

MINUTE ITEM

This Calendar item No. 14  
was approved as Minute Item  
No. 14 by the State Lands  
Commission by a vote of 3  
to 0 at its 7-16-87  
meeting.

CALENDAR ITEM

A 26

14

07/16/87

W 23866

PRC 7110

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GENERAL PERMIT-PROTECTIVE STRUCTURE  
AND RECREATIONAL USE

APPLICANT: Charles G. Patmon III and Cheryl Lynn Patmon  
1919 Grand Canal Boulevard, Suite A-1  
Stockton, California 95207

AREA, TYPE LAND AND LOCATION:  
Tide and submerged land in the San Joaquin  
River at Atherton Cove, Stockton, San Joaquin  
County.

LAND USE: Use and maintenance of a floating dock and  
ramp, a bulkhead used for bank protection, a  
swim float and ramp and a fixed wooden deck.

TERMS OF PROPOSED PERMIT:

Initial period: 10 years beginning August 1,  
1987.

Surety bond: N/A.

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

CONSIDERATION: \$59.22 per annum for the swim float and ramp  
and for the wooden deck with the State  
reserving the right to fix a different rental  
on each fifth anniversary of the permit.

For the bulkhead bank protection, 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 floating dock and  
ramp are rent-free pursuant to Section 6503.5  
of the P. R. C.

(ADDED 07/14/87)

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**BASIS FOR CONSIDERATION:**

Pursuant to 2 Cal. Adm. Code 2003.

**APPLICANT STATUS:**

Applicants are owners 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:

08/04/87.

**OTHER PERTINENT INFORMATION:**

1. Mr. and Mrs. Charles G. Patmon III have applied to the Commission for use of State land in the San Joaquin River at Atherton Cove for maintenance and use of facilities consisting of a floating dock and ramp, a bulkhead used as bank protection, a swim float and ramp, and a wooden decking structure.
2. The annual rental value of the site for the bulkhead bank protection is estimated to be \$50.
3. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. but the proposed project will not affect those significant lands.
4. 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 and Class 4, Minor Alteration to Land, 2 Cal. Adm. Codes 2905(c)(1) and 2905 (d)(2).

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

5. The facilities are to be under one permit for ease of record keeping and to eliminate the issuance of separate permits for the same area.
6. Staff feels that 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 and State Reclamation Board.

FURTHER APPROVALS REQUIRED:

None.

EXHIBITS:

- A. Land Description.
- B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THIS ACTIVITY WILL INVOLVE LANDS IDENTIFIED AS POSSESSING SIGNIFICANT ENVIRONMENTAL VALUES PURSUANT TO P.R.C. 6370, ET SEQ., BUT THAT SUCH ACTIVITY WILL HAVE NO DIRECT OR INDIRECT EFFECT ON SUCH LANDS.
2. 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 STRUCTURES AND CLASS 4, MINOR ALTERATION TO LAND, 2 CAL. ADM. CODES 2905(c)(1) and 2905 (d)(2).
3. AUTHORIZE ISSUANCE TO CHARLES G. PATMON III AND CHERYL LYNN PATMON OF A TEN-YEAR GENERAL PERMIT-PROTECTIVE STRUCTURE AND RECREATIONAL USE BEGINNING AUGUST 1, 1987; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$59.22, FOR THE SWIM FLOAT AND RAMP AND FIXED WOODEN DECK, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT; THE PUBLIC USE AND BENEFIT, FOR THE BULKHEAD BANK PROTECTION, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENTAL FOR THE BANK PROTECTION IF THE COMMISSION FINDS SUCH ACTION

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TO BE IN THE STATE'S BEST INTEREST; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$100,000; FOR THE USE AND MAINTENANCE OF A FLOATING DOCK AND RAMP (RECREATIONAL PIER), A BULKHEAD USED FOR BANK PROTECTION, A SWIM FLOAT AND RAMP, AND A FIXED WOODEN DECK ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

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**EXHIBIT "A"**

**LAND DESCRIPTION**

**W 23866**

All that tide and submerged land in Atherton Cove lying immediately beneath a floating boat dock and ramp, a swim float and ramp, a bulkhead and wooden decking, said structures being adjacent to and waterward of the land described in Document No. 86042626 recorded June 12, 1986, in the San Joaquin County Recorder's Office; **TOGETHER WITH** a necessary use area extending 10 feet from the extremities of said floating boat dock.

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

**END OF DESCRIPTION**

**PREPARED JUNE 15, 1987 BY BOUNDARY SERVICES UNIT, M. L. SHAFER,  
SUPERVISOR.**

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