MINUTE ITEM

This Calendar Item No. C21 was approved as Minute Item No. 21 by the California State Lands Commission by a vote of 3 to 0 at its 2-17-05 meeting.

CALENDAR ITEM
C21

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02/17/05
PRC 3935 WP 3935.1
T. Lipscomb

GENERAL LEASE-COMMERCIAL USE

APPLICANT:
Sandras Clark

AREA, LAND TYPE, AND LOCATION:
0.23 acres, more or less, of tide and submerged lands in Steamboat Slough, near Walnut Grove, Sacramento County.

AUTHORIZED USE:
Continued use and maintenance of an existing accommodation dock and walkway for the Grand Island Mansion Restaurant.

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

CONSIDERATION:
$677 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:

Insurance:

Liability insurance with coverage of no less than $1,000,000.

Bond:

Surety bond in the amount of no less than $5,000.

Other:

1. The lease contains provisions that the Lessee must implement the Commission's Best Management Practices for Marina Owners/Operators" and encourage implementation of the Commission's "Best Management Practices for Guest Dock Users and Boaters" including additional Best Management Practices (BMPs) the Commission subsequently deems appropriate for either of the above categories. Lessee shall post the BMPs for Guest Dock Users and Boaters" in prominent places within the lease

premises. The Lessee shall provide the Commission, on the first anniversary of the lease and tri-annually thereafter, a report on compliance with all BMPs.

2. Back rent in the amount of $2,708 will be paid by Lessee.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.

2. On April 25, 1968, the Commission approved a Noncommercial Lease for the River Mansion Development Company for the maintenance of pontoons, dolphins and a walkway for the accommodation of patrons visiting the restaurant on the uplands. Since that time, the ownership has changed a number of times and an accommodation dock and walkway was constructed to be used by patrons who visit the Grand Island Mansion Restaurant and by members of the Grand Island Mansion Club, which is a social club affiliated with the restaurant and that is open to the public for membership. In 1999, the ownership was transferred to Sandras Clark, who has applied for a new lease.

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 14, California Code of Regulations, section 15301.

   Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300.

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 is consistent with its use classification.

FURTHER APPROVALS REQUIRED:

U. S. Army Corps of Engineers.

EXHIBIT:

A. Site and 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 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15301.

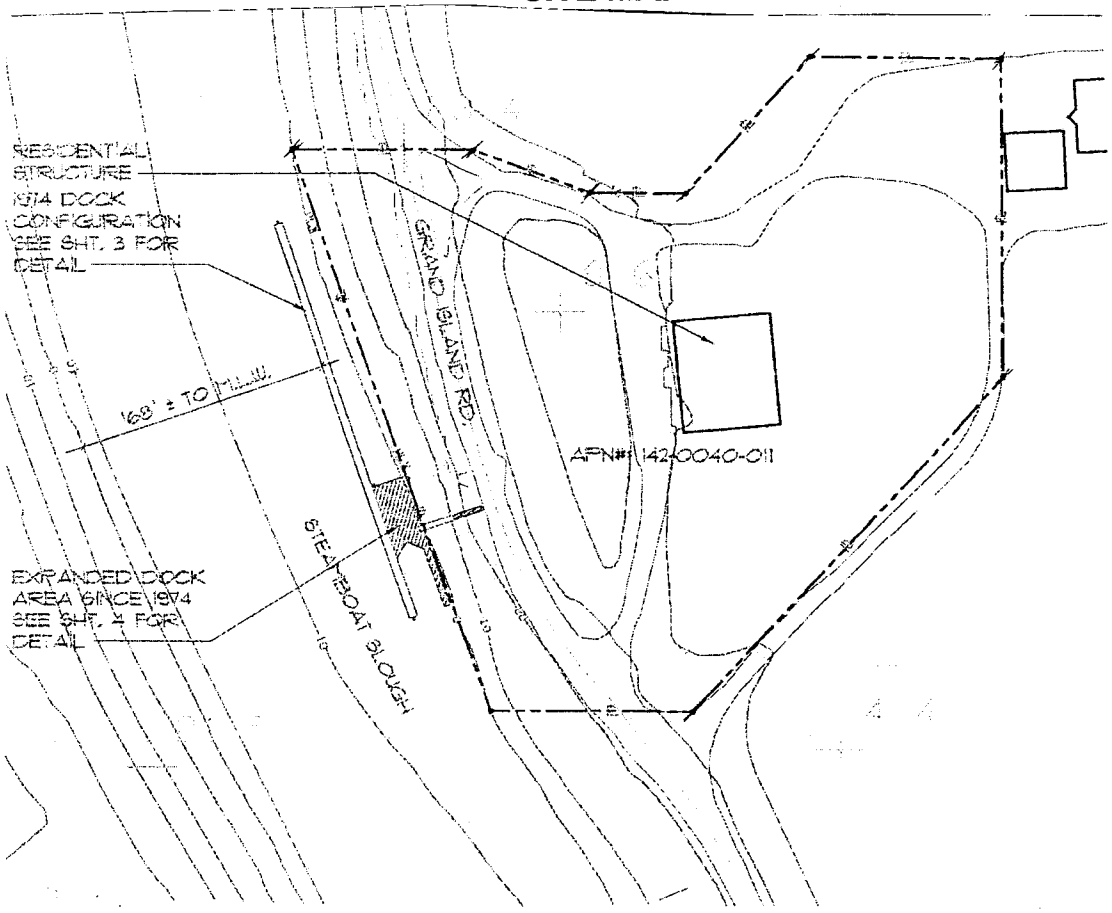
SIGNIFICANT LANDS INVENTORY FINDING:

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.

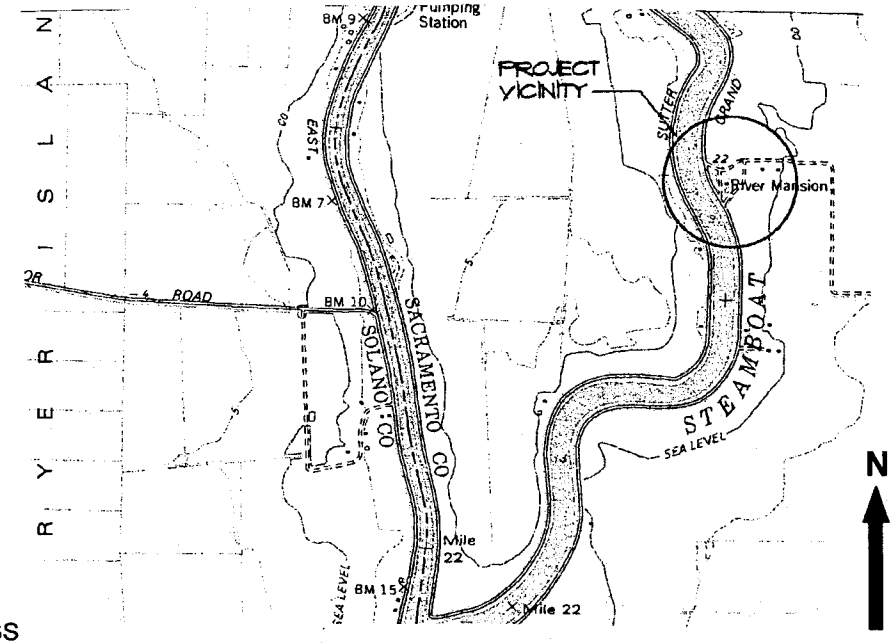
AUTHORIZATION:

AUTHORIZE ISSUANCE TO SANDRAS CLARK OF A GENERAL LEASE-COMMERCIAL USE, BEGINNING DECEMBER 1, 2004, FOR A TERM OF TWENTY YEARS, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING ACCOMMODATION DOCK AND WALKWAY AS REPRESENTED ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION: ANNUAL RENT IN THE AMOUNT OF $677 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 $1,000,000; SURETY BOND IN THE AMOUNT OF NO LESS THAN $5,000; BACK RENT IN THE AMOUNT OF $2,708.

SITE MAP



LOCATION MAP



USGS

CALIFORNIA MAP

SECTION 3 Exhibit A

WP 3935.1

Sandras Clark Sacramento County

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 to as a waiver or limitation of any state interest in the subject or any other property

TKL 08/12/2004