

This Calendar Item No. C11 was approved as Minute Item No. 11 by the California State Lands Commission by a vote of 3 to 0 at its 4-26-05 meeting.

**CALENDAR ITEM
C11**

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04/26/05
PRC 5932 WP 5932.9
T. Lipscomb

RECREATIONAL PIER LEASE

APPLICANTS:

Rick A. Hart and Andrea Hart, as Trustees of the Hart Family Trust, and Betsy M. Perkins

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in the Sacramento River, near the city of West Sacramento, Yolo County.

AUTHORIZED USE:

Reconstruction and continued use and maintenance of a previously existing floating boat dock and walkway.

LEASE TERM:

Ten years, beginning April 1, 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. Applicants own the uplands adjoining the lease premises.
2. On October 29, 1990, the Commission approved a ten-year Recreational Pier Permit to Clyde W. Perkins and Kathryn Gay Perkins effective December 16, 1990. Clyde Perkins made application for a new lease on June 26, 2000. At the time of application a Certificate of Death was received for Kathryn Gay Perkins, showing the date of death as September 30, 1998. Clyde W. Perkins subsequently died on November 11, 2002. Rick A. Hart, Andrea Hart, and Betsy Perkins, heirs to the Estate of Clyde W. Perkins,

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have since applied for new lease. Rick A.Hart, Andrea Hart and Betsy Perkins have fractional interests in the property.

3. Applicants qualify for a Recreational Pier Lease because they are natural persons who have improved the littoral land with, and use the upland for, a single-family dwelling.
4. The existing dock, which was authorized, measured 4 feet by 100 feet. A fire damaged the dock, so the applicants are proposing to replace the existing dock and walkway. The new dock will measure 4 feet by 60 feet and will be attached to the existing pilings.
5. 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 2, Replacement or Reconstruction; Title 2, California Code of Regulations, section 2905(b).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

6. 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.

EXHIBITS:

- A. Site Map
- B. Location Map

PERMIT STREAMLINING ACT DEADLINE:

N/A

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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 2, REPLACEMENT OR RECONSTRUCTION; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905(b).

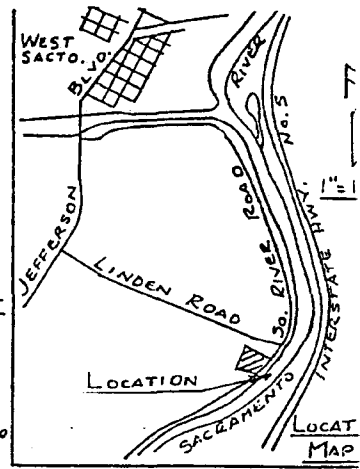
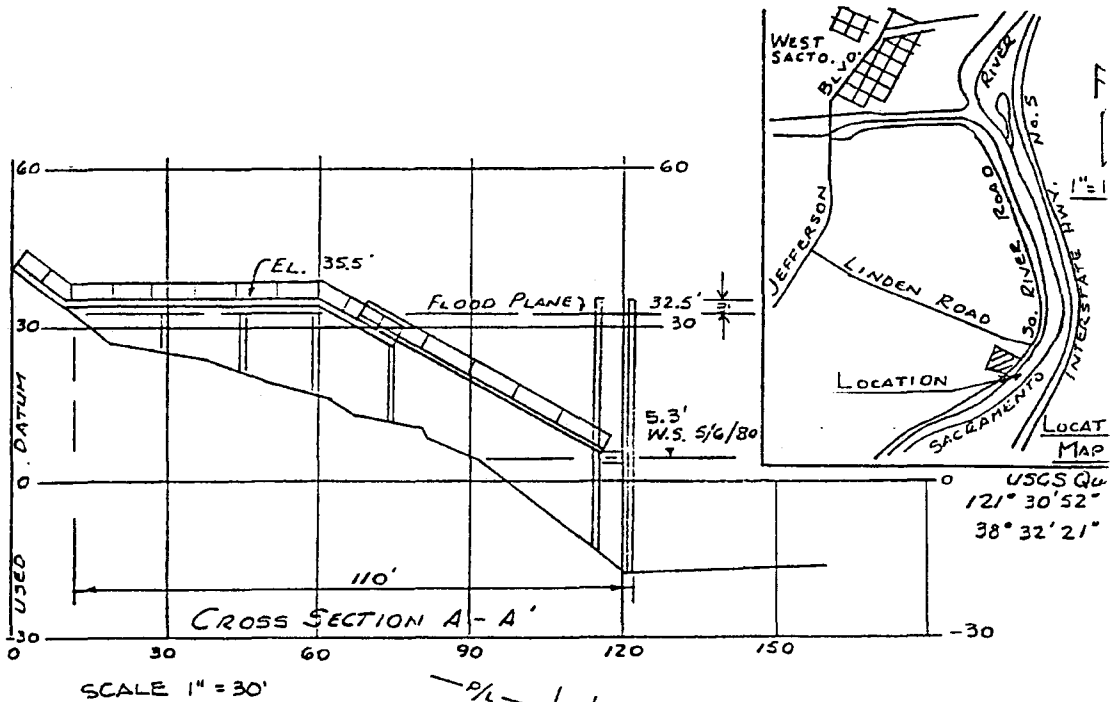
SIGNIFICANT LANDS INVENTORY FINDING:

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:

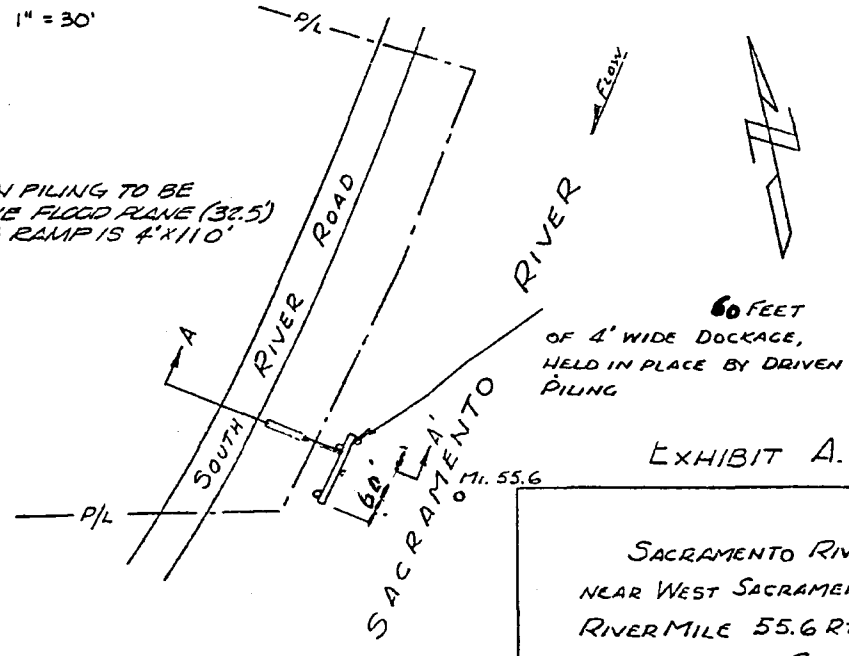
AUTHORIZE ISSUANCE TO RICK A. HART AND ANDREA HART, AS TRUSTEES OF THE HART FAMILY TRUST, AND BETSY M. PERKINS OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING APRIL 1, 2005, FOR RECONSTRUCTION AND CONTINUED USE AND MAINTENANCE OF A PREVIOUSLY EXISTING FLOATING BOAT DOCK AND WALKWAY AS REPRESENTED ON 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.

Site Plan

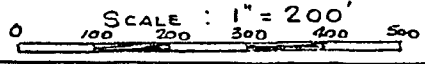


NOTE:

- (A) DRIVEN PILING TO BE 3' ABOVE FLOOD PLANE (32.5')
- (B) ACCESS RAMP IS 4'x110'



PLAN VIEW



SHEET 1 OF 1

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.

Exhibit A
WP 5932.9

TKL 3/9/2005

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Location Map

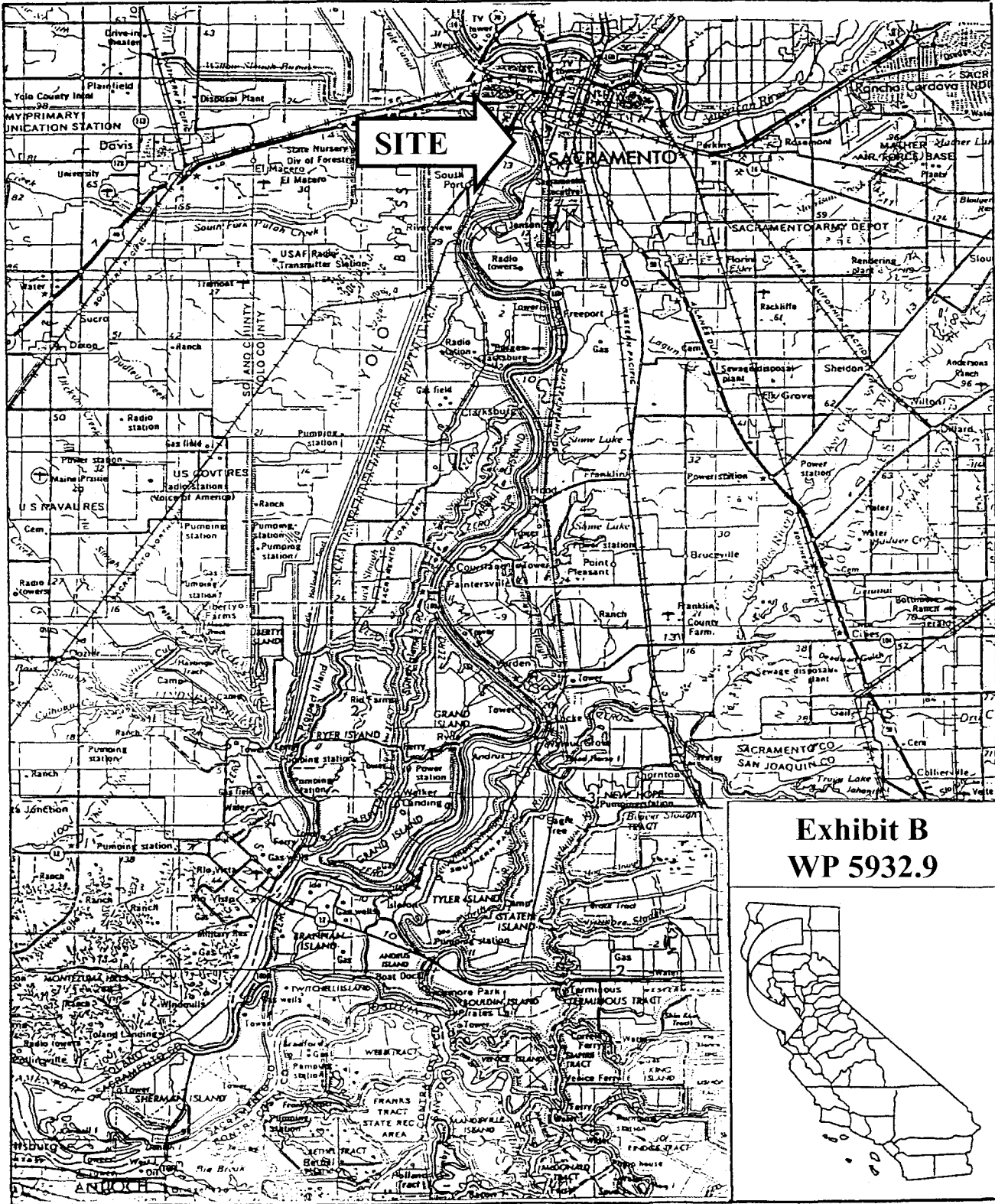


EXHIBIT CONSTRUCTED FROM USGS QUAD

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