

**CALENDAR ITEM
C21**

A 5, 9

10/20/05

PRC 5143

WP 5143.9

S 6

V. Massey

GENERAL LEASE - PROTECTIVE STRUCTURE USE

APPLICANT:

Robert J. Orr RT 1998

AREA, LAND TYPE, AND LOCATION:

Tide and submerged lands in the Sacramento River, adjacent to the Garden Highway, Sacramento County.

AUTHORIZED USE:

The use and maintenance of existing bank protection.

LEASE TERM:

25 years, beginning October 1, 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 no less than \$500,000.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.
2. On July 23, 1981, the Commission authorized a Recreational Pier Lease to Robert J. Orr and Wendy G. Orr for a boat dock that was subsequently destroyed in a flood in 1986. That lease is now expired. The Applicant has existing bank protection and is now applying for a new General Lease - Protective Structure Use.

CALENDAR ITEM NO. C21 (CONT'D)

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.
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 4, Minor Alteration to Land; Title 2, California Code of Regulations, section 2905 (d)(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 Map
- B. Location Map

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 4, MINOR ALTERATION TO LAND; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (d)(2).

CALENDAR ITEM NO. C21 (CONT'D)

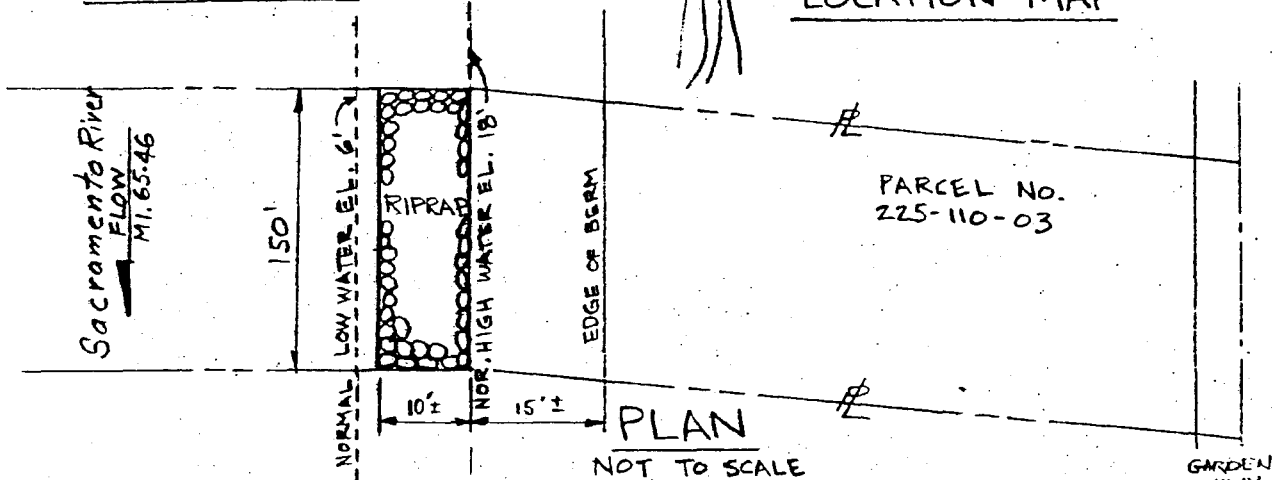
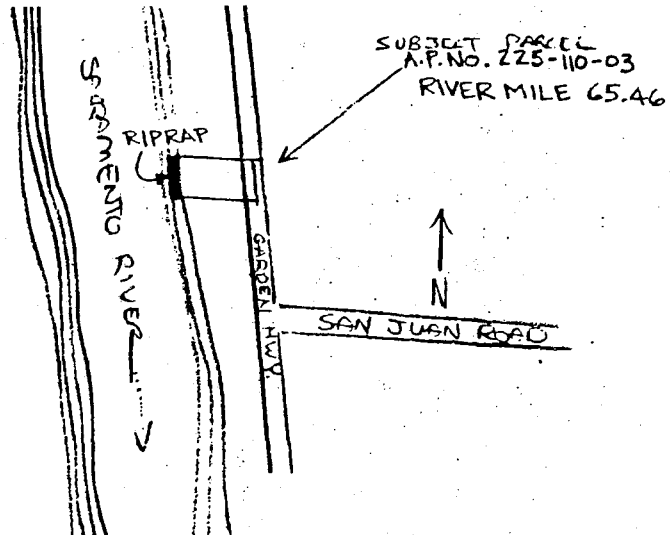
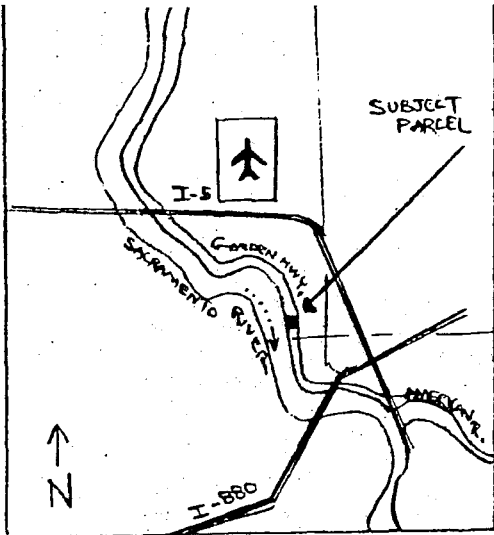
SIGNIFICANT LANDS INVENTORY FINDING:

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 ROBERT J. ORR RT 1998 OF A GENERAL LEASE - PROTECTIVE STRUCTURE USE, BEGINNING OCTOBER 1, 2005, FOR A TERM OF 25 YEARS, FOR THE USE AND MAINTENANCE OF EXISTING BANK PROTECTION AS REPRESENTED ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION BEING 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 Map



NOTE: ELEVATIONS REFER TO C. OF E. DATUM

NORMAL HIGH WATER EL. 18'

NORMAL LOW WATER EL. 6'

232 TONS (180 YD) OF RIPRAP PLACED IN THIS AREA ALONG 150' OF RIVER FRONTAGE BY BASALT ROCK CO.

ELEVATION
NOT TO SCALE

EXISTING BANK PROTECTION

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 5143.9

Location Map

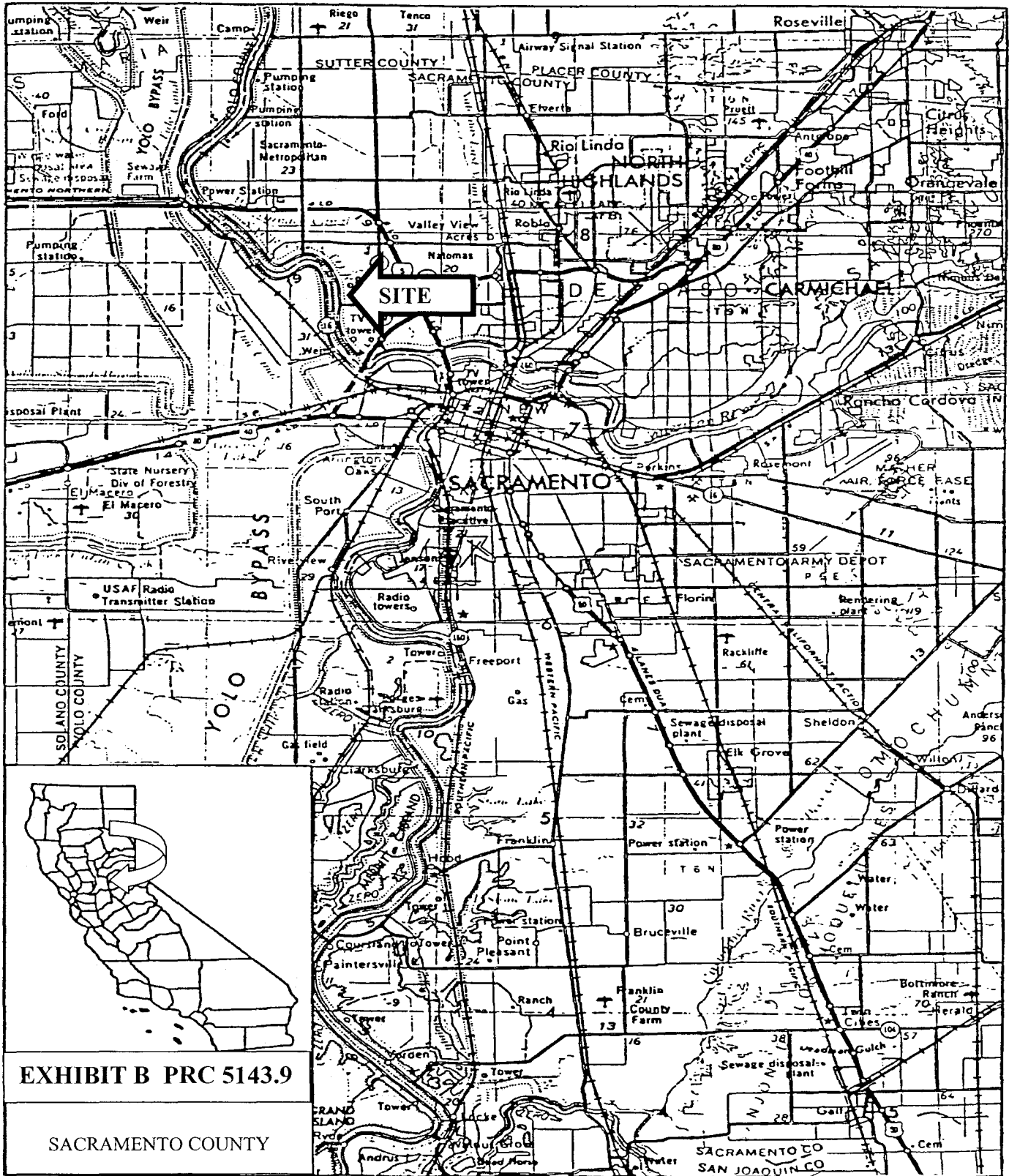


EXHIBIT CONSTRUCTED FROM USGS QUAD

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