

**CALENDAR ITEM
C18**

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09/01/11
W 26207
C. Hudson

GENERAL LEASE - RECREATIONAL USE

APPLICANT:

California Cellars LLC
12885 Alcosta Boulevard, Suite A
San Ramon, CA 94583

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the Sacramento River, adjacent to 15511 B Isleton Road, near the town of Isleton, Sacramento County.

AUTHORIZED USE:

Construction, use, and maintenance of an uncovered floating boat dock, gangway, two pilings, and one debris deflector piling, as shown on the attached Exhibit A.

LEASE TERM:

10 years, beginning September 1, 2011.

CONSIDERATION:

\$184 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 the amount of no less than \$1,000,000.

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.
2. The Applicant is proposing to construct an uncovered floating boat dock, gangway, debris deflector, and three steel pilings. In-water construction of the dock will consist of a crane barge that will be used to install three 14-inch pilings. The dock structure components will be floated into place. The gangway will be anchored to a concrete landing. The construction will

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begin September 2, 2011 and will be completed by October 31, 2012.
The Applicant is now applying for a General Lease – Recreational Use.

3. The Applicant does not qualify for rent-free use under Public Resources Code section 6503.5 because the Applicant does not own the littoral property as a natural person.
4. The Commission previously authorized the California Department of Water Resources to place and maintain bank protection at this location under Lease No. PRC 8679.9 and adjacent to the proposed boat dock.
5. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff determined that this activity is exempt from the requirements of 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 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.

APPROVALS OBTAINED:

California Department of Fish and Game
U.S. Army Corps of Engineers
U.S. Fish and Wildlife Service
NOAA Fisheries
Reclamation District 556

FURTHER APPROVALS REQUIRED:

Central Valley Regional Water Quality Control Board
Central Valley Flood Protection Board

EXHIBIT:

- A. Site and Location Map

CALENDAR ITEM NO. **C18** (CONT'D)

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is exempt from the requirements of 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 section 6370, et seq.

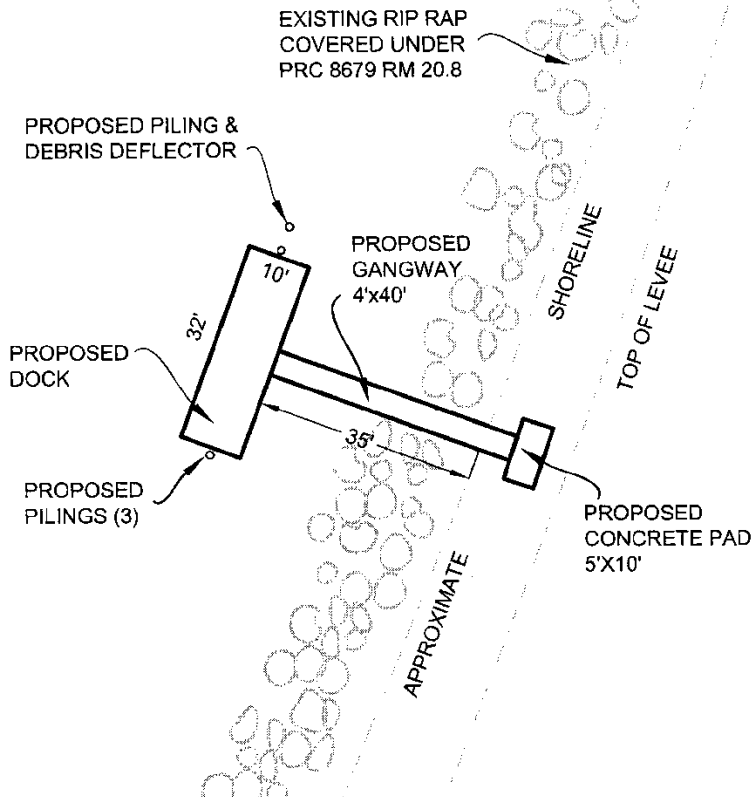
AUTHORIZATION:

Authorize issuance of a General Lease – Recreational Use to California Cellars LLC, beginning September 1, 2011, for a term of 10 years for the construction, use, and maintenance of an uncovered floating boat dock, gangway, two steel pilings, and one debris deflector piling, and three steel pilings as shown on Exhibit A attached and by this reference made a part hereof; annual rent in the amount of \$184 with the State reserving the right to fix a different rent periodically during the lease term, as provided in the Lease; and liability insurance with coverage of no less than \$1,000,000.

NO SCALE

SITE

Sacramento River
Flow

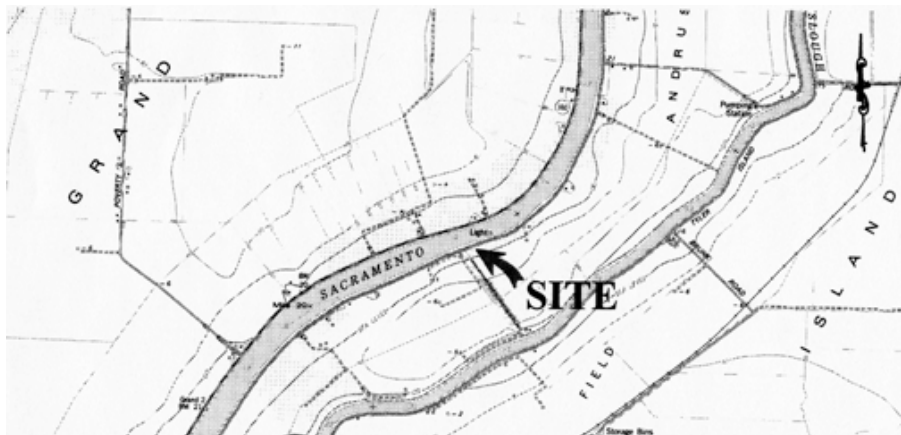


APN 156-0040-002

15511 B ISLETON ROAD, NEAR ISLETON

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit A

W 26207

CALIFORNIA CELLARS LLC

APN 156-0040-002

GENERAL LEASE -

RECREATIONAL USE

SACRAMENTO COUNTY



MJJ 07/11

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.