

MINUTE ITEM

This Calendar Item No. C16
was approved as Minute Item
No. 16 by the State Lands
Commission by a vote of 2
0 at its 3/2/92
meeting.

CALENDAR ITEM

A 10
S 5

C 1 6

03/02/92
WP 5780
Grimmett

GENERAL PERMIT - RECREATIONAL USE

APPLICANT:

Donna Obert Blower
19702 - 6th Place NW
Seattle, Washington 98177

AREA, TYPE LAND AND LOCATION:

A 0.066-acre parcel of tide and submerged land located in
Georgiana Slough, Sacramento County.

LAND USE:

A deck attached to a residence, recreational floats, and a
boat hoist pier.

TERMS OF ORIGINAL PERMIT:

Initial period:

Ten (10) years beginning December 1, 1979.

Public liability insurance:

Combined single limit coverage of \$100,000.

Special:

Non-prejudicial clause as to public ownership and
easement.

TERMS OF PROPOSED LEASE:

Initial period:

Ten (10) years beginning December 1, 1989.

Public liability insurance:

Combined single limit coverage of \$500,000.

Special:

The Special Provisions have clauses relating to the
State's boundaries and lessee's use of premises, as
well as revisions to the Standard Provisions sections
on Conservation and Default.

CALENDAR ITEM NO. C 1 6 (CONT'D)

CONSIDERATION:

\$320 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. Code Regs. 2003.

APPLICANT STATUS:

Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee has been received.

STATUTORY AND OTHER REFERENCES:

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

B. Cal. Code Regs.: Title 3, Div. 3; Title 14, Div. 6.

AB 884:

N/A

OTHER PERTINENT INFORMATION:

1. This replacement lease is for: (1) a deck attached to a residence that extends over the waters of Georgiana Slough and is attached to a residence that appears to be located on the upland; and (2) two recreational floats, and a boat hoist pier.
2. It is staff's position, supported by advice from the staff of the Attorney General, that residential use is not consistent with the Public Trust under which the Commission holds State-owned sovereign lands, and should be permitted only to the extent it now exists, for only so long as the State's lands are not needed for true Public Trust purposes.

The proposed lease contains specific provisions prohibiting expansion of the existing structures, and requires the removal of residential structures from the State's lands under specific circumstances. Because the structure to be authorized does not appear to constitute a nuisance at this time, staff recommends issuance of the proposed lease subject to the conditions contained therein, including, but not limited to, the specific provisions referenced above.

CALENDAR ITEM NO C 1 6 (CONT'D)

3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 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, 2 Cal. Code Regs. 2905(a)(2).

Authority: P.R.C. 21084, 14 Cal. Code Regs. 15300, and 2 Cal. Code Regs. 2905.

EXHIBITS:

- A. Land Description
- B. Location Map

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES, 2 CAL. CODE REGS. 2905(a)(2).
2. AUTHORIZE ISSUANCE, TO DONNA OBERT BLOWER, OF A TEN-YEAR GENERAL PERMIT - RECREATIONAL USE, WITH CONDITIONS (EXHIBIT "C"), BEGINNING DECEMBER 1, 1989, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$320; WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$500,000; FOR A DECK ATTACHED TO A RESIDENCE, TWO RECREATIONAL FLOATS, A BOAT HOIST PIER AND RIPRAP ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

SECTION 3

WP 5780.1

LAND DESCRIPTION

A parcel of tide and submerged land in the bed of Georgiana Slough, Sacramento County, California, more particularly described as follows:

All that land lying immediately beneath and between a deck, pier, boat hoist and floats as shown on attached site plan, TOGETHER WITH the necessary use area extending 10 feet from the extremities of said structures, said structures being adjacent to and waterward of that land depicted in Assessor's Parcel Number 156-020-62, Sacramento County.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of Georgiana Slough.

END OF DESCRIPTION

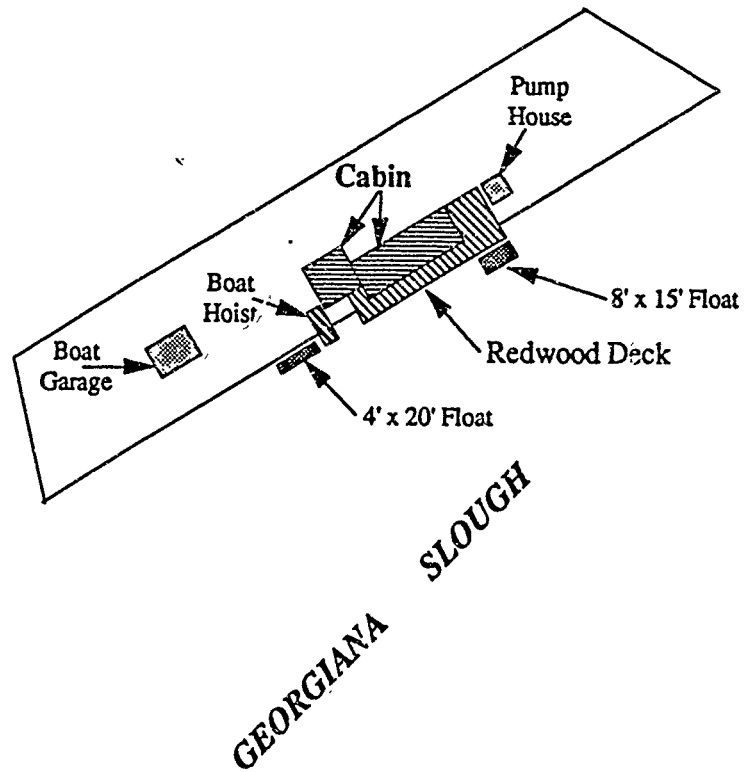
REVISED JULY, 1991 BY LLB

EXHIBIT A

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SECTION 3



SITE PLAN
DONNA OBERT BLOWER
WP 5780
GEORGIANA SLOUGH
SACRAMENTO COUNTY



EXHIBIT A

No Scale

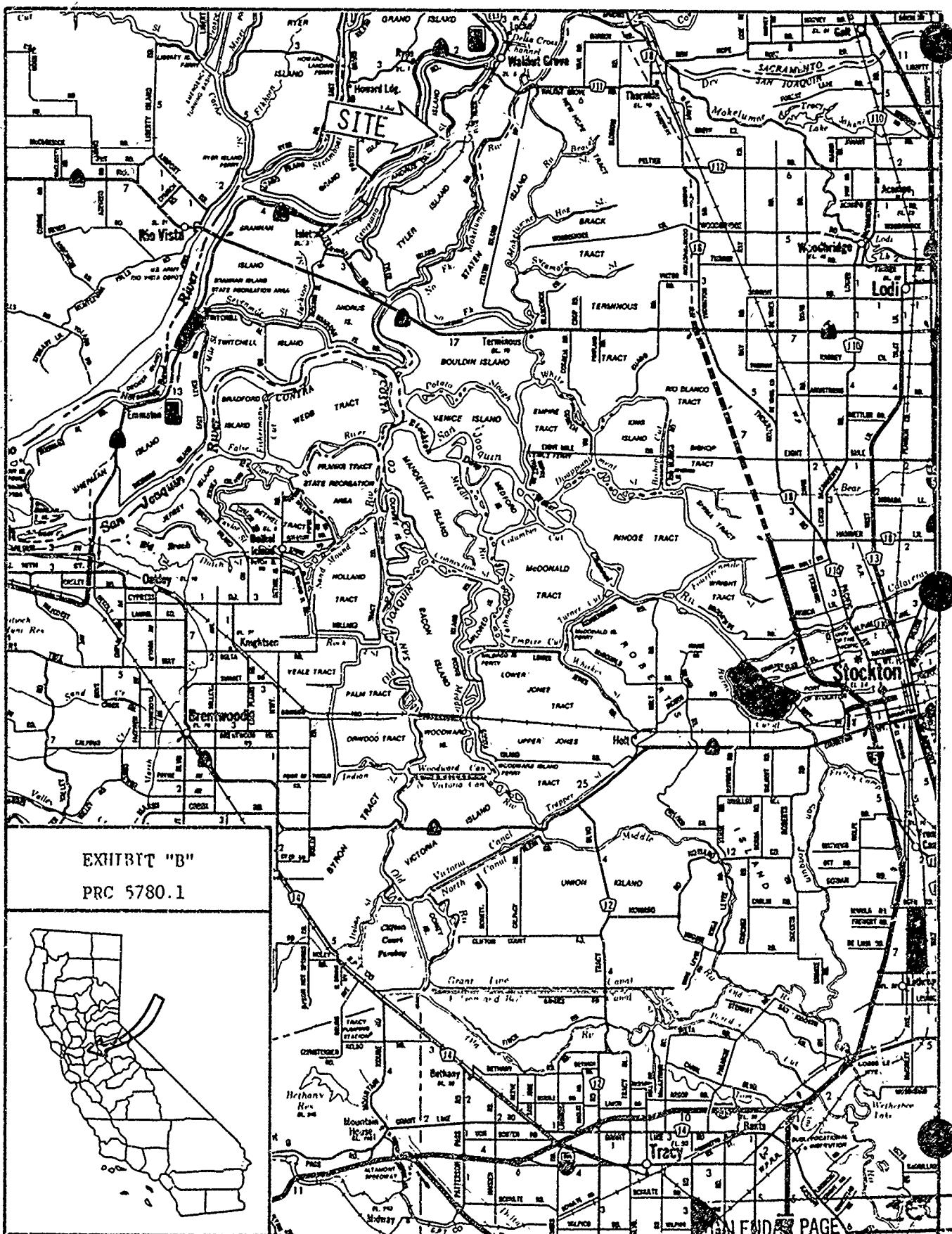


EXHIBIT "B"
 PRC 5780.1

