

MINUTE ITEM

5/27/76
EPW

22, PUBLIC AGENCY PERMIT AND TERMINATION OF LEASE PRC 2849.1,
TIDE AND SUBMERGED LAND IN DISAPPOINTMENT SLOUGH, SAN JOAQUIN
COUNTY; RECLAMATION DISTRICT 2037 AND ALLIED PROPERTIES -
WP 2849.

Calendar Item 22 attached was pulled at the Commission meeting.

Attachment:
Calendar Item 22 (4 pages)

CALENDAR ITEM

22.

5/76
WP 2849
EPW

PUBLIC AGENCY PERMIT AND TERMINATION
OF LEASE PRC 2849.1

APPLICANTS: Reclamation District 2037
8722 San Pascual Way
Stockton, California 95210

Allied Properties
c/o Chickering and Gregory
111 Sutter Street
San Francisco, California 94104
ATTN: Susan Nycum

AREA, TYPE LAND AND LOCATION:

An 0.854 acre parcel of tide and submerged
land in Disappointment Slough, San Joaquin
County.

LAND USE: Maintenance of a public vehicular bridge.

TERMS OF LEASE TO BE TERMINATED:

Initial period: 49 years from February 29, 1962.

Consideration: \$928.06 for the full 49 year
term.

TERMS OF PROPOSED LEASE:

Initial period: 49 years from April 28, 1976.

CONSIDERATION: The public use and benefit to apply only for
as long as public use and access is free with
the State reserving the right any time to
set a monetary rental if the Commission finds
such action to be in the State's best interest.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is permittee of upland.

Processing costs of \$325 have been received.

STATUTORY AND OTHER REFERENCES:

A. Public Resources Code: Div. 6, Parts 1 & 2.

B. Administrative Code: Title 2, Div. 3,
Arts. 1, 2, 10 & 11.

A 4

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OTHER PERTINENT INFORMATION:

1. The annual rental value of the site is estimated to be \$100.
2. The former lessee, Allied Properties, a corporation, is being liquidated. The existing lease is to be terminated. Reclamation District 2037 will take over maintenance of this bridge. The U. S. Army District Corps of Engineers issued its permit for this bridge October 10, 1961. It replaced a ferry using cable lines. The bridge is required for over-land transportation to Rindge Tract.
3. This project is situated on State land identified as possessing significant environmental values, pursuant to Public Resources Code 6370.1, and is classified in a significant use category, Class B.

Staff review indicates that there will be no significant effect upon the identified environmental values. This is an existing facility for which no adverse comments have been received.

4. An Environmental Impact Report is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907(a) which exempts an existing structure or facility 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 NEED NOT BE 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 2907.
2. DETERMINE THAT THE GRANTING OF THIS APPLICATION WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1 ET SEQ. OF THE PUBLIC RESOURCES CODE.
3. AUTHORIZE THE ACCEPTANCE OF A QUITCLAIM DEED FROM ALLIED PROPERTIES AND THE TERMINATION OF A 49-YEAR RIGHT OF WAY EASEMENT COVERED UNDER PRC 2849.1, WHICH WAS ORIGINALLY

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APPROVED ON FEBRUARY 27, 1962, CALENDAR ITEM 34.

4. AUTHORIZE ISSUANCE TO RECLAMATION DISTRICT 2037 OF A 49-YEAR PUBLIC AGENCY PERMIT FROM APRIL 28, 1976; IN CONSIDERATION OF THE PUBLIC USE AND BENEFIT TO APPLY ONLY FOR AS LONG AS PUBLIC USE AND ACCESS IS FREE WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENTAL IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATES BEST INTEREST; FOR THE MAINTENANCE OF OF A PUBLIC VEHICULAR BRIDGE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

WP 2849

A parcel of tide and submerged land 60 feet wide in the State owned bed of Disappointment Slough, San Joaquin County, California, approximately 10 miles northwest of Stockton, lying 30 feet on each side of the following described centerline:

COMMENCING at a railroad spike on the westerly end of King Island Bridge across Bishop Cut as said spike is shown on that certain record of survey filed in Volume 6 at Page 247, Book of Surveys, San Joaquin County Records; thence S 08° 07' 02" E, 5490.31 feet to the TRUE POINT OF BEGINNING; thence S 00° 46' 30" E, 620 feet.

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

END OF DESCRIPTION

Prepared *Jack Rasmussen* Checked *Hubert B. King*
Reviewed *Donell Britton* Date *1/8/76*