

**CALENDAR ITEM
C15**

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04/09/09

WP 5615.9

S 15

M. Clark

GENERAL LEASE - RECREATIONAL AND PROTECTIVE STRUCTURE USE

APPLICANTS:

George W. Corvallis, Jr. and Joetta K. Corvallis

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in the Sacramento River, adjacent to 200 Miner Court, near the town of Isleton, Sacramento County.

AUTHORIZED USE:

Continued use and maintenance of an uncovered floating boat dock, five pilings, gangway, walkway, and the retention of existing bank protection as shown on Exhibit A.

LEASE TERM:

Ten years, beginning February 6, 2009.

CONSIDERATION:

Uncovered Floating Boat Dock, Five Pilings, Gangway, and Walkway: No Monetary consideration pursuant to Public Resources Code section 6503.5.

Bank Protection: 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 with coverage of no less than \$1,000,000.

OTHER PERTINENT INFORMATION:

1. Applicants own the uplands adjoining the lease premises.
2. On January 29, 1999, the Commission authorized a Recreational Pier Lease to Mary Lee Meyer and Harold W. Meyer, Jr. That lease expired February 5, 2009. The upland property has since been transferred to George W. Corvallis, Jr. and Joetta K. Corvallis.

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3. The Applicants recently replaced the previously authorized eight-foot by 20-foot uncovered floating boat dock with an eight-foot by 40-foot uncovered floating boat dock because the previous dock was destroyed by a barge. The replacement dock was authorized by the U.S. Army Corps of Engineers on November 25, 2008. The Applicants are now applying for a new General Lease – Recreational and Protective Structure Use for the dock facility and existing bank protection.
4. Applicants qualify for the rent free use of the uncovered floating boat dock, five pilings, gangway, and walkway because they are natural persons who own the littoral land that is improved with a single-family dwelling.
5. The bank protection will mutually benefit both the public and the Applicants. The bank of the Sacramento River will have the additional protection from wave action provided at no cost to the public.
6. **Uncovered Floating Boat Dock, Five Pilings, Gangway, and Walkway:** 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.

7. **Bank Protection:** 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 4, Minor Alternations to Land; Title 14, California Code of Regulations, section 15304.

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300.

8. 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

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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:

UNCOVERED FLOATING BOAT DOCK, FIVE PILINGS, GANGWAY, AND WALKWAY: 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).

BANK PROTECTION: 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 4, MINOR ALTERATIONS TO LAND; TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15304.

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 OF A GENERAL LEASE – RECREATIONAL AND PROTECTIVE STRUCTURE USE TO GEORGE W. CORVALLIS, JR. AND JOETTA K. CORVALLIS, BEGINNING FEBRUARY 6, 2009, FOR A TERM OF TEN YEARS, FOR THE CONTINUED USE AND MAINTENANCE OF AN UNCOVERED FLOATING BOAT DOCK, FIVE PILINGS, GANGWAY, WALKWAY, AND THE RETENTION OF EXISTING BANK PROTECTION AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION FOR THE UNCOVERED FLOATING BOAT DOCK, FIVE PILINGS, GANGWAY, AND WALKWAY: NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE

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SECTION 6503.5; CONSIDERATION FOR THE BANK PROTECTION:
THE PUBLIC USE AND BENEFIT WITH THE STATE RESERVING THE
RIGHT AT ANY TIME TO SET A MONETARY RENTAL IF THE
COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST
INTEREST; AND LIABILITY INSURANCE IN THE AMOUNT OF NO
LESS THAN \$1,000,000.