

MINUTE ITEM

This Calendar Item No. C32 was approved as Minute Item No. 32 by the California State Lands Commission by a vote of 3 to 0 at its 4-26-05 meeting.

**CALENDAR ITEM
C32**

A 15
S 5

04/26/05
PRC 3045 WP 3045.1
T. Lipscomb

GENERAL LEASE-RECREATIONAL USE

APPLICANT:

Aloysia R. Fouche, Trustee, Fouche Trust

AREA, LAND TYPE, AND LOCATION:

0.13 acres, more or less, of tide and submerged lands in Georgiana Slough, Andrus Island, Sacramento County.

AUTHORIZED USE:

Continued use and maintenance of an existing boatshed, enclosed cabana, floating wharf, and walkway.

LEASE TERM:

Ten years, beginning May 1, 2005.

CONSIDERATION:

\$686 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 a portion of the uplands adjoining the lease premises and has received permission from the adjacent upland owner to use and maintain the wharf fronting his uplands. The term of the lease will be either ten years or the length of time the letter of permission authorizing access remains in effect, whichever is less.

CALENDAR ITEM NO. C32 (CONT'D)

2. On May 3, 1995, the Commission authorized a ten-year General Lease-Recreational Use, beginning May 1, 1995, for the continued use and maintenance of an existing boatshed, enclosed cabana, floating wharf, and walkway. The lease will expire April 30, 2005. The applicant has applied for a new lease. The proposed lease precludes the expansion or construction of new structures within the Lease Premises without the Commission's approval. The proposed lease also requires removal of the structures within the Lease Premises if repairs would cost in excess of 50% of the base value of the structures.
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 which have NOT been identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. However, the Commission has declared that all state school lands and submerged lands are "significant" by nature of their public ownership (as opposed to "environmentally significant"). Since such declaration of significance is not based upon the requirements and criteria of Public Resources Code sections 6370, et seq., use classifications for such lands have not been designated. Therefore, the finding of the project's consistency with the use classification as required by Title 2, California Code of Regulations, section 2954 is not applicable.

EXHIBITS:

- A. Site Map
- B. Location Map

PERMIT STREAMLINING ACT DEADLINE:

N/A

CALENDAR ITEM NO. C32 (CONT'D)

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

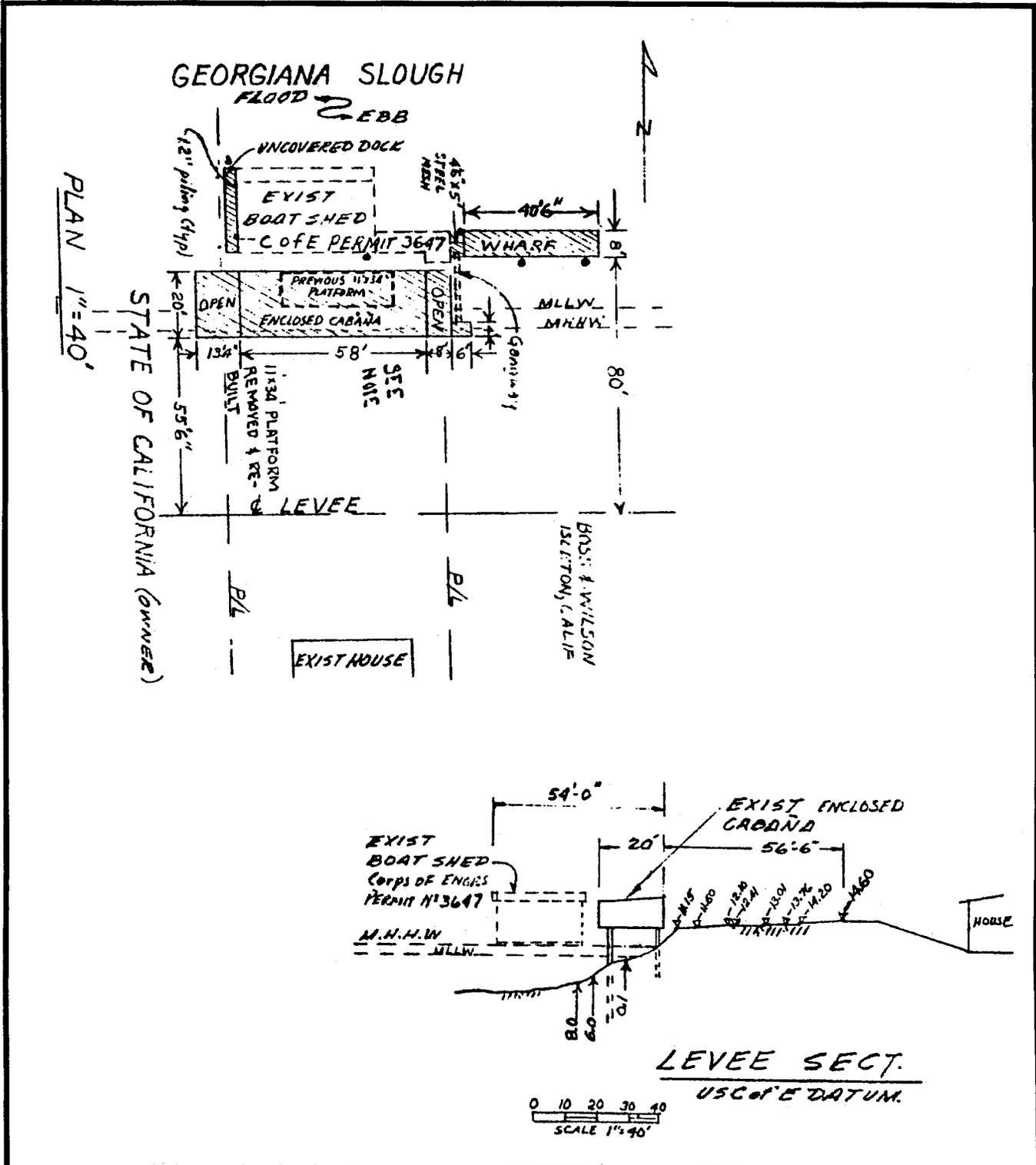
CEQA FINDING:

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 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15301.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO ALOYSIA R. FOUCHE, TRUSTEE, FOUCHE TRUST, OF A GENERAL LEASE-RECREATIONAL USE, BEGINNING MAY 1, 2005, FOR A TERM OF TEN YEARS OR THE LENGTH OF TIME THE LETTER OF PERMISSION AUTHORIZING ACCESS REMAINS IN EFFECT, WHICHEVER IS LESS, FOR A BOATSHED, ENCLOSED CABANA, FLOATING WHARF, AND WALKWAY ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION: ANNUAL RENT IN THE AMOUNT OF \$686, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$500,000.

Site Plan

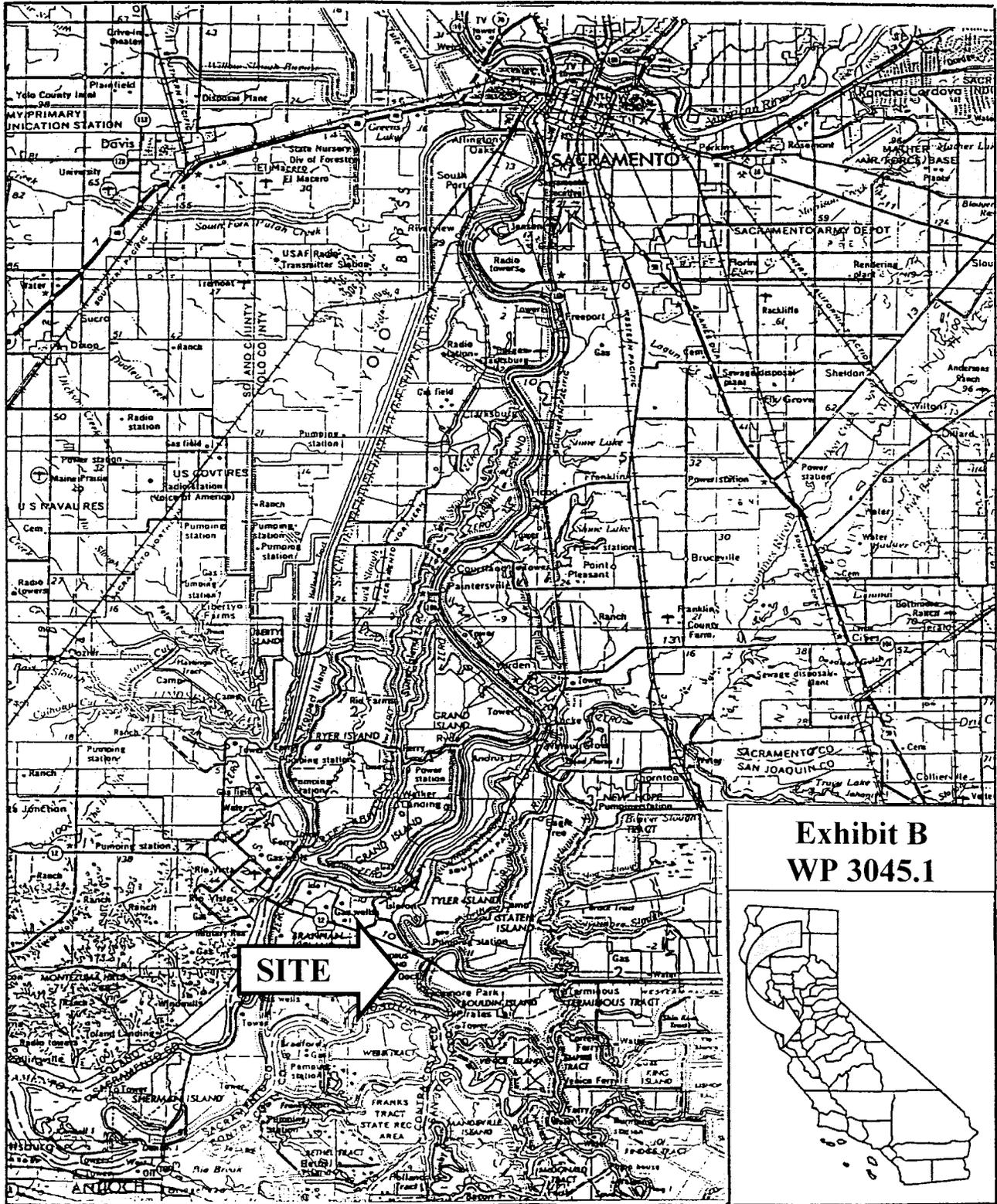


This exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by Lessee or other parties, and is not intended to be, nor shall it be construed as, a waiver or limitation of any state interest in the subject or other property.

Exhibit A
WP 3045.1

TKL 3/9/2005

Location Map



**Exhibit B
WP 3045.1**

EXHIBIT CONSTRUCTED FROM USGS QUAD

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