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CALENDAR ITEM

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GENERAL PERMIT - PROTECTIVE STRUCTURE USE

APPLICANTS: Homer L. Couchm 'd
Verda M. Couchman
3131 Illinois Avenue
Modesto, California 95351

AREA, TYPE LAND AND LOCATION:
A 0.138-acre area of submerged lands, located in the Tuolumne River, Stanislaus County.

LAND USE: Placement and maintenance of fill, rock, or concrete riprap material utilized for erosion control and bank protection purposes.

TERMS OF PROPOSED PERMIT:

Initial period: Ten years years beginning November 20, 1984.

Special: 1. Permittee agrees that the project is restricted and limited to the sites described and delineated in United States Army Corps of Engineers Permit No. 8712 issued November 20, 1984.

CONSIDERATION: 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.

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

APPLICANT STATUS:
Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing fee and 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: 08/05/85.

OTHER PERTINENT INFORMATION:
1. This is a bank protection project that is already in place. It is staff's opinion that the project could be of mutual benefit to the public and applicant. The strength and integrity of the bank system at the sites should be enhanced without any additional cost to the public. The value of the applicant's upland property and improvements will be safeguarded to a greater extent from the threat of erosion and flooding.

2. The annual rental value of the sites is estimated to be $50.

3. 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 1, Existing Facilities, 2 Cal. Adm. Code 2905(a)(2).

   Authority: P.R.C. 21084, 14 Cal. Adm. Code 15300, and 2 Cal. Adm. Code 2905.

4. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

APPROVALS OBTAINED:
United States Army Corps of Engineers, California Department of Fish and Game, California Central Valley Regional Water Quality Control Board, and California Reclamation Board.

FURTHER APPROVALS REQUIRED:
None.

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 1, EXISTING FACILITIES, 2 CAL. ADM. CODE 2905(a)(2).

2. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.

3. AUTHORIZE ISSUANCE TO HOMER L. COUCHMAN AND VERDA M. COUCHMAN OF A TEN-YEAR GENERAL PERMIT - PROTECTIVE STRUCTURE USE BEGINNING NOVEMBER 20, 1984; IN CONSIDERATION OF 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; FOR PLACEMENT AND MAINTENANCE OF FILL, ROCK OR CONCRETE RIPRAP MATERIAL UTILIZED FOR EROSION AND BANK PROTECTION PURPOSES ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

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LAND DESCRIPTION

All that submerged land in the bed of the Tuolumne River, Sections 14 and 15, T4S, R8E, MDM, Stanislaus County, California, lying immediately beneath riprap placed for bank protection along the right bank of said river, said land lying adjacent to and south easterly of that land described in the Grant Deed recorded September 5, 1967 in Book 2182, Page 27, Official Records of Stanislaus County.

EXCEPTING THEREFROM any portion thereof lying landward of the ordinary low water mark of said Tuolumne River.

END OF DESCRIPTION

PREPARED NOVEMBER 29, 1984 BY BOUNDARY SERVICES UNIT, M. L. SHAFER, SUPERVISOR.

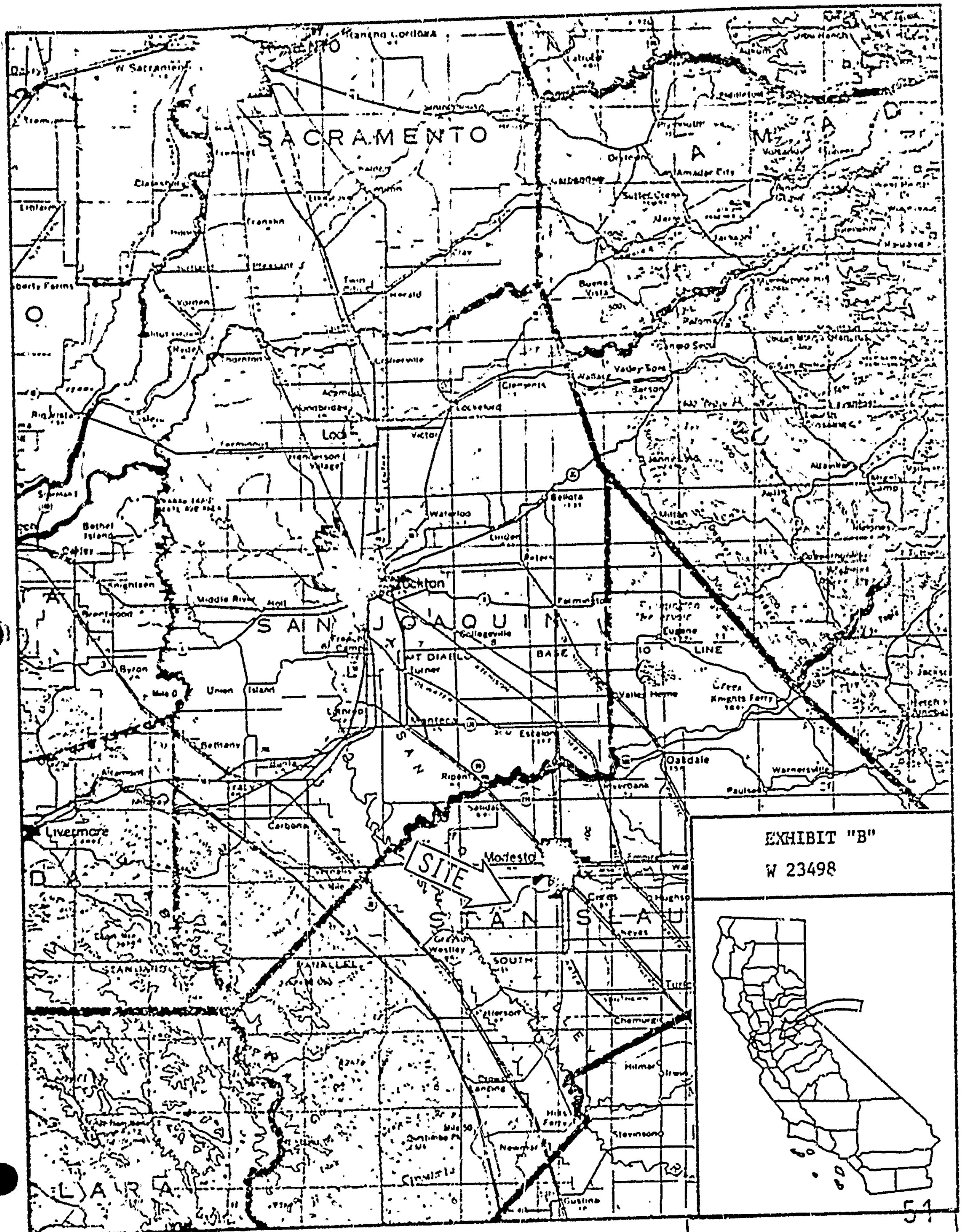

EXHIBIT "B"

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