

MINUTE ITEM

This Calendar Item No. C6
was approved as Calendar Item
No. 6 by the State Lands
Commission by a vote of 3
to 0 at its 9/29/77
meeting.

CALENDAR ITEM

C6.

9/77
W 20525
Scott
PRC 5389

PUBLIC AGENCY PERMIT

APPLICANT:

City of Riverbank
6707 Third Street
Riverbank, California 95367

AREA, TYPE LAND AND LOCATION:

A 30' x 163' (.112 Acres) parcel of inland,
non-tidal submerged land in the bed of
Stanislaus River near the City of Riverbank,
Stanislaus and San Joaquin Counties.

LAND USE:

Continued maintenance of two existing sewage
pipelines and carrier bridge.

TERMS OF PROPOSED PERMIT:

Initial period: 49 years, from January
3, 1973.

CONSIDERATION:

The public use and 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.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is owner and permittee of upland.

When processing of this permit was begun,
no processing fees were required. All necessary
information was submitted at the time of
original application. Delay in submitting
the permit for approval was caused by a
delay in funding for construction of other
phases of the total project.

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. The annual rental value of the site
is estimated to be \$100.

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2. The original proposed project called for the reconstruction of the pipeline carrier bridge to accommodate additional pipelines. Due to a lack of funds the project was revised and additional pipelines will not be constructed and no modification of the existing crossing is required.
3. The pipelines and carrier bridge were constructed in 1948 and have been in continuous use since that time without creating any adverse effects to the environment.
4. An Environmental Impact Report is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907(B) 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.
5. 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 has coordinated this project with those agencies and organizations who nominated the site as containing significant environmental values. They have found this project to be compatible with their nomination.

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.

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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 THE CITY OF RIVERBANK OF A 49 YEAR PUBLIC AGENCY PERMIT FROM JANUARY 3, 1973; IN CONSIDERATION OF THE PUBLIC HEALTH AND SAFETY, 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; FOR THE CONTINUED MAINTENANCE OF EXISTING SEWAGE PIPELINES AND CARRIER BRIDGE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

W 20525

A strip of land, 30 feet wide, in the bed of the Stanislaus River, situate in Section 23, T2S, R9E, P001, Counties of Stanislaus and San Joaquin, State of California, the easterly line of said strip being described as follows:

COMMENCING at the southeast corner of said Section 23, thence along the southerly line of said Section 23, N 89° 16' W, 428.53 feet; thence N 12° 35' W, 750 feet to the POINT OF BEGINNING of said 30 foot strip; thence continuing N 12° 35' W, 250 feet to the end of the herein described easterly line of said 30 foot strip of land.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water marks of the Stanislaus River.

END OF DESCRIPTION

Prepared

M. L. Shafer

Checked

R. M. Hoff

Reviewed

John Gunnick

Date

3/11/77

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