

**CALENDAR ITEM
C66**

A 13 12/02/13
PRC 7338.1
S 5 G. Asimakopoulos

GENERAL LEASE – RECREATIONAL USE

APPLICANT:

Dean Giannetto

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the Calaveras River, adjacent to 2881 Calariva Drive, near the city of Stockton, San Joaquin County.

AUTHORIZED USE:

Continued use and maintenance of an existing covered floating boathouse with dock, gangway, and four pilings.

LEASE TERM:

10 years, beginning August 1, 2013.

CONSIDERATION:

\$248 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:

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

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.
2. On August 19, 2003, the Commission authorized a 10-year Recreational Pier Lease to Dean Giannetto for the removal of an existing dock and the construction of a new boathouse with dock, gangway, and four pilings. That lease expired on July 31, 2013. The Applicant is now applying for a new General Lease – Recreational Use.
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,

CALENDAR ITEM NO. **C66** (CONT'D)

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 Dean Giannetto beginning August 1, 2013, for a term of 10 years, for the continued use and maintenance of an existing covered floating boathouse with dock, gangway, and four pilings, 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 \$248 per year, 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 7338.1

LAND DESCRIPTION

A parcel of tide and 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 boat house, gangway, 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 Grant Deed, recorded May 26, 1999 in Document Number 99069168 in Official Records of said County.

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

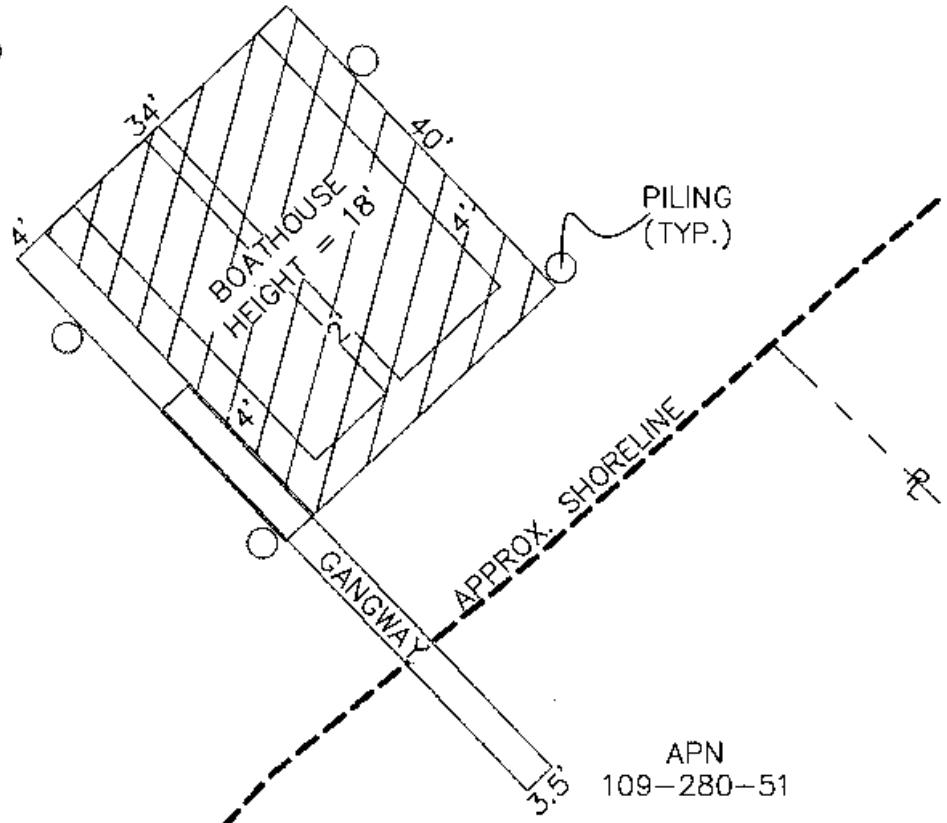
Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

PREPARED 8/21/13 BY THE CALIFORNIA STATE LANDS COMMISSION BOUNDARY UNIT



CALAVERAS
RIVER



*ALL STRUCTURES
SHOWN ARE
EXISTING

0 20 40
SCALE 1" = 20'

EXHIBIT A

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LAND DESCRIPTION PLAT
PRC 7338.1 - GIANNETO
SAN JOAQUIN COUNTY

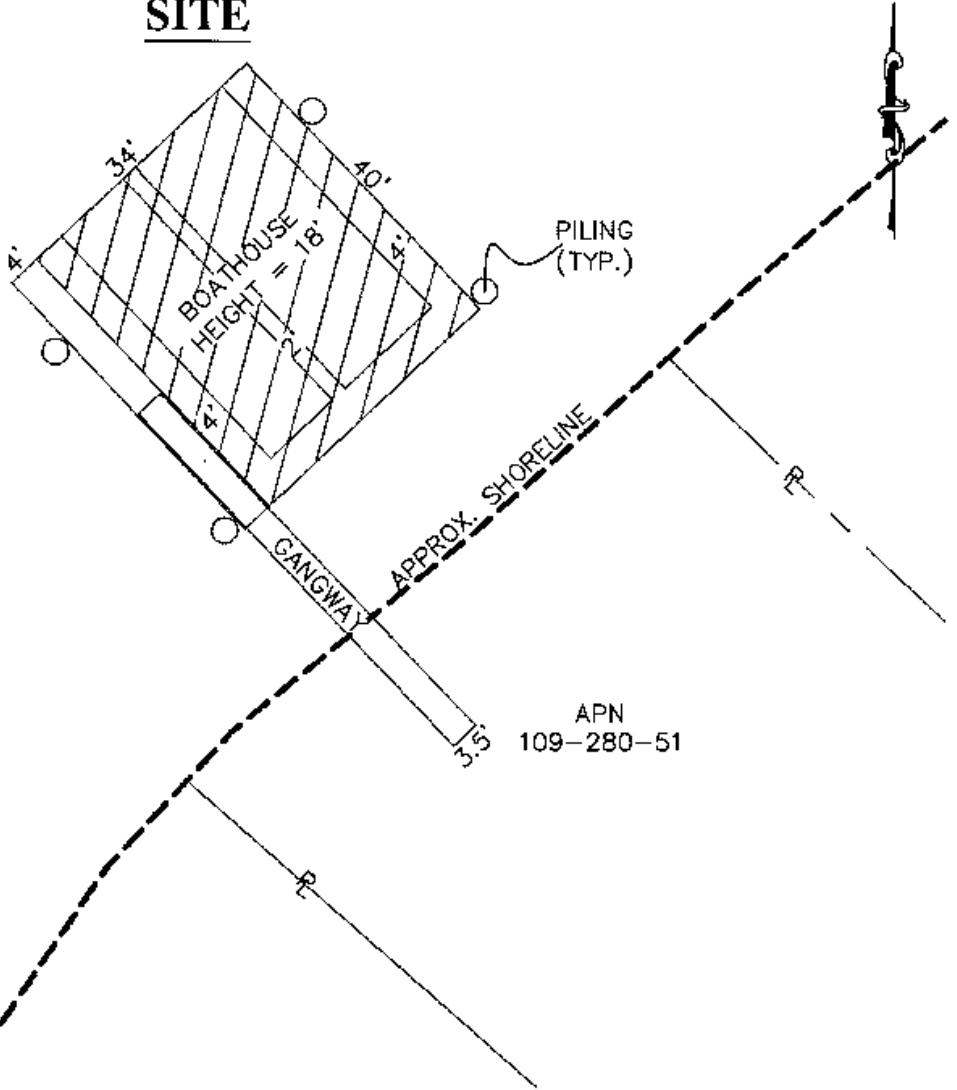
CALIFORNIA STATE
LANDS COMMISSION



NO SCALE

SITE

CALAVERAS RIVER



*ALL STRUCTURES
SHOWN ARE
EXISTING

2881 Calariva Drive, Stockton

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 7338.1

GIANNETO

APN 109-280-51
GENERAL LEASE -
RECREATIONAL USE
SAN JOAQUIN COUNTY



MF 7/22/13