

MINUTE ITEM
This Calendar Item No. 69
was approved as Minute Item
No. 9 by the State Lands
Commission by a vote of 3
to 0 at its 1-21-88
meeting.

CALENDAR ITEM

A 3
S 1

CS

01/21/88
W 23921 PRC 7152
J. Ludlow

GENERAL PERMIT - PROTECTIVE STRUCTURE AND
RECREATIONAL USE

APPLICANT: Carl L. Dexter
P.O. Box 15371
Sacramento, California 95851

AREA, TYPE LAND AND LOCATION:
A 0.151 acre of tide and submerged land in the
Sacramento River, Sutter County.

LAND USE: Construction and maintenance of a recreational
pier and placement of riprap bank protection.

TERMS OF PROPOSED PERMIT:

Initial period: Ten years beginning
January 1, 1988.

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

CONSIDERATION: \$440.20 per annum for the pier, 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 riprap bank
protection; with the State reserving the right
at any time to set a monetary rental for the
riprap if the Commission finds such action to
be in the State's best interest.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Adm. Code 2003.

APPLICANT STATUS:

Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee, processing costs, and first year's annual rental 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: 02/27/88.

OTHER PERTINENT INFORMATION:

1. The annual value of the bank protection site is estimated to be \$219.
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 3, 2 Cal. Adm. Code 2905(c)(1), New Construction of Small Structure (recreational pier) and Class 4, Minor Alteration to Land (riprap), 2 Cal. Adm. Code 2905(d)(2).

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

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

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 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.

(CALENDAR ITEM NO. 09 CONT'D)

5. Staff feels that the bank protection, at this point, could be of mutual benefit to both the public and to the applicant.
6. There is no residence on the upland, which disqualifies the applicant from obtaining a rent free permit for the pier.

FURTHER APPROVALS REQUIRED:

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

- 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 3, NEW CONSTRUCTION OF SMALL STRUCTURE (RECREATIONAL PIER), 2 CAL. ADM. CODE 2905(c)(1) AND MINOR ALTERATION TO LAND (RIPRAP), 2 CAL. ADM. CODE 2905(d)(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 ISSUANCE TO CARL L. DEXTER OF A TEN-YEAR GENERAL PERMIT - PROTECTIVE STRUCTURE AND RECREATIONAL USE BEGINNING JANUARY 1, 1988; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$440.20 FOR THE RECREATIONAL PIER, 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 RIPRAP BANK PROTECTION, 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; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$100,000; FOR THE CONSTRUCTION OF A RECREATIONAL PIER AND PLACEMENT OF RIPRAP BANK PROTECTION ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

W 22286

Two parcels of tide and submerged land in the bed of the Sacramento River, Sutter County, California, said parcels being described as follows:

PARCEL 1

All that tide and submerged land lying immediately beneath a dock, ramp, and two buoys adjacent to and waterward of that land described in the Grant Deed recorded April 25, 1978 in Book 924, Page 86, Official Records of Sutter County, TOGETHER WITH a necessary use area extending 10 feet from the extremities of said facilities.

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.

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

END OF DESCRIPTION

PREPARED OCTOBER 22, 1987 BY BIU #1.

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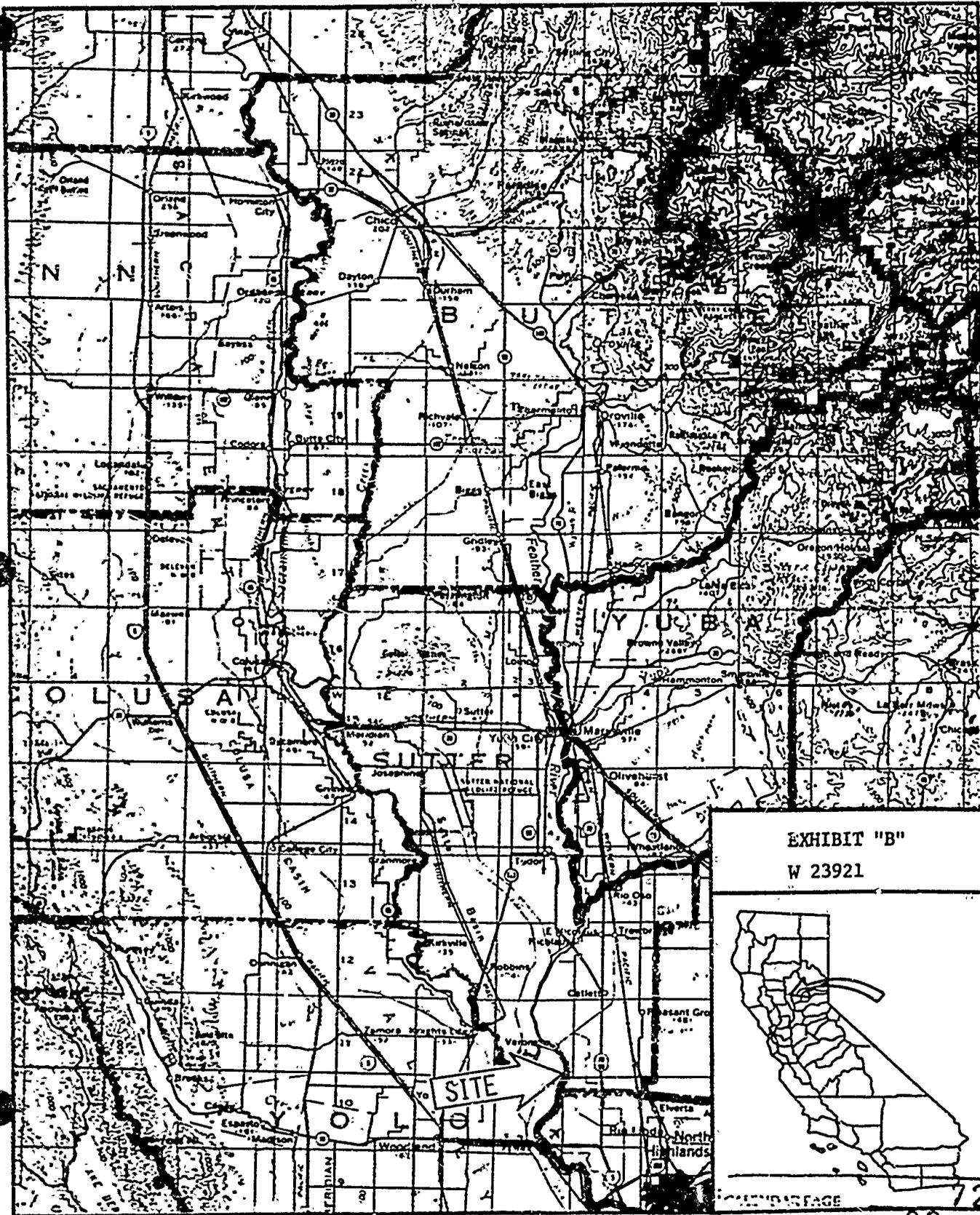


EXHIBIT "B"
W 23921

