

MINUTE ITEM
This Calendar Item No. C33 was approved as
Minute Item No. 33 by the California State Lands
Commission by a vote of 3 to 0 at its
8-19-03 meeting.

**CALENDAR ITEM
C33**

A) 17, 26

S) 5

PRC 7338

08/19/03
WP 7338.9
T. Lipscomb

RECREATIONAL PIER LEASE

APPLICANT:

Dean Giannetto
2881 West Calariva Drive
Stockton, CA 95204

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in the Calaveras River, city of Stockton, San Joaquin County.

AUTHORIZED USE:

Proposed construction of a new gangway, boat dock, and boathouse and
removal of an existing dock.

LEASE TERM:

Ten years, beginning August 1, 2003.

CONSIDERATION:

No monetary consideration pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance in the amount of no less than \$300,000.

Other:

Existing boat dock to be removed after new boat dock and boathouse
have been constructed.

CALENDAR ITEM NO. C33 (CONT'D)

OTHER PERTINENT INFORMATION:

1. On November 27, 2000, the Commission authorized a Recreational Pier Lease with Dean Giannetto. The lessee has applied for a new Recreational Pier Lease to replace the existing boat dock with a new gangway, boat dock, and boathouse. The applicant qualifies for a rent-free Recreational Pier Lease because he is a natural person who has improved the littoral land with, and uses the upland for, a single-family dwelling.

2. Construction of New Gangway, Boat dock and boathouse
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.

Removal of Existing Dock

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 4, Minor Alterations to Land; Title 2, California Code of Regulations, section 2905 (d)(3).

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 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.

CALENDAR ITEM NO. C33 (CONT'D)

EXHIBIT:

A. Floor Plan and Location Map.

PERMIT STREAMLINING ACT DEADLINE:

October 13, 2003

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

CONSTRUCTION OF NEW GANGWAY, BOAT DOCK AND BOATHOUSE
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).

REMOVAL OF EXISTING DOCK

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 4, MINOR ALTERATIONS TO LAND; TITLE 2,
CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (d)(3).

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 DEAN GIANNETTO OF A TEN-YEAR
RECREATIONAL PIER LEASE, BEGINNING AUGUST 1, 2003, FOR
THE PORPOSED CONSTRUCTION OF A NEW GANGWAY, BOAT
DOCK, AND BOATHOUSE 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.

