

MINUTE ITEM

This Calendar Item No. 12  
was approved as Minute Item  
No. 12 by the State Lands  
Commission by a vote of 2  
to 1 at its 7/6/86  
meeting.

MINUTE ITEM:

17

03/06/86  
W 23674  
PRC 6954  
Martinez

DENIAL OF APPLICATION FOR DREDGING PERMIT

During consideration of Calendar Item 17, attached, Assistant Executive Officer Jim Trout indicated that since preparation of this item, the applicant has agreed to issuance of a one year dredging permit.

Upon motion made by Commission-Alternate Ordway and seconded by Commission-Alternate Wallace, the following Resolution was approved by a vote of 2-0:

THE COMMISSION:

1. FINDS THAT THIS ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 4, MAINTENANCE DREDGING, 14 CAL. ADM. CODE 15304(g).
2. AUTHORIZES STAFF TO ISSUE TO SELDEN L. PERRY THE DREDGING PERMIT ON FILE IN THE OFFICE OF THE COMMISSION. SAID PERMIT SHALL ALLOW DREDGING A MAXIMUM VOLUME OF 10,000 CUBIC YARDS OF MATERIAL FROM TIDE AND SUBMERGED LANDS IN A DREDGER CUT OFF THE MOKELUMNE RIVER AND DISPOSAL BEHIND AND ADJACENT TO THE LEVEE SYSTEM ON PERRY'S ISLAND. A ROYALTY OF \$0.25 PER CUBIC YARD SHALL BE CHARGED FOR MATERIAL PLACED ON THE APPROVED ADJACENT UPLAND SITE. SUCH PERMITTED ACTIVITIES CONTINGENT UPON APPLICANT'S COMPLIANCE WITH APPLICABLE PERMITS, RECOMMENDATIONS OR LIMITATIONS ISSUED BY FEDERAL, STATE AND LOCAL GOVERNMENT AGENCIES.

Attachment: Calendar Item 17.

CALENDAR PAGE  
MINUTE PAGE

552

CALENDAR ITEM

A 10

17

02/27/86

W 23674 PRC 6954

S 5

Martinez

DENIAL OF APPLICATION  
FOR DREDGING PERMIT

APPLICANT: Selden L. Perry  
P. O. Box 375  
Isleton, California 95641

AREA, TYPE LAND AND LOCATION:  
Tide and submerged lands in a dredger cut off  
the Mokelumne River between Andrus Island and  
Perry's Island, Sacramento County.

BACKGROUND INFORMATION:

The applicant has applied for a ten-year  
maintenance dredging permit to authorize  
periodic dredging of a maximum volume of  
1,000 cubic yards of material per year for the  
purpose of maintaining an adequate depth in the  
channel for passage of recreational vessels to  
berth and dry dock at Perry's Marina as shown  
on Exhibit "B". The dredged material was  
proposed for disposal behind and adjacent to  
the levee system on Perry's Island.

Staff has discussed with Mr. Perry the issuance  
of a one-year permit at a royalty rate of  
\$0.25 per cubic yard until such time the  
dredging may be incorporated within the terms  
of the marina lease which is currently being  
negotiated for renewal.

Mr. Perry has objected to issuance of a  
one-year permit, which he feels is  
inappropriate authorization for such periodic  
dredging of less than 1,000 cubic yards of  
material per year, because such action would

CALENDAR PAGE	120
MINUTE PAGE	553

CALENDAR ITEM NO. 17 (CONT'D)

require annual renewal prior to such time the dredging may be included within the terms of the marina lease. Staff is, therefore, recommending the application for a ten-year permit be denied without prejudice.

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), staff has determined that this activity is exempt from the requirements of the CEQA as a statutory exempt project because CEQA does not apply to projects which a public agency rejects or disapproves.

Authority: P.R.C. 21080(b)(5) and 14 Cal Adm. Code 15270.

AB 884: 03/18/86.

EXHIBITS: A. Vicinity Map.  
B. Site 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 STATUTORY EXEMPT PROJECT PURSUANT TO P.R.C. 21080(b)(5) AND 14 CAL. ADM. CODE 15270, PROJECTS WHICH A PUBLIC AGENCY REJECTS OR DISAPPROVES.
2. DENY WITHOUT PREJUDICE THE APPLICATION OF SELDEN L. PERRY FOR A MAINTENANCE DREDGING PERMIT FOR TEN YEARS COVERING THE REMOVAL OF A MAXIMUM VOLUME OF 1,000 CUBIC YARDS OF MATERIAL PER YEAR.

LAST PAGE	121
PAGE NO.	554

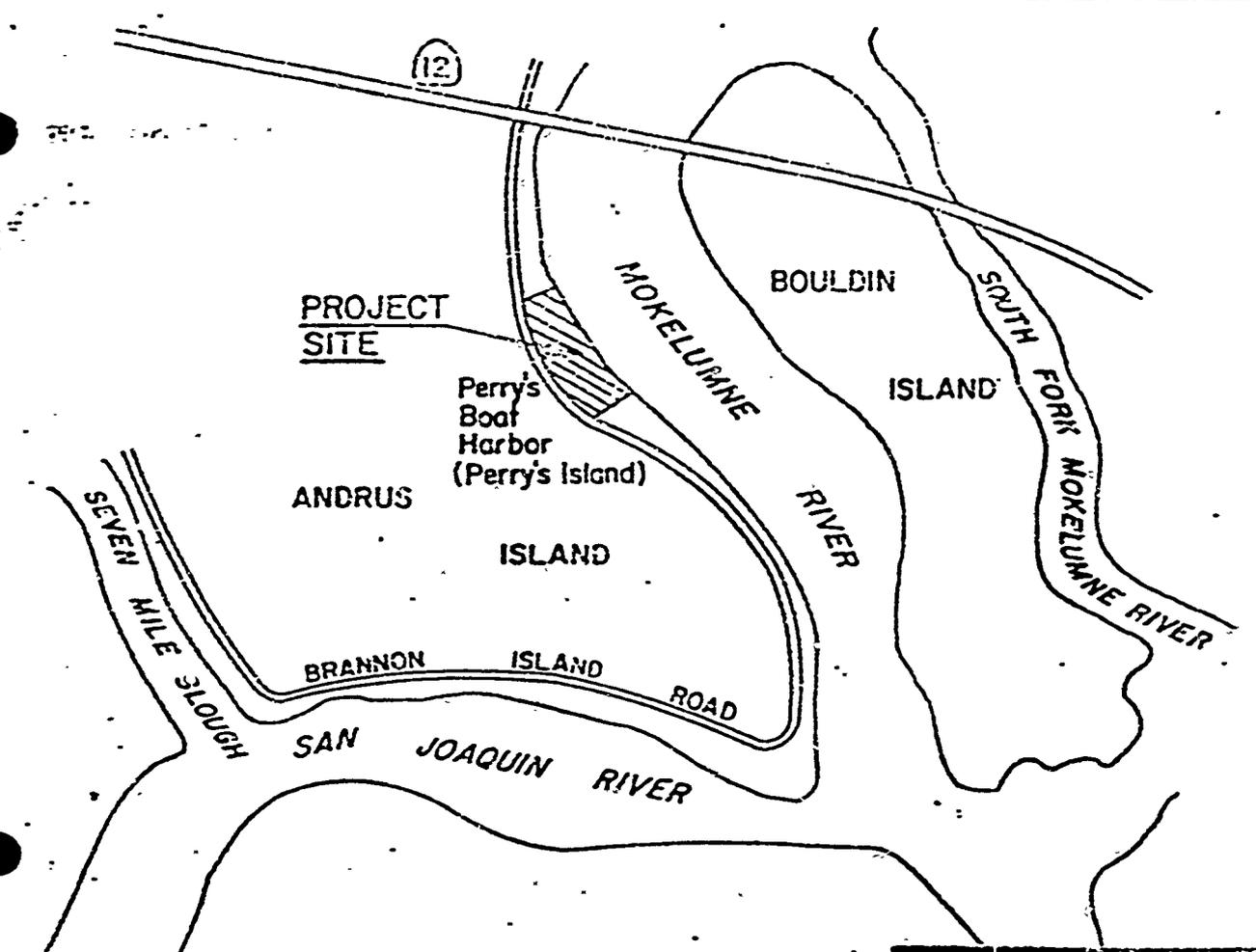
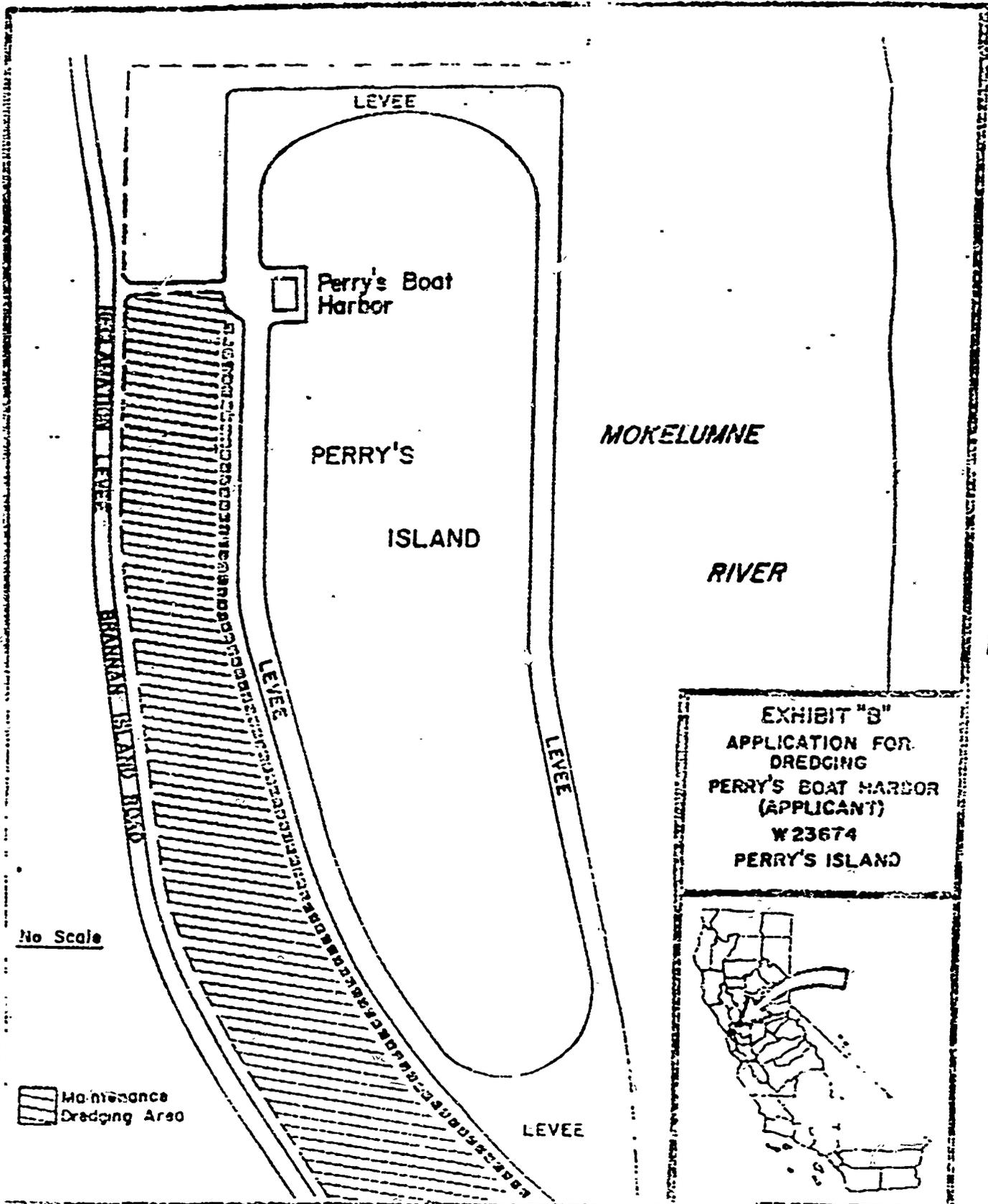


EXHIBIT "A"  
 APPLICATION FOR  
 DREDGING  
 PERRY'S BOAT HARBOR  
 (APPLICANT)  
 W23674  
 PERRY'S ISLAND





No Scale

 Maintenance Dredging Area

EXHIBIT "B"  
 APPLICATION FOR  
 DREDGING  
 PERRY'S BOAT HARBOR  
 (APPLICANT)  
 W 23674  
 PERRY'S ISLAND

