

**MINUTE ITEM**  
This Calendar Item No. C27 was approved as  
Minute Item No. 27 by the California State Lands  
Commission by a vote of 3 to 0 at its  
09-13-07 meeting.

**CALENDAR ITEM**  
**C27**

A 8, 15

09/13/07

S 2, 5

PRC 8761

W 26228

V. Caldwell

**GENERAL LEASE - RECREATIONAL AND PROTECTIVE STRUCTURE USE**

**APPLICANT:**

Larry T. Shaw

**AREA, LAND TYPE, AND LOCATION:**

Sovereign lands in the Georgiana Slough, near the city of Isleton, Sacramento County.

**AUTHORIZED USE:**

Retention, use, and maintenance of an existing covered floating boat dock with boathoist and floating storage area, four wood pilings, ramp, and bank protection as shown on Exhibit A.

**LEASE TERM:**

Ten years, beginning September 13, 2007.

**CONSIDERATION:**

Covered Floating Boat Dock with Boat Hoist, Four Wood Pilings, and Ramp: No monetary consideration pursuant to Public Resources Code section 6503.5.

Floating Storage Area: \$52 per year; with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

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.

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2. On July 14, 1988, the Applicant received a U.S. Army Corps of Engineers permit to construct a covered floating boat dock with floating storage area, four wood pilings, and ramp. The dock facilities and bank protection were not previously authorized by the Commission. The Applicant is now applying for a new General Lease – Recreational and Protective Structure Use.
3. The Applicant is a natural person who owns the littoral land that is improved with a single-family dwelling. The floating storage area does not qualify for rent-free use because it is a structure that is not used for the docking or mooring of boats, it is used as storage for boating and recreational items. The covered floating boat dock with boat hoist, pilings and ramp are used for the docking and mooring of boats and are rent-free pursuant to Public Resources Code 6503.5.
4. The bank protection will mutually benefit both the public and the Applicant. The bank of Georgiana Slough will have the additional protection from wave action provided at no cost to the public.
5. **Covered Floating Boat Dock with Boat Hoist and Floating Storage Area, Four Wood Pilings, 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 3, New Construction of Small Structures; Title 2, California Code of Regulations, section 2905 (c)(1).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

6. **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 Alterations to Land; Title 2, California Code of Regulations, section 2905 (d)(2).

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Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

7. This activity involves lands which have NOT been identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. However, the Commission has declared that all tide and submerged lands are "significant" by nature of their public ownership (as opposed to "environmentally significant"). Since such declaration of significance is not based upon the requirements and criteria of Public Resources Code sections 6370, et seq., use classifications for such lands have not been designated. Therefore, the finding of the project's consistency with the use classification as required by Title 2, California Code of Regulations, section 2954 is not applicable.

**APPROVALS OBTAINED:**

U.S. Army Corps of Engineers, The Reclamation Board, and the County of Sacramento

**EXHIBIT:**

- A. Site and Location Map

**RECOMMENDED ACTION:**

IT IS RECOMMENDED THAT THE COMMISSION:

**CEQA FINDING:**

**COVERED FLOATING BOAT DOCK WITH BOAT HOIST AND FLOATING STORAGE AREA, FOUR WOOD PILINGS, 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 3, NEW CONSTRUCTION OF SMALL STRUCTURES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (c)(1).

**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

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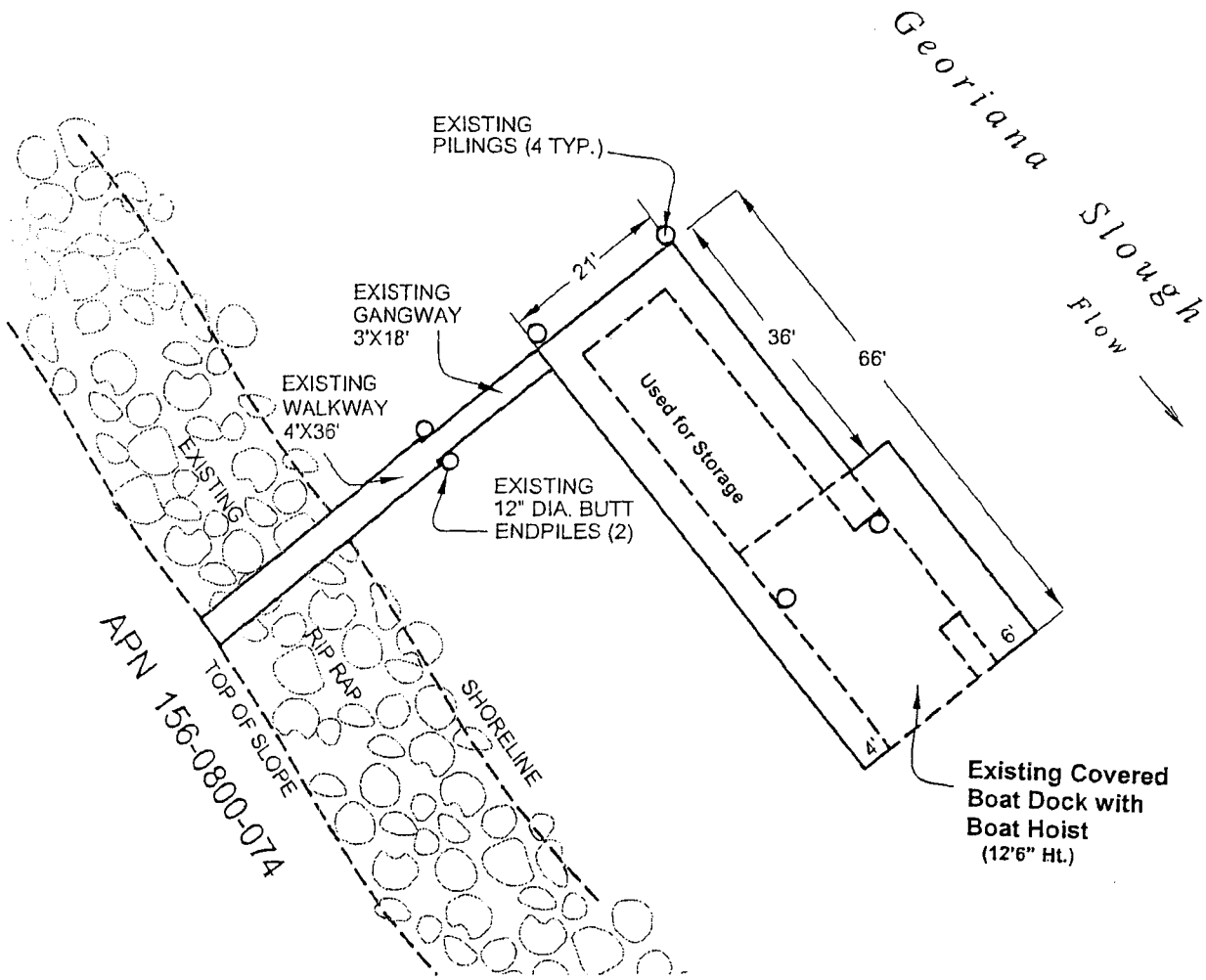
ALTERATIONS TO LAND; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (d)(2).

**AUTHORIZATION:**

AUTHORIZE ISSUANCE TO LARRY T. SHAW OF A GENERAL LEASE - RECREATIONAL AND PROTECTIVE STRUCTURE USE, BEGINNING SEPTEMBER 13, 2007, FOR A TERM OF TEN YEARS, FOR THE RETENTION, USE, AND MAINTENANCE OF AN EXISTING COVERED FLOATING BOAT DOCK WITH BOAT HOIST AND FLOATING STORAGE AREA, FOUR WOOD PILINGS, RAMP, AND BANK PROTECTION AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION FOR THE COVERED FLOATING BOAT DOCK WITH BOAT HOIST, PILINGS, AND RAMP: NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 6503.5; CONSIDERATION FOR THE FLOATING STORAGE AREA: ANNUAL RENT IN THE AMOUNT OF \$52, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; AND 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.

NO SCALE

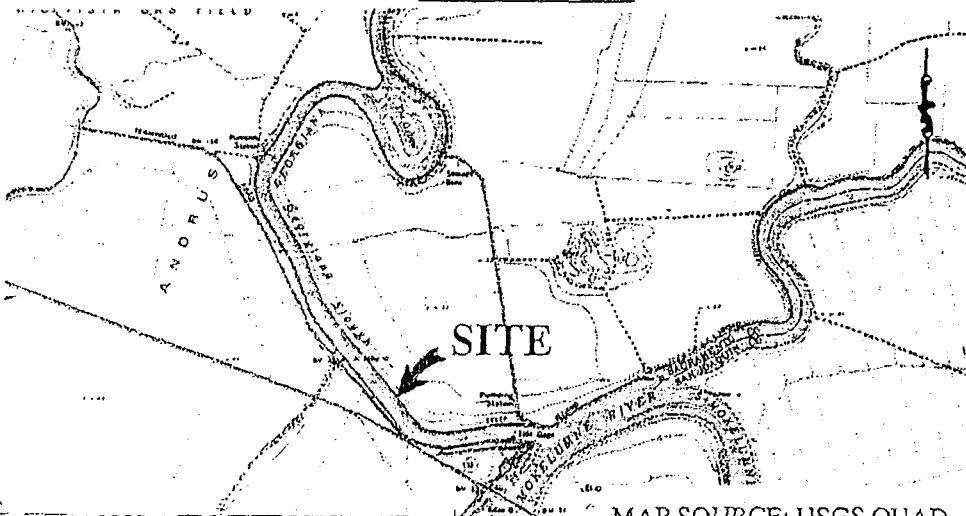
# SITE



17219 TERMINOUS ROAD, GEORGIANA SLOUGH

NO SCALE

# LOCATION



MAP SOURCE: USGS QUAD

## Exhibit A

W 26228  
 SHAW  
 APN 156-0800-074  
 GENERAL LEASE  
 RECREATIONAL AND PROTECTIVE  
 STRUCTURE USE  
 SACRAMENTO CO.



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.