MINUTE ITEM
This Calendar Item No. C35 was approved as Minute Item No. 35 by the California State Lands Commission by a vote of 3 to 0 at its 8-8-05 meeting.

CALENDAR ITEM
C35

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08/08/05
PRC 6902.9
V. Massey

GENERAL LEASE
PROTECTIVE STRUCTURE AND RECREATIONAL USE

APPLICANT:
Gustav E. Ahlstrom Trust

LAND TYPE, AND LOCATION:
Sovereign lands in the Sacramento River, near the city of Clarksburg, Yolo County.

AUTHORIZED USE:
Continued use and maintenance of an existing uncovered floating boat dock, gangway, debris diverter, and bank protection.

LEASE TERM:
10 years, beginning October 23, 2005.

CONSIDERATION:
Uncovered Floating boat dock, gangway, and debris diverter: No monetary consideration pursuant to Public Resources Code section 6503.5.

Bank Protection: The public use and benefit; with the State reserving the right at any time to set a monetary rent if the Commission finds such to be in the State's best Interest.

SPECIFIC LEASE PROVISIONS:
Liability insurance with combined coverage no less than $500,000.

OTHER PERTINENT INFORMATION:
1. Applicant owns the uplands adjoining the lease premises.

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2. On July 6, 1995, the Commission authorized a General Lease - Recreational and Protective Structure Use with Gustav E. Ahlstom and Betty J. Ahlstrom for an uncovered floating boat dock, gangway, debris diverter, and bank protection. That lease will expire on October 23, 2005. Gustav E. Ahlstom Trust is now applying for a new General Lease – Recreational and Protective Structure Use. Applicant qualifies for a rent-free uncovered floating boat dock, gangway, and debris diverter because the applicant is a natural person who has improved the littoral land with, and uses the upland, for a single-family dwelling.

3. The bank protection at this location mutually benefits both the public and the applicant. The levee on 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

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).

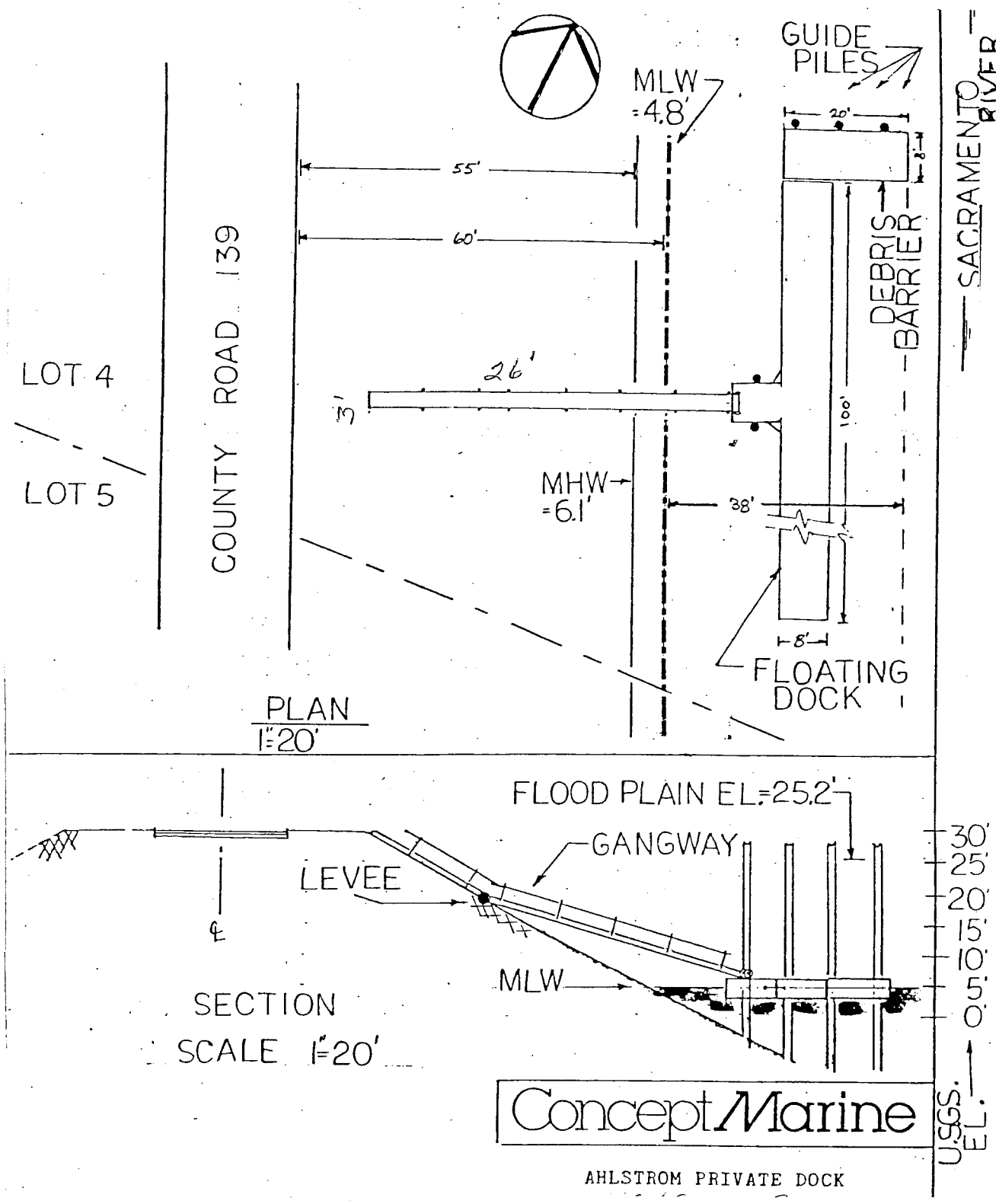
SIGNIFICANT LANDS INVENTORY FINDING:

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 GUSTAV E. AHLSTROM TRUST OF A GENERAL LEASE - RECREATIONAL AND PROTECTIVE STRUCTURE USE, BEGINNING OCTOBER 23, 2005, FOR A TERM OF TEN YEARS, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING UNCOVERED FLOATING BOAT DOCK, GANGWAY, DEBRIS DIVERTER, AND BANK PROTECTION, AS REPRESENTED ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION: UNCOVERED FLOATING BOAT DOCK, GANGWAY, AND DEBRIS DIVERTER: NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 6503.5; 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.

Site Map



This exhibit is solely for purposes of generally defining the leased 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.

Exhibit A
6902.9

VLM 7/5/2005

Location Map

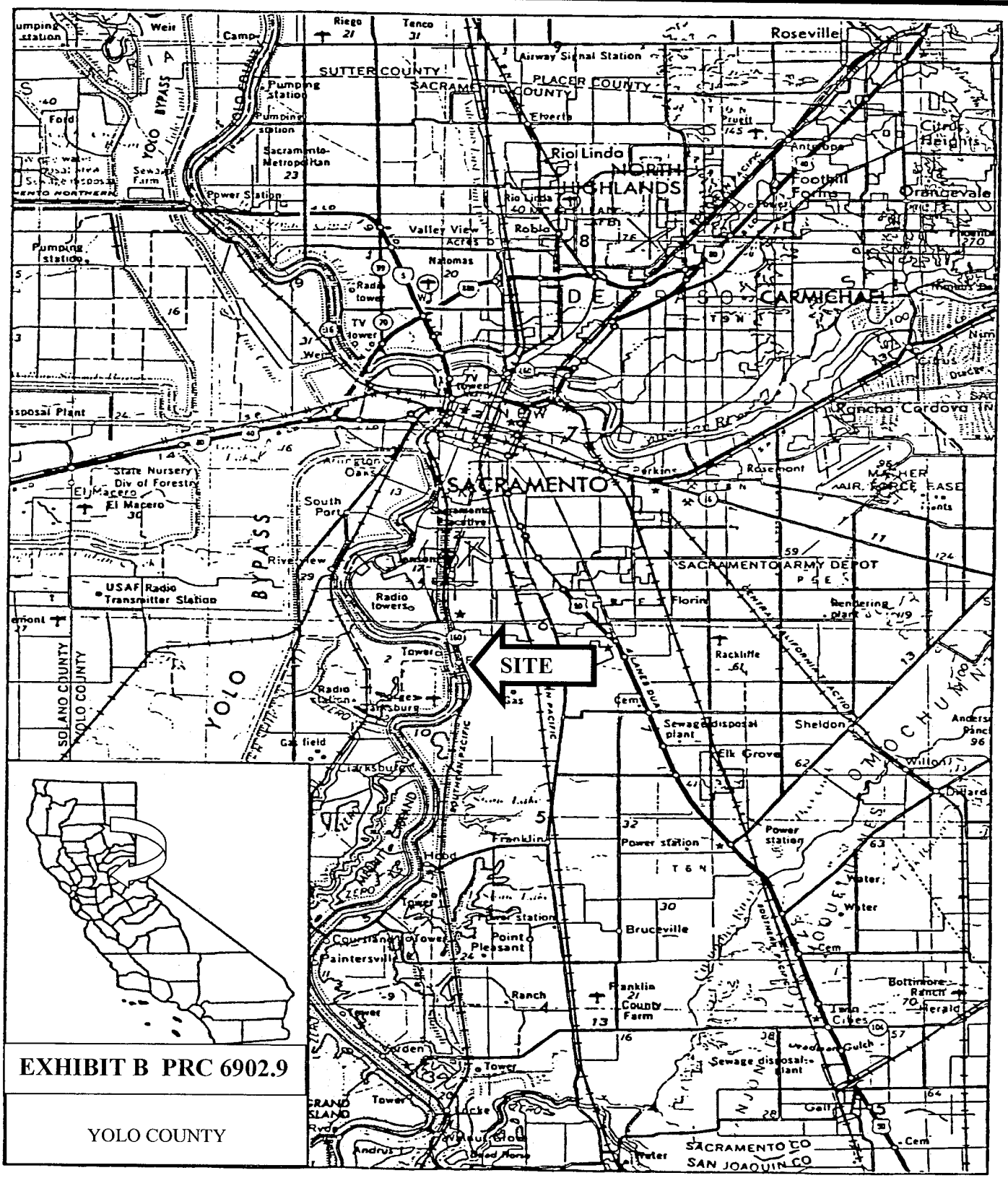


EXHIBIT B PRC 6902.9

YOLO COUNTY

EXHIBIT CONSTRUCTED FROM USGS QUAD

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VLM 7/5/2005