

MINUTE ITEM

This Calendar Item No. C10 was approved as Minute Item No. 10 by the California State Lands Commission by a vote of 3 to 0 at its 12-3-99 meeting.

**CALENDAR ITEM
C10**

A 5
S 6

PRC 8124.9

12/03/99
W 25585
L. Burks

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

APPLICANTS:

Robert E. Sulzen and Dora L. Sulzen
Trustees of the Sulzen Family Living Trust
2575 Garden Highway
Sacramento, California 95833

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in the Sacramento River, adjacent to the Garden Highway (APN 274-0250-030), near the city of Sacramento, Sacramento County.

AUTHORIZED USE:

Construction of an 8 foot by 100 foot floating dock, a 4 foot by 60 foot ramp, and riprap along shoreline.

LEASE TERM:

Ten years, beginning November 15, 1999.

CONSIDERATION:

Recreational Pier – 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 for combined single limit coverage of no less than \$500,000.

OTHER PERTINENT INFORMATION:

- 1. Applicant owns the uplands adjoining the lease premises.

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2. Recreational Pier:

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 3, New Construction of Small Structures; Title 2, California Code of Regulations, section 2905 (c)(1).

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

3. 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.

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.

APPROVALS OBTAINED:

United States Army Corps of Engineers, State Reclamation Board, California
Department of Fish and Game

EXHIBITS:

- A. Site Plan
- B. Location Map

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PERMIT STREAMLINING ACT DEADLINE:

January 13, 2000

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

RECREATIONAL PIER:

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 3, NEW CONSTRUCTION OF SMALL STRUCTURES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (c)(1).

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

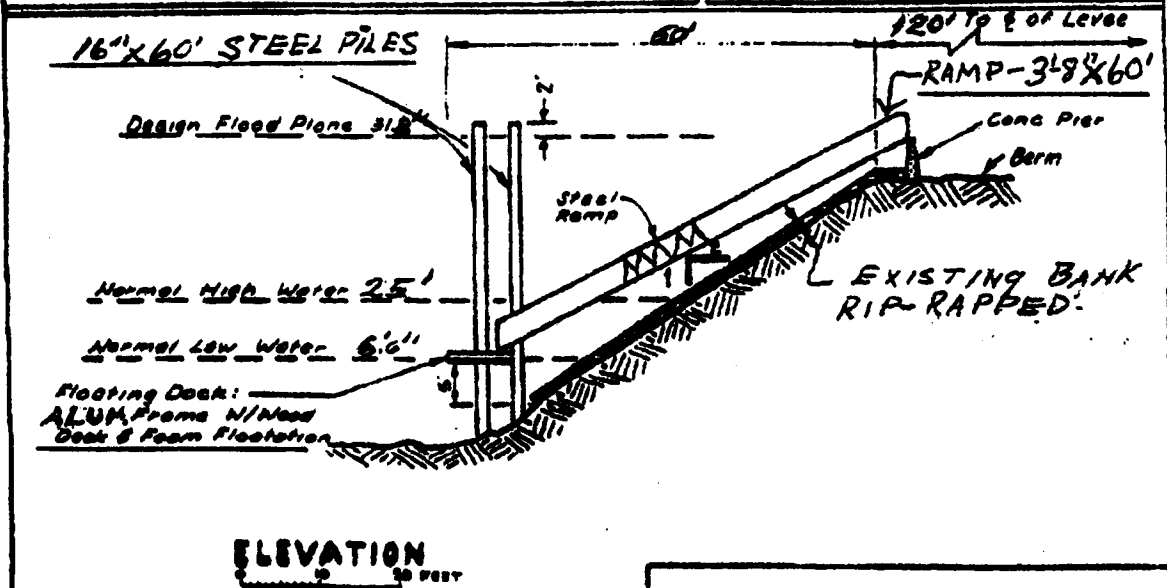
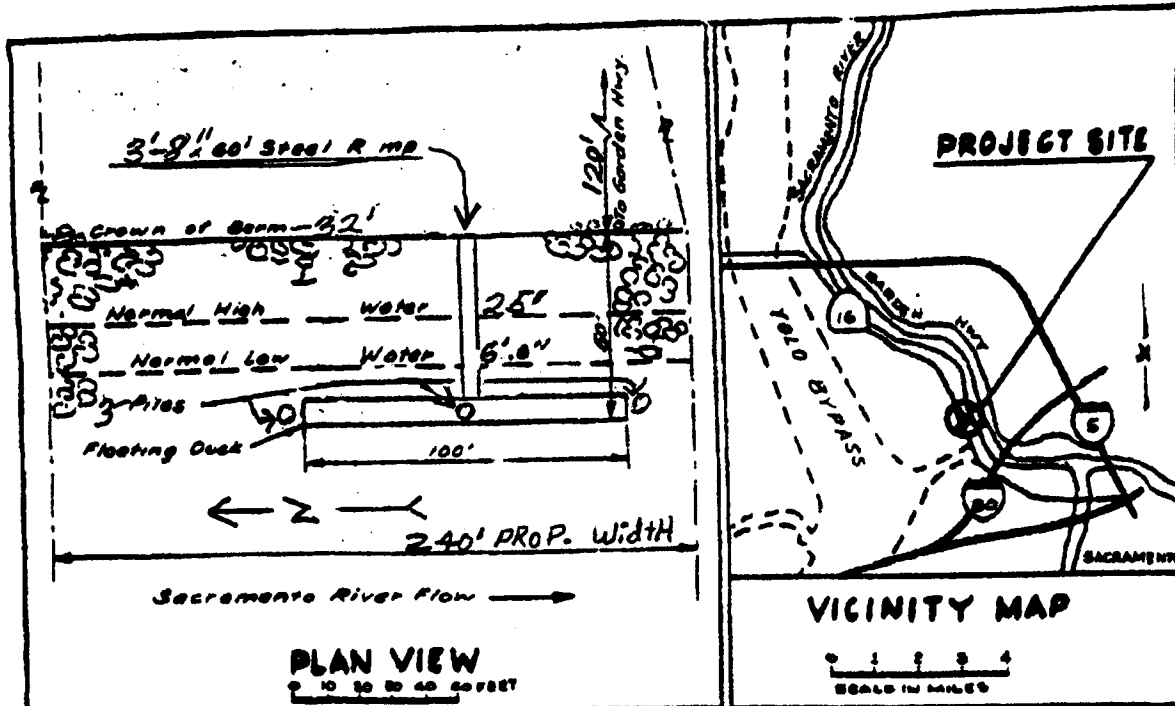
AUTHORIZATION:

AUTHORIZE ISSUANCE TO ROBERT E. SULZEN AND DORA L. SULZEN, TRUSTEES OF THE SULZEN FAMILY LIVING TRUST OF A GENERAL LEASE - RECREATIONAL AND PROTECTIVE STRUCTURE USE, BEGINNING NOVEMBER 15, 1999, FOR A TERM OF TEN YEARS, FOR CONSTRUCTION OF A FLOATING DOCK, RAMP AND BANK PROTECTION ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION: RECREATIONAL PIER – NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE

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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; LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF NO LESS THAN \$500,000.

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DOCK SYSTEM
ON THE SACRAMENTO RIVER
 SACRAMENTO COUNTY
 Robert + DORA SULZEN
 2575 GARDEN HWY

DATUM - NATIONAL GEODETIC VERTICAL

This exhibit is solely for purposes of generally defining the area to be leased, 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
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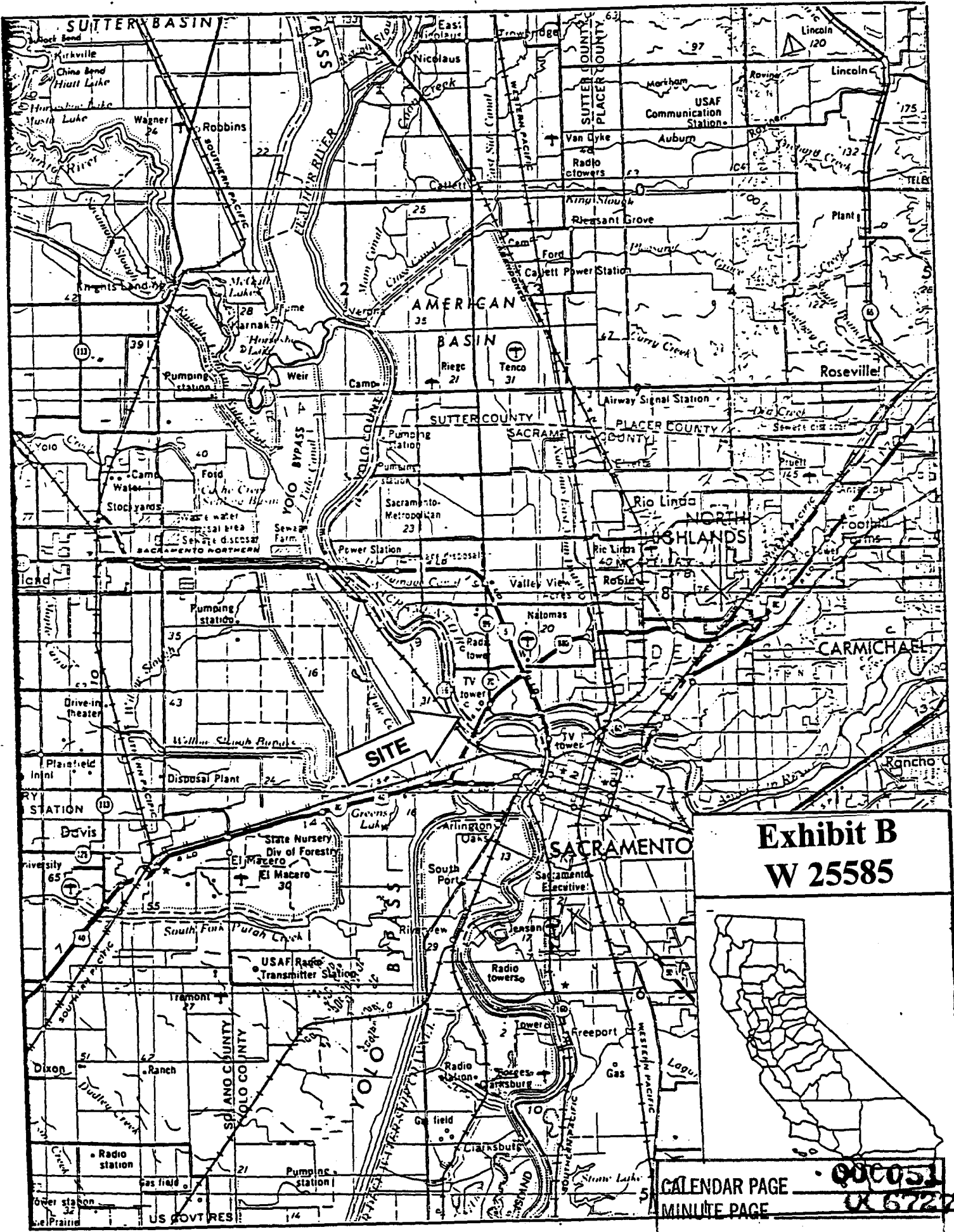


Exhibit B
W 25585



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