

MINUTE ITEM

This Calendar Item No. C2
was approved as Minute Item
No. 2 by the State Lands
Commission by a vote of 2
to 0 at its 4-27-78
meeting.

CALENDAR ITEM

C2.

4/78
WP 5025
Omand

GENERAL PERMIT
RECREATIONAL USE

APPLICANT: John J. and Violet McNaughton
86 Linda Isle
Newport Beach, California 92660

AREA, TYPE LAND AND LOCATION:
A 1,444 sq. ft. (0.03 acre) parcel of submerged
land in the Colorado River, San Bernardino
County.

LAND USE: Maintenance of an existing dock and two
8-foot fences.

TERMS OF PROPOSED PERMIT:

Initial period: 10 years from February 1,
1978.

Insurance: \$100,000 combined single
limit for bodily injury
and property damage.

CONSIDERATION: \$40 per annum, with the State reserving
the right to fix a different rental on
each fifth anniversary of the permit.

BASIS FOR CONSIDERATION:

\$40 fixed rental for this type of permit.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is lessee of upland.

Filing fee and first year's rental have
been received.

STATUTORY AND OTHER REFERENCES:

A. Public Resources Code: Div. 6, Parts 1 & 2.

B. Administrative Code: Title 2, Div. 3,
Arts. 1, 2, 10 & 11.

OTHER PERTINENT INFORMATION:

1. An EIR is not required. This transaction
is within the purview of 2 Cal. Adm.

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Code 2907, Class 1B, which exempts an existing structure or facility that is in an acceptable state of repair and there is no evidence of record to show injury to adjacent property, shoreline erosion, or other types of environmental degradation.

2. This project is situated on State land identified as possessing significant environmental values pursuant to Public Resources Code 6370.1, and is classified in a use category, Class B which authorizes Limited Use.

Staff review indicates that there will be no significant effect upon the identified environmental values. This is an existing facility for which no adverse comments have been received.

3. The applicant has advised that the 2 fences are maintained to contain his dogs. The fences extend to the water's edge and are on dry land except during periods of extremely high water. Said fences pose less of an interference with public easement than the existing dock.

APPROVALS OBTAINED:

United States Army Corps of Engineers.

EXHIBITS:

A. Land Description. B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN EIR HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21085, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2907.
2. FIND THAT GRANTING OF THE PERMIT WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE PUBLIC RESOURCES CODE.
3. AUTHORIZE ISSUANCE TO JOHN J. AND VIOLET MCNAUGHTON OF A 10-YEAR GENERAL PERMIT - RECREATIONAL USE FROM FEBRUARY 1, 1978; IN CONSIDERATION OF ANNUAL RENT IN

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THE AMOUNT OF \$40, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT; PROVISION OF LIABILITY INSURANCE IN THE AMOUNT OF \$100,000 COMBINED SINGLE LIMIT FOR BODILY INJURY AND PROPERTY DAMAGE; FOR MAINTENANCE OF AN EXISTING DOCK AND TWO 8-FOOT FENCES ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

WP 5025

A rectangular parcel of land, 50 feet by 38 feet, lying in the bed of the Colorado River, within Fractional Section 16, T1N, R26E, S8N, San Bernardino County, State of California, and adjacent to Lot 24D of the Colorado River Indian Reservation Bluewater Subdivision; the southwesterly line of said parcel being the southwesterly line and southeasterly prolongation of the southwesterly line of Lot 24D; the southeasterly line being 10 feet southeasterly of the southeasterly edge of an existing pier.

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

END OF DESCRIPTION

Prepared [Signature] Checked [Signature]

Reviewed [Signature] Date 12/20/77

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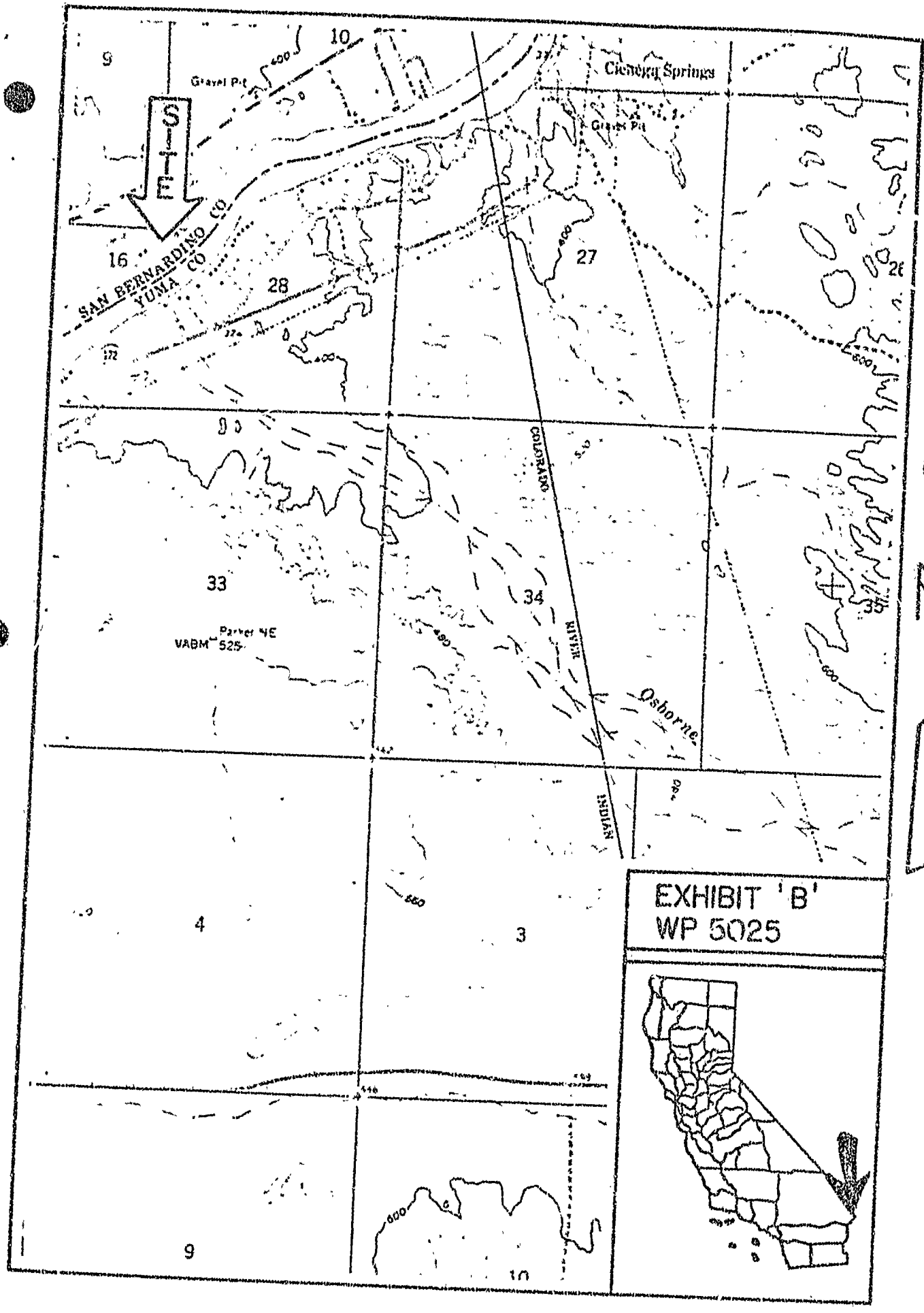


EXHIBIT 'B'
WP 5025

