

This Calendar Item No. C22 was approved as
Minute Item No. 22 by the California State Lands
Commission by a vote of 2 to 0 at its
10-20-05 meeting.

**CALENDAR ITEM
C22**

A 2,5

10/20/05

S 4,6

PRC 8636

W 26090

V. Massey

**GENERAL LEASE -
PROTECTIVE STRUCTURE AND RECREATIONAL USE**

APPLICANT:

Martha J. Nevai

LAND TYPE, AND LOCATION:

Tide and submerged lands in the Sacramento River, adjacent to the Garden Highway, Sacramento County.

AUTHORIZED USE:

The construction, use and maintenance of a new uncovered boat dock with gangway, steel pilings, and bank protection.

LEASE TERM:

Ten years, beginning October 1, 2005.

CONSIDERATION:

Uncovered boat dock with gangway and steel pilings: 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 of no less than \$500,000.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.
2. Applicant qualifies for a Recreational Pier Lease because she is a natural person who has improved the littoral land with, and uses the upland for, a single-family dwelling.

-1-

000096

CALENDAR PAGE

001931

MINUTE PAGE

CALENDAR ITEM NO. C22 (CONT'D)

3. The bank protection at this location mutually benefits both the public and the Applicant. The bank of the Sacramento River will have the additional protection from wave action provided at no cost to the public.

4. **UNCOVERED FLOATING BOAT DOCK WITH GANGWAY AND STEEL 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.

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 Alteration to Land; Title 2, California Code of Regulations, section 2905 (d)(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.

APPROVALS OBTAINED:

U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, NOAA Fisheries Service, California Regional Water Quality Control Board, California Department of Fish and Game, and The Reclamation Board.

CALENDAR ITEM NO. C22 (CONT'D)

EXHIBITS:

- A. Site Map
- B. Location Map

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

UNCOVERED FLOATING BOAT DOCK WITH GANGWAY AND STEEL 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 PROTECTION:

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 ALTERATION TO LAND; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (d)(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.

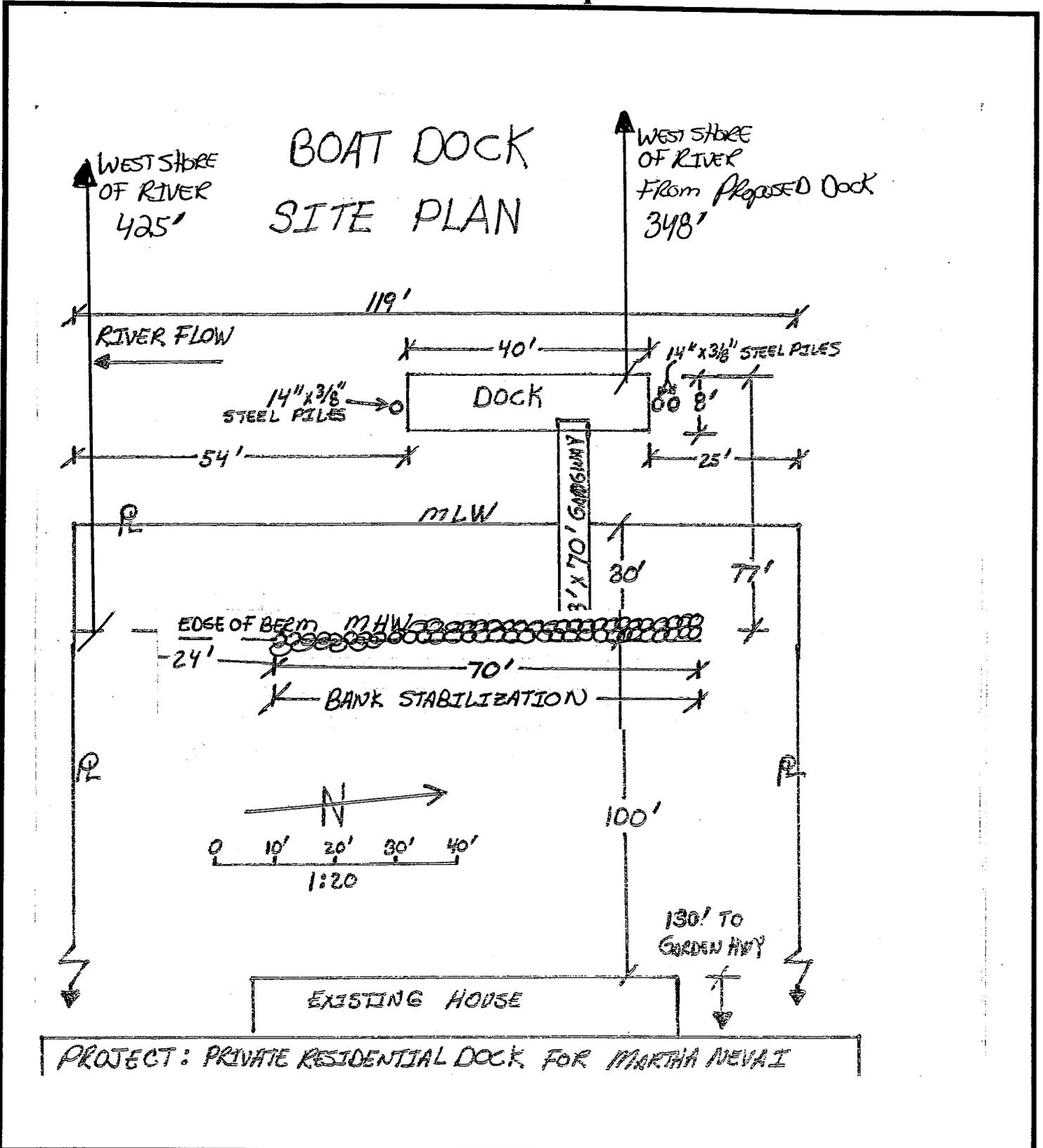
AUTHORIZATION:

AUTHORIZE ISSUANCE TO MARTHA J. NEVAI OF A GENERAL LEASE - PROTECTIVE STRUCTURE AND RECREATIONAL USE, BEGINNING OCTOBER 1, 2005, FOR A TERM OF TEN YEARS, FOR THE CONSTRUCTION, USE AND MAINTENANCE OF A NEW UNCOVERED BOAT DOCK WITH GANGWAY, STEEL PILINGS, 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 WITH GANGWAY AND STEEL PILINGS; NO MONETARY

CALENDAR ITEM NO. C22 (CONT'D)

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
W 26090**

Location Map

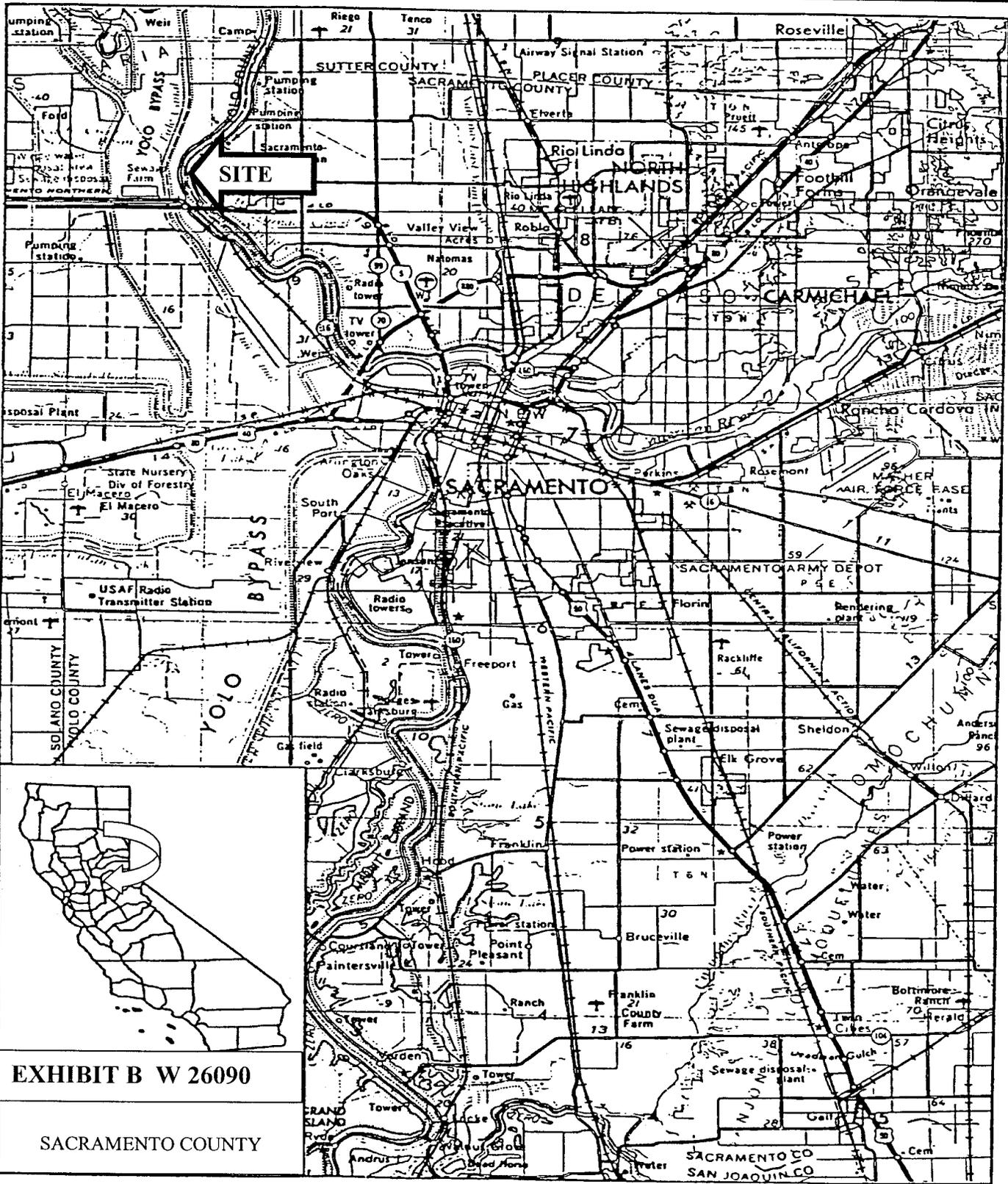


EXHIBIT B W 26090

SACRAMENTO COUNTY

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.