

MINUTE ITEM

This Calendar Item No. C22 was approved as
Minute Item No. 22 by the California State Lands
Commission by a vote of 3 to 0 at its
12/14/06 meeting.

**CALENDAR ITEM
C22**

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12/14/06
PRC 6727 WP 6727.9
V. Massey

GENERAL LEASE - RECREATIONAL AND PROTECTIVE STRUCTURE USE

APPLICANTS:

Jean Duval Starnes and Sandra Jeanne Renwanz

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in the Sacramento River, adjacent to the Garden Highway, near the city of Sacramento, Sacramento County.

AUTHORIZED USE:

Continued use and maintenance of an existing three-pile dolphin boat tie-up and bank protection.

LEASE TERM:

Ten years, beginning December 14, 2006.

CONSIDERATION:

Three-Pile Dolphin Boat Tie-up: 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 of no less than \$500,000.

OTHER PERTINENT INFORMATION:

1. Applicants own the uplands adjoining the lease premises.
2. On November 15, 1994, the Commission authorized a General Lease - Recreational and Protective Structure Use to Jean E. Duval. That lease expired on July 31, 2004. Subsequently the property transferred to Jean Duval Starnes and Sandra Jeanne Renwanz. The Applicants are now

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applying for a new General Lease - Recreational and Protective Structure Use. The Applicants qualify for a rent free Recreational Pier Lease for the three-Pile Dolphin Boat Tie-up because they are natural persons who have improved the littoral land with, and use the upland for, a single-family dwelling.

3. The bank protection at this location mutually benefits both the public and the Applicants. The bank of the Sacramento River will have the additional protection from wave action provided at no cost to the public.
4. 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. 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.

EXHIBIT:

- A. Site and Location Map

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 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

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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 JEAN DUVAL STARNES AND SANDRA JEANNE RENWANZ OF A GENERAL LEASE - RECREATIONAL AND PROTECTIVE STRUCTURE USE, BEGINNING DECEMBER 14, 2006, FOR A TERM OF TEN YEARS, FOR THE CONTINUED USE AND MAINTENANCE OF A THREE-PILE DOLPHIN BOAT TIE-UP AND BANK PROTECTION AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION: THREE-PILE DOLPHIN BOAT TIE-UP; 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 RENTAL 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.

Site Map and Location Map

