MINUTE ITEM

This Calendar Item No. C25 was approved as Minute Item No. 25 by the California State Lands Commission by a vote of 3 to 0 at its 2-17-05 meeting.

CALENDAR ITEM
C25

A 15

S 5

02/17/05
PRC 5780.1
T. Lipscomb

GENERAL LEASE - RECREATIONAL AND RESIDENTIAL USE

APPLICANT:
Donna Obert Blower

AREA, LAND TYPE, AND LOCATION:
Tide and submerged lands in Georgiana Slough, near the town of Walnut Grove, Sacramento County.

AUTHORIZED USE:
Continued use and maintenance of a deck attached to a residence.

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

CONSIDERATION:
$402 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 PROVISION:
Liability insurance with combined single limit coverage of $500,000.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.

2. This lease is for a deck attached to a residence that extends over the waters of Georgiana Slough. The residence is located on the upland owned by the applicant.

3. On March 2, 1992, the Commission authorized a General Lease-Recreational Use with Donna Obert Blower for a term of 10-years beginning December 1, 1989. This lease has expired and Donna Obert Blower has applied for a new lease.

4. The proposed lease contains specific provisions prohibiting expansion of the existing structures, and requires the removal of residential structures from State's lands under specific circumstances. Because the structure to be authorized does not appear to constitute a nuisance at this time, staff recommends issuance of the proposed lease subject to the conditions contained therein, including, but not limited to, the specific provisions referenced above.

5. 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.

6. 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).

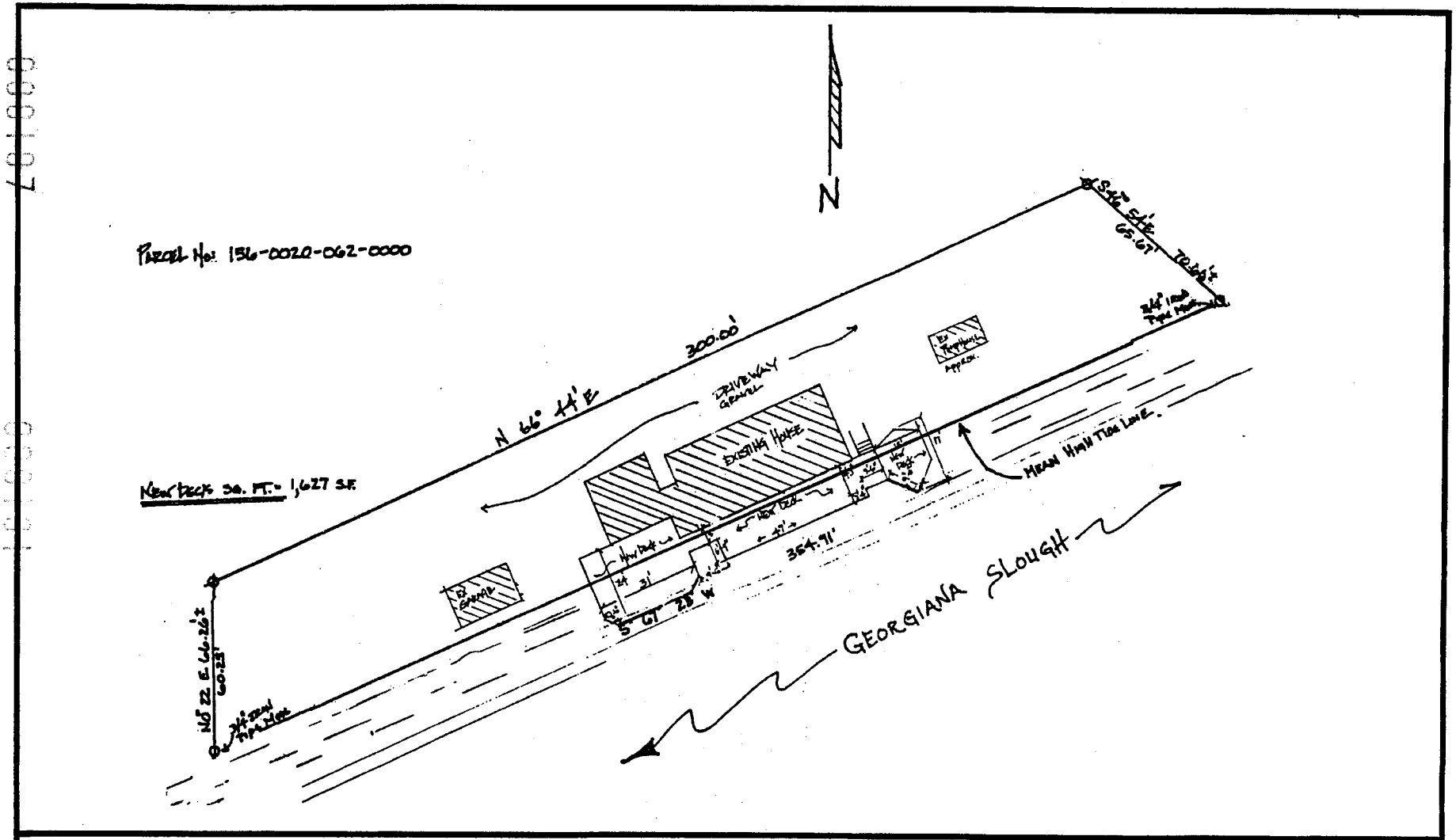
SIGNIFICANT LANDS INVENTORY FINDING:

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 DONNA OBERT BLOWER OF A GENERAL LEASE-RECREATIONAL AND RESIDENTIAL USE, BEGINNING DECEMBER 1, 2004, FOR A TERM OF TEN-YEARS, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING DECK ATTACHED TO A RESIDENCE 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 $402 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 WITH COVERAGE 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.

Exhibit A
WP 5780.1

TKL 10/06/2004

CALENDAR PAGE
MINUTE PAGE
000107

Location Map

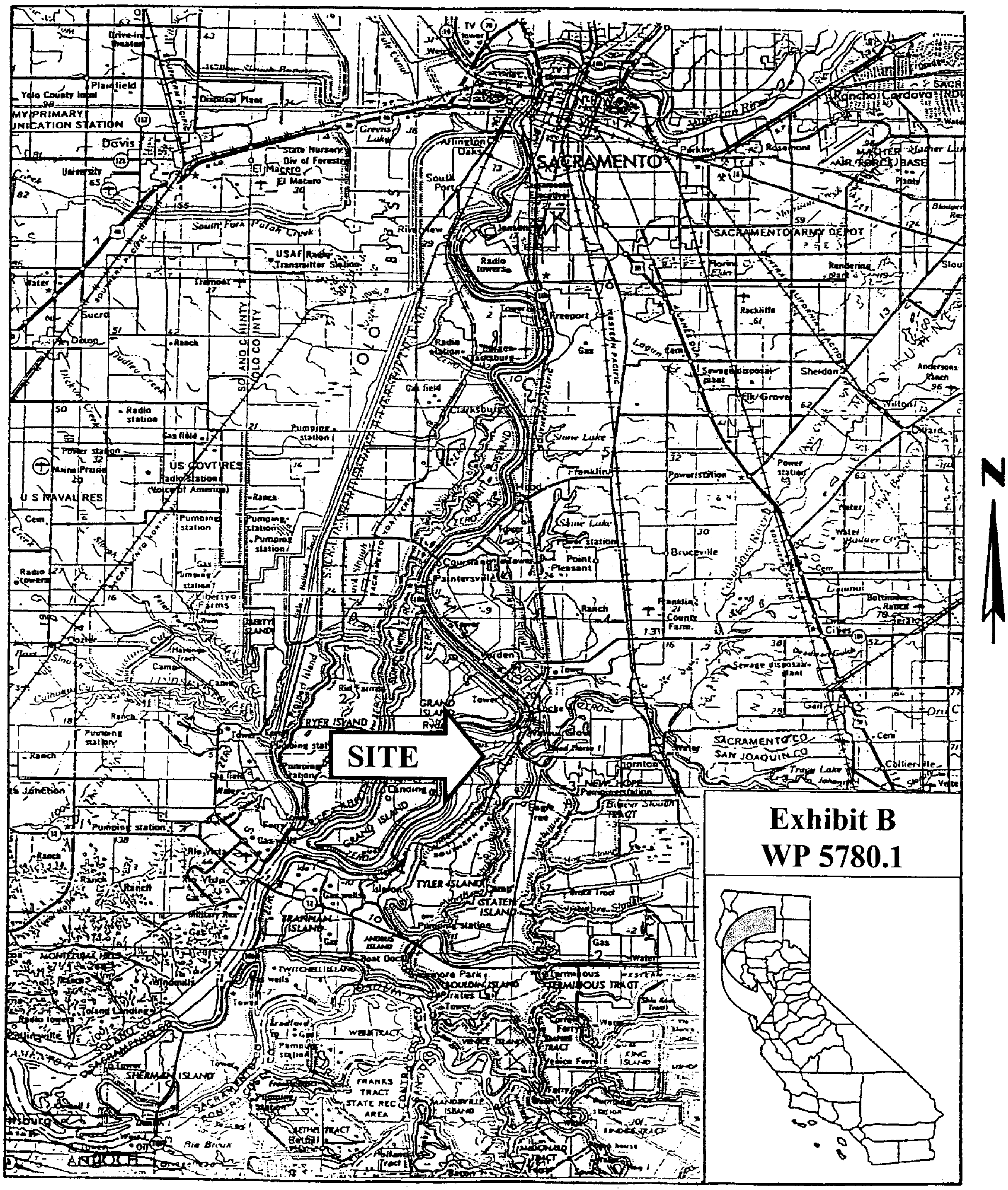


EXHIBIT CONSTRUCTED FROM USGS QUAD

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.

TKL 10/06/2004

CALENDAR PAGE MINUTE PAGE