

MINUTE ITEM

This Calendar Item No. C10
was approved as Minute Item
No. 10 by the State Lands
Commission by a vote of 3
to 0 at its 10/30/81
meeting.

CALENDAR ITEM

C10

10/30/81
W 287.86
Grimmett
PRO 5889

RESCISSION OF PRIOR AUTHORIZATION
AND APPROVAL OF GENERAL
LEASE - COMMERCIAL USE

APPLICANT: Rodney Arthur Lindgren
214 West Upjohn
Ridgecrest, California 93555

AREA, TYPE LAND AND LOCATION:
A 1.84-acre parcel of submerged land in
the Klamath River at Klamath Glen, Del-
Norte County.

LAND USE: Operation and maintenance of seasonal floating
docks and launching ramp.

TERMS OF PRIOR APPROVED LEASE:
Initial period: 15 years from June 1,
1980.

Surety bond: \$1,000.

Public liability insurance: Combined single
limit coverage of \$200,000.

Consideration: \$225 per annum with a
five-year review.

TERMS OF PROPOSED LEASE:
Initial period: 30 years from June 1,
1980.

Surety bond: \$1,000.

Public liability insurance: Combined single
limit coverage of \$200,000.

CONSIDERATION: \$225 per annum with the State reserving
the right to fix a different rental on
each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:
Pursuant to 2 Cal. Adm. Code 2005.

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PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is lessee of upland.

Filing fee and processing costs have been received.

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

B. Cal. Adm. Code: Title 2, Div. 3; Title 14.

AB 884: 12/7/81.

OTHER PERTINENT INFORMATION:

1. On August 26, 1980, the Commission approved issuance of Lease PRC 5889.1, a 15-year General Lease - Commercial Use, beginning June 1, 1980, to Charles V. Kelly.
2. Mr. Kelly sold his marina operation to Rodney Arthur Lindgren prior to consummating his lease with the State Lands Commission. He did, however, submit the required rental payment for the initial year of the proposed lease, beginning June 1, 1980.
3. Applicant has a lease with Crown Leasing Corporation for the adjacent uplands. This lease was assigned to the applicant by Charles V. Kelly, the previous owner of the resort.
4. Mr. Lindgren now desires to obtain a lease from the Commission and, as of June 1, 1981, wishes to increase the size of the original proposed lease area.
5. The proposed lease herein requires the lessee to obtain and keep a valid lease or other agreement authorizing the use of the adjacent upland.

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6. An EIR is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907, Class 1(B), which exempts an existing structure or facility that is in an acceptable state of repair and there is no evidence of record to show injury to adjacent property, shoreline erosion, or other types of environmental degradation as to the existing facilities; and Title 14 Cal. Adm. Code Div. 6 Section 15111 which exempts placement of minor accessory structures appurtant to existing facilities as to the proposed additional improvements.
7. This project is situated on State land identified as possessing significant environmental values pursuant to P.R.C. 6370.1, and is classified in a use category, Class A, which authorizes Restricted Use.

Staff has coordinated this project with those agencies and organizations who nominated the site as containing significant environmental values. They have found this project to be compatible with their nomination.

- EXHIBITS:
- A. Land Description.
 - B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. RESCIND ITS AUTHORIZATION CONTAINED IN MINUTE ITEM NO. 40 APPROVED ON AUGUST 26, 1980.
2. DETERMINE THAT AN ENVIRONMENTAL DOCUMENT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH DOCUMENT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21084, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2907.
3. DETERMINE THAT THIS PROJECT IS EXEMPT FROM THE REQUIREMENTS OF ARTICLE 6.5, OF TITLE 2, OF THE CAL. ADM. CODE BECAUSE THIS PROJECT IS NOT A DEVELOPMENT WITHIN THE MEANING OF SECTION 2503, OF TITLE 2, OF THE CAL. ADM. CODE AND SECTION 30105 OF THE P.R.C.

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4. FIND THAT GRANTING OF THE LEASE WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE P.R.C.
5. AUTHORIZE ISSUANCE TO RODNEY ARTHUR LINDGREN OF A 30-YEAR GENERAL LEASE - COMMERCIAL USE FROM JUNE 1, 1980; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$225, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF A \$1,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$200,000; PROVIDING FURTHER THAT LESSEE MAINTAIN A VALID LEASE OR OTHER AGREEMENT AUTHORIZING THE USE OF THE ADJACENT UPLAND PARCEL OR THE LESSOR HAS THE RIGHT TO TERMINATE THIS LEASE AGREEMENT, FOR OPERATION AND MAINTENANCE OF SEASONAL FLOATING DOCKS AND LAUNCHING RAMP ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

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A 100-foot by 800-foot parcel of submerged land in the bed of the Klamath River, situate in Section 24, T13N, R1E, M, Del Norte County, said 800 foot side lying parallel to river bank, said parcel lying beneath and around seasonal floating docks, said docks lying southwesterly of Parcel One as described in the lease document recorded in Book 109, Page 584, Official Records of Del Norte County.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of the Klamath River.

END OF DESCRIPTION

PREPARED JULY 16, 1981 BY TECHNICAL SERVICES UNIT, ROY MINNICK, SUPERVISOR.

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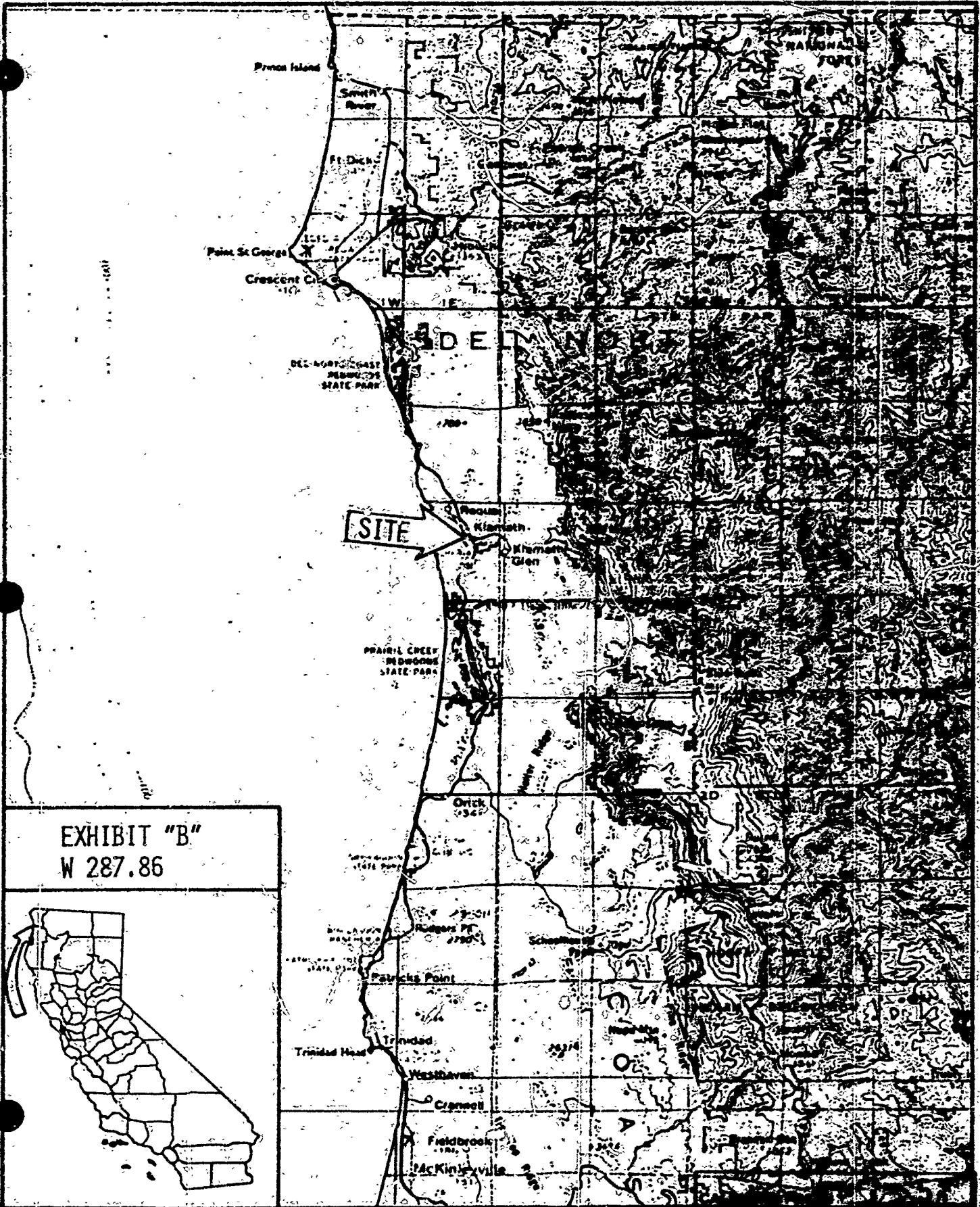


EXHIBIT "B"
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