

MINUTE ITEM

This Calendar Item No. C24 was approved as Minute Item No. 24 by the California State Lands Commission by a vote of 3 to 0 at its 11/07/97 meeting.

**CALENDAR ITEM
C24**

A 5
S 6

11/07/97
WP 5949.9
D. Jones

**GENERAL LEASE - RECREATIONAL AND
PROTECTIVE STRUCTURE USE**

LESSEES:

Christopher C. Fogarty and Melissa A. Fogarty
6047 Garden Highway
Sacramento, California 95837

AREA, LAND TYPE, AND LOCATION:

0.05 acres, more or less, of tide and submerged lands in the Sacramento River, near the city of Sacramento, Sacramento County.

AUTHORIZED USE:

Continued use and maintenance of a 3 foot x 30 foot catwalk with a hinged piling, a 4 foot x 60 foot ramp, a 20 foot x 50 foot floating boat dock, a 3-pile dolphin, a single piling, and bank protection.

LEASE TERM:

Ten years, beginning January 1, 1995.

CONSIDERATION:

Floating boat dock, catwalk,
ramp, dolphins 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 action to be in the State's best interest.

CALENDAR ITEM NO. **C24** (CONT'D)

SPECIFIC LEASE PROVISIONS:

Liability insurance with coverage of no less than \$500,000.

OTHER PERTINENT INFORMATION:

1. Applicant is the owner of the uplands adjoining the lease premises.
2. The current lessee wishes to obtain a new lease for his existing recreational boating facility.
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 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.
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.

EXHIBITS:

- A. Site Map
- B. Location Map

PERMIT STREAMLINING ACT DEADLINE:

N/A

CALENDAR ITEM NO. C24 (CONT'D)

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

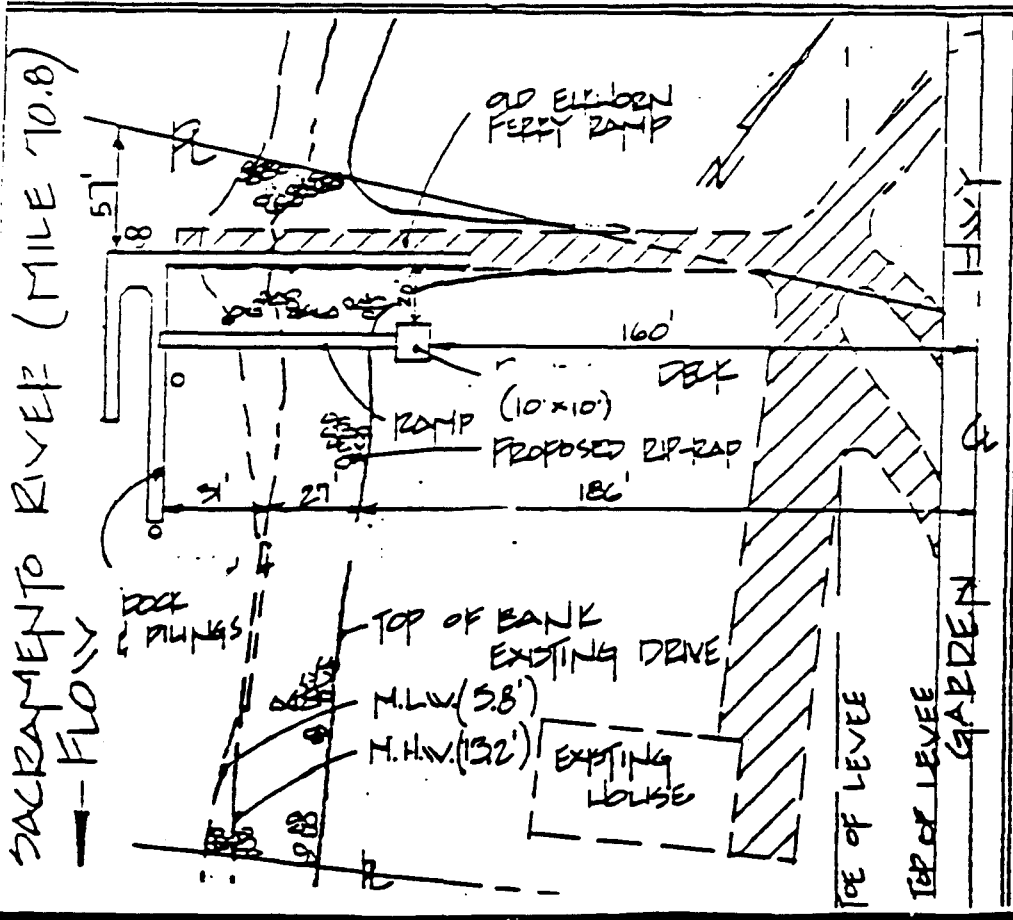
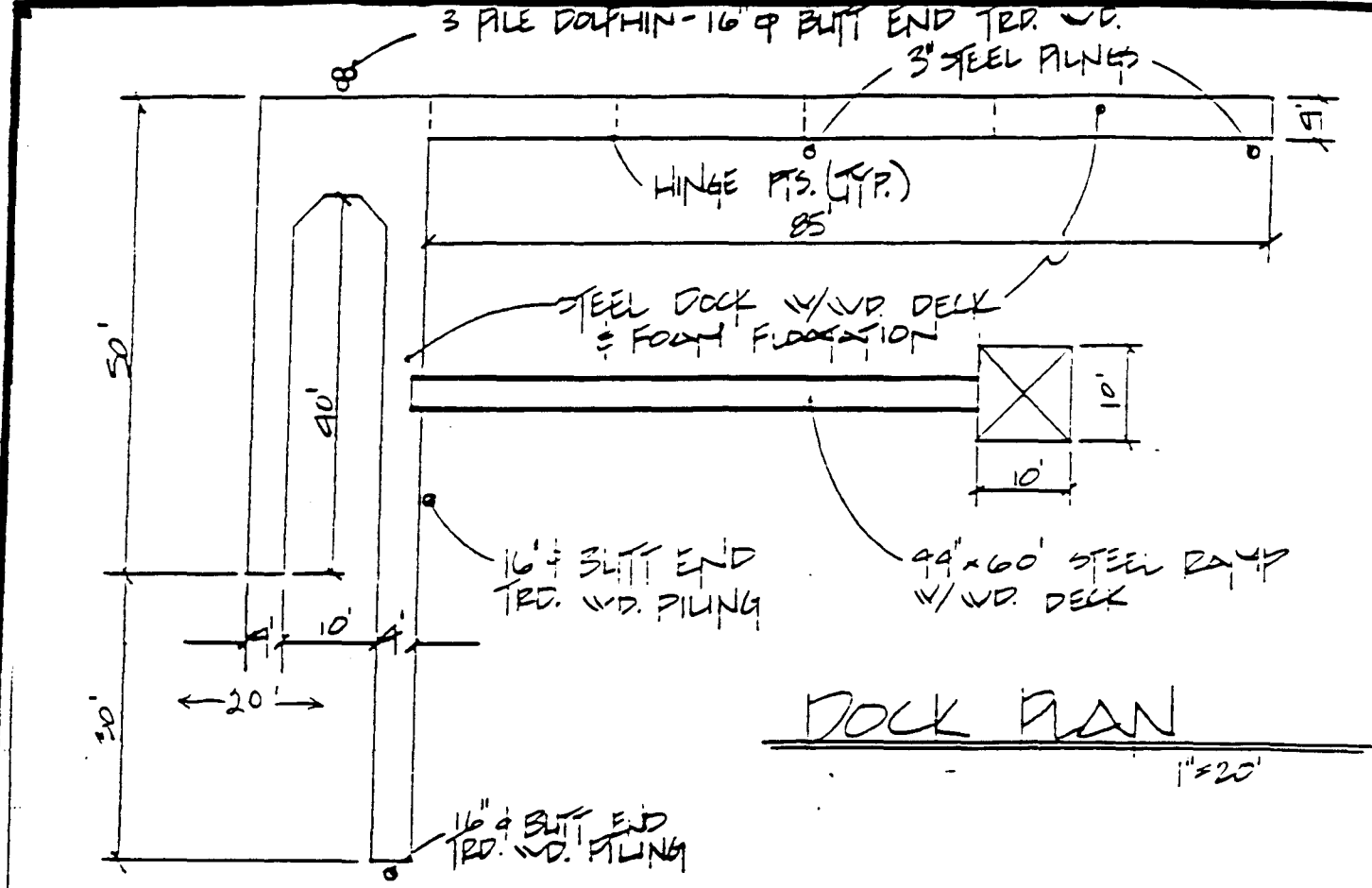
FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

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 CHRISTOPHER C. FOGARTY AND MELISSA A. FOGARTY, OF A GENERAL LEASE - RECREATIONAL AND PROTECTIVE STRUCTURE USE, BEGINNING JANUARY 1, 1995, FOR A 3 FOOT X 30 FOOT CATWALK WITH A HINGED PILING, A 4 FOOT X 60 FOOT RAMP, A 20 FOOT X 50 FOOT FLOATING BOAT DOCK, A 3-PILE DOLPHIN, AND A SINGLE PILING ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; NO MONETARY CONSIDERATION FOR THE FLOATING BOAT DOCK PURSUANT TO PUBLIC RESOURCES CODE SECTION 6503.5; CONSIDERATION FOR THE BANK PROTECTION BEING 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; LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF NO LESS THAN \$500,000.



RESIDENTIAL DOCK SYSTEM

FOR CHRISTOPHER FOGARTY
6047 GARDEN HWY.
SACRAMENTO, CA.
95837

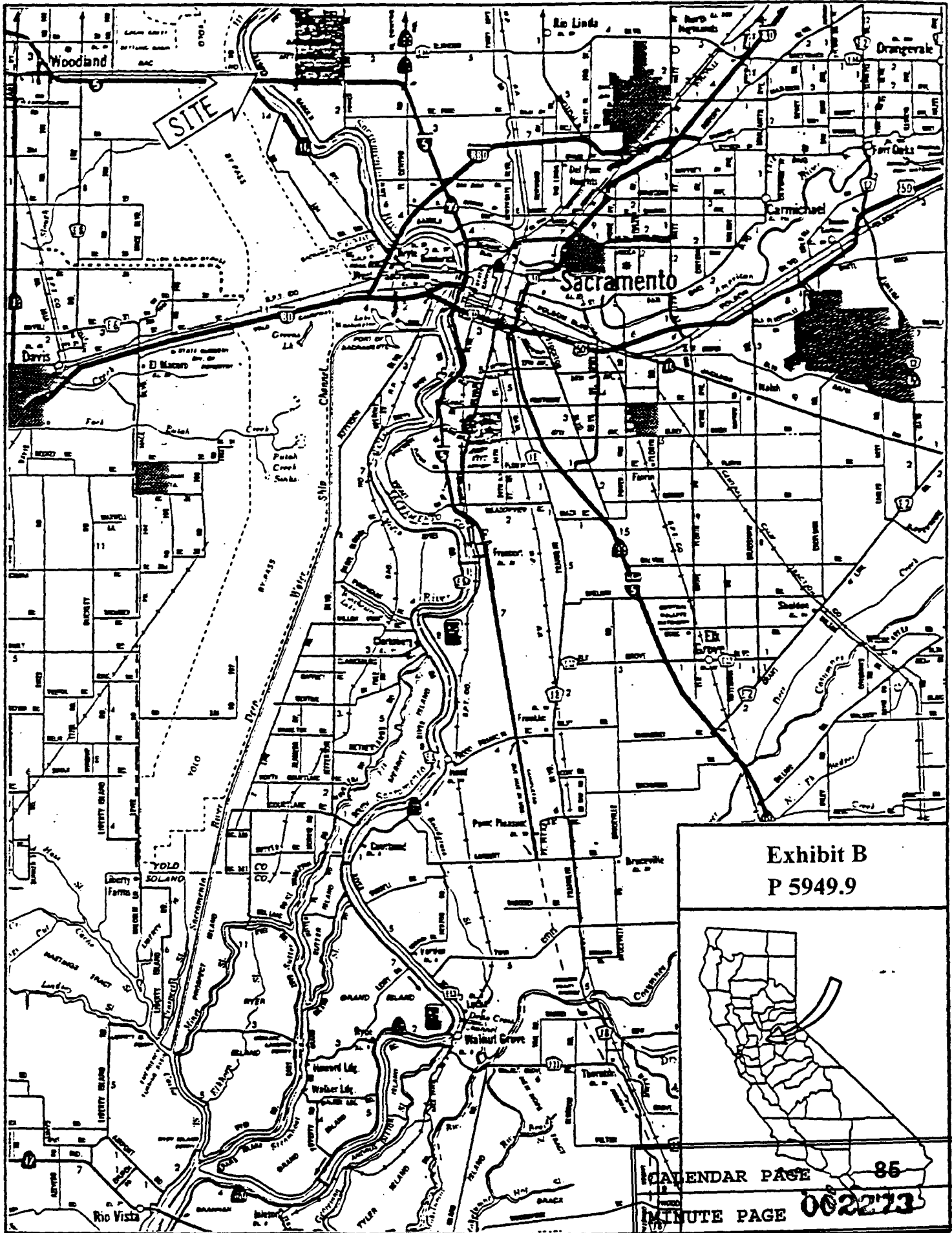
A.P.N.: 201-280-10

AGENTS: BOWLING-FREEMAN
DOCK MFG.
70 ARDEN WAY
SACRAMENTO, CA.
95810

STATE LIC. # 443537

This exhibit is solely for purposes of generally defining the lease premises 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.

CALENDAR EXHIBIT A84
MINUTE PAGE 002272



SITE

Sacramento

Exhibit B
P 5949.9



CALENDAR PAGE 85
MINUTE PAGE 002273