

**CALENDAR ITEM  
C67**

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S 18

10/14/14  
PRC 9135.1  
R. Collins

**AMENDMENT OF LEASE**

**LESSEES:**

Mark A. Bantle, Jr. and Jennifer K. Bantle and Joseph R. Brown and Evelyn M. Brown, Trustees of the Joseph E. Brown and Evelyn M. Brown Family Trust

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

Sovereign land in the Colorado River, adjacent to 1154 Beach Drive, city of Needles, San Bernardino County.

**AUTHORIZED USE:**

Use and maintenance of three existing planter areas with rock retaining walls, electrical lighting appurtenances, concrete stairs with rock walls, concrete patio, and riprap bankline.

**LEASE TERM:**

10 years, beginning June 19, 2014.

**CONSIDERATION:**

**Three Planter Areas with Rock Retaining Walls, Electrical Lighting Appurtenances, and Concrete Patio:** Annual rent in the amount of \$252 per year, subject to modification by Lessor as specified in Paragraph 3(b) of Section 3, General Provisions.

**Concrete Stairs with Rock Walls and Riprap Bankline:** Public use and benefit, with the State reserving the right to set a monetary consideration if it is determined to be in the best interest of the State.

**PROPOSED AMENDMENT:**

Amend the Lease to:

1. Allow for the construction of an aluminum gangway with railing, floating walkway, and boat dock;
2. Revise the annual rent to include the new improvements;

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3. Include Special Provisions related to the construction of boat docks;
4. Replace Exhibit A, Land Description, and Exhibit B, Site and Location Map;

All other terms and conditions of the lease shall remain in effect without amendment.

**OTHER PERTINENT INFORMATION:**

1. Applicants own the upland adjoining the lease premises.
2. On June 19, 2014, the Commission authorized a General Lease Recreational and Protective Structure Use to Mark A. Bantle, Jr. and Jennifer K. Bantle and Joseph R. Brown and Evelyn M. Brown, Trustees of the Joseph E. Brown and Evelyn M. Brown Family Trust, for three existing planter areas with rock retaining walls, electrical lighting appurtenances, concrete stairs with rock walls, concrete patio, and riprap bankline.
3. The Lessees are now applying to amend the lease to add an aluminum gangway with railing, floating walkway, and boat dock. The proposed boat dock does not adversely impact the two recognized public beaches located within the Rio Buena Vista community. Consequently, the proposed gangway, floating walkway and boat dock do not interfere with current public trust needs and uses at this location.
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 3, New Construction of Small Structures; California Code of Regulations, Title 2, section 2905, subdivision (c)(1).

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.

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**FURTHER APPROVALS REQUIRED:**

U.S. Army Corps of Engineers  
U.S. Bureau of Reclamation  
California Department of Fish and Wildlife

**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 3, New Construction of Small Structures; California Code of Regulations, Title 2, section 2905, subdivision (c)(1).

**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 the amendment of Lease No. PRC 9135.1, a General Lease Recreational and Protective Structure Use, of sovereign land as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof, revise the annual rent from \$252 per year to \$365 per year, effective October 14, 2014, to allow for the construction of an aluminum gangway with railing, floating walkway, and boat dock; and include special provisions related to the construction of boat docks; and replace Exhibit A, Land Description, and Exhibit B, Site and Location Map; all other terms and conditions of the lease will remain in effect without amendment.

**EXHIBIT A**

**PRC 9135.1**

**LAND DESCRIPTION**

A parcel of State owned land adjacent to Lot 26 of Tract No. 15640 as shown on Tract Map recorded in Book 261, Pages 88 through 94, inclusive of Maps, in the Office of the County Recorder of San Bernardino County, lying in the bed of the Colorado River, County of San Bernardino, State of California, more particularly described as follows:

**PARCEL 1**

BEGINNING at the easterly corner of said Lot 26; thence northwesterly along the northeasterly line of said lot, said line also being the Agreed Boundary Line as described in Exhibit A of Document Number 92-333250, recorded on August 11, 1992, Official Records of said County, N 42° 08' 05" W 24.73 feet; thence N 40° 58' 03" W 20.27 feet to the northerly corner of said lot; thence leaving said northeasterly line and said Agreed Boundary Line, along the northeasterly prolongation of the northwesterly line of said lot N 49° 01' 57" E 55.00 feet; thence S 41° 36' 38" E 43.88 feet to the intersection with the northeasterly prolongation of the southeasterly line of said lot; thence southwesterly along said northeasterly prolongation S 47° 51' 55" W 55.00 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM any portion lying waterward of the toe of revetment adjacent to said Lot 26.

**PARCEL 2**

BEGINNING at the easterly corner of said Lot 26; thence northwesterly along the northeasterly line of said lot, said line also being the Agreed Boundary Line as described in Exhibit A of Document Number 92-333250, recorded on August 11, 1992, Official Records of said County, N 42° 08' 05" W 24.73 feet; thence N 40° 58' 03" W 20.27 feet to the northerly corner of said lot; thence leaving said northeasterly line and said Agreed Boundary Line, along the northeasterly prolongation of the northwesterly line of said lot N 49° 01' 57" E 95.00 feet; thence S 41° 36' 42" E 43.06 feet to the intersection with the northeasterly prolongation of the southeasterly line of said lot; thence southwesterly along said northeasterly prolongation S 47° 51' 55" W 95.00 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM any portion lying within above described PARCEL 1.

**END OF DESCRIPTION**

This description is based on Applicant provided design drawings for a proposed floating boat dock, gangway, walkway together with any and all appurtenances pertaining thereto, to build at a later date within the Lease time frame. This description is to be updated once as-built plans are submitted.

Prepared 09/05/14 by the California State Lands Commission Boundary Unit



NO SCALE

# SITE

PLANTER AREAS WITH  
RETAINING WALLS &  
RETE PAD WITH SHOWER)

## LEASE PARCEL 1

(EXISTING RIPRAP BANK LINE,  
CONCRETE STAIRS WITH ROCK  
WALLS, THREE PLANTER AREAS  
WITH ROCK RETAINING WALLS  
AND CONCRETE PATIO AND  
PROPOSED ALUMINUM GANGWAY  
WITH RAILING)

COLORADO RIVER

## LEASE PARCEL 2

(PROPOSED FLOATING BOAT  
DOCK, ALUMINUM GANGWAY  
WITH RAILING AND FLOATING  
WALKWAY)

APPROXIMATE  
TOE OF REVETMENT

APPROXIMATE  
TOP OF REVETMENT

AGREED BOUNDARY LINE

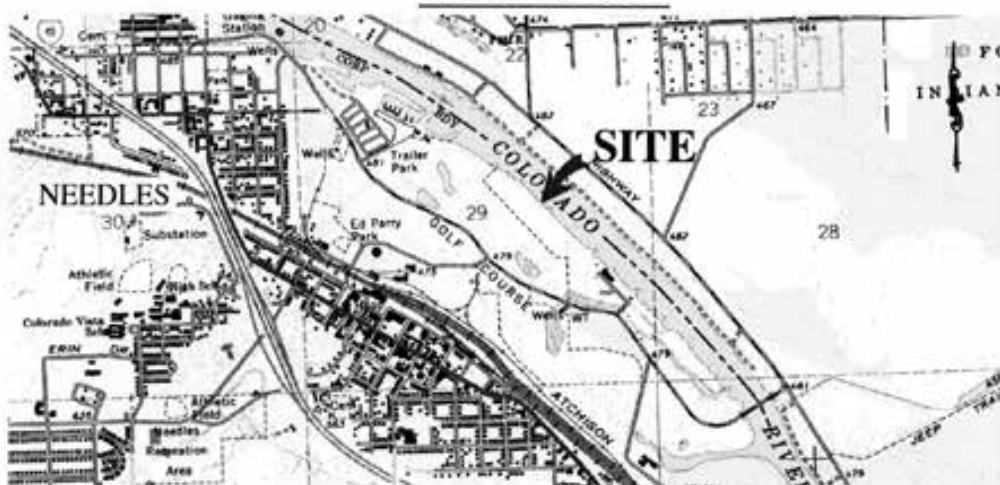
PUBLIC PEDESTRIAN  
ACCESS EASEMENT

APN 0186-281-06

1154 BEACH DRIVE, NEEDLES

NO SCALE

# LOCATION



MAP SOURCE: USGS QUAD

## Exhibit B

PRC 9135.1  
BANTLE, ET AL  
APN 0186-281-06  
GENERAL LEASE -  
RECREATIONAL AND  
PROTECTIVE STRUCTURE USE  
SAN BERNARDINO COUNTY



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.

TS 09/05/14