

MINUTE ITEM
This Calendar Item No. C10
was approved as Minute Item
No. 10 by the State Lands
Commission by a vote of 2
to 0 at its 5/28/87
meeting.

CALENDAR ITEM

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C10

05/28/87
WP 5373 PRC 5373
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TERMINATION OF GENERAL PERMIT - RECREATIONAL USE PRC 5373
AND ISSUANCE OF GENERAL PERMIT - RECREATIONAL USE

APPLICANT: Stockton Water Ski Club
P. O. Box 1666
Stockton, California 95201

AREA, TYPE LAND AND LOCATION:
A 0.211-acre area of tide and submerged land,
located in the old channel of the San Joaquin
River, San Joaquin County.

LAND USE: Maintenance of a walkway, floating dock, and
swim float, all existing and utilized for
recreational purposes.

TERMS OF ORIGINAL PERMIT:

Initial period: Ten years beginning March 1,
1977.

Renewal options: Two successive periods of
ten years each.

Surety bond: \$1,000.

Public liability insurance: \$300,000 per
occurrence for bodily injury
and \$25,000 for property
damage.

Consideration: \$50 per annum; five-year rent
review.

TERMS OF PROPOSED PERMIT:

Initial period: 20 years beginning March 1,
1987.

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Surety bond: \$1,000.

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

Special: The permit restricts the
utilization of the facilities
for residential purposes.

CONSIDERATION: \$531.86 per annum; as to the walkway and
floating dock; and \$110.95 per annum, as to the
swim float 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.

APPLICANT STATUS:
Applicant is owner 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: 06/07/87.

OTHER PERTINENT INFORMATION:
1. At its meeting of August 25, 1977, the
State Lands Commission, in Minute Item 5,
approved the issuance of General Permit -
Recreational Use PRC 5373 to Stockton Water
Ski Club for a term of ten years beginning
March 1, 1977, with renewal options of
two successive periods of ten years each.
The format of this agreement is not
consistent with the Commission's current
rules and regulations. Therefore,
termination of this permit is recommended.

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Applicant is a non-profit California corporation incorporated to promote social activities among, and recreational facilities to, its members.

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 activity is consistent with its use classification.

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.

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.

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3. AUTHORIZE TERMINATION OF A GENERAL PERMIT - RECREATIONAL USE DATED DECEMBER 31, 1980, EFFECTIVE MARCH 1, 1987; AND THE ISSUANCE TO STOCKTON WATER SKI CLUB OF A 20-YEAR GENERAL PERMIT - RECREATIONAL USE BEGINNING MARCH 1, 1987; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$531.86, AS TO THE WALKWAY AND FLOATING DOCK; AND \$110.95, AS TO THE SWIM FLOAT; WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT; WITH PROVISION OF A \$1,000 SURETY BOND; AND WITH PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$500,000; FOR MAINTENANCE OF A WALKWAY, FLOATING DOCK, AND A SWIM FLOAT, ALL EXISTING AND UTILIZED FOR RECREATIONAL PURPOSES ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

WP 5373

A parcel of land partially in the north one-half of projected Section 11 and partially in the south one-half of projected Section 2, T2N, R4E, MDM being the lands described in that grant deed dated December 29, 1972 from Edilio Marchetti and Theresa A. Marchetti to Stockton Water Ski Club, a California Corporation recorded December 29, 1972 in Book 3723, page 24, San Joaquin County Recorder's Office.

EXCEPTING THEREFROM those interests-in-land, if any, which passed by virtue of the patent issued to William I. Pettigrew, Napoleon B. Byene, and Isaac E. Nicholson on May 10, 1872, for the land described in Swamp and Overflowed Survey No. 1106, San Joaquin County.

TOGETHER WITH all that land immediately beneath an existing pier, walkway, and swimfloat lying adjacent to the above mentioned parcel described in the grant deed recorded December 29, 1972 in Book 3723, page 24, San Joaquin County Recorder's Office, ALSO TOGETHER WITH a necessary use area extending no more than 10 feet from said pier, walkway, and swimfloat.

END OF DESCRIPTION

REVISED DECEMBER 4, 1986, BY BOUNDARY SERVICES UNIT, M. L. SHAFER, SUPERVISOR.

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