

MINUTE ITEM
This Calendar Item No. C49
was approved as Minute Item
No. 49 by the State Lands
Commission by a vote of 5
to 0 at its 2-5-01
meeting.

CALENDAR ITEM
C49

A 7
S 2

02/05/01
WP 7214.9
F. Singer

RECREATIONAL PIER LEASE

APPLICANTS:

Charles B. Bogue and Maria E. Bogue
1576 Milton Road
Napa, California 94558

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in the Napa River, near the city of Napa, Napa County.

AUTHORIZED USE:

Continued use and maintenance of an existing 6 foot by 35 foot walkway, an 18 foot by 12 foot landing pad, a 35 foot by 6 foot pier, a 4 foot by 21 foot ramp, and a 27 foot by 11 foot floating boat dock.

LEASE TERM:

Ten years, beginning November 1, 2000.

CONSIDERATION:

No monetary consideration pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance in the amount of no less than \$300,000.

OTHER PERTINENT INFORMATION:

1. On April 13, 1999, the Commission authorized a Recreational Pier Lease with Kit Long. That lease will expire on April 12, 2009. On April 28, 1999, Kit Long deeded the littoral land to Charles B. Bogue and Maria E. Bogue. Applicants qualify for a Recreational Pier Lease because they are natural persons who have improved the littoral land with, and use the upland for, a single-family dwelling. Charles B. Bogue and Maria E. Bogue are now applying for a new Recreational Pier Lease. This Calendar Item will

CALENDAR ITEM NO. C49 (CONT'D)

terminate a Recreational Pier Lease that was issued to Kit Long and issue a new Recreational Pier Lease to Charles B. Bogue and Maria E. Bogue for a walkway, landing pad, pier, ramp and floating boat dock beginning November 1, 2000.

2. As to the termination of the Recreational Pier Lease with Kit Long, 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 because the activity is not a "project" as defined by the CEQA and the State CEQA Guidelines.

Authority: Public Resources Code section 21065 and Title 14, California Code of Regulations, section 15378.

3. As to the issuance of a new Recreational Pier Lease to Charles B. Bogue and Maria E. Bogue, 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.

4. 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 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. Site Map
- B. Location Map

PERMIT STREAMLINING ACT DEADLINE:

N/A

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CALENDAR ITEM NO. C49 (CONT'D)

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

AS TO THE TERMINATION OF THE RECREATIONAL PIER LEASE WITH KIT LONG, FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15378.

AS TO THE ISSUANCE OF A RECREATIONAL PIER LEASE TO CHARLES B. BOGUE AND MARIA E. BOGUE, 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).

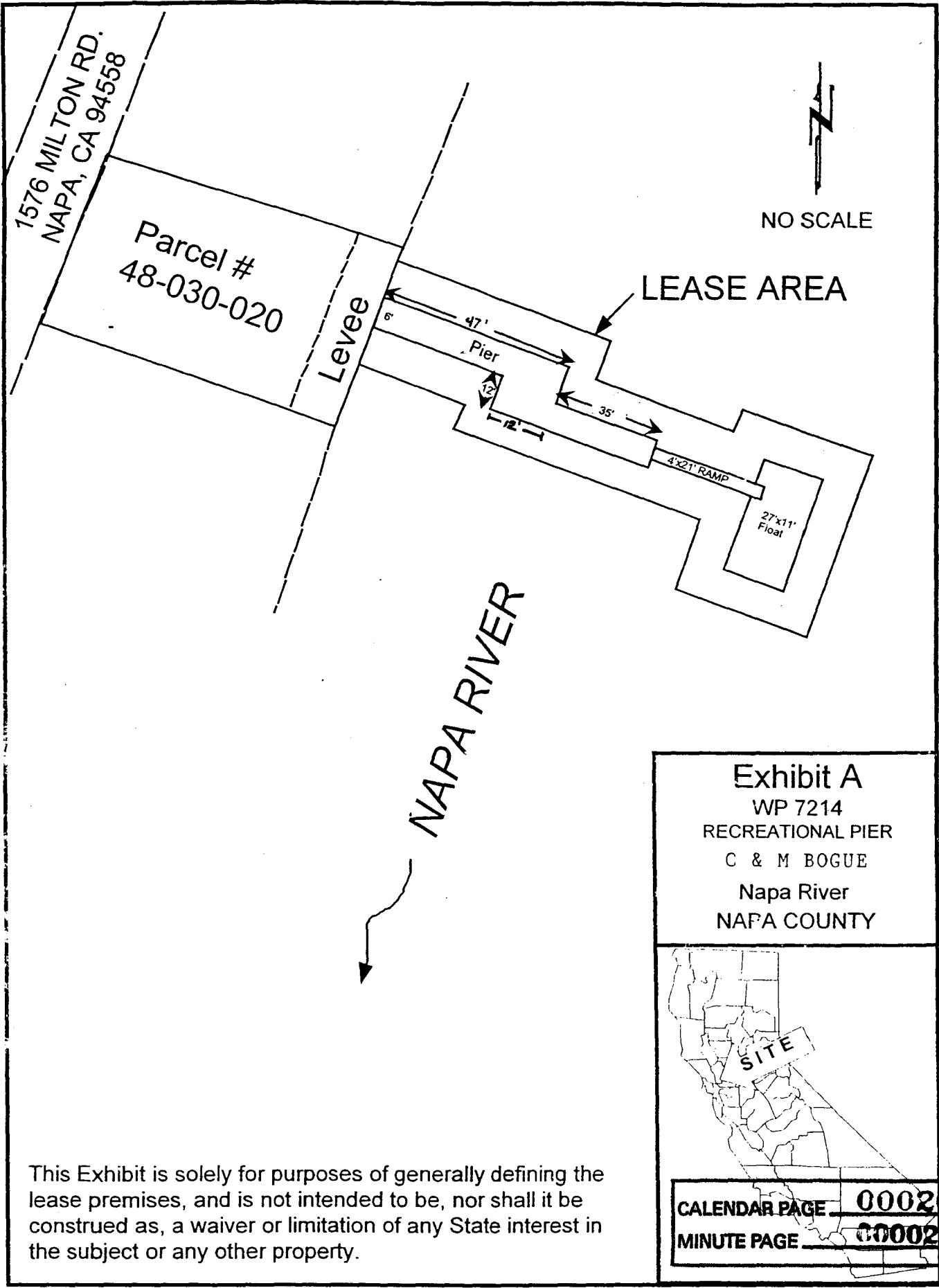
SIGNIFICANT LANDS INVENTORY FINDING:

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 TERMINATION OF RECREATIONAL PIER LEASE ISSUED TO KIT LONG ON APRIL 13, 1999.

AUTHORIZE ISSUANCE TO CHARLES B. BOGUE AND MARIA E. BOGUE OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING NOVEMBER 1, 2000, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING WALKWAY, LANDING PAD, PIER, RAMP, AND FLOATING BOAT DOCK ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 6503.5; LIABILITY INSURANCE IN THE AMOUNT OF NO LESS THAN \$300,000.



1576 MILTON RD.
NAPA, CA 94558

Parcel #
48-030-020

Levee

NAPA RIVER

NO SCALE

LEASE AREA

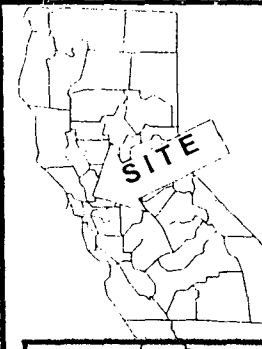
Pier

4x21' RAMP

27x11' Float

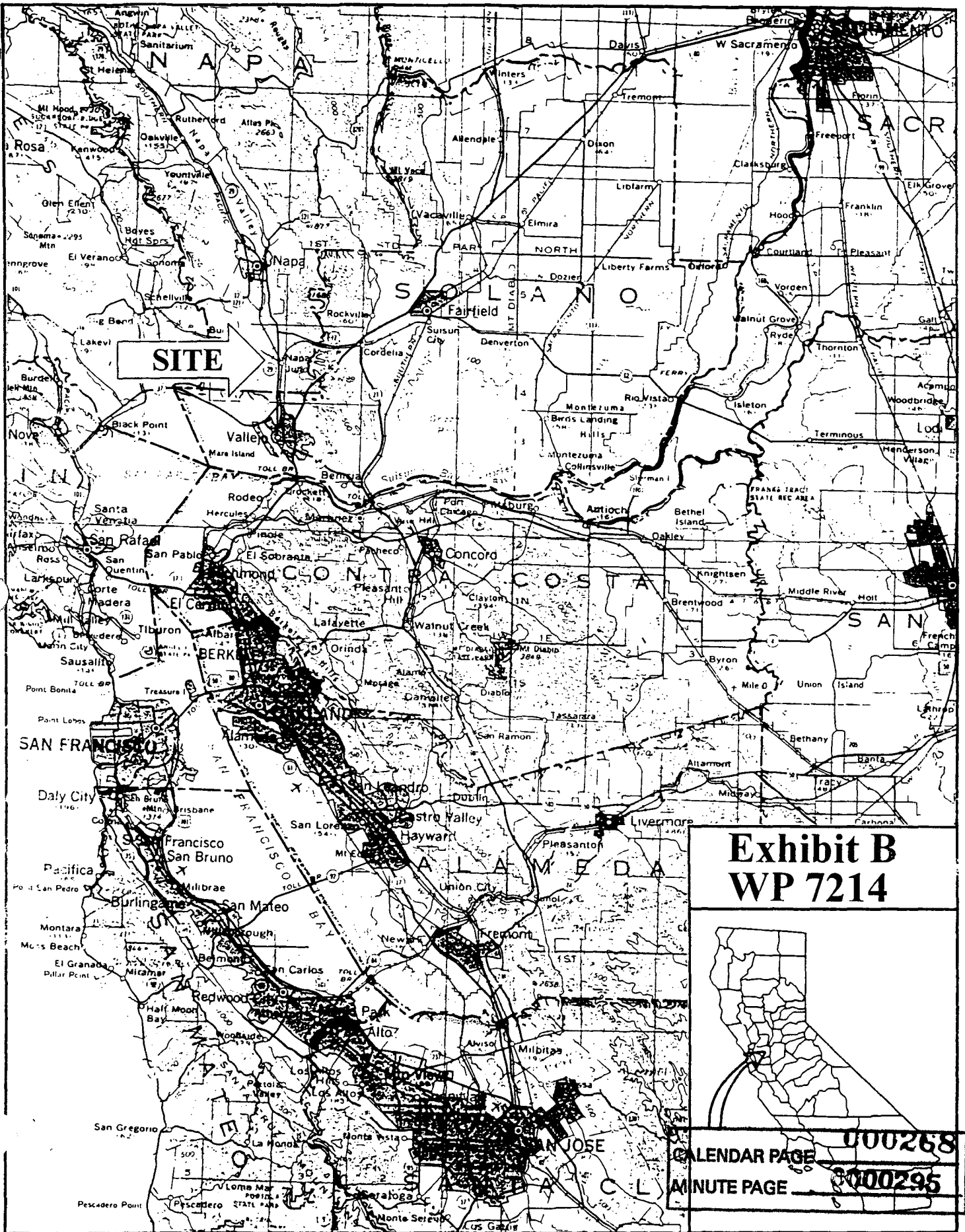
Exhibit A

WP 7214
RECREATIONAL PIER
C & M BOGUE
Napa River
NAPA COUNTY



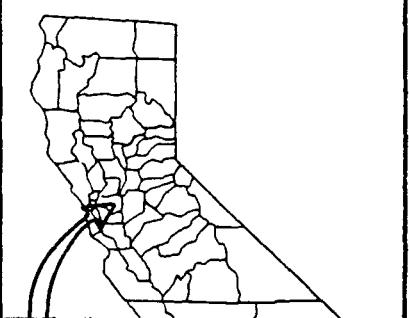
This Exhibit is solely for purposes of generally defining the lease premises, and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

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SITE

**Exhibit B
WP 7214**



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