

MINUTE ITEM

This Calendar Item No. C3
was approved as Minute Item
No. 3 by the State Lands
Commission by a vote of 3
0 at its 4-27-81
meeting.

CALENDAR ITEM

C 03

4/81
W 22594
Reese
PRC 5984

GENERAL PERMIT -- PUBLIC AGENCY USE

APPLICANT: California Department of Fish and Game
1416 Ninth Street
Sacramento, California 95814

AREA, TYPE LAND AND LOCATION:
14.64-acre parcel of tide and submerged
land in Cabin Slough, Sacramento County.

LAND USE: Dock platforms and other appurtenant facilities.

TERMS OF PROPOSED PERMIT:

Initial period: 49 years from March 1,
1981.

CONSIDERATION: The public use and benefit 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.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Adm. Code 2005.

PREREQUISITE TERMS, FEES AND EXPENSES:

- A. Applicant is owner of upland.
- B. Filing fee has 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.

OTHER PERTINENT INFORMATION:

- 1. The lower Sherman Island wildlife area
is owned by the State of California
and has been managed by the Department
of Fish and Game since 1958. Since

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1930, individuals from nearby communities have constructed cabins and docking facilities on the island, particularly along the levee adjacent to Cabin Slough.

When the Department of Fish and Game took responsibility for management of the island in 1958 (Jurisdictional Transfer Out #15), the cabins and their respective docking facilities were allowed to remain on an informal basis. In 1961, a subdivision map of Cabin Slough was developed, and by 1966, the first written upland lease agreement between the State Department of Fish and Game and cabin owners was signed. Currently, there are 35 lease agreements for lots on Sherman Island, 33 of which are adjacent to Cabin Slough (a waterway under the jurisdiction of the State Lands Commission).

The Department of Fish and Game has requested this lease in order to simplify the administration of their lease agreements on the upland. It is the intent of the Department of Fish and Game to protect the interests of State lands and any other concerned agency acting in the public interest.

2. The annual rental value of site is estimated to be \$500.
3. An EIR is not required. A transaction is within the purview of 2 C.R.S. Adm. Code 2907, Class 1(B), which exempts existing structures or facilities that are 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.
4. This project is situated on State land identified as possessing significant environmental values pursuant to P.R.C.

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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. These are existing facilities for which no adverse comments have been received.

5. The Department of Fish and Game has agreed to deposit in the State treasury all revenues, monies and remittances received for use of the leased lands, which sums shall only be applied to the State's General Fund.
6. Inasmuch as this activity involves the mutual benefit of both the Department of Fish and Game and the State Lands Commission and involves General Fund monies, staff recommends the Commission waive the minimum nonrefundable expense deposit.

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL DOCUMENT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH DOCUMENT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21084, 14 CAL. ADM. CODE 15100, ET SEQ., AND 2 CAL. ADM. CODE 2907.
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. WAIVE THE MINIMUM NON-REFUNDABLE EXPENSE DEPOSIT.
4. AUTHORIZE ISSUANCE TO THE CALIFORNIA DEPARTMENT OF FISH AND GAME OF A 49-YEAR GENERAL PERMIT - PUBLIC AGENCY USE FROM MAY 1, 1981; IN CONSIDERATION OF THE PUBLIC USE AND BENEFIT; 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; PROVIDED THAT THE DEPARTMENT OF FISH AND GAME SHALL

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DEPOSIT IN THE STATE TREASURY ALL REVENUES, MONIES AND REMITTANCES RECEIVED FOR USE OF THE LEASED LANDS, WHICH SUMS SHALL ONLY BE APPLIED TO THE STATE'S GENERAL FUND; FOR MANAGEMENT OF EXISTING DOCK PLATFORMS AND OTHER APPURTENANT FACILITIES ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

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EXHIBIT "A"

LAND DESCRIPTION

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A parcel of land situated in T2N, R1E, MDM, and T2N, R2E, MDM, Sacramento County, California, said parcel containing Lots 1-33 as shown on Sheet 1 (of 3) Lower Sherman, Bland Cabin Leases #1 through #22, taken from Department of Fish and Game Map File No. 17-25, Sheet 4 of 7 and Sheet 2 (of 3) Leases #23 through #33, Lower Sherman Leases, Department of Fish and Game Map File No. 17-25, Sheet 5 of 7, more particularly described as follows:

COMMENCING at the section corner common to Sections 12 and 13, T2N, R1E, MDM, and Sections 7 and 18, T2N, R2E, MDM; thence S 89°39'E 2030 feet; thence S 2°35'E 380 feet to the TRUE POINT OF BEGINNING; thence the following 15 courses:

1. S 72°50'W 190 feet
2. N 87° W 530 feet
3. S 87°12'W 692 feet
4. N 74°13'W 900 feet
5. N 69°26'W 1490 feet
6. N 51°47'W 2200 feet
7. N 44°48'W 735 feet
8. N 66°57'W 2503 feet
9. N 31°51'E 70 feet
10. S 66°36'E 2500 feet
11. S 48°21'E 1735 feet
12. S 55°34'E 1480 feet
13. S 69°24'E 1370 feet
14. S 84°31'E 1630 feet
15. S 88°58'E 461 feet more or less to the point of beginning.

EXCEPTING THEREFROM any land lying above the mean high tide line of Cabin Slough.

END OF DESCRIPTION

PREPARED FEBRUARY 23, 1981 BY TECHNICAL SERVICES UNIT, ROY MINNICK,
SUPERVISOR.

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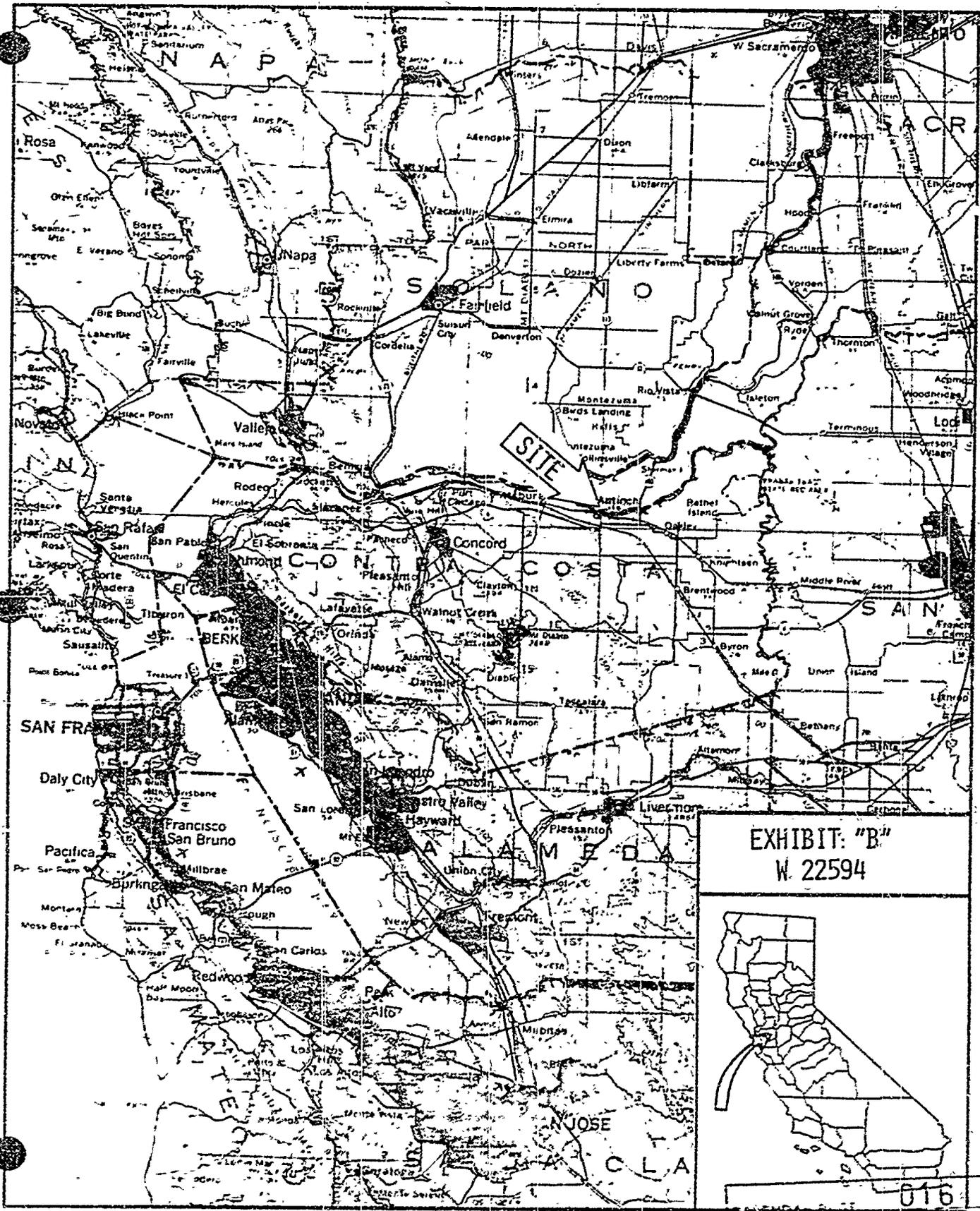


EXHIBIT: "B"
W. 22594

