

MINUTE ITEM

This Calendar Item No. C7  
was approved as Minute Item  
No. 7 by the State Lands  
Commission by a vote of 3  
to 0 at its 8/26/76  
meeting.

CALENDAR ITEM

8/76  
W 20234  
RJV

C7.

USE PERMIT

APPLICANT: Richard H. Hage  
10860 N. Blaney Avenue  
Cupertino, California 95014

AREA, TYPE LAND AND LOCATION: A 2,925 square foot parcel of tide and submerged land in Piper Slough, Bethel Island, Contra Costa County.

LAND USE: Existing single berth covered floating boatshed and walkway for recreational boating.

TERMS OF PROPOSED LEASE: Initial period: 5 years from September 1, 1973.

Surety bond: \$1,000.

CONSIDERATION: \$75 per annum. The consideration is based upon Article 2, Cal. Ad. Code, in effect at the date of the application.

BASIS FOR CONSIDERATION: \$75 fixed rental for this type of lease or permit.

PREREQUISITE TERMS, FEES AND EXPENSES: Applicant is owner of upland.

Filing fee and first year's rent has 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.

OTHER PERTINENT INFORMATION:

1. Final processing was delayed due to Division priorities and a major change in the original design of the facilities which reduced the use area considerably.

2. This project is situated on State land identified as possessing significant environmental values, pursuant to Public Resources Code 6370.1, and is classified

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CALENDAR ITEM NO. C7. (CONTD)

- in a significant use category, Class B: Limited Use. 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.
3. An Environmental Impact Report is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907(a), which exempts a floating dock or boathouse restricted to non-commercial or recreational use that will occupy no more than 3,000 square feet of tide and submerged land including the area of use.

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 2907.
2. FIND THAT GRANTING OF THE APPLICATION WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1 ET SEQ., OF THE PUBLIC RESOURCES CODE.
3. AUTHORIZE ISSUANCE TO RICHARD H. HAGE OF A 5-YEAR USE PERMIT FROM SEPTEMBER 1, 1973; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$75; PROVISION OF A \$1,000 SURETY BOND; FOR AN EXISTING SINGLE BERTH COVERED FLOATING BOAT-SHED AND WALKWAY ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

W 20234

A strip of tide and submerged land 45 feet wide in the State owned bed of Piper Slough adjacent to Bethel Tract, Contra Costa County, California, lying 22.5 feet on each side of the following described centerline:

COMMENCING at the southeast corner of Lot 15 as shown on a map entitled "Subdivision 3870, Willow Road West", recorded April 1, 1970, in Book 129, pages 44, 45 and 46, Official Records of Contra Costa County; thence N 19° 25' 00" E, 153.44 feet along the easterly line of said Lot 15 to a 1½ inch iron pipe tagged "R.C.E. 4000"; thence N 70° 35' W, 27.5 feet to the TRUE POINT OF BEGINNING; thence N 19° 25' E, 84 feet to a point in Piper Slough, said point being the terminous of the herein described centerline.

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

END OF DESCRIPTION

Prepared *H. W. Kimmiche* Checked *John K. Gering*  
Reviewed *S. Brittnacher* Date *7/13/76*

