

MINUTE ITEM

This Calendar Item No. C08
as approved as Minute Item
No. 08 by the State Lands
Commission by a vote of 3
to 0 at its 7-19-93
meeting.

CALENDAR ITEM

C08

A 8

S 4, 5

07/19/93
W 24809 PRC 7694
Grimmett

GENERAL PERMIT - RECREATIONAL USE

APPLICANT:

Gerald C. Taylor
35 Liberty Street
San Francisco, CA 94110

AREA, TYPE LAND AND LOCATION:

0.15 acre parcel of tide and submerged land located in
Georgiana Slough near the town of Isleton, Sacramento
County.

LAND USE:

Installation, use and maintenance of a floating recreational
dock.

TERMS OF PROPOSED PERMIT:

Initial period:
Ten years beginning July 19, 1993.

Public liability insurance:

Combined single limit coverage of \$500,000.

Special:

1. No commercial use shall be made of the proposed facilities and shall be limited to the boats owned by the applicant.
2. Applicant is requested to plant native trees and shrubs on the berm adjacent to the waterward toe of the levee.

CONSIDERATION:

\$594 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. Code Regs. 2003.

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CALENDAR ITEM NO. C08 (CONT'D)

APPLICANT STATUS:

Applicant is the owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee and application processing expense deposit 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:

N/A

OTHER PERTINENT INFORMATION:

1. 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, as proposed, is consistent with its use classification.
2. A Negative Declaration was prepared and adopted for this project by the County of Sacramento. The State Lands Commission's staff has reviewed such document.
3. The adjacent upland lot is 2 acres in size with a frontage of approximately 390 feet along Georgiana Slough. The proposed recreational docking facility will occupy about one-fourth of the slough frontage. The facility will be sited with adequate side setback to provide adequate clearance for the proposed docking facility of their next door neighbor.

APPROVALS OBTAINED:

County of Sacramento, Corps of Engineers, Department of Fish and Game Streambed Alteration Agreement.

FURTHER APPROVALS REQUIRED:

State Lands Commission.

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CALENDAR ITEM NO. C08 (CONT'D)

EXHIBITS:

- A. Land Description
- B and B1. Location Map
- C. Notice of Determination

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT A NEGATIVE DECLARATION WAS PREPARED AND ADOPTED FOR THIS PROJECT BY THE COUNTY OF SACRAMENTO AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
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 GERALD C. TAYLOR OF A TEN-YEAR GENERAL PERMIT - RECREATIONAL USE BEGINNING JULY 19, 1993; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$594, 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 \$500,000; FOR THE INSTALLATION, USE AND MAINTENANCE OF A FLOATING, RECREATIONAL DOCK ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

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EXHIBIT "A"

W 24809

LAND DESCRIPTION

A parcel of tide and submerged land in Georgiana Slough, Sacramento County, California, more particularly described as follows:

All that land lying immediately beneath a pier and berthing area, TOGETHER WITH the necessary use area extending 10 feet from its extremities, said pier being adjacent to Parcel 2 as shown in the map entitled "Parcel Map, Parcel B, (3 PM 20)", dated July, 1991, recorded on July 16, 1991 in Book 125 of Parcel Maps at Page 12, records of Sacramento County.

END OF DESCRIPTION

PREPARED JUNE, 1992 BY LLB.

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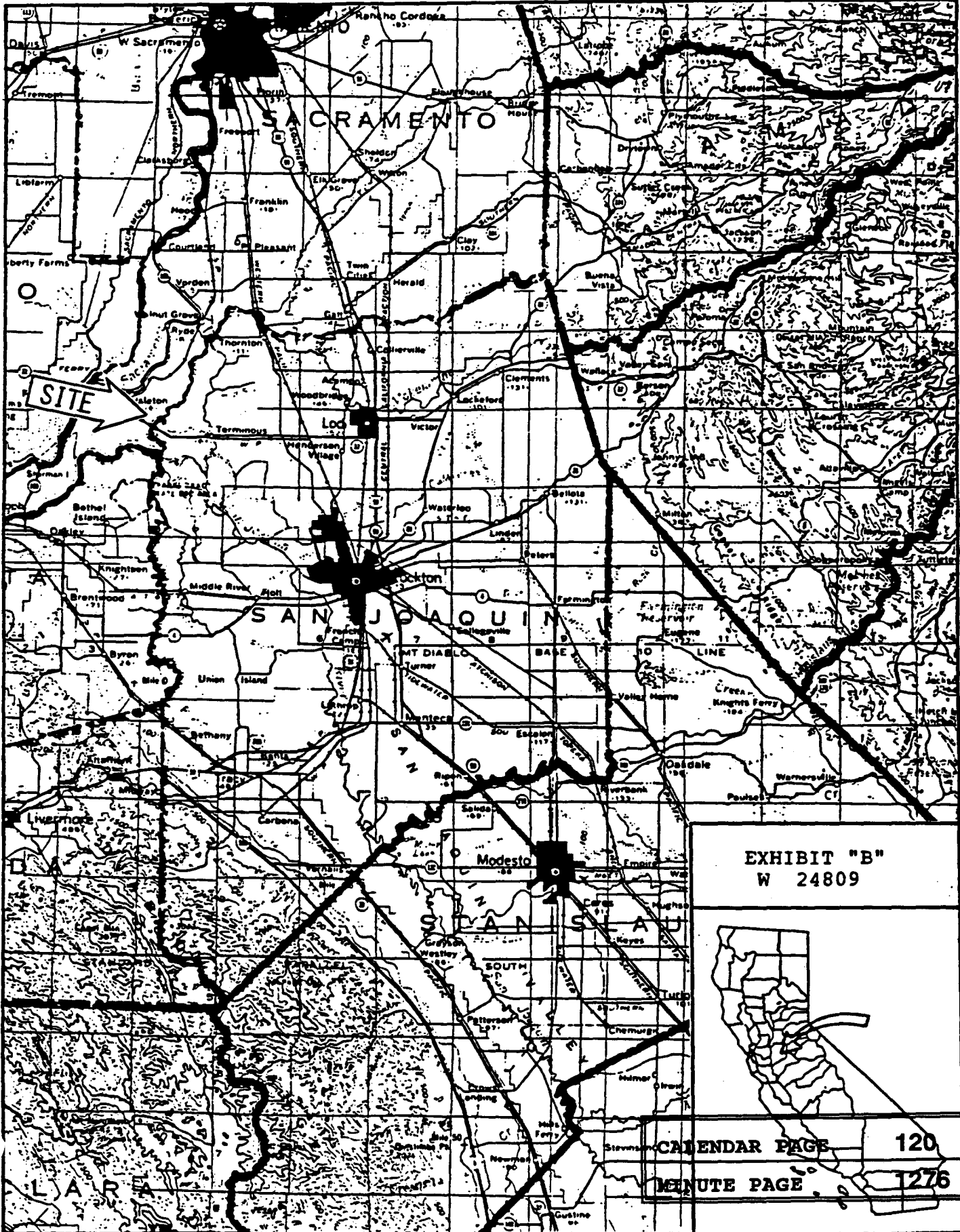
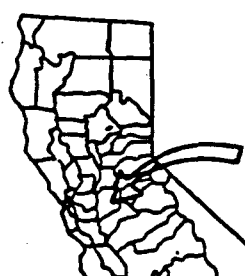
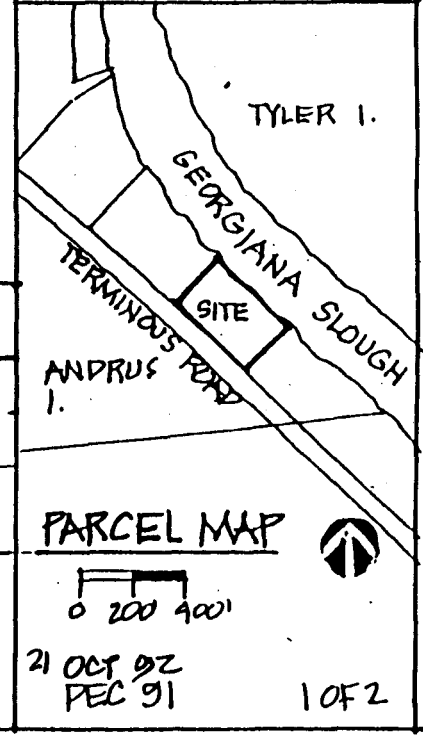
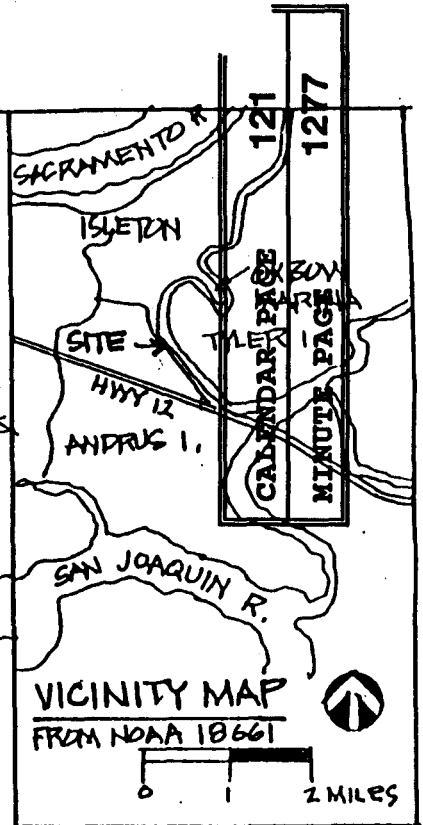
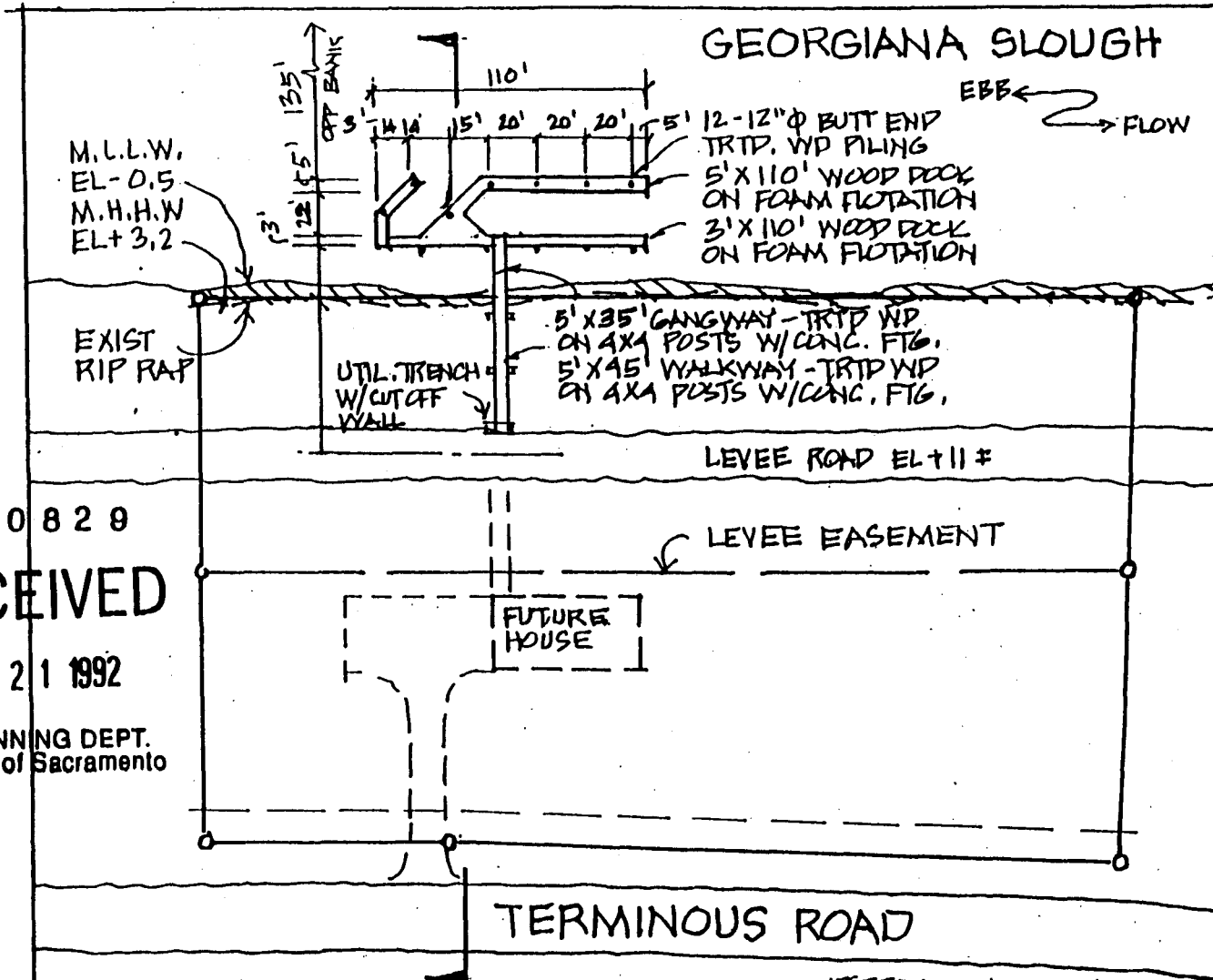


EXHIBIT "B"
W 24809



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12-480



PROPOSED SITE PLAN
 2 ACRE PARCEL
 APN 157 0100 076
 ANDRUS ISLAND
 TERMINOUS ROAD
 COUNTY OF SACRAMENTO
 STATE OF CALIFORNIA



UPSTREAM LAND OWNER
 JOHN E. PALK
 46 CHESTNUT PLACE
 DANYILLE, CA 94506
 MR & MRS JOE McDENWELL
 1472 WALALA DRIVE
 SAN JOSE, CA 95125
 PROPOSED PRIVATE
 RESIDENTIAL DOCK IN
 GEORGIANA SLOUGH
 GERALD C. TAYLOR
 35 LIBERTY STREET
 SAN FRANCISCO, CA 94110

PARCEL MAP
 0 200 400'
 21 OCT 92
 PEC 91
 1 OF 2

EXHIBIT B1
W 24809

02 0829
RECEIVED
 OCT 21 1992
 PLANNING DEPT.
 County of Sacramento

M.L.L.W.
 EL-0.5
 M.H.H.W.
 EL+3.2

GEORGIANA SLOUGH

EBB ← FLOW →

12-12" Φ BUTT END
 TRIP. WP PILING
 5' X 110' WOOD DOCK
 ON FOAM FLOTATION
 3' X 110' WOOD DOCK
 ON FOAM FLOTATION

5' X 35' GANGWAY - TRIP. WP.
 ON 4X4 POSTS W/ CONC. FTG.
 5' X 45' WALKWAY - TRIP. WP.
 ON 4X4 POSTS W/ CONC. FTG.

EXIST
RIP RAP

UTIL. TRENCH
 W/CUTOFF
 WALL

LEVEE ROAD EL+11±

LEVEE EASEMENT

FUTURE
HOUSE

TERMINOUS ROAD

SACRAMENTO R.
 ISLETON
 SITE
 HWY 12
 ANDRUS I.
 SAN JOAQUIN R.
 VICINITY MAP
 FROM NOAA 18661
 2 MILES

TYLER I.
 GEORGIANA SLOUGH
 TERMINOUS ROAD
 ANDRUS ISLAND
 SITE
 PARCEL MAP
 0 200 400'
 21 OCT 92
 PEC 91
 1 OF 2



NOTICE OF DETERMINATION

TO: State of California
Office of Planning & Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

FROM: County of Sacramento, Department of
Environmental Review and Assessment
827 Seventh Street, Room 220
Sacramento, CA 95814

TO: County Clerk, County of Sacramento
600 8th Street, Room 101, Sacramento, CA 95814

SUBJECT: FILING OF NOTICE OF DETERMINATION IN COMPLIANCE WITH SECTION 21108 OR 21152 OF THE
PUBLIC RESOURCES CODE

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|---------------------------------------------------------|-----------------------------------|
| PROJECT TITLE: GERALD C. TAYLOR BOAT DOCK USE PERMIT | CONTROL NUMBER(S): 92-UPP-0829 |
|---------------------------------------------------------|-----------------------------------|

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|--------------------------------------------------------|------------------------------------|---------------------------------|
| STATE CLEARINGHOUSE NUMBER (IF SUBMITTED): 92122047 | CONTACT PERSON: Alcides Freitas | PHONE NUMBER: (916) 440-7914 |
|--------------------------------------------------------|------------------------------------|---------------------------------|

PROJECT LOCATION:
The project site is located between Terminous Road and Georgiana Slough, approximately 350 feet south of Oxbow Drive, in the Delta community.

ASSESSOR'S PARCEL NUMBER(S): 157-0100-076

PROJECT DESCRIPTION:
The proposed project consists of a Use Permit to allow a private five-berth boat dock in the DW-S and AR-2(F) zones, which exceeds the development standards listed in Section 235-147(g) of the Zoning Code. Specifically, the proposed boat dock will extend 47 feet into the river at mean lower low level (MLLW) along 100 feet of shoreline.

This is to advise that the County of Sacramento (Lead Agency Responsible Agency) has approved the above described project on March 27, 1993 and has made the following determinations concerning the above described project:

1. The project [will will not] have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [were were not] made a condition of the approval of the project.
4. A mitigation monitoring and reporting program [was was not] adopted.
5. A statement of Overriding Considerations [was was not] adopted for this project.
6. Findings [were were not] made pursuant to the provisions of CEQA.
7. California State Department of Fish and Game Fees (AB 3158)
 - a. [] The project has been found to be de minimis thus not subject to the provisions of AB 3158.
 - b. The project is not de minimis and is, therefore, subject to the following fees:
 - \$1,250 for review of a Negative Declaration
 - \$ 850 for review of an Environmental Impact Report
 - \$ 25 for County Fish and Game program processing fees.

This is to certify that the environmental document and record of project approval is available to the General Public at: 827 7th Street, Room 220, Sacramento, CA 95814.

DATE RECEIVED FOR FILING

Environmental Coordinator of
Sacramento County, State of
California

ENDORSED

APR 02 1993

JOHN DARK, CLERK-RECORDER
By [Signature] DEPUTY

BY: [Signature]
Alcides Freitas
Environmental Coordinator

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RECEIVED

COUNTY OF SACRAMENTO
Inter-Department Correspondence

APR 01 1993

March 31, 1993

DEPT. OF ENVIRONMENTAL
REVIEW & ASSESSMENT
SACRAMENTO COUNTY

To : PLANNING DEPARTMENT

From : *KR* KATHY ROGERS, Secretary
Project Planning Commission

Subject: USE PERMIT - 92-UPP-0829 - GERALD C. TAYLOR - Assessor's
Parcel 157-0100-076, located between Terminous Road and
Georgianna Slough, approximately 350 feet south of Oxbow Drive,
in the Delta community planning area.

The Project Planning Commission, meeting in regular session on March 29,
1993, voted unanimously to approve the following request:

Use Permit

A Use Permit to construct a private, five-berth boat dock in the AR-2(F)
and DW-S zones, which exceeds the development standards listed in Section
235-147g of the Zoning Code; specifically, the proposed boat dock will
extend 47 feet into the river at Mean Lower Low Water (MLLW) and along
110-feet of the shoreline on Georgianna Slough, subject to findings and
conditions set forth in the staff report.

cc: In House
Owner/applicant

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USE PERMIT
SACRAMENTO COUNTY

Control Number
92-UPP-0829

Hearing Date: March 29, 1993

APPLICANT/OWNER:

Assessor's Parcel No.
157-0100-076

Gerald C. Taylor
35 Liberty Street
San Francisco, CA 94110

PERMISSION IS GRANTED TO USE THE SUBJECT PREMISES FOR THE FOLLOWING DESCRIBED USES: A Use Permit to construct a private, five-berth boat dock in the AR-2(F) and DW-S zones, which exceeds the development standards listed in Section 235-147g of the Zoning Code; specifically, the proposed boat dock will extend 47 feet into the river at Mean Lower Low Water (MLLW) and along 110-feet of the shoreline on Georgianna Slough.

DESCRIPTION OF PREMISES: The property is located between Terminous Road and Georgianna Slough, approximately 350 feet south of Oxbow Drive, in the Delta community planning area.

CONDITIONS OF APPROVAL:

1. This action does not relieve the applicant of the obligation to comply with all ordinances, statutes, regulations and procedures. Any required subsequent procedural actions shall take place within 36 months of the date on which the permit became effective or this action shall automatically be null and void.
2. The development approved by this action shall be in substantial compliance with Exhibit "G" (Site Plan) and Exhibit "J" (Section View).
3. Secure all permits required from the federal and state agencies prior to construction.
4. Install 5 mph maximum speed and wake signs, to be enforced along the entire shoreline of the subject property. The size and placement of these signs shall be subject to approval by the Sheriff's Department.
5. Boats berthed at the dock shall not exceed the slip length.
6. Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work shall be suspended and the Department of Environmental Review and Assessment shall be immediately notified at 440-7914. At that time, the DERA will coordinate any necessary investigation of the site with appropriate specialists as needed. The project proponent shall be required to implement any mitigation deemed necessary for the protection of the cultural resources. In addition, pursuant to Section 5097.98 of the State Public Resources Code, and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of human remains, work is to stop, and the County Coroner shall be immediately notified. If the remains are determined to be Native American, the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

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FINDINGS:

1. The proposal is consistent with both the Sacramento County General Plan and Delta Community Plan in that no policy conflicts have been identified.
2. Staff has identified no effects from the proposal which would result in a significant detrimental impact on adjoining or neighboring properties if the conditions, as recommended by staff, are adopted.
3. The granting of the use permit will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County, in that:
 - a. There is an existing speed and wake zone south of the subject property that may be extended to include the subject property and the channel of Georgianna Slough, thereby limiting potential hazards.
 - b. There is adequate navigable area remaining within Georgianna Slough even though the proposed dock exceeds the maximum extension standard for the waterway (i.e., there is 135± feet of unobstructed access remaining within Georgianna Slough after construction of the proposed dock, and it is unlikely that a similar dock could be constructed on the opposite side of the channel because of the zoning (AG-80(F) and agricultural character found in that area).
 - c. This project is less obtrusive than other similar requests that have been approved for this section of Georgianna Slough.
 - d. The length of the proposed dock will occupy only 29 percent of the shoreline for this parcel (i.e., 110 feet of the 385.5 feet of that portion of the parcel located at the MLLW line).
4. The proposal will not adversely affect the natural habitat, natural flow of the channel, stability of the levee, or create a safety/navigation hazard. It appears that all other required findings of Section 235-156 of the Zoning Code can be made in the affirmative.
5. The environmental document prepared for the project by the Department of Environmental Review and Assessment (DERA) was considered in the analysis and preparation of this report.
6. The property is located in the secondary zone of the properties covered by the Delta Protection Act and therefore, no special findings are necessary.

ENVIRONMENTAL DOCUMENT: Negative Declaration.

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CAUTION: THIS USE PERMIT IS OF NO FORCE AND EFFECT UNTIL THE EXPIRATION OF A 10-DAY APPEAL PERIOD FROM AND AFTER THE DATE OF THE HEARING ON THE USE PERMIT.

THE ABOVE USE WILL NOT BE CONDUCTED TO CONSTITUTE EITHER A PUBLIC OR PRIVATE NUISANCE. VIOLATION OF ANY OF THE FOREGOING CONDITIONS WILL CONSTITUTE GROUNDS FOR REVOCATION OF THIS PERMIT. BUILDING PERMITS ARE REQUIRED IN THE EVENT ANY BUILDING IS PLANNED.

SACRAMENTO COUNTY PROJECT PLANNING COMMISSION

By Kathleen Rogers
KATHLEEN ROGERS, Secretary

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