

MINUTE ITEM

This Calendar Item No. C18
was approved as Minute Item
No. 18 by the State Lands
Commission by a vote of 2
to 0 at its 7/25/85
meeting.

CALENDAR ITEM

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APPROVAL OF A GENERAL PERMIT - PROTECTIVE STRUCTURE

APPLICANT: Western Waterways, Inc.
2000 Glen Cove Road
Vallejo, California 94591

AREA, TYPE LAND AND LOCATION:
A 0.284-acre parcel of tide and submerged land
located in Old River at Holland Tract, Contra
Costa County.

LAND USE: Installation and maintenance of a floating
breakwater.

TERMS OF PROPOSED PERMIT:
Initial period: 15 years beginning August 1,
1985.

Public liability insurance: Combined single
limit coverage of \$300,000.

CONSIDERATION: \$450 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.

APPLICANT STATUS:
Applicant is permittee of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing fee has been received.

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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: 09/15/85.

OTHER PERTINENT INFORMATION:

1. The applicant proposes to install a 45' x 275' floating tire breakwater secured to piling for wave action protection. Boat sheds that are a part of Holland Riverside Marina will benefit from this protective measure. Terms of the permit allow the applicant one year to install the breakwater facility.
2. This activity involves lands which have NOT been identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. However, the Commission has declared that all tide and submerged lands are "significant" by nature of their public ownership (as opposed to "environmentally significant"). Since such declaration of significance is not based upon the requirements and criteria of P.R.C. 6370, et seq., use classifications for such lands have not been designated. Therefore, the finding of the project's consistency with the use classification as required by 2 Cal. Adm. Code 2954 is not applicable.
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 4, Minor Alterations to Land, 14 Cal. Adm. Code 15304.

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

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APPROVALS OBTAINED:

United States Army Corps of Engineers.

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 4, MINOR ALTERATIONS TO LAND, 14 CAL. ADM. CODE 15304.
2. AUTHORIZE ISSUANCE TO WESTERN WATERWAYS, INC. OF A 15-YEAR GENERAL PERMIT - PROTECTIVE STRUCTURE BEGINNING AUGUST 1, 1985; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$450, 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 \$300,000; FOR INSTALLATION AND MAINTENANCE OF A FLOATING BREAKWATER ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

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A parcel of tide and submerged land in Old River, Contra Costa County, California, said parcel lying immediately beneath a floating tire breakwater as shown on U.S.C.E. Public Notice No. 8811, said breakwater being easterly of Holland Riverside Harbor in Lot 52 of Holland Tract, and adjacent to and northerly of the land described in the deed recorded September 5, 1962 in Book 4196, Page 192, Official Records of Contra Costa County.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of Old River.

END OF DESCRIPTION

PREPARED MARCH 29, 1985 BY BOUNDARY SERVICES UNIT, M.L. SHAFER, SUPERVISOR

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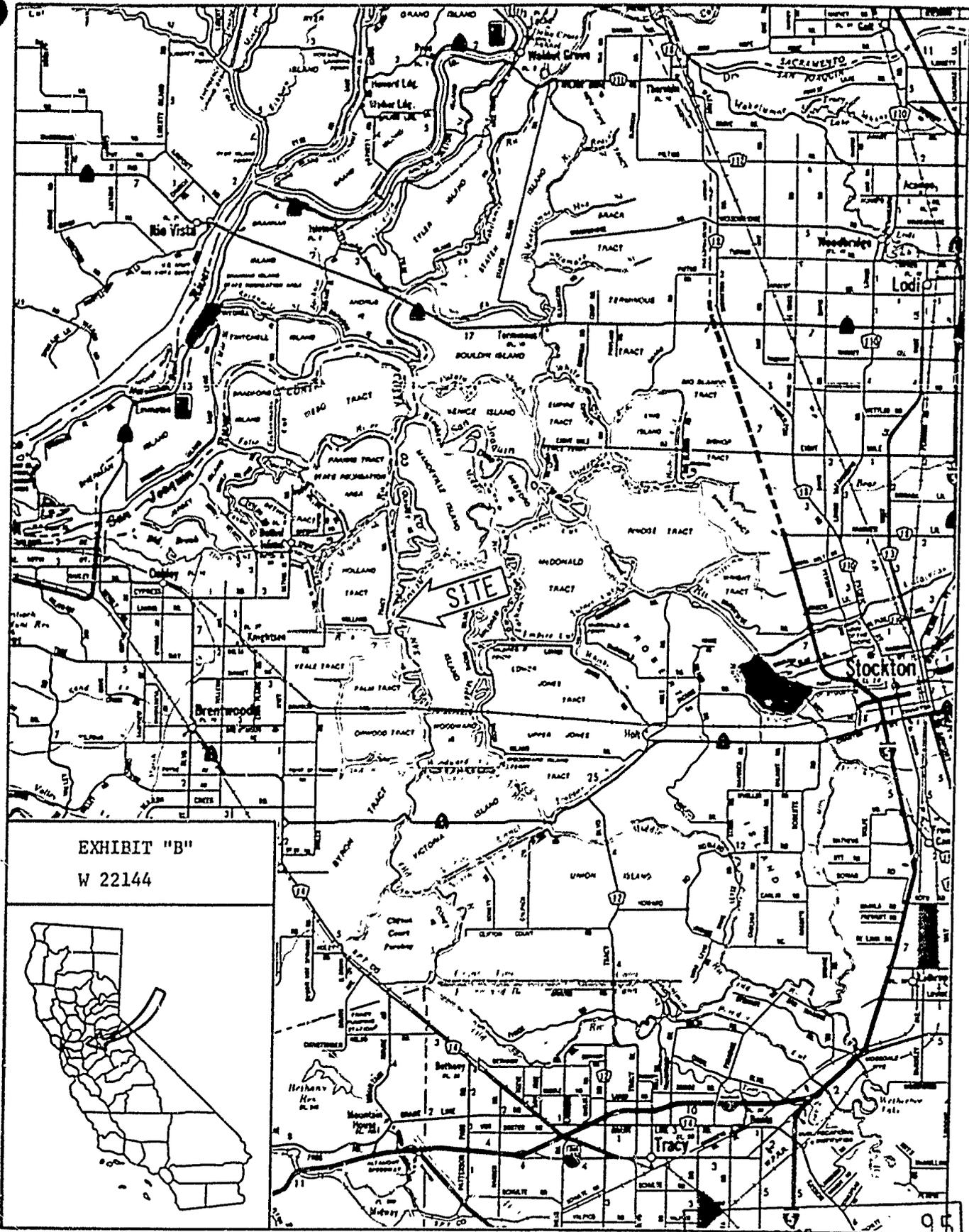


EXHIBIT "B"
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