MINUTE ITEM
This Calendar Item No. C36 was approved as Minute Item No. 36 by the California State Lands Commission by a vote of 3 to 0 at its 6-8-05 meeting.

CALENDAR ITEM
C36

A 5, 9 08/08/05
PRC 8630 W 26010
S 6 V. Massey

GENERAL LEASE – RECREATIONAL AND PROTECTIVE STRUCTURE USE

APPLICANTS:
Danny Lund and Cheryl Lund

AREA, LAND TYPE, AND LOCATION:
Tide and submerged lands in the Sacramento River, adjacent to Garden Highway, city of Sacramento, Sacramento County.

AUTHORIZED USE:
The construction, use, and maintenance of a new uncovered boat dock, pilings, ramp, and bank protection.

LEASE TERM:
Ten years, beginning August 1, 2005

CONSIDERATION:
Uncovered Boat Dock, pilings, and ramp: $258 per year; with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

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 action 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. Applicants own the uplands adjoining the lease premises.

2. Applicants are proposing to construct a single-family residence on the upland, which will be completed in approximately one year. At that time, the applicants will apply for a rent-free Recreational Pier Lease.

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

4. **Uncovered Boat Dock, Ramp, and Pilings:**
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).

   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. **Bank Protection:**
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 4, Minor Alterations to Land; Title 14, California Code of Regulations, section 15304.

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

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:
September 3, 2005

RECOMMENDED ACTION:
IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

UNCOVERED BOAT DOCK, RAMP, AND PILINGS:
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).

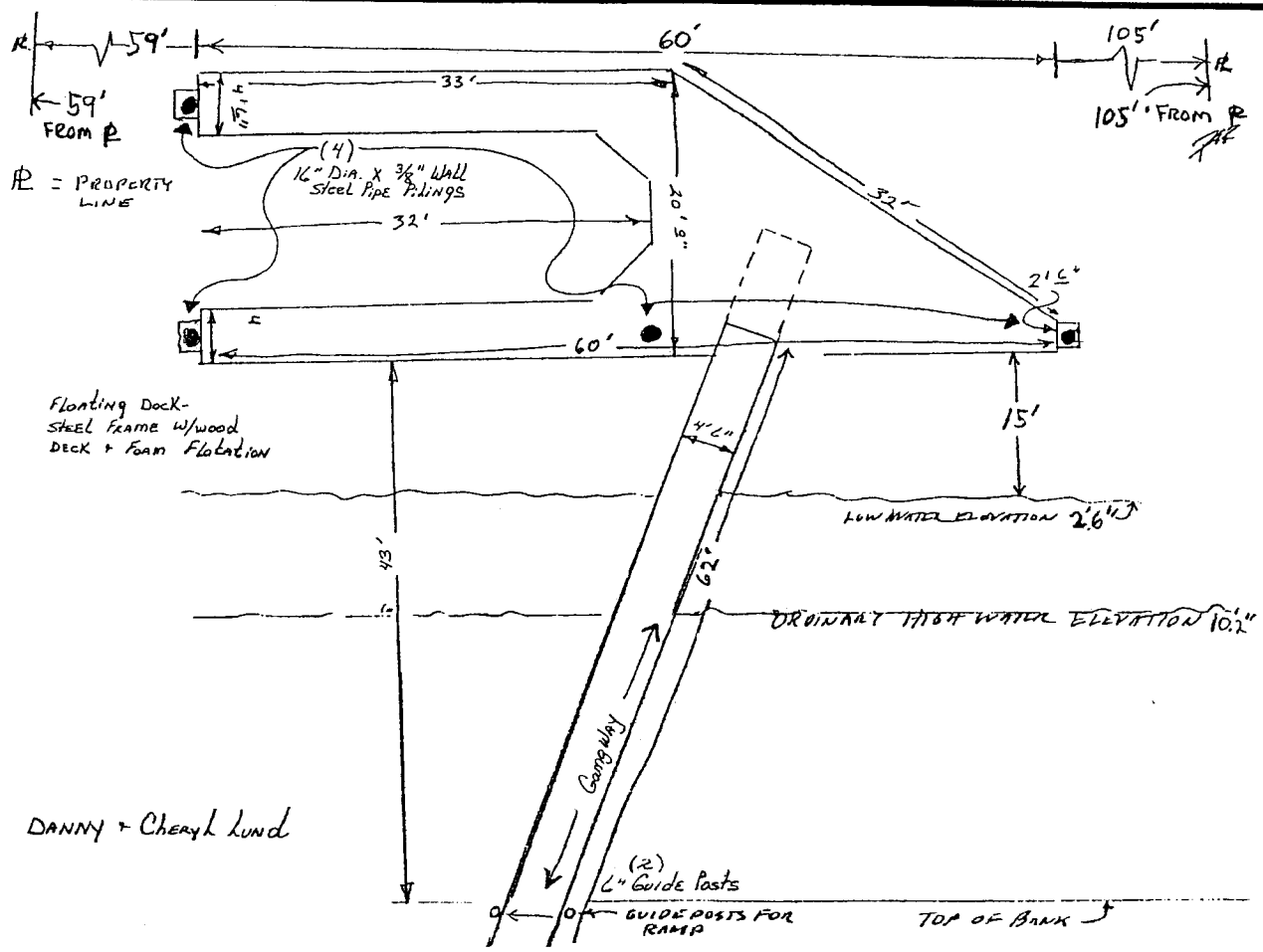
BANK PROTECTIONS:
FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 4, MINOR ALTERATIONS TO LAND; TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15304.

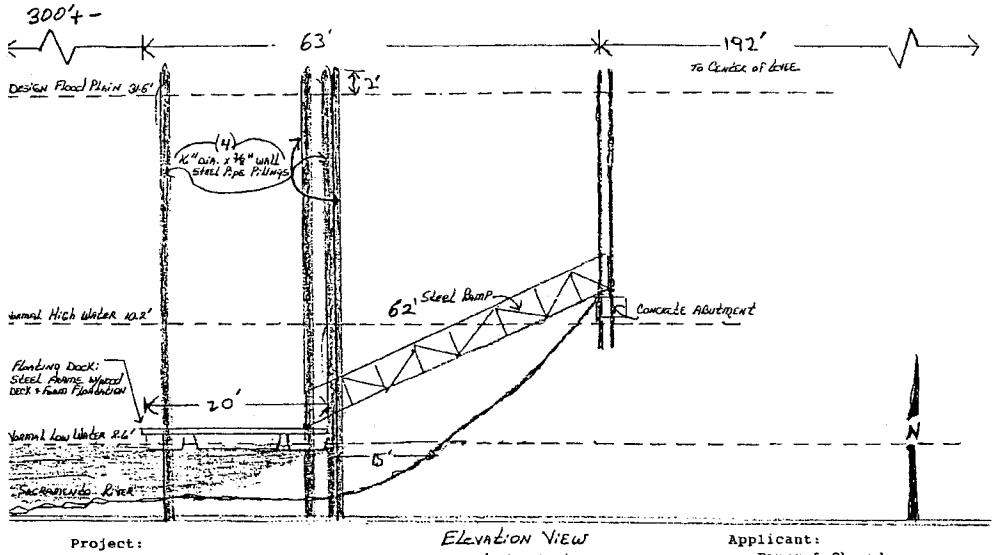
SIGNIFICANT LANDS INVENTORY FINDING:
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:
AUTHORIZE ISSUANCE TO DANNY LUND AND CHERYL LUND OF A GENERAL LEASE – RECREATIONAL AND PROTECTIVE STRUCTURE USE, BEGINNING AUGUST 1, 2005, FOR A TERM OF TEN YEARS, FOR THE CONSTRUCTION, USE, AND MAINTENANCE OF A NEW UNCOVERED BOAT DOCK, RAMP, PILINGS, AND BANK PROTECTION, AS REPRESENTED ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION: UNCOVERED BOAT DOCK, RAMP, AND PILINGS: $258 PER YEAR, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; 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





Project:
Dock System on the Sacramento River

ELEVATION VIEW
Not to Scale

Applicant:
Danny & Cheryl Lund

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
W 26010

VLM 7/11/2005

Location Map

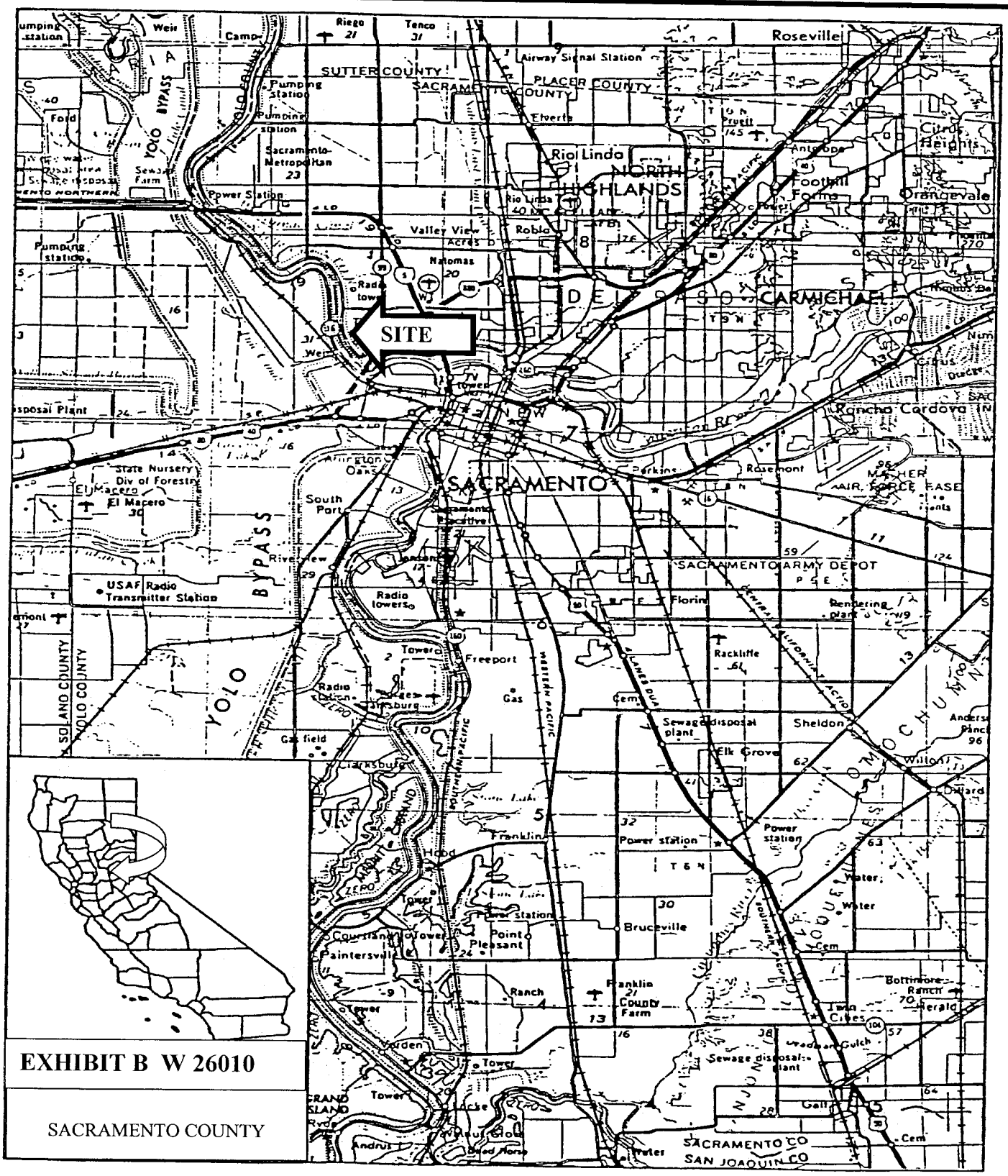


EXHIBIT CONSTRUCTED FROM USGS QUAD

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