

MINUTE ITEM

This Calendar Item No. C11
was approved as Minute Item
No. 11 by the State Lands
Commission by a vote of 5
to 0 at its 2/22/79 C11.
meeting.

2/79
WP 4842
Vaughn
PRC 4842

GENERAL PERMIT
RECREATIONAL USE

APPLICANT: Stanford M. Davis
10401 Wheatland Avenue
Sunland, California 91040

AREA, TYPE LAND AND LOCATION:
Approximately 0.018 acre parcel (780 square
feet) of submerged land in the Sacramento
River, southeasterly of Kirkwood, Tehama
County.

LAND USE: Boat dock and walkway.

TERMS OF PROPOSED PERMIT:
Initial period: 10 years from March 1,
1977.

Public liability insurance: Combined single
limit coverage of \$100,000
for bodily injury and
property damage.

CONSIDERATION: \$30 per annum, with the State reserving
the right to fix a different rental on
each fifth anniversary of the permit.

BASIS FOR CONSIDERATION:
\$30 fixed rental for this type of permit.

PREREQUISITE TERMS, FEES AND EXPENSES:
Applicant is permittee of upland.

Filing fee and first year's rent have been
received.

STATUTORY AND OTHER REFERENCES:
A. P.R.C.: Div. 6, Parts 1 & 2.
B. Cal. Adm. Code: Title 2, Div. 3.

OTHER PERTINENT INFORMATION:
1. The applicant previously enjoyed a
use permit for the subject facilities.
The permit expired on December 31,
1976. During the normal renewal period

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there were major discussions involving the rent-free status of Recreational Pier Permits (RPP). Concurrently discussions were also going on to what qualified as a RPP. Due to these discussions processing of the subject renewal was held in abeyance. In December of 1976, Articles 1 and 2, Cal. Adm. Code, Title 2, were revised to include General Permits (Recreational Use). The revisions become effective on March 1, 1977 subsequent investigations revealed that the subject applicant does not qualify for a rent-free RPP, but a General Permit (Recreational Use). Staff believes that it would be in the State's best interest to forgive the applicant of the \$6.25 rental from January 1, 1977 to March 1, 1977.

2. An EIR is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907, Class 1(B), which exempts an existing structure or facility that is in an acceptable state of repair and there is no evidence of record to show injury to adjacent property, shoreline erosion, or other types of environmental degradation.
3. This project is situated on State land identified as possessing significant environmental values pursuant to P.R.C. 6370.1, and is classified in a use category, Class B, which authorizes Limited Use.

Staff review indicates that there will be no significant effect upon the identified environmental values. This is an existing facility for which no adverse comments have been received.

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN EIR HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21085, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2907.

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2. FIND THAT GRANTING OF THE PERMIT WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE P.R.C.

3. AUTHORIZE ISSUANCE TO STANFORD M. DAVIS OF A 10-YEAR GENERAL PERMIT - RECREATIONAL USE FROM MARCH 1, 1977; IN CONSIDERATION OF \$30 PER ANNUM, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT; PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$100,000 COMBINED SINGLE LIMIT COVERAGE FOR BODILY INJURY AND PROPERTY DAMAGE; FOR AN EXISTING OPEN FLOATING BOAT DOCK AND WALKWAY ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF AND WAIVE THE RENTAL FOR THE PERIOD FROM JANUARY 1, 1977 to MARCH 1, 1977.

EXHIBIT "A"

WP 4842

A strip of land 30.00 feet wide lying in the bed of the Sacramento River, approximately 5½ miles east of the community of Kirkwood, Tehama County, State of California, and being 15.00 feet on each side of the following described centerline:

COMMENCING at the southwest corner of Lot 74, in Subdivision 2, Capay Rancho, as shown on the map entitled "Official Map of Subdivision Number Two of the Sacramento Valley Colony Company's Land in Capay Rancho, Tehama County California", filed on May 16, 1917, in Book "F" of Maps, page 24, Official Records of Tehama County; thence N 32° 10' E, 1584.00 feet; thence N 01° 00' W, 362.35 feet to the POINT OF BEGINNING; thence S 89° 51' E, 86 feet into the Sacramento River to the terminous of the herein described centerline.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark.

END OF DESCRIPTION

Prepared

M. L. Raf
H. G. Zimmacher

Checked

Wm. K. J. King

Reviewed

H. G. Zimmacher

Date

11/23/76

WJ

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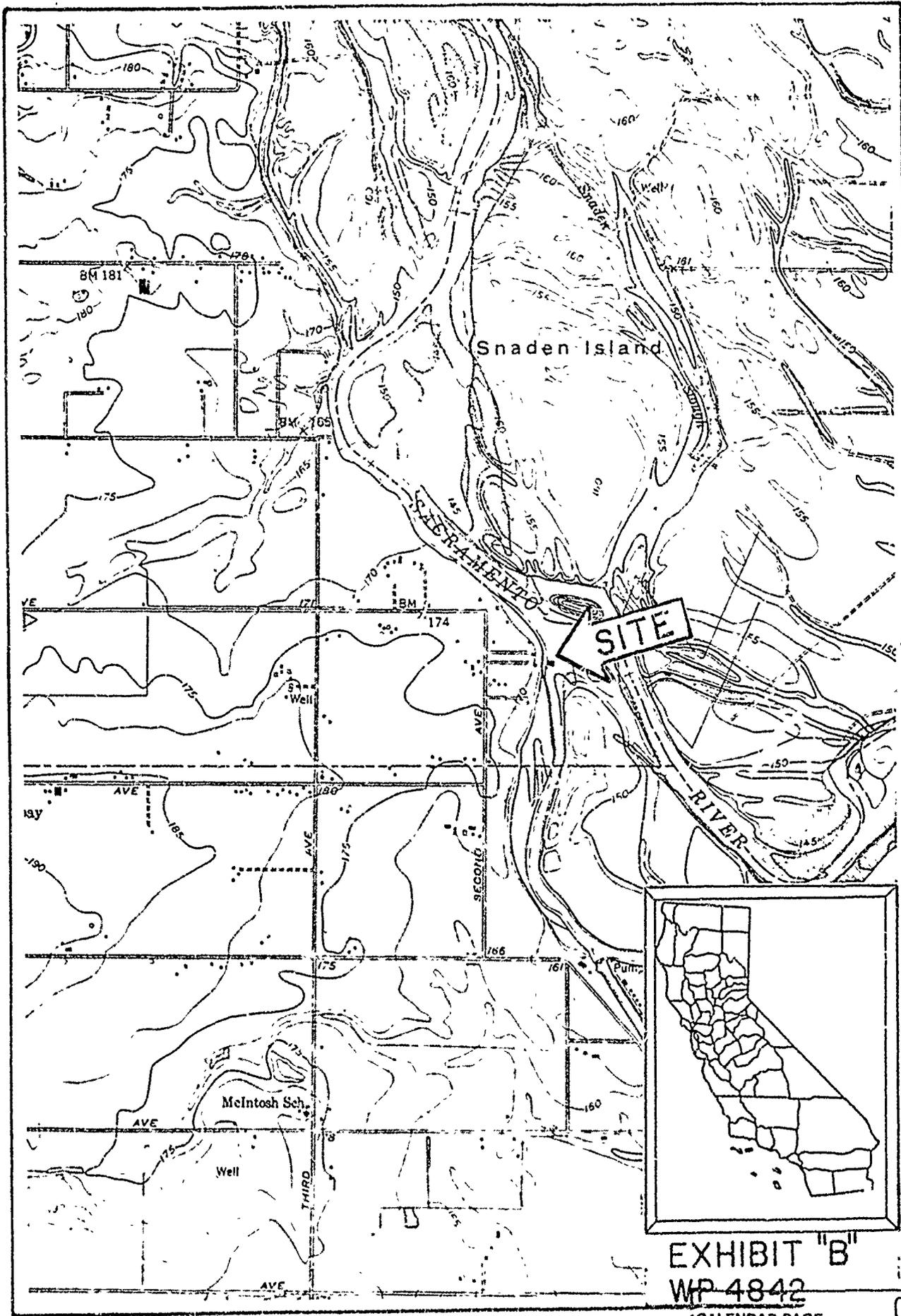


EXHIBIT "B"
 WP 4842

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