

MINUTE ITEM

This Calendar Item No. 9  
was approved as Minute Item  
No. 9 by the State Lands  
Commission by a vote of 3  
to 0 at its 6/81  
meeting.

CALENDAR ITEM

C 0 9

6/81  
W 22530  
Gordon  
PRC 6019

GENERAL PERMIT - RECREATIONAL USE

APPLICANT: Bill E. Miller, Nadine S. Miller,  
James Donald Duff and Wandr Marie Duff  
714 Jeffrey Avenue  
Campbell, California 95008

AREA, TYPE LAND AND LOCATION:  
A 0.025-acre area of tide and submerged  
lands in Disappointment Slough, between  
Empire and Rindge Tracts, San Joaquin County.

LAND USE: Maintenance of one walkway, one dock and  
three timber piles, all existing and utilized  
for recreational purposes.

TERMS OF PROPOSED PERMIT:

Initial period: 15 years from March 1,  
1981.

Public liability insurance: combined single  
limit coverage of \$300,000  
per occurrence for bodily  
injury and property damage.

CONSIDERATION: \$40 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 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.

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CALENDAR ITEM NO. C O 9 (CONTD)

AB 884 DEADLINE:

4-1-82.

OTHER PERTINENT INFORMATION:

1. 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.
2. 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.

APPROVALS REQUIRED AND OBTAINED:

These facilities are subject to the jurisdiction of the United States Army Corps of Engineers, California Department of Fish and Game, California Central Valley Regional Water Quality Control Board, California Reclamation Board and the County of San Joaquin. The proposed permit is conditioned on the approval of all agencies having jurisdiction.

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.

CALENDAR ITEM NO 09 (CONT'D)

3. AUTHORIZE ISSUANCE TO BILL E. MILLER, NADINE S. MILLER, JAMES DONALD DUFF AND WANDA MARIE DUFF OF A 15-YEAR GENERAL PERMIT - RECREATIONAL USE FROM MARCH 1, 1981, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$40, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT, AND WITH PROVISION OF PUBLIC LIABILITY INSURANCE HAVING COMBINED SINGLE LIMIT COVERAGE OF \$300,000 PER OCCURRENCE FOR BODILY INJURY AND PROPERTY DAMAGE FOR ONE WALKWAY, ONE DOCK, AND THREE TIMBER PILES, ALL EXISTING AND UTILIZED FOR RECREATIONAL PURPOSES ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

W 22530

Two parcels of tide and submerged land situated in the bed of Disappointment Slough, San Joaquin County, lying waterward of Berm "E" as said berm is described in that certain deed recorded in Book 4509 of Official Records, at Page 845, in the Office of the County Recorder, and lying under a portion of the dock and walkway shown on U.S. Army Corps of Engineer Public Notice No. 7064, being more particularly described as follows:

PARCEL 1

A strip of tide and submerged land 24 feet wide lying 12 feet on each side of the following described center line:

BEGINNING at a point on said Berm "E" located in the center of the landward end of a 4-foot wide dock and walkway, as shown on said Corps permit; thence easterly along the center line of said dock and walkway, 36.5 feet to a point hereinafter referred to as Point "A"; thence continuing along said dock center line and its prolongation 10.5 feet to the end of this center line.

PARCEL 2

Three (3) circular parcels of submerged land, each having a radius of 0.75 feet, the centers of which are located as follows:

1. Commencing at Point "A", as described above, thence northerly 40 feet to the center of a 12 inch diameter pole as shown on said Corps permit, and the center of this parcel.
2. Commencing at Point "A", as described above, thence northerly 80 feet to the center of a 12 inch diameter pole as shown on said Corps permit, and the center of this parcel.
3. Commencing at Point "A", as described above, thence southerly 40 feet to the center of a 12 inch diameter pole as shown on said Corps permit, and the center of this parcel.

EXHIBIT "A"

W 22530

EXCEPTING THEREFROM any portion of Parcels 1 and 2 lying landward of the ordinary high water mark of Disappointment Slough.

END OF DESCRIPTION

PREPARED MARCH 26, 1981 BY TECHNICAL SERVICES UNIT, ROY MINNICK, SUPERVISOR.

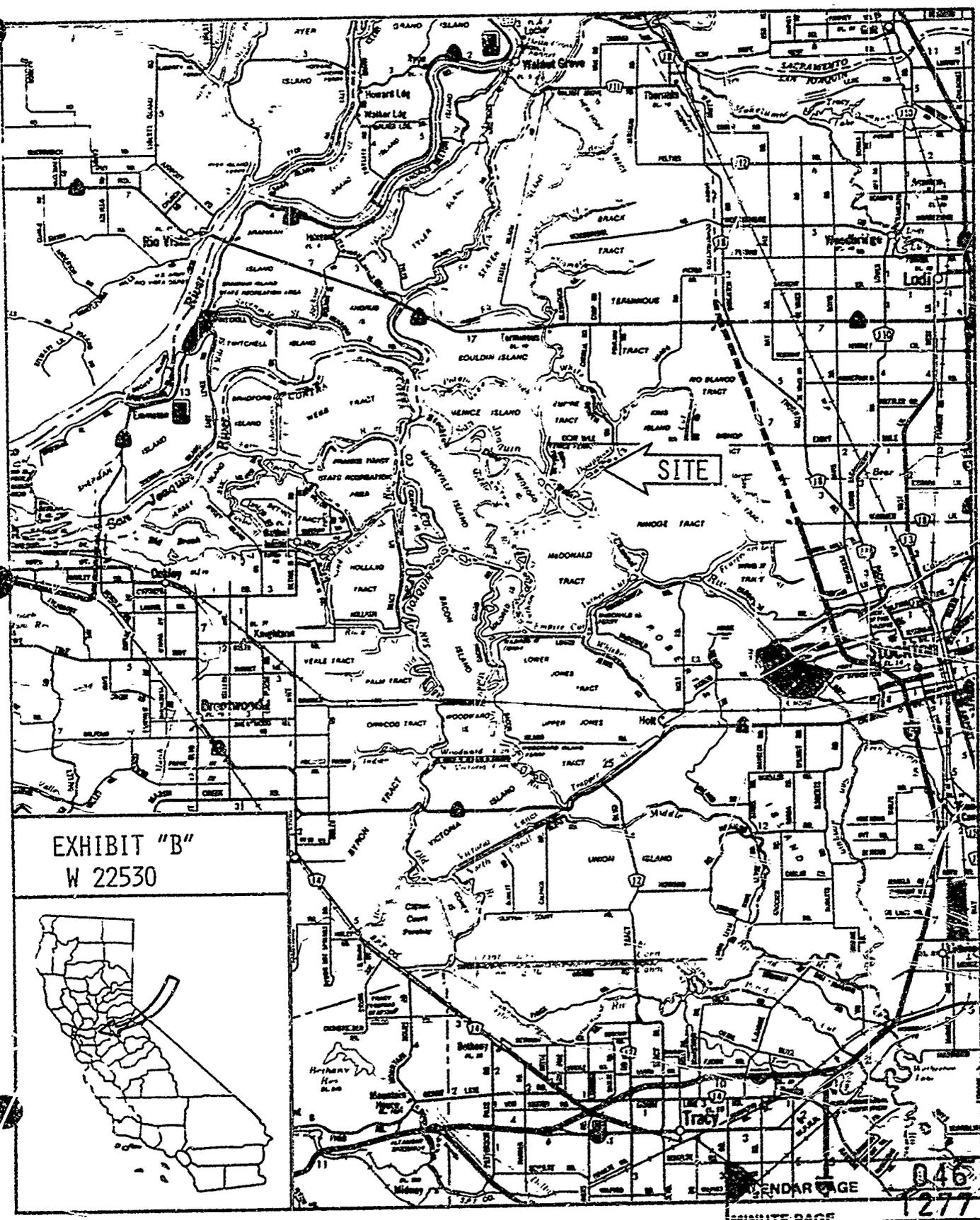


EXHIBIT "B"  
W 22530



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