

MINUTE ITEM

This Calendar Item No. C07 was approved as Minute Item No. 07 by the California State Lands Commission by a vote of 2 to 0 at its 10/30/07 meeting.

CALENDAR ITEM

C07

A 8, 15

10/30/07

S 5, 14

W 26214

M. Clark

RECREATIONAL PIER LEASE

APPLICANTS:

Philip B. Benson and Stacy A. Benson, Trustees of the Benson Trust under Agreement dated 7-29-96

AREA, LAND TYPE, AND LOCATION:

Sovereign lands located in the Sacramento River, near the town of Walnut Grove, Sacramento County.

AUTHORIZED USE:

Construction, use and maintenance of a 60-foot by 28-foot uncovered floating boat dock, five 14-inch pilings, a 48-foot by four-foot gangway; and an electrical conduit for lighting as shown on Exhibit A.

LEASE TERM:

Ten years, beginning October 30, 2007.

CONSIDERATION:

No monetary consideration pursuant to Public Resources Code section 6503.5

SPECIFIC LEASE PROVISIONS:

Liability insurance with coverage of no less than \$300,000.

OTHER PERTINENT INFORMATION:

1. Applicants own the uplands adjoining the lease premises.
2. The Applicants have applied to construct an uncovered floating boat dock with five pilings, an aluminum gangway with a railing, and installation of an electrical conduit through the levee to the dock to provide lighting.
3. The Applicants have permission from the Reclamation Board to use the premises that the Reclamation Board has improved with bank protection.

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authorized under Lease No. PRC 7203.9. The Applicants must maintain this permission during the lease term.

4. In-water construction will consist of a crane barge to install the pilings. The dock structure will either be set into the waterway by the crane barge or floated into place. Upland construction will include trenching the levee, across Highway 160, for the installation of the conduit case onto sovereign land. Applicant has submitted an application for an encroachment permit to the Department of Transportation for trenching across the levee road.
5. Applicants qualify for a rent free Recreational Pier Lease because they are natural persons who own the littoral land that is improved with a single-family dwelling.
6. 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.

7. 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. 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.

APPROVALS OBTAINED:

Army Corps of Engineers, NOAA Fisheries, U.S. Fish and Wildlife Service, California Department of Fish and Game, California Regional Water Quality Control Board and State Reclamation Board

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FURTHER APPROVALS REQUIRED:

Department of Transportation

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 PROJECT, CLASS 3, NEW CONSTRUCTION OF SMALL STRUCTURES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (c)(1).

SIGNIFICANT LANDS INVENTORY FINDING:

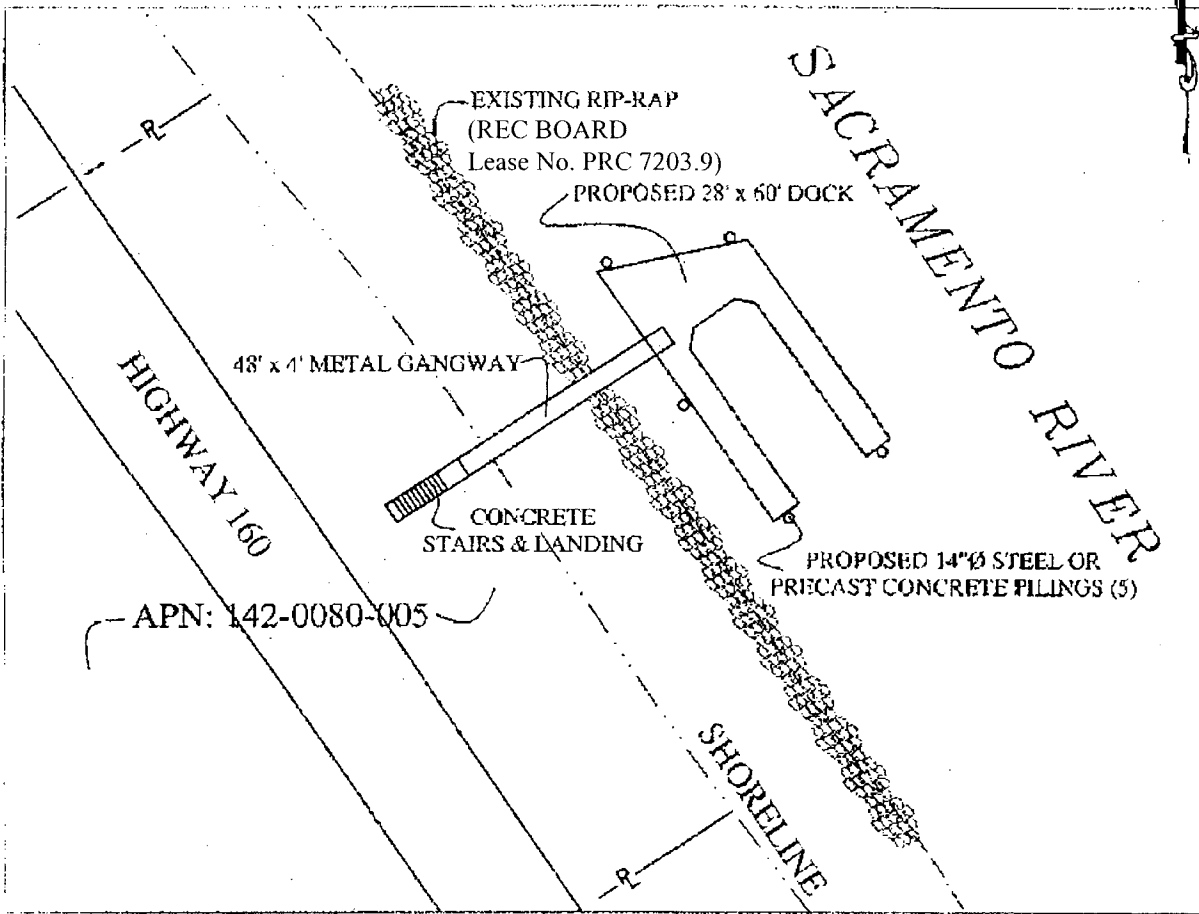
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO PHILIP B. BENSON AND STACY A. BENSON, TRUSTEES OF THE BENSON TRUST UNDER AGREEMENT DATED 7-29-96, OF A GENERAL LEASE – RECREATIONAL USE, BEGINNING OCTOBER 30, 2007, FOR A TERM OF TEN-YEARS, FOR THE CONSTRUCTION, USE AND MAINTENANCE OF AN UNCOVERED FLOATING BOAT DOCK, FIVE PILINGS, GANGWAY, AND AN ELECTRICAL CONDUIT FOR LIGHTING; AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 6503.5; LIABILITY INSURANCE IN THE AMOUNT OF NO LESS THAN \$300,000.

NO SCALE

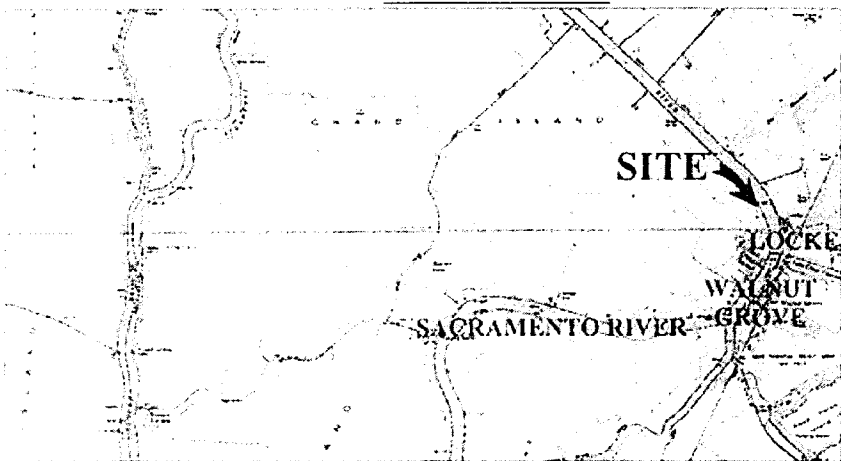
SITE



13830 State Highway 160, Walnut Grove

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

WP 26214

BENSON

APN: 142-0080-005

RECREATIONAL PIER LEASE

SACRAMENTO COUNTY



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