MINUTE ITEM

This Calendar Item No. C3 was approved as Minute Item No. C3 by the State Lands Commission by a vote of 3 to 0 at its 11/29/82 meeting.

CALENDAR ITEM

C03

11/29/82
PRC 5346
Lipphardt

ASSIGNMENT AND AMENDMENT OF GENERAL PERMIT - RECREATIONAL USE

ASSIGNORS: Joe D., Betty E., and James E. Walker
170 South Corinth Avenue
Lodi, California 95240

ASSIGNEE: Don C. and Judith M. Hays
dba Don's Fleet Service
14901 West California
Kerman, California 93630

AREA, TYPE LAND AND LOCATION:
An approximate one-acre berm, partially tidal, having 9,000 square feet of use area in the Sacramento River adjacent to Grand Island, Sacramento County.

LAND USE: Use of a berm improved with an existing cabin and outbuilding for private recreation.

TERMS OF ORIGINAL PERMIT:
Initial period: 10 years from June 1, 1977.

Surety bond: $1,000.

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

Consideration: $170 per annum; five-year rent review. Effective June 1, 1982, after routine rent review the annual rental was increased to $540.

Special: Existing structures shall not be used as a permanent residence.

TERMS OF AMENDED PERMIT:

Initial period: 10 years from June 1, 1977.

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

Consideration: $540 per annum, with the State reserving the right to fix a different rental on each fifth anniversary of the permit.

Special: Existing structures shall not be used as a permanent residence.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Adm. Code 2003.

PREREQUISITE TERMS, FEES AND EXPENSES:

Processing costs have 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: N/A.

OTHER PERTINENT INFORMATION:

1. Because the general permit involves use of a berm and existing cabin and outbuilding for solely recreational purposes, and because current policy does not require bonds for general recreational permits, staff recommends the surety bond originally required in accordance with the terms of the permit be waived.

2. This activity is exempt from CEQA because it does not constitute a project pursuant to 14 Cal. Adm. Code 15037 and 15060.

3. The activity 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 activity as proposed will not have a significant effect on the identified environmental values.

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. 21065, 14 CAL. ADM. CODE 15037 AND 15060; AND FIND THAT THE ACTIVITY IS CONSISTENT WITH ITS USE CLASSIFICATION.

2. AUTHORIZE ASSIGNMENT TO DON C. AND JUDITH M. HAYS, DBA DON'S FLEET SERVICE, OF LEASE PRC 5346.1, EFFECTIVE NOVEMBER 29, 1982; AND AN AMENDMENT OF SAID LEASE TO WAIVE THE $1,000 SURETY BOND ORIGINALLY REQUIRED; ALL REMAINING TERMS AND CONDITIONS OF LEASE PRC 5346.1 REMAIN UNCHANGED ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

PRC 5346

A parcel of land in the Sacramento River, situated in T4N, R3E, MDM, Sacramento County, California, said parcel being easterly of the confluence of the Sacramento River, Cache Slough and Steamboat Slough, more particularly described as follows:

The most easterly of two islands situated along the right bank of the Sacramento River, approximately 3200 feet distant easterly of the most westerly point of Grand Island as shown on Quadrangle Map "Rio Vista, California 1953."

END OF DESCRIPTION

Prepared H. H. Kunnecke Checked [illegible]

Reviewed M L Shafer Date 4-20-77

DJB

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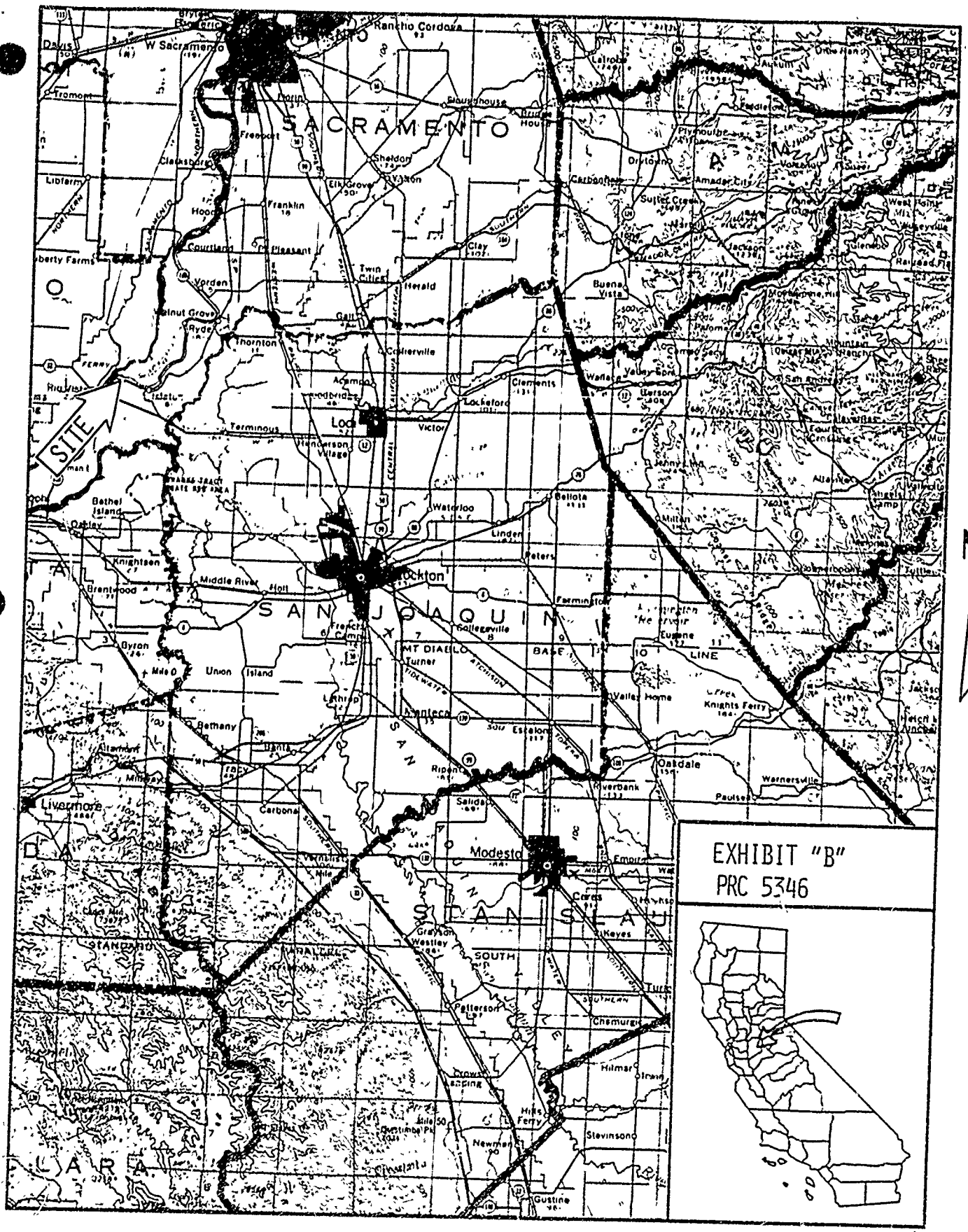

EXHIBIT "B"
PRC 5346