MINUTE ITEM
This Calendar Item No. 8
was approved as Minute Item
No. 8 by the State Lands
Commission by a vote of 3
to 0 at its 9-23-87
meeting.

CALENDAR ITEM

A 26

S 5

C 06

09/23/87
W 23493
PRC 6801
Gordon

RESCISSION OF PRIOR AUTHORIZATION AND
ISSUANCE OF GENERAL PERMIT - RECREATIONAL USE

APPLICANT: Dale R. Baker
10 West Mossdale Road #24
Lathrop, California 95330

AREA, TYPE LAND AND LOCATION:
A 0.022-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 utilized for recreational purposes.

TERMS OF ORIGINAL PERMIT:

Initial period: Ten years beginning March 1, 1984.

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

Consideration: $88 per annum; five-year review

TERMS OF PROPOSED 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.

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CONSIDERATION: $66.78 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.

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: 12/14/87.

OTHER PERTINENT INFORMATION:

1. This facility is utilized by Applicant as lessee of the upland owner of the Mossdale Trailer Park.

2. At its meeting on February 28, 1985, the Commission, in Minute Item 4, authorized the issuance of General Permit - Recreational Use PRC 6801 to Anthony Deguara for maintenance of a floating dock. Various circumstances precluded staff's issuance of the permit prior to the sale of the upland facilities to Applicant. Rescission of the authorization to issue General Permit - Recreational Use PRC 6801 to Anthony Deguara is recommended to clarify the Commission's records.

3. The proposed permit covers a smaller area and, therefore, the rent for the proposed permit will be less than the rent previously authorized.

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 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.

5. 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 project is consistent with its use classification.

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. RESCIND ITS ACTION OF FEBRUARY 28, 1985 (MINUTE ITEM 4), WHICH AUTHORIZED ISSUANCE OF GENERAL PERMIT - RECREATIONAL USE PRC 6801 TO ANTHONY DEGUARA FOR A FLOATING DOCK.

4. AUTHORIZE ISSUANCE TO DALE R. BAKER OF A TEN-YEAR GENERAL PERMIT - RECREATIONAL USE BEGINNING JANUARY 1, 1987; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF $66.78, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT; AND WITH PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF $100,000 PER OCCURRENCE 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 W 23493

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. 24 and approximately 735 feet southeasterly of the Interstate Highway 5 bridge over the San Joaquin River.

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

END OF DESCRIPTION

REVIEWED MARCH 16, 1987 BY BOUNDARY SERVICES UNIT, M. L. SHAFER, SUPERVISOR

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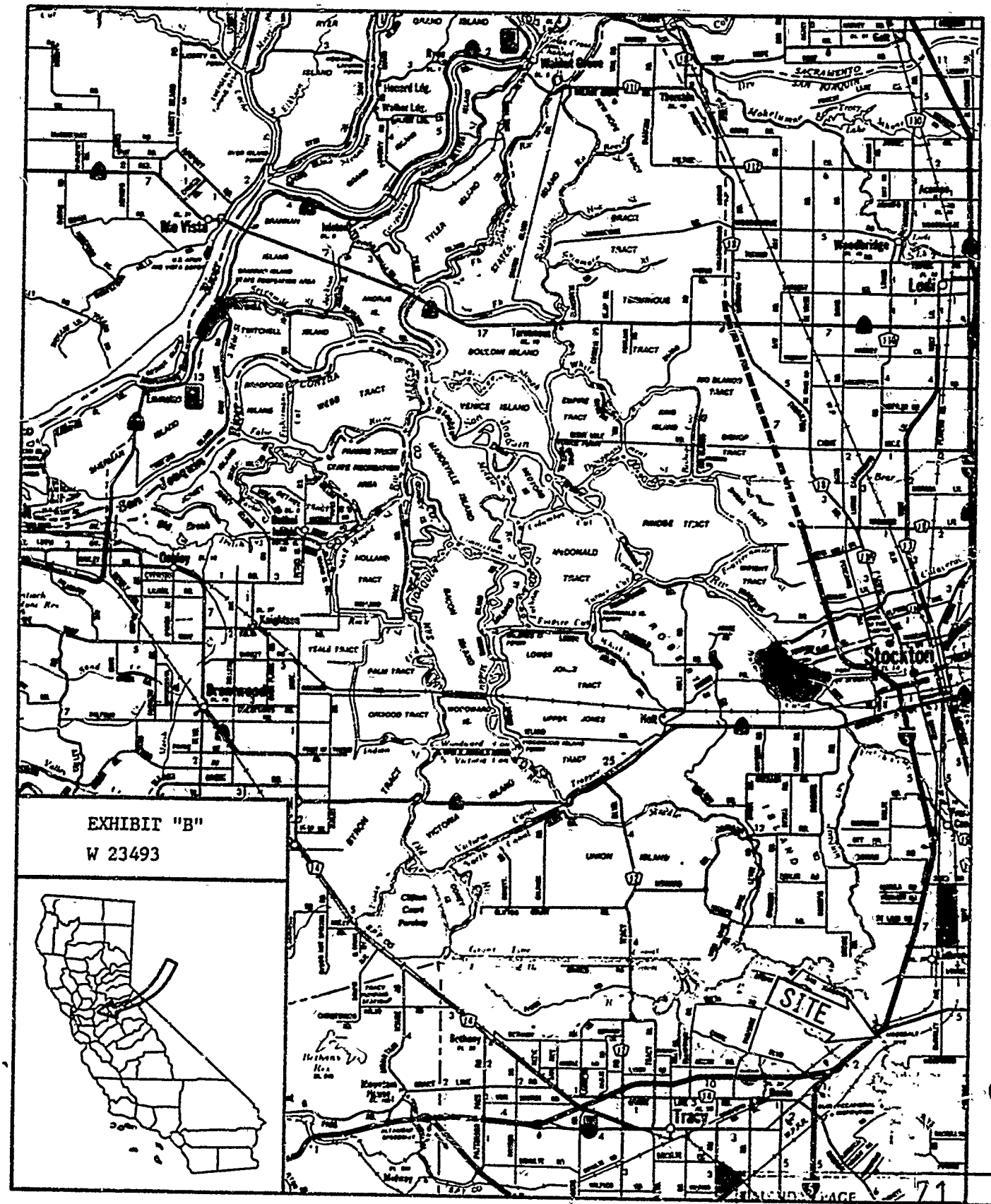
EXHIBIT "B"
W 23493
SITE
Stockton
Lodi
Tracy
Rio Vista
Walnut Grove
Thornton
Terminous
Woodbridge
Acampo
Lathrop
Manteca
Ripon
Escalon
Knights Landing
Brannan Island
Tyler Island
Venice Island
Bacon Island
Holland Tract
McDonald Tract
Rindge Tract
Union Island
Bethany
Mountain House
Byron
Clifton Court Forebay
Sacramento
San Joaquin
Mokelumne
Cosumnes
Mokelumne River
Stockton Channel
Old River
Middle River
Grant Line Canal
Victoria Canal
Tracy Blvd
Mossdale
Lathrop
Manteca
Ripon
Escalon
Holt
Oakley
Bethany
Mountain House
Byron
Clifton Court Forebay
Rio Vista
Walnut Grove
Thornton
Terminous
Woodbridge
Acampo
Lodi
Stockton
Tracy
Holt
Knights Landing
Brannan Island
Tyler Island
Venice Island
Bacon Island
Holland Tract
McDonald Tract
Rindge Tract
Union Island
Sacramento
San Joaquin
Mokelumne
Cosumnes
Mokelumne River
Stockton Channel
Old River
Middle River
Grant Line Canal
Victoria Canal
Tracy Blvd
Mossdale