

MINUTE ITEM

11/21/74
EPW

10. 5-YEAR USE PERMIT, TIDE AND SUBMERGED LAND IN SANDMOUND SLOUGH, BETHEL ISLAND, CONTRA COSTA COUNTY; WALTER J. AND VIRGINIA F. PIERCE - WP 4353, PRC 4353.

After consideration of Calendar Item 8 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. DETERMINES THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21085; 14 CAL. ADM. CODE 15100, ET SEQ.; AND 2 CAL. ADM. CODE 2910(a).
2. AUTHORIZES THE ISSUANCE TO WALTER J. AND VIRGINIA F. PIERCE OF A 5-YEAR USE PERMIT FROM SEPTEMBER 1, 1974; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$75; AND PROVISION OF A \$2,000 SURETY BOND; FOR THE MAINTENANCE OF A FLOATING DOCK, BOATHOUSE AND PILINGS ON THE LAND DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment:

Calendar Item 8 (3 pages)

CALENDAR ITEM

11/74

8.

EPW
WP 4353

USE PERMIT

APPLICANT: Walter J. and Virginia F. Pierce.

AREA, TYPE LAND AND LOCATION:

A .064-acre parcel of tide and submerged land in Sandmound Slough, Bethel Island, Contra Costa County.

LAND USE: Maintenance of a floating dock, boathouse and pilings.

TERMS OF PROPOSED LEASE:

Initial period: 5 years, from September 1, 1974.

Surety bond: \$2,000.

CONSIDERATION: \$75 per annum.

BASIS FOR CONSIDERATION:

\$75 fixed rental for this type of permit.

PREREQUISITE TERMS:

U. S. Army Corps of Engineers permit issued.

Applicant is owner of upland.

STATUTORY AND OTHER REFERENCES:

- a. Public Resources Code: Div. 6, Parts 1 and 2.
- b. Administrative Code: Title 2, Div. 3, Arts. 1, 2 & 10.

OTHER PERTINENT INFORMATION:

1. This action replaces Lease PRC 4353.1 which expired on August 31, 1974. There has been no substantial change to the facilities authorized under Permit PRC 4353.1.
2. An environmental impact report is not required. This transaction is within the purview of 2 Cal. Adm. Code 2910(a) which exempts an existing structure that is in an acceptable state of repair and there is no evidence of record to show injury to adjacent property, shoreline erosion, or other types of environmental degradation.

EXHIBITS: A. Land Description. B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21085; 14 CAL. ADM. CODE 15100, ET SEQ.; AND 2 CAL. ADM. CODE 2910(a).

CALENDAR ITEM NO. 8. (CONTD)

2. AUTHORIZE THE ISSUANCE TO WALTER J. AND VIRGINIA F. PIERCE OF A 5-YEAR USE PERMIT FROM SEPTEMBER 1, 1974; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$75; AND PROVISION OF A \$2,000 SURETY BOND; FOR THE MAINTENANCE OF A FLOATING DOCK, BOATHOUSE AND PILINGS ON THE LAND DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

WP 4353

A parcel of tide and submerged land 39 feet wide lying in the bed of Sandmound Slough, Contra Costa County, State of California, adjacent to Lots 7 and 8 of Sandmound Acres, as shown on the map filed July 22, 1949, in the office of the county recorder of said county in Map Book 38, page 4, said parcel being more particularly described as follows:

COMMENCING at the southwest corner of said Lot 8 thence N 71° 38' E, 191.57 feet along the southerly line of Lot 8 to the TRUE POINT OF BEGINNING; thence N 71° 38' E, 39 feet; thence N 15° 34' 30" W, 75 feet to a point that bears N 71° 38' E, 39 feet from the northeasterly corner of said Lot 7; thence S 71° 38' W, 39 feet to said northeasterly corner; thence S 15° 34' 30" E, 75 feet to the true point of beginning.

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

END OF DESCRIPTION