

MINUTE ITEM
This Calendar Item No. C7
was approved as Minute Item
No. 7 by the State Lands
Commission by a vote of 2
to 0 at its 4-12-88
meeting.

CALENDAR ITEM

A 3

C 07

04/12/88

S 1

W 22286 PRC 7184
J. Ludlow

GENERAL PERMIT - PROTECTIVE STRUCTURE
AND RECREATIONAL USE

APPLICANT: Stephen L. Simard
10275 Garden Highway,
Sacramento, California 95837

AREA, TYPE LAND AND LOCATION:

A 0.183-acre parcel of tide and submerged land
in the Sacramento River, Sutter County.

LAND USE:

Use and maintenance of existing riprap, a
recreational boat dock and the placement of two
speed buoys.

TERMS OF PROPOSED PERMIT:

Initial period: Ten years beginning August 2,
1987.

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

CONSIDERATION:

\$22 rental for the buoys for the period
beginning June 1, 1988 and ending August 1,
1988; \$132 per annum thereafter with the State
reserving the right to fix a different rental
on each fifth anniversary of the permit. The
public use and benefit for the riprap bank
protection, 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.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Adm. Code 2003.

APPLICANT STATUS:

Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee, processing costs, and first year's annual rental 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:

05/31/88.

OTHER PERTINENT INFORMATION:

1. 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 (boatdock and riprap bank protection) and Class 3, New Construction of a Small Structure (buoys).

Authority: P.R.C. 21084, 14 Cal. Adm. Code 15300, and 2 Cal. Adm. Code 2905(a)(2), and 2905(c)(5)

2. The annual rental value of the bank protection site is estimated to be \$352.
3. The speed buoys will be placed in June 1988, and the rental for the buoy has been prorated on a monthly basis for the first year at an amount of \$11 per month.
4. The recreational dock is rent free pursuant to Section 6503.5 of the Public Resources Code.
5. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. Based

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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, as proposed, is consistent with its use classification.

6. The recreational pier has been combined with the bank protection and speed buoys in one permit for ease of recordkeeping and to eliminate the issuance of two separate permits for the same area.

APPROVALS OBTAINED:

United States Army Corps of Engineers, Fish and Game, Sutter County, Board of Reclamation.

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 (BOATDOCK AND RIPRAP BANK PROTECTION) AND CLASS 3, NEW CONSTRUCTION OF A SMALL STRUCTURE (BUOYS), 2 CAL. ADM. CODE 2905(a)(2) AND 2905(c)(5).
2. AUTHORIZE ISSUANCE TO STEPHEN L. SIMARD OF A TEN-YEAR GENERAL PERMIT - PROTECTIVE STRUCTURE AND RECREATIONAL USE BEGINNING AUGUST 2, 1987; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$22 FOR THE BUOYS FOR THE PERIOD BEGINNING JUNE 1, 1988 AND ENDING AUGUST 1, 1988, AND \$132 PER ANNUM THEREAFTER, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH ANNIVERSARY OF THE OF THE PERMIT; AND THE PUBLIC USE AND BENEFIT FOR THE RIPRAP BANK PROTECTION 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; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$300,000 FOR THE USE AND MAINTENANCE OF A RECREATIONAL BOAT DOCK RIPRAP BANK PROTECTION AND THE PLACEMENT OF TWO SPEED BUOYS ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

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Two parcels of tide and submerged land in the bed of the Sacramento River, Sutter County, California, said parcels being described as follows:

PARCEL 1

All that tide and submerged land lying immediately beneath a dock, ramp, and two buoys adjacent to and waterward of that land described in the Grant Deed recorded April 25, 1978 in Book 924, Page 86, Official Records of Sutter County, TOGETHER WITH a necessary use area extending 10 feet from the extremities of said facilities.

PARCEL 2

All that tide and submerged land lying immediately beneath riprap placed for bank protection adjacent to and waterward of the land described in said Grant Deed.

EXCEPTING FROM above described Parcels 1 and 2 any portion lying landward of the ordinary high water mark of the Sacramento River.

END OF DESCRIPTION

PREPARED OCTOBER 22, 1987 BY BJU #1.

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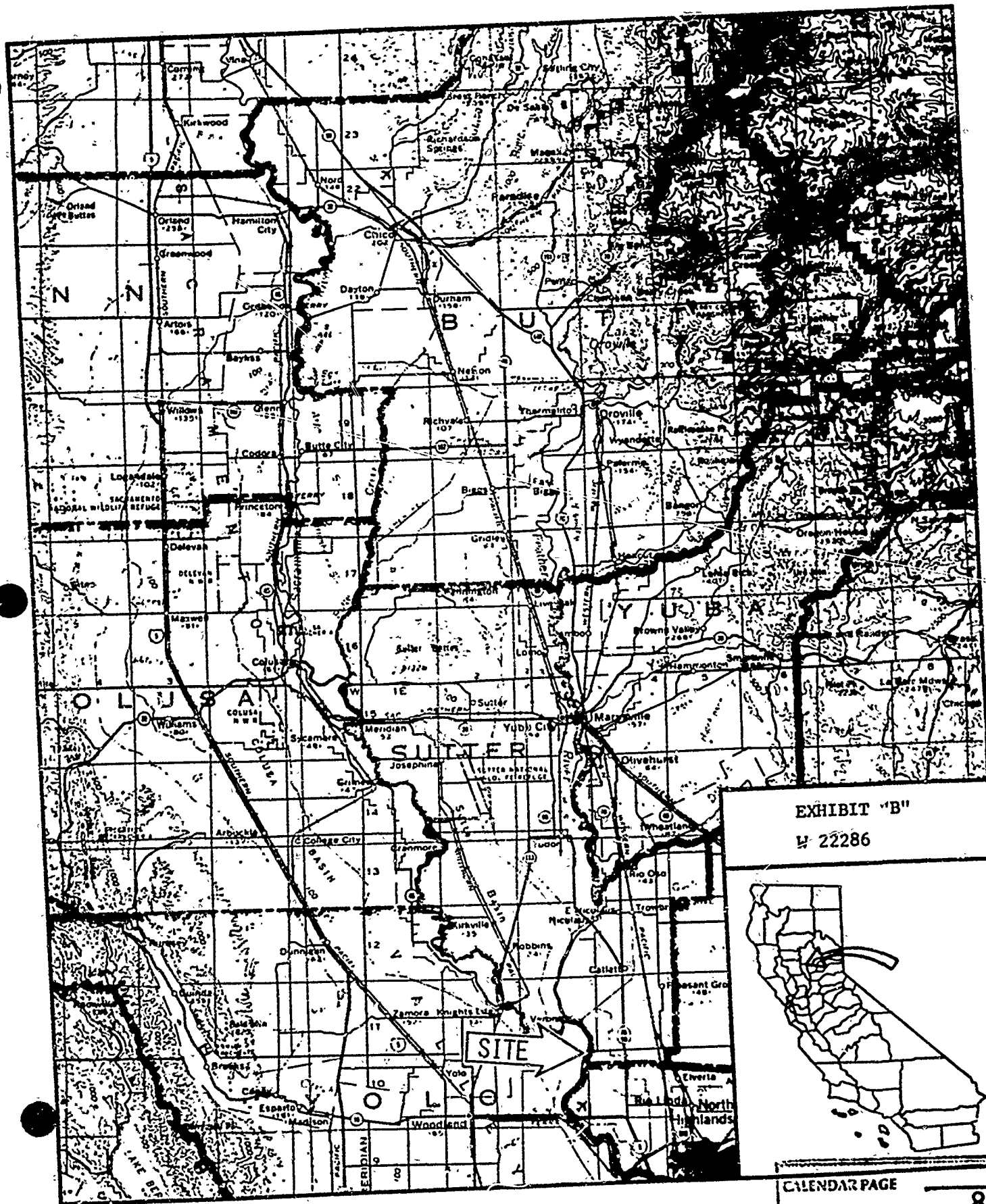


EXHIBIT "B"

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CALENDAR PAGE

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