

MINUTE ITEM

This Calendar Item No. C14  
was approved as Minute Item  
No. 14 by the State Lands  
Commission by a vote of 2  
to 0 at its 9/27/78  
meeting.

CALENDAR ITEM

C14.

GENERAL PERMIT  
PROTECTIVE STRUCTURE

9/78  
W 21853  
Scott  
PRC 5546

APPLICANT: Robert G. Foley  
4181 Garden Highway  
Sacramento, California 95834

AREA, TYPE LAND AND LOCATION:  
A 0.207 acre parcel of tide and submerged  
land in the bed of the Sacramento River,  
approximately 7 miles upstream from the  
City of Sacramento, Sacramento County.

LAND USE: Rock riprap bank protection.

TERMS OF PROPOSED PERMIT:  
Initial period: 25 years from September 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. P.R.C.: Div. 6, Parts 1 & 2.  
  
B. Cal. Adm. Code: Title 2, Div. 3.

OTHER PERTINENT INFORMATION:  
1. The annual rental value of the site  
is estimated to be \$250.  
  
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  
wave action provided at no cost to

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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 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 P.R.C. 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. In accordance with the Commission's delegation of authority to the Executive Officer for issuance of emergency permits, permission was granted on September 13, 1978 to perform the bank protective work which is the subject of this calendar item.

APPROVALS OBTAINED:

Reclamation Board Temporary Permit #3005.70.001,  
California Department of Fish and Game  
#II301-78.

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FURTHER APPROVALS REQUIRED:

United States Army Corps of Engineers #6626.

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.
2. FIND THAT GRANTING OF THE PERMIT WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE P.R.C.
3. AUTHORIZE ISSUANCE TO ROBERT G. FOLEY OF A 25-YEAR GENERAL PERMIT - PROTECTIVE STRUCTURE FROM SEPTEMBER 1, 1978; IN CONSIDERATION OF THE PUBLIC BENEFIT; WITHOUT REQUIRING THE NORMAL PROCESSING FEE, 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 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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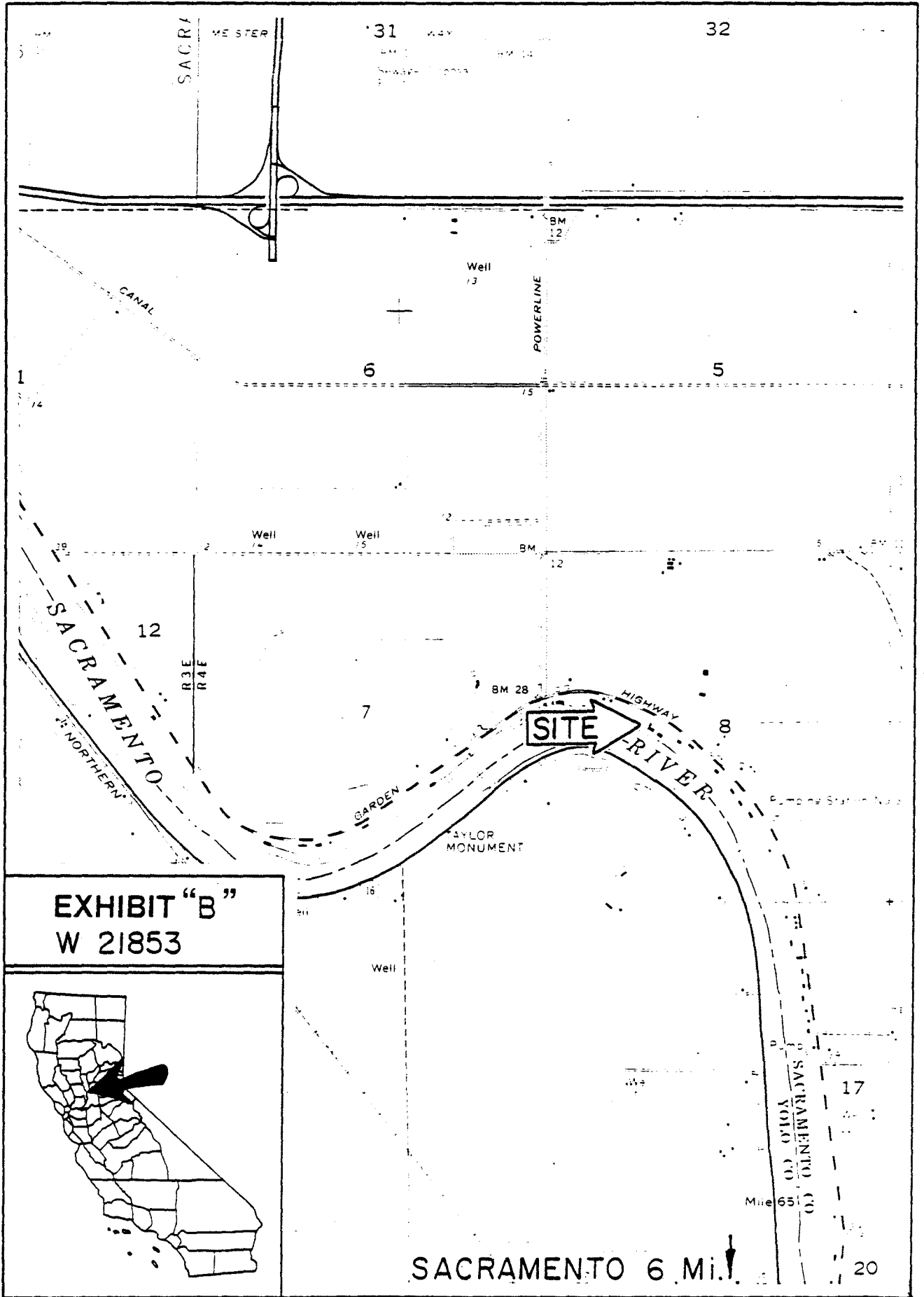
A parcel of tide and submerged land lying in the State-owned bed of the Sacramento River, Sacramento County, California, situate adjacent to fractional Section 8, T9N, R4E, MDM, described as follows:

All that land lying immediately beneath a riprap bank protection, as said bank protection is shown on Department of the Army, Sacramento District, Corps of Engineers Public Notice No. 6626, dated July 26, 1978, and being immediately adjacent to those parcels of land described in the Grant Deed recorded March 29, 1978, in Book 78-03-29, page 1207, Sacramento County Recorders Office.

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

END OF DESCRIPTION

Prepared Frank T. Carey Checked Robert M. Hoffman  
Reviewed Edward B. Zimmerman Date 9/11/78



**EXHIBIT "B"**  
**W 21853**



SACRAMENTO 6 Mi. ↓