

MINUTE ITEM

This Calendar Item No. C14
was approved as Minute Item
No. 14 by the State Lands
Commission by a vote of 2
to 1 at its 3/16/86
meeting.

²⁸
Minute item 6, meeting of 7/22/76 rescind.
by minute item 14, meeting of 3/16/86 5/2

CALENDAR ITEM

C 1 4

A 26

S 5

02/27/86
WP 2363 PRC 2363
Gordon

TERMINATION OF LEASE NO. 2363 P.R.C. SERIES;
RESCISSIONS OF PRIOR AUTHORIZATIONS AND
ISSUANCE OF GENERAL PERMIT - RECREATIONAL USE

APPLICANTS: LeRoy E. Borba and
Ginger A. Borba
1628 West Bowman Road
French Camp, California 95231

AREA, TYPE LAND AND LOCATION:
A 0.061-acre parcel of tide and submerged land,
located in the San Joaquin River near French
Camp, San Joaquin County.

LAND USE: Maintenance of an existing floating dock and
ramp.

TERMS OF ORIGINAL PERMIT:

Initial period: 15 years beginning
February 24, 1959.

Renewal options: Two additional periods of
ten years each.

Surety bond: \$1,000.

Consideration: \$100 per annum; five-year
rent review.

TERMS OF FIRST PROPOSED PERMIT:

Initial period: Ten years beginning
February 24, 1974.

Renewal option: One additional period of
ten years each.

103
528

CALENDAR ITEM NO. C14 (CONT'D)

Surety bond: \$1,000.

Public liability insurance: Combined single
limit coverage of \$1,000,000.

Consideration: \$225 per annum; five-year
rent review.

TERMS OF CURRENTLY PROPOSED PERMIT:

Initial period: 15 years beginning
February 24, 1984.

Surety bond: \$1,000.

Public liability insurance: Combined single
limit coverage of \$500,000.

Special: 1. The permit restricts any
residential use of the permit
area.

CONSIDERATION: A total of \$327.28 for the first two years and
\$184.80 per annum, thereafter; 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 2003.

APPLICANT STATUS:

Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee and processing costs have been
received.

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.

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OTHER PERTINENT INFORMATION:

1. Applicant operates a small business on the upland known as Changing Tides Resort, which consists of several mobilehome trailers, a combination bar/restaurant and applicant's residence. The dock and ramp are utilized as an accommodation facility.
2. At its meeting on February 24, 1959, the State Lands Commission, in Minute Item 23, approved the issuance of Lease No. 2363, P.R.C. Series, to Robert Barrymore for construction, maintenance and use of a small boat wharf and walkway. The format of this original lease is not now consistent with the Commission's current rules and regulations.

At its meeting on May 26, 1966, the Commission, in Minute Item 7, approved the assignment of Lease No. 2363, P.R.C. Series to Roy and Velma F. Jacopetti.

At its meeting on July 22, 1976, the Commission, in Minute Item 28, authorized the issuance of a new noncommercial Lease PRC 2363, P.R.C. to Roy and Velma F. Jacopetti for maintenance of the subject facilities.

At its meeting on September 24, 1980, the Commission, in Minute Item 6, approved the assignment of noncommercial Lease PRC 2363, from Roy and Velma F. Jacopetti to LeRoy E. Borba and Ginger A. Pontier, now known as Ginger A. Borba.

Various circumstances have precluded staff's issuance of noncommercial Lease PRC 2363 and the assignment of said lease. These conditions no longer exist.

Therefore, termination of the original P.R.C. Series lease and rescissions of the authorization to issue noncommercial Lease PRC 2363 and the approval of the assignment of said lease are recommended to clarify the Commission's records.

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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 Facility, 2 Cal. Adm. Code 2905(a)(2).

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

4. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project is consistent with its use classification.

APPROVALS OBTAINED:

United States Army Corps of Engineers,
California Department of Fish and Game,
California Central Valley Regional Water
Quality Control Board, California Reclamation
Board and the County of San Joaquin.

FURTHER APPROVALS REQUIRED:

None.

EXHIBITS:

- A. Land Description.
- B. Location Map.

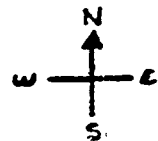
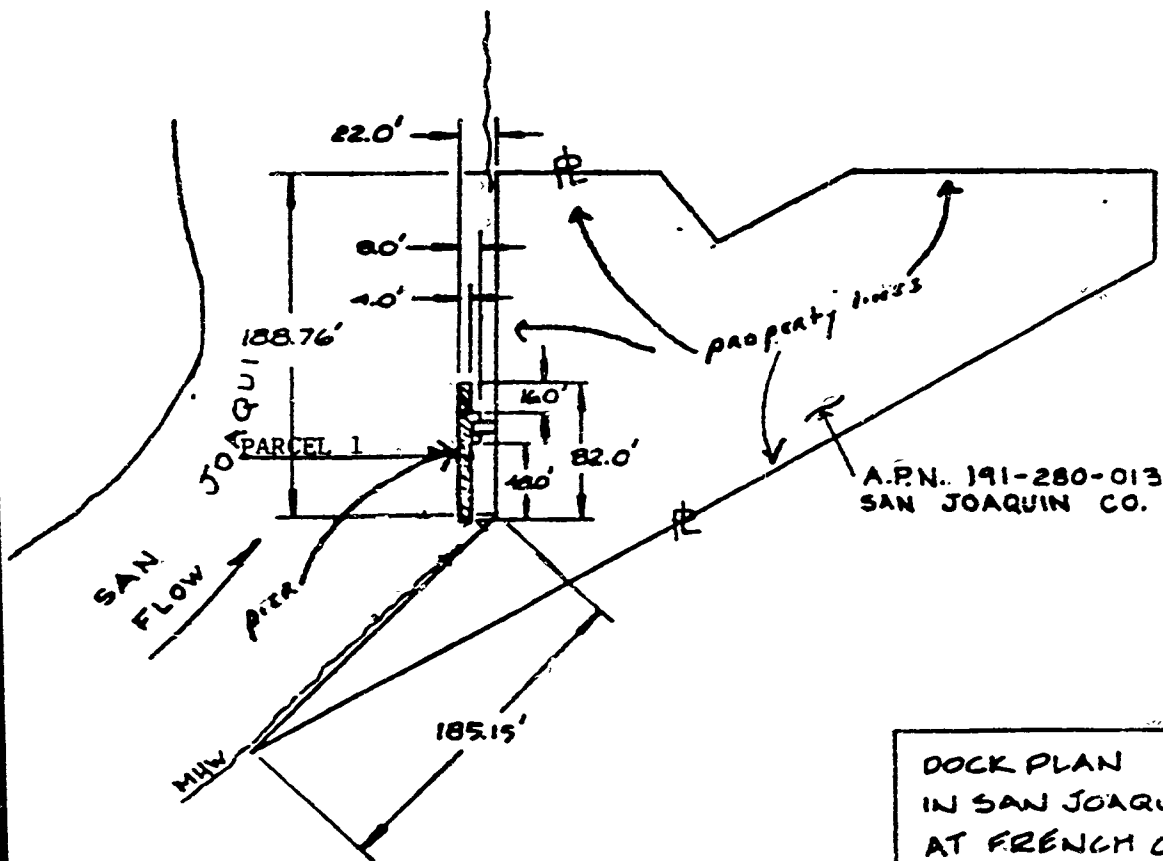
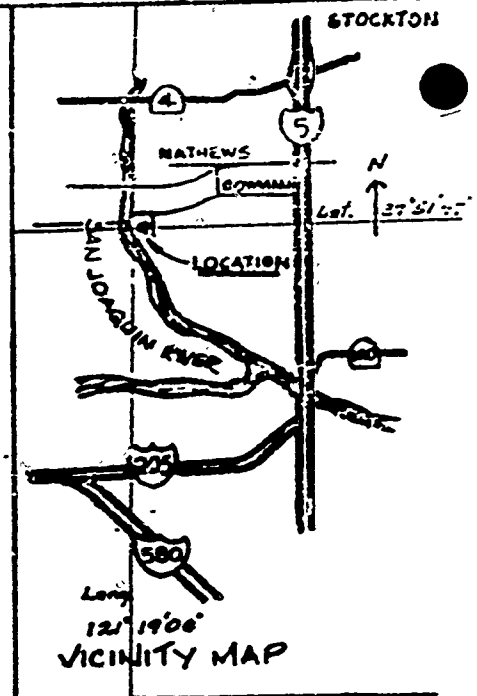
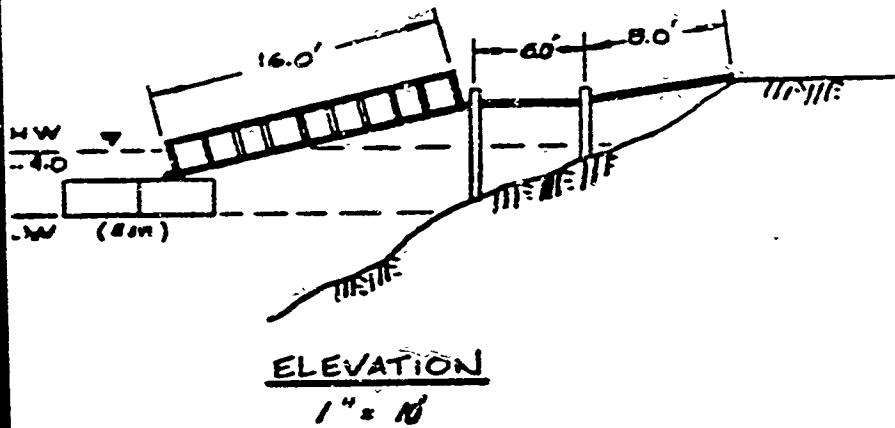
IT IS RECOMMENDED THAT THE COMMISSION:

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 FACILITY, 2 CAL. ADM. CODE 2905(a)(2).
2. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.
3. RESCIND ITS ACTION OF JULY 22, 1976 (MINUTE ITEM 28), WHICH AUTHORIZED ISSUANCE OF NONCOMMERCIAL LEASE PRC 2363 FOR A FLOATING DOCK AND WALKWAY.

CALENDAR ITEM NO. 14 (CONT'D)

4. RESCIND ITS ACTION OF SEPTEMBER 24, 1980 (MINUTE ITEM 6), WHICH APPROVED THE ASSIGNMENT OF NONCOMMERCIAL LEASE PRC 2363.
5. AUTHORIZE TERMINATION OF LEASE NO. 2353, P.R.C. SERIES DATED MAY 25, 1959, EFFECTIVE FEBRUARY 24, 1984; AND THE ISSUANCE TO LEROY E. BORBA AND GINGER A. BORBA OF A 15-YEAR GENERAL PERMIT - RECREATIONAL USE BEGINNING FEBRUARY 24, 1984; IN CONSIDERATION OF A TOTAL RENT OF \$327.25 FOR THE FIRST TWO YEARS AND ANNUAL RENT THEREAFTER IN THE AMOUNT OF \$184.80, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT; WITH PROVISION OF A \$1,000 SURETY BOND; AND WITH PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$500,000; FOR MAINTENANCE OF AN EXISTING FLOATING DOCK AND RAMP ON THE LAND DELINEATED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

No. 7973



DOCK PLAN
IN SAN JOAQUIN RIVER
AT FRENCH CAMP LA 95251
LEROY BORSH

7/17/85

PLAN VIEW

1" = 100'

EXHIBIT "A"
LAND DESCRIPTION

PARCEL 1

WP 2363
CALENDAR NO. 108
EXP. NO. 533

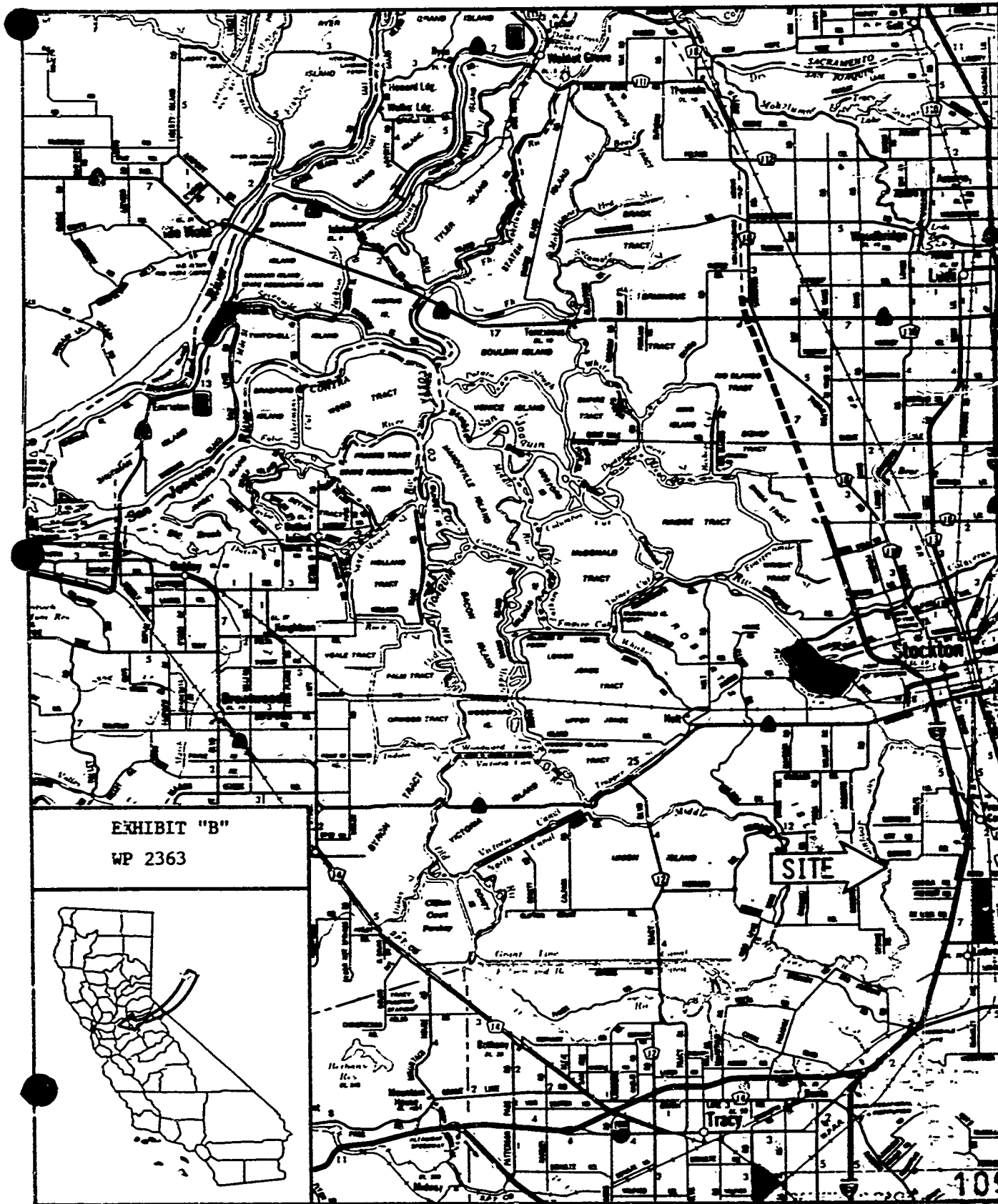


EXHIBIT "B"

WP 2363



SITE