MINUTE ITEM

This Calendar Item No. C6 was approved as Minute Item No. 6 by the State Lands Commission by a vote of 2 to 0 at its 12-16-80 meeting.

CALENDAR ITEM

C06

12/80
W 22382
Omand
PRC 5926

GENERAL PERMIT - RECREATIONAL USE

APPLICANT: Roy Pollock
20801 South Woodward Avenue
Manteca, California 95336

AREA, TYPE LAND AND LOCATION:
A 0.187-acre parcel of tide and submerged land in Walthall Slough, San Joaquin County.

LAND USE: Replacement and relocation of 60 floating boat berths to accommodate the mobile home owners.

TERMS OF PROPOSED PERMIT:
Initial period: 10 years from October 1, 1980.

Public liability insurance: Combined single limit coverage of $100,000.

CONSIDERATION: $170 per annum with the State reserving the right to fix a different rental on each fifth anniversary of the permit.

BASIS FOR CONSIDERATION:
Pursuant to 2 Cal. Adm. Code 2005.

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

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

STATUTORY AND OTHER REFERENCES:
A. P.R.C.: Div. 6, Parts 1 & 2; Div. 13.

B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

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OTHER PERTINENT INFORMATION:

1. A Negative Declaration was prepared by San Joaquin County, pursuant to CEQA and the State EIR Guidelines.

2. This project is situated on State land which is unnominated for significant environmental values in the Significant Lands Inventory.

   Staff has coordinated this project with those agencies and organizations who normally nominate sites as containing significant environmental values. They have found this project to be compatible with existing environmental characteristics.

3. Staff recommends waiving of back rent since status interest is unresolved and can not be verified without an intensive survey study.

4. Permit includes authorization to place fill material (rip rap) below the ordinary high water line of Walthall Slough for bank protection.

5. The facilities described herein are for the upland mobile home owners use. The applicant will not receive direct income from the berths.

FURTHER APPROVALS REQUIRED:

No further approvals required.

EXHIBITS:

A. Land Description.
B. Location Map.
C. Negative Declaration.
D. Notice of Determination.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT A NEGATIVE DECLARATION HAS BEEN PREPARED FOR THIS PROJECT BY SAN JOAQUIN COUNTY.

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2. CERTIFY THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED IN THE NEGATIVE DECLARATION.

3. DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.

4. WAIVE ANY BACK RENT DUE, INCLUDING INTEREST AND/OR PENALTIES, IF ANY.

5. AUTHORIZE ISSUANCE TO ROY POLLOCK OF A 10-YEAR GENERAL PERMIT - RECREATIONAL USE FROM OCTOBER 1, 1980; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF $170, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF $100,000 FOR RELOCATION AND REPLACEMENT OF 60 FLOATING BOAT BERTHS AND PLACEMENT OF ROCK RIP RAP FOR BANK PROTECTION ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

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EXHIBIT "A"

LAND DESCRIPTION W 22382

A parcel of tide and submerged land in Walthall Slough, San Joaquin County, California, described as follows:

All that land lying beneath a 300-foot dock and a 25-foot gangway, including a 10-foot use area surrounding said dock and gangway, as delineated on the drawing accompanying the Department of the Army, Sacramento District, Corps of Engineers Public Notice No. 80-6974, attached hereto and made a part hereof.

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

END OF DESCRIPTION

PREPARED AUGUST 6, 1980 BY TECHNICAL SERVICES UNIT, ROY MINNICK, SUPERVISOR.

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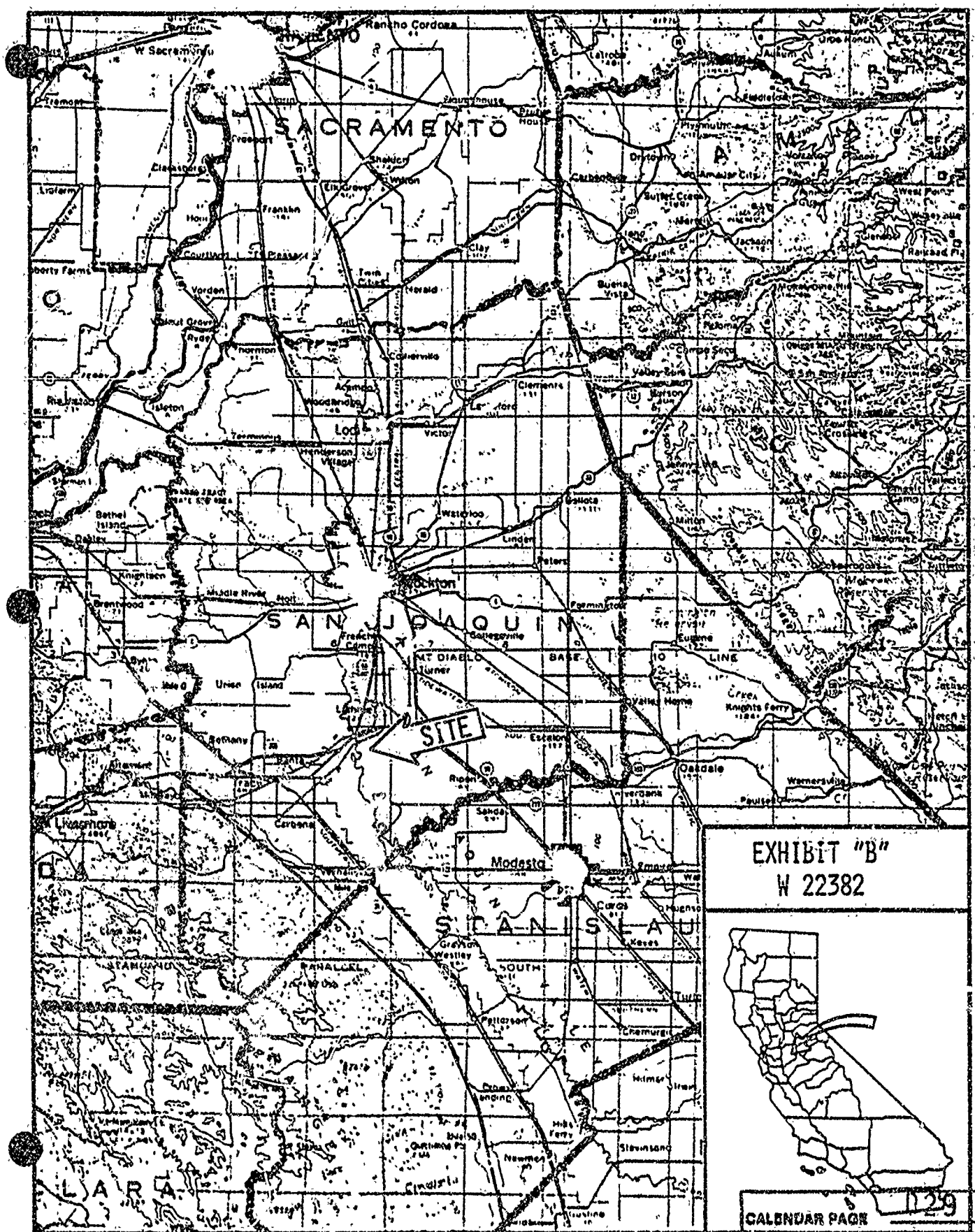

EXHIBIT "B"
W 22382

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NEGATIVE DECLARATION

DATE: June 24, 1980

RESPONSIBLE AGENCY (Lead Agency): San Joaquin County Planning Dept.
Address: 1810 E. Hazelton Avenue
Stockton, CA 95205

CONTACT PERSON: Harry Riddle

Area Code: 209
Phone: 944-2203
City: Stockton

PROJECT TITLE: USE PERMIT U-80-71 ROY EDLOCK

As the result of an initial study, it is concluded that with the mitigation measures noted in the initial study added to the project:

A. The project will not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustain levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.

B. The project will not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.

C. The project will not have possible environmental effects which are individually limited but cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

D. The environmental effects of a project will not cause substantial adverse effects on human beings, either directly or indirectly.

As a result thereof the preparation of an Environmental Impact Report pursuant to the Environmental Quality Act of 1970 is not required.

An initial study is attached.

SIGNED BY:

Robert S. Hunter

ROBERT S. HUNTER
Environmental Review Officer

EXHIBIT "C"
W 22382

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NOTICE OF DETERMINATION

LEAD AGENCY: San Joaquin County Planning Department
1810 East Hazelton Avenue, Stockton, CA 95205

TO: ☐ Secretary for Resources
1416 Ninth Street, Room 1311
Sacramento, California 95814

FROM: San Joaquin County
Planning Department
1810 E. Hazelton Ave.
Stockton, Ca. 95205

☐ County Clerk
County of San Joaquin

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

PROJECT TITLE: USE PERMIT U-80-71 of ROY POLLOCK

STATE CLEARINGHOUSE NUMBER: _____

The County of San Joaquin has made the following determinations regarding this project:

1. The project has been [X] approved by the Lead Agency.
[ ] disapproved

2. The project [ ] will have a significant effect on the environment.
[X] will not

3. [ ] An Environmental Impact Report has been prepared for this project.

[ ] A statement or overriding considerations is attached.

4. [X] A Negative Declaration has been prepared for this project and a copy is attached.

Robert S. Hunter

ROBERT S. HUNTER
Environmental Review Officer

Date: August 5, 1980

EXHIBIT "D"

W22382

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