MINUTE ITEM

This Calendar Item No. C6 was approved as Minute Item No. 6 by the State Lands Commission by a vote of 3 to 0 at its 11/29/82 meeting.

Minute item 6, meeting of 11/29/82 rescinded by minute item 19, meeting of 5/22/86. jp

CALENDAR ITEM

C06

11/29/82
W 21765
Maricle
PRC 6348

GENERAL PERMIT - INDUSTRIAL USE

APPLICANT: R. Jane Law,
dba R. J. Systems
P. O. Box 60182
Sunnyvale, California 94088
Attention: Mr. Thomas F. Carolan
General Manager

AREA, TYPE LAND AND LOCATION:
A 0.154 acre of tide and submerged land, located in Alviso Slough, Santa Clara County.

LAND USE: Barge and dock facilities.

TERMS OF PROPOSED PERMIT:
Initial period: Five years from December 1, 1982.

Surety bond: $1,000.

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

CONSIDERATION: $370 per annum, or five percent of gross income per annum with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

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

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PREREQUISITE TERMS, FEES AND EXPENSES:
Applicant is lessee 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: 4/13/83.

OTHER PERTINENT INFORMATION:

1. The applicant runs a small boat repair business at Alviso Slough. In addition, the applicant may wish to sublet temporary moorage to other parties. The lease thus provides that rental to the State shall be five percent of the applicant's gross income, or $370 per annum, whichever is greater. All subletting would be subject to Commission approval. In the past, Pacific Gas and Electric Company service vessels have moored for short stays at said docks, relative to the maintenance of electrical facilities in nearby salt ponds.

2. The applicant's docks and barge have occupied sovereign lands without permit prior to the commencement date of the proposed lease. Upon learning of the Commission's jurisdiction applicant filed an application and has cooperated with staff. Applicant's petition is to relocate a 20' x 50' barge to lease parcel 2; the docks will remain in lease parcel 1.

   a. The applicant has assisted the staff in identifying trespassers in Alviso Slough, in debris cleanup of the slough following storm damage, and has offered to remove three, unmarked, derelict hulls from the slough. The hulls are a potential hazard and an actual nuisance. Staff believes these benefits more

than compensate the State for applicant's prior unpermitted use of sovereign lands.

3. This project is exempt from CEQA because it involves existing facilities.

   Authority: 2 Cal. Adm. Code, Div. 3, Section 2905, Class 1.

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

APPROVALS OBTAINED:
None.

FURTHER APPROVALS REQUIRED:
San Francisco Bay Conservation and Development Commission.

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 R. JANE LAW, dba R. J. SYSTEMS OF A FIVE-YEAR GENERAL PERMIT - INDUSTRIAL USE, FROM DECEMBER 1, 1982; IN CONSIDERATION OF A BASE ANNUAL RENT IN THE AMOUNT OF $370, OR FIVE PERCENT OF GROSS INCOME PER ANNUM, WHICHEVER IS GREATER; PROVISION OF A $1,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF $100,000; REMOVAL AND DISPOSAL OF THREE, UNMARKED, DERELICT HULLS, AS DESCRIBED HEREIN, FOR A BARGE AND THREE DOCKS ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

W 21765

Two parcels of tide and submerged land in the bed of Alviso Slough at the foot of Bay Street in the city of Alviso, Santa Clara County, California, described as follows:

PARCEL 1

BEGINNING at Station No. 945 as shown on Sheet 2 of 3 sheets of that certain Record of Survey filed in Book 380 of Maps, at page 26, in the Santa Clara County Recorders Office; thence along the ordinary high water mark as described in Exhibit "A" of Boundary Line Agreement No. 155 recorded in Deed Book 011, at page 475, et seq., in said Santa Clara Recorders Office the following nine courses:

1. N 61° 16' 10" W 20.38 feet;
2. N 69° 49' 21" W 32.59 feet;
3. N 72° 55' 41" W 24.01 feet;
4. N 71° 14' 14" W 23.94 feet;
5. N 51° 52' 24" W 20.06 feet;
6. N 61° 57' 25" W 16.01 feet; thence leaving

said ordinary high water mark and entering said Alviso Slough.

7. S 37° 42' 54" W 20 feet;
8. S 65° 48' 35" E 135.93 feet; and
9. N 37° 42' 54" E 20 feet to the point of

beginning.

PARCEL 2

BEGINNING at Station No. 945 in Parcel 1 above; thence along the ordinary high water mark as described in Exhibit "A" of Boundary Line Agreement No. 165 recorded in Deed Book 418, at page 185, et. seq., in said Santa Clara County Recorders Office the following eleven courses:

1. N 69° 17' 40" E 25.79 feet;
2. N 75° 45' 50" E 15.63 feet;

CALENDAR PAGE 29
MINUTE PAGE 3019

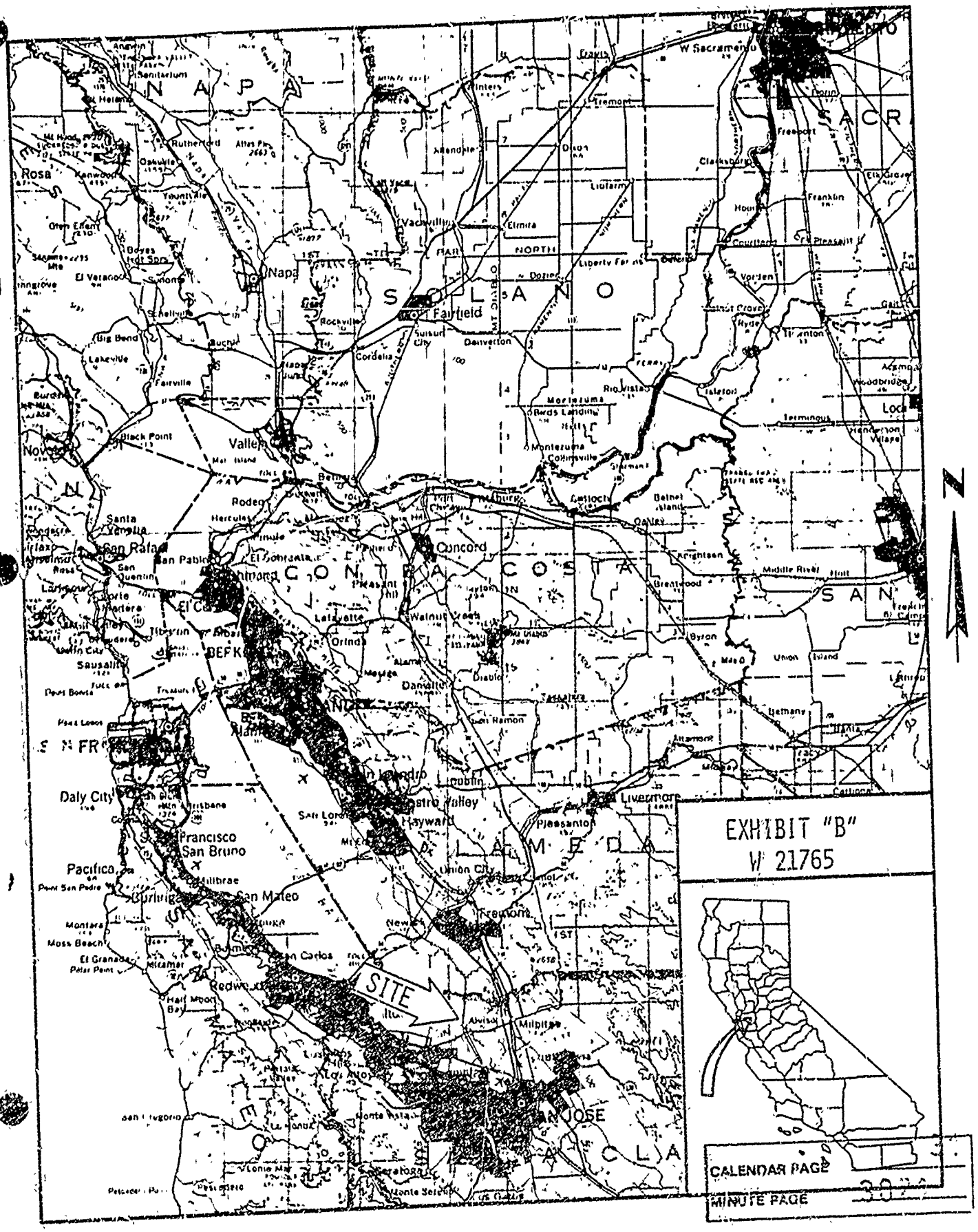
3. N 25° 36' 20" E 17.95 feet;
4. N 84° 01' 34" E 19.01 feet;
5. N 83° 30' 12" E 16.78 feet;
6. S 49° 33' 29" E 15.06 feet,
7. S 05° 32' 14" E 16.59 feet;
8. S 04° 00' 31" W 29.17 feet;
9. S 06° 19' 08" E 18.93 feet;
10. S 22° 12' 47" E 11.93 feet; thence leaving said ordinary high water mark and crossing tidelands.

11. N 62° 28' 58" W 113.01 feet to the point of beginning.

END OF DESCRIPTION

PREPARED APRIL 22, 1982 BY TECHNICAL SERVICES UNIT, ROY MINNICK, SUPERVISOR.

CALENDAR PAGE 30
MINUTE PAGE 3920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Pleasanton
Antioch
Rio Vista
Dixon
Vacaville
Novato
Rodeo
Hercules
Martinez
Walnut Creek
Lafayette
Orinda
Moraga
Danville
San Ramon
Dublin
Castro Valley
San Lorenzo
Union City
Newark
Fremont
San Carlos
Milpitas
Alviso
Los Altos
Monte Sereno
Saratoga
Sunnyvale
Santa Clara
Mountain View
Palo Alto
Menlo Park
Redwood City
Half Moon Bay
Moss Beach
Montara
Millbrae
Burlingame
Sausalito
Tiburon
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Rutherford
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Calistoga
St Helena
Angwin
Sanitarium
Cloverdale
Healdsburg
Windsor
Rohnert Park
Cotati
Sebastopol
Forestville
Guerneville
Bodega
Tomales
Point Reyes
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Olema
Stinson Beach
Bolinas
Muir Beach
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Tiburon
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Corte Madera
Larkspur
Ross
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Fairfax
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Jenner
Cazadero
Fort Ross
Stewarts Point
Gualala
Point Arena
Manchester
Elk
Mendocino
Fort Bragg
Cleone
Inglenook
Westport
Leggett
Piercy
Garberville
Redway
Miranda
Weott
Ferndale
Fortuna
Rio Dell
Scotia
Eureka
Arcata
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Korbel
Trinidad
Orick
Klamath
Hoopa
Willow Creek
Hoopa
Weitchpec
Orleans
Somes Bar
Seiad Valley
Yreka
Montague
Tulelake
Dorris
Macdoel
Mt Shasta
Weed
Lake Shastina
Dunsmuir
Shasta
Redding
Anderson
Cottonwood
Red Bluff
Corning
Orland
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Maxwell
Colusa
Arbuckle
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Dunnigan
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Winters
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Rio Vista
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Turlock
Hilmar
Merced
Atwater
Livingston
Chowchilla
Madera
Coarsegold
Oakhurst
Fresno
Clovis
Sanger
Reedley
Dinuba
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Hanford
Lemoore
Corcoran
Tulare
Visalia
Porterville
Lindsay
Exeter
Farmersville
Woodlake
Ivanhoe
Lemon Cove
Three Rivers
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EXHIBIT "B"
W 21765
CALENDAR PAGE
MINUTE PAGE