

MINUTE ITEM
This Calendar Item No. C19 was approved as
Minute Item No. 19 by the California State Lands
Commission by a vote of 3 to 0 at its
06/20/05 meeting.

**CALENDAR ITEM
C19**

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06/20/05
PRC 6086 WP 6086
V. Massey

GENERAL LEASE PROTECTIVE STRUCTURE USE

APPLICANT:

Daniel M. Yamshon

AREA, LAND TYPE, AND LOCATION:

0.08 acres, more or less, of tide and submerged lands in the Sacramento River, adjacent to the Garden Highway, Sacramento County.

AUTHORIZED USE:

The continued use and maintenance of existing bank protection.

LEASE TERM:

Twenty-five years, beginning April 2, 2005.

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:

Liability insurance with combined coverage of no less than \$500,000.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.
2. On November 23, 1981, the Commission authorized a General Lease - Protective Structure Use with Daniel Yamshon. That lease expired on April 2, 2005. Daniel Yamshon is now applying for a new General Lease - Protective Structure Use.
3. The bank protection at this location mutually benefits both the public and the applicant. The bank of the River will have the additional protection from wave action provided at no cost to the public.

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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

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:

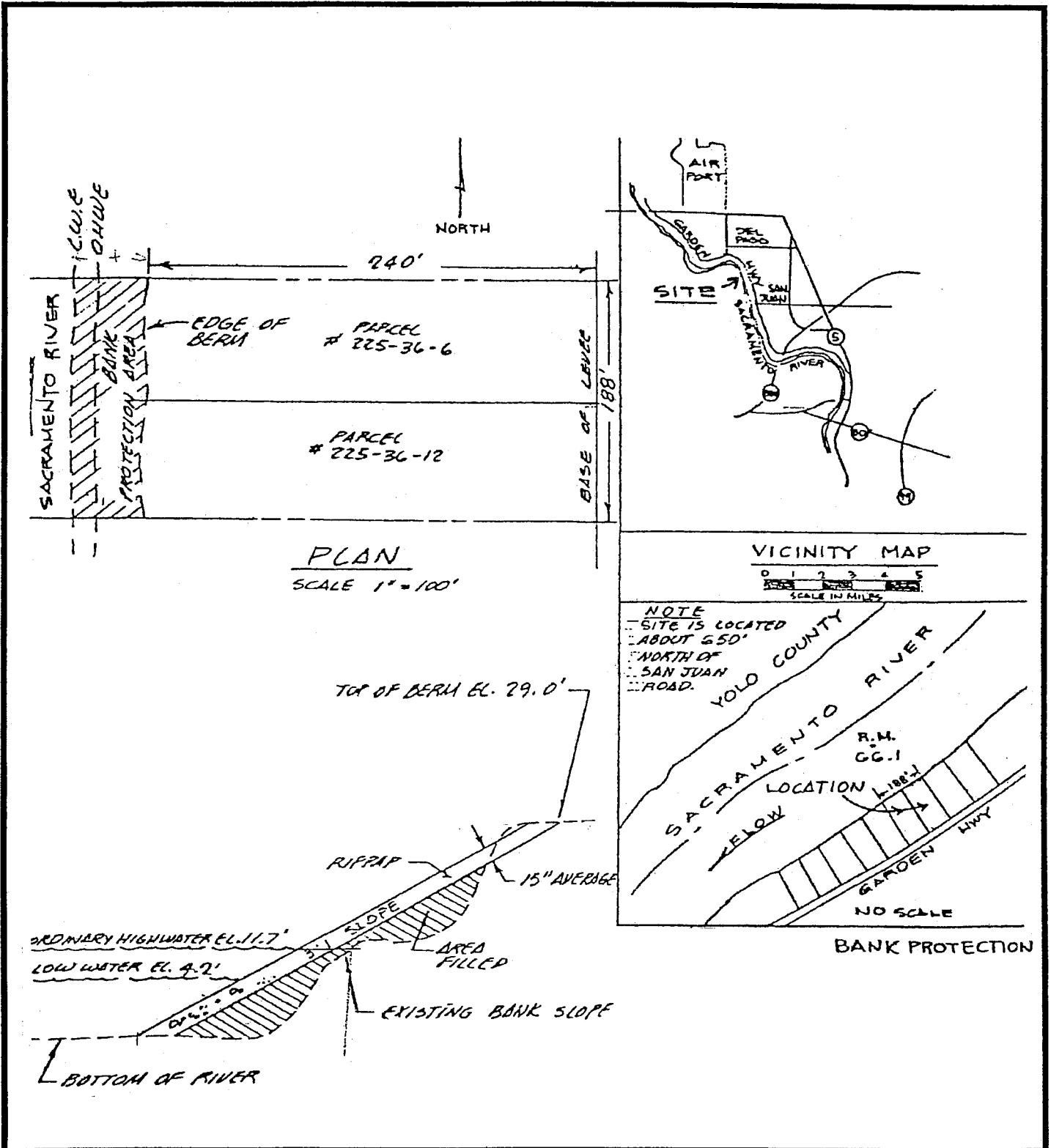
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

CALENDAR ITEM NO. C19 (CONT'D)

AUTHORIZATION:

AUTHORIZE ISSUANCE TO DANIEL M. YAMSHON OF A GENERAL LEASE - PROTECTIVE STRUCTURE USE, BEGINNING APRIL 2, 2005, FOR A TERM OF TWENTY-FIVE YEARS, FOR THE CONTINUED USE AND MAINTENANCE OF BANK PROTECTION AS REPRESENTED 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.

Site Plan



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
PRC 6086.9

VLM 4/18/2005

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Location Map

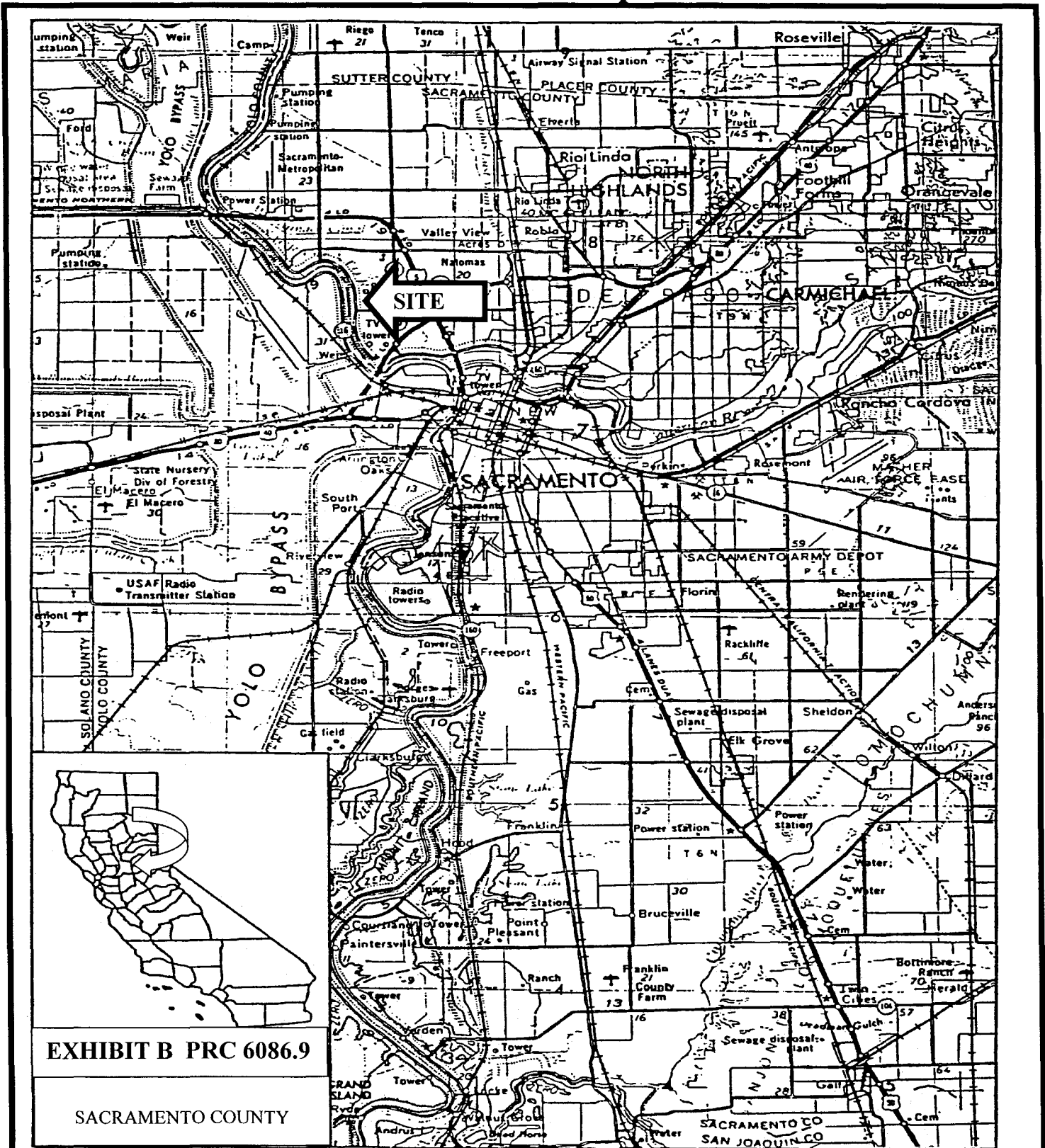


EXHIBIT CONSTRUCTED FROM USGS QUAD

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