

MINUTE ITEM
This Calendar Item No. C11
was approved as Minute Item
No. 11 by the State Lands
Commission by a vote of 2
to 0 at its 12/13/88
meeting.

CALENDAR ITEM

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C11

12/13/88
PRC 6092
J. Ludlow

ACCEPTANCE OF QUITCLAIM DEED,
TERMINATION AND NEW APPROVAL OF
GENERAL PERMIT - PROTECTIVE STRUCTURE
AND RECREATIONAL USE

APPLICANT: Martha J. Willis
3039 Garden Highway
Sacramento, California 95833

AREA, TYPE LAND AND LOCATION:
A 0.092-acre parcel of tide and submerged land
located in the Sacramento River adjacent to the
Garden Highway, Sacramento County.

LAND USE: Use and maintenance of a boat dock, ramp, and
riprap bank protection.

TERMS OF PROPOSED PERMIT:
Initial period: Ten-years beginning
September 26, 1988.

Public liability insurance: Combined single
limit coverage of \$300,000.

CONSIDERATION: 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.

The recreational boat dock is rent-free,
pursuant to Section 6503.5 of the P.R.C.

BASIS FOR CONSIDERATION:
Pursuant to 2 Cal. Code of Regulations 2003.

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APPLICANT STATUS:

Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee and processing costs have been received.

STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Code of Regulations: Title 2, Div. 3; Title 14, Div. 6.

AB 884:

N/A.

OTHER PERTINENT INFORMATION:

1. As to the termination of the existing permit, pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15061), the staff has determined that this activity is exempt from the requirements of the CEQA because the activity is not a "project" as defined by CEQA and the State CEQA Guidelines.

Authority: P.R.C. 21065 and 14 Cal. Code Regs. 15378.

2. As to the new permit, pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities, 2 Cal. Code Regs 2905(a)(2).

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

3. The recreational dock is rent-free, pursuant to Section 6503.5 of the P.R.C.

CALENDAR ITEM NO. C 11 (CONT'D)

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 project, as proposed, is consistent with its use classification.
5. The recreational pier has been combined with the riprap bank protection in one permit for ease of recordkeeping and to eliminate the issuance of two separate permits for the same area.
6. Staff has received a quitclaim deed from the previous permittee, Lee D. Corbin, releasing all right, title, and interest in the leasehold property back to the State of California, effective September 25, 1988.

APPROVALS OBTAINED:

All approvals previously obtained.

EXHIBITS:

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. AS TO THE TERMINATION OF THE EXISTING PERMIT, FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. CODE REGS. 15378.
2. TERMINATE LEASE NO. PRC 6092, ISSUED TO LEE D. CORBIN, AND ACCEPT A QUITCLAIM DEED TRANSFERRING HIS LEASEHOLD INTEREST IN THE PROPERTY BACK TO THE STATE OF CALIFORNIA, EFFECTIVE SEPTEMBER 25, 1988.
3. AS TO THE NEW PERMIT, FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES, 2 CAL. CODE REGS. 2905(a)(2).

CALENDAR ITEM NO. C 11 (CONT'D)

4. AUTHORIZE ISSUANCE TO MARTHA J. WILLIS OF A TEN-YEAR GENERAL PERMIT - PROTECTIVE STRUCTURE AND RECREATIONAL USE BEGINNING SEPTEMBER 26, 1988; IN CONSIDERATION OF 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 \$300,000; FOR THE USE AND MAINTENANCE OF A RECREATIONAL BOAT DOCK, RAMP, AND RIPRAP BANK PROTECTION ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

PRC 6092.9

LAND DESCRIPTION

All that tide and submerged land in the bed of the Sacramento River, Sacramento County, California, lying immediately beneath a floating dock, walkway, and riprap used for bank protection TOGETHER WITH a use area extending 10 feet from the extremities of said dock and walkway, said structures and riprap being located adjacent to and waterward of the land described in the Grant Deed recorded February 22, 1985 in Book 85-02-22, Page 0011, Official Records of Sacramento County.

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

END OF DESCRIPTION

REVIEWED NOVEMBER 7, 1988 BY BIU 1.

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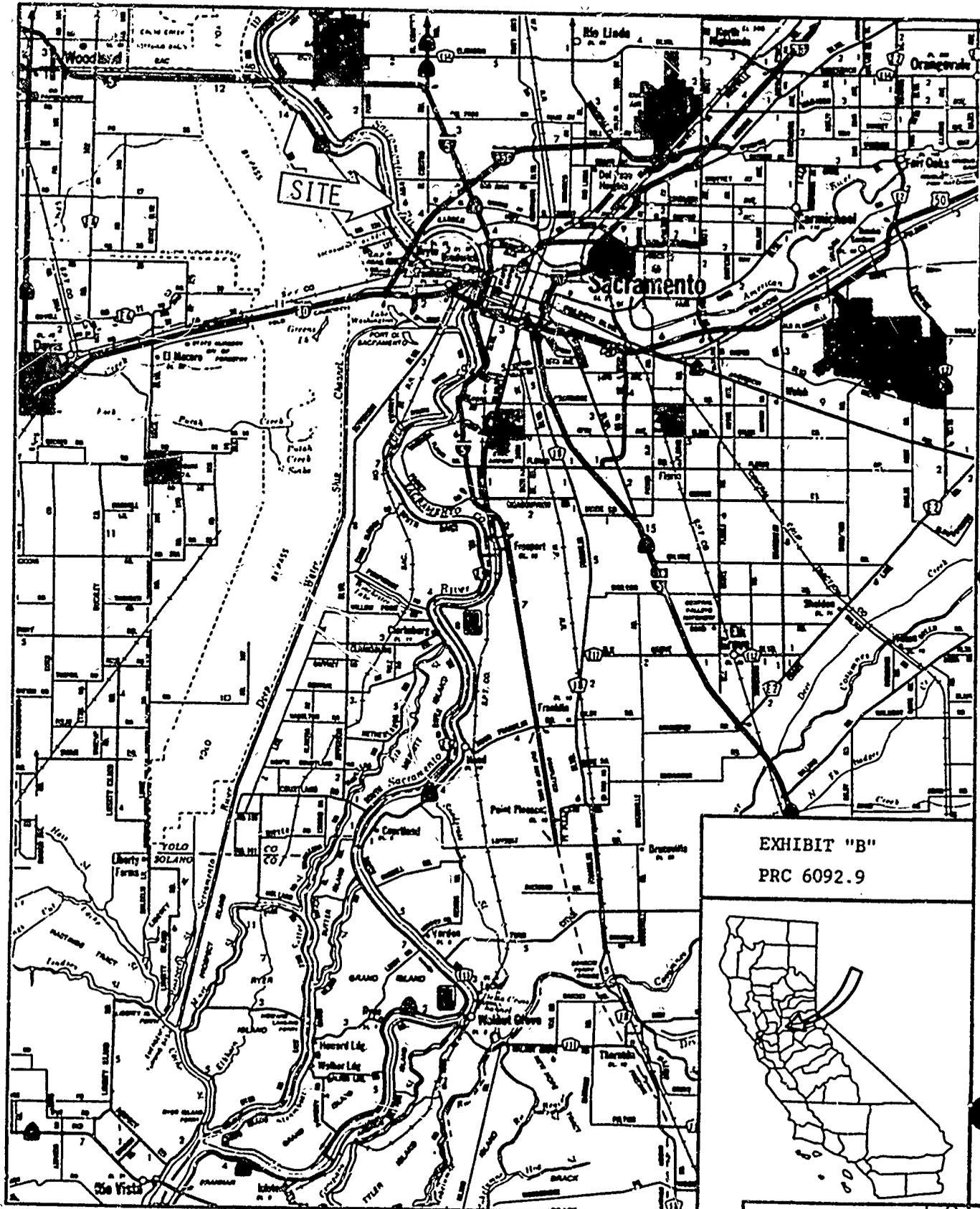


EXHIBIT "B"
 PRC 6092.9

