

MINUTE ITEM

This Calendar Item No. C7
is hereby placed on the Public Item
calendar for the month of August
starting on 8/31/78
ending on 9/30/78

CALENDAR ITEM

C7.

8/78
W 21764
Scott
PRC 5521

GENERAL PERMIT
PUBLIC AGENCY USE

APPLICANT:

County of San Joaquin
1810 East Hazelton Avenue
Stockton, California 95201

APPLICANT, TYPE LAND AND LOCATION:

A .172 acre parcel of filled tide and submerged
land in the old bed of Black Slough, San
Joaquin County.

LAND USE:

The reconstruction and maintenance of a
public roadway on an existing levee along
the Stockton Deep Water Channel.

TERMS OF PROPOSED PERMIT:

Initial period: 49-years from January 1,
1978.

CONSIDERATION:

The public use and benefit, 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.

PREREQUISITE TERMS, AND EXPENSES:

Applicant is owner of upland.

STATUTORY AND OTHER REFERENCES:

- A. Public Resources Code: Div. 6, Parts 1 & 2.
- B. Adm. Code: Title 2, Div. 3.

OTHER PERTINENT INFORMATION:

1. The county's project involves the recon-
struction and continued maintenance
as a part of the county road system,
of an existing roadway which has been
privately maintained for a long period
of time, on an existing levee constructed
as part of the Stockton Deep Water
Channel.

CALENDAR ITEM NO. C7. (CONTD)

2. An EIR is not required. This transaction is within the purview of 2 Cal. Adm. 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, and 14 Cal. Adm. Code 15102 - Reconstruction or replacement of existing facilities.

3. 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.

4. Staff recommends that the required processing fee be waived in this case. The proposed project is being constructed using county maintenance forces and no funds were budgeted to provide for payment of additional costs other than normal road maintenance costs. County has requested that because of the high cost of preparing augments to their budget that the processing fee be waived in this case.

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 P.R.C. 21085, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2907.

CALENDAR ITEM NO. C7. (CONTD)

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. WAIVE THE DOCUMENT PROCESSING FEE.
4. AUTHORIZE ISSUANCE TO THE COUNTY OF SAN JOAQUIN OF A 4⁰-YEAR GENERAL PERMIT - PUBLIC AGENCY USE FROM JANUARY 1, 1978; IN CONSIDERATION OF THE PUBLIC USE AND BENEFIT; 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; FOR THE RECONSTRUCTION AND CONTINUED MAINTENANCE OF A PUBLIC ROADWAY, ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

W 21764

A strip of tide and submerged land 50 feet in width crossing Black Slough, San Joaquin County, California, said strip lying 25 feet on each side of the following described centerline:

BEGINNING at a Iron pin stamped "RCE 9338", in the southerly levee of the Stockton Deep Water Channel, that bears N 84° 21' 12" E, 395.65 feet from a U.S.C.E. Bench Mark having California Coordinate System Zone II coordinates of X = 2,166,872.93 feet Y = 119,873.46 feet, thence from said point of beginning S 75° 08' 24" E, 251.55 feet; thence N 83° 41' 27" E, 494.00 feet, thence S 89° 07' 14" E, 86.60 feet; thence S 80° 54' 44" E, 86.83 feet to the end of the herein described centerline.

Hearings and Distances used in the above description are based on the California Coordinate System, Zone II.

EXCEPTING THEREFROM those interests-in-land, if any, which may have passed by virtue of the patent issued to J. P. Whitney, November 24, 1876, for the land described in Swamp and Overflowed Survey No. 1266, San Joaquin County.

SUBJECT TO those interests described in the Deed from the State of California to U. S., recorded June 11, 1930, in Book 316 at Page 31, Official Records of San Joaquin County.

END OF DESCRIPTION

Prepared Frank T. Cooney Checked Robert M. [Signature]
Reviewed E. S. [Signature] Date May 31, 1978

