

MINUTE ITEM

This Calendar Item No. C02 was approved as Minute Item No. 02 by the California State Lands Commission by a vote of 3 to 0 at its 9/3/99 meeting.

**CALENDAR ITEM
C02**

A 8
S 4

09/03/99
PRC 5744.9 WP 5744.9
L. Burks

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

LESSEE:

Darrell L. Johnston and Helen S. Johnston
Trustees under Revocable Trust of Darrell L.
Johnston and Helen S. Johnston dated June 27, 1977
5526 Blossom Terrace Court
San Jose, California 95124

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in the Sacramento River, near the city of Rio Vista, Solano County.

AUTHORIZED USE:

An 8 foot by 12 foot floating boat dock and medium-sized quarry stone riprap bank protection along the shoreline.

LEASE TERM:

Ten years, beginning October 29, 1999.

CONSIDERATION:

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 coverage of no less than \$500,000.

OTHER PERTINENT INFORMATION:

- 1. Applicant owns the uplands adjoining the lease premises.

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2. 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.

3. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 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.

EXHIBITS:

- A. Site Plan
- B. Location Map

PERMIT STREAMLINING ACT DEADLINE:

N/A

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 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.

CALENDAR ITEM NO. C02 (CONT'D)

AUTHORIZATION:

AUTHORIZE ISSUANCE TO DARRELL L. JOHNSTON AND HELEN S. JOHNSTON, TRUSTEES UNDER REVOCABLE TRUST OF DARRELL L. JOHNSTON AND HELEN S. JOHNSTON DATED JUNE 27, 1977, OF A GENERAL LEASE - RECREATIONAL AND PROTECTIVE STRUCTURE USE, BEGINNING OCTOBER 29, 1999, FOR A TERM OF TEN YEARS, FOR CONTINUED USE AND MAINTENANCE OF AN EXISTING FLOATING BOAT DOCK AND BANK PROTECTION ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION BEING 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; LIABILITY INSURANCE WITH COVERAGE OF NO LESS THAN \$500,000.

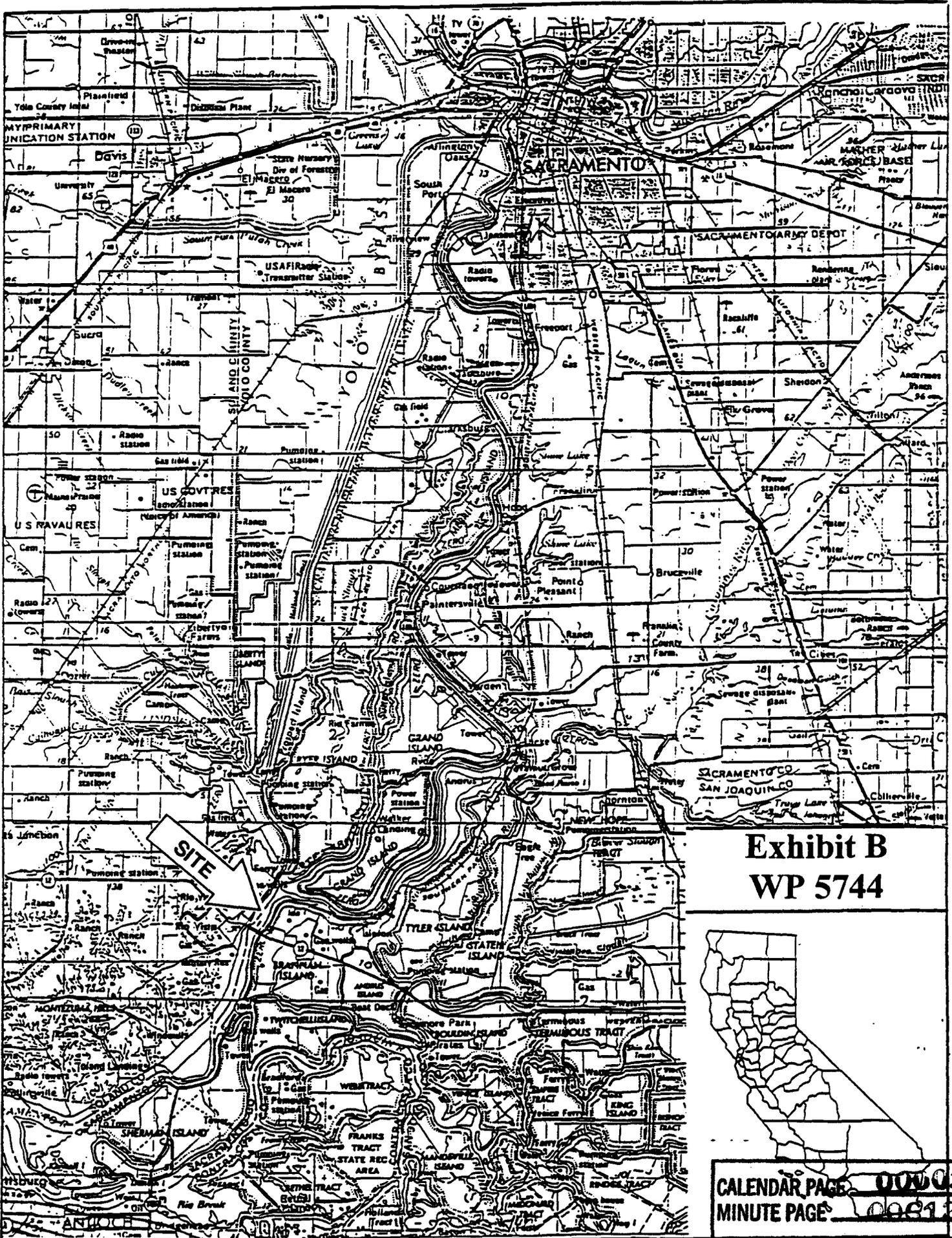


Exhibit B
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