

MINUTE ITEM

This Calendar Item is

C9

CALENDAR ITEM

8/78
W 21770
Scott
PRC 5523

C9.

GENERAL PERMIT
PROTECTIVE STRUCTURE

APPLICANT: John C. and Jewel W. Smith
7045 Garden Highway
Sacramento, California 95837

AREA, TYPE LAND AND LOCATION: A .084 acre parcel of tide and submerged land in the bed of the Sacramento River 10 miles upstream from the City of Sacramento, Sacramento County.

LAND USE: Repair bank and place rock riprap bank protection.

TERMS OF PROPOSED PERMIT: Initial period: 25 years from July 1, 1978.

CONSIDERATION: No monetary consideration required, public benefit will accrue, 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, FEES AND EXPENSES: Applicant is owner of upland.

Filing fee has been received.

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 annual rental of the site is estimated to be \$100.

2. Staff feels that the construction of bank protection at this location will be of mutual benefit to both the public and to the applicant. The public levee will have additional protection from

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wave action provided at no cost to the public. Additionally the bank protection will slow erosion of material from the bank which is deposited in ship channels which are maintained at public expense. The applicant will benefit from protection of the existing homesite.

3. Staff recommends waiving the normal processing fee in this case because the transaction required minimum staff time and the proposed protective structure was for the applicant's homesite.
4. This project is exempt from CEQA because it is a minor alteration to the lands and will not require the removal of any mature or scenic trees.

Authority: 14 Cal. Adm. Code 15104
Class 4 minor alteration to land.

5. 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 has coordinated this project with those agencies and organizations who nominated the site as containing significant environmental values. They have found this project to be compatible with their nomination.

6. Permittee has made application to the United States Corps of Engineers #6549 also State Reclamation Board #12381.

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.

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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 JOHN C. AND JEWEL W. SMITH OF A 25-YEAR GENERAL PERMIT - PROTECTIVE STRUCTURE FROM JULY 1, 1978, IN CONSIDERATION OF THE PUBLIC BENEFIT, FOR THE CONSTRUCTION AND MAINTENANCE OF ROCK RIPRAP BANK PROTECTION ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

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A parcel of tide and submerged land in the State-owned bed of the Sacramento River, Sacramento County, California, said parcel lying immediately beneath a proposed fill and bank protection, said fill and bank protection being adjacent to the land described in Grant Deed recorded May 13, 1977, in Book 7705-13, Page 44, of Official Records of Sacramento County Recorder.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of the left bank of the Sacramento River.

END OF DESCRIPTION

Prepared Frank T. Carney Checked [Signature]
Reviewed E. B. Zimmerman Date May 31, 1978

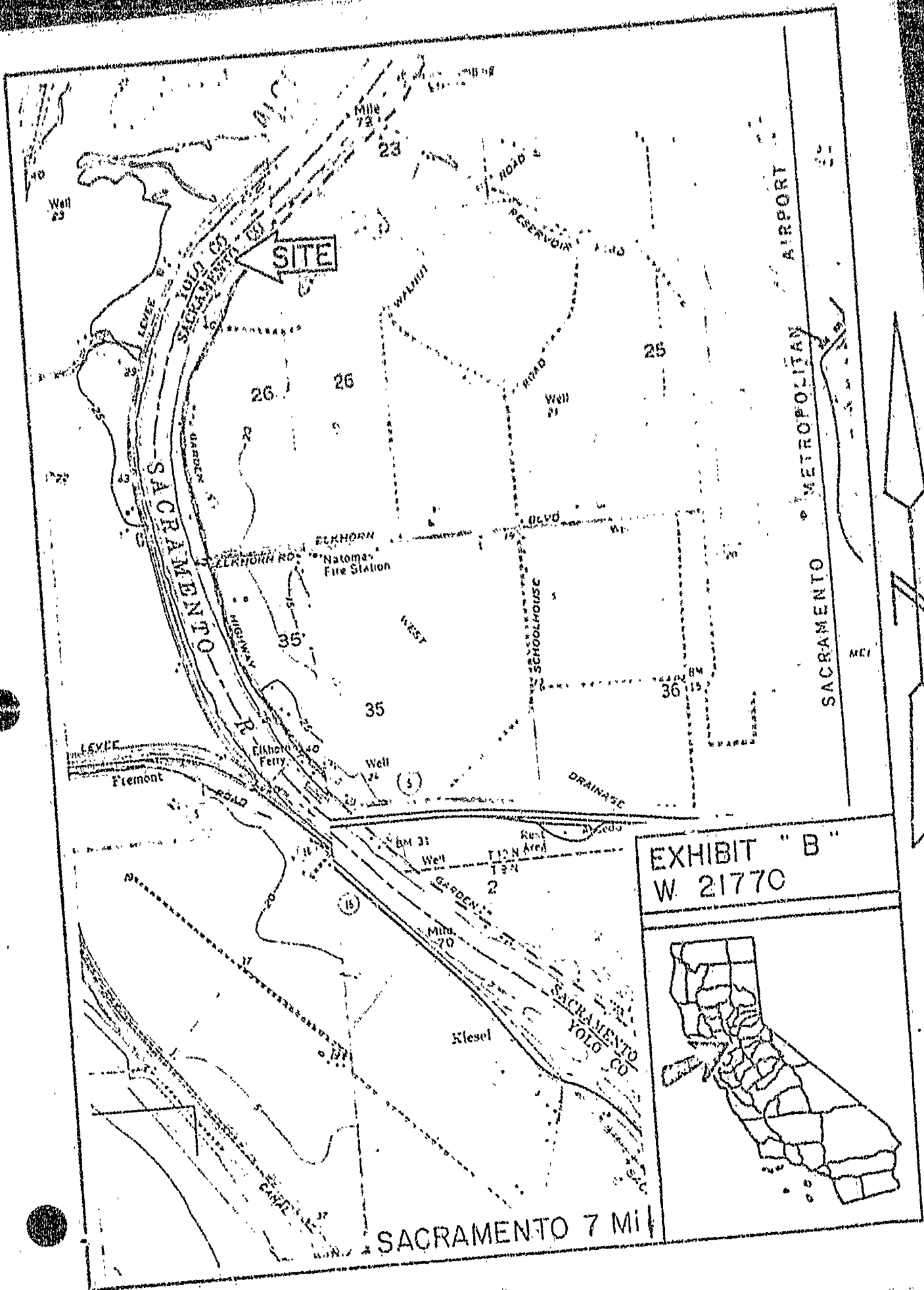


EXHIBIT " B "
W 21770



SACRAMENTO 7 MI