MINUTE ITEM

This Calendar Item No. C5 was approved as Minute Item No. 5 by the State Lands Commission by a vote of 2 to 0 at its 7/24/86 meeting.

CALENDAR ITEM

C05

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07/24/86
W 23811 PRC 6997
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GENERAL PERMIT - PROTECTIVE STRUCTURE AND RECREATIONAL USE

APPLICANTS: Roland J. Bain and
Nancy J. Bain
3111 Garden Highway
Sacramento, California 95833

AREA, TYPE LAND AND LOCATION:
A 0.092-acre parcel of tide and submerged land, located in the Sacramento River, Sacramento County (0.034-acre for riprap, and 0.066-acre for the boat dock (recreational pier), of which 0.008-acre is within the riprap parcel).

LAND USE: Construction and maintenance of a boat dock (recreational pier) and placement of riprap bank protection.

TERMS OF PROPOSED PERMIT:
Initial period: Ten years beginning August 1, 1986.

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

CONSIDERATION: The public use and benefit; with the State reserving the right at any time to set a monetary rental for the riprap if the Commission finds such action to be in the State's best interest. The boat dock (recreational pier) is rent-free pursuant to Section 6503.5 of the P.R.C.

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

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APPLICANT STATUS:

Applicants are owners of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee and processing costs 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.

AB 884: 11/16/86.

OTHER PERTINENT INFORMATION:

1. The annual rental value of the site for bank protection is estimated to be $105.

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 3, New Construction of Small Structure (recreational pier) and Class 4, Minor Alteration to Land (riprap) 2 Cal. Adm. Code 2905(c)(1) and 2905(d)(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. but will not affect those significant lands.

4. The bank protection and the boat dock (recreational pier) are being combined into one permit for ease of record keeping and to eliminate the issuance of two separate permits for the same area.

5. Staff feels that the bank protection at this location could be of mutual benefit to both the public and to the Applicants.

APPROVALS OBTAINED:

United States Army Corps of Engineers, State Reclamation Board and the California Department of Fish and Game.

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 3, NEW CONSTRUCTION OF SMALL STRUCTURE (RECREATIONAL PIER) AND CLASS 4, MINOR ALTERATION TO LAND (RIPRAP), 2 CAL. ADM. CODE 2905(c)(1) AND 2905(d)(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 STAFF TO ISSUE TO ROLAND J. BAIN AND NANCY J. BAIN, A TEN-YEAR GENERAL PERMIT - PROTECTION STRUCTURE AND RECREATIONAL USE BEGINNING AUGUST 1, 1986; IN CONSIDERATION OF THE PUBLIC USE AND BENEFIT, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENTAL FOR THE RIPRAP IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF $100,000; FOR CONSTRUCTION AND MAINTENANCE OF A RECREATIONAL PIER AND FOR PLACEMENT OF RIPRAP BANK PROTECTION ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF; PROVIDED THAT THE PERMITTEE SHALL, AT LEAST 30 DAYS PRIOR TO PLACEMENT OF THE RIPRAP AUTHORIZED HEREIN, FURNISH A SPECIFIC PLAN FOR THE PROPOSED RIPRAP TO THE STAFF AND SHALL OBTAIN WRITTEN AUTHORIZATION FOR PLACEMENT FROM THE EXECUTIVE OFFICER. RIPRAP PLACED UNDER THIS AUTHORIZATION SHALL BE PLACED IN A WORKMANLIKE MANNER, SHALL BE PLACED SO AS TO MINIMIZE ENVIRONMENTAL DISTURBANCE, AND CONFORM TO GENERALLY ACCEPTED ENGINEERING PRACTICE.

LANDSCAPE PAGE 21.2
PORTRAIT PAGE 1790

EXHIBIT "A"

LAND DESCRIPTION W 23811

Two parcels of tide and submerged land in the bed of the Sacramento River, Sacramento County, California, said parcels being described as follows:

PARCEL 1

All that tide and submerged land lying immediately beneath a dock and ramp adjacent to and waterward of the north half of Lot 3 of Azevedo River Subdivision as filed in the office of the Recorder of Sacramento County, California, on March 3, 1952, in Book 33 of Maps, Map No. 15, TOGETHER WITH a necessary use area extending 10 feet from the extremities of said dock and ramp.

PARCEL 2

All that tide and submerged land lying immediately beneath riprap placed for bank protection adjacent to and waterward of the north half of said Lot 3.

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

END OF DESCRIPTION

PREPARED JUNE 24, 1986 BY BOUNDARY SERVICES UNIT, M. L. SHAFER, SUPERVISOR.

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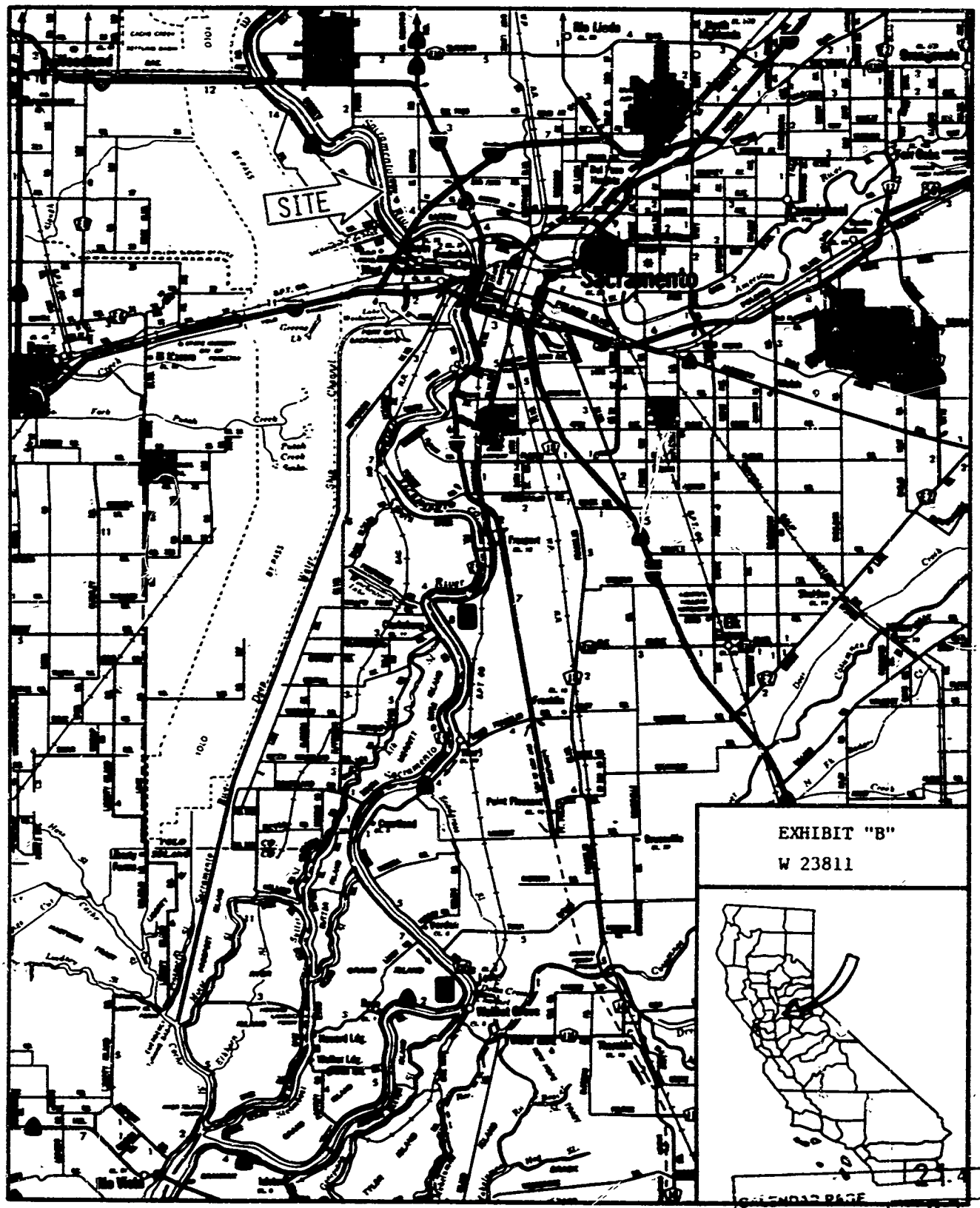

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