

MINUTE ITEM

This Calendar Item No. C9
of the General Permit Minute Item
No. 9 of the State Lands
Commission by a vote of 3
to 0 at its 10/26/78
meeting.

CALENDAR ITEM

C9.

GENERAL PERMIT
RECREATIONAL USE

10/78
W 21573
Scott
PRC 5570

APPLICANT: Edward Y. and Marilyn J. Young
10 Atherton Island
Stockton, California 95204

AREA, TYPE LAND AND LOCATION:
A 0.084 acre parcel of tide and submerged
land in Lindley Cut-Off acquired as part
of the Stockton Deep Water Channel Project,
City of Stockton, San Joaquin County.

LAND USE: Construction and maintenance of a floating
boat berth together with minor dredging
for navigation clearance.

TERMS OF PROPOSED PERMIT:
Initial period: 10 years from September 1,
1979.
Public liability insurance: A combined
single limit coverage
of \$100,000 for bodily
injury and property damage.

CONSIDERATION: None pursuant to P.R.C. Section 6503 for
structures; royalty of \$0.25/cu. yd. for
materials removed.

BASIS FOR CONSIDERATION:
P.R.C. Section 6503 as to structures P.R.C.
Section 6991 as to dredging.

PREREQUISITE TERMS, FEES AND EXPENSES:
Applicant is owner of upland.
Filing fee and processing costs have been
received.

STATUTORY AND OTHER REFERENCES:
A. P.R.C.: Div. 6, Parts 1 & 2.
B. Cal. Adm. Code: Title 2, Div. 3.

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OTHER PERTINENT INFORMATION:

1. The proposed project involves the construction and installation of a private boat dock waterward of the applicants upland single-family residence. The waterway at this location is shallow and will require the removal of a minor amount of material from the waterway. The dredged spoils will be placed on the existing shoreline and royalty will be charged for the spoils deposited landward of high water.
2. This project is exempt from CEQA because it is a minor structure of less than 3,000 square feet and the dredging is minor and incidental to maintaining clearance for navigation.

Authority: 2 Cal. Adm. Code 2907 Class 3 and 4, 14 Cal. Adm. Code 15100 Class 3 and 4.

3. This project is situated on land identified as possessing environmental values in that the State Lands Commission stated all waterways under the Commission's jurisdiction have environmental significance. Staff finds this project to be compatible with Commission policy.

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 THIS PROJECT IS SITUATED ON LAND IDENTIFIED AS POSSESSING ENVIRONMENTAL VALUES IN THAT THE STATE LANDS COMMISSION FOUND ALL WATERWAYS UNDER THE COMMISSION'S JURISDICTION HAVE ENVIRONMENTAL SIGNIFICANCE, BUT THAT THIS PROJECT IS COMPATIBLE WITH THE FINDINGS AS IT APPLIES TO THE SUBJECT LAND.

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3. AUTHORIZE ISSUANCE TO EDWARD Y. AND MARILYN J. YOUNG OF A 10-YEAR GENERAL PERMIT - RECREATIONAL USE FROM SEPTEMBER 1, 1979; IN CONSIDERATION OF THE PAYMENT OF A ROYALTY OF \$0.25 PER CUBIC YARD FOR MATERIAL REMOVED FROM STATE LAND AND NOT DEPOSITED ON STATE LAND; FOR THE CONSTRUCTION AND MAINTENANCE OF A FLOATING BOAT BERTH ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

W 21573

A parcel of land in Lindley Cut-Off, adjacent to Atherton Island, San Joaquin County, California, said parcel being a portion of the land described in the indenture recorded October 17, 1919, in Book A, Vol. 383 of Deeds, page 392, San Joaquin County Records, said parcel more particularly described as follows:

BEGINNING at the southwesterly corner of Lot 10, as shown on the map entitled, "Atherton Island," filed for record in Vol. 13 of Maps, page 78, San Joaquin County Records, thence S 30° 43' W 109.00 feet along the southerly prolongation of the northwesterly line of said Lot 10; thence along the following four courses:

1. S 59° 17' E 41.00 feet; thence
2. N 30° 43' E 56.00 feet; thence
3. N 59° 17' W 15.00 feet; thence
4. N 30° 43' E 53.00 feet to the southwesterly line of said Lot 10; thence along said lot line N 59° 17' W 26.00 feet to the point of beginning.

END OF DESCRIPTION

Prepared Frank T. Carey Checked Edward S. Zimmerman
Reviewed Roy Whinnif Date August 10, 1978

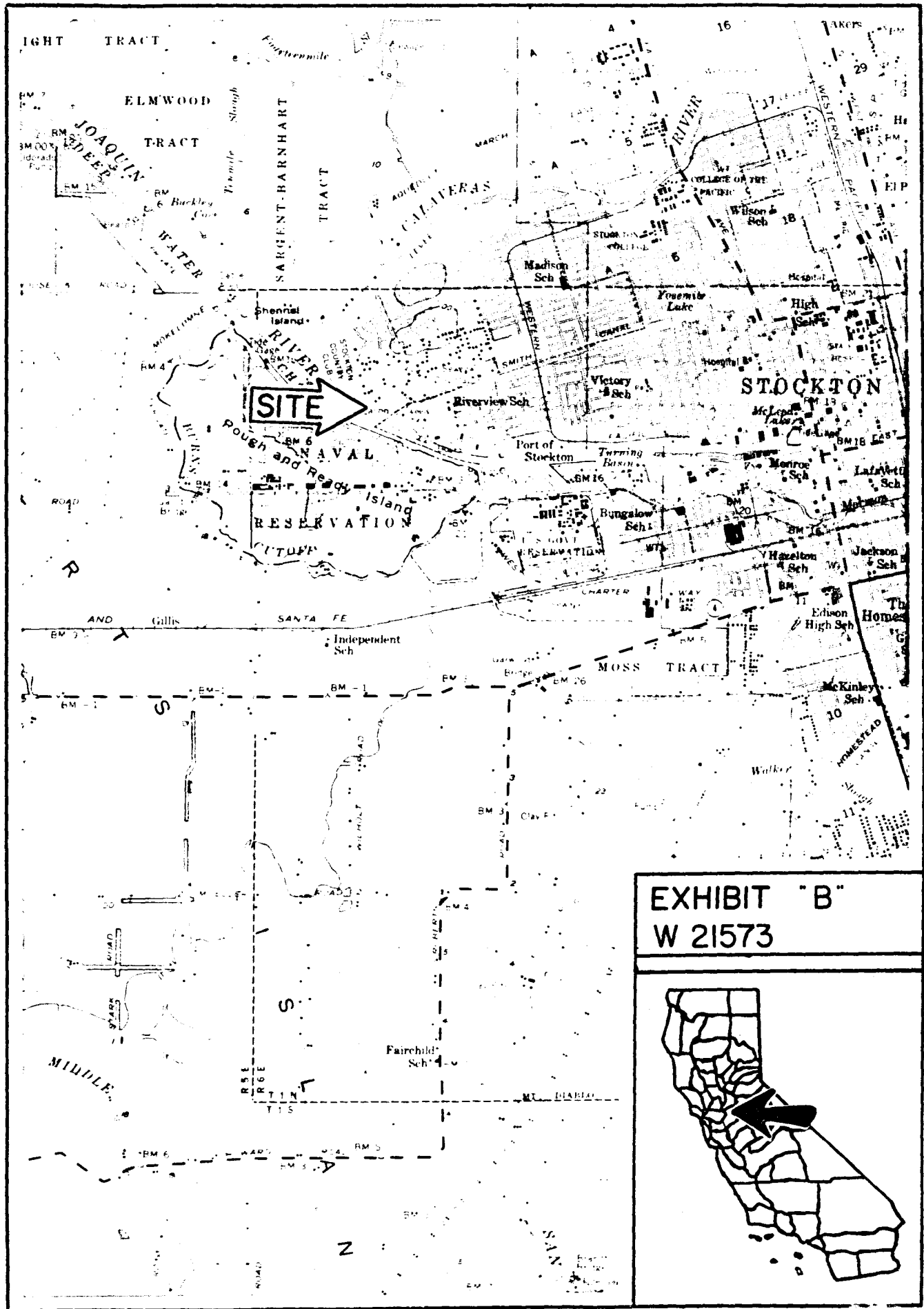


EXHIBIT "B"
W 21573

