

**CALENDAR ITEM  
C01**

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S 2

06/24/08  
WP 6050.9  
M.Clark

**RECREATIONAL PIER LEASE**

**APPLICANTS:**

Michael Wayne Rogers and Laura Jean Rogers, Trustees of the Michael and Laura Rogers Living Trust, UTD, May 24, 2007

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

Sovereign lands in the Napa River, adjacent to 1652 Milton Road, city of Napa, Napa County.

**AUTHORIZED USE:**

Continued use and maintenance of two existing piers each with an uncovered floating boat dock and two pilings as shown on Exhibit A.

**LEASE TERM:**

Ten years, beginning September 1, 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 \$1,000,000.

**OTHER PERTINENT INFORMATION:**

1. Applicants own the upland adjoining the lease premises.
2. On October 28, 1996, the Commission authorized a ten-year Recreational Pier Lease to Michael W. Rogers. That lease expired August 31, 2006. On June 4, 2007, the upland property was deeded to Michael Wayne Rogers and Laura Jean Rogers, Trustees of the Michael and Laura Rogers Living Trust, UTD, May 24, 2007. The Applicants are now applying for a new Recreational Pier Lease.

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3. Applicants qualify for a Recreational Pier Lease because the Applicants are natural persons who own the littoral land that is improved with a single-family dwelling.
4. 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:**

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.

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**AUTHORIZATION:**

AUTHORIZE ISSUANCE OF A TEN-YEAR RECREATIONAL PIER LEASE TO MICHAEL WAYNE ROGERS AND LAURA JEAN ROGERS, TRUSTEES OF THE MICHAEL AND LAURA ROGERS LIVING TRUST, UTD, MAY 24, 2007, BEGINNING SEPTEMBER 1, 2006, FOR THE CONTINUED USE AND MAINTENANCE OF TWO EXISTING PIERS EACH WITH AN UNCOVERED FLOATING BOAT DOCK AND TWO PILINGS 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 \$1,000,000.