

**CALENDAR ITEM
C33**

A 13
S 5

10/16/15
PRC 7189.1
V. Caldwell

GENERAL LEASE – RECREATIONAL USE

APPLICANT:

Willard C. Collins

AREA, LAND TYPE, AND LOCATION:

1.62 acres, more or less, of sovereign land in Middle River, adjacent to Assessor's Parcel Number 129-060-03, near the city of Stockton, San Joaquin County.

AUTHORIZED USE:

Continued use and maintenance of an existing uncovered floating boat dock, covered platform, water ski jump, a 10-buoy slalom course and appurtenant facilities previously authorized by the Commission and use and maintenance of 12 existing buoys not previously authorized by the Commission.

LEASE TERM:

10 years, beginning October 5, 2015.

CONSIDERATION:

\$1,865 per year, with an annual Consumer Price Index adjustment.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance in an amount no less than \$1,000,000 per occurrence.

Bond:

\$5,000

OTHER PERTINENT INFORMATION:

1. Applicant has the right to use the waterway.
2. On September 19, 2000, the Commission authorized a General Lease – Recreational Use to Willard C. Collins. The lease expired on October 4, 2015.

CALENDAR ITEM NO. C33 (CONT'D)

3. In 2013, the deteriorated docks were upgraded and the configuration of the facility changed slightly. While 22 buoys have existed at this location for many years, only 10 buoys were previously authorized. Staff recommends authorization of 12 additional buoys. The Applicant is applying for a new General Lease – Recreational Use.
4. The Applicant runs the USA Water Ski Club which is a private members-only club that promotes water skiing and other recreational boating activities to its members, their families, and guests. Access to facilities is by boat only. No public events or tournaments are held at this location.
5. 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.

6. 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).

CALENDAR ITEM NO. **C33** (CONT'D)

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 Willard C. Collins beginning October 5, 2015, for a term of 10 years, for the continued use and maintenance of an existing uncovered floating boat dock, covered platform, water ski jump, a 10-buoy slalom course and appurtenant facilities previously authorized by the Commission and use and maintenance of 12 existing buoys 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 \$1,865, with an annual Consumer Price Index adjustment; liability insurance in the amount of no less than \$1,000,000 per occurrence; and surety in the amount of \$5,000.

EXHIBIT A

PRC 7189.1

LAND DESCRIPTION

A parcel of tide and submerged land in the bed of the historic channel of Middle River, situate adjacent to Swamp and Overflowed Lands Survey 1127 patented April 2nd, 1866, San Joaquin County, State of California, and being more particularly described as follows:

COMMENCING at a ¼ inch iron pin at the southwesterly terminus of that course between points "2" and "3" as shown on that map titled "Record of Survey Map – of those certain berms adjacent to property owned by Allied Properties on Lower Jones Tract which were separated from the tract proper by course changes of the water ways. Being portions of Reclamation District No. 2038 in San Joaquin County, California." and filed in Book 15 of Surveys, Page 48 of said county; thence North 03°56'12" West 900 feet more or less to the approximate intersection of the right bank of the historic channel of said river with the dredger cut known as "Empire Cut, said point also being the POINT OF BEGINNING; thence leaving said bank and along the following four (4) courses:

- (1) South 02°39'42" East 634.25 feet,
- (2) South 68°25'21" West 1463.36 feet,
- (3) North 02°39'42" West 634.25 feet,
- (4) North 68°25'21" East 1463.36 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of the historic channel of Middle River.

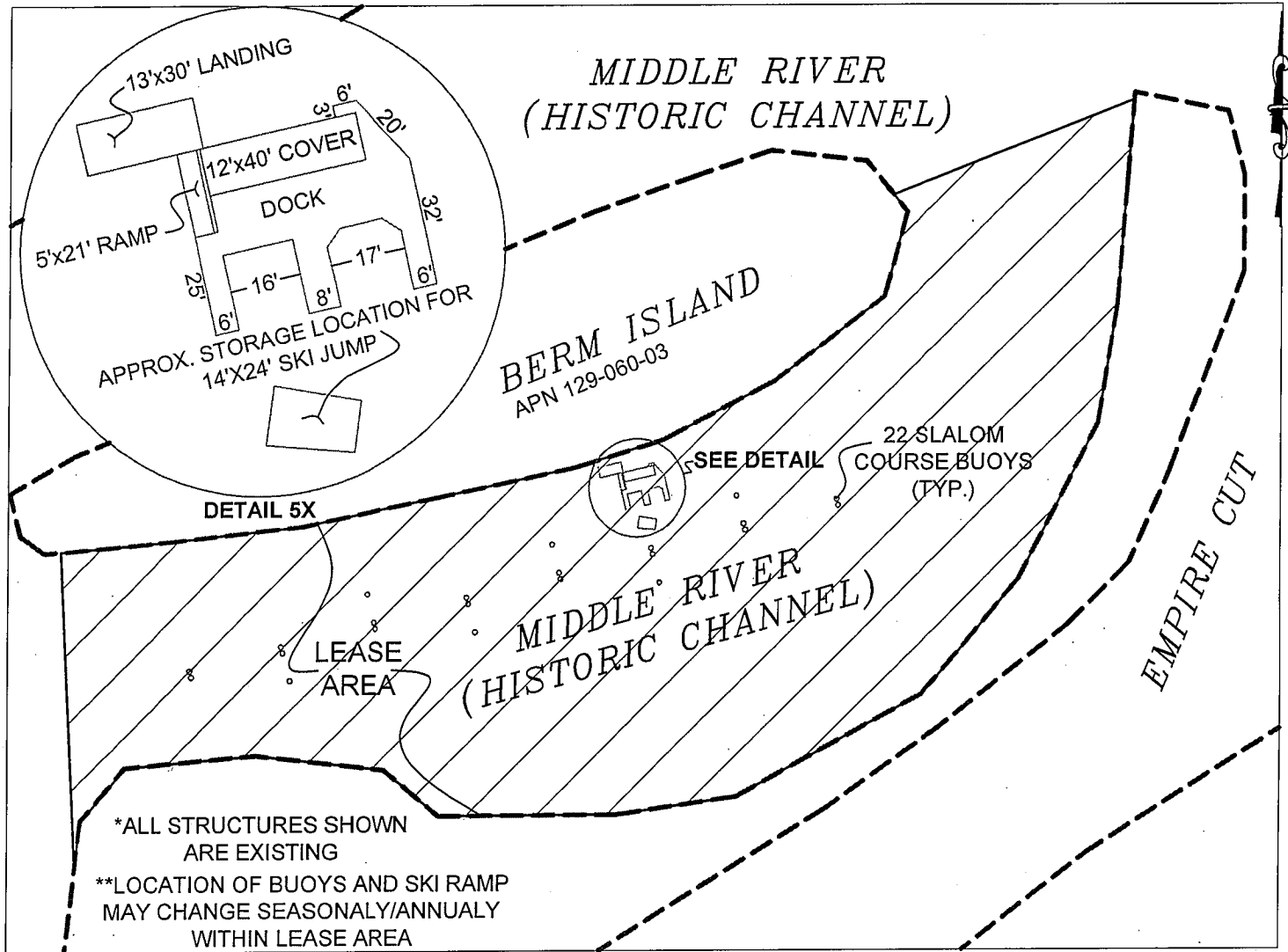
END OF DESCRIPTION

Prepared 09/02/2015 by the California State Lands Commission Boundary Unit.



NO SCALE

SITE



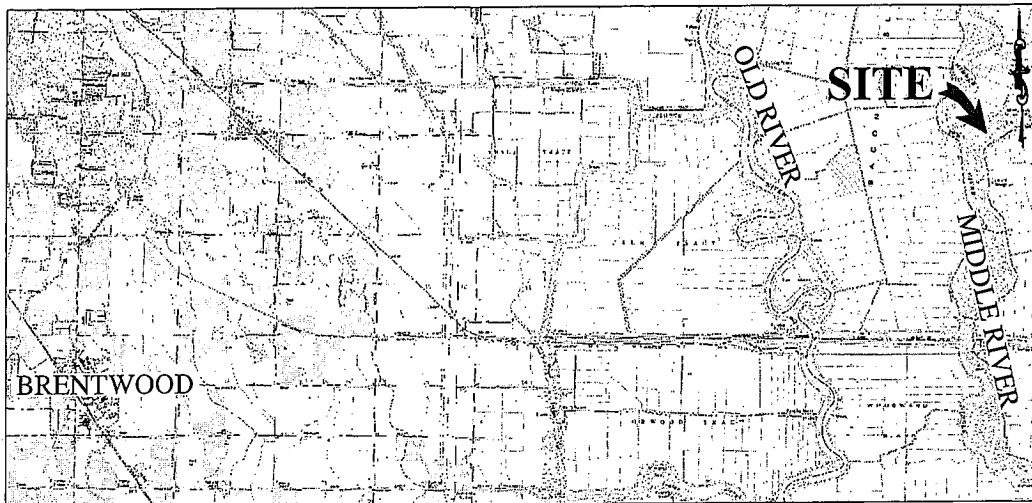
*ALL STRUCTURES SHOWN ARE EXISTING

**LOCATION OF BUOYS AND SKI RAMP MAY CHANGE SEASONALLY/ANNUALLY WITHIN LEASE AREA

Berm Island, Middle River

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 7189.1
 COLLINS
 APN 129-060-03
 GENERAL LEASE -
 OTHER USE
 SAN JOAQUIN COUNTY



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.