

**CALENDAR ITEM
C02**

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12/14/06
PRC 7392 WP 7392.9
V. Massey

**TERMINATION AND ISSUANCE OF
A RECREATIONAL PIER LEASE**

LESSEE:

Daniel F. Snyder and Donna F. Snyder

APPLICANTS:

Tad J. Bowers and Michele T. Bowers

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in the Sacramento River, near Walnut Grove, Sacramento County.

AUTHORIZED USE:

Continued use and maintenance of an existing uncovered floating boat dock and walkway as shown on Exhibit A.

LEASE TERM:

Ten years, beginning December 14, 2006.

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. Applicants own the uplands adjoining the lease premises.
2. On February 5, 2001, the Commission authorized a ten-year Recreational Pier Lease to Daniel F. Snyder and Donna F. Snyder. That lease will expire on March 26, 2010. Subsequently, ownership of the uplands has transferred to Tad J. Bowers and Michele T. Bowers. The Lessees have requested that the lease be terminated and the Applicants are now

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applying for a new Recreational Pier Lease. Applicants qualify for a rent free Recreational Pier Lease because they are natural persons who have improved the littoral land with, and use the upland for, a single-family dwelling.

3. **Termination of Lease:** Pursuant to the Commission's delegation authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15060 (c)(3), the staff has determined that this activity is not subject to the provisions of the CEQA because it is not a "project" as defined by the CEQA and the State CEQA Guidelines.

Authority: Public Resources Code section 21065 and Title 14, California Code of Regulations, section 15060 (c)(3) and 15378.

4. **Issuance of New Lease:** 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.

5. 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

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

TERMINATION OF LEASE: FIND THAT THE ACTIVITY IS NOT SUBJECT TO THE REQUIREMENTS OF THE CEQA PURSUANT TO

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TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15060 (c)(3) BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCE CODE SECTION 21065 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15378.

ISSUANCE OF NEW LEASE: 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.

AUTHORIZATION:

1. AUTHORIZE TERMINATION OF LEASE NO. PRC 7392.9 A RECREATIONAL PIER LEASE, EFFECTIVE DECEMBER 13 2006, ISSUED TO DANIEL F. SNYDER AND DONNA F. SNYDER APPROVED BY THE COMMISSION ON FEBRUARY 5, 2001.
2. AUTHORIZE ISSUANCE TO TAD J. BOWERS AND MICHELE T. BOWERS OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING DECEMBER 14, 2006, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING UNCOVERED FLOATING BOAT DOCK AND WALKWAY AS 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.

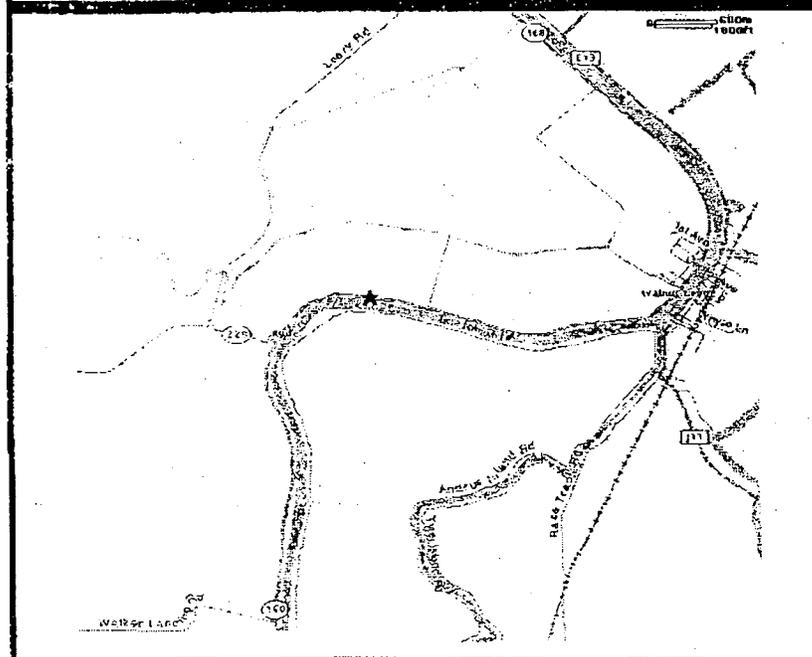
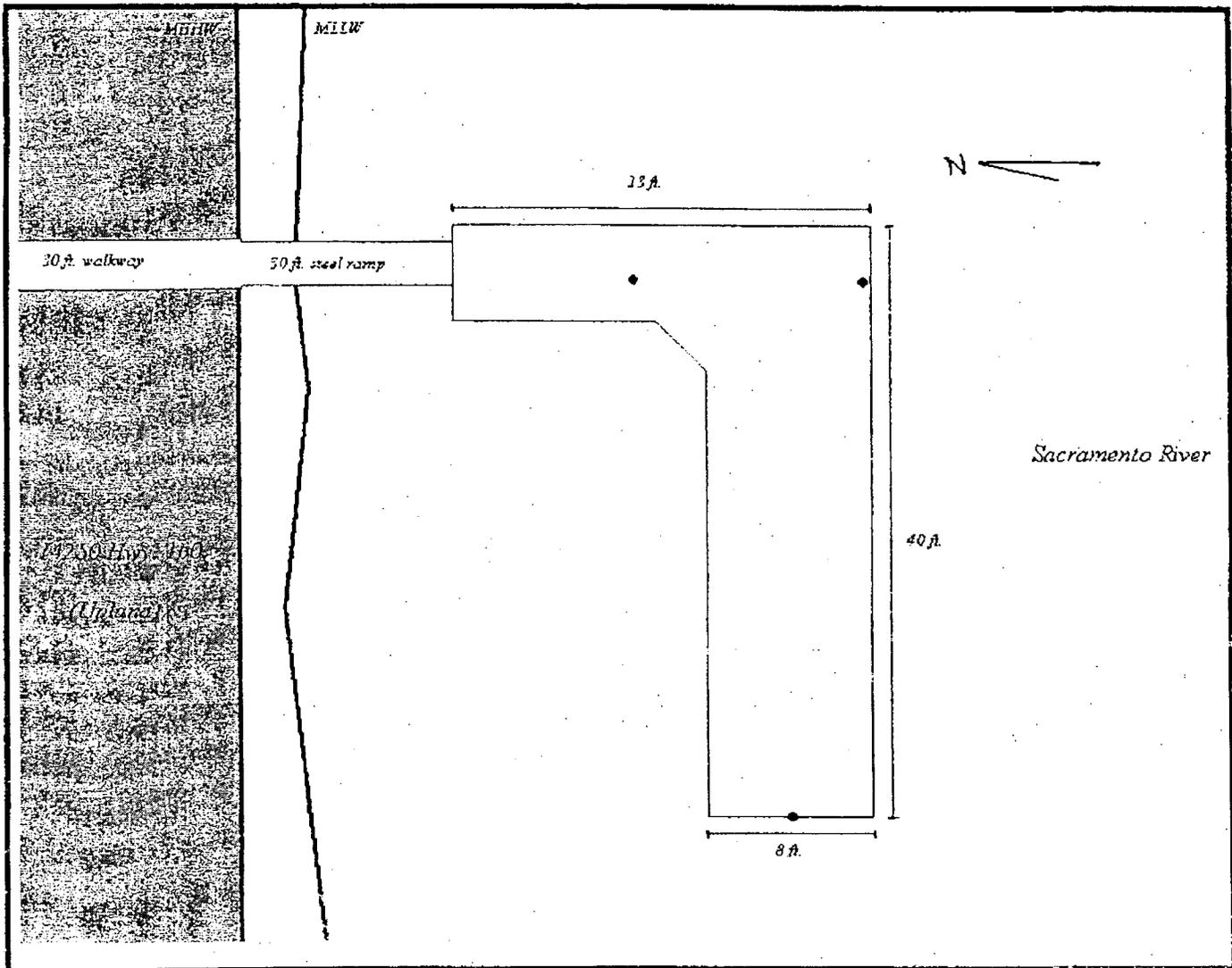


Exhibit A WP 7392.9

Site Map & Location Map

Recreational Pier Lease

This exhibit is solely for purposes of generally defining the area to be leased, 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.