

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 4/24/86  
meeting.

CALENDAR ITEM

C 05

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04/24/86  
W 23476 PRC 6970  
Lane

APPROVAL OF A GENERAL PERMIT - RECREATIONAL USE

APPLICANTS: Douglas and Erna Abel  
20638 Shelly Drive  
Cupertino, California 95014

AREA, TYPE LAND AND LOCATION:  
A 0.048-acre parcel of tide and submerged land,  
located in the San Joaquin River at Bradford  
Island, Contra Costa County.

LAND USE: Use and maintenance of a floating boat dock.

TERMS OF PROPOSED PERMIT:  
Initial period: 20 years beginning April 1,  
1986.

Surety bond: \$1,000.

Public liability insurance: Combined single  
limit coverage of \$100,000.

CONSIDERATION: \$146.16 per annum; with the State reserving the  
right to fix a different rental on each fifth  
anniversary of the permit.

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

PREREQUISITE CONDITIONS, FEES AND EXPENSES:  
Filing fee and first year's rent have 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.

CALENDAR ITEM NO. C 05 (CONT'D)

AB 884: 06/11/86.

OTHER PERTINENT INFORMATION:

1. The applicant requests a recreational use permit to retain an existing floating dock in the San Joaquin River at Bradford Island that is used exclusively for recreational purposes. Because no residential structure is located on the upland which they own in fee, the qualifications for a permit under Section 6503.5 of the P.R.C. cannot be met.
2. 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.
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, Existing Facility, 2 Cal. Adm. Code 2905(a)(2).

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

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 1, EXISTING FACILITY, 2 CAL. ADM. CODE 2905(a)(2).

CALENDAR ITEM NO. 005 (CONT'D)

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 DOUGLAS AND ERNA ABEL OF A 20-YEAR GENERAL PERMIT - RECREATIONAL USE BEGINNING APRIL 1, 1986; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$146.16, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT; PROVISION OF A \$1,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$100,000; FOR USE AND MAINTENANCE OF A FLOATING BOAT DOCK ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

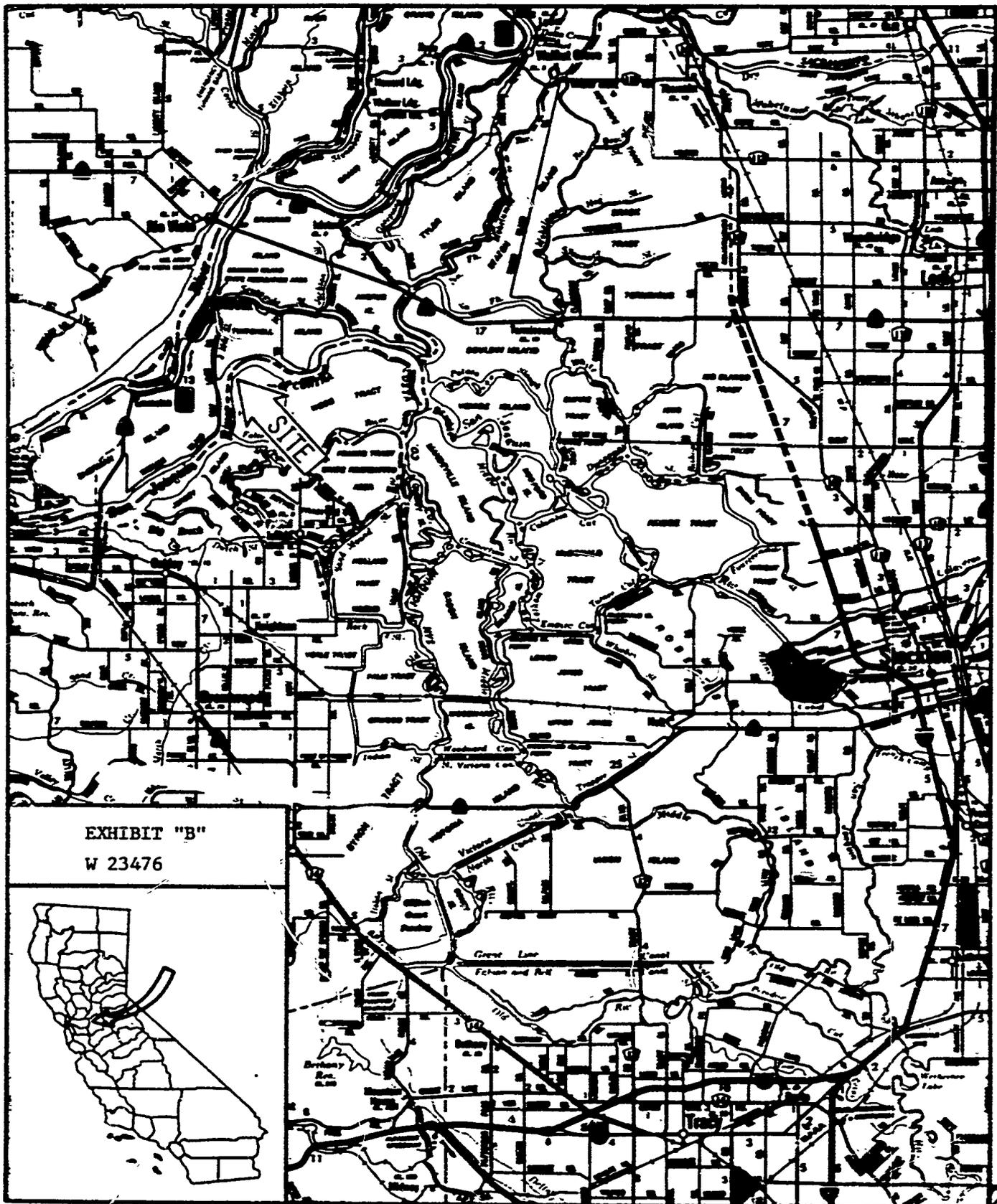


EXHIBIT "B"  
W 23476



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EXHIBIT "A"

LAND DESCRIPTION

W23476

All that tide and submerged land in the bed of the San Joaquin River adjacent to Bradford Island, Contra Costa County, California, said land lying immediately beneath a floating dock and walkway TOGETHER WITH a necessary use area extending 10 feet from the extremities of said dock and walkway, said structures being located adjacent to and waterward of Parcel A as shown on Book 34 LSM, Page 5, Official Records of Contra Costa County.

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

END OF DESCRIPTION

PREPARED DECEMBER 5, 1985 BY BOUNDARY SERVICES UNIT, M. L. SHAFER, SUPERVISOR.