

**CALENDAR ITEM
C46**

A	2		08/24/06
		PRC 8084	WP 8084.9
S	4		B. Terry

**TERMINATION OF A GENERAL LEASE - PROTECTIVE STRUCTURE USE AND
ISSUANCE OF A GENERAL LEASE - PROTECTIVE STRUCTURE USE**

LESSEES:

Kevin J. Lawson and Laurie L. Lawson

APPLICANTS:

Donald R. Walmsley and Saint S. Walmsley, Trustees of the Walmsley Family
Invervivos Revocable Trust Dated April 6, 1992

AREA, LAND TYPE, AND LOCATION:

Submerged lands in the Sacramento River, near the city of Redding, Shasta
County.

AUTHORIZED USE:

Continued use and maintenance of existing bank protection.

LEASE TERM:

Ten years, beginning August 1, 2006.

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. On June 14, 1999, the Commission authorized issuance of a ten-year
General Lease – Protective Structure Use to Kevin J. Lawson and Laurie
L. Lawson. That lease will expire on May 31, 2009. The upland property
ownership has since transferred to Donald R. Walmsley and Saint S.
Walmsley, Trustees of the Walmsley Family Invervivos Revocable Trust

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dated April 6, 1992. Applicants are now applying for a new lease. Staff is recommending termination of the existing lease and issuance of a new lease.

2. The bank protection at this location mutually benefits both the public and the Applicants. The bank of the Sacramento River will have the additional protection from wave action provided at no cost to the public.
3. **Termination of Existing Lease:** Pursuant to the Commission's delegation of authority and the State CEQA Guidelines [Title 14, California Code of Regulations, section 15060(c)(3)], the staff has determined that this activity is not subject to the provisions of the CEQA because it is not a "project" as defined by the CEQA and the State CEQA Guidelines.

Authority: Public Resources Code section 21065 and Title 14, California Code of Regulations, sections 15060(c)(3) and 15378.

4. **Issuance of a New Lease:** 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 (a)(2).

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.

EXHIBIT:

- A. Site and Location Map

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

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CEQA FINDING:

TERMINATION OF EXISTING LEASE: FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15060(C)(3) BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15378.

ISSUANCE OF NEW LEASE: 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:

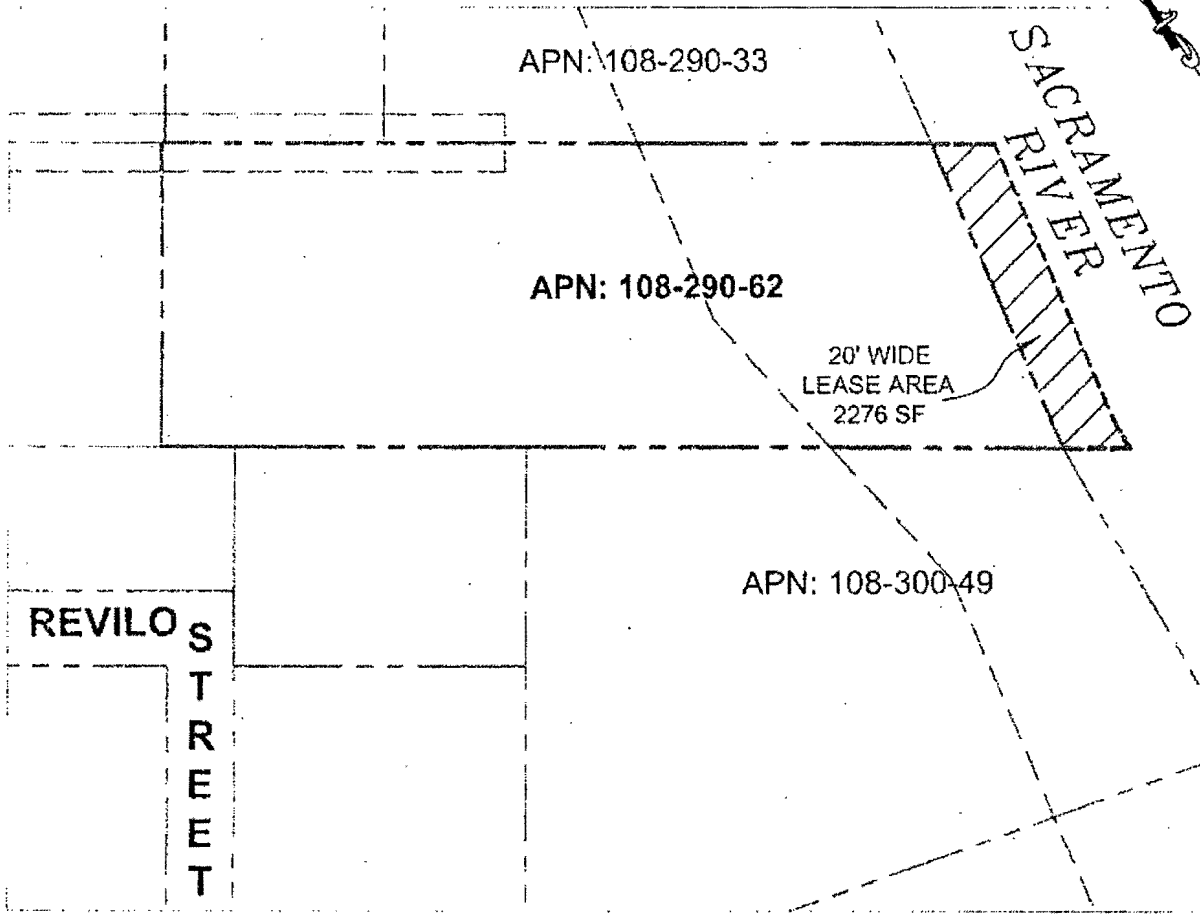
1. AUTHORIZE TERMINATION OF GENERAL LEASE – PROTECTIVE STRUCTURE USE, PRC 8084.9, EFFECTIVE AUGUST 1, 2006, ISSUED TO KEVIN J. LAWSON AND LAURIE L. LAWSON.
2. AUTHORIZE ISSUANCE TO DONALD R. WALMSLEY AND SAINT S. WALMSLEY, TRUSTEES OF THE WALMSLEY FAMILY INVERVIVOS REVOCABLE TRUST DATED APRIL 6, 1992, OF A GENERAL LEASE - PROTECTIVE STRUCTURE USE, BEGINNING AUGUST 1, 2006, FOR A TERM OF TEN YEARS, FOR THE CONTINUED USE AND MAINTENANCE OF EXISTING BANK PROTECTION AS 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

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TO BE IN THE STATE'S BEST INTEREST; LIABILITY
INSURANCE WITH COVERAGE OF NO LESS THAN \$500,000.

NO SCALE

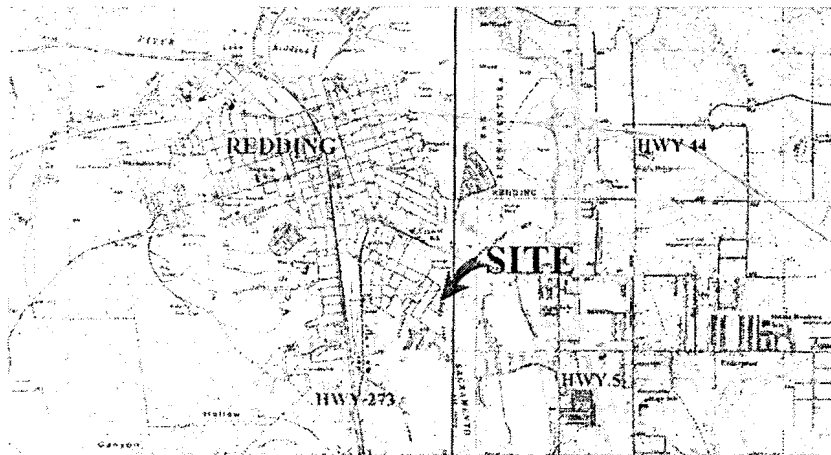
SITE



2601 FREEBRIDGE STREET, REDDING

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

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.

Exhibit A

PRC 8084.9
WALMSLEY
GENERAL LEASE
PROTECTIVE STRUCTURE USE
SACRAMENTO RIVER
SHASTA COUNTY



NIP 725006

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