

MINUTE ITEM

This Calendar Item No. C07 was approved as Minute Item No. 07 by the California State Lands Commission by a vote of 3 to 0 at its 8-19-03 meeting.

**MINUTE ITEM
C07**

08/19/03
WP 6042.9
B. BARHAM

PAUL D. THAYER AND MARTHA H. LENNIHAN
(APPLICANT)

Calendar Item 07: Consideration of a lease renewal for Paul Thayer and Martha Lennihan. The item was moved from Consent to Regular and approved unanimously.

**CALENDAR ITEM
C07**

A) 2, 5

S) 4, 6

08/19/03
WP 6042.9
R. Barham

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

APPLICANTS:

Paul D. Thayer and Martha H. Lennihan
6645 Garden Highway
Sacramento, CA 95837

AREA, LAND TYPE, AND LOCATION:

Sovereign land located in the Sacramento River, near the city of Sacramento,
Sacramento County.

AUTHORIZED USE:

Continued use and maintenance of an existing floating boat dock, access ramp,
pilings and bank protection.

LEASE TERM:

Ten years, beginning August 27, 2003.

CONSIDERATION:

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.

Floating Boat Dock, Access Ramp, and Pilings - No monetary consideration
pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

Liability Insurance: Combined single limit coverage of no less than \$500,000.

CALENDAR ITEM NO. C07 (CONT'D)

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.
2. On August 3, 1994, the Commission authorized a General Lease - Protective Structure and Recreational Use with Paul D. Thayer and Martha H. Lennihan. That lease will expire on August 26, 2003. Applicants qualify for a rent free lease for a floating boat dock, access ramp, and pilings because the Applicants 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 applicant. The public levee 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

PERMIT STREAMLINING ACT DEADLINE:

N/A

CALENDAR ITEM NO. C07 (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 PAUL D. THAYER AND MARTHA H. LENNIHAN OF A GENERAL LEASE – PROTECTIVE STRUCTURE AND RECREATIONAL USE, BEGINNING AUGUST 27, 2003, FOR A TERM OF TEN YEARS, FOR A FLOATING BOAT DOCK, ACCESS RAMP, PILINGS AND BANK PROTECTION ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; IN CONSIDERATION OF 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; AND A FLOATING BOAT DOCK, ACCESS RAMP AND PILINGS - NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 6503.5; LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF NO LESS THAN \$500,000.

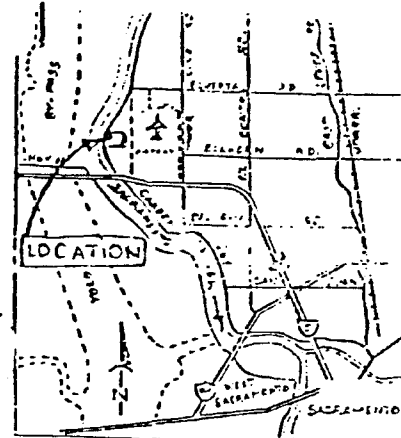
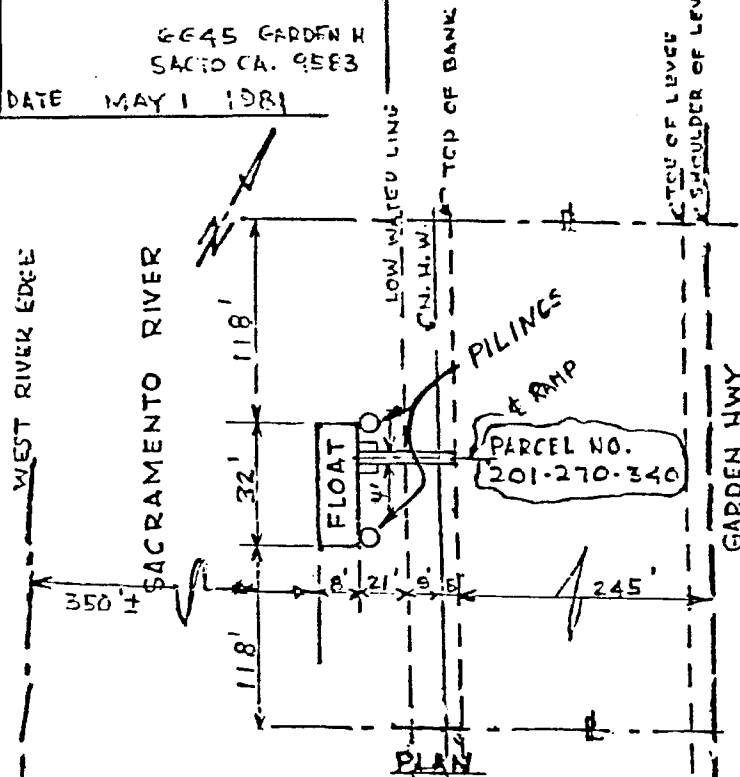
SITE MAP

NO. 7610

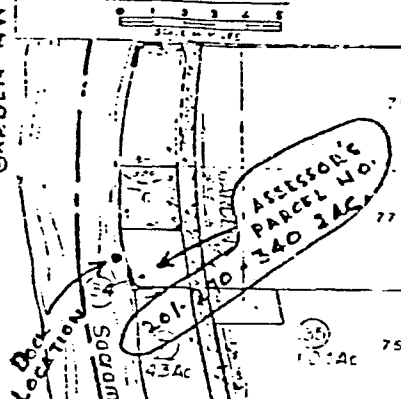
LOCATION ASSESSOR'S PARCEL NO.
201-270-340
PARCEL "D" A PORTION OF
LOTS 77-78
NATOMAS-ELKHORN SL.

6645 GARDEN H
SACRAMENTO CA. 9583

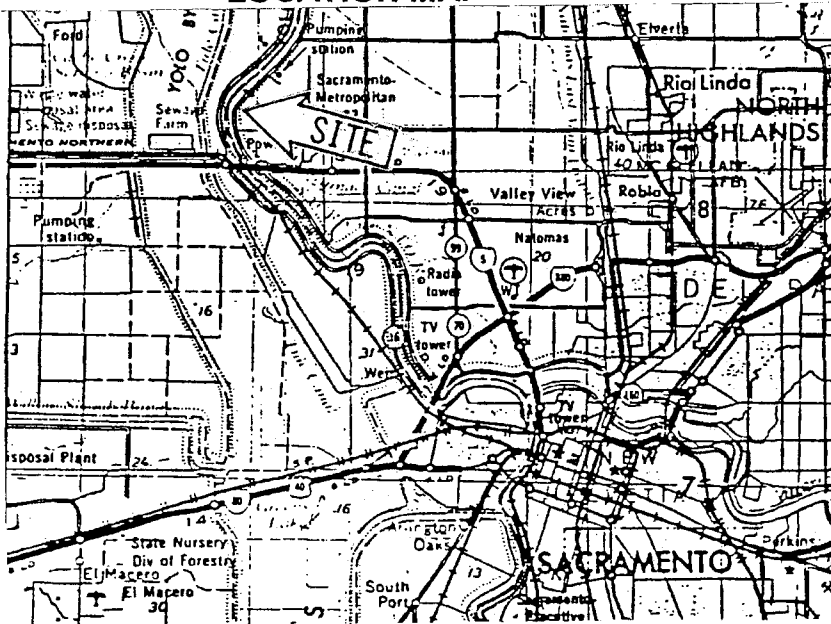
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VICINITY MAP



LOCATION MAP



CALIFORNIA MAP



USGS

SECTION 3

Exhibit A

WP 6042.9

Paul Thayer and Martha Lennihan
Sacramento County

This exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by 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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RWB 04/10/2003