

**CALENDAR ITEM
C11**

A 8, 15
S 5, 14

12/10/10
W 21148
V. Caldwell

GENERAL LEASE - RECREATIONAL USE

APPLICANTS:

Joseph A. Enos and Patricia R. Enos, Trustees of the Enos Trust, established November 20, 1989

AREA, LAND TYPE, AND LOCATION:

Sovereign land located on Georgiana Slough, adjacent to 14800 Andrus Island Road, Walnut Grove, Sacramento County.

AUTHORIZED USE:

Construction, use, and maintenance of an uncovered floating boat dock and ramp, and retention of two existing pilings, as shown on Exhibit A.

LEASE TERM:

10 years, beginning December 10, 2010.

CONSIDERATION:

\$201 per year; with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

SPECIFIC LEASE PROVISIONS:

Liability insurance in the amount of no less than \$1,000,000.

OTHER PERTINENT INFORMATION:

1. Applicants own the uplands adjoining the lease premises.
2. The Applicants have applied for a lease to construct an uncovered floating boat dock in Georgiana Slough. The dock and ramp structures will be constructed off-site and floated into place. The dock will be attached to two existing pilings with slip rings. The existing pilings were not previously authorized by the Commission.

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3. The Applicants do not qualify for a rent-free Recreational Pier Lease because the littoral property is improved with a mobile home park and the dock will be used by the tenants of the park.
4. Pursuant to the Commission's delegation of authority and State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined this activity is exempt from the requirements of CEQA as a categorically exempt project. Because it will occupy less than 3,000 square feet of State Land 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.

5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370, et seq., but such activity will not affect those significant lands. 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:

U.S. Army Corps of Engineers, California Department of Fish and Game,
California Regional Water Quality Control Board

FURTHER APPROVALS REQUIRED:

Central Valley Flood Protection Board

EXHIBIT:

- A. Site and Location Plan

PERMIT STREAMLINING ACT DEADLINE:

February 10, 2011

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is exempt from the requirements of CEQA pursuant to Title 14, California Code of Regulations, section 15061 as a

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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 of a General Lease – Recreational Use to Joseph A. Enos and Patricia R. Enos, Trustees of the Enos Trust, established November 20, 1989 beginning December 10, 2010, for a term of 10 years, for the construction of an uncovered floating boat dock and ramp, and retention of two existing pilings as shown on Exhibit A attached and by this reference made a part hereof; annual rent in the amount of \$201, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease; and liability insurance in the amount of no less than \$1,000,000.