MINUTE ITEM
This Calendar Item No. C08
was approved as Minute Item
No. 8 by the State Lands
Commission by a vote of 3
to 0 at its 5-9-88
meeting.

CALENDAR ITEM

A 8

S 4

C08

05/09/88
W 24054 PRC 7200
Townsend

GENERAL PERMIT - RECREATIONAL USE

APPLICANT: Robert G. and Eileen L. Schuck
5200 Glide Court
Sacramento, California 95841

AREA, TYPE LAND AND LOCATION:
A .063-acre parcel of tide and submerged land located in the Napa River at Dutton's Landing, Napa County.

LAND USE: Recreational cabin.

TERMS OF PROPOSED PERMIT:
Initial period: Ten years beginning April 12, 1988.

Surety bond: -0-

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

CONSIDERATION: $175 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 permittee of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing fee has been received.

(Added 05-06-88)

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: 07/08/88 (90X).

OTHER PERTINENT INFORMATION:

1. The subject recreational cabin, owned by Robert G. and Eileen L. Schuck, is an existing structure located in the Napa River at Dutton's Landing, off Green Island Road. The cabin is not used for residential purposes, and has been rented by the Schuck's to a group for occasional fishing. With the exception of a chemical toilet that has been installed on the upland, water and sewage utilities are not available to the site. Vehicular access is not available directly to the site, but may be obtained to a point, using lands owned by Leslie Salt Company. The Schuck's have obtained a license for access from Leslie Salt.

2. As set forth in the proposed permit, the Schuck's understand and agree that the recreational cabin may only be used on a part-time basis for recreational activities consistent with the public trust, and may not be used for residential purposes. In addition, the proposed permit calls for the removal of the improvements in the event they are destroyed or otherwise rendered uninhabitable.

3. 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, as proposed, is consistent with its use classification.

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 Facility, 2 Cal. Adm. Code 2905(a)(2).

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

APPROVALS OBTAINED:
Leslie Salt Company.

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, 2 CAL. ADM. CODE 2905(a)(2).

2. AUTHORIZE ISSUANCE TO ROBERT G. AND EILEEN L. SCHUCK OF A TEN-YEAR GENERAL PERMIT - RECREATIONAL USE BEGINNING APRIL 12, 1988; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF $175, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF $100,000; FOR A RECREATIONAL CABIN ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION W 24054

A parcel of tide and submerged land in the Napa River near Duttons Landing, Napa County, California, described as follows:

COMMENCING at Station E-60 on the ordinary high water mark of the Napa River as shown on the map entitled "Survey of the Ordinary High Water Mark along Napa River, Vicinity of Dutton Landing", State Lands Commission Map No. CB 553, said Station E-60 having California Coordinate System of 1927, Zone 2, coordinates of N = 197,861.00, E = 1,912,413.00; thence along said ordinary high water mark N 9°57'57" W 145.00 feet to the TRUE POINT OF BEGINNING; thence S 80°02'03" W, 24.00 feet; thence S 9°57'57" E, 28.00 feet; thence S 80°02'03" W, 42.00 feet; thence N 9°57'57" W, 52.00 feet; thence N 80°02'03" E, 66.00 feet; thence S 9°57'57" E, 24 feet to the point of beginning.

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

This description is based on the California Coordinate System of 1927, Zone 2.

END OF DESCRIPTION

PREPARED DECEMBER 3, 1987 BY BIU 1.

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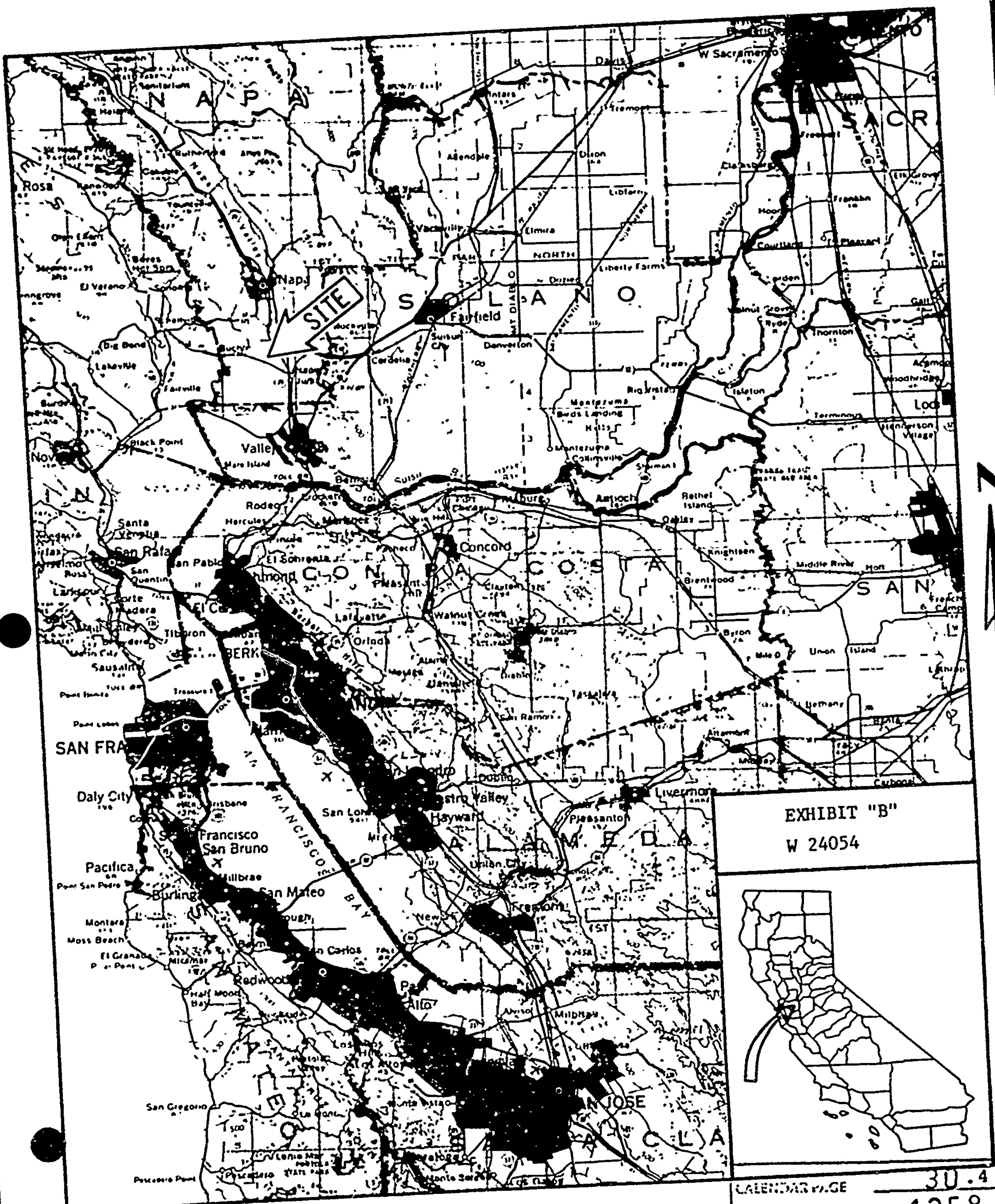

EXHIBIT "B"
W 24054

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