

MINUTE ITEM
This Calendar Item No. C16
was approved as Minute Item
No. 16 by the State Lands
Commission by a vote of 3
to 0 at its 3/28/87
meeting.

CALENDAR ITEM

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C 16

05/28/87
PRC 6173
WP 6437 PRC 6437
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**RESCISSION OF PREVIOUS COMMISSION AUTHORIZATION AND
REQUEST FOR ISSUANCE OF TWO NEW GENERAL PERMITS FOR
PROTECTIVE STRUCTURE AND RECREATIONAL USE**

APPLICANT: Robert J. Ronevicz
5291 Garden Highway
Sacramento, California 95837

AREA, TYPE LAND AND LOCATION:
Four parcels of tide and submerged land,
located in the Sacramento River,
Sacramento County.

LAND USE: Use and maintenance of protective fill for bank
protection and use and maintenance of walkways
and boat docks (recreational piers) at
two adjoining upland lots.

TERMS OF ORIGINAL PERMIT (PRC 6173):
Initial period: 45 years beginning
September 1, 1981.

CONSIDERATION: The public use and benefit; with the State
reserving the right at any time to set a
monetary rental if the Commission finds such
action to be in the State's best interest.

TERMS OF ORIGINAL PERMIT (PRC 6437):
Initial period: 10 years beginning June 23,
1983.

CONSIDERATION: None. Rent-free recreational pier permit
pursuant to Section 6503.5 of the P.R.C.

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TERMS OF PROPOSED PERMIT AND AMENDED PERMIT:

PRC 6173: Initial period: Ten years beginning June 1, 1987.

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

PRC 6437: Initial period: Ten years beginning on its existing date of June 23, 1983.

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 if the Commission finds such action to be in the State's best interest. The boat docks (recreational piers) are rent-free pursuant to Section 6505.5 of the P.R.C.

APPLICANT STATUS:

Applicant is owner of both upland parcels.

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: 06/01/87 (WP 6437).

OTHER PERTINENT INFORMATION:

1. By Minute Item No. 15 at its June 29, 1982 meeting, the Commission authorized issuance to Nor-Cal Engineering Company of which Mr. Robert J. Ronevicz is the president, of a 45-year General Permit - Protective Structure Use covering protective fill in the Sacramento River adjacent to two unimproved parcels designated as Sacramento County Assessor Parcel Numbers 201-330-30 and 201-330-31. However, this permit (PRC 6173) was never completely executed by

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State Lands Commission (SLC) or issued to Nor-Cal. By deeds recorded in February and March, 1983, Mr. Ronevicz acquired title to the parcels in his own name and constructed a single-family residence on parcel 201-330-31. He then applied to the Commission for approval to construct a recreational pier adjacent to said parcel and was issued a recreational pier permit (PRC 6437) in June 1983. In August 1986, Mr. Ronevicz applied to the Commission for approval of another recreational pier adjacent to parcel 201-330-30. He has built a single-family residence on the parcel. Since the original permit for the protective fill was never issued to Nor-Cal Engineering Company, and since both parcels are now improved with single-family residences, staff requests Commission approval for issuance of general permits - protective structure and recreational use for each separate parcel. Requested approval thus brings up to date the current uses of the State land at these two parcels.

2. This activity involved two adjoining parcels of land along the Sacramento River and each parcel qualifies for the issuance of a Recreational Pier Permit pursuant to Section 6305.5 of the P.R.C.
3. The annual rental value of each site for the protective fill is estimated to be \$276.
4. As to the rescission of previous authorization (PRC 6173), 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 because the activity is not a "project" as defined by CEQA and the State CEQA Guidelines.

Authority: P.R.C. 21065 and 14 Cal. Adm. Code 15378.

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5. As to WP 6437, 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 Structures, (Recreational Pier), 2 Cal. Adm. Code 2905(c)(1) and Class 4, Minor Alterations to Land, (Protective Fill) 14 Cal. Adm. Code 15304).

Authority: P.R.C. 21084, 14 Cal. Adm. Code 15300, and 14 Cal. Adm. Code 15304.

6. 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.
7. The bank protection and the boat dock (recreational pier) at each site are being combined in one permit for ease of record keeping and to eliminate the issuance of two separate permits for the same area.
8. Staff feels that bank protection at this point could be of mutual benefit to both the public and the applicant.

APPROVALS OBTAINED.

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

FURTHER APPROVALS REQUIRED:

None.

EXHIBITS:

- A. Land Description PRC 6173.
A. Land Description WP 6437.
B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. AS TO THE RESCISSION OF THE PREVIOUS AUTHORIZATION (PRC 6173), FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. ADM. CODE 15378.

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2. FIND THAT THE ACTIVITY FOR WP 6437 IS EXEMPT FROM THE REQUIREMENTS OF THE THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 AS A CATEGORICAL EXEMPT PROJECT, CLASS 3, NEW CONSTRUCTION OF SMALL STRUCTURE (RECREATIONAL PIER), 2 CAL ADM. CODE 2905(c)(1), AND CLASS 4, MINOR ALTERATIONS TO LAND (PROTECTIVE FILL) 14 CAL ADM. CODE 15304.
3. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.
4. RESCIND ITS PREVIOUS AUTHORIZATION FOR PRC 6173 (MINUTE ITEM NO. 15 AT JUNE 29, 1982 MEETING) AND AUTHORIZE ISSUANCE TO ROBERT J. RONEVICZ OF A TEN YEAR GENERAL PERMIT - PROTECTIVE STRUCTURE AND RECREATIONAL USE BEGINNING JUNE 1, 1987 IN CONSIDERATION OF THE PUBLIC USE AND BENEFIT WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENTAL FOR THE PROTECTIVE FILL, 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 6305.5 OF THE P.R.C.; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT OF \$100,000 FOR CONSTRUCTION AND MAINTENANCE OF A RECREATIONAL PIER AND FOR RETENTION OF EXISTING PROTECTIVE FILL ON THE LAND DESCRIBED ON EXHIBIT "A" (PRC 6173) ATTACHED AND BY REFERENCE MADE A PART HEREOF.
5. AUTHORIZE ISSUANCE TO ROBERT J. RONEVICZ OF A TEN-YEAR GENERAL PERMIT - PROTECTIVE STRUCTURE AND RECREATIONAL USE TO REPLACE THE CURRENT RECREATIONAL PIER PERMIT, WITH THE SAME BEGINNING DATE OF JUNE 23, 1983, IN CONSIDERATION OF THE PUBLIC USE AND BENEFIT WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENTAL FOR THE PROTECTIVE FILL 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 6305.5 OF THE P.R.C.; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT OF \$100,000 FOR THE CONTINUED USE AND MAINTENANCE OF THE EXISTING RECREATIONAL PIER AND THE PROTECTIVE FILL ON THE LAND DESCRIBED ON EXHIBIT "A" (WP 6437) ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

PRC 6173.9

Two parcels of tide and submerged land in the bed of the Sacramento River approximately one mile southeast of the Interstate 5 Bridge in Sacramento County, said parcels being more particularly described as follows:

PARCEL 1

All that land lying immediately beneath a dock and ramp **TOGETHER WITH** a necessary use area extending 10 feet from the ~~extremities~~ of said dock and ramp, said dock and ramp being adjacent to and southwesterly of the land described in the Grant Deed recorded in Book 830303, Page 527, Sacramento County Official Records.

PARCEL 2

All that land lying immediately beneath riprap placed for bank protection, said riprap being adjacent to and southwesterly of the land described in the above mentioned Grant Deed.

EXCEPTING FROM above described Parcels 1 and 2 any portion thereof lying landward of the ordinary high water mark.

END OF DESCRIPTION

PREPARED MAY 1, 1987, BY BOUNDARY SERVICES UNIT, M. L. SHAFER, SUPERVISOR.

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EXHIBIT "A"

LAND DESCRIPTION

WP 6437

Two parcels of tide and submerged land in the bed of the Sacramento River approximately one mile southeast of the Interstate 5 Bridge in Sacramento County, said parcels being more particularly described as follows:

PARCEL 1

All that land lying immediately beneath a dock and ramp **TOGETHER WITH** a necessary use area extending 10 feet from the extremities of said dock and ramp, said dock and ramp being adjacent to and southwesterly of the land described in the Grant Deed recorded in Book 830228, Page 1188, Sacramento County Official Records.

PARCEL 2

All that land lying immediately beneath riprap placed for bank protection, said riprap being adjacent to and southwesterly of the land described in the above mentioned Grant Deed.

EXCEPTING FROM above described Parcels 1 and 2 any portion thereof lying landward of the ordinary high water mark.

END OF DESCRIPTION

**PREPARED MAY 1, 1987 BY BOUNDARY SERVICES UNIT, H. L. SHAFER,
SUPERVISOR.**

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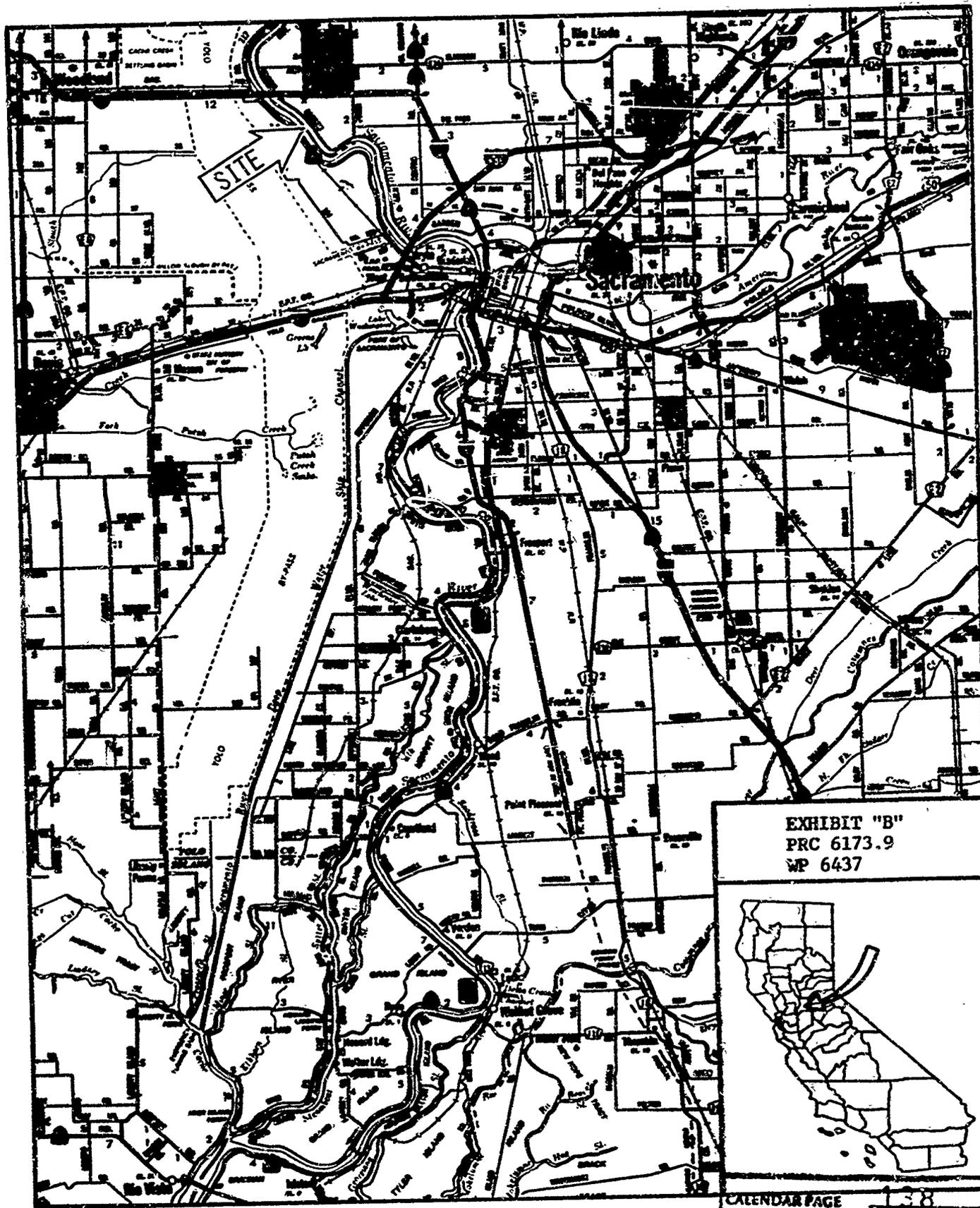


EXHIBIT "B"
 PRC 6173.9
 WP 6437



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