

**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  
09-13-07 meeting.

**CALENDAR ITEM**

**C30**

A 2, 5

09/13/07

PRC 7916

WP 7916.9

S 4, 6

V. Caldwell

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

**APPLICANTS:**

John D. Bayless and Pamela C. Bayless

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

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

**AUTHORIZED USE:**

Continued use and maintenance of an existing uncovered floating boat dock with fish cleaning sink, gangway, and bank protection.

**LEASE TERM:**

Ten years, beginning September 1, 2006.

**CONSIDERATION:**

Uncovered Floating Boat Dock with Sink and Gangway: 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. Applicants own the uplands adjoining the lease premises.
2. On October 28, 1996, the Commission authorized a General Lease - Recreational and Protective Structure Use to Wayne M. Schnell and Nancy L. Schnell. That lease expired on August 31, 2006. Subsequently, the property transferred to John D. Bayless and Pamela C. Bayless. The

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Applicants are now applying for a new General Lease - Recreational and Protective Structure Use.

3. The Applicants qualify for the rent free use of the uncovered floating boat dock with a sink used to clean fish and gangway because they are natural persons who own the littoral land that is improved with a single-family dwelling.
4. The bank protection 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.
5. 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.

6. 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.

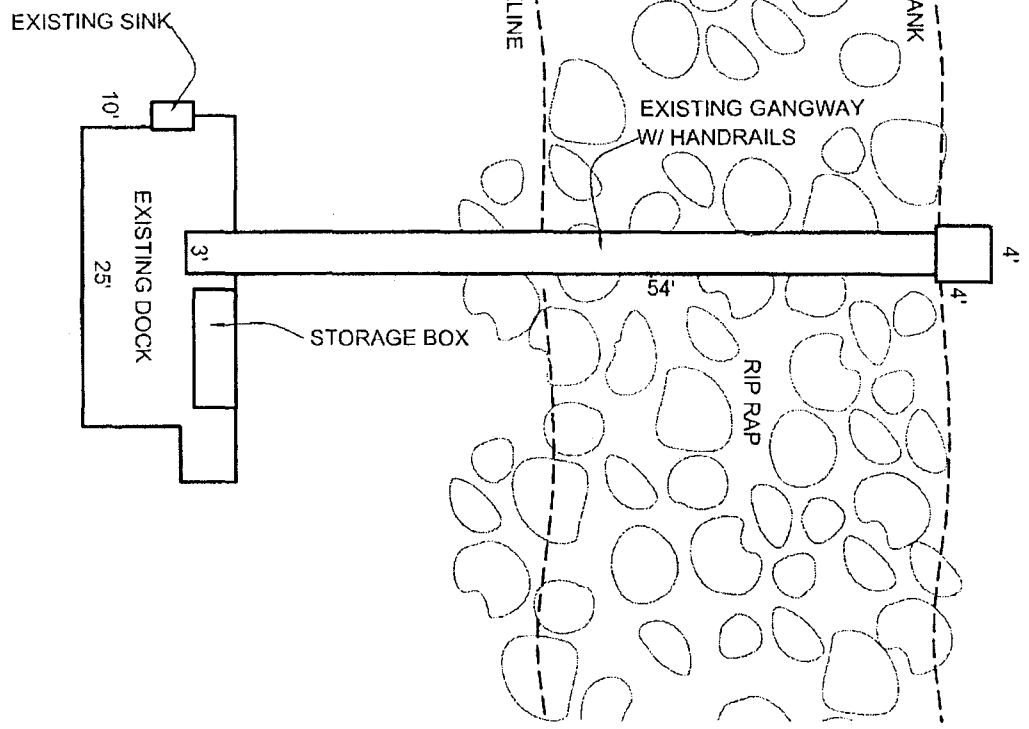
**AUTHORIZATION:**

AUTHORIZE ISSUANCE TO JOHN D. BAYLESS AND PAMELA C. BAYLESS OF A GENERAL LEASE - RECREATIONAL AND PROTECTIVE STRUCTURE USE, BEGINNING SEPTEMBER 1, 2006, FOR A TERM OF TEN YEARS, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING UNCOVERED FLOATING BOAT DOCK WITH FISH CLEANING SINK, GANGWAY, AND BANK PROTECTION AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION FOR THE UNCOVERED FLOATING BOAT DOCK WITH SINK AND GANGWAY: NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 6503.5; 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**

Sacramento River  
Flow

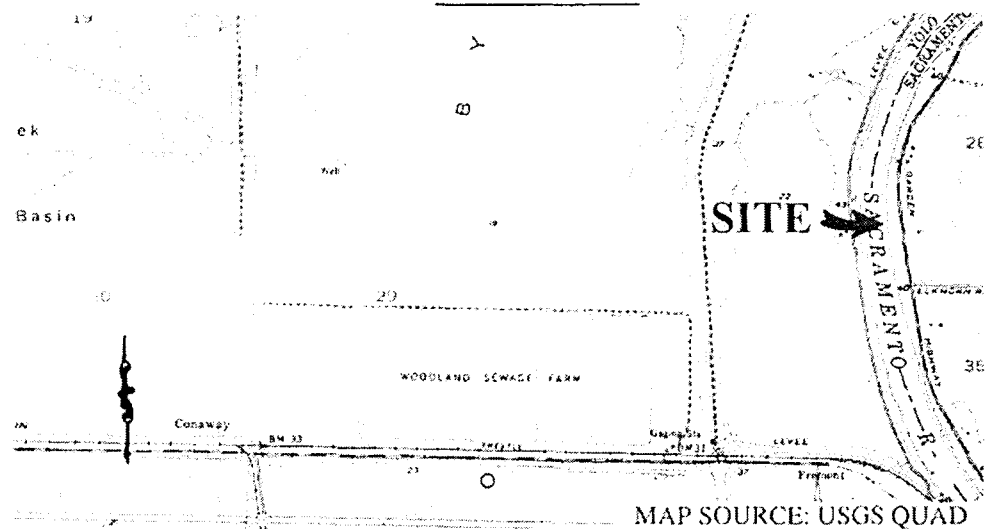


APN 201-0270-049

6601 GARDEN HIGHWAY, SACRAMENTO

NO SCALE

**LOCATION**



**Exhibit A**  
 WP 7916.9  
 BAYLESS  
 APN 201-0270-049  
 GENERAL LEASE  
 RECREATIONAL & 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.