

**CALENDAR ITEM
C54**

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04/23/14
PRC 7793.1
J. Sampson

GENERAL LEASE – RECREATIONAL USE

APPLICANTS:

Jack G. Wilkinson and Shirley M. Wilkinson as Trustees of the Wilkinson Family 2002 Trust

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the Calaveras River, adjacent to 2767 Calariva Drive, city of Stockton, San Joaquin County.

AUTHORIZED USE:

Continued use and maintenance of an existing floating boat dock, boathouse, three pilings, and gangway.

LEASE TERM:

10 years, beginning September 1, 2014.

CONSIDERATION:

Rent in an amount of \$125 per year, with the State reserving the right to set a different rent periodically during the lease term, as provided in the lease.

SPECIFIC LEASE PROVISIONS:

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

OTHER PERTINENT INFORMATION:

1. Applicants own the upland adjoining the lease premises.
2. On August 17, 2004 the Commission authorized a General Lease – Recreational and Protective Structure Use to Jack G. and Shirley M. Wilkinson. That lease expires August 31, 2014. The Applicants are now applying for a General Lease – Recreational Use.
2. The bank protection authorized by the Commission on August 17, 2004 to Jack G. and Shirley M. Wilkinson under Lease No. PRC 7793.1 was previously authorized by the Commission under Lease No. PRC 7111.9 to

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the San Joaquin County Flood Control and Water Conservation District. The bank protection will now be managed under Lease No. PRC 7111.9.

3. 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.

4. This activity involves lands which have NOT been identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq.; however, the Commission has declared that all lands are “significant” by nature of their public ownership (as opposed to “environmentally significant”). Since such declaration of significance is not based upon the requirements and criteria of Public Resources Code section 6370 et seq., use classifications for such lands have not been designated. Therefore, the finding of the project’s consistency with the use classification as required by California Code of Regulations, Title 2, section 2954 is not applicable.

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).

AUTHORIZATION:

Authorize issuance of a General Lease – Recreational Use to Jack G. Wilkinson and Shirley M. Wilkinson as Trustees of The Wilkinson Family 2002 Trust beginning September 1, 2014, for a term of 10 years, for the

CALENDAR ITEM NO. **C54** (CONT'D)

continued use and maintenance of an existing floating boat dock, boathouse, three pilings, and gangway 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 floating boat dock and gangway: annual rent in the amount of \$125 with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease; and liability insurance in an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 7793.1

LAND DESCRIPTION

A parcel of submerged land situate in the bed of the Calaveras River, lying adjacent to Swamp and Overflowed Land Survey 924 patented April 19, 1876, County of San Joaquin, State of California and more particularly described as follows:

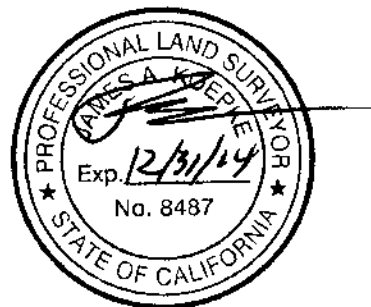
All those lands underlying an existing covered floating dock, boat house, ramp, and pilings lying adjacent to the left bank of said river and being adjacent to and northwesterly of that parcel of land as described in that Quitclaim Deed, recorded July 11, 2002 in Document Number 2002-118303 in Official Records of said County.

EXCEPTING THEREFROM any portion lying landward of low water of the left bank of said river.

Accompanying plat is hereby made part of this description.

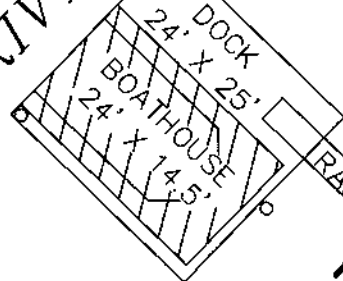
END OF DESCRIPTION

PREPARED 3/13/14 BY THE CALIFORNIA STATE LANDS COMMISSION BOUNDARY UNIT



CALAVERAS RIVER

PILING (TYP.)



APN
109-280-61

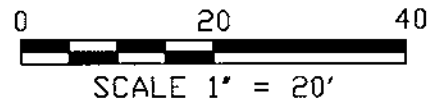


EXHIBIT A

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LAND DESCRIPTION PLAT
PRC 7793.1 - WILKINSON
SAN JOAQUIN COUNTY

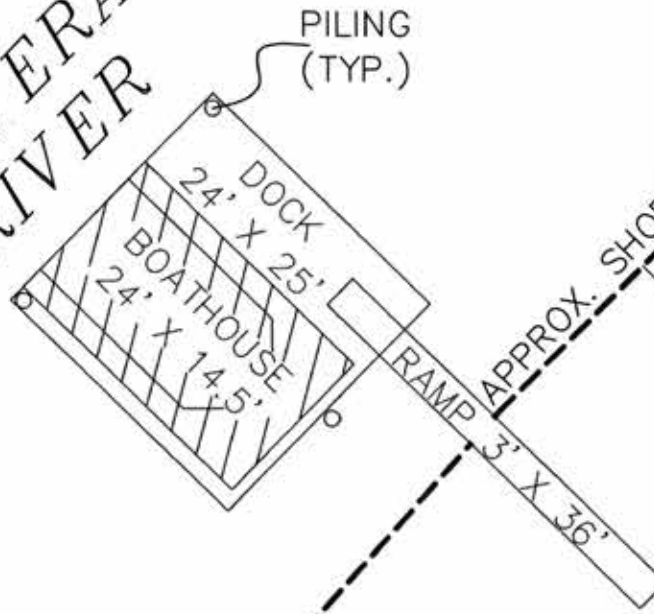
CALIFORNIA STATE
LANDS COMMISSION



NO SCALE

SITE

CALAVERAS RIVER



APN
109-280-61

2767 Calariva Drive, Stockton

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 7793.1
 WILKINSON
 APN 109-280-65
 GENERAL LEASE -
 RECREATIONAL USE
 SAN JOAQUIN COUNTY



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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.