

This Calendar Item No. C43 was approved as Minute Item No. 43 by the California State Lands Commission by a vote of 3 to 0 at its 4-17-06 meeting.

CALENDAR ITEM

C43

A 15

04/17/06

S 5, 31

PRC 7014

WP 7014.9

J. McComas

GENERAL LEASE-
RECREATIONAL AND PROTECTIVE STRUCTURE USE

APPLICANTS:

Kirk D. West and Gloria J. West

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Georgiana Slough, near Isleton, Sacramento County.

AUTHORIZED USE:

Continued use and maintenance of an existing uncovered floating boat dock, walkway, gangway, and pilings previously authorized by the Commission, and bank protection not previously authorized by the Commission as shown on Exhibit A.

LEASE TERM:

Ten years, beginning October 23, 2006.

CONSIDERATION:

Uncovered floating boat dock, walkway, gangway, and pilings:
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 to be in the State's best interest.

SPECIFIC LEASE PROVISIONS:

Liability insurance in the amount of no less than \$500,000.

OTHER PERTINENT INFORMATION:

1. Applicants own the uplands adjoining the lease premises.
2. On August 21, 1996, the Commission issued a Recreational Pier Lease to Kirk D. West and Gloria J. West for an existing dock, gangway, and

CALENDAR ITEM NO. C43 (CONT'D)

walkway. That lease will expire on October 22, 2006. Kirk D. West and Gloria J. West are now applying for a new General Lease - Recreational and Protective Structure Use. Applicants qualify for a rent-free uncovered floating boat dock, walkway, gangway, and pilings because the Applicants are natural persons who have improved the uplands with, and use the upland for, a single-family dwelling.

3. The bank protection at this location mutually benefits the public and the Applicants. The bank of Georgiana Slough will have the additional protection from wave action provided at no cost to the public.
4. **UNCOVERED FLOATING BOAT DOCK, WALKWAY, GANGWAY, AND PILINGS:** 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.

5. **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 4, Minor Alterations to Land; Title 2, California Code of Regulations, section 2905 (d)(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.

6. This activity involves lands which have NOT been identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. However, the Commission has declared that all state school lands and submerged lands are "significant" by nature of their public ownership (as opposed to "environmentally significant"). Since

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such declaration of significance is not based upon the requirements and criteria of Public Resources Code sections 6370, et seq., use classifications for such lands have not been designated. Therefore, the finding of the project's consistency with the use classification as required by Title 2, California Code of Regulations, section 2954 is not applicable.

EXHIBIT:

- A. Site and Location Map

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

UNCOVERED FLOATING BOAT DOCK, WALKWAY, GANGWAY, AND PILINGS: 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).

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 4, MINOR ALTERATION TO LAND; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (d)(2).

AUTHORIZATION:

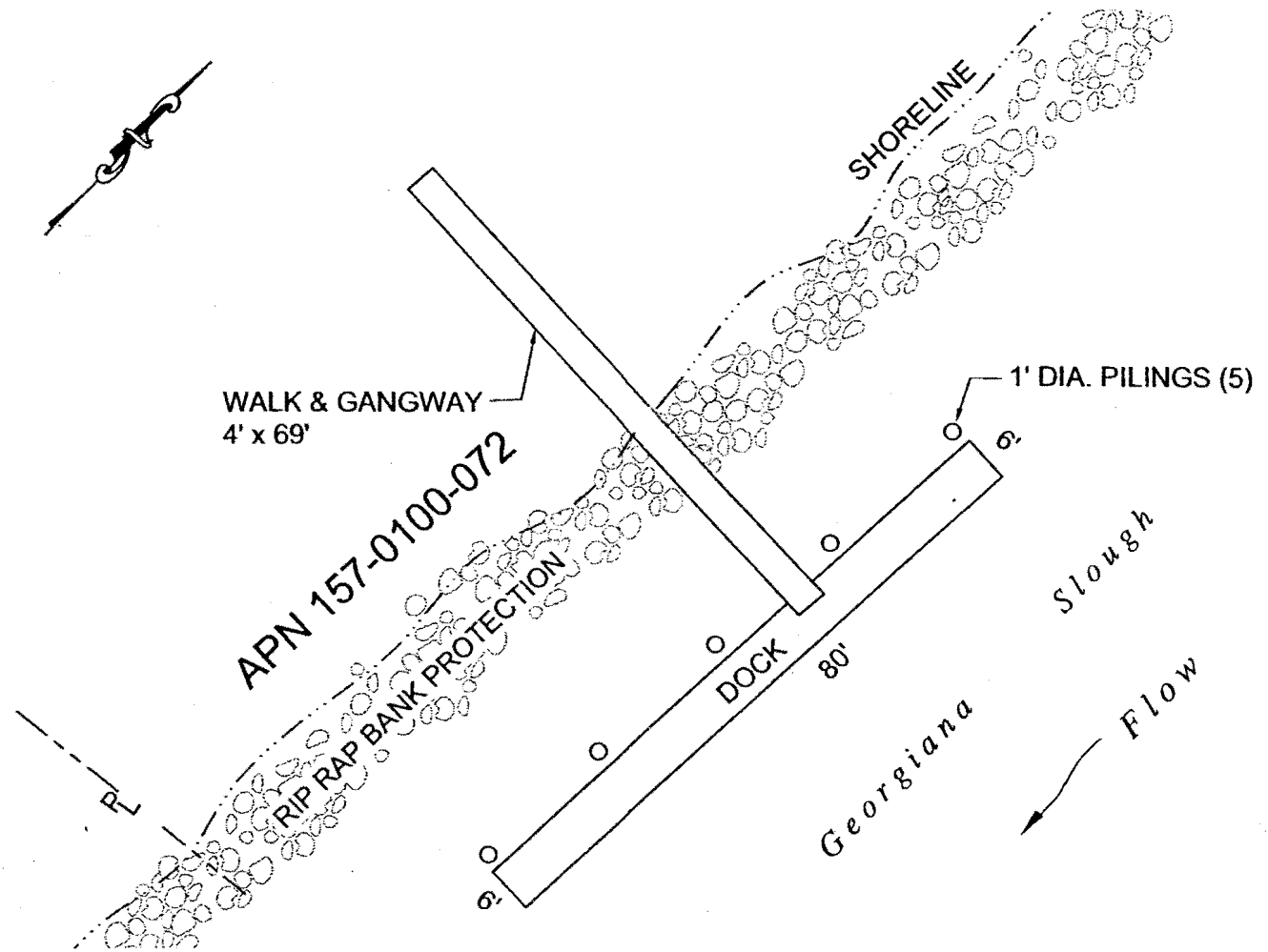
AUTHORIZE ISSUANCE TO KIRK D. WEST AND GLORIA J. WEST OF A GENERAL LEASE - RECREATIONAL AND PROTECTIVE STRUCUTRE USE, BEGINNING OCTOBER 23, 2006, FOR A TERM OF TEN YEARS, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING UNCOVERED FLOATING BOAT DOCK, WALKWAY, GANGWAY, PILINGS, AND BANK PROTECTION AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION - UNCOVERED FLOATING BOAT DOCK, WALKWAY, GANGWAY, AND PILINGS: NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 6503.5; BANK PROTECTION: THE PUBLIC USE AND

CALENDAR ITEM NO. C43 (CONT'D)

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; LIABILITY INSURANCE IN THE AMOUNT OF NO LESS THAN \$500,000.

NO SCALE

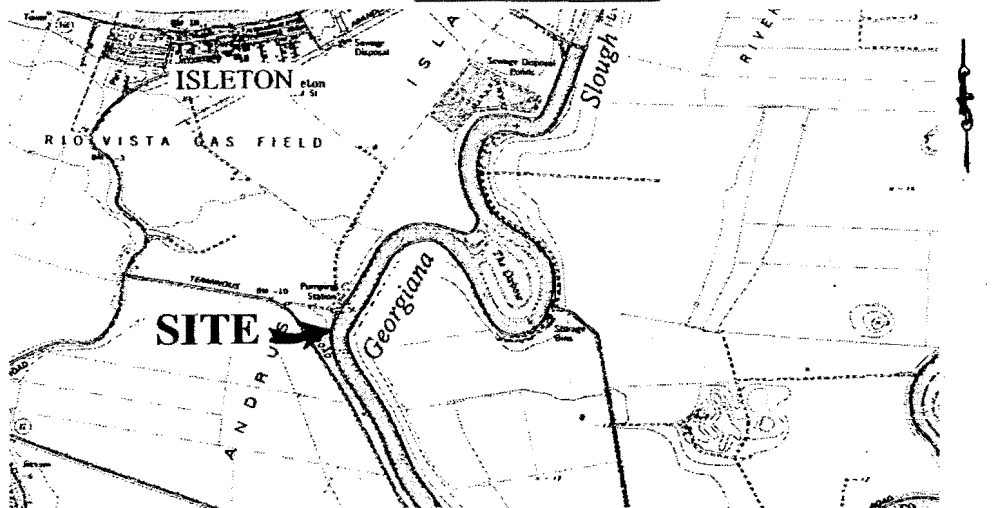
SITE



16807 TERMINOUS ROAD, ISLETON

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

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.

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Exhibit A

WP 7014.9
 KIRK & GLORIA WEST
 GENERAL LEASE
 RECREATIONAL & PROTECTIVE
 STRUCTURE USE
 APN 157-0100-072
 SACRAMENTO COUNTY



MJ/02/2006