

MINUTE ITEM

This Calendar Item No. C03
was approved as Minute Item
No. 3 by the State Lands
Commission by a vote of 3
to 0 at its 5/31/89

CALENDAR ITEM

A 9
S 2

C03

05/31/89
PRC 5692
Bancroft

GENERAL PERMIT - RECREATIONAL USE

APPLICANT: David and Carol Burkhart
5640 Lakeville Highway
Petaluma, California 94952

AREA, TYPE LAND AND LOCATION:
Tide and submerged land in the Petaluma River,
near Lakeville, Sonoma County.

LAND USE: Existing walkway, boat dock, and other
appurtenant recreational facilities.

TERMS OF PROPOSED PERMIT:

Initial period: Ten years beginning July 1,
1989.

Public liability insurance: Combined single
limit coverage of \$100,000.

Surety bond: \$2,000 pledged bank account.

CONSIDERATION: \$135 per annum; with the State reserving the
right to fix a different rental on each
fifth anniversary of the permit.

BASIS FOR CONSIDERATION:

Pursuant to San Francisco Bay Area benchmark
appraisal dated May 2, 1988.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee has been received. Rent is paid
through June 30, 1990. No other government
approvals required.

CALENDAR ITEM NO. C 03 (CONT'D)

STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Code of Regulations: Title 2, Div. 3; Title 14, Div. 6.

AB 884: N/A.

OTHER PERTINENT INFORMATION:

1. Permittee is in physical possession of an existing single-family residence adjoining the tide and submerged lands described in Exhibit "A". Ownership of the littoral land is currently in dispute between the permittee and the owner of record.
2. Permittee's original ten-year permit expires June 30, 1989, with no provision for renewal.
3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities, 2 Cal. Code Regs 2905(a)(2).

Authority: P.R.C. 21084, 14 Cal. Code Regs. 15300, and 2 Cal. Code Regs. 2905.

EXHIBITS: A. Land Description.
B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES, 2 CAL. CODE REGS. 2905(a)(2).
2. AUTHORIZE ISSUANCE TO DAVID AND CAROL BURKHART OF A TEN-YEAR GENERAL PERMIT - RECREATIONAL USE FROM JULY 1, 1989; IN

CALENDAR ITEM NO. C 03 (CONT'D)

CONSIDERATION OF ANNUAL RENTAL IN THE AMOUNT OF \$135, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT; PROVISION OF PUBLIC LIABILITY INSURANCE, COMBINED SINGLE LIMIT COVERAGE OF \$100,000; PROVISION FOR A PLEDGED BANK ACCOUNT IN THE AMOUNT OF \$2,000 IN LIEU OF A SURETY BOND FOR EXISTING WALKWAY, BOAT DOCK, AND OTHER APPURTENANT RECREATIONAL FACILITIES ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

PRC 5692.1

A parcel of tide and submerged land the bed of the Petaluma river in Lakeville, Sonoma County, California lying immediately beneath the existing walkway, boat dock, and other appurtenant recreational facilities according to the application on file, located at 5640 Lakeville Highway, Petaluma, CA 94952, TOGETHER WITH an exclusive use area 10 feet wide surrounding the walkway, boat dock, and other appurtenant recreational facilities.

EXCEPTING THEREFROM any land lying landward of the ordinary high tide line of the Petaluma River.

END OF DESCRIPTION

PREPARED SEPTEMBER 23, 1988 BY BIU 1.

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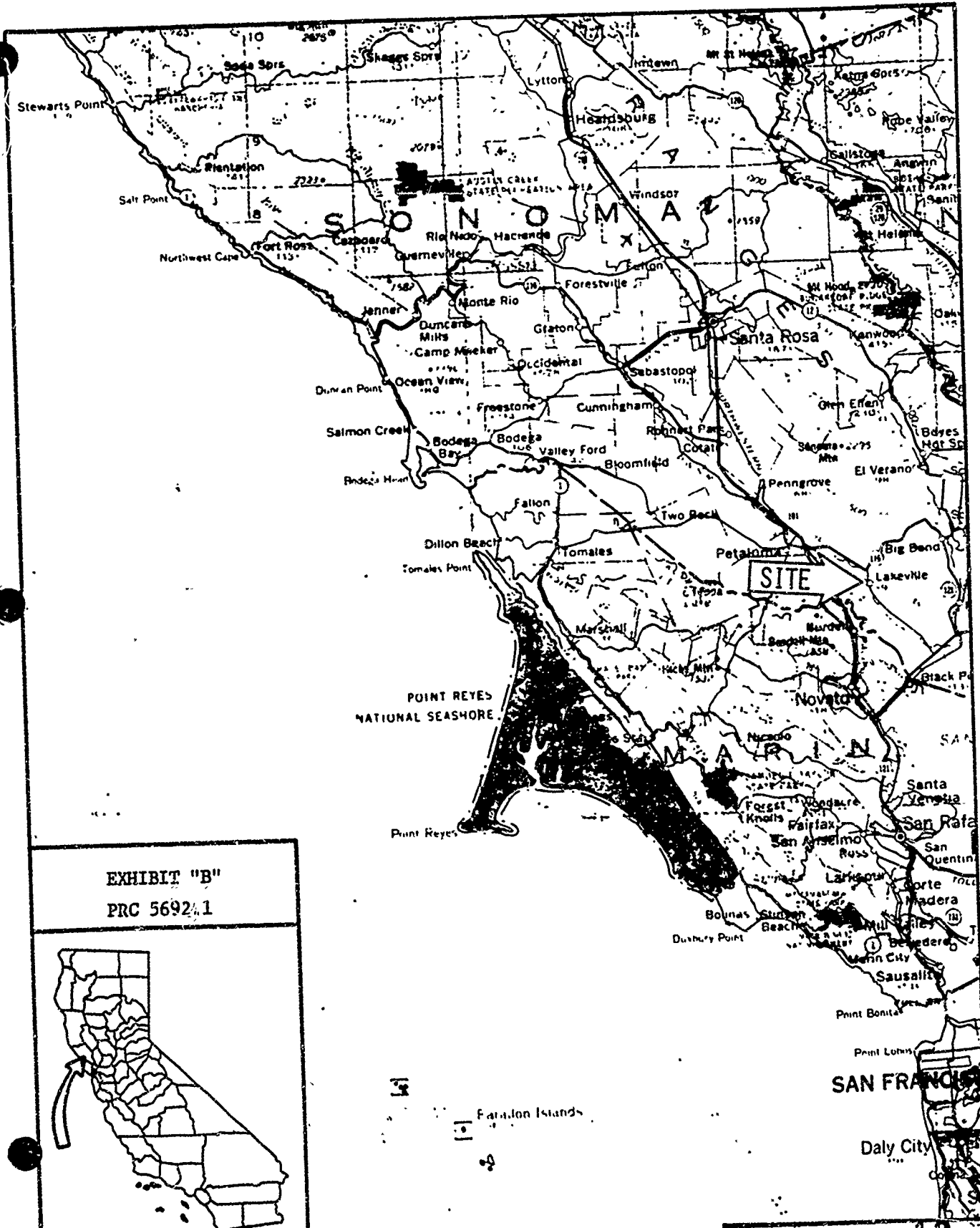


EXHIBIT "B"
 PRC 5692.1



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