MINUTE ITEM

This Calendar Item No. 16 was approved as Minute Item No. 16 by the State Lands Commission by a vote of 2 to 0 at its 3/27/86 meeting.

MINUTE ITEM

16

03/27/86
W 23611
PRC 6944
Lane

APPROVAL OF GENERAL PERMIT - RECREATIONAL USE

During consideration of Calendar Item 16, attached, Mr. Ronald King appeared to again state his claim of ownership over the property the Commission was proposing to lease. Mr. King was unable to provide written documentation to support his claim of ownership.

Acting Chairwoman Rasmussen summarized the Commission's action at the March 6, 1986 meeting.

Upon motion duly made by Commission-Alternate Allenby and seconded by Commission-Alternate Wallace, the Resolution in Calendar Item 16 was approved, as presented, by a vote of 2-0.

Attachment: Calendar Item 16.

CALENDAR ITEM
16

A 10
S 7

03/27/86
W 23611 PRC 6944
Lane

APPROVAL OF GENERAL PERMIT - RECREATIONAL USE

APPLICANTS: Richard and Nancy Gorkosky
Eugene and Mary Scoggins
7990 Camino Tassajara
Pleasanton, California 94566

AREA, TYPE LAND AND LOCATION:
A 1.018-acre parcel of tide and submerged land and partially filled tide and submerged land, located in Old River near Kings Island, Contra Costa County.

LAND USE: Construction and maintenance of a floating boat berth and retention of rock riprap.

TERMS OF PROPOSED LEASE:
Initial period: Five years beginning March 1, 1986.

Surety bond: $5,000.

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

CONSIDERATION: $1,552.50 per annum.

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

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: 03/29/86.

OTHER PERTINENT INFORMATION:

1. The proposed project entails construction of a deck, ramp, and floating double uncovered boat berth in Old River. The berthing facility adjoins approximately one acre of land illegally filled in the 1960's by the deceased owner of Kings Island. On the filled area are located several mobile trailers that are used for temporary weekend living quarters. Terms of the lease strictly prohibit placing of permanent structures on the land and restrict use of the temporary recreational facilities to 120 days per year, not to exceed 14 consecutive days.

   Rock riprap has been placed around the perimeter of the filled area over the years, and the applicant requests authorization to retain it for protection from wave back wash.

   Because land access to Kings Island is via the proposed lease area, a 20 foot wide road easement to the current landowner was approved at the January 23, 1986 Commission meeting per Calendar Item 05. The road access to the proposed lease area and Kings Island, owned by Department of Water Resources, is closed to all public use except the Kings Island landowner, therefore, the applicants have agreed to use the contiguous waterways for access purposes.

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778

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 "environmental 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 1 (RV facilities), Existing Facilities, 2 Cal. Adm. Code 2905(a)(2); and Class 3 (dock), New Construction of Small Structures, 2 Cal. Adm. Code 2905(c)(1).

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

APPROVALS OBTAINED:
United States Army Corps of Engineers and County of Contra Costa.

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 (RV FACILITIES), EXISTING FACILITIES, 2 CAL. ADM. CODE 2905(a)(2); AND CLASS 3 (DOCK), NEW CONSTRUCTION OF SMALL STRUCTURES, 2 CAL. ADM. CODE 2905(c)(1).

2. FIND THAT THE SIGNIFICANT ENVIRONMENTAL VALUES ORIGINALLY IDENTIFIED PURSUANT TO P.R.C. 6370, ET SEQ., ARE NOT WITHIN THE PROJECT SITE AND WILL NOT BE AFFECTED BY THE PROPOSED PROJECT.

3. AUTHORIZE ISSUANCE TO RICHARD AND NANCY GORKOSKY AND EUGENE AND MARY SCOGGINS OF A FIVE-YEAR GENERAL PERMIT - RECREATIONAL USE BEGINNING MARCH 1, 1986; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF $1,552.50, PROVISION OF A $5,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF $500,000; FOR CONSTRUCTION AND MAINTENANCE OF A FLOATING BOAT BERTH, FACILITY AND RETENTION OF ROCK RIPRAP ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

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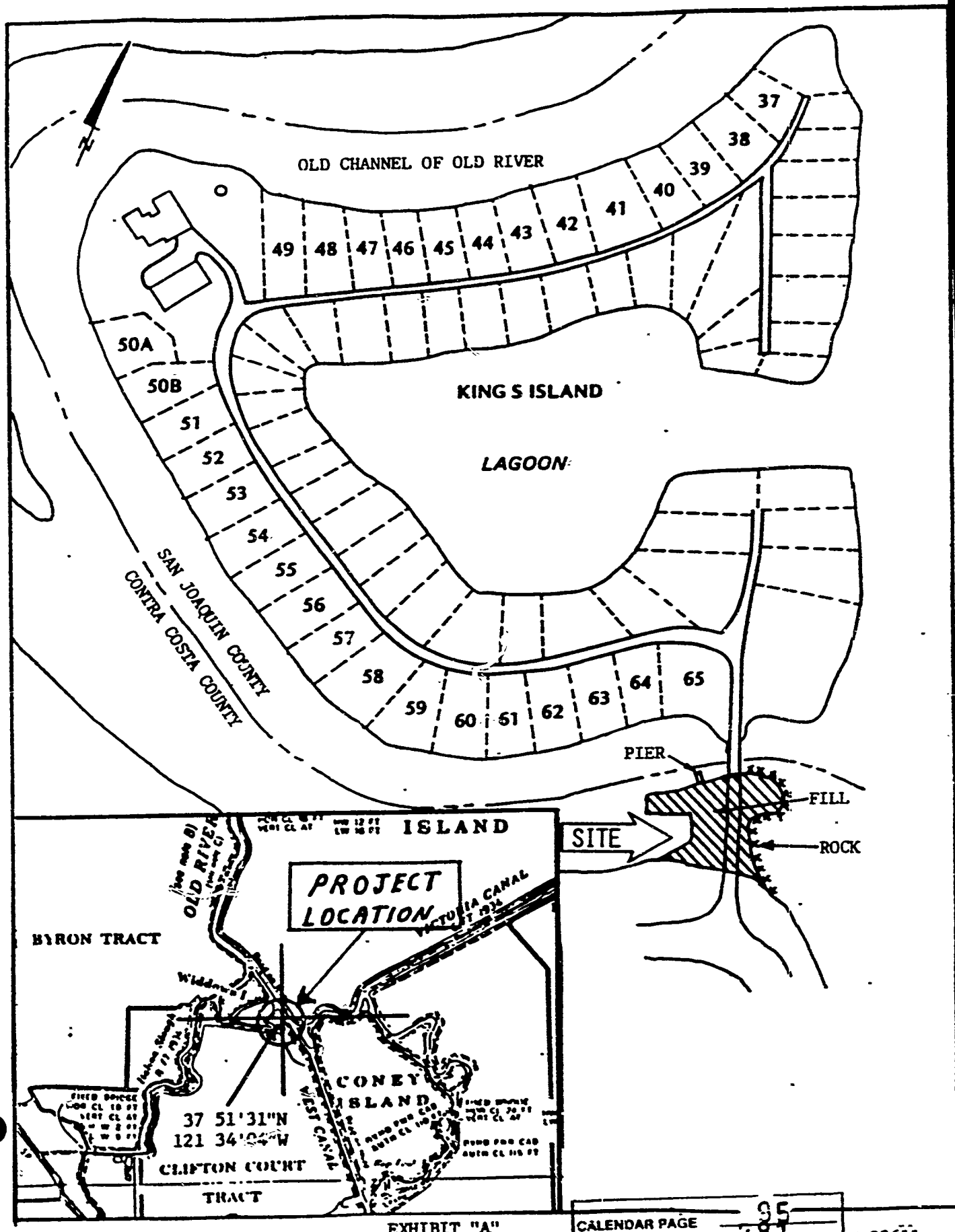

EXHIBIT "A"
LAND DESCRIPTION

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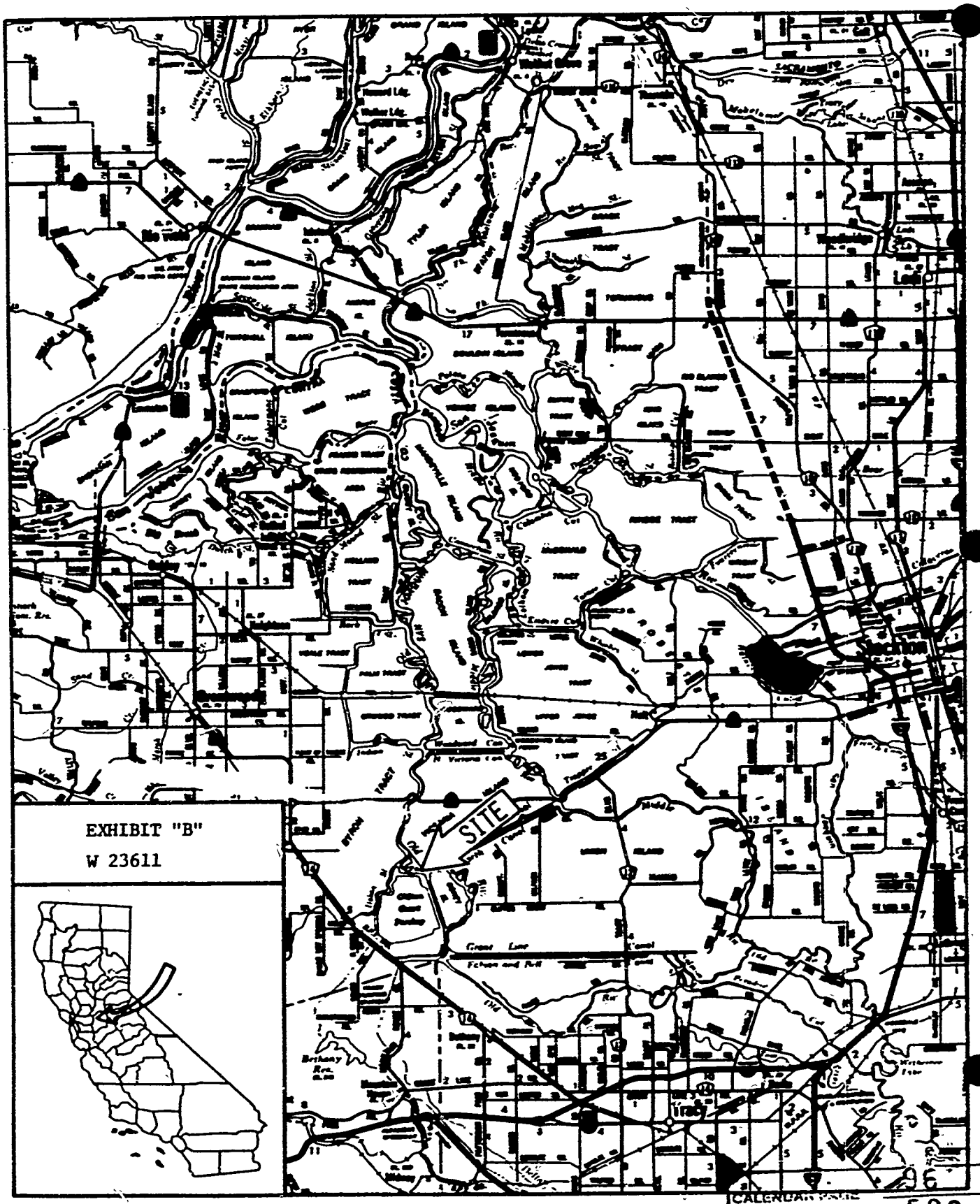

EXHIBIT "B"
W 23611