

**CALENDAR ITEM
C50**

A 13
S 5

06/21/13
PRC 6500.1
R. Boggiano

GENERAL LEASE - RECREATIONAL USE

APPLICANT:

Robert E. Mori, II

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the Mokelumne River, adjacent to 30005 West Vail Road, near Walnut Grove, San Joaquin County.

AUTHORIZED USE:

Use and maintenance of an existing uncovered floating boat dock, gangway, and two articulation arms attached to two deadmen (anchors) on the upland not previously authorized by the Commission.

LEASE TERM:

10 years, beginning June 21, 2013

CONSIDERATION:

\$147 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 an amount of no less than \$1,000,000 per occurrence.

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.
2. The uncovered floating boat dock and gangway have existed in the Mokelumne River for many years but were not previously authorized by the Commission. A lease application was submitted by a previous owner in 1983, however, no Commission action was taken at the time. The U.S. Army Corps of Engineers issued a permit for the dock facility in 1983. The Applicant is now applying for a General Lease - Recreational Use

CALENDAR ITEM NO. **C50** (CONT'D)

3. The Applicant's dock is currently in disrepair and a repair plan has been submitted to Commission staff. The lease includes a provision that the Applicant shall within one year of execution of the lease, repair the damaged dock and return it to its original location, as depicted in Exhibit B.
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. **C50** (CONT'D)

AUTHORIZATION:

Authorize issuance of a General Lease - Recreational Use to Robert E. Mori, II, beginning June 21, 2013, for a term of 10 years, for the use and maintenance of an existing uncovered floating boat dock, gangway, and two articulation arms attached to two deadmen on the upland 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; annual rent in the amount of \$147 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 an amount of no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 6500.1

LAND DESCRIPTION

A parcel of tide and submerged land situate in the bed of the Mokelumne River, lying adjacent to Swamp and Overflowed Land Survey 243, patented December 23, 1874, County of San Joaquin, State of California and more particularly described as follows:

All those lands underlying an existing floating boat dock and gangway lying adjacent to that parcel described in Exhibit A of that Quitclaim Deed, recorded December 10, 2004 in Document No. 2004-282332 in Official Records of said County.

TOGETHER WITH a 10' impact area.

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 04/02/13 by the California State Lands Commission Boundary Unit



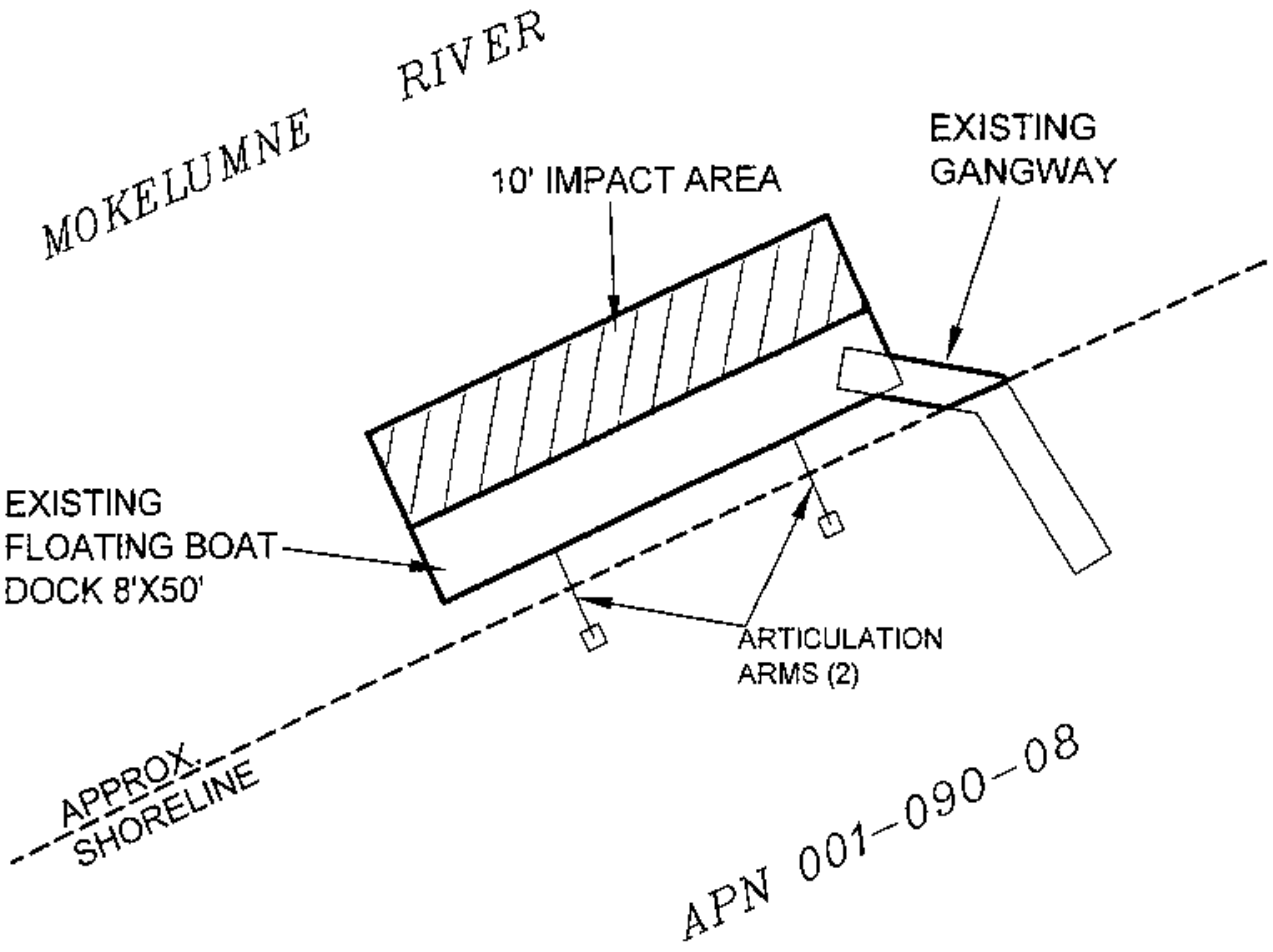


EXHIBIT A

LAND DESCRIPTION PLAT
PRC 6500.1, MORI
SAN JOAQUIN COUNTY

CALIFORNIA STATE
LANDS COMMISSION



NO SCALE

SITE



MOKELUMNE RIVER

10' IMPACT AREA

EXISTING GANGWAY

EXISTING FLOATING BOAT DOCK 8'X50'

ARTICULATION ARMS (2)

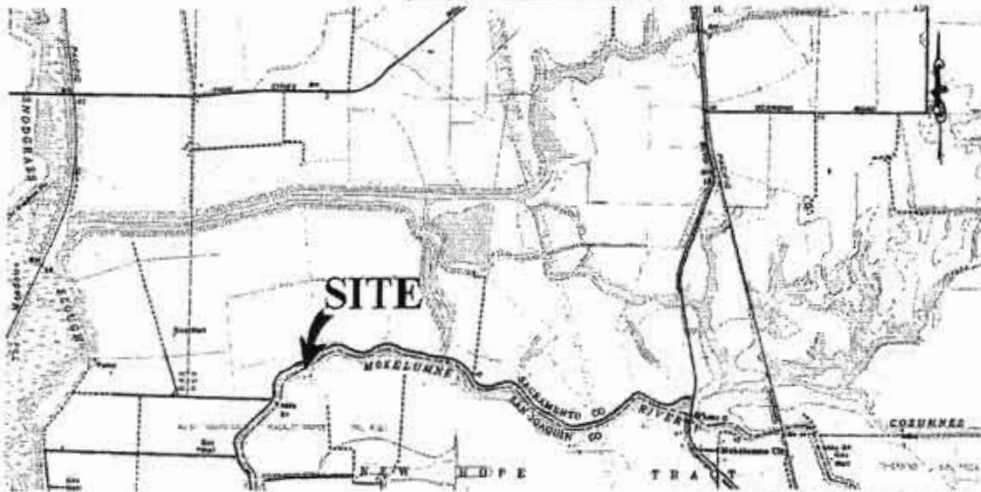
APPROX SHORELINE

APN 001-090-08

30005 W. VAIL ROAD, THORNTON

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 6500.1

MORI

APN 001-090-08

GENERAL LEASE -
RECREATIONAL USE
SAN JOAQUIN COUNTY



TS 04/02/13

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.