

**CALENDAR ITEM  
C32**

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09/01/11

WP 5934.9

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R. Boggiano

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

**APPLICANT:**

Raymond L. Drew, Jr., Trustee of the Raymond L. Drew, Jr. Declaration of Trust dated August 18, 2005

**AREA, LAND TYPE, AND LOCATION:**

Sovereign land in the Calaveras River, adjacent to 4339 Yacht Harbor Drive, in the city of Stockton, San Joaquin County.

**AUTHORIZED USE:**

Continued use and maintenance of an existing uncovered floating boat dock, access ramp, walkway, and four pilings previously authorized by the Commission, and use and maintenance of existing riprap not previously authorized by the Commission, as shown on exhibit A.

**LEASE TERM:**

10 years, beginning October 29, 2010.

**CONSIDERATION:**

**Uncovered floating boat dock, access ramp, walkway and four pilings:** No monetary consideration pursuant to Public Resources Code section 6503.5.

**Bank Protection:** 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 in the amount of no less than \$1,000,000.

**OTHER PERTINENT INFORMATION:**

1. Applicant owns the upland property adjoining the lease premises.
2. On April 20, 2000, the Commission authorized a 10-year Recreational Pier Lease to Raymond L. Drew and Joanne O. Drew. That lease expired on

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October 28, 2010. Ownership of the upland property has been transferred to Raymond L. Drew, Jr., Trustee of the Raymond L. Drew, Jr. Declaration of Trust dated August 18, 2005. The Applicant is now applying for a new General Lease – Recreational and Protective Structure Use.

3. The uncovered floating boat dock, access ramp, walkway, and four pilings, are exempt from consideration pursuant to Public Resources Code section 6503.5 because the Applicant is a natural person who owns the littoral land that is improved with a single-family dwelling.
4. The riprap will mutually benefit the public and the Applicant. The riprap of the Calaveras River will have the additional protection from wave action provided at no cost to the public.
5. 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 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.

6. This activity involves lands which have NOT been identified as possessing significant environmental values pursuant to Public Resources Code section 6370, et seq. However, the Commission has declared that all lands are "significant" by nature of their public ownership (as opposed to "environmentally significant"). Since such declaration of significance is not based upon the requirements and criteria of Public Resources Code section 6370, et seq., use classifications for such lands have not been designated. Therefore, the finding of the project's consistency with the use classification as required by Title 2, California Code of Regulations, section 2954 is not applicable.

**EXHIBITS:**

- A. Site Location and Map
- B. Land Description

CALENDAR ITEM NO. **C32**(CONT'D)

**RECOMMENDED ACTION:**

It is recommended that the Commission:

**CEQA FINDING:**

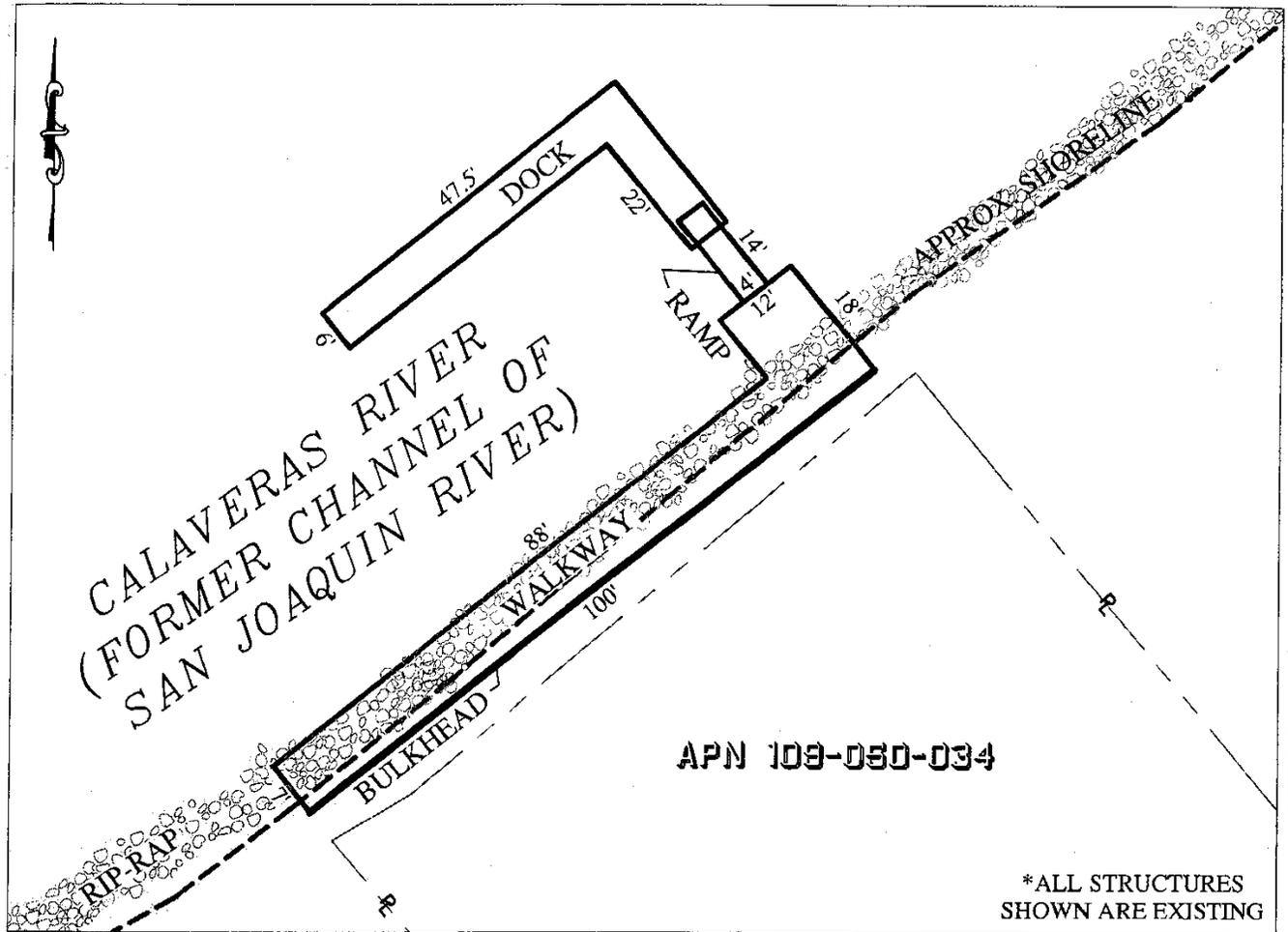
Find that the activity is exempt from the requirements of CEQA pursuant to Title 14, California Code of Regulations, section 15061 as a categorically exempt project, Class 1, Existing Facilities; Title 2, California Code of Regulations, section 2905 (a)(2).

**AUTHORIZATION:**

Authorize issuance of a General Lease – Recreational and Protective Structure Use to Raymond L. Drew, Jr., Trustee of the Raymond L. Drew, Jr. Declaration of Trust dated August 18, 2005, beginning October 29, 2010, for a term of 10 years, for the continued use and maintenance of an uncovered floating boat dock, access ramp, walkway, and four pilings previously authorized by the Commission, and the use and maintenance of riprap not previously authorized by the Commission as shown on Exhibit A (for references purposed only) and described in Exhibit B attached and by this reference made a part hereof; consideration for the uncovered floating boat dock, access ramp, walkway, and four pilings: no monetary consideration pursuant to Public Resources Code section 6503.5; consideration for the riprap: 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; and liability insurance in the amount of no less than \$1,000,000.

NO SCALE

### SITE

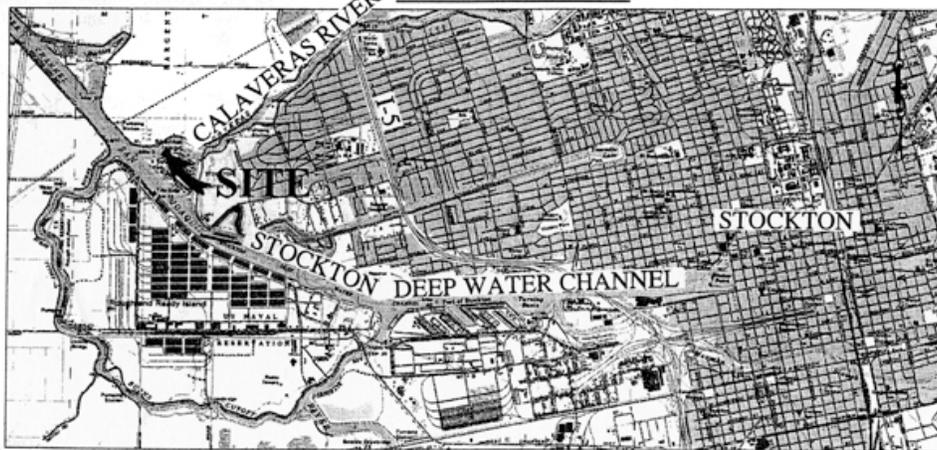


\*ALL STRUCTURES SHOWN ARE EXISTING

4339 Yacht Harbor Drive - Calaveras River, Stockton

NO SCALE

### LOCATION



### Exhibit A

WP 5934.9  
 RAYMOND DREW TRUST  
 APN 109-050-034  
 GENERAL LEASE -  
 RECREATIONAL AND  
 PROTECTIVE STRUCTURE USE  
 SAN JOAQUIN COUNTY



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

**EXHIBIT B**

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**LAND DESCRIPTION**

A parcel of tide and submerged land in the bed of the Calaveras River (formerly the bed of the San Joaquin River), County of San Joaquin, State of California, lying adjacent to Lot 33, as shown on "Tract No. 308 Subdivisions of San Joaquin County Riviera Cliffs" dated May 1952 and filed in Book 13, Page 124 of Maps and Plats of San Joaquin County Records and more particularly described as follows:

Said parcel being bounded on the southwest by the northwesterly prolongation of the southwest line of said Lot 30; bounded on the northeast by the northwesterly prolongation of the northeast line of said lot; bounded on the southeast by the Ordinary High Water Mark of said river; bounded on the northwest by a line running parallel to and 70 feet perpendicular of said Ordinary High Water Mark.

**END OF DESCRIPTION**

PREPARED 5/19/11 BY THE CALIFORNIA STATE LANDS COMMISSION BOUNDARY UNIT

