

MINUTE ITEM
This Calendar Item No. C23 was approved as
Minute Item No. 23 by the California State Lands
Commission by a vote of 3 to 0 at its
12/9/04 meeting.

CALENDAR ITEM
C23

A 2, 5

PRC 6824

12/09/04

S 4, 6

WP 6824.1

V. Massey

GENERAL LEASE
PROTECTIVE STRUCTURE AND RECREATIONAL USE

APPLICANTS:

Alfred Zacharias, Hildagard Zacharias, Erwin Zacharias, and Veronika Zacharias

AREA, LAND TYPE, AND LOCATION:

0.17 acres, more or less, of sovereign lands in the Sacramento River, near the city of Verona, Sutter County.

AUTHORIZED USE:

The continued use and maintenance of a floating boat dock, walkway and bank protection.

LEASE TERM:

Ten years, beginning April 1, 2005.

CONSIDERATION:

Floating Boat Dock and Walkway - \$383 per year; with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

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.

SPECIFIC LEASE PROVISIONS:

Liability insurance with coverage of no less than \$500,000.

OTHER PERTINENT INFORMATION:

1. Applicants own the uplands adjoining the lease premises.
2. On July 6, 1995, the Commission authorized a General Lease - Protective Structure and Recreational Use with Alfred Zacharias, Hildagard

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Zacharias, Erwin Zacharias, and Veronika Zacharias. That lease will expire on March 31, 2005. Alfred Zacharias, Hildagard Zacharias, Erwin Zacharias, and Veronika Zacharias are now applying for a new General Lease - Protective Structure and Recreational Use. Applicants do not qualify for a rent free floating dock and walkway because the applicants have not improved the littoral land with, and do not 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

CALENDAR ITEM NO. C23 (CONT'D)

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

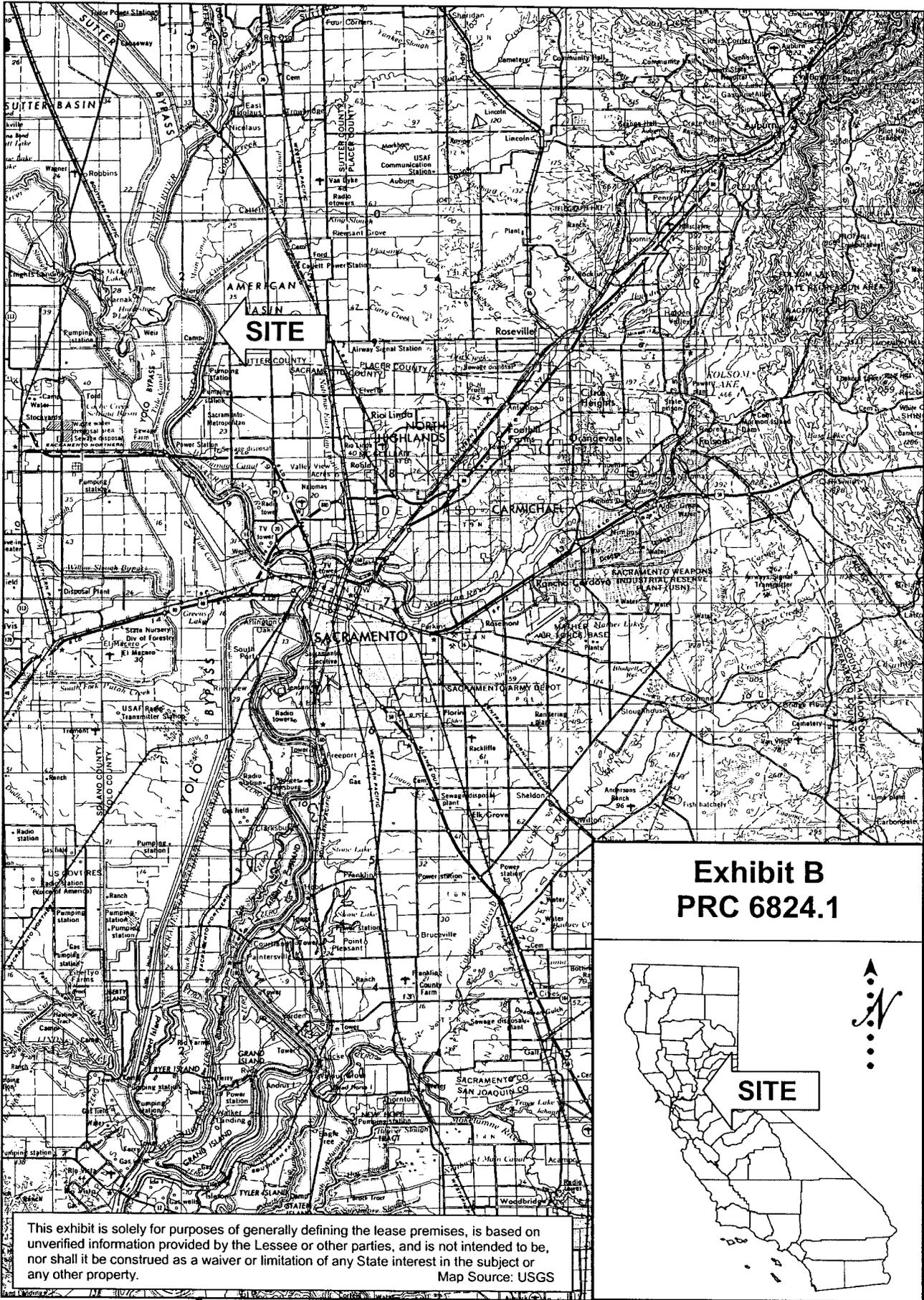
FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

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 ALFRED ZACHARIAS, HILDAGARD ZACHARIAS, ERWIN ZACHARIAS, VERONIKA ZACHARIAS OF A GENERAL LEASE - PROTECTIVE STRUCTURE AND RECREATIONAL USE, BEGINNING APRIL 1, 2005, FOR A TERM OF TEN YEARS, FOR 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: FLOATING DOCK AND WALKWAY: \$383 PER YEAR WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; 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 \$500,000.



**Exhibit B
PRC 6824.1**



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.
Map Source: USGS

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