MINUTE ITEM

This Calendar Item No. C17 was approved as Minute Item No. 17 by the California State Lands Commission by a vote of 2 to 0 at its 12-08-05 meeting.

CALENDAR ITEM
C17

A 02, 05

S 04, 06

PRC 7197

12/08/05
WP 7197.9
J. McComas

RECREATIONAL PIER LEASE

APPLICANT:
Donald George Ferguson

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

AUTHORIZED USE:
Continued use and maintenace of an uncovered single-berth floating boat dock, ramp, two-pile dolphin, and piling.

LEASE TERM:
Ten years, beginning December 8, 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. On May 9, 1988, the Commission approved a Recreational Pier Permit to Robert H. Zimmerman for one boat dock. That lease expired and the upland was subsequently deeded to the Applicant, who is now applying for a Recreational Pier Lease. Applicant qualifies for a Recreational Pier Lease because he is a natural person who has improved the littorial land with, and uses 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 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.

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.

EXHIBIT:

A. Site Plan/Location Map

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).

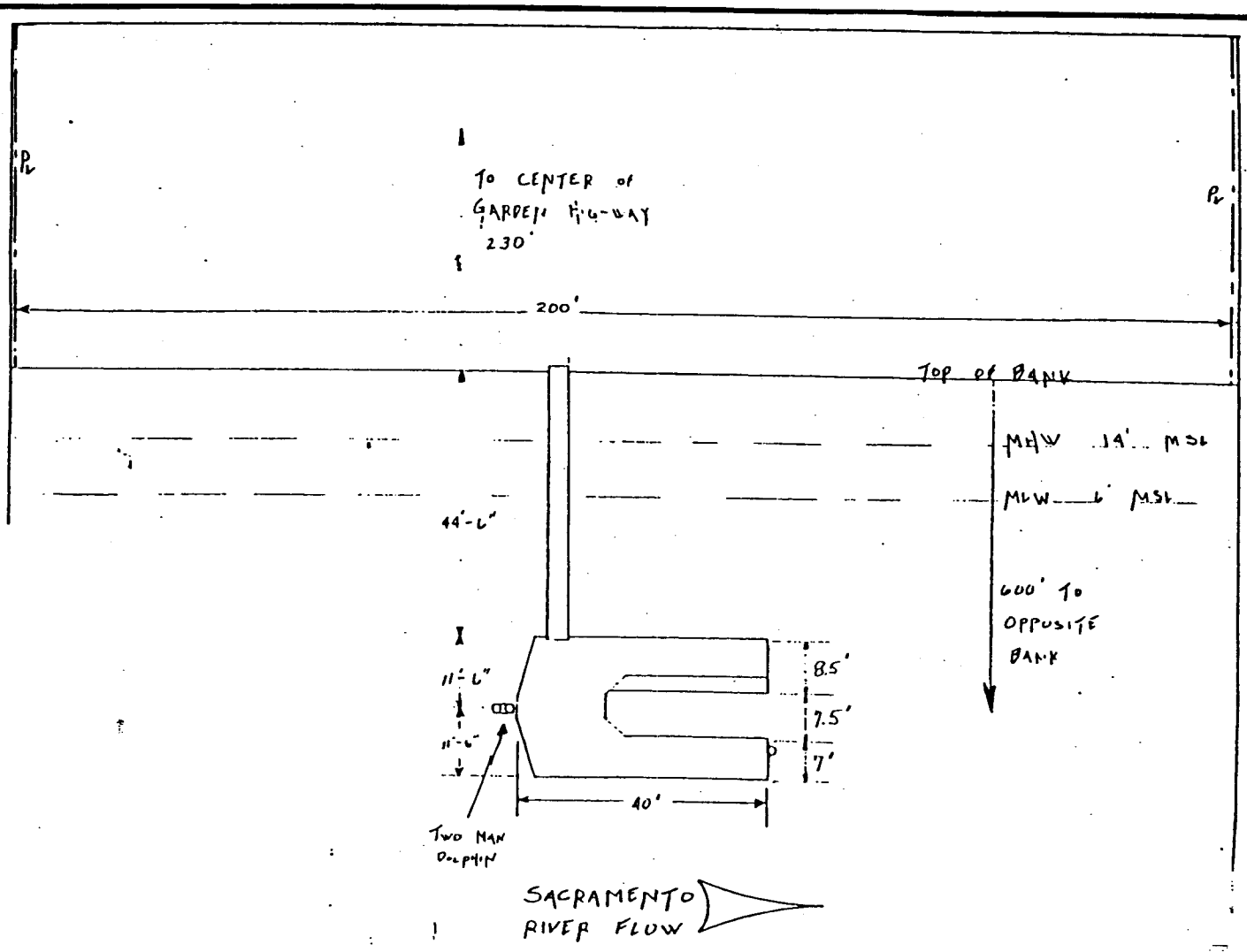
SIGNIFICANT LANDS INVENTORY FINDING:

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.

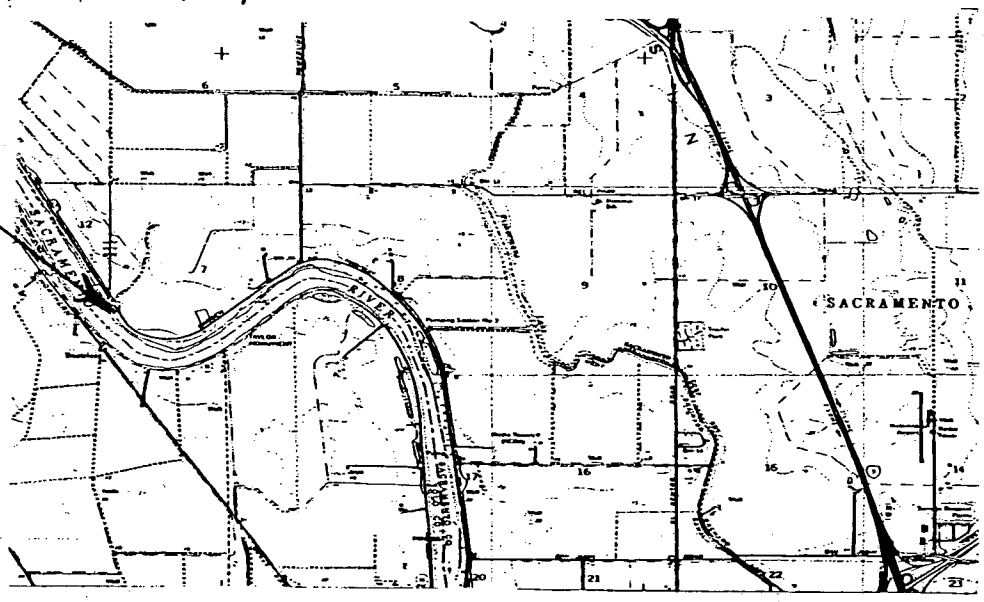
AUTHORIZATION:

AUTHORIZE ISSUANCE TO DONALD GEORGE FERGUSON OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING DECEMBER 8, 2005, FOR THE CONTINUED USE AND MAINTENACE OF AN UNCOVERED SINGLE-BERTH FLOATING BOAT DOCK, RAMP, TWO-PILE DOLPHIN, AND PILING 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.



LOCATION



NO SCALE

DONALD GEORGE FERGUSON
APN: 225-0103-034
SACRAMENTO COUNTY
RECREATIONAL PIER LEASE

JM 10/17/05

USGS TAYLOR MONUMENT

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
WP 7197.9