

**MINUTE ITEM**  
This Calendar Item No. C17 was approved as  
Minute Item No. 17 by the California State Lands  
Commission by a vote of 3 to 0 at its  
06/28/07 meeting.

**CALENDAR ITEM  
C17**

A 5  
S 6

06/28/07  
PRC 5608 WP 5608.9  
V. Caldwell

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

**APPLICANT:**

Carrie Jo Sieglitz, Trustee of the Carrie Jo Sieglitz Trust

**AREA, LAND TYPE, AND LOCATION:**

0.59 acres, more or less, of sovereign lands in the Sacramento River, adjacent to the Garden Highway, near the city of Sacramento, Sacramento County.

**AUTHORIZED USE:**

The construction, use and maintenance of an uncovered floating boat dock, two steel pilings, gangway, and the retention of two existing steel pilings and bank protection as shown on Exhibit A.

**LEASE TERM:**

Ten years, beginning June 28, 2007.

**CONSIDERATION:**

Uncovered floating boat dock, four steel pilings, and gangway: 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 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. Applicant owns the uplands adjoining the lease premises.
2. On November 15, 1994, the Commission authorized a ten-year General Lease – Recreational and Protective Structure Use to Carrie Jo Sieglitz, Trustee of the Carrie Jo Sieglitz Trust. That lease expired on July 31,

CALENDAR ITEM NO. C17 (CONT'D)

2004. During the prior lease term no improvements were placed on the lease premises and the authorization for construction expired January 3, 1998.

3. On May 17, 2004, the Applicant submitted a new application for a General Lease – Recreational and Protective Use for the uncovered floating boat dock, four pilings, and gangway that had not been constructed. That application was deemed incomplete on October 18, 2004 due to lack of current permits from other agencies.
4. On August 30, 2004, the Applicant placed two steel pilings in the Sacramento River without authorization from any agency. On April 3, 2006, the Army Corps of Engineers issued a Cease and Desist Order to the Applicant for the unauthorized installation of the two steel pilings. The Applicant ceased construction and applied to the Army Corps of Engineers and the other regulatory agencies for updated permits. The Applicant now has all the necessary permits.
5. The Applicant qualifies for the rent free use of the uncovered floating boat dock, pilings, and gangway because the Applicant is a natural person who has improved the littoral land with, and uses the upland for, a single-family dwelling.
6. 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.
7. **Uncovered Floating Boat Dock, Two Steel Pilings, and Gangway:** 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.

CALENDAR ITEM NO. C17 (CONT'D)

8. **Two Existing Steel Pilings and 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 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.

9. 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, National Oceanic and Atmospheric Administration Fisheries, the U.S. Fish and Wildlife Service, The State Reclamation Board, California Department of Fish and Game, and the California Regional Water Quality Control Board

**EXHIBIT:**

- A. Site and Location Map

**PERMIT STREAMLINING ACT DEADLINE:**

June 25, 2007

**RECOMMENDED ACTION:**

IT IS RECOMMENDED THAT THE COMMISSION:

**CEQA FINDING:**

**UNCOVERED FLOATING BOAT DOCK, TWO STEEL PILINGS, AND GANGWAY:** 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

CALENDAR ITEM NO. C17 (CONT'D)

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

**TWO STEEL PILINGS AND 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 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

**SIGNIFICANT LANDS INVENTORY FINDING:**

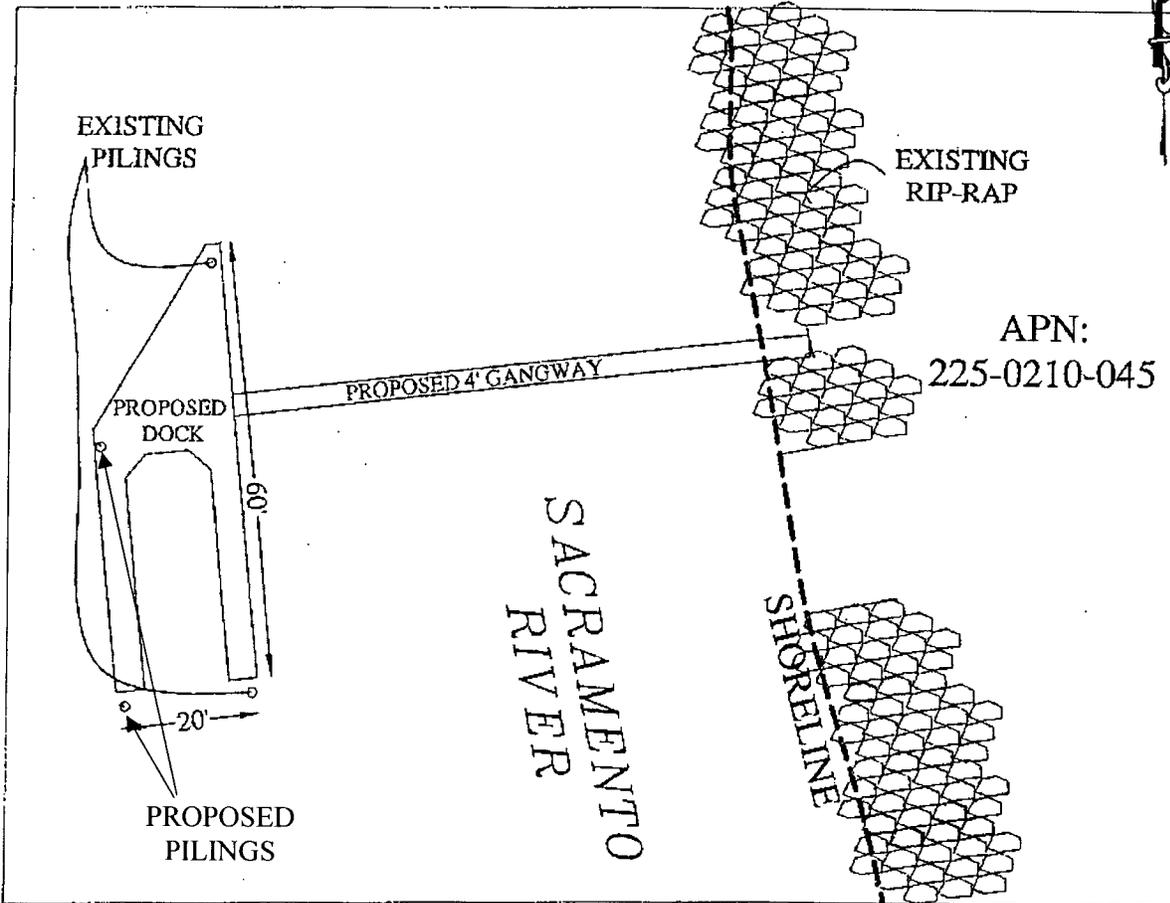
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

**AUTHORIZATION:**

AUTHORIZE ISSUANCE TO CARRIE JO SIEGLITZ, TRUSTEE OF THE CARRIE JO SIEGLITZ TRUST OF A GENERAL LEASE - RECREATIONAL AND PROTECTIVE STRUCTURE USE, BEGINNING JUNE 28, 2007, FOR A TERM OF TEN YEARS, FOR THE CONSTRUCTION, USE, AND MAINTENANCE OF AN UNCOVERED FLOATING BOAT DOCK, TWO STEEL PILINGS, GANGWAY, AND THE RETENTION OF TWO EXISTING STEEL PILINGS, AND BANK PROTECTION AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION FOR THE UNCOVERED FLOATING BOAT DOCK, PILINGS, AND GANGWAY: NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 6503.5; AND FOR THE EXISITING 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; LIABILTY INSURANCE WITH COVERAGE OF NO LESS THAN \$500,000.

NO SCALE

### SITE



2817 Garden Highway, Sacramento River

NO SCALE

### LOCATION



MAP SOURCE: USGS QUAD

### Exhibit A

WP 5608.9  
 SIEGLITZ  
 APN:225-0210-045  
 GENERAL LEASE - RECREATION  
 & PROTECTIVE STRUCTURE USE  
 SACRAMENTO COUNTY



MTF 5/17/07

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the 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 any other property.

000093

CALENDAR PAGE

001010

MINUTE PAGE