

**CALENDAR ITEM  
C47**

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S 5

08/14/12  
PRC 7975.1  
V. Caldwell

**GENERAL LEASE – RECREATIONAL AND PROTECTIVE STRUCTURE USE**

**APPLICANT:**

Noble Yacht Group, Inc.

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

0.26 acres, more or less, of sovereign land in the San Joaquin River, at Little Tinsley Island, San Joaquin County.

**AUTHORIZED USE:**

Continued use and maintenance of two existing uncovered floating boat docks, a covered patio dock, dock finger, pilings, two access ramps, timber bulkhead, and bank protection.

**LEASE TERM:**

15 years, beginning July 1, 2012.

**CONSIDERATION:**

**Two Uncovered Floating Docks, Covered Patio Dock, Dock Finger, Pilings, Two Access Ramps, and Timber Bulkhead:** \$1,803 per year, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

**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:**

Insurance:

Liability insurance with coverage of no less than \$1,000,000.

Surety:

\$10,000

**OTHER PERTINENT INFORMATION:**

1. Applicant owns the upland adjoining the lease premises.

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2. On July 11, 1997, the Commission authorized a General Lease – Recreational Use to Noble Yacht Group, Inc. The lease expired on June 30, 2012. The Applicant is applying for a new General Lease - Recreational and Protective Structure Use.
3. Noble Yacht Group, Inc. is a private membership club that owns Little Tinsley Island. The island is rustic with no power or sewer service and is accessible only by boat. In 1997, Noble Yacht Group, Inc. repaired several dilapidated docks, removed approximately 844 square feet of dock, and placed 495 linear feet of bank protection along the western tip of the island. To mitigate for the bank protection, Noble Yacht Group, Inc., granted 3.58 acres of the island as a conservation easement to the Department of Fish and Game.
4. The bank protection mutually benefits both the public and the Applicant. The bank of the San Joaquin River will have the additional protection from wave action provided at no cost to the public.
5. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Cal. Code Regs., tit. 14, § 15061), the staff has determined that this activity is exempt from the requirements of 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

CALENDAR ITEM NO. **C47** (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 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.

**AUTHORIZATION:**

Authorize issuance of a General Lease – Recreational and Protective Structure Use to Noble Yacht Group, Inc., beginning July 1, 2012, for a term of 15 years, for the continued use and maintenance of two existing uncovered floating boat docks, a covered patio dock, dock finger, pilings, two access ramps, timber bulkhead, and bank protection, as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; consideration for the two existing uncovered floating boat docks, a covered patio dock, dock finger, pilings, two access ramps, and timber bulkhead: annual rent in the amount of \$1,803 per year, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease; 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; liability insurance in the amount of no less than \$1,000,000; and a surety in the amount of \$10,000.

**EXHIBIT A**

**PRC 7975.1**

**LAND DESCRIPTION**

A parcel of tide and submerged land, situate in the bed of the historic channel of the San Joaquin River, lying adjacent to those lands as described in "Exhibit A" of that Grant Deed, recorded August 25, 1992 in Document Number 92097936 in Official Records of San Joaquin County, State of California and more particularly described as follows:

Commencing at the most easterly corner of that parcel as described in said deed, thence N 35°17'04" W 799 feet more or less to a point on the left bank of said river, also being the POINT OF BEGINNING; thence along said bank the following eight (8) courses;

- 1) N 73°11'32" W 123.45 feet;
- 2) S 69°38'18" W 38.19 feet;
- 3) N 59°45'49" W 21.75 feet;
- 4) S 87°02'32" W 51.31 feet;
- 5) S 71°22'44" W 36.06 feet;
- 6) N 88°25'19" W 39.09 feet;
- 7) S 57°43'36" W 26.25 feet;
- 8) N 85°29'14" W 8.59 feet;

thence N 05°00'02" 94.48 feet leaving said bank; thence along a line being 10 feet parallel to and northerly of existing dock facilities the following four (4) course;

- 1) S 84°59'58" E 192.79 feet;
- 2) S 78°30'30" E 36.15 feet;
- 3) N 13°56'14" E 6.29 feet;
- 4) S 76°03'46" E 265.00 feet;

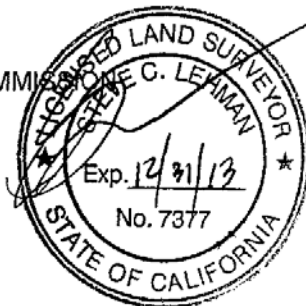
thence S 13°56'14" W 111.43 feet to a point on the bank of said river; thence along said bank N 60°22'57" W 4.41 feet; thence N 38°02'29" W 19.15 feet; thence N 72°22'38" W 73.23 feet; thence N 48°04'07" W 33.17 feet; thence N 62°07'13" W 34.42 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of said river.

BASIS OF BEARING is CCS 83, Zone 3.

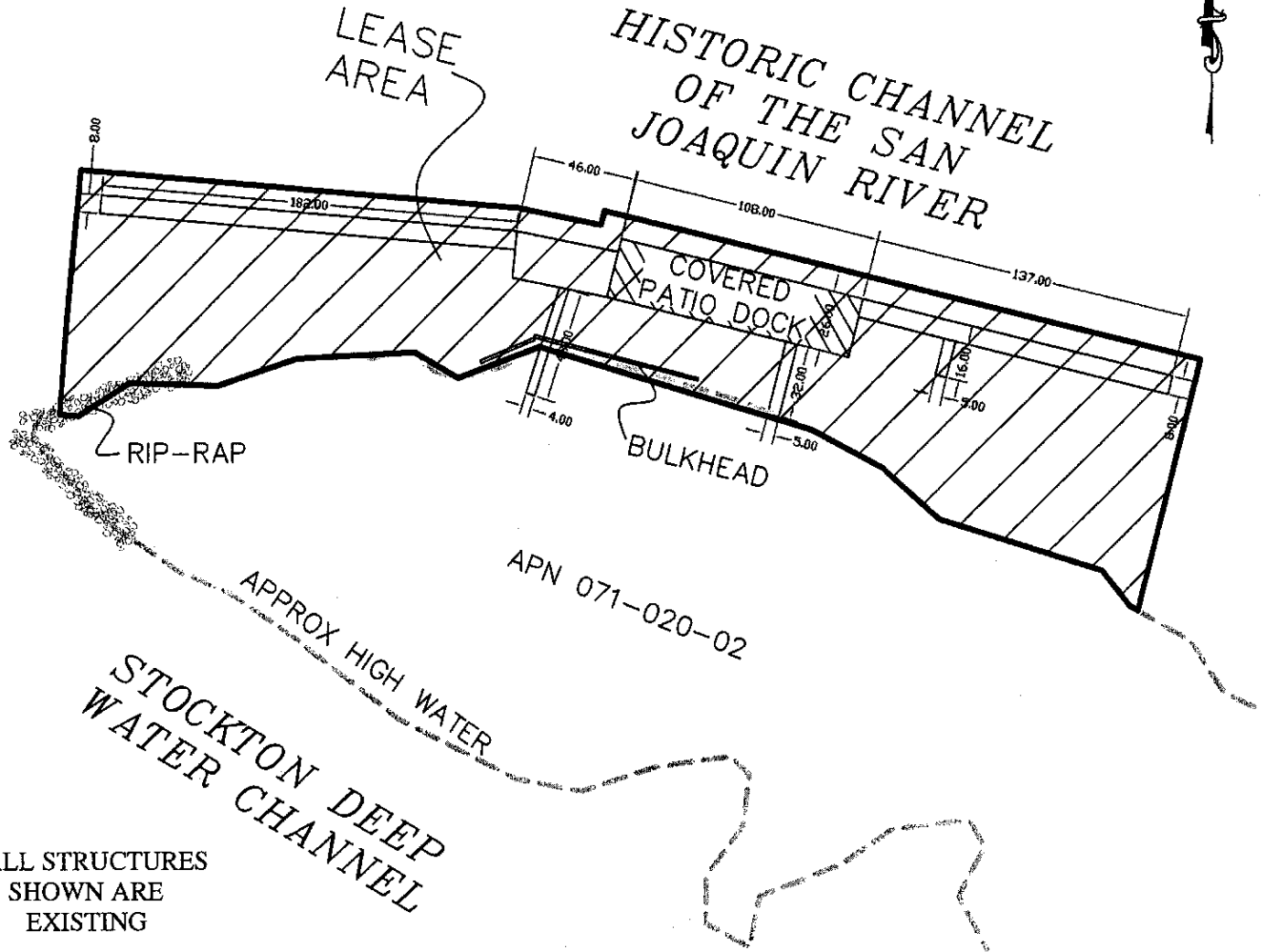
**END OF DESCRIPTION**

PREPARED 6/06/12  
BY THE CALIFORNIA STATE LANDS COMMISSION  
BOUNDARY UNIT



NO SCALE

### SITE



\* ALL STRUCTURES SHOWN ARE EXISTING

Little Tinsley Island, San Joaquin River

NO SCALE

### LOCATION



MAP SOURCE: USGS QUAD

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.

### **Exhibit B**

PRC 7975.1  
 NOBLE YACHT GROUP, INC.  
 APN 071-020-02  
 GENERAL LEASE -  
 RECREATIONAL &  
 PROTECTIVE STRUCTURE USE  
 SAN JOAQUIN COUNTY

