

MINUTE ITEM
This Calendar Item No. C36 was approved as
Minute Item No. 36 by the California State Lands
Commission by a vote of 3 to 2 at its
8-19-03 meeting.

**CALENDAR ITEM
C36**

A) 17, 26

08/19/03

S) 5

PRC 6075

WP 6075.9
T. Lipscomb

RECREATIONAL PIER LEASE

APPLICANT:

Maxwell M. Freeman

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Atherton Cove (original bed of the San Joaquin River) in the city of Stockton, San Joaquin County.

AUTHORIZED USE:

Continued use and maintenance of an existing floating boat dock, platform, and ramp.

LEASE TERM:

Ten years, beginning October 30, 2001.

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. On September 23, 1991, the Commission authorized a Recreational Pier Lease to Maxwell M. Freeman. This lease has expired and Maxwell M. Freeman has applied for a new Recreational Pier Lease. 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.

CALENDAR ITEM NO. C36 (CONT'D)

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 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.

EXHIBIT:

- A. Site and 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:

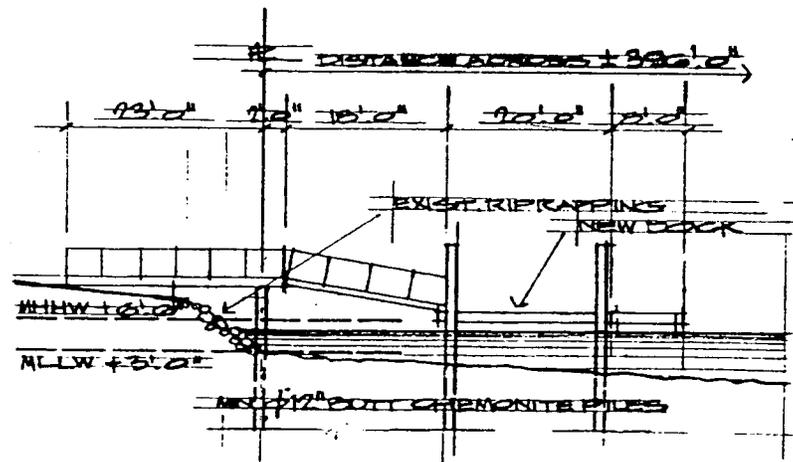
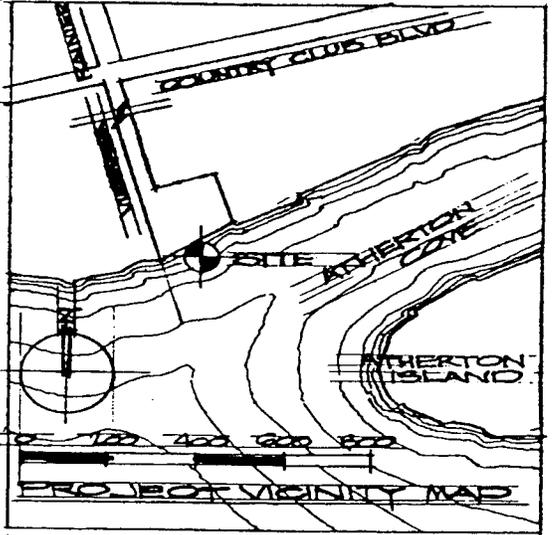
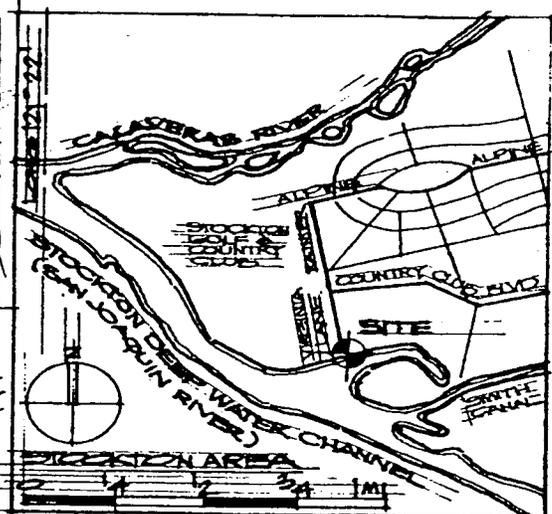
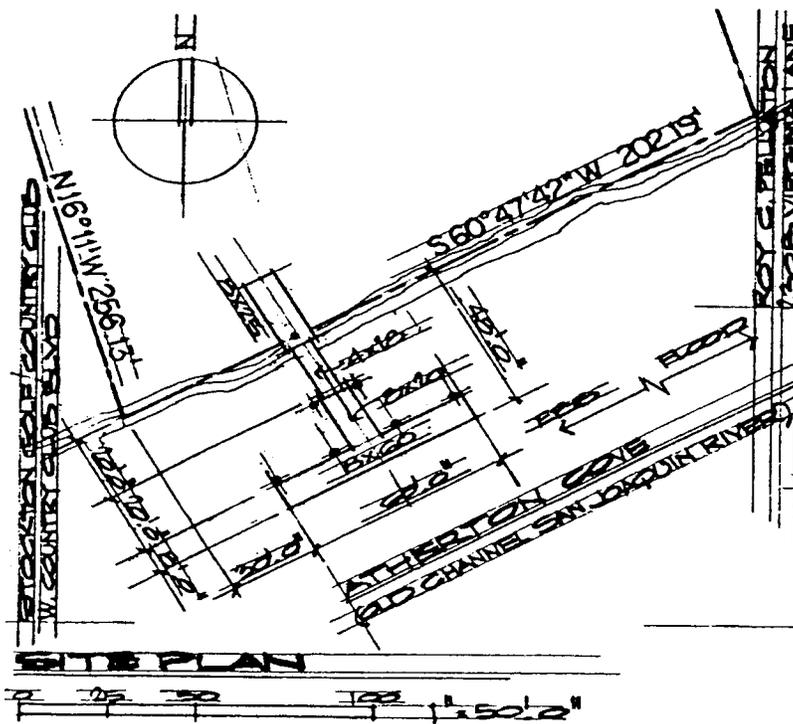
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

CALENDAR ITEM NO. C36 (CONT'D)

AUTHORIZATION:

AUTHORIZE ISSUANCE TO MAXWELL M. FREEMAN OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING OCTOBER 30, 2001, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING FLOATING BOAT DOCK, PLATFORM, AND RAMP 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.

Site Plan and Location Map



ALL SOUNDINGS MEASURED IN FEET FROM MLLW (+)3'-0" CORPS OF ENGINEERS DATUM.

STYROFOAM AND CONCRETE FLOATS/WOOD FRAME AND DECK/GALVANIZED HARDWARE W/ROLLERS/PRESSURE TREATED PILINGS @ 20'-0" OC ±.

APPLICANT _____ :
 MAXWELL M. FREEMAN

SITE _____ :
 PARCEL "A" AS SHOWN ON AMENDED PARCEL MAP RECORDED 9 SEPTEMBER 1980, BOOK 9 OF PARCEL MAPS, PAGE 141, BEING A PORTION OF LOT 2, OF TUXEDO COUNTRY CLUB FARMS COUNTY OF SAN JOAQUIN.

This exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by 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 other property.

**Section 3
 Exhibit A
 WP 6075**

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