

MINUTE ITEM

This Calendar Item No. 05  
was approved as Minute Item  
No. 5 by the State Lands  
Commission by a vote of 3  
to 0 at its 9/26/85  
meeting.

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09/26/85  
WP 3195 PRC 3195  
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TERMINATION OF LIFE-OF-STRUCTURE PERMIT NO. 3195  
AND ISSUANCE OF GENERAL PERMIT - PUBLIC AGENCY USE

APPLICANTS: State of California  
Department of Fish and Game  
1416 Ninth Street, Fourth Floor  
Sacramento, California 95814  
and  
County of San Joaquin  
4520 West Eight-Mile Road  
Stockton, California 95209

ARFA, TYPE LAND AND LOCATION:  
A 0.115-acre parcel of tide and submerged land,  
located in the San Joaquin River near Lathrop,  
San Joaquin County.

LAND USE: Construction, maintenance, and operation of a  
boat-launching ramp, utilized for noncommercial  
public recreational purposes.

TERMS OF ORIGINAL PERMIT (Department of Fish and Game,  
Permittee)  
Initial period: Continuous use plus one year  
beginning October 22, 1964.  
Consideration: The public benefit

TERMS OF PROPOSED PERMIT  
Initial period: 18 years beginning April 26,  
1985.  
Special: 1. Permittee shall not set  
or collect a monetary fee for  
the use of the facilities  
without the prior written  
consent of the Commission.

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2. The permit restricts any residential use of the permit area

Consideration: The public use and 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 and lessee of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:  
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: 10/14/85.

OTHER PERTINENT INFORMATION:  
1. At its meeting on October 22, 1964, the State Lands Commission, in Minute Item 3, approved the issuance of Life-of-Structure Permit No. 3125, Public Resources Code Series, to the California Department of Fish and Game for construction of a launching ramp. A new two-lane ramp will be constructed to replace the authorized ramp. The littoral upland is owned by the County of San Joaquin. The real property landward and adjacent to the littoral upland is owned by the California Department of Fish and Game. These lands, together, compose the public recreational site known as Dos Reis Angling Access, which will include parking, primitive campground, restroom and launching facilities.

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The project is a cooperative venture of the California Department of Boating and Waterways, California Wildlife Conservation Board, California Department of Fish and Game, and the County of San Joaquin. The County operates the facilities pursuant to a long-term cooperative agreement with the Department of Fish and Game. The County may charge a vehicular access fee to the area not to exceed the fee in effect at similar areas in San Joaquin County, subject to the approval of the State. Fees collected shall be used by the County to offset operational costs of the site. No specific charge shall be made for public use of the structure on sovereign land. Because of the public benefits of this project, the Wildlife Conservation Board requests the Commission's processing fee be waived.

2. The format of the original permit is not consistent with the commission's current rules and regulations. Termination of the original permit is recommended.
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 2, Replacement or Reconstruction, 2 Cal. Adm. Code 2905(b).

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.

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APPROVALS OBTAINED:

United States Army Corps of Engineers,  
California Department of Fish and Game,  
California Central Valley Regional Water  
Quality Control Board, California Reclamation  
Board and the County of San Joaquin.

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 2, REPLACEMENT OR RECONSTRUCTION, 2 CAL. ADM. CODE 2905(b).
2. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.
3. WAIVE THE PROCESSING FEE FOR THIS ACTIVITY IN CONSIDERATION OF THE STATEWIDE PUBLIC BENEFIT OF THE PROJECT.
4. AUTHORIZE TERMINATION OF LIFE-OF-STRUCTURE PERMIT NO. 3195, PRC SERIES, DATED DECEMBER 18, 1964, EFFECTIVE APRIL 26, 1985; AND THE ISSUANCE TO STATE OF CALIFORNIA, DEPARTMENT OF FISH AND GAME AND COUNTY OF SAN JOAQUIN OF AN 18-YEAR GENERAL PERMIT - PUBLIC AGENCY USE BEGINNING APRIL 26, 1985; IN CONSIDERATION OF THE PUBLIC USE AND 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 CONSTRUCTION, MAINTENANCE, AND OPERATION OF A BOAT-LAUNCHING RAMP, UTILIZED FOR NONCOMMERCIAL PUBLIC RECREATIONAL PURPOSES ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

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A strip of tide and submerged land 40 feet wide in the bed of the San Joaquin River near Lathrop, San Joaquin County, California, the centerline of said strip being described as follows:

BEGINNING at a point from which the southeast corner of that property described in the deed from Mack Sung to the County of San Joaquin as same is recorded in Book 1768, Page 23, Official Records of San Joaquin County; bears S 66° 11' 45" E, 425.31 feet; thence from said point of beginning N 52° 07' 42" W, 125.00 feet to the end of the herein described line.

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

END OF DESCRIPTION

PREPARED APRIL 24, 1985, BY BOUNDARY SERVICES UNIT, M. L. SHAFER, SUPERVISOR.

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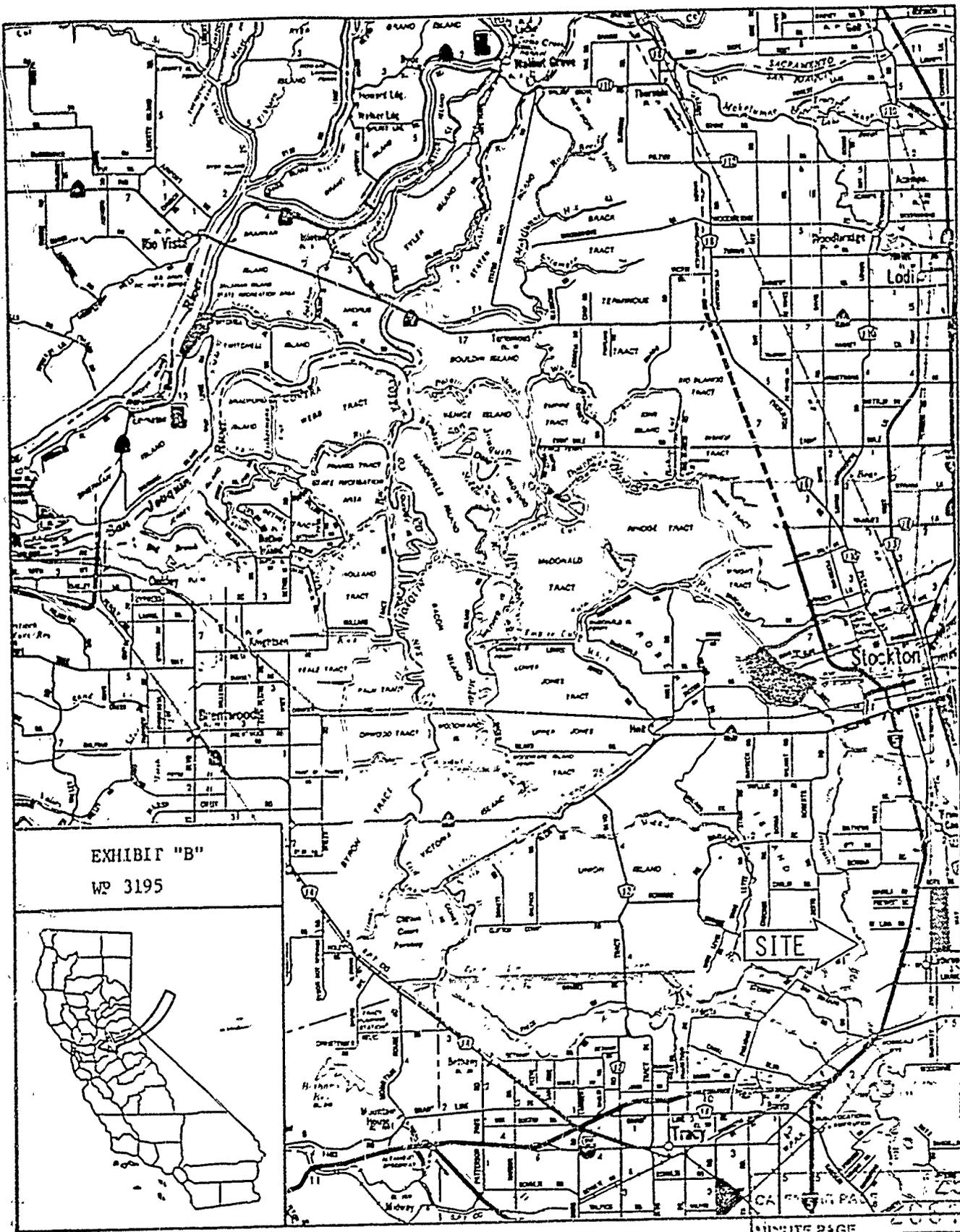


EXHIBIT "B"  
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SITE

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