

**CALENDAR ITEM
C65**

A 15
S 5

04/26/13
PRC 5275.1
R. Boggiano

GENERAL LEASE - RECREATIONAL USE

APPLICANTS:

Delta Wetland Properties, an Illinois general partnership

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the Mokelumne River, adjacent to Assessor's Parcel Number 069-030-35, near Isleton, San Joaquin County

AUTHORIZED USE:

Continued use and maintenance of an existing uncovered floating boat dock, gangway, and five pilings.

LEASE TERM:

10 years, beginning January 18, 2013.

CONSIDERATION:

\$440 per year, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

SPECIFIC LEASE PROVISIONS:

Liability Insurance in the amount of no less than \$1,000,000.

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.
2. On June 2, 2003, the Commission authorized a 10-year General Lease – Public Agency Use to Reclamation District No. 756 for an uncovered floating boat dock and gangway located in the Mokelumne River, adjacent to lands owned by Delta Wetland Properties. The Reclamation District obtained permission from Delta Wetland Properties to use the docking facilities for the operation and maintenance of the Bouldin Island levees systems. The lease expired on January 17, 2013. The Reclamation

CALENDAR ITEM NO. **C65** (CONT'D)

District no longer utilizes the facilities. Delta Wetland Properties is now applying for a new General Lease – Recreational Use.

3. The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. 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.

EXHIBITS:

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

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (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 section 6370 et seq.

AUTHORIZATION:

Authorize issuance of a General Lease - Recreational Use, to Delta Wetland Properties, an Illinois general partnership, beginning January 18, 2013, for a term of 10 years, for the continued use and maintenance of an existing uncovered floating boat dock, gangway, and five pilings as

CALENDAR ITEM NO. **C65** (CONT'D)

described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; annual rent in the amount of \$440 per year, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease; and liability insurance in the amount of no less than \$1,000,000.

EXHIBIT A

PRC 5275.1

LAND DESCRIPTION

A parcel of tide and submerged land, situate in the bed of the south fork of the Mokelumne River lying adjacent to Swamp and Overflowed Lands Survey 666 patented November 29, 1871, County of San Joaquin, State of California, and more particularly described as follows:

All those lands underlying an existing floating dock, gangway and pilings (5) adjacent to that parcel as described in "Exhibit A" of that Grant Deed recorded May 26, 1994 as Document 94065297 in Official Records of said County.

TOGETHER WITH a 10 foot impact area.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of said river.

Accompanying plat is hereby made a part of this description.

END OF DESCRIPTION

PREPARED 2/20/13 BY THE CALIFORNIA STATE LANDS COMMISSION BOUNDARY UNIT.



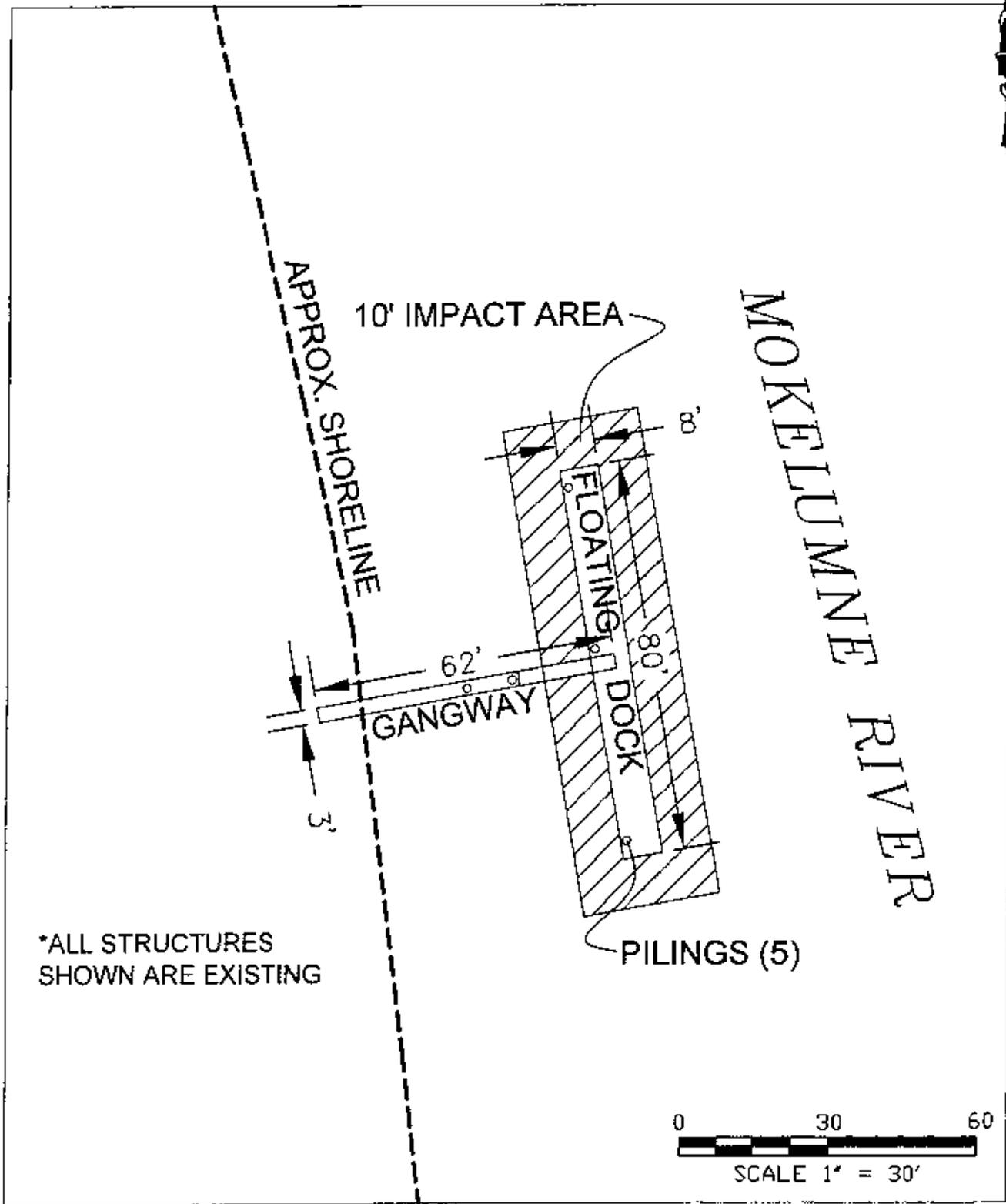


EXHIBIT A

Page 2 of 2

MJF 2/20/13

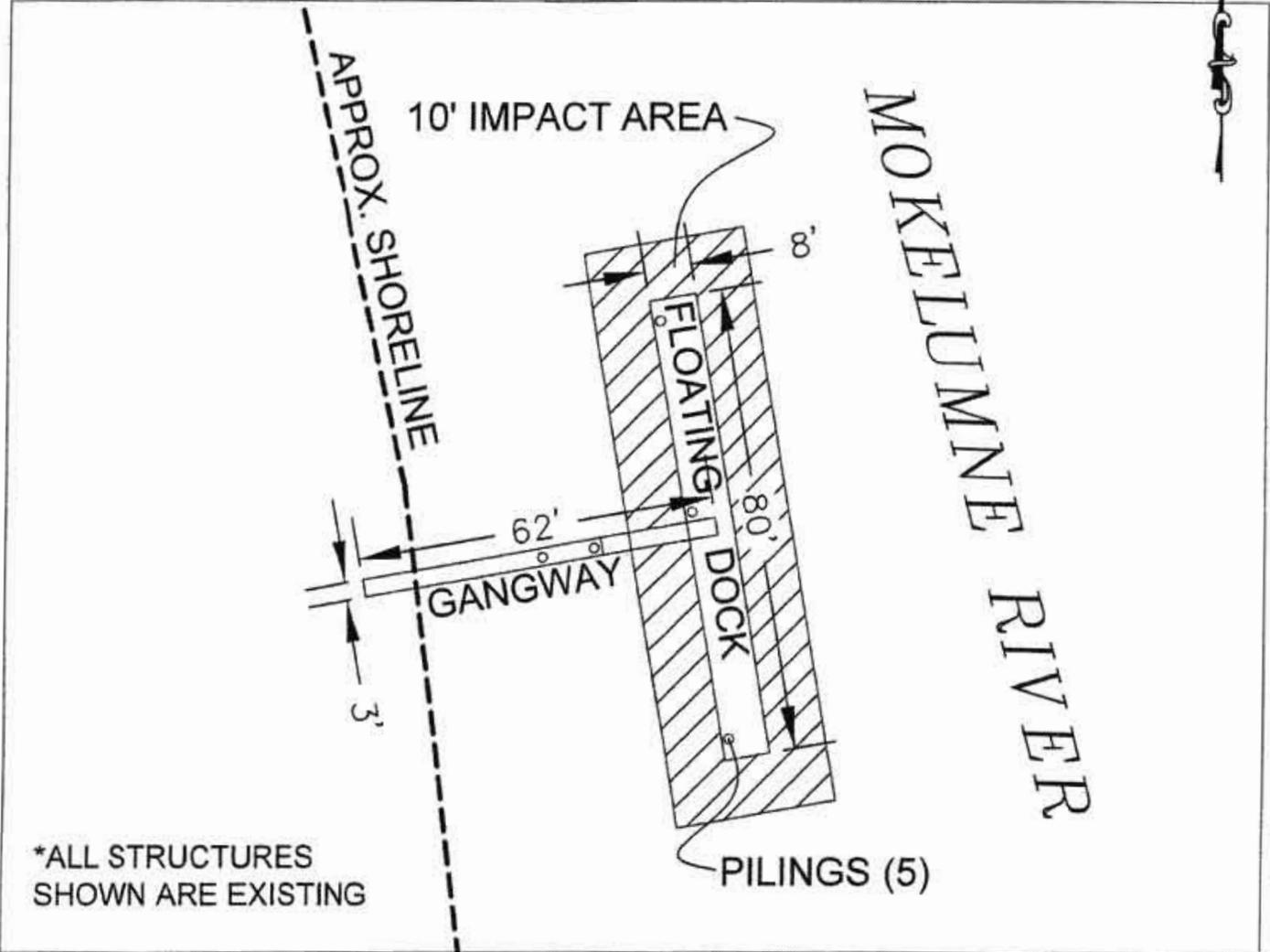
LAND DESCRIPTION PLAT
 PRC 5275.1 DELTA WETLAND
 PROPERTIES - SAN JOAQUIN CO.

CALIFORNIA STATE
 LANDS COMMISSION



NO SCALE

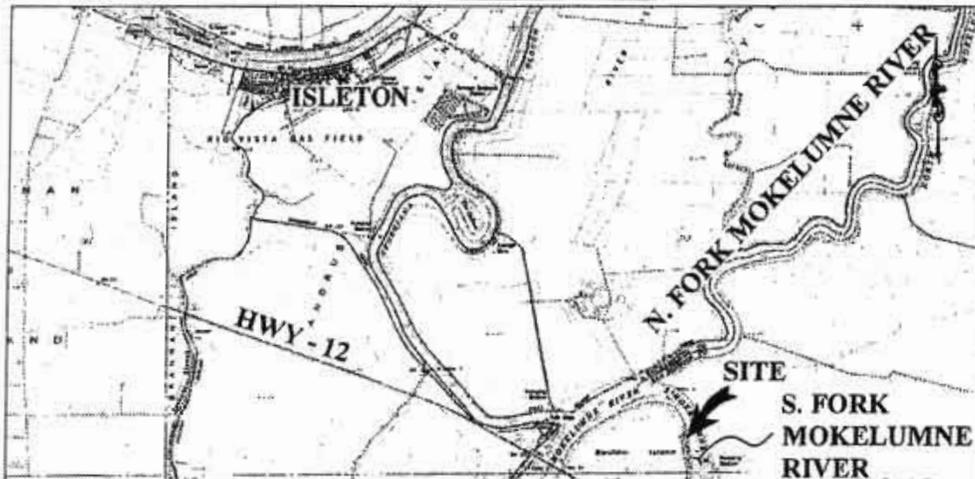
SITE



Bouldin Island, South Fork of the Mokelumne River

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

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

PRC 5275.1
 DELTA WETLAND
 PROPERTIES
 APN 069-030-35
 GENERAL LEASE -
 RECREATIONAL USE
 SAN JOAQUIN COUNTY



MJF 2/20/13