

MINUTE ITEM
This Calendar Item No. C05 was approved as
Minute Item No. 05 by the California State Lands
Commission by a vote of 3 to 0 at its
06/20/05 meeting.

CALENDAR ITEM
C05

A 2, 4
S 4, 6

06/20/05
PRC 8608.9 W 26035
T. Lipscomb

RECREATIONAL PIER LEASE

APPLICANTS:

Daryl R. Harr and Sue Kelman-Harr, as Trustee of the Daryl R. and Sue Kelman-Harr Revocable Trust

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in the Sacramento River, near the city of Sacramento, Sutter County.

AUTHORIZED USE:

The construction, use, and maintenance of a proposed uncovered floating boat dock, boatlift, and gangway.

LEASE TERM:

Ten years, beginning July 1, 2005.

CONSIDERATION:

No monetary consideration pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

Liability insurance in the amount of no less than \$300,000.

OTHER PERTINENT INFORMATION:

1. Applicants qualify for a Recreational Pier Lease because they are natural persons who have improved the littoral land with, and use the upland for, a single-family dwelling.
2. 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 3, New Construction of Small Structures; Title 2, California Code of Regulations, section 2905 (c)(1).

CALENDAR ITEM NO. C05 (CONT'D)

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

3. 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.

APPROVALS OBTAINED:

U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, NOAA Fisheries, and California Department of Fish and Game.

FURTHER APPROVALS REQUIRED:

The Reclamation Board and the California Regional Water Quality Control Board.

EXHIBITS:

- A. Site Plan
- B. Location Map

PERMIT STREAMLINING ACT DEADLINE:

June 25, 2005

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 3, NEW CONSTRUCTION OF SMALL STRUCTURES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (c)(1).

SIGNIFICANT LANDS INVENTORY FINDING:

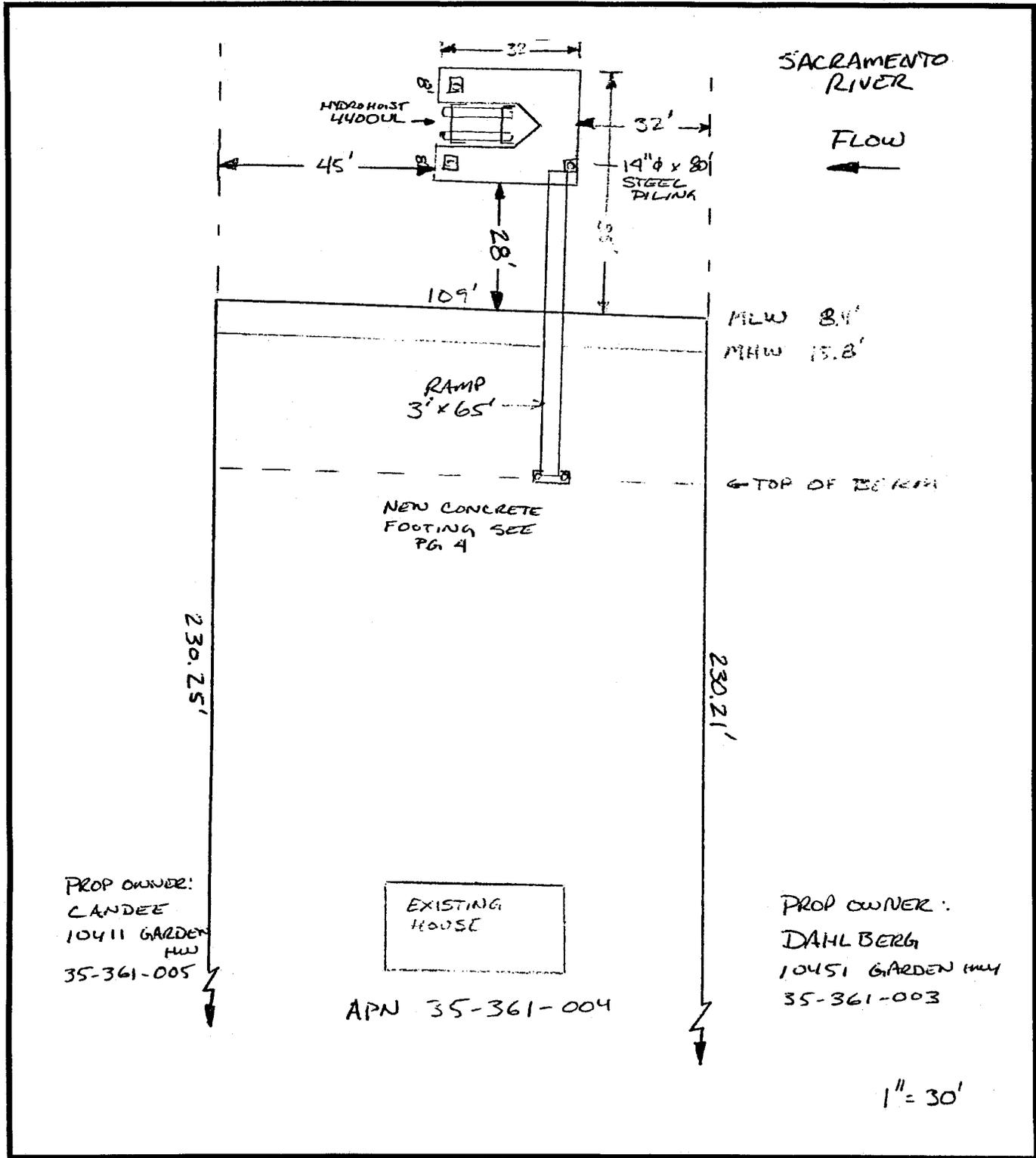
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

CALENDAR ITEM NO. C05 (CONT'D)

AUTHORIZATION:

AUTHORIZE ISSUANCE TO DARYL R. HARR AND SUE KELMAN-HARR, AS TRUSTEE OF THE DARYL R. AND SUE KELMAN-HARR REVOCABLE TRUST, OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING JULY 1, 2005, FOR THE CONSTRUCTION, USE, AND MAINTENANCE OF A PROPOSED UNCOVERED FLOATING BOAT DOCK, BOATLIFT, AND GANGWAY AS REPRESENTED ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 6503.5; LIABILITY INSURANCE IN THE AMOUNT OF NO LESS THAN \$300,000.

Site Plan

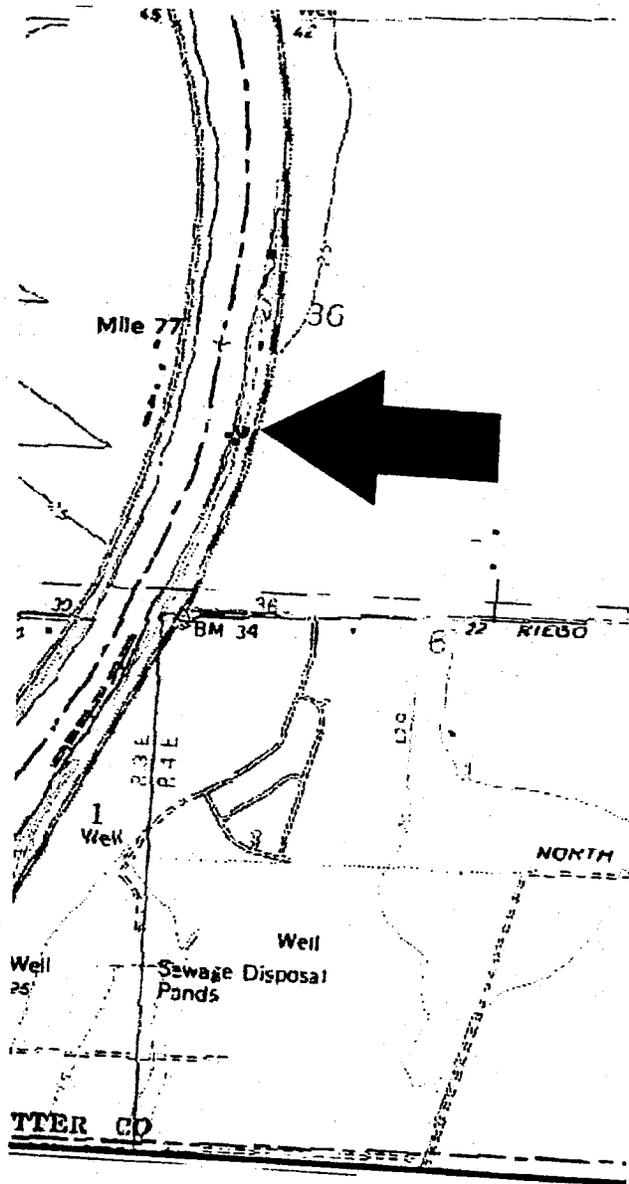
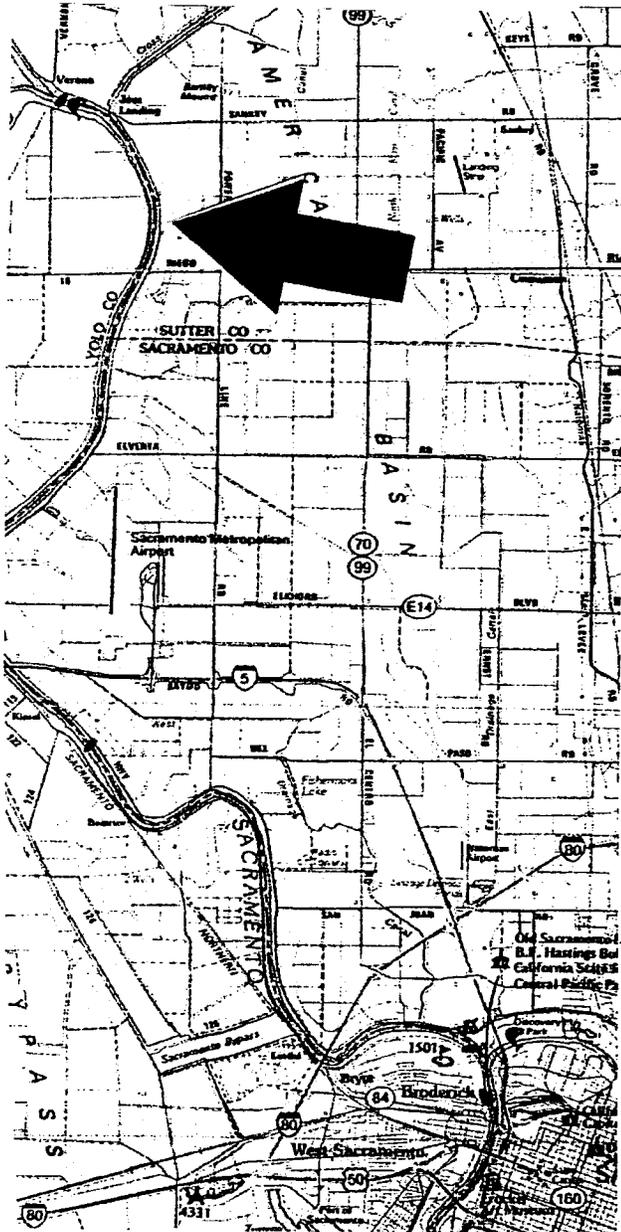


This exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by Lessee or other parties, and is not intended to be, nor shall it be construed as, a waiver or limitation of any state interest in the subject or other property.

Exhibit A
W 26035

TKL 04/28/2005

Location Map



Latitude: 38°45.34' N
Longitude: 121°35.53' W

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.

Exhibit B
W 26035

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TKL 04/27/2005