

MINUTE ITEM

This Calendar Item No. 13
was approved as Minute Item
No. 13 by the State Lands
Commission by a vote of 3
to 0 at its 7-17-79
meeting

MINUTE ITEM

7/79
Reese

C13. GENERAL PERMIT - RECREATIONAL USE

Calendar Item C13 was put over to the Regular Calendar. Upon motion duly made and carried, the resolution as presented in Calendar Item 13 was approved by a vote of 3 to 0.

Attachment: Calendar Item C13 (4 Pages)

CALENDAR ITEM
C13.

7/79
W 21863.3
Reese
PRC 5692

GENERAL PERMIT
RECREATIONAL USE

APPLICANT: David and Carol Burkhart
5640 Lakeville Highway
Petaluma, California 94952

TYPE LAND AND LOCATION: Tide and submerged land in the Petaluma River, near Lakeville, Sonoma County.

LAND USE: Walkway, boat dock and other appurtenant recreational facilities.

TERMS OF PROPOSED PERMIT:
Initial period: 10 years from July 1, 1979.

Public liability insurance: Combined single limit coverage of \$100,000.

CONSIDERATION: \$30 per annum, with the State reserving the right to fix a different rental on each fifth anniversary of the permit.

BASIS FOR CONSIDERATION:
\$30 minimum rental for this type of permit.

FEES AND EXPENSES:
Filing fee and first year's rental have been received.

STATUTORY AND OTHER REFERENCES:
A. P.R.C.: Div. 6, Parts 1 & 2.
B. Cal. Adm. Code: Title 2, Div. 3.

OTHER PERTINENT INFORMATION:
1. Permittee is in physical possession of an existing single family residence adjoining the tide and submerged lands described in Exhibit "A". Ownership of the littoral land is currently in dispute between the permittee and the owner of record.

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2. An EIR is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907, Class 1(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.
3. This project is situated on State land identified as possessing significant environmental values pursuant to P.R.C. 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 EIR HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21085, 14 CAL. ADM. CODE 15100 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 P.R.C.
3. AUTHORIZE ISSUANCE TO DAVID AND CAROL BURKHART OF A 10-YEAR GENERAL PERMIT - RECREATIONAL USE FROM JULY 1, 1979; IN CONSIDERATION OF ANNUAL RENTAL IN THE AMOUNT OF \$30, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT; PROVISION OF PUBLIC LIABILITY INSURANCE, COMBINED SINGLE LIMIT COVERAGE OF \$100,000; FOR EXISTING WALKWAY, BOAT DOCK AND OTHER APPURTENANT RECREATIONAL FACILITIES ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

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EXHIBIT A

The tide and submerged land beneath the existing walkway, boat dock, and other appurtenant recreational facilities according to the application on file, located at 5640 Lakeville Highway, Petaluma, CA 94952, together with an exclusive area 10 feet wide surrounding the walkway, boat dock, and other appurtenant recreational facilities.

End Description

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STATE LANDS COMMISSION
 PORTION OF U.S.G.S. QUADRANGLE
 PETALUMA RIVER (1954)
 PHOTOREVISED 1968 & 1973



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