

**MINUTE ITEM**  
This Calendar Item No. C02 was approved as  
Minute Item No. 02 by the California State Lands  
Commission by a vote of 3 to 0 at its  
05/10/07 meeting.

**CALENDAR ITEM**

**C02**

A 9

05/10/07

PRC 8744

W 25878

S 6

B. Badeker

**RECREATIONAL PIER LEASE**

**APPLICANT:**

Pamela B. Wittpen, Trustee of THE MABEL M. WITTPEN FAMILY TRUST,  
dated August 2, 1983

**AREA, LAND TYPE, AND LOCATION:**

Sovereign lands in the Sacramento River at Garcia Bend, near the city of  
Sacramento, Sacramento County.

**AUTHORIZED USE:**

Construction, use and maintenance of a walkway, floating boat dock, pilings, and  
debris deflector as shown on Exhibit A.

**LEASE TERM:**

Ten years, beginning June 1, 2007.

**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. Applicant owns the uplands adjoining the lease premises.
2. On November 15, 1994, the Commission authorized an eight-year  
General Lease - Commercial Use, beginning on November 15, 1990 to  
Mabel M. Wittpen. That lease expired on November 14, 1998. After the  
lease expired, the Applicant acquired the property and has removed all the  
previously authorized commercial facilities from the lease premises,  
except for a few remaining pilings. The Applicant intended to remove the  
remaining pilings; however, during the recent emergency levee repairs this  
winter, the majority of the pilings were removed. The only pilings

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remaining are the ones to be used for the new walkway, boat dock and debris deflector. The Applicant is now applying for a new Recreational Pier Lease. The Applicant qualifies for a Recreational Pier Lease because she is a natural person who has improved the littoral land with, and uses the upland for, a single-family dwelling.

3. 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 CEQA as a categorically exempt project. The project is exempt under Class 2, Replacement or Reconstruction; Title 14, California Code of Regulations, section 15302.

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

4. 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 2, REPLACEMENT OR RECONSTRUCTION; TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15302.

**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.

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**AUTHORIZATION:**

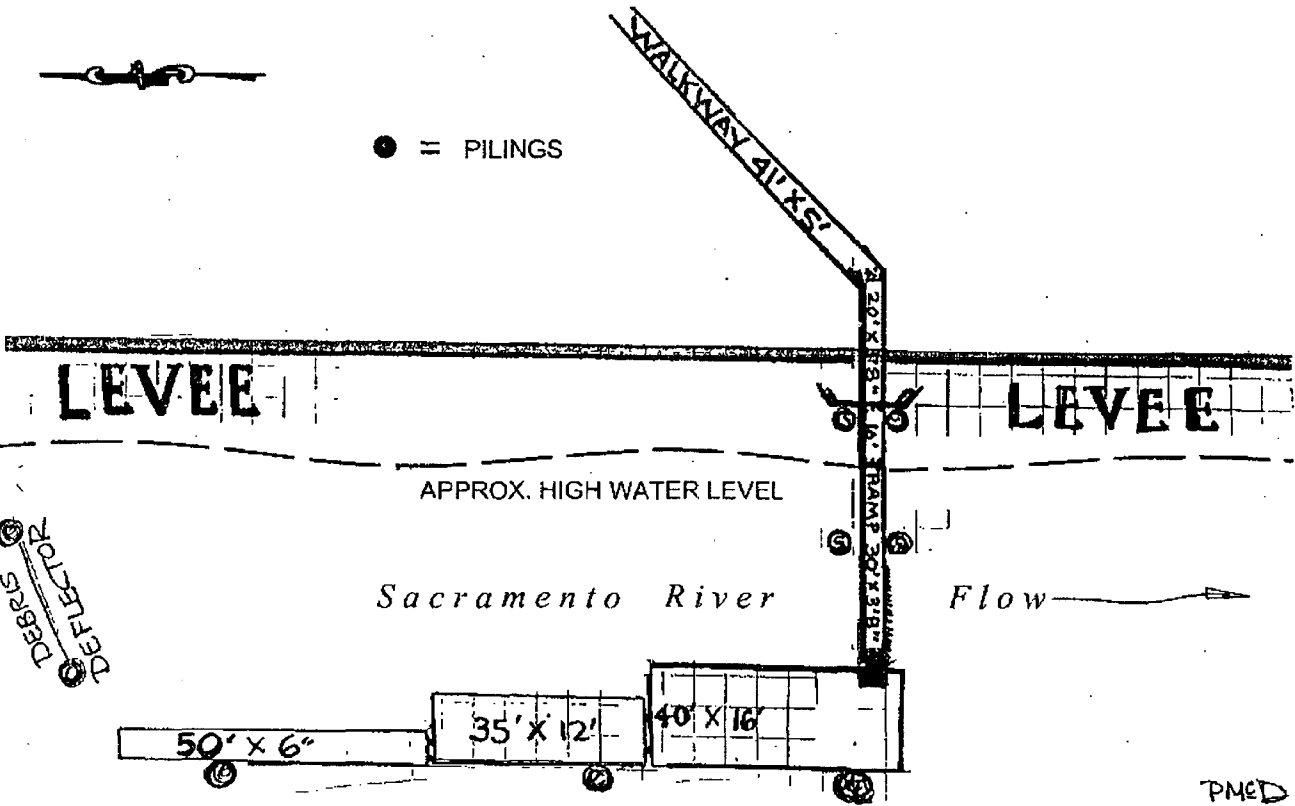
AUTHORIZE ISSUANCE TO PAMELA B. WITTPEN, TRUSTEE OF THE MABEL M. WITTPEN FAMILY TRUST, DATED AUGUST 2, 1983, OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING JUNE 1, 2007, FOR THE CONSTRUCTION, USE AND MAINTENANCE OF A WALKWAY, FLOATING BOAT DOCK, PILINGS, AND DEBRIS DEFLECTOR AS SHOWN ON EXHIBIT A ATTACHED 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.

NO SCALE

### SITE



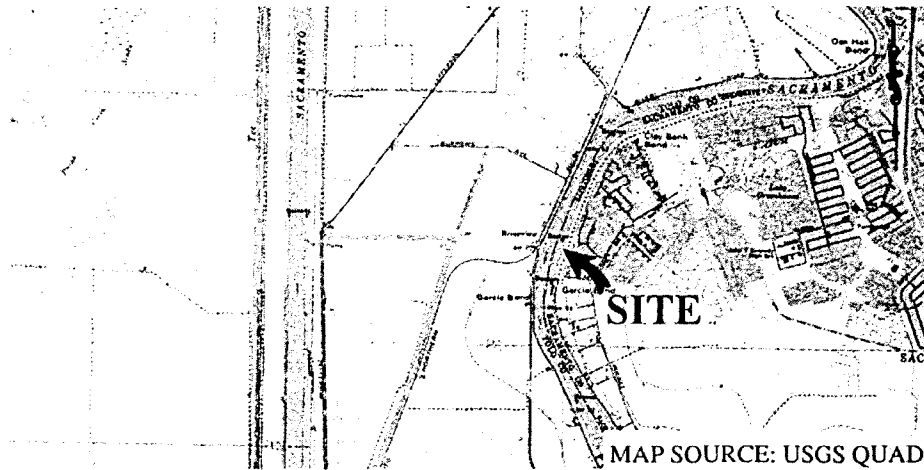
● = PILINGS



6882 ARABELLA WAY, SACRAMENTO

NO SCALE

### LOCATION



### Exhibit A

W 25878  
 WITTPEN  
 APN 031-0360-079  
 RECREATIONAL PIER LEASE  
 SACRAMENTO COUNTY



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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MJ 04-07