

MINUTE ITEM

This Calendar Item No. C45 was approved as Minute Item No. 45 by the California State Lands Commission by a vote of 3 to 0 at its 02-09-06 meeting.

CALENDAR ITEM
C45

A 02, 05
S 04, 06

02/09/06
PRC 7168 WP 7168.9
J. McComas

GENERAL LEASE-
RECREATIONAL AND PROTECTIVE STRUCTURE USE

APPLICANT:

Kenneth L. Bonish

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in the Sacramento River, adjacent to the Garden Highway, city of Sacramento, Sacramento County.

AUTHORIZED USE:

Continued use and maintenance of an uncovered floating boat dock, piling, dolphin, ramp, and bank protection.

LEASE TERM:

Ten years, beginning February 9, 2006.

CONSIDERATION:

Uncovered floating boat dock, piling, dolphin and ramp:
No monetary consideration pursuant to Public Resources Code section 6503.5.

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.

SPECIFIC LEASE PROVISIONS:

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

OTHER PERTINENT INFORMATION:

- 1. Applicant owns the uplands adjoining the lease premises.

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2. On June 19, 1998, the Commission issued a Recreational Pier Lease to Carol Jean Attoe for a floating dock and ramp, for a ten year period beginning March 2, 1998. The uplands have subsequently been deeded to Kenneth L. Bonish. Applicant is now applying for a new General Lease-Recreational and Protective Structure Use. Applicant qualifies for a rent-free boat dock because the Applicant is a natural person who has improved the littoral land with, and uses the upland for, a single-family dwelling.

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. **UNCOVERED FLOATING BOAT DOCK, PILING, DOLPHIN, AND RAMP:**

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.

BANK PROTECTION:

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,

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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:

UNCOVERED FLOATING BOAT DOCK, PILING, DOLPHIN, AND RAMP:

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).

BANK PROTECTION:

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).

SIGNIFICANT LANDS INVENTORY FINDING:

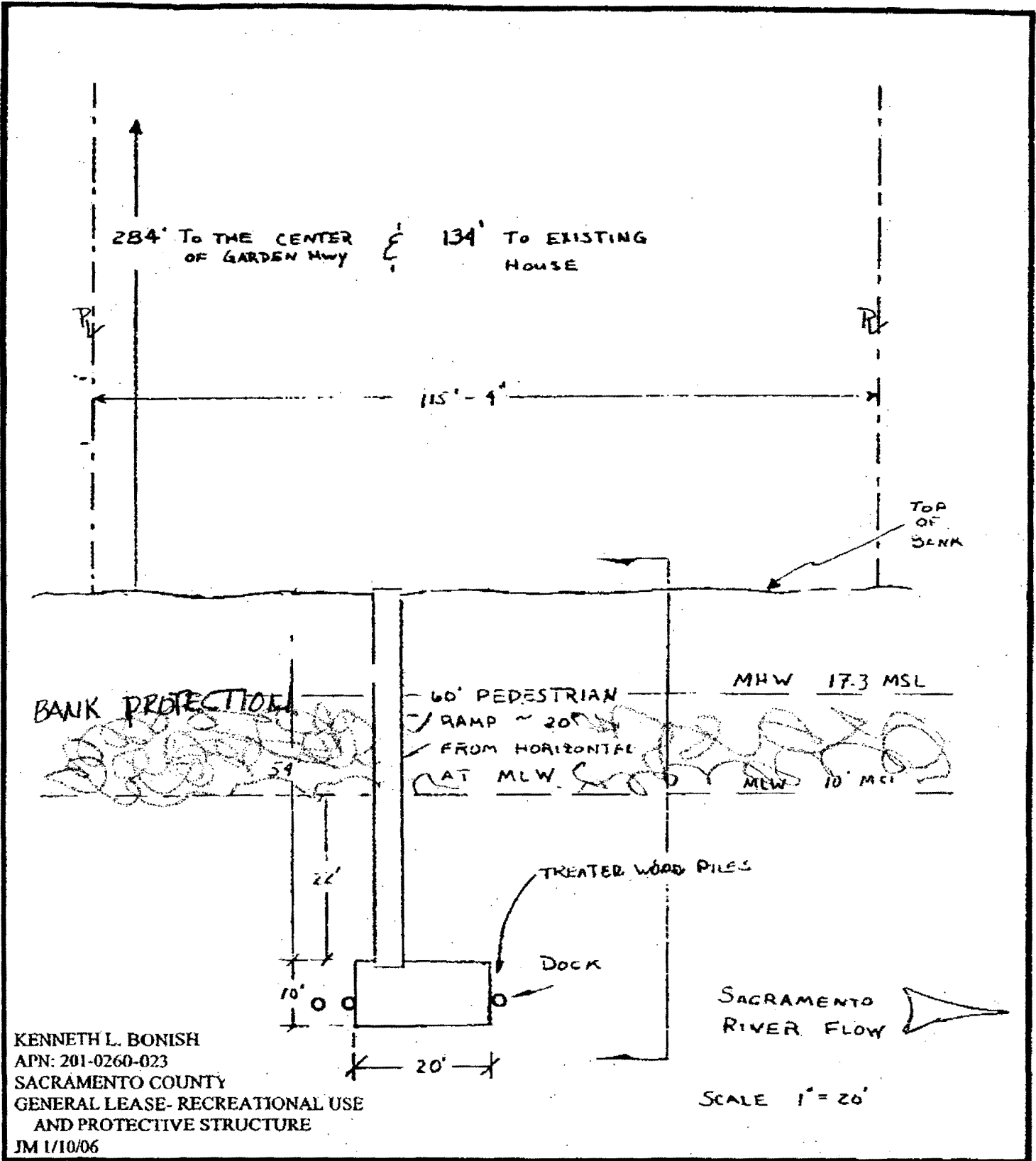
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO KENNETH L. BONISH OF A GENERAL LEASE - RECREATIONAL AND PROTECTIVE STRUCTURE USE, BEGINNING FEBRUARY 9, 2006, FOR A TERM OF TEN YEARS, FOR THE CONTINUED USE AND MAINTENANCE OF AN UNCOVERED FLOATING BOAT DOCK, PILING, DOLPHIN, RAMP, AND BANK PROTECTION AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS

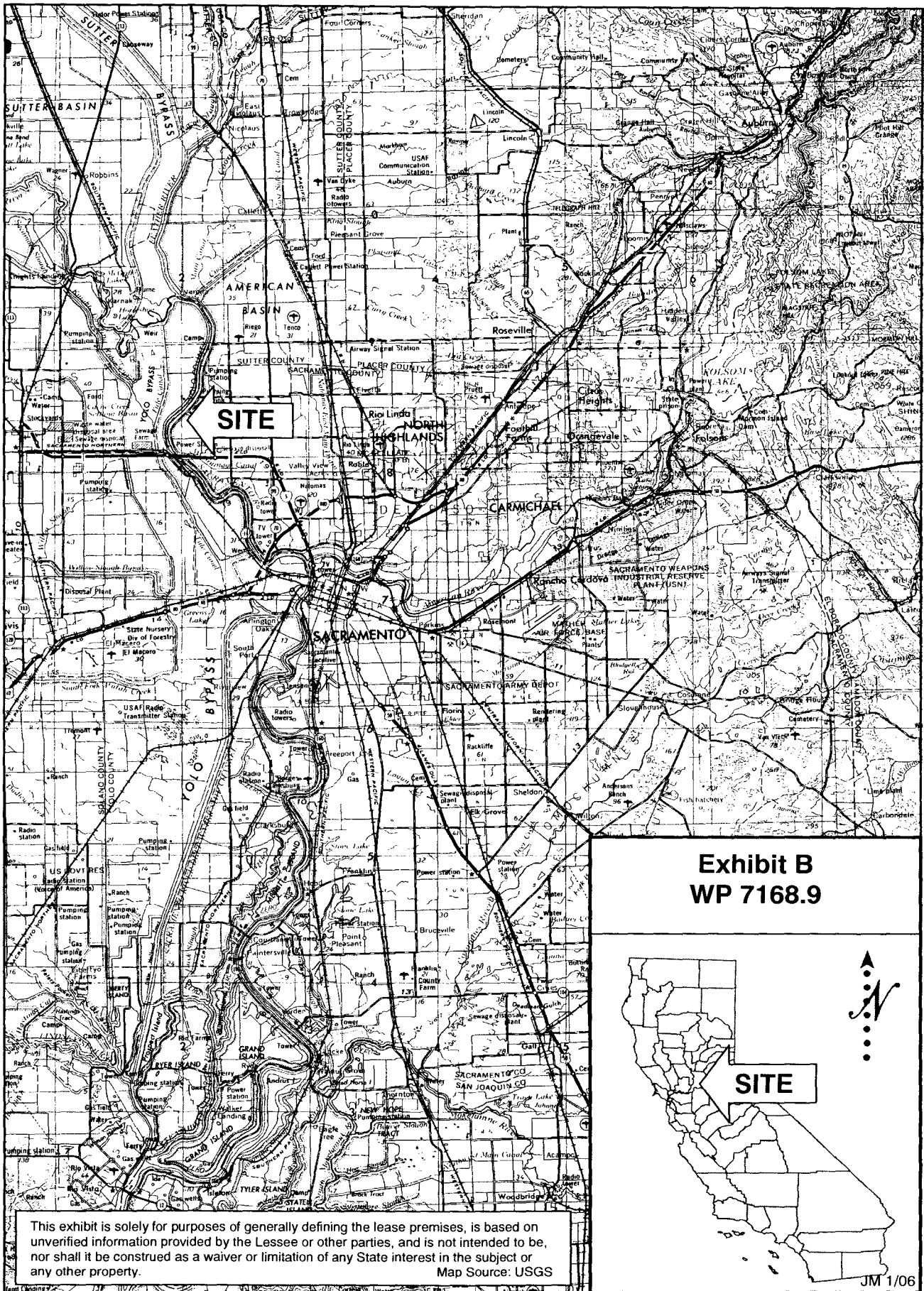
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REFERENCE MADE A PART HEREOF; CONSIDERATION:
UNCOVERED FLOATING BOAT DOCK, PILING, DOLPHIN, AND RAMP
- NO MONETARY CONSIDERATION PURSUANT TO PUBLIC
RESOURCES CODE SECTION 6503.5; BANK PROTECTION - THE
PUBLIC USE AND BENEFIT; WITH THE STATE RESERVING THE
RIGHT TO SET A MONETARY RENTAL IF THE COMMISSION FINDS
SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; LIABILITY
INSURANCE: COMBINED SINGLE LIMIT COVERAGE OF NO LESS
THAN \$500,000.



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 7168.9



This exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the 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.
 Map Source: USGS

**Exhibit B
 WP 7168.9**



JM 1/06