

MINUTE ITEM
This Calendar Item No. C30 was approved as
Minute Item No. 30 by the California State Lands
Commission by a vote of 3 to 0 at its
05/10/07 meeting.

CALENDAR ITEM

C30

A	2		05/10/07
S	4	PRC6989	WP 6989.9 V. Caldwell

GENERAL LEASE - RECREATIONAL AND PROTECTIVE STRUCTURE USE

APPLICANT:

Marilyn V. Caruthers, as Trustee of the Marilyn V. Caruthers Revocable Trust,
dated January 9, 2007

AREA, LAND TYPE, AND LOCATION:

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

AUTHORIZED USE:

Continued use and maintenance of an existing uncovered floating boat dock,
ramp, and bank protection as shown on Exhibit A.

LEASE TERM:

Ten years, beginning January 18, 2007.

CONSIDERATION:

Uncovered floating boat dock 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 with combined coverage of no less than \$500,000.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.
2. On February 27, 1998, the Commission authorized a General Lease -
Recreational and Protective Structure Use to Robert M. Caruthers and
Marilyn Caruthers. That lease expired on June 25, 2006.

CALENDAR ITEM NO. C30 (CONT'D)

On January 18, 2007, the ownership of the upland was transferred to Marilyn V. Caruthers. Subsequently, the property was placed in a trust. Marilyn Caruthers, as Trustee of the Marilyn V. Caruthers Revocable Trust, dated January 9, 2007, is now applying for a new General Lease - Recreational and Protective Structure Use. The Applicant qualifies for a rent free uncovered floating boat dock and ramp 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 Sacramento 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 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.

EXHIBIT:

- A. Site and 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

CALENDAR ITEM NO. C30 (CONT'D)

PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

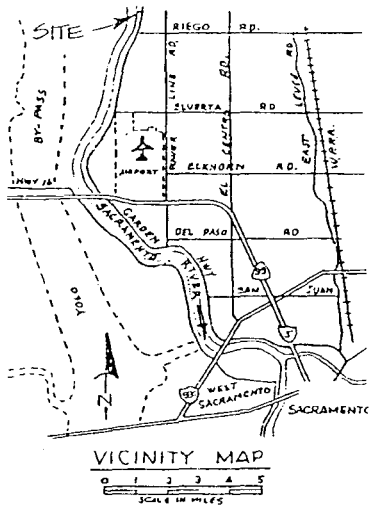
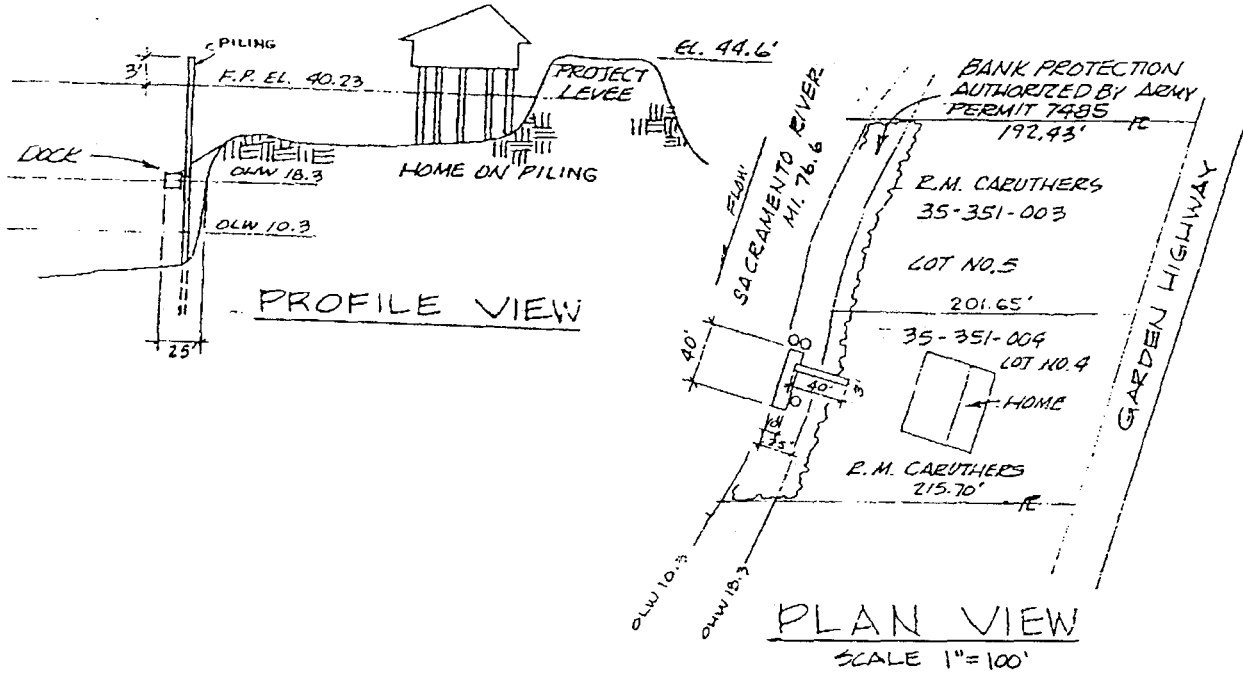
SIGNIFICANT LANDS INVENTORY FINDING:

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:

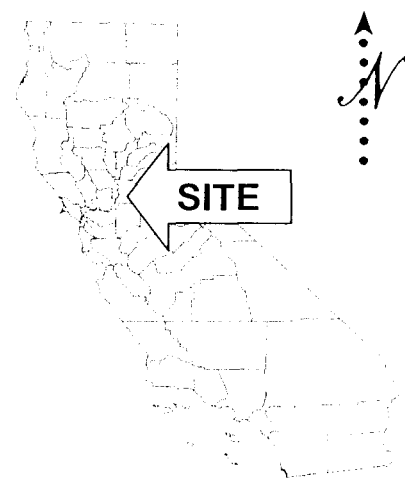
AUTHORIZE ISSUANCE OF A GENERAL LEASE - RECREATIONAL AND PROTECTIVE STRUCTURE USE, BEGINNING JANUARY 18, 2007 TO MARILYN V. CARUTHERS, AS TRUSTEE OF THE MARILYN V. CARUTHERS REVOCABLE TRUST, DATED JANUARY 9, 2007, FOR A TERM OF TEN YEARS, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING UNCOVERED FLOATING BOAT DOCK, RAMP, AND BANK PROTECTION AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION FOR THE UNCOVERED FLOATING BOAT DOCK AND RAMP; NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 6503.5; CONSIDERATION FOR THE BANK PROTECTION: THE PUBLIC USE AND BENEFIT; WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENTAL IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; LIABILITY INSURANCE IN THE AMOUNT OF NO LESS THAN \$500,000.

SITE



LOCATION

Exhibit A PRC 6989.9



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