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CALENDAR ITEM

C12

11/21/85  
W 23366 PRC 6917  
Gordon

GENERAL PERMIT - RECREATIONAL USE

APPLICANT: Herman Ehlers & Sons, Inc.  
1416 West Arundal Court  
Lodi, California 95240

AREA, TYPE LAND AND LOCATION:  
A 0.048-acre parcel of tide and submerged land,  
located in White Slough, San Joaquin County.

LAND USE: Maintenance of an existing dock utilized for  
recreational purposes, maintenance of fill  
material; and maintenance of a bulkhead for  
erosion control and bank protection purposes.

TERMS OF PROPOSED PERMIT:

Initial period: Five years and eight months  
beginning April 15, 1984.

Public liability insurance: Combined single  
limit coverage of \$500,000.

Special: 1. Permittee agrees the fill  
material is restricted and  
limited to the site described  
and delineated in United  
States Army Corps of  
Engineers Permit No. 8533  
effective July 15, 1984.

CONSIDERATION: \$84 beginning April 15, 1984 through  
December 14, 1984 and \$126 per annum thereafter  
with the State reserving the right to fix a  
different rental on each fifth anniversary of  
the permit.

CALENDAR ITEM NO. C 1 2 (CONT'D)

**BASIS FOR CONSIDERATION:**

Pursuant to 2 Cal. Adm. Code 2003.

**APPLICANT STATUS:**

Applicant is 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:

12/09/85.

**OTHER PERTINENT INFORMATION:**

1. Applicant advises staff the facility is utilized for noncommercial recreational purposes.
2. 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.

3. 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 is consistent with its use classification.

CALENDAR ITEM NO. C 12 (CONT'D)

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 County of San Joaquin.

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 HERMAN EHLERS & SONS, INC. OF A FIVE-YEAR AND EIGHT MONTH GENERAL PERMIT - RECREATIONAL USE BEGINNING APRIL 15, 1984; IN CONSIDERATION OF \$84 BEGINNING APRIL 15, 1984 THROUGH DECEMBER 14, 1984 AND \$126 PER ANNUM THEREAFTER; WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT; AND WITH PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$500,000; FOR MAINTENANCE OF A DOCK UTILIZED FOR RECREATIONAL PURPOSES; MAINTENANCE OF FILL MATERIAL; AND MAINTENANCE OF A BULKHEAD FOR EROSION CONTROL AND BANK PROTECTION PURPOSES ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

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EXHIBIT "A"

LAND DESCRIPTION

W 23366

A parcel of tide and submerged land in the bed of White Slough, San Joaquin County, California, described as follows:

All that land lying immediately beneath a bulkhead, related fill, and a floating dock TOGETHER WITH a necessary use area extending 10 feet from the extremities of said dock and 2 feet from said bulkhead and fill, said bulkhead, fill, and dock being adjacent to that parcel of land described in the Quitclaim Deed recorded June 30, 1967, in Book 3135, Page 112, Official Records of San Joaquin County, and approximately 2000 feet easterly of the southwest corner of said parcel.

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

END OF DESCRIPTION

REVISED AUGUST 7, 1984 BY BOUNDARY AND TITLE UNIT.

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