MINUTE ITEM
This Calendar Item No. 26
was approved as Minute Item
No. 26 by the State Lands
Commission by a vote of 3
to 0 at its 9/25/84
meeting.

CALENDAR ITEM

26

A 10

S 13

09/25/84
W 21146
PRC 5347.1
J. Ludlow

GENERAL PERMIT - RECREATIONAL USE

APPLICANT: Nelson C. Barry III
220 Bush Street
San Francisco, California 94104

AREA, TYPE LAND AND LOCATION:
A 0.045-acre parcel of tide and submerged land in Georgiana Slough, Sacramento County.

LAND USE: Use and maintenance of a recreational dock.

TERMS OF PROPOSED PERMIT:
Initial period: Ten years beginning March 23, 1984.

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

CONSIDERATION: $125.00 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 2003.

APPLICANT STATUS:
Applicant is lessee of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing fee and 1st years annual rent 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: 11/26/84

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorical exempt project. The project is exempt under Class 2, replacement or reconstruction, 14 Cal. Adm. Code 15302.

   Authority: P.R.C. 21084 and 14 Cal. Adm. Code 15300.

2. John and Jeanette Lloyd, the prior lessees of the upland property, were granted approval for the use of an existing float, barge, and walkway at the site by Commission action on July 26, 1977, under PRC 5349.1. However, the permit document was never executed by The State Lands Commission due to Mr. and Mrs. Lloyd's failure to supply staff with certain required documents. Shortly thereafter, Mr. and Mrs. Lloyd vacated the property.

3. A site inspection of the property conducted by staff revealed the barge and walkway have been removed. The existing deteriorated dock will be removed and replaced with a new dock.

4. The applicant has entered into a 31-year lease with Georgiana Properties, the upland owner. Said lease expires on June 30, 2014.

APPROVALS OBTAINED:

County of Sacramento, United States Army Corps of Engineers, State Reclamation Board.

EXHIBITS:

A. Land Description
B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 AS A CATEGORICAL EXEMPT PROJECT, CLASS 2, REPLACEMENT OR RECONSTRUCTION, 14 CAL. ADM. CODE 15302.

2. RESCIND MINUTE ITEM 15, APPROVED BY COMMISSION ACTION ON JULY 26, 1977.

3. AUTHORIZE ISSUANCE TO BARRY C. NELSON III OF A TEN-YEAR GENERAL PERMIT - RECREATIONAL USE BEGINNING MARCH 23, 1984; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF $125.00, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF $100,000; FOR THE USE AND MAINTENANCE OF A RECREATIONAL DOCK ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION W 21146

Two parcels of tide and submerged land in the bed of Georgiana Slough, Sacramento County, California, described as follows:

PARCEL 1

All that land lying immediately beneath a pier TOGETHER WITH A necessary use area extending 10 feet from the extremities of said pier, said pier being adjacent to and west of that land described in the deed recorded May 3, 1935 in Book 523, Page 264, Sacramento County Records, and also being approximately 350 feet north of the Georgiana Slough drawbridge near the Sacramento River.

PARCEL 2

All that land lying immediately beneath riprap placed for bank protection adjacent to the land described in said Book 523, Page 264, Sacramento County Records.

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

END OF DESCRIPTION

REVISED JUNE 7, 1984 BY BOUNDARY AND TITLE UNIT, LEORY WEED, SUPERVISOR

CALENDAR PAGE 150
MINUTE PAGE 2223

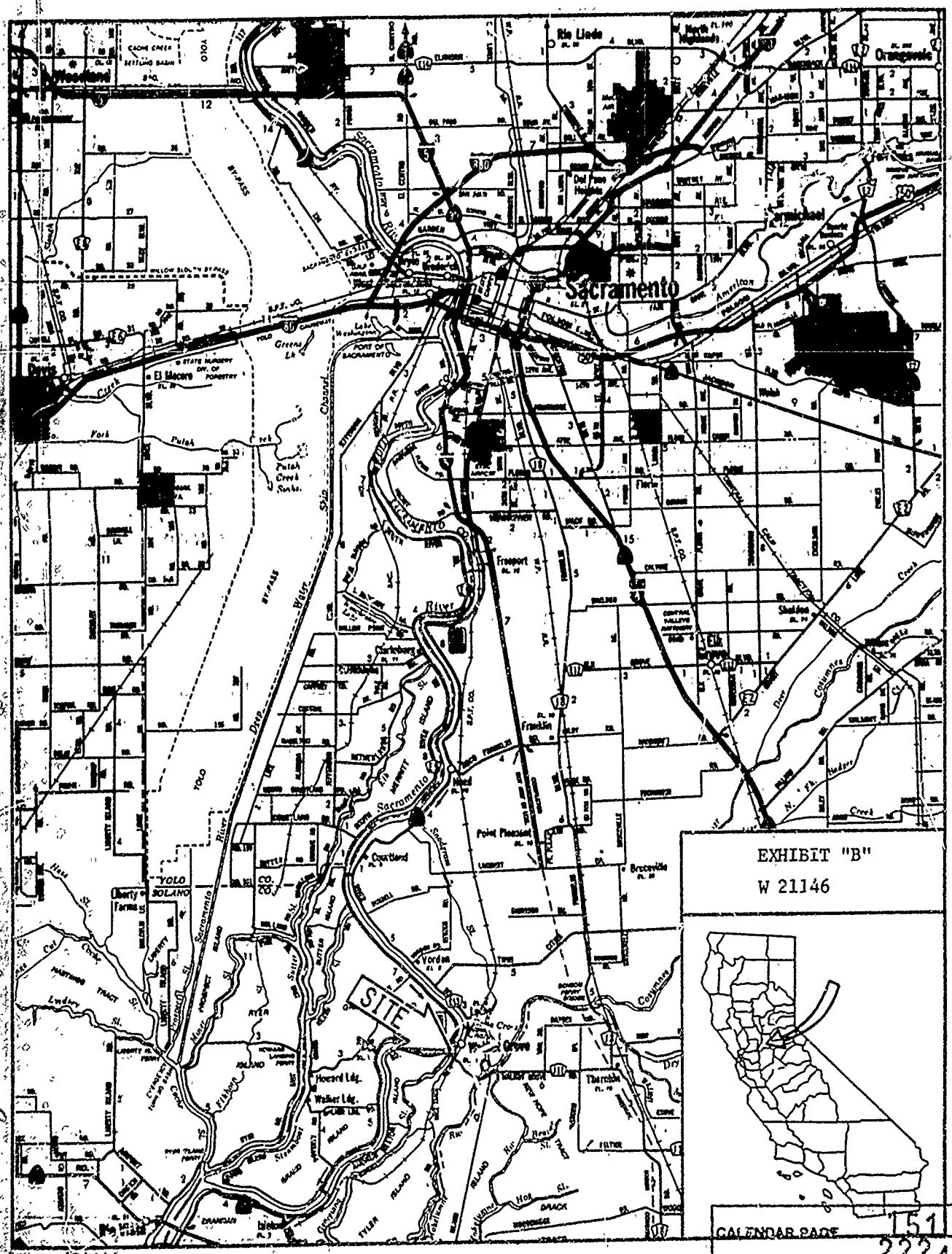

EXHIBIT "B"

W 21146

CALENDAR PAGE 151

MINUTE PAGE 2224