

MINUTE ITEM
This Calendar Item No. C13
was approved as Minute Item
No. 13 by the State Lands
Commission by a vote of 3
to 0 at its 7/10/89
meeting.

CALENDAR ITEM

C 13

A 1

S 4

07/10/89
W 24233 PRC 7310
J. Ludlow

GENERAL PERMIT - PROTECTIVE STRUCTURE USE

APPLICANT: C. F. Koehnen and Sons Orchard,
a general partnership
Route 1, Box 240
Glenn, California 95943

AREA, TYPE LAND AND LOCATION:
A 0.080-acre parcel of submerged land located
in and adjacent to the bed of the Sacramento
River near Chico, Butte County.

LAND USE: Continued use and maintenance of existing
riprap bank protection.

TERMS OF PROPOSED PERMIT:
Initial period: Ten years beginning
October 20, 1988.
Public liability insurance: Combined single
limit coverage of \$300,000.

CONSIDERATION: The public use and benefit; 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.

BASIS FOR CONSIDERATION:
Pursuant to 2 Cal. Code Regs. 2003.

APPLICANT STATUS:
Applicant is owner of upland.

CALENDAR ITEM NO. **C13** (CONT'D)

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 Regs.: Title 2, Div. 3;
Title 14, Div. 6.

AB 884: N/A.

OTHER PERTINENT INFORMATION:

1. 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 4, Minor Alteration to Land, 2 Cal. Code Regs 2905(d)(2).

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

2. The subject site is located along the left bank of the Sacramento River approximately two miles upstream of the Ord Ferry Bridge near Chico. The upland property is used as an almond orchard and the bank in this area has suffered extensive erosion.
3. The annual rental value of the site is estimated to be \$136.
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.

CALENDAR ITEM NO. C13 (CONT'D)

APPROVALS OBTAINED:

Fish and Game, State Water Quality Control Board (Central Valley Region), United States Army Corps of Engineers, and State Reclamation Board.

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. CODE REGS. 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 4, MINOR ALTERATION TO LAND, 2 CAL. CODE REGS. 2905(d)(2).
2. AUTHORIZE ISSUANCE TO C. F. KOEHNEN AND SONS ORCHARD, A GENERAL PARTNERSHIP, OF A TEN-YEAR GENERAL PERMIT - PROTECTIVE STRUCTURE USE, BEGINNING OCTOBER 20, 1988; IN CONSIDERATION OF THE PUBLIC USE AND BENEFIT, 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 CONTINUED USE AND MAINTENANCE OF EXISTING RIPRAP BANK PROTECTION ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"
LAND DESCRIPTION

W 24233

A parcel of land in the bed of the Sacramento River, Butte County, California, lying immediately beneath the rip-rap shore protection adjacent to the parcel of land described in the deed to C.F. Koehnen & Sons Orchard recorded August 31, 1979, in Book 2438, Page 382 Official Records Of said county.

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

END OF DESCRIPTION

PREPARED DECEMBER 5, 1988 BY BIU 1.

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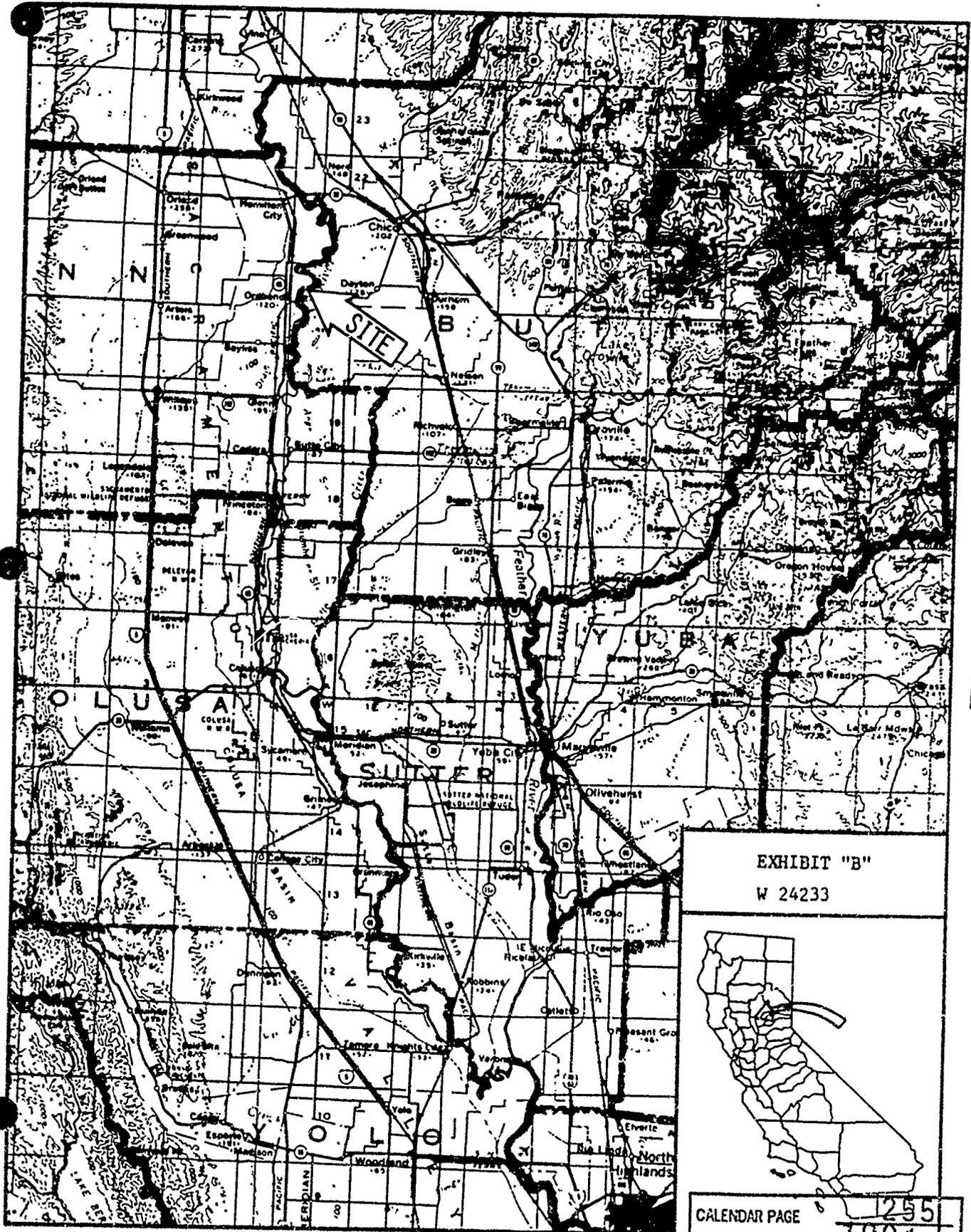


EXHIBIT "B"
W 24233



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