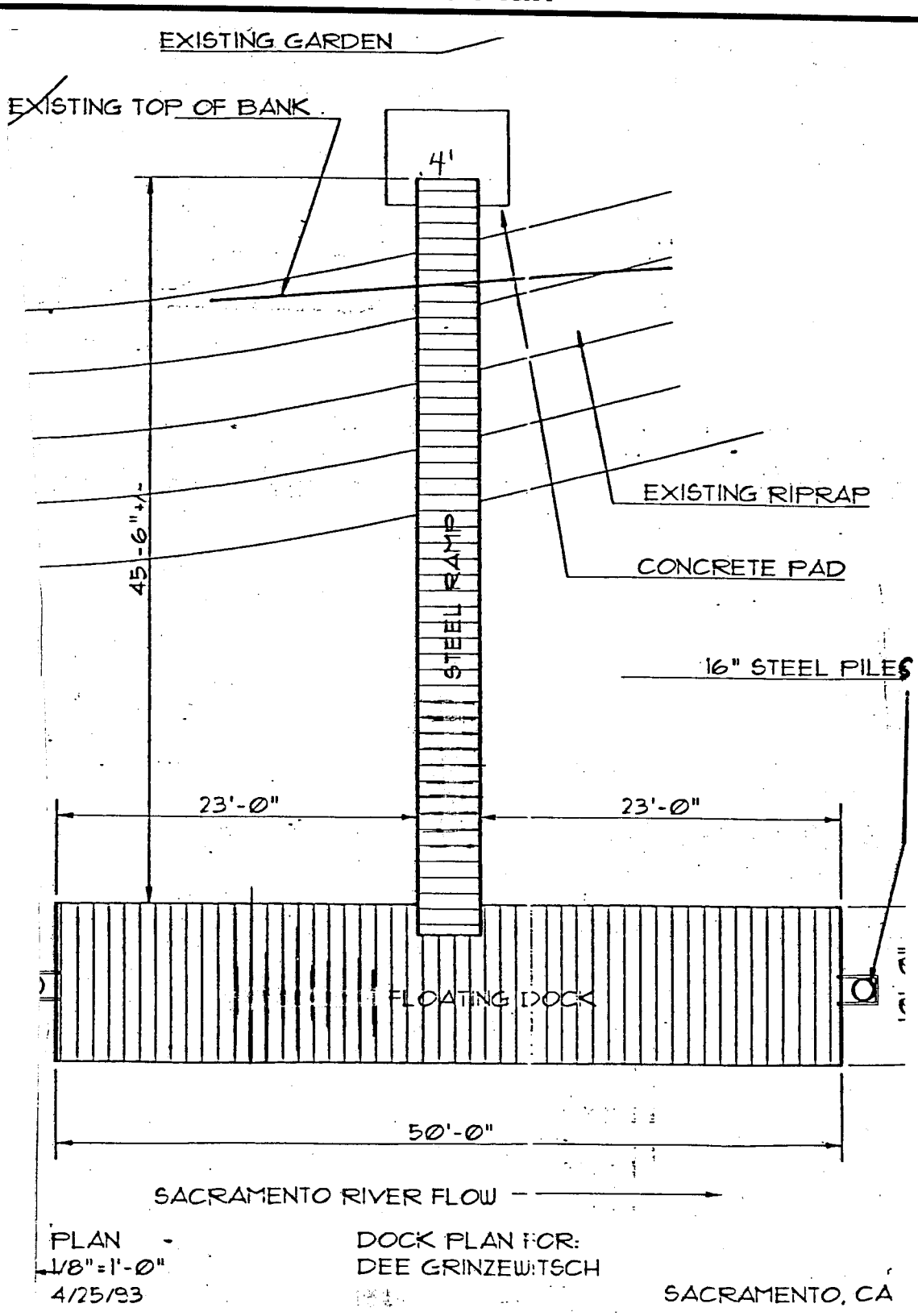
SIGNIFICANT LANDS INVENTORY FINDING:

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 GEORGE GRINZEWITSCH AND DELIA GRINZEWITSCH OF A GENERAL LEASE - PROTECTIVE STRUCTURE AND RECREATIONAL USE, BEGINNING JANUARY 31, 2005, FOR A TERM OF TEN YEARS, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING FLOATING BOAT DOCK, STEEL RAMP, AND BANK PROTECTION AS REPRESENTED ON THE LAND AND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION: FLOATING BOAT DOCK, AND STEEL RAMP: 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 RENTAL IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; LIABILITY INSURANCE IN THE AMOUNT OF NO LESS THAN $500,00.

Site Plan



This exhibit is solely for purposes of generally defining the area to be leased, 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 7817.9

VLM 9/21/2004

Location Map

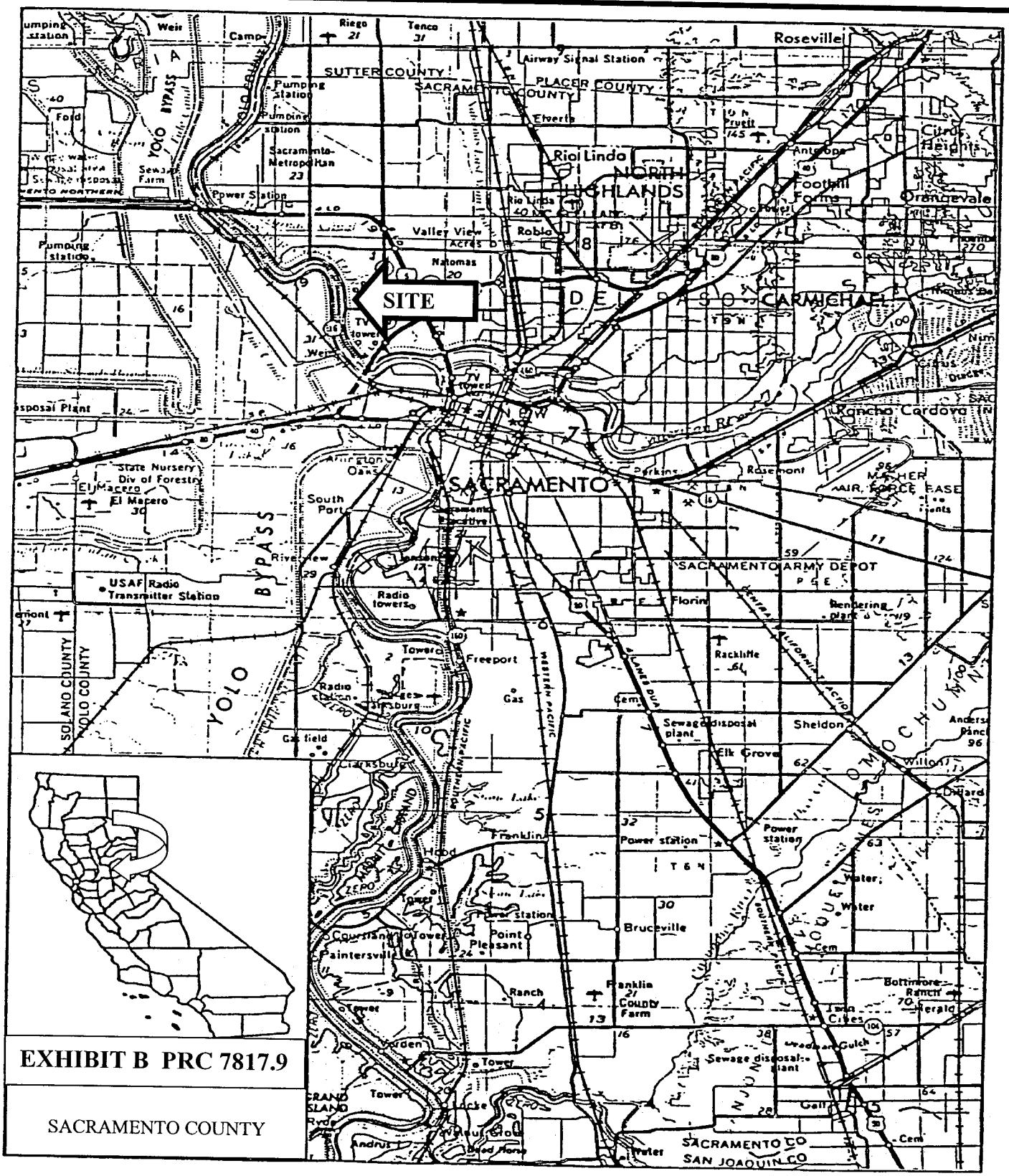


EXHIBIT B PRC 7817.9

SACRAMENTO COUNTY

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.