

MINUTE ITEM.

This Calendar Item No. C9
was approved as Minute Item
9 by the State Lands
Commission by a vote of 3
to 0 at its 9/24/82
meeting.

CALENDAR ITEM

C 0 9 1.

10/28/82
W 22990
Gordon
PRC6337

GENERAL PERMIT - RECREATIONAL AND
PROTECTIVE STRUCTURE USE

APPLICANT: Pat Allan Peoples and
Elizabeth B. Peoples
2165 El Seco Way
Pittsburg, California 94565

AREA, TYPE LAND AND LOCATION:
A 0.012-acre area of tide and submerged
lands, located in Walthall Slough near
Manteca, San Joaquin County.

LAND USE: Construction and maintenance of a walkway
and floating dock and placement and maintenance
of riprap for bank protection purposes.

TERMS OF PROPOSED PERMIT:
Initial period: 15 years from January 1,
1983.

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

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CONSIDERATION: Dock Facility: \$50 per annum; Protective Structure: The public 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; five-year rent review.

BASIS FOR CONSIDERATION:
Pursuant to 2 Cal. Adm. Code 2003.

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

Filing fee has been received.

STATUTORY AND OTHER REFERENCES:
A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884: 6/3/83.

OTHER PERTINENT INFORMATION:

1. It is staff's opinion that the bank protection project will be of mutual benefit to the public and applicant. The strength and integrity of the levee system at the site should be enhanced without any additional cost to the public. The erosion action of the bank, which contributes to the clogging of shipping channels, should be decreased. The value of applicant's upland property and improvements will be safeguarded to a greater extent from the threat of erosion.
2. This project is exempt from CEQA. It is in the purview of 2 Cal. Adm. Code 2905, Class 3(1) and Class 4(2) which exempts new construction of small structures that do not exceed 3,000 square feet and a minor alteration to land for a protective structure, respectively.

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3. The project is situated on lands identified as possessing significant environmental values pursuant to P.R.C. 6370.1, and is classified in a use category "B" which authorizes Limited Use. The project as proposed will not have a significant effect upon the identified environmental values.

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 2905; AND FIND THAT THE PROJECT IS CONSISTENT WITH ITS USE CLASSIFICATION.
2. AUTHORIZE ISSUANCE TO PAT ALLAN PEOPLES AND ELIZABETH B. PEOPLES OF A 15-YEAR GENERAL PERMIT - RECREATIONAL AND PROTECTIVE STRUCTURE USE, FROM JANUARY 1, 1983; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$50 WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT, AS TO THE DOCK FACILITY AND THE PUBLIC 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 AS TO THE PROTECTIVE STRUCTURE; AND WITH PROVISION OF PUBLIC LIABILITY INSURANCE HAVING A COMBINED SINGLE LIMIT COVERAGE OF \$300,000 PER OCCURRENCE FOR BODILY INJURY AND PROPERTY DAMAGE; FOR CONSTRUCTION AND MAINTENANCE OF A WALKWAY AND FLOATING DOCK, AND PROTECTION AND MAINTENANCE OF RIPRAP UTILIZED FOR BANK AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

W 22990

A parcel of tide and submerged land in Walthall Slough approximately two miles west of Manteca at Easement No. 86 of Wetherbee Lake Subdivision, San Joaquin County, California, described as follows:

Said parcel is that certain sixteen (16) feet frontage of the southerly shore of Wetherbee Lake (Walthall Slough) approximately opposite the northerly end of Lot Ten (10) in Block Five (5) of Wetherbee Lake Subdivision, Tract No. 2, as per plat thereof on file in the San Joaquin County Recorders Office, being Easement No. 86 as said easements are numbered easterly commencing with No. 1 at the east line of Oak Street, said 16 feet frontage extends 42.5 feet northeasterly into said Walthall Slough.

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

END OF DESCRIPTION

PREPARED MAY 25, 1982 BY TECHNICAL SERVICES UNIT, ROY MTNNICK, SUPERVISOR.

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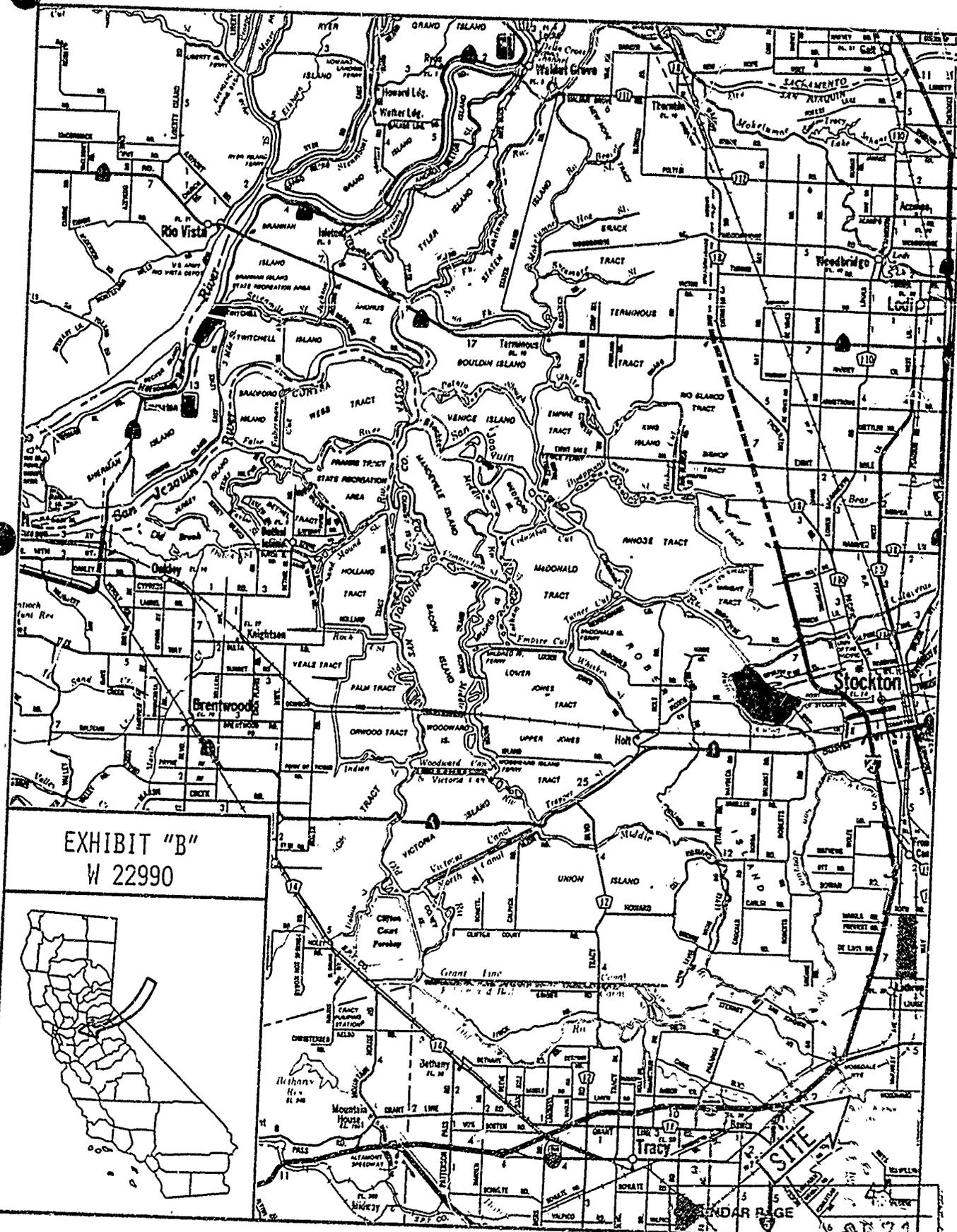


EXHIBIT "B"
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