

MINUTE ITEM

11/29/73
BL

4. 49-YEAR PUBLIC AGENCY PERMIT, TIDE AND SUBMERGED LAND IN THE SAN JOAQUIN RIVER AT STOCKTON, SAN JOAQUIN COUNTY; CITY OF STOCKTON - W 20443, PRC 4826.9.

After consideration of Calendar Item 2 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. DETERMINES THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED COVERING THIS PROJECT BUT THAT A NEGATIVE DECLARATION HAS BEEN PREPARED BY STOCKTON CITY PLANNING COMMISSION, AS AUTHORIZED BY CITY COUNCIL RESOLUTION 30347, ON OCTOBER 30, 1973.
2. CONSIDERS THE NEGATIVE DECLARATION REFERRED TO IN NO. 1 ABOVE.
3. DETERMINES THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. APPROVES THE PROJECT.
5. AUTHORIZES THE ISSUANCE TO THE CITY OF STOCKTON OF A 49-YEAR PUBLIC AGENCY PERMIT FROM JULY 1, 1973; IN CONSIDERATION OF THE PUBLIC HEALTH, WITH THE RESERVATION AT ANY TIME TO SET A MONETARY RENTAL IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; FOR THE CONSTRUCTION AND MAINTENANCE OF A SUBMARINE SEWER LINE ON THE LAND DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment:

Calendar Item 2 (3 pages)

CALENDAR ITEM

11/73
BL
W 20443

2.

PUBLIC AGENCY PERMIT

APPLICANT: City of Stockton.

LOCATION: A 10 x 450-foot strip of tide and submerged land in the San Joaquin River at Stockton, San Joaquin County.

LAND USE: The construction and maintenance of a submarine sewer line.

TERMS OF PROPOSED LEASE:
49 years, from July 1, 1973.

CONSIDERATION: The public health with the State reserving the right at any time to set a monetary rental if the Commission finds such action to be in the State's best interest.

PREREQUISITE TERMS:
U. S. Army Corps of Engineers permit issued.
Applicant is lessee or permittee of upland.

STATUTORY AND OTHER REFERENCES:
a. Public Resources Code: Div. 6, Parts 1 and 2.
b. Administrative Code: Title 2, Div. 3, Arts. 1, 2, and 10.

OTHER PERTINENT INFORMATION:
1. The annual rental value of the site is estimated to be \$40 per annum.
2. As required by Public Resources Code Section 6371, the Division has insured compliance with Division 13 (commencing with Section 21000) of the Public Resources Code and the Commission's regulations in 2 Cal. Adm. Code, Art. 10. The City of Stockton assumed the duties of Lead Agency and circulated a draft environmental impact report through the Office of Intergovernmental Management. No adverse comments were received. The final report does not show that a significant effect on the environment will result through implementation of the project.

EXHIBITS: A. Land Description. B. Location Map.

CALENDAR ITEM NO. 2. (CONTD)

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED COVERING THIS PROJECT BUT THAT A NEGATIVE DECLARATION HAS BEEN PREPARED BY STOCKTON CITY PLANNING COMMISSION, AS AUTHORIZED BY CITY COUNCIL RESOLUTION 30347, ON OCTOBER 30, 1973.
2. CONSIDER THE NEGATIVE DECLARATION REFERRED TO IN NO. 1 ABOVE.
3. DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. APPROVE THE PROJECT.
5. AUTHORIZE THE ISSUANCE TO THE CITY OF STOCKTON OF A 49-YEAR PUBLIC AGENCY PERMIT FROM JULY 1, 1973; IN CONSIDERATION OF THE PUBLIC HEALTH, WITH THE RESERVATION AT ANY TIME TO SET A MONETARY RENTAL IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; FOR THE CONSTRUCTION AND MAINTENANCE OF A SUBMARINE SEWER LINE ON THE LAND DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

W 20443

A strip of tide and submerged land 10.0 feet wide lying in the bed of the San Joaquin River, at the City of Stockton, San Joaquin County, State of California, being 5.0 feet on each side of the following described centerline:

COMMENCING at the northeast corner of that certain parcel of land designated as "Parcel 4-S" as described in that certain Deed dated April 29, 1929, executed by Frank S. Boggs to the City of Stockton and recorded in Volume 251 of Official Records, page 138, San Joaquin County Records; thence N 74° 59' 48" W, 391.43 feet along the northerly line of said "Parcel 4-S"; thence N 35° 11' 09" W, 411.24 feet along the long chord of curve concave to the right (north-east) whose radius is 840 feet; thence N 21° 01' W, 134.109 feet; thence N 69° 46' 24" W, 285.669 feet to the TRUE POINT OF BEGINNING; thence N 23° 04' W, 450.0 feet across the San Joaquin River to the end of the herein-described centerline.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water marks along the right and left banks of said San Joaquin River.

END OF DESCRIPTION