

MINUTE ITEM
This Calendar Item No. C26 was approved as
Minute Item No. 24 by the California State Lands
Commission by a vote of 3 to 0 at its
12/14/06 meeting.

**CALENDAR ITEM
C26**

A 10,15,26

12/14/06
PRC 6184 WP 6184.1
J. McComas

S 5,14

GENERAL LEASE - RECREATIONAL USE

APPLICANT:

Diablo Water Ski Club, a California Corporation
P. O. Box 586
Bethel Island, CA 94511

AREA, LAND TYPE, AND LOCATION:

0.60 acres, more or less, of tide and submerged lands in Old River and Berm "N",
near Bacon Island, San Joaquin County.

AUTHORIZED USE:

Continued use and maintenance of existing uncovered floating boat docks and
club facilities, all utilized for recreational purposes, and slalom marker buoys as
shown on Exhibit A.

LEASE TERM:

20 years, beginning May 1, 2006.

CONSIDERATION:

\$2,825 per annum; with the State reserving the right to fix a different rent
periodically during the lease term, as provided in the lease.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance with a coverage of no less than \$1,000,000.

Bond:

\$5,000.

OTHER PERTINENT INFORMATION:

1. The State received fee title to a major portion of Berm "N", the uplands, as
part of the settlement of litigation with Delta Farms Reclamation District
No. 2028.

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2. On May 22, 1986, the Commission authorized a 20-year General Permit - Recreational Use to Diablo Water Ski Club. The Lease authorized two club buildings, one water ski jump, and one floating dock on the north side of Berm N and a structure with three floating docks, two decks, a storage room, covered patio and other ancillary facilities, and ten slalom marker buoys with anchors on the south side of Berm N. Subsequently, another dock was placed on the north side of the Berm. The lease has expired, and the Applicant is now applying for a new General Lease - Recreational Use.

3. The ten slalom marker buoys and anchors are installed and used for five months beginning May 1st and are removed September 30th.

4. **PREVIOUSLY AUTHORIZED DOCKS, CLUB FACILITIES, AND SLALOM MARKER BUOYS:**

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. **NEW DOCK NOT PREVIOUSLY AUTHORIZED:**

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 3, New Construction of Small Structures; Title 2, California Code of Regulations, section 2905 (c)(1).

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 identified as possessing significant environmental values pursuant to Public Resources Code sections 6370,

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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.

APPROVALS OBTAINED:

U. S. Army Corps of Engineers and the California Department of Fish and Game

EXHIBITS:

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

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

PREVIOUSLY AUTHORIZED DOCKS, CLUB FACILITIES AND SLALOM MARKER BUOYS:

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).

NEW DOCK NOT PREVIOUSLY AUTHORIZED:

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 3, NEW CONSTRUCTION OF SMALL STRUCTURES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (c)(1).

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:

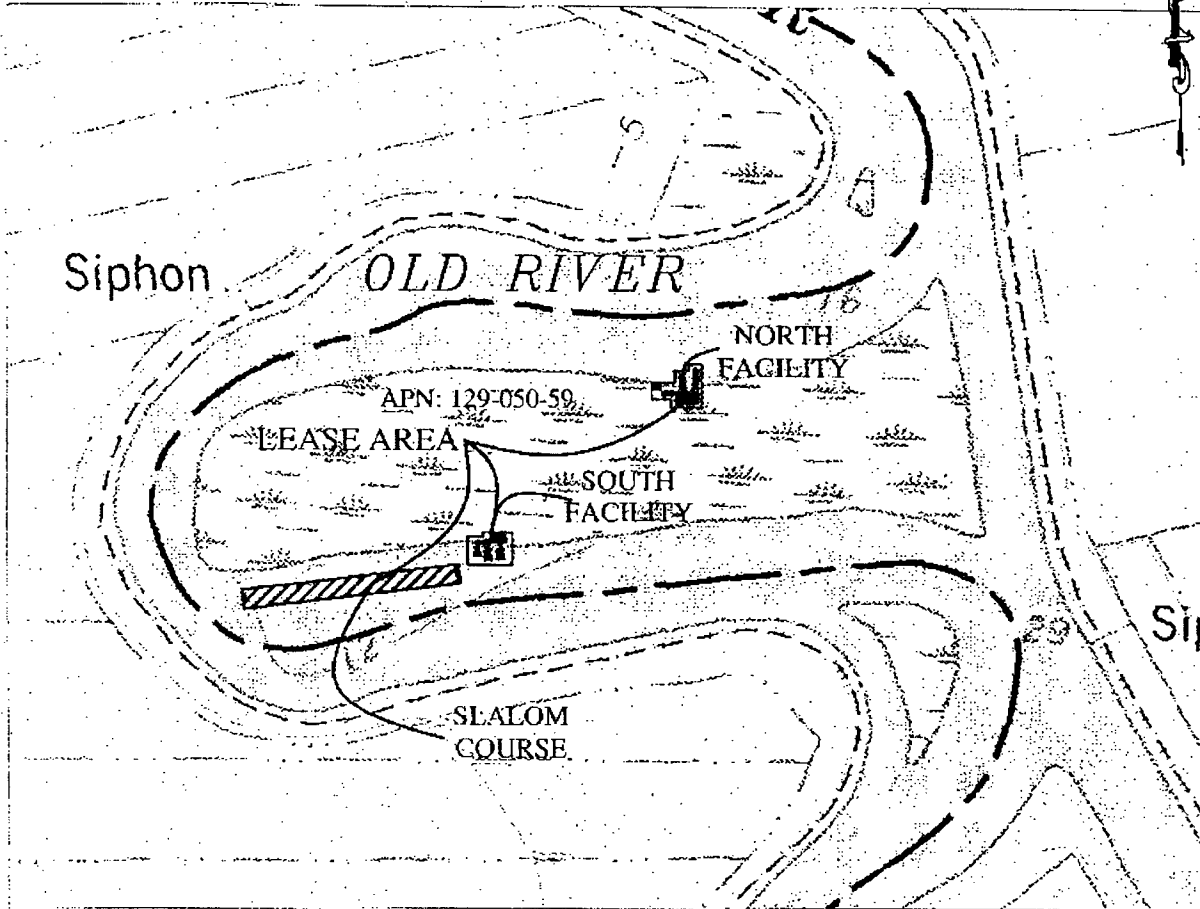
AUTHORIZE ISSUANCE TO DIABLO WATER SKI CLUB, OF A GENERAL LEASE - RECREATIONAL USE, BEGINNING MAY 1, 2006,

CALENDAR ITEM NO. C26 (CONT'D)

FOR A TERM OF 20 YEARS, FOR THE CONTINUED USE AND MAINTENANCE OF EXISTING UNCOVERED FLOATING BOAT DOCKS AND CLUB FACILITES, ALL UTILIZED FOR RECREATIONAL PURPOSES AND SLALOM MARKER BUOYS WITH ANCHORS AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF \$2,825, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; LIABILITY INSURANCE WITH COVERAGE OF NO LESS THAN \$1,000,000; AND SURETY BOND IN THE AMOUNT OF \$5,000.

NO SCALE

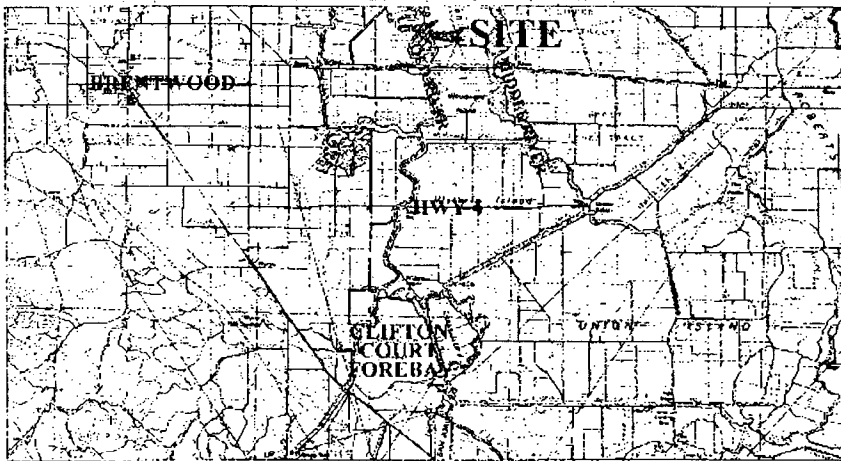
SITE



OLD RIVER BETWEEN BACON ISLAND AND PALM TRACT

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit A

PRC 6184
 APN: 129-050-59
 DIABLO WATER SKI CLUB
 GENERAL LEASE
 RECREATIONAL USE
 SAN JOAQUIN COUNTY



MJE 8/10/06

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.

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