

MINUTE ITEM

This Calendar Item No. C31 was approved as Minute Item No. 31 by the California State Lands Commission by a vote of 3 to 0 at its 2-17-05 meeting.

**CALENDAR ITEM
C31**

A 08,15

02/17/05

S 05,14

PRC 7929.1
J. McComas

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

APPLICANTS:

Keith E. Lindsey and Lela Lindsey, Trustees of the Keith and Lela Lindsey Family Trust dated April, 1996.

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Steamboat Slough, city of Walnut Grove, Sacramento County.

AUTHORIZED USE:

Continued use and maintenance of a floating boat dock, gangway, pilings, boat launch ramp and bank protection.

LEASE TERM:

Ten years, beginning June 13, 2005.

CONSIDERATION:

Floating boat dock, gangway and pilings: no monetary consideration pursuant to Public Resources Code Section 6503.5.

Boat Launch Ramp: \$50 per annum, with the State reserving the right to fix a different rent on each fifth anniversary of the beginning date of the lease.

Bank Protection: public use and benefit, with the State reserving the right to set a monetary rental if the Commission finds that such action to be in the State's best interest.

SPECIFIC LEASE PROVISIONS:

Liability insurance with a combined single limit of \$500,000.

OTHER PERTINENT INFORMATION:

1. Applicants own the uplands adjoining the lease premises.

CALENDAR ITEM NO. C31 (CONT'D)

2. On October 28, 1996, the Commission issued a General Lease - Protective Structure and Recreational Use to Keith and Lela Lindsey, for a floating boat dock, gangway, pilings, boat launch ramp and bank protection, for a ten year period beginning June 13, 1995. That lease will expire on June 12, 2005. Applicants are now applying for a new General Lease - Protective Structure and Recreational Use. Applicants qualify for a rent-free boat dock, gangways and pilings because they are natural persons who have improved the littoral lands with, and use the uplands for, a single family dwelling.
3. The bank protection at this location mutually benefits both the public and the applicant. The bank of the Slough 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.

EXHIBITS:

- A. Site Plan
- B. Location Map

PERMIT STREAMLINING ACT DEADLINE:

N/A

CALENDAR ITEM NO. C31 (CONT'D)

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

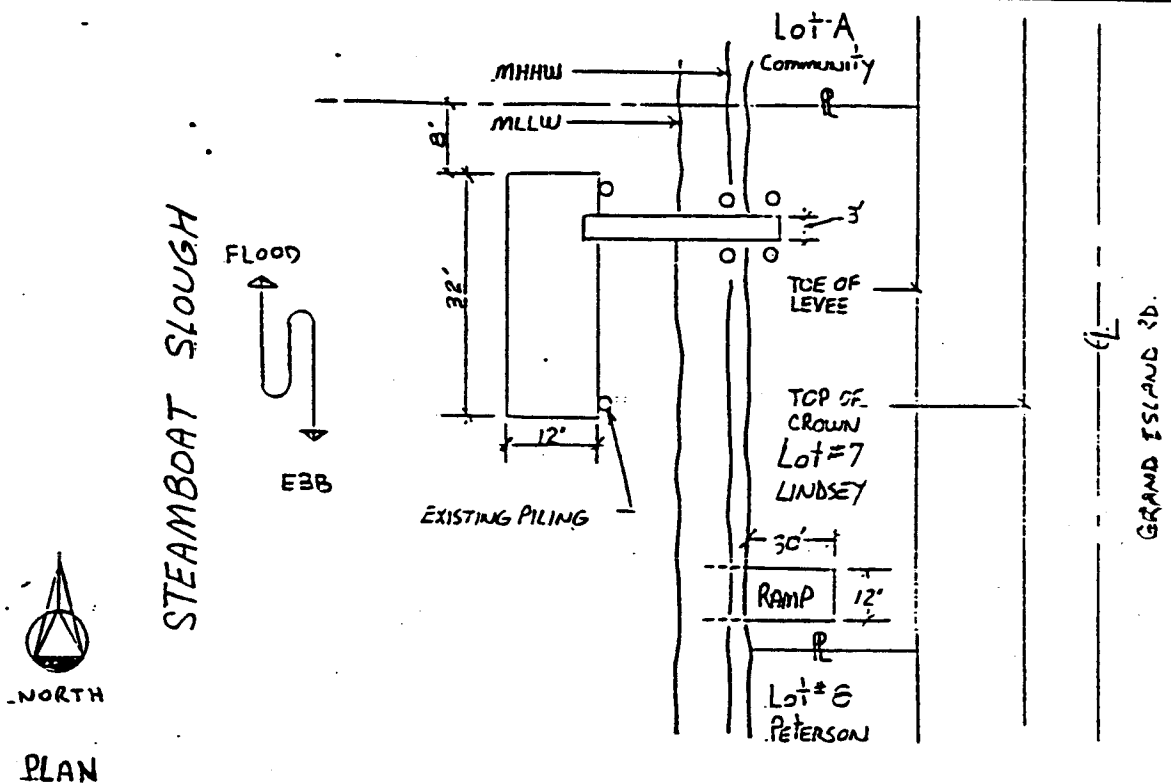
FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

SIGNIFICANT LANDS INVENTORY FINDING:

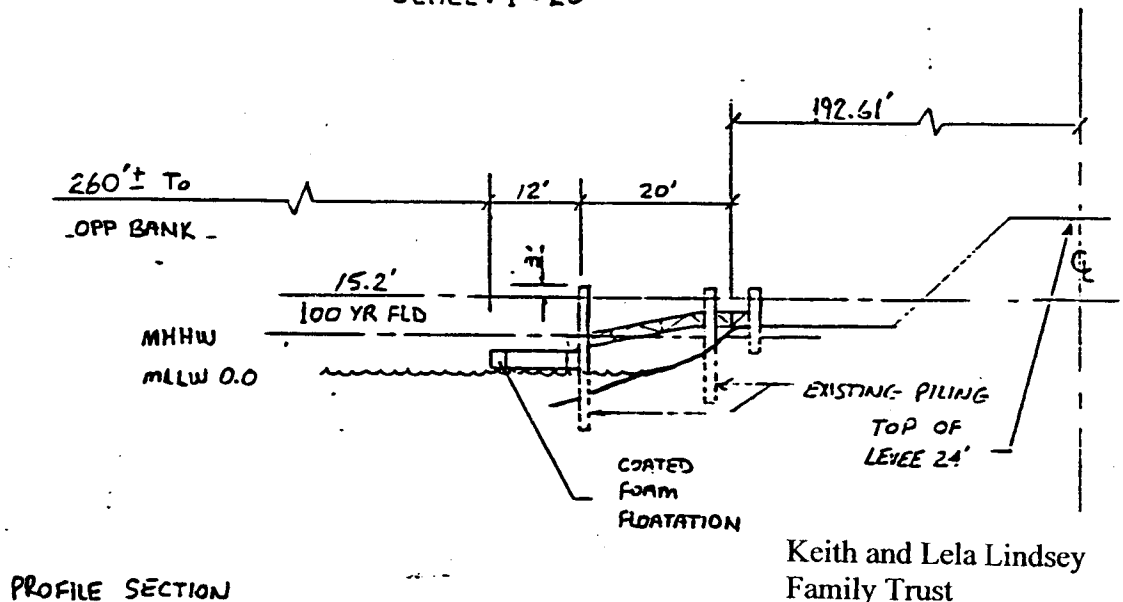
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO KEITH E. LINDSEY AND LELA LINDSEY, TRUSTEES OF THE KEITH AND LELA LINDSEY FAMILY TRUST DATED APRIL 24, 1996, OF A GENERAL LEASE - PROTECTIVE STRUCTURE AND RECREATIONAL USE, BEGINNING JUNE 13, 2005, FOR A TERM OF TEN YEARS, FOR THE CONTINUED USE AND MAINTENANCE OF A FLOATING BOAT DOCK, GANGWAY, PILINGS, BOAT LAUNCH RAMP AND BANK PROTECTION AS REPRESENTED ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION: FLOATING BOAT DOCK, GANGWAY, AND PILINGS - NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 6503.5; BOAT LAUNCH RAMP - \$50 PER ANNUM, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT ON EACH FIFTH ANNIVERSARY OF THE BEGINNING DATE OF THE LEASE; 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 WITH A COMBINED SINGLE LIMIT OF \$500,000.



SCALE: 1" = 20'



Keith and Lela Lindsey
 Family Trust
 APN: 142-0160-008
 13944 Grand Island Road
 Walnut Grove, CA

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
WP 7929.1

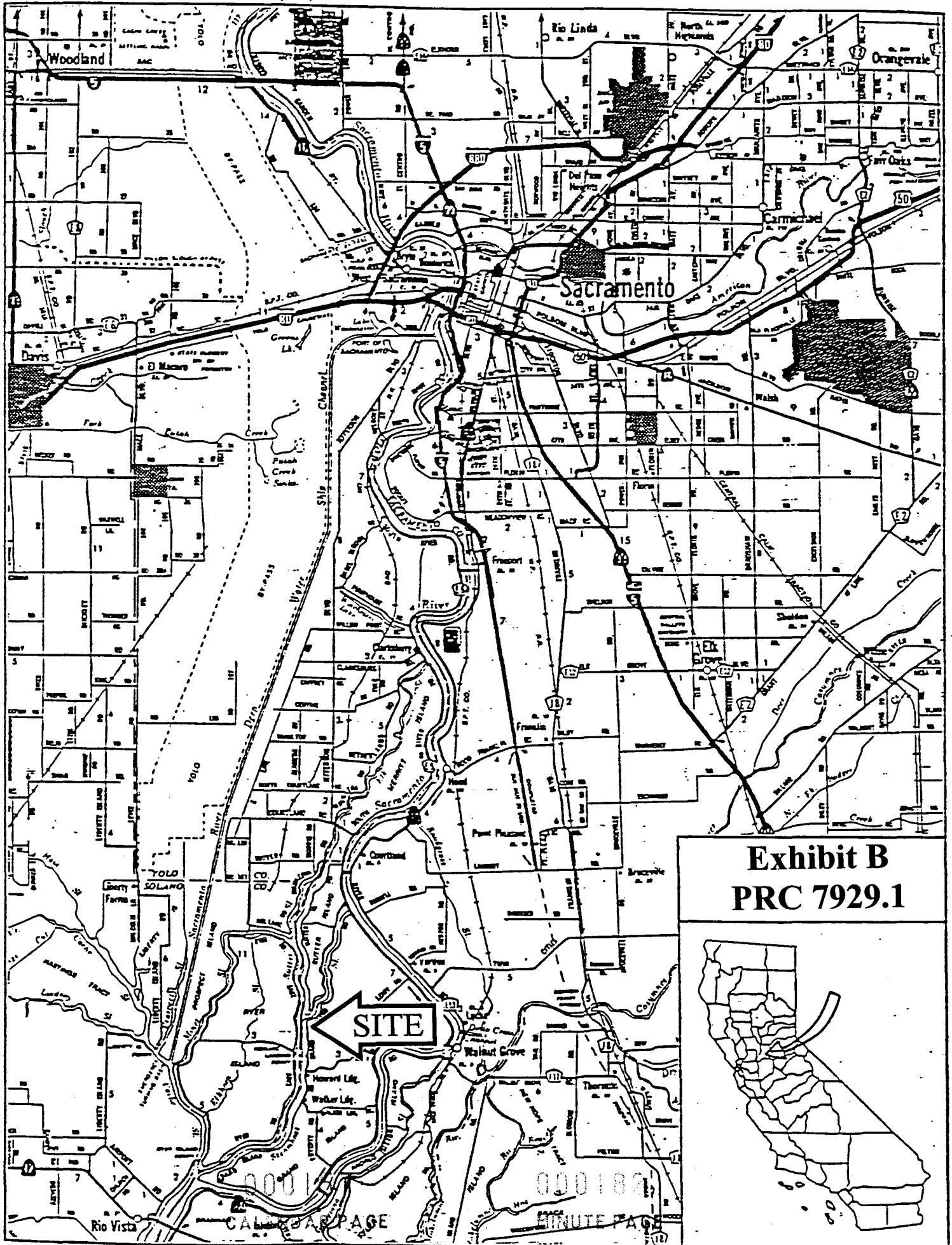


Exhibit B
PRC 7929.1

