

**MINUTE ITEM**

This Calendar Item No. C28 was approved as Minute Item No. 28 by the California State Lands Commission by a vote of 3 to 0 at its 4-9-02 meeting.

**CALENDAR ITEM**

**C28**

A 5

04/09/02

PRC 4655.9

WP 4655.9

S 6

N. Quesada

**RECREATIONAL PIER LEASE**

**APPLICANTS:**

Bernard G. Shute and Florence Margaret Shute  
5311 Garden Highway  
Sacramento, CA 95837

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

Sovereign lands near the Garden Highway, in the Sacramento River, Sacramento County.

**AUTHORIZED USE:**

Continued use and maintenance of an existing 32 foot by 8 foot floating dock and a 2 foot by 14 foot walkway.

**LEASE TERM:**

Ten years, beginning March 30, 2002.

**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. On September 23, 1992, the Commission authorized a Recreational Pier Lease with Bernard G. Shute and Florence Margaret Shute. That lease expires on March 29, 2002. Bernard G. Shute and Florence Margaret Shute are now applying for a new Recreational Pier Lease. Applicants qualify for a Recreational Pier Lease because the Applicants are natural persons who have improved the littoral land with, and use the upland for, a single-family dwelling.

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2. 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.

3. 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

**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.

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**AUTHORIZATION:**

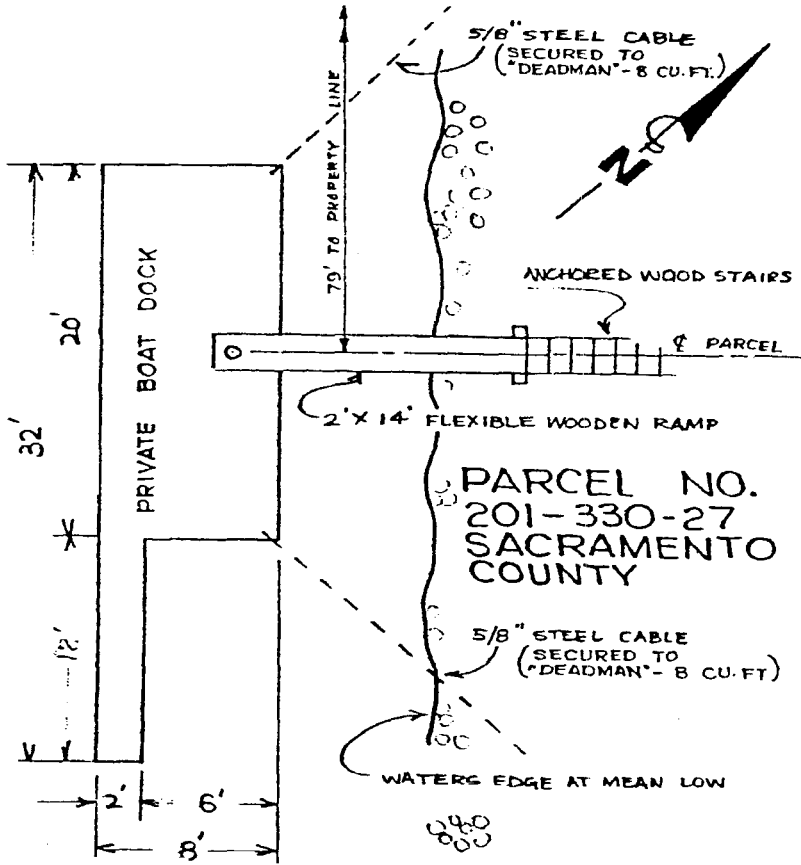
AUTHORIZE ISSUANCE TO BERNARD G. SHUTE AND FLORENCE MARGARET SHUTE OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING MARCH 30, 2002, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING FLOATING DOCK AND A WALKWAY ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 6503.5; LIABILITY INSURANCE IN THE AMOUNT OF NO LESS THAN \$300,000.

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**SITE MAP**

No. 4861

SACRAMENTO RIVER FLOW



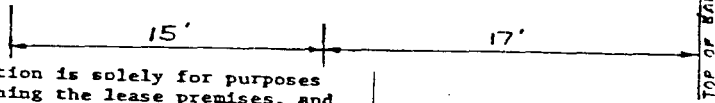
**PLAN**

SCALE: 1/8" = 1'-0"

FLOOD PLANE  
EL. 37.5'

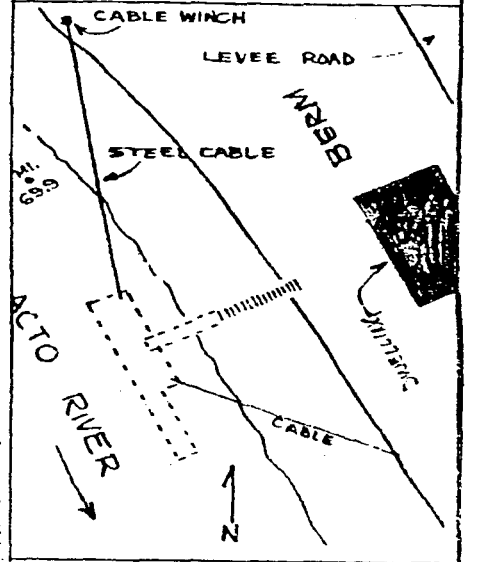
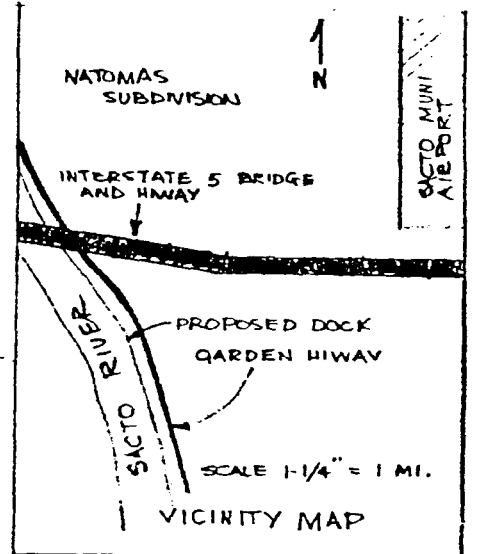
**MATERIALS**

WOOD FRAME  
4' X 8' PLYWOOD DECK  
STYROFOAM FLOTATION



**SIDE ELEV.**  
SCALE 1/8" = 1'-0"

This Land description 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.



EXISTING PRIVATE BOAT DOCK ON SHALLOW SIDE OF SACTO RIVER. LOC. APPROX. 7/10 THS SOUTH ON INTERSTATE 5 HWY ON GARDEN HWY. FOR BERNARD & FLORENCE SHUTE 5311 GARDEN HWY SACRAMENTO, CALIFORNIA 95837 WP 4655 EXHIBIT "A"

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.

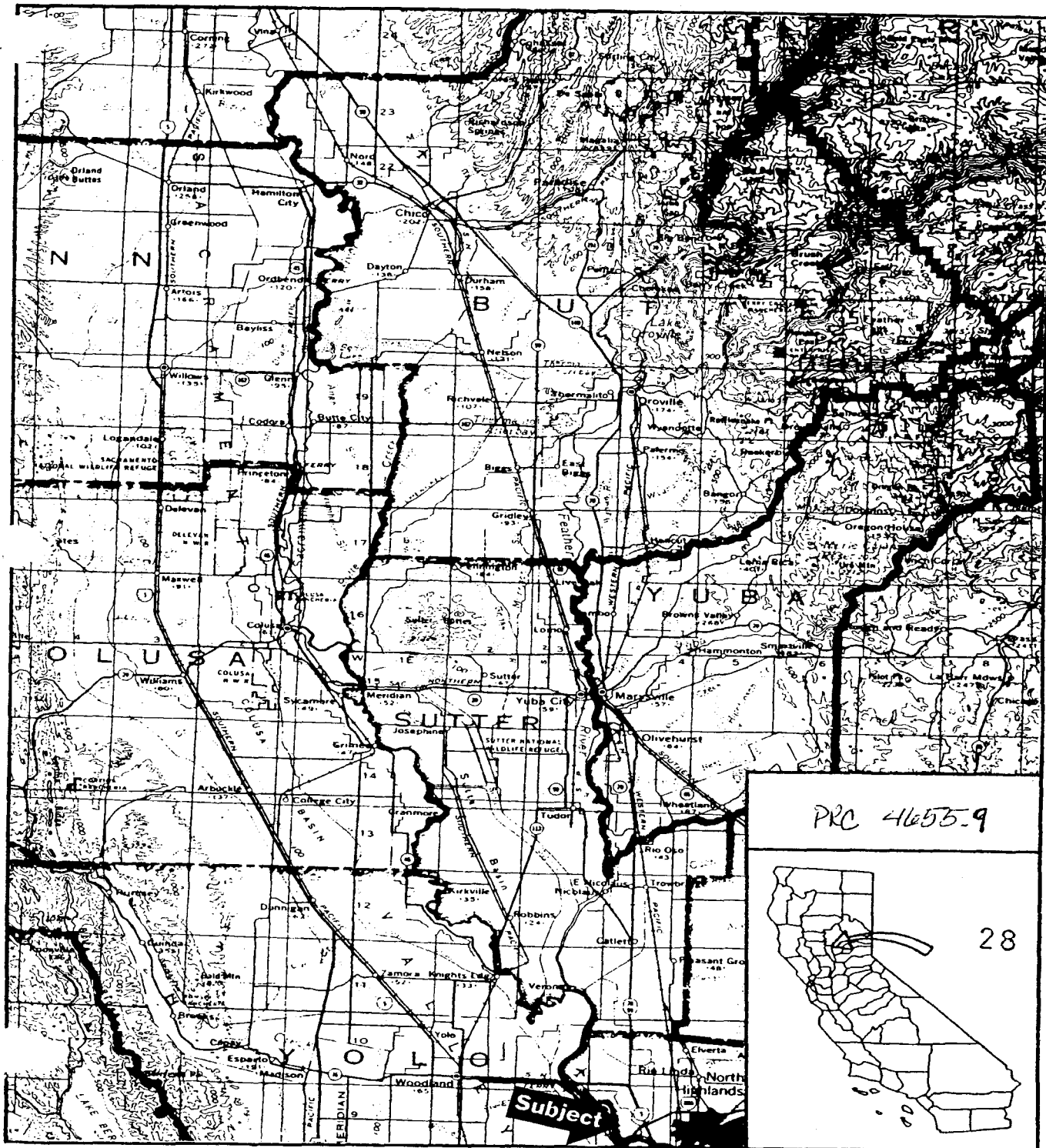
**EXHIBIT A**

Bernard and Florence Shute

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LOCATION MAP  
U.S.G.S Quad Map



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**EXHIBIT B**  
Bernard and Florence Shute

**PRC 4655-9-172**

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