

MINUTE ITEM

This Calendar Item No. C07
was approved as Minute Item
No. 1 by the State Lands
Commission by a vote of 2
to 0 at its 11-5-91
meeting.

CALENDAR ITEM

A 26

C 0 7

11/05/91

PRC 6047

S 5

Gordon

GENERAL PERMIT - RECREATIONAL AND
PROTECTIVE STRUCTURE USE

APPLICANT:

Robert L. Beardslee and Margaret M. Beardslee
One Atherton Island
Stockton, California 95204

AREA, TYPE LAND AND LOCATION:

A 0.034-acre parcel and a 0.078-acre parcel, totalling 0.112
acre, of tide and submerged lands in the old San Joaquin
River channel now known as Atherton Cove near Stockton,
San Joaquin County.

LAND USE:

Maintenance of an existing walkway, gangway, and floating
dock; and maintenance of existing dredged fill and existing
rock riprap materials utilized for bank protection.

TERMS OF PROPOSED PERMIT:

Initial period:

Ten (10) years beginning August 1, 1991.

Public liability insurance:

Combined single limit coverage of \$500,000 per
occurrence for bodily injury and property damage.

Special:

1. The permit prohibits any residential use of the
facilities.
2. The permit restricts and limits the existing bank
protection materials to the site area initially
described and delineated in United States Army, Corps
of Engineers, permit no. 7526, dated July 9, 1981.
3. The permit restricts the encroachment of bank
protection materials into Atherton Cove beyond the
original bounds of the reconstructed bank.

CALENDAR ITEM NO. C 0 7 (CONT'D)

CONSIDERATION:

Dock Facility - PRC 6503.5; Protective Structure -
The public 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.

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 3, Div. 3; Title 14, Div. 6.

AB 884:

N/A

OTHER PERTINENT INFORMATION:

1. The annual rental value of the site is estimated to be \$532.79.
2. At its August 20, 1981 meeting, the Commission authorized the issuance of a General Permit - Recreational and Protective Structure Use to Applicant for the subject facilities. The authorized permit expired July 31, 1991. This is an application to replace that permit.
3. 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.

CALENDAR ITEM NO. C 0 7 (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 activity is consistent with its use classification.

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 1, EXISTING FACILITIES, 2 CAL. CODE REGS. 2905(a)(2).
2. AUTHORIZE ISSUANCE TO ROBERT L. BEARDSLEE AND MARGARET M. BEARDSLEE OF A TEN-YEAR GENERAL PERMIT - RECREATIONAL AND PROTECTIVE STRUCTURE USE BEGINNING AUGUST 1, 1991; IN CONSIDERATION OF PRC 6503.5, AS TO THE DOCK FACILITY AND THE PUBLIC 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, AS TO THE PROTECTIVE STRUCTURE FACILITY; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$500,000 PER OCCURRENCE FOR BODILY INJURY AND PROPERTY DAMAGE COVERAGE TO MAINTAIN AN EXISTING WALKWAY, GANGWAY AND FLOATING DOCK; AND TO MAINTAIN EXISTING DREDGED FILL AND EXISTING ROCK RIPRAP MATERIALS UTILIZED FOR BANK PROTECTION, ALL ON THE LANDS DESCRIBED AND DELINEATED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

PRC 6047.1

LAND DESCRIPTION

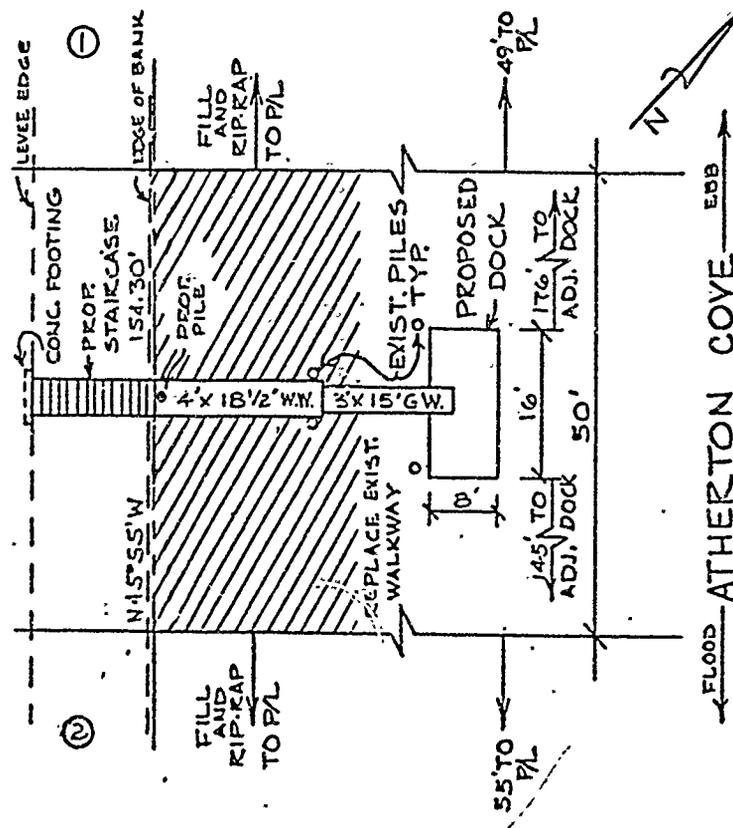
A parcel of tide and submerged land in the bed of San Joaquin River, San Joaquin County, California, more particularly described as follows:

All that land lying immediately beneath a walkway, gangway and floating dock, TOGETHER WITH the necessary use area extending 10 feet from the extremities of said structures, plus that area of existing fill material and rock riprap providing bank protection; said structures and bank protection material being located adjacent to and waterward of that land as shown in Assessor's Parcel Number 121-040-05, San Joaquin County.

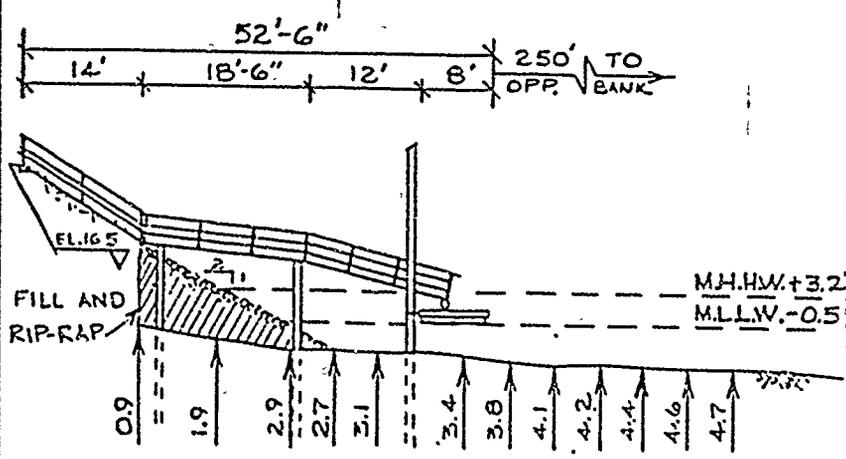
EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of San Joaquin River.

END OF DESCRIPTION

PREPARED JULY, 1991 BY LLB



PROPOSED FILL AND RIPRAP
 AT 2:1 SLOPE
 APPROX. 500 YDS. FILL
 APPROX. 50 YDS. RIPRAP



NOTE: ELEVATIONS REFER TO U.S.G.S.
 DATUM SOUNDINGS ARE IN FEET
 BELOW M.L.L.W. = -0.5 U.S.G.S.

EXHIBIT "B-1"
 Site Map
 PRC 6047.1
 Atherton Cove
 Old San Joaquin River
 San Joaquin County

