

This Calendar Item No. C28 was approved as Minute Item No. 28 by the California State Lands Commission by a vote of 2 to 0 at its 06/07/04 meeting.

**CALENDAR ITEM
C28**

A 26

PRC 6750

06/07/04

S 5

WP 6750.9

V. Massey

GENERAL LEASE - PROTECTIVE STRUCTURE USE

APPLICANTS:

George Te Velde, Jr. and
Margot E. Te Velde
3301 Ladd Road
Modesto, CA 95356-9150

AREA, LAND TYPE, AND LOCATION:

0.211 acres, more or less, of sovereign lands in the Stanislaus River, near the city of Modesto, Stanislaus County.

AUTHORIZED USE:

The continued use and maintenance of rip rap.

LEASE TERM:

Ten years, beginning November 1, 2004.

CONSIDERATION:

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:

Insurance:
\$500,000 Combined single limit.

OTHER PERTINENT INFORMATION:

1. Applicants own the uplands adjoining the lease premises.
2. On November 15, 1994, the Commission issued a ten year General Lease – Protective Structure Use to C. J. Rumble & Sons, Inc. The property was subsequently deeded to George Te Velde, Jr. and Margot E. Te Velde. George Te Velde, Jr. and Margot E. Te Velde are now applying

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for a new General Lease – Protective Structure Use, which includes two separate sites near the same vicinity.

3. **SITES A AND B**

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

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

SITES A AND B

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).

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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 GEORGE TE VELDE, JR. AND MARGOT E. TE VELDE OF A GENERAL LEASE - PROTECTIVE STRUCTURE USE, BEGINNING NOVEMBER 1, 2004, FOR A TERM OF TEN YEARS, FOR THE CONTINUED USE AND MAINTENANCE OF RIP RAP AT SITES "A" AND "B" ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION: 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 WITH COVERAGE OF NO LESS THAN \$500,000.

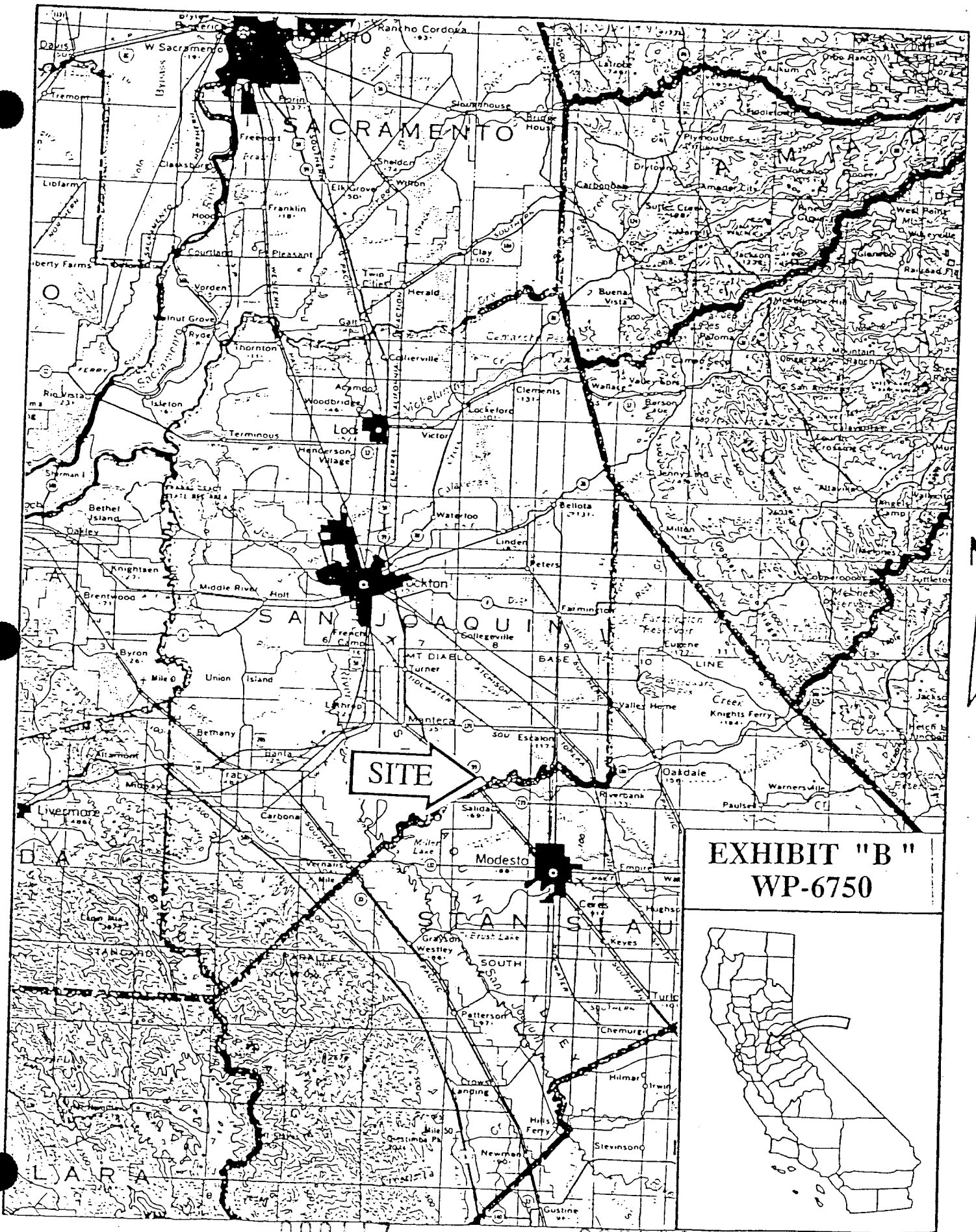
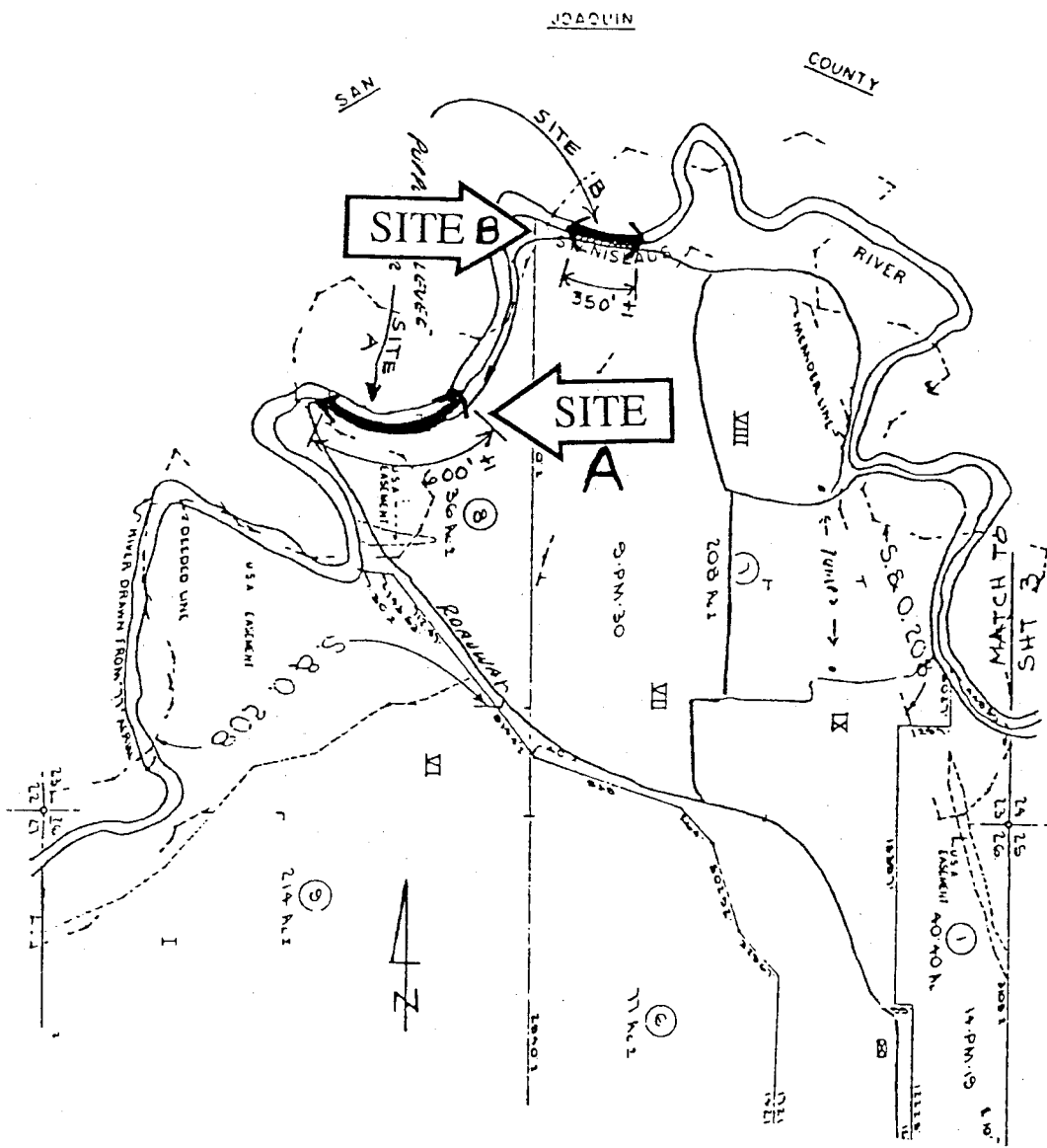


EXHIBIT "B"
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This exhibit is solely for purposes of generally defining the leased premises, is based on unverified information provided by lessee or other parties, and is not intended to be, nor shall it be construed to as a waiver or limitation of any state interest in the subject or any other property.

Exhibit A
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