MINUTE ITEM

This Calendar Item No. C4
was approved as Minute Item
No. 4 of the State Lands
Commission by a vote of 2 CALENDAR ITEM
at its 4/26/79
meeting.

C4.

4/79
WP 4649
Vaughn
PRC 4649

RECISSION OF GENERAL PERMIT PRC 4649
AND ISSUANCE OF A 10-YEAR GENERAL PERMIT
RECREATIONAL USE

APPLICANT: Edward E. and Erna O. Garton
P. O. Box 605
Orland, California 95963

AREA, TYPE LAND AND LOCATION:
A 0.017 acre parcel (736 square feet) of submerged land in the Sacramento River near Hamilton City, Tehama County.

LAND USE: Existing boat dock and walkway for recreational purposes.

TERMS OF ORIGINAL PERMIT:
Initial period: 5 years from March 1, 1977.

Surety bond: $1,000.

Consideration: $30 per annum.

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.

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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. Applicant does not qualify for a rent-free recreational pier permit in that he does not own the upland immediately adjacent to the Sacramento River, but does, in the staff's opinion, qualify for the permit as recommended.

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. RESCIND MINUTE ITEM NO. 9, PAGE 387 APPROVED AT STATE LANDS COMMISSION MEETING ON APRIL 28, 1977.

   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.

3. 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.

4. AUTHORIZE ISSUANCE TO EDWARD E. AND ERNA O. GARTON OF A 10-YEAR GENERAL PERMIT - RECREATIONAL USE FROM MARCH 1, 1977; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF $30, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT; PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNT OF $100,000 COMBINED SINGLE LIMIT COVERAGE FOR BODILY INJURY AND PROPERTY DAMAGE; FOR AN EXISTING BOAT DOCK AND WALKWAY ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

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EXHIBIT "A"

LAND DESCRIPTION WP 4649

A parcel of land in the State-owned bed of the Sacramento River, Tehama County, California, said parcel being immediately beneath and extending 10 feet on all sides of an existing pier and walkway located adjacent to the lands of the Glen Colusa Irrigation District and easterly of that certain parcel of land described in Book 612, page 545, Official Records of Tehama County.

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

END OF DESCRIPTION

Prepared M L Shaf Checked N. Hoff

Reviewed W. W. Kunnecke Date 10/26/76

JJB

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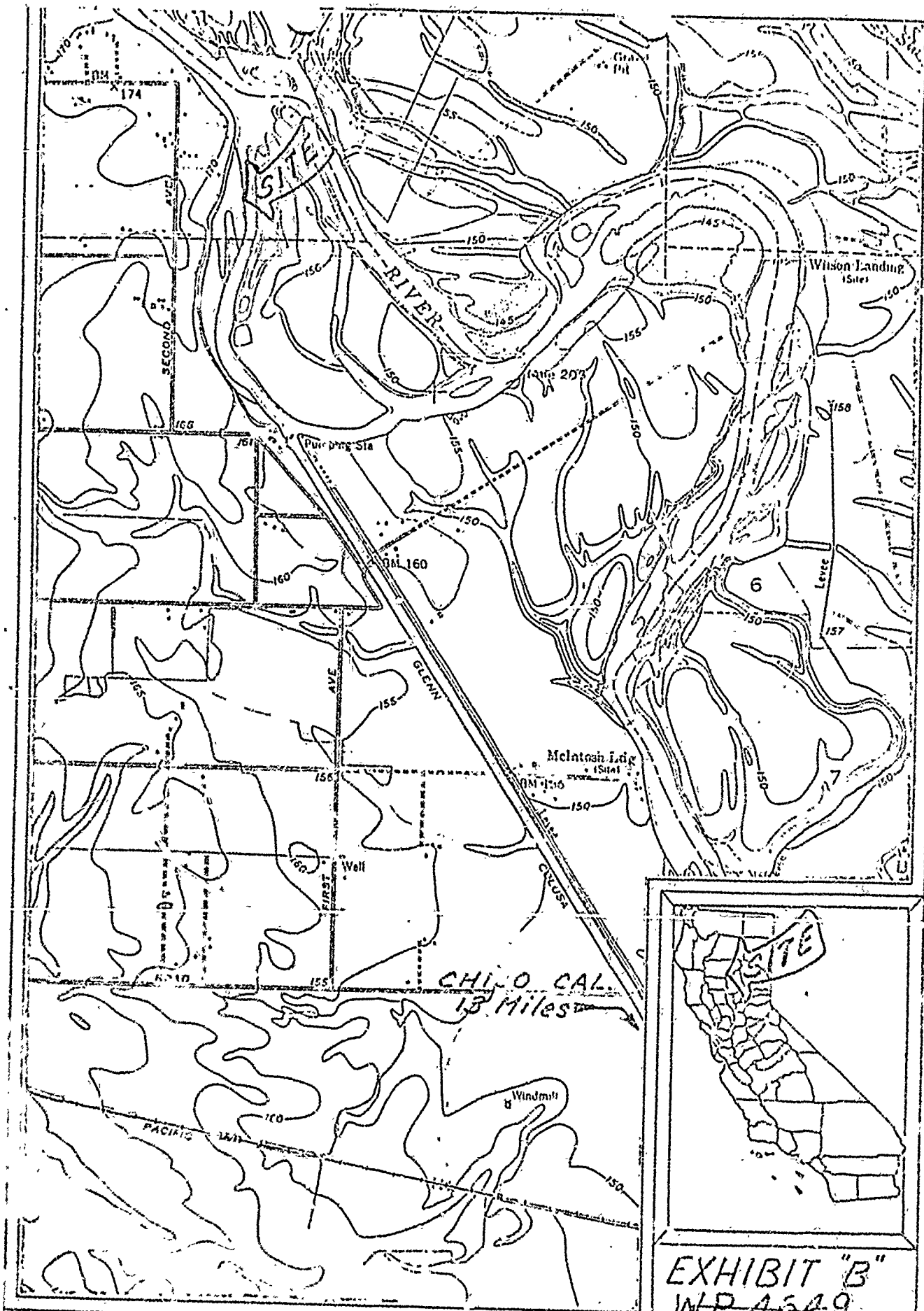

EXHIBIT "B"
WP 4549

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