

MINUTE ITEM

The Calendar Item No. C5
was approved as Minute Item
No. 5 by the State Lands
Commission by a vote of 3
0 at its 3/3/77
meeting.

CALENDAR ITEM

C5.

3/77
WP 4243
ACS
PRC 4243

GENERAL PERMIT
(RECREATIONAL USE)

APPLICANT: Adolph J. Ehrichs and
Olga Ehrichs
11333 W. Neugebauer Road
Stockton, California 95206

AREA, TYPE LAND AND LOCATION:
An 0.269-acre parcel of tide and submerged
land in Turner Cut adjacent to Roberts Island,
San Joaquin County.

LAND USE: Continued maintenance of an existing floating
residence and accommodation dock.

TERMS OF ORIGINAL LEASE:

Initial period: 8 years from March 1, 1969.
Renewal options: 1 successive period of 7 years.
Surety bond: \$1,000.
Consideration: \$159.29.

TERMS OF PROPOSED GENERAL LEASE:

Initial period: 10 years from March 1, 1977.
Surety bond: \$2,000.
Public liability insurance: \$50,000 single
limit for bodily injury and
property damage.

CONSIDERATION: \$150 per annum, with the State reserving the
right to fix a different rental on each fifth
anniversary of the lease.

BASIS FOR CONSIDERATION:

General Permit rental pursuant to 2 Cal. Adm.
Code 2006.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is lessee of upland.

STATUTORY AND OTHER REFERENCES:

- A. Public Resources Code: Div. 6, Parts 1 & 2.
- B. Administrative Code: Title 2, Div. 3,
Apts. 1, 2, 10 & 11.

A 26

S 13

CALENDAR ITEM NO. C5. (CONTD)

OTHER PERTINENT INFORMATION:

1. This is an existing facility. Provisions have been included in the lease which provide for the removal of the floating residence should major damage occur to the structure.
2. The original lease provided for a larger area which was to be developed as a commercial marina. The marina was never constructed and this lease covers only the existing floating residence and attached accommodation dock.
3. 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.
4. 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 use category, Class B which authorizes 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.

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 1510 ET SEQ., AND 2 CAL. ADM. CODE 2907.
2. FIND THAT GRANTING OF THE PERMIT WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE PUBLIC RESOURCES CODE.
3. AUTHORIZE ISSUANCE TO ADOLPH J. EHRECHS AND OLGA EHRECHS OF A 10-YEAR GENERAL PERMIT (RECREATIONAL USE), FROM MARCH 1, 1977; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$150, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT

CALENDAR ITEM NO. 55. (CONTD)

RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF A \$2,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$50,000 SINGLE LIMIT FOR BODILY INJURY AND PROPERTY DAMAGE; FOR THE CONTINUED MAINTENANCE OF AN EXISTING FLOATING RESIDENCE AND ACCOMMODATION DOCK ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

WP 4243

A rectangular parcel of land, 180 feet by 75 feet, in the bed of Turner Cut, County of San Joaquin, State of California, said parcel being adjacent to and northerly of that land described in the deed to Rosalind A. Patrone recorded in Book 2069, page 100, Records of San Joaquin County, the westerly edge of said parcel being 10 feet westerly of the westerly edge of a boat house and associated water structures, and the northerly edge being 10 feet northerly of the northerly edge of said boathouse and associated water structures.

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

END OF DESCRIPTION

Prepared *M. J. [Signature]* Checked *R. W. Hoff*
Reviewed *G. W. Runnecke* Date *1/19/77*
djs.