

MINUTE ITEM

This Calendar Item No. C08
was approved as minute item
No. 3 by the State Lands
Commission by a vote of 2
to 0 at its 11/29/84
meeting.

CALENDAR ITEM

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C08 1

11/29/84
WP 3045 PRC 3045
Reese

S 13

GENERAL PERMIT - RECREATIONAL USE

APPLICANT: Aramis and Yvonne Fouche
3665 Telegraph Hill
Oakland, California 94609

AREA, TYPE LAND AND LOCATION:
A 0.126-acre parcel of tide and submerged land
in Georgiana Slough, Sacramento County.

LAND USE: Recreation.

TERMS OF ORIGINAL TERMINATING PERMIT:

Initial period: Ten years beginning May 1,
1975.

Public liability insurance: Combined single
limit coverage of \$300,000.

Consideration: \$110 per annum; five-year
rent review.

TERMS OF PROPOSED PERMIT:

Initial period: Ten years beginning May 1,
1985.

Public liability insurance: Combined single
limit coverage of \$300,000.

CONSIDERATION: \$329 per annum; with the State reserving the
right to fix a different rental on each fifth
anniversary of the permit.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Adm. Code 7003.

APPLICANT STATUS:

Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

N/A.

CALENDAR ITEM NO. 008 (CONT'D)

STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884:

N/A.

OTHER PERTINENT INFORMATION:

1. Original Lease PRC 3045.1 is expiring on April 30, 1985. Lessee has requested a new lease for another ten years.
2. This activity involves lands which have NOT been identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. However, the Commission has declared that all tide and submerged lands are "significant" by nature of their public ownership (as opposed to "environmental significant"). Since such declaration of significance is not based upon the requirements and criteria of P.R.C. 6370, et seq., use classifications for such lands have not been designated. Therefore, the finding of the project's consistency with the use classification as required by 2 Cal. Adm. Code 2954 is not applicable.
3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorical exempt project. The project is exempt under Class 1, Existing Facilities, 2 Cal. Adm. Code 2905(a)(2).

Authority: P.R.C. 21084 and 14 Cal. Adm. Code 15300, and 2 Cal. Adm. Code 2905.

APPROVALS OBTAINED:

N/A.

FURTHER APPROVALS REQUIRED:

N/A.

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CALENDAR ITEM NO. C 0 8 (CONT'D)

EXHIBITS: A. Land Description.
 B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 AS A CATEGORICAL EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES, 2 CAL. ADM. CODE 2905(a)(2).
2. FIND THAT THE SIGNIFICANT ENVIRONMENTAL VALUES ORIGINALLY IDENTIFIED PURSUANT TO P.R.C. 6370, ET SEQ., ARE NOT WITHIN THE PROJECT SITE AND WILL NOT BE AFFECTED BY THE PROPOSED PROJECT.
3. AUTHORIZE ISSUANCE TO ARAMIS AND YVONNE FOUCHE OF A TEN-YEAR GENERAL PERMIT -- RECREATIONAL USE BEGINNING MAY 1, 1985; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$329, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$300,000; PROVISION THAT THE STRUCTURE KNOWN AS A "CABANA" SHALL AT NO TIME BE USED AS A PERMANENT RESIDENCE; FOR A BOATHOUSE, CABANA, DOCK, AND ASSOCIATED PILINGS ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Exhibit A

SECTION 3

LAND DESCRIPTION

WP 3045

A parcel of tide and submerged land in the bed of Georgiana Slough, adjacent to Andrus Island, Sacramento County, California, said parcel being immediately beneath an existing cabana, boat shed, float and wharf, TOGETHER WITH a necessary use area extending no more than 10 feet from said structures, said structures being adjacent to and northerly of that land described as Lots No. 1 and 2, Golden State Asparagus Company Subdivision D, Andrus Island (Unrecorded Map), said Lot No. 1 is further described as follows:

BEGINNING at a point from which the most Easterly corner of the 15.841 acre tract of land described in a deed dated July 8, 1931, recorded July 17, 1931, in Book 360 of Official Records, Sacramento County, at page 58, executed by Golden State Asparagus Company to Central Pacific Railway Company, bears S 41° 33' 46" E, 34.10 feet distant; thence from said point of beginning, N 41° 33' 46" W, 98.88 feet; thence N 7° 30' 16" W, 133.07 feet to the mean high water line of Georgiana Slough; thence, along the mean high water line of said Georgiana Slough; N 81° 39' E, 55 feet; thence S 7° 34' 30" E, 215.64 feet to the point of beginning.

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

END OF DESCRIPTION.

REVIEWED AUGUST 24, 1984 BY BOUNDARY AND TITLE UNIT.

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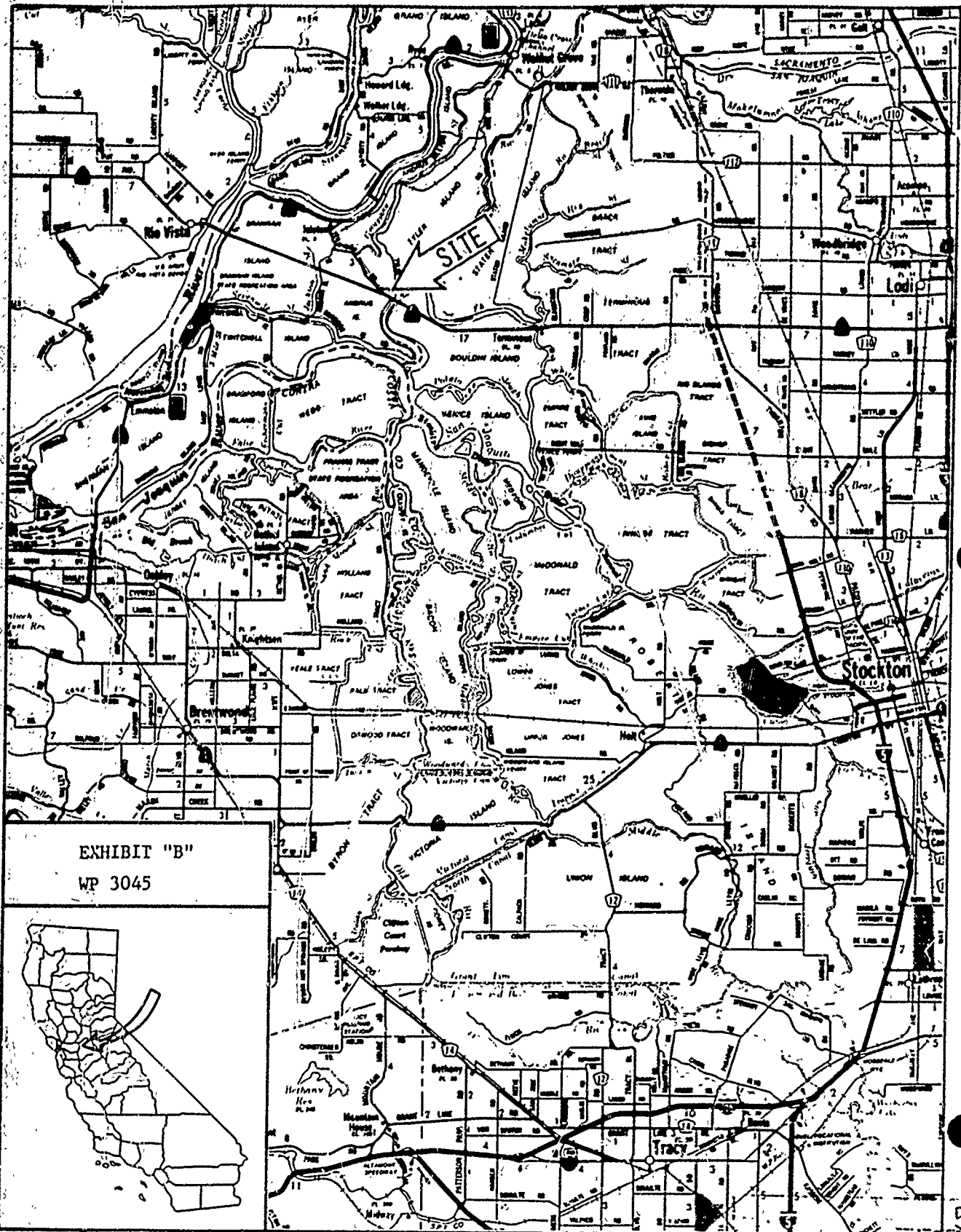


EXHIBIT "B"
WP 3045