

**CALENDAR ITEM
C69**

A 17

S 5

09/20/13
PRC 6702.1
R. Boggiano

GENERAL LEASE - RECREATIONAL USE

APPLICANT:

Middle River Ski Club

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the Middle River, adjacent to Assessor's Parcel Number 129-170-06, near the city of Stockton, San Joaquin County.

AUTHORIZED USE:

Continued use and maintenance of an existing floating boat dock, two pilings and a slalom course with 22 marker buoys and anchors previously authorized by the Commission, and the use and maintenance of two existing sunshade structures not previously authorized by the Commission.

LEASE TERM:

10 years, beginning July 1, 2013

CONSIDERATION:

\$881 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:

Insurance:

Liability coverage of no less than \$1,000,000 per occurrence.

Bond:

Surety bond or other security in the amount of \$1,000.

OTHER PERTINENT INFORMATION:

1. Applicant has a right to use the uplands adjoining the lease premises. The upland owner has given permission to the Applicant for the use of the adjoining uplands, beginning July 2013 and ending July 2023.
2. On March 8, 1994, the Commission authorized a General Lease – Recreational Use to Middle River Ski Club (Club). The lease expired on

CALENDAR ITEM NO. **C69** (CONT'D)

June 30, 2013. The Applicant is now applying for a new General Lease – Recreational Use.

3. The Applicant removed one of the two docks authorized under the previous lease and slightly modified the dimensions of the remaining dock. The existing dock is anchored by two pilings approximately 15 feet from the adjacent island at low tide. Two sunshade structures were added to the reconfigured dock without prior Commission authorization. The ski course is used for practice purposes only. Access to the Club site is by boat only. No public events or tournaments are held at this location. The 22-buoy slalom course is installed from May to October and removed at the end of each season.
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

CALENDAR ITEM NO. **C69** (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 Use to Middle River Ski Club, beginning July 1, 2013, for a term of 10 years, for the continued use and maintenance of an existing floating boat dock, two pilings and a slalom course with 22 marker buoys and anchors previously authorized by the Commission; and the use and maintenance of two existing sun shade structures 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 \$881, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease; liability insurance in the amount of no less than \$1,000,000, per occurrence; and surety bond in the amount of \$1,000.

EXHIBIT A

PRC 6702.1

LAND DESCRIPTION

Two parcels of tide and submerged land situate in the bed of the Middle River lying adjacent to Swamp and Overflow Survey 635, patented November 4, 1878 and Swamp and Overflow Survey 1132, patented March 26, 1873, County of San Joaquin, State of California, more particularly described as follows:

PARCEL 1

All those lands underlying an existing floating boat dock, two sun shade structures and two pilings lying adjacent to those parcels as described in that Grant Deed recorded January 29, 2008, in Document 2008-015061 in Official Records of said County.

TOGETHER WITH a 10 foot impact area.

EXCEPTING THEREFROM any portion lying landward of the Ordinary High Water Mark of the right bank of the Middle River.

PARCEL 2

All those lands underlying an existing 855' x 76', 22 buoy slalom course and anchors lying adjacent to said parcel.

Accompanying plat is hereby made part of this description.

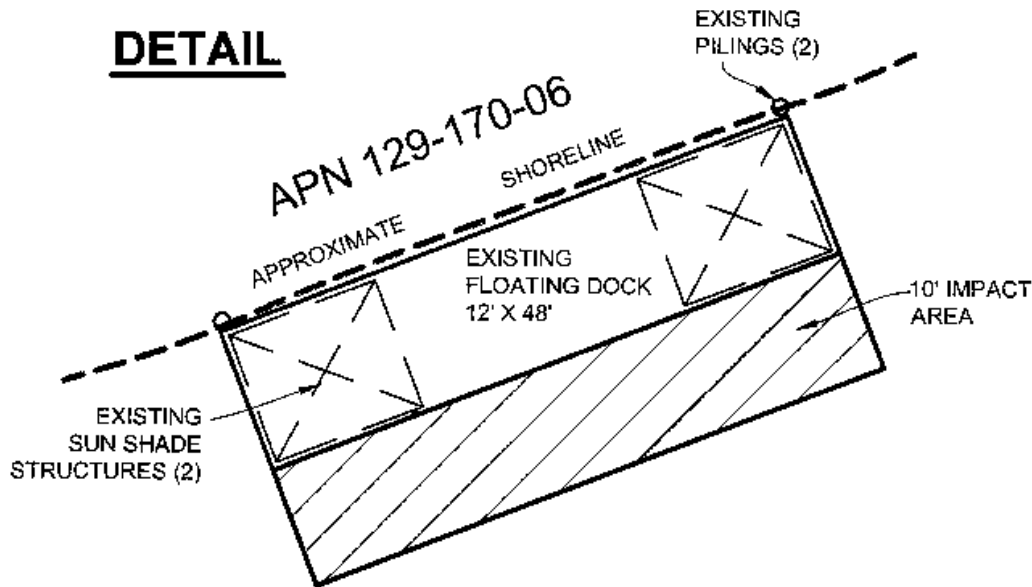
END OF DESCRIPTION

Prepared July 29, 2013 by the California State Lands Commission Boundary Unit.

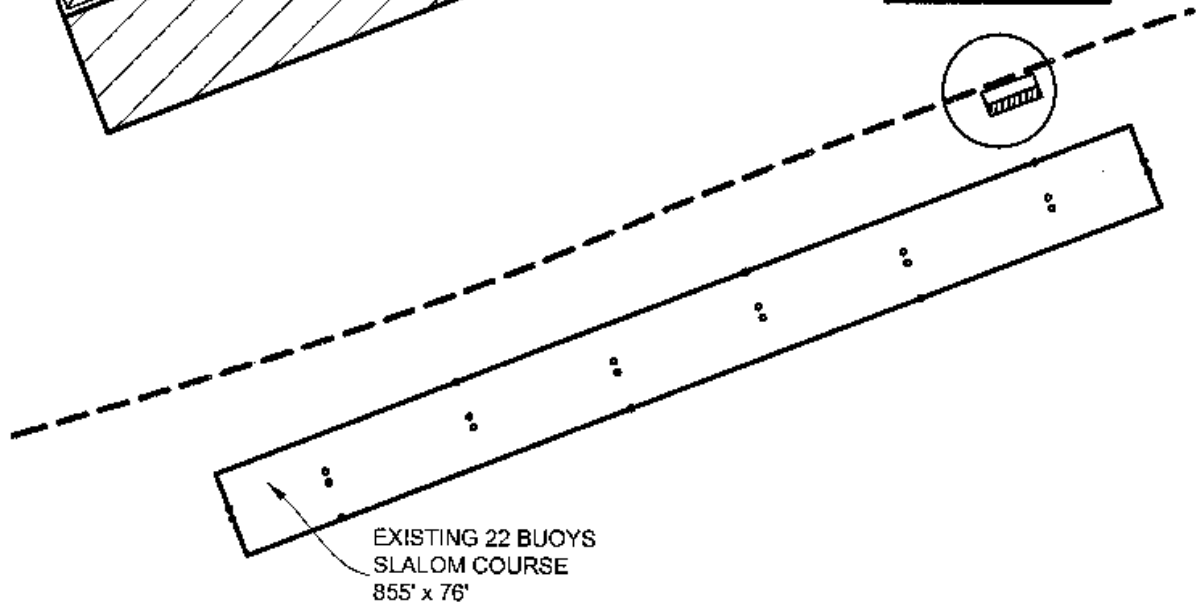




DETAIL



SEE DETAIL



flow
Middle River

EXHIBIT A

Page 2 of 2

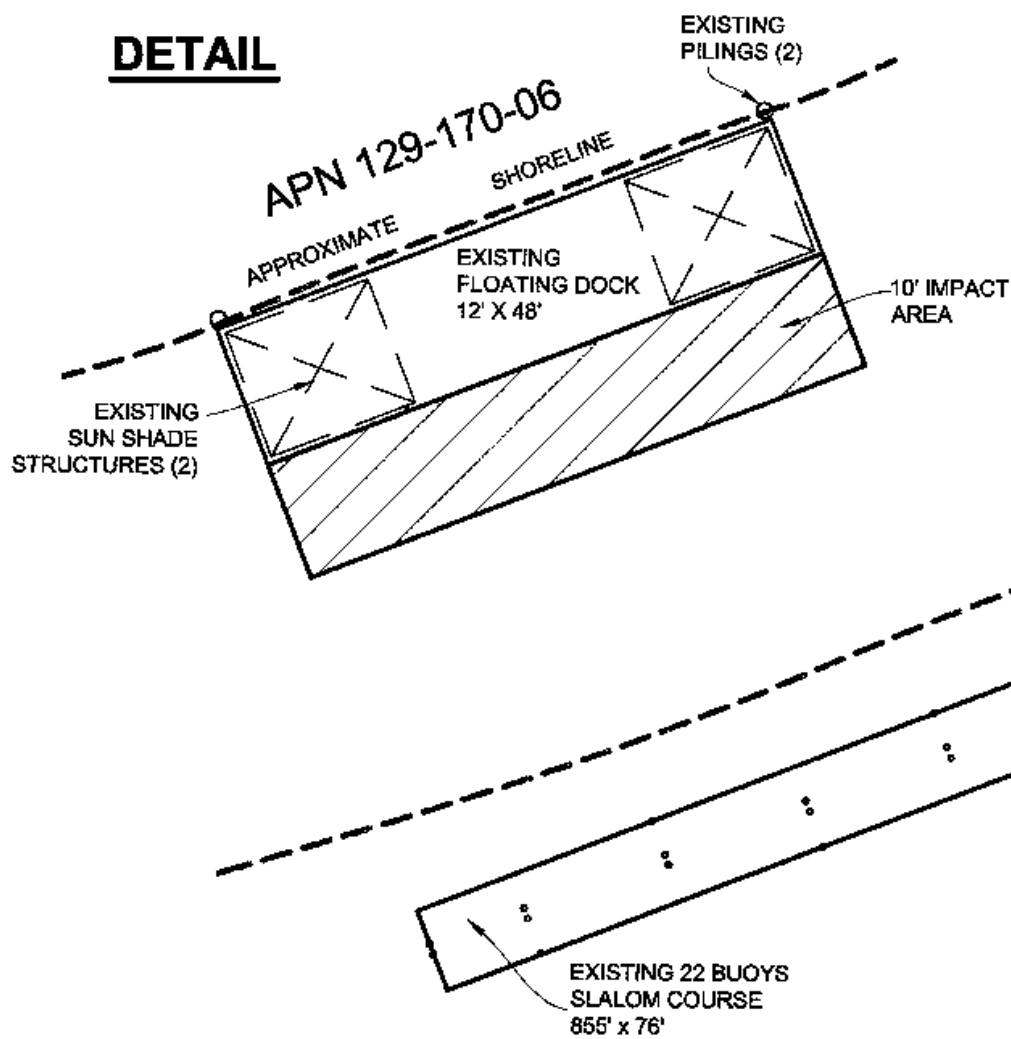
MJJ 07/18/13

LAND DESCRIPTION PLAT
PRC 6702.1, MIDDLE RIVER SKI CLUB
SAN JOAQUIN COUNTY

CALIFORNIA STATE
LANDS COMMISSION



DETAIL



17503 W. LOWER JONES ROAD, MIDDLE 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 6702.1
MIDDLE RIVER SKI CLUB
APN 129-170-06
GENERAL LEASE -
RECREATIONAL USE
SAN JOAQUIN COUNTY



MIJ 07/18/2013