

**CALENDAR ITEM
C68**

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09/20/13

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PRC 4200.1

R. Boggiano

GENERAL LEASE - RECREATIONAL AND PROTECTIVE STRUCTURE USE

APPLICANTS:

Kim Currieri and Lynne Currieri

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the Calaveras River, adjacent to 4239 Yacht Harbor Drive, near the city of Stockton, San Joaquin County.

AUTHORIZED USE:

Continued use and maintenance of an existing uncovered U-shaped floating boat dock, gangway, and three pilings previously authorized by the Commission, and the use and maintenance of an existing bulkhead not previously authorized by the Commission.

LEASE TERM:

10 years, beginning July 24, 2012

CONSIDERATION:

Uncovered U-shaped floating boat dock, gangway, and three pilings: \$257 per year, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

Bulkhead: 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 an amount of no less than \$1,000,000 per occurrence.

OTHER PERTINENT INFORMATION:

1. Applicants own the upland adjoining the lease premises.
2. On February 5, 2001, the Commission authorized a 10-year Recreational Pier Lease to Kim Currieri and Lynne Currieri. That lease expired on July

CALENDAR ITEM NO. **C68** (CONT'D)

23, 2012. The Applicants are now applying for a new General Lease – Recreational and Protective Structure Use.

3. The bulkhead appears to have existed at the site for many years, but has not been previously authorized. Staff is now recommending that it be included in the proposed lease.
4. 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.

5. 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.

CALENDAR ITEM NO. **C68** (CONT'D)

AUTHORIZATION:

Authorize issuance of a General Lease - Recreational and Protective Structure Use to Kim Currieri and Lynne Currieri, beginning July 24, 2012, for a term of 10 years, for the continued use and maintenance of an existing uncovered U-shaped floating boat dock, gangway, and three pilings previously authorized by the Commission and the use and maintenance of an existing bulkhead not previously authorized by the Commission as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; consideration for the uncovered U-shaped floating boat dock, gangway, and three pilings: \$257 per year, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease; consideration for the bulkhead: 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 with coverage of no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 4200.1

LAND DESCRIPTION

A parcel of tide and submerged land situate in the bed of the Calaveras River, formerly the bed of the San Joaquin River, lying adjacent to LOT 38 of "Tract No. 308, Subdivisions of San Joaquin County, RIVIERA CLIFFS", filed for record June 27, 1952, in Book of Maps and Plats, Vol. 13, page 124, San Joaquin County Records, State of California and more particularly described as follows:

All those lands underlying an existing uncovered floating boat dock, ramp and pilings lying adjacent to the left bank of said river and being adjacent to "Parcel 2", as described in "Exhibit A" of Grant Deed recorded in Document Number 2002-113973 in Official Records of said County.

TOGETHER WITH a 10' impact area.

ALSO TOGETHER WITH all those lands underlying an existing bulkhead adjacent to said parcel.

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

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

PREPARED 6/6/13 BY THE CALIFORNIA STATE LANDS COMMISSION BOUNDARY UNIT



CALAVERAS RIVER
(FORMER BED OF THE
SAN JOAQUIN RIVER)

10' IMPACT
AREA

FLOATING
DOCK

PILINGS
(3)

BULKHEAD

RAMP
26'

APN 109-050-36

LOT 38

*ALL STRUCTURES
SHOWN ARE EXISTING

EXHIBIT A

Page 2 of 2

MJF 5/31/13

LAND DESCRIPTION PLAT
PRC 4200.1, CURRIERI
SAN JOAQUIN COUNTY

CALIFORNIA STATE
LANDS COMMISSION



NO SCALE

SITE

CALAVERAS RIVER
(FORMER BED OF THE
SAN JOAQUIN RIVER)

10' IMPACT
AREA

FLOATING
DOCK

PILINGS
(3)

BULKHEAD

RAMP

APN 109-050-36

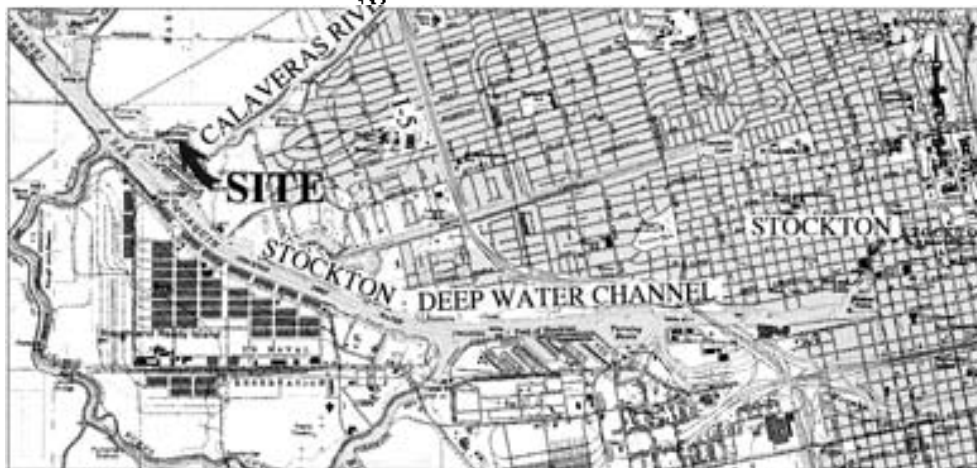
LOT 38

*ALL STRUCTURES
SHOWN ARE EXISTING

4239 Yacht Harbor Drive - Calaveras River, Stockton

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 4200.1

CURRIERI

APN 109-050-36

GENERAL LEASE -

RECREATIONAL &

PROTECTIVE STRUCTURE USE

SAN JOAQUIN COUNTY



MDR 5/31/13