

MINUTE ITEM
This Calendar Item No. C28 was approved as
Minute Item No. 28 by the California State Lands
Commission by a vote of 3 to 2 at its
12-16-02 meeting.

**CALENDAR ITEM
C28**

A 8 12/16/02
S 4 PRC 8434 WP 25874
N. Quesada

RECREATIONAL PIER LEASE

APPLICANT:
Gordon H. Kloven
797 W. Brannan Island Road
Isleton, California 95690

AREA, LAND TYPE, AND LOCATION:
Sovereign lands in the San Joaquin River, city of Isleton, Sacramento County.

AUTHORIZED USE:
Construction of an extension to an existing double-berth boat dock.

LEASE TERM:
Ten years, beginning December 1, 2002.

CONSIDERATION:
No monetary consideration pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:
Liability insurance in the amount of no less than \$300,000.

- OTHER PERTINENT INFORMATION:**
1. Applicant qualifies for a Recreational Pier Lease because the Applicant is a natural person who has improved the littoral land with, and uses the upland for, a single-family dwelling.
 2. In 1989-1990, a dock was constructed at the proposed site. At that time, the State's sovereign interest at the location of the dock was undetermined; therefore, staff of the Commission advised that a lease was not required. The new owner of the dock and the adjacent upland owner, Gordon H. Kloven, is proposing to extend the dock approximately 24 feet waterward of the existing dock in order to accommodate his watercraft.

CALENDAR ITEM NO. C28 (CONT'D)

Staff has determined that the proposed extension extends onto sovereign land in the San Joaquin River which is owned in fee by the State; thus a lease is required. Mr. Kloven has now applied for a new Recreational Pier Lease.

3. 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.

4. 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:

U.S. Army Corps of Engineers; The Reclamation Board; California Department of Fish and Game; Central Valley Regional Water Quality Control Board.

EXHIBITS:

- A. Site Map
- 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

CALENDAR ITEM NO. C28 (CONT'D)

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 GORDON H. KLOVEN OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING DECEMBER 1, 2002, FOR THE CONSTRUCTION OF THE EXTENSION TO AN EXISTING DOUBLE-BERTH BOAT DOCK ON THE LAND 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.

