

**CALENDAR ITEM
C02**

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01/29/09
WP 8064.9
M. Clark

RECREATIONAL PIER LEASE

APPLICANTS:

Debra Walenta-Pope and Stanley D. Pope

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in the Sacramento River, adjacent to 11864 Washington Avenue, near the town of Courtland, Sacramento County.

AUTHORIZED USE:

Continued use and maintenance of an existing T-shaped uncovered floating boat dock, gangway, and two pilings as shown on Exhibit A.

LEASE TERM:

Ten years, beginning January 20, 2009.

CONSIDERATION:

No monetary consideration pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

Liability insurance in the amount of no less than \$500,000.

OTHER PERTINENT INFORMATION:

1. Applicants own the uplands adjoining the lease premises.
2. On January 29, 1999, the Commission authorized a Recreational Pier Lease to Stanley D. Pope and Debra Pope. That lease expired January 19, 2009. The Applicants are now applying for a new Recreational Pier Lease.
3. The Applicants qualify for a Recreational Pier Lease because the Applicants are natural persons who own the littoral land that is improved with a single-family dwelling.

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4. The Applicants have permission from the Central Valley Flood Protection Board (CVFPB) to use the premises that the CVFPB has improved with bank protection authorized under Lease No. PRC 7203.9. The Applicants must maintain this permission during the lease term.
5. 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.

6. 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.

EXHIBIT:

- A. Site and Location Map

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

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.

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AUTHORIZATION:

AUTHORIZE ISSUANCE OF A TEN-YEAR RECREATIONAL PIER LEASE TO DEBRA WALENTA-POPE AND STANLEY D. POPE, BEGINNING JANUARY 20, 2009, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING T-SHAPED UNCOVERED FLOATING BOAT DOCK, GANGWAY, AND TWO PILINGS AS 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 \$500,000.