

MINUTE ITEM
This Calendar Item No. 6
was approved as Minute Item
No. 6 by the State Lands
Commission by a vote of 5
to 0 at its 8-20-87
meeting.

CALENDAR ITEM

A 26
S 5

C 0 6

08/20/87
WP 6770 PRC 6770
Gordon

TERMINATION OF GENERAL PERMIT PRC 6770
AND ISSUANCE OF GENERAL PERMIT - RECREATIONAL USE

APPLICANT: Thomas J. Porto
1855 El Rancho Drive, #303
Sparks, Nevada 89431

AREA, TYPE LAND AND LOCATION:
An 0.036-acre parcel of tide and submerged land
located in the San Joaquin River at Mossdale
Trailer Park, San Joaquin County.

LAND USE: Maintenance of an existing floating dock.

TERMS OF PERMIT::

Initial period: Ten years beginning
January 1, 1987.

Public liability Insurance: Combined single
limit coverage of \$100,000
per occurrence for bodily
injury and property damage

Consideration: \$109.20 per annum; 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 Lessee of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee has been received.

CALENDAR ITEM NO. C 0 6 (CONT'D)

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: 09/30/87.

OTHER PERTINENT INFORMATION:

1. This facility is utilized by applicant as a lessee of the upland owner of the Mossdale Trailer Park.
2. At its meeting on January 31, 1985 the State Lands Commission, in Minute Item 4, approved the issuance of General Permit - Recreational Use PRC 6770 to Michael J. Pence and Kathleen M. Sherman for an existing floating dock

The permittees subsequently conveyed the dock and upland facilities to applicant without first receiving the Commission's approval of the assignment, transference or subletting of said permit. Termination of this permit is recommended.

3. 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, 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.

4. 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.

CALENDAR ITEM NO. C 0 6 (CONT'D)

APPROVALS OBTAINED:

None

FURTHER APPROVALS REQUIRED:

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.
3. AUTHORIZE TERMINATION OF GENERAL PERMIT - RECREATIONAL USE JUNE 17, 1985, EFFECTIVE JANUARY 1, 1987.
4. AUTHORIZE ISSUANCE TO THOMAS J. PORTO OF A TEN-YEAR GENERAL PERMIT - RECREATIONAL USE BEGINNING JANUARY 1, 1987; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$109.20, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT AND WITH THE; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$100,000 PER OCCURANCE FOR BODILY INJURY AND PROPERTY DAMAGE; FOR MAINTENANCE OF AN EXISTING FLOATING DOCK ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

WP 6770

A parcel of tide and submerged land in the bed of the San Joaquin River, San Joaquin County, California, lying immediately beneath a floating dock TOGETHER WITH a necessary use area extending 10 feet from the extremities of said dock, said dock being adjacent to the left bank of said San Joaquin River and northeasterly of that land described in the deed recorded April 13, 1973, in Book 3755, Page 9, San Joaquin County Official Records, and also being adjacent to Mossdale Trailer Park Space No. 23 and approximately 705 feet southeasterly of the Interstate Highway bridge over the San Joaquin River.

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

END OF DESCRIPTION

REVIEWED MARCH 30, 1987, BY BOUNDARY SERVICES UNIT, M. L. SHAFER, SUPERVISOR.

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