

MINUTE ITEM
This Calendar Item No. C11
was approved as Minute Item
No. 11 by the State Lands
Commission by a vote of 3
to 0 at its 2-25-93
meeting.

CALENDAR ITEM

C11

A 10

S 7

02/25/93

WP 6472

Jones

PRC 6472

GENERAL PERMIT - RESIDENTIAL AND RECREATIONAL USE

APPLICANT:

Darel Stevens
6208 Hillside Drive
El Sobrante, California 94803-3620

AREA, TYPE LAND AND LOCATION:

A .117-acre parcel of tidelands and submerged lands in the bed of Sheep Slough, near Dutra Island, Contra Costa County.

LAND USE:

Residential use involving portions of a porch measuring 4-feet 4-inches x 18-feet, patio measuring 23-feet x 25-feet, and a hexagonal-shaped gazebo measuring 16-feet wide from corner to corner; and recreational use involving a 4-feet 4-inches x 71-feet fixed pier, 6-feet x 6-feet platform, 3-feet x 12-feet walkway, 19-feet x 35-feet floating "U"-shaped boat dock, and adjacent pilings as shown on Exhibit "C".

TERMS OF PROPOSED PERMIT:

Initial period:

Ten (10) years beginning June 1, 1993.

Surety bond:

\$5,000.

Public liability insurance:

Combined single limit coverage of \$500,000.

CONSIDERATION:

\$50 per annum for the portions of the porch, patio and gazebo; with the State reserving the right to fix a different rental on each fifth anniversary of the permit. The fixed pier, platform, walkway and boat dock are rent free pursuant to Section 6503.5 of the P.R.C.

CALENDAR ITEM NO. C11 (CONT'D)

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Code Regs. 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. Code Regs.: Title 3, Div. 3; Title 14, Div. 6.

AB 884:

04/28/93.

OTHER PERTINENT INFORMATION:

1. The applicant's current General Permit - Recreational Use expires on June 1, 1993. His application primarily involves his existing facilities; however, his boat dock was destroyed in a storm two years ago and he reconstructed it within the same footprint soon thereafter into a "U" shaped dock. In addition, there are a number of pilings in the water. These pilings are authorized in the permit; however, a bond is required in the event they need removal. In addition, the applicant will be required to: 1) install 5-inch to 10-inch reflectors on each piling so that they are visible at ordinary high water and at night; and 2) post warning signs on every three pilings indicating the existence of navigational hazards. The reflectors and signs are required to be installed no later than July 1, 1993, and the applicant must submit a written report to the staff of the Commission by July 15, 1993 confirming their installation.
2. The applicant has confirmed that no expansion to the residential structures has occurred. These structures include the gazebo and portions of the porch or patio. Specific language has been included in the permit to prohibit any expansion of existing residential structures or the construction of new structures within the permit area. The permit also provides that if the cost for repairs to the existing residential structures

CALENDAR ITEM NO. C11 (CONT'D)

on the State's fee lands exceed 50% of the base value of that portion of the structure, that portion shall be removed from the State fee lands. Allowable repairs must be commenced within one year from the date of damage and must be completed promptly thereafter.

3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 3, 2 Cal. Code Regs. 2905 (C) (1). Authority: P.R.C. 21084, 14 Cal. Code Regs. 15300, and 2 Cal. Code Regs. 2905.
4. Find that this activity will involve 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 as proposed is consistent with its use classification.

APPROVALS OBTAINED:

United States Army Corps of Engineers.

FURTHER APPROVALS REQUIRED:

None.

EXHIBITS:

- A. Location Map
- B. Site Map

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 3, NEW CONSTRUCTION OF SMALL STRUCTURES, 2 CAL. CODE REGS. 2905 (C) (1).
2. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.
3. AUTHORIZE ISSUANCE TO DAREL STEVENS OF A 10-YEAR GENERAL PERMIT - RECREATIONAL USE BEGINNING JUNE 1, 1993; FOR A 4- FEET X 4-INCHES X 71 FEET FIXED PIER, A 6-FEET X 6-FEET

CALENDAR ITEM NO. C11 (CONT'D)

PLATFORM, A 3-FEET X 12-FEET WALKWAY, A 19-FEET X 35-FEET FLOATING "U" SHAPED BOAT DOCK, A PORTION OF A PATIO MEASURING 23-FEET X 25-FEET, A HEXAGONAL SHAPED GAZEBO MEASURING 16-FEET WIDE FROM CORNER TO CORNER, AND A PORTION OF PORCH MEASURING 4-FEET 4-INCHES X 18-FEET ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$50 FOR THE GAZEBO, AND PORTIONS OF THE PORCH AND PATIO WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT; THE FIXED PIER, PLATFORM, WALKWAY AND BOAT DOCK ARE RENT FREE PURSUANT TO SECTION 6503.5 OF THE P.R.C.

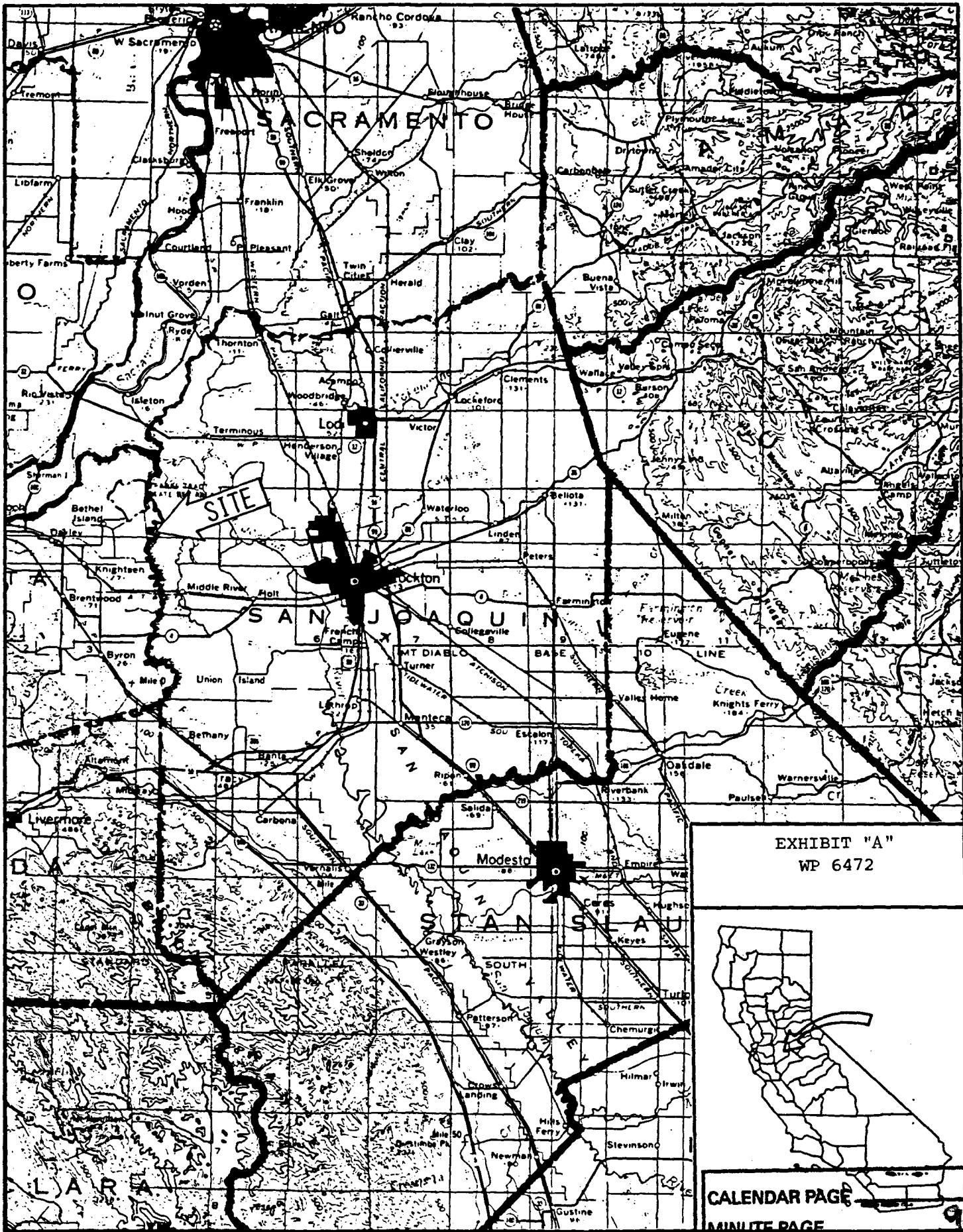


EXHIBIT "A"
 WP 6472



CALENDAR PAGE 63
 MINUTE PAGE 90

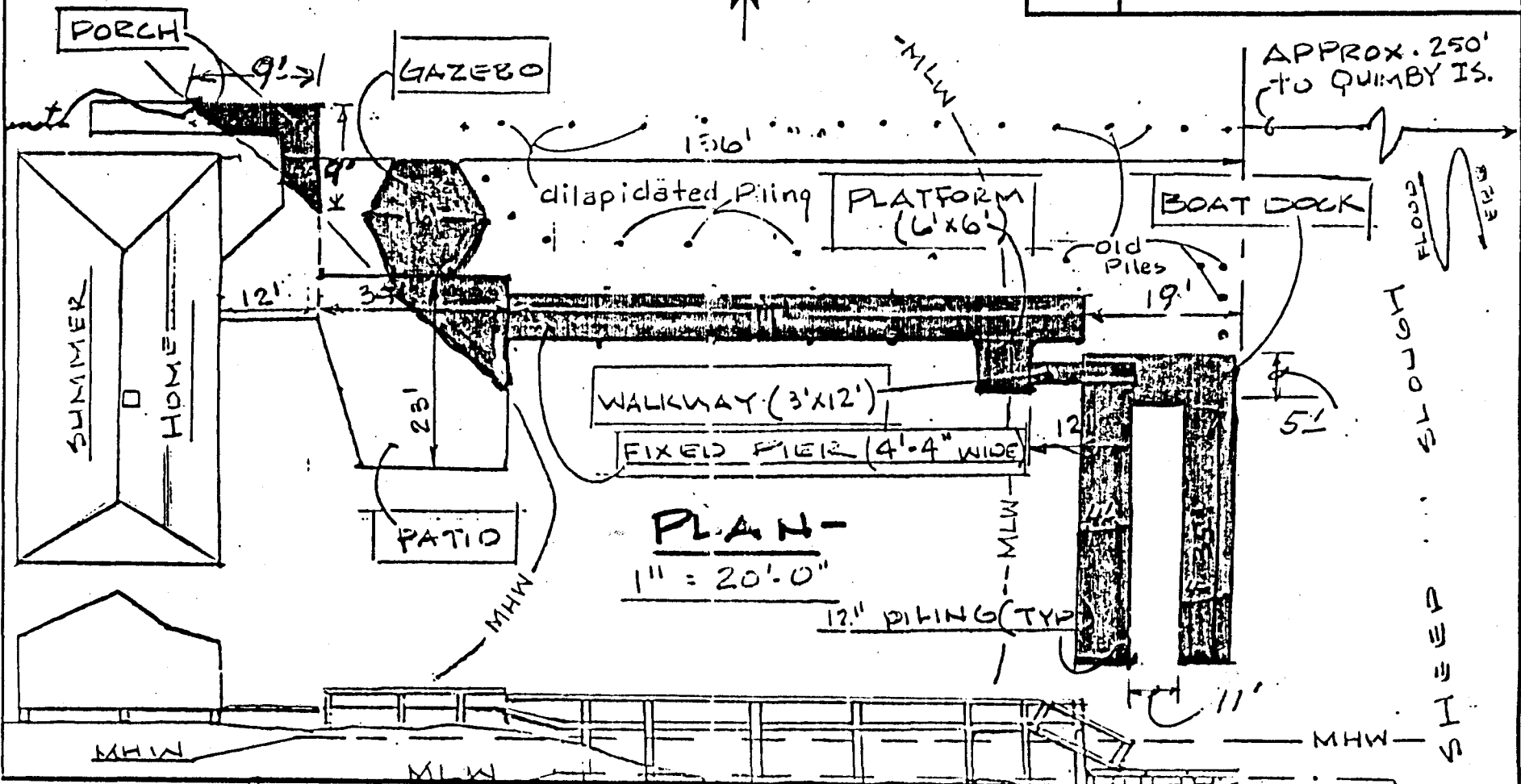
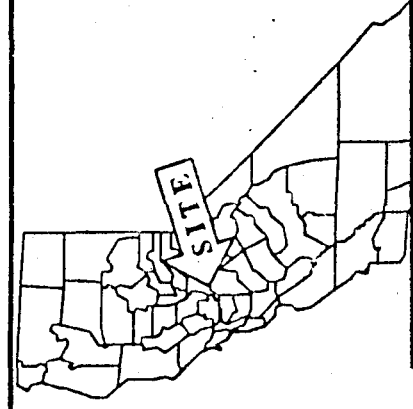
ING FACILITIES

This land description is solely for purposes of generally defining the lease premises, and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

NOTE:

NO ADJACENT
PROPERTY OWNERS

EXHIBIT "B"
WP 6472



PLAN -
1" = 20'-0"

used subject to rental

Patio = 23 x 25'
Gazebo = 16' wide corner to corner
Porch = 4' 4" x 18'

and remnants structures, which are left free view of P.C. 657.3.5

Fixed Pier 4' 4" x 7'
Platform = 6' x 6'
Walkway = 3' x 12'