

MINUTE ITEM

This Calendar Item No. C04
was approved as Minute Item
No. 2 by the State Lands
Commission by a vote of 2
to 0 at its 6/30/87
meeting.

CALENDAR ITEM

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06/30/87
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**GENERAL PERMIT-PROTECTIVE STRUCTURE
AND RECREATIONAL USE**

APPLICANT: William T. Hartzell
2271 Garden Highway
Sacramento, California 95833

AREA, TYPE LAND AND LOCATION:
A 0.095-acre parcel of tide and submerged land
in the Sacramento River, Sacramento County.

LAND USE: Construction and maintenance of a floating dock
(recreational pier), retention of an existing
retaining wall, and placement of protective
fill.

TERMS OF PROPOSED PERMIT:
Initial period: Ten years beginning July 1,
1987.

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 protective structures
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 6303.5 of the Public Resources Code.

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

APPLICANT STATUS:
Applicant is owner of upland.

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PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee and processing costs 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: 08/16/87.

OTHER PERTINENT INFORMATION:

1. The annual rental value of the site for the protective structure is estimated to be \$140.
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 facility (retaining wall and minor fill behind wall), and Class 3, new construction of small structures (recreational pier) 2 Cal. Adm. Code 2905(a)(2) and 2905 (c)(1).
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 in one permit for ease of record keeping and to eliminate the issuance of two separate permits for the same area.
5. Staff feels that bank protection at this location could be of mutual benefit to both the public and to the applicant.

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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.
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 (RETAINING WALL AND MINOR FILL BEHIND WALL) AND CLASS 3, NEW CONSTRUCTION OF SMALL STRUCTURES (RECREATIONAL PIER,) 2 CAL. ADM. CODE 2905(a)(2) AND 2905 (c)(1).
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 WILLIAM T. HARTZELL OF A TEN-YEAR GENERAL PERMIT-PROTECTIVE STRUCTURE AND RECREATIONAL USE BEGINNING JULY 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 STRUCTURE 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 \$100,00; 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.

EXHIBIT "A"

LAND DESCRIPTION

W 23915

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 that land described in the Grant Deed recorded August 22, 1986 in Book 36-08-22, Page 845, Official Records of Sacramento County, 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 land described in said Grant Deed.

END OF DESCRIPTION

PREPARED MAY 29, 1987 BY BOUNDARY SERVICES UNIT, M. L. SHAPER,
SUPERVISOR.

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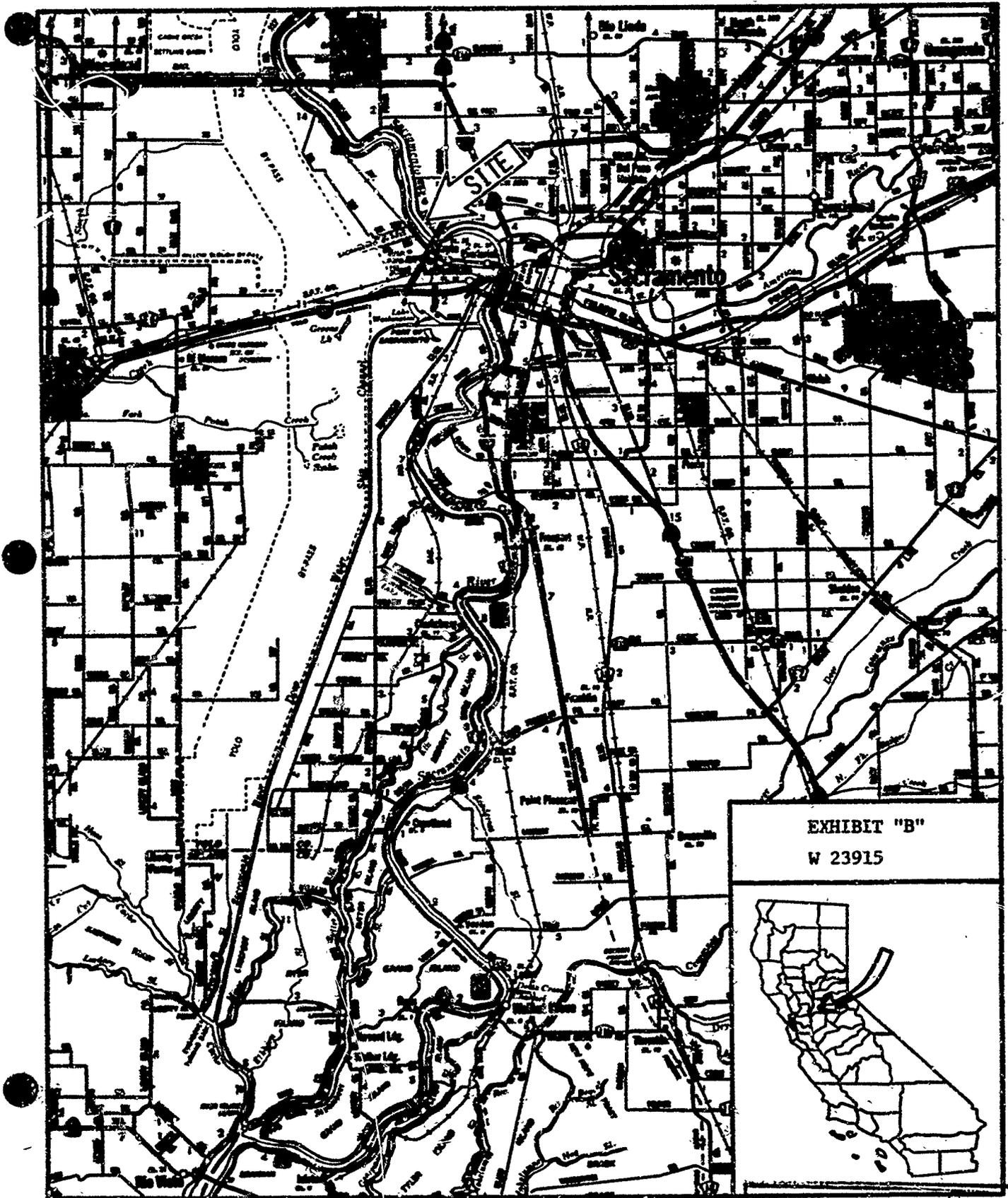


EXHIBIT "B"
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