

MINUTE ITEM

This Calendar Item No. C20
was approved as Minute Item
No. 20 by the State Lands
Commissioner by a vote of 2
to 0 at its 8/25/77
meeting.

8/77
WP 5172
Vaughn
PRC 5172

CALENDAR ITEM

C20.

AMENDMENT OF USE PERMIT TO GENERAL PERMIT
RECREATIONAL USE

APPLICANT: Richard H. and Helen L. Hage
1324 Crestwood Drive
San Jose, California 95118

AREA, TYPE LAND AND LOCATION:
A 2,925 square foot parcel of tide and
submerged land in Piper Slough, Bethel
Island, Contra Costa County.

LAND USE: Existing single berth, covered floating
boathouse and walkway for recreational
boating.

TERMS OF ORIGINAL LEASE:

Initial period: 5 years from September
1, 1973.

Surety bond: \$1,000.

Consideration: \$75 with 5 year rent
review.

TERMS OF PROPOSED LEASE:

Initial period: 10 years from March 1,
1975.

Surety bond: \$1,000.

CONSIDERATION: \$191.73 for period March 1, 1975 thru
February 28, 1977; \$50 per annum thereafter,
with the State reserving the right to fix
a different rental on each fifth anniversary
of the lease.

BASIS FOR CONSIDERATION:

Pro-rated at \$75/year prior to effective
date of new regulations, and \$50/year fixed
rental for this type of permit thereafter.

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PREREQUISITE TERMS, FEES AND EXPENSES:
Filing fee and back rental of \$191.73 have been received.

STATUTORY AND OTHER REFERENCES:

- A. Public Resources Code: Div. 6, Parts 1 & 2.
- B. Administrative Code: Title 2, Div. 3, Arts. 1, 2, 10 & 11.

OTHER PERTINENT INFORMATION:

1. Construction was delayed for approximately 2 years, and the applicant has requested an amendment to the existing agreement to take the delay into consideration.
2. This project is exempt from CEQA because it involves the construction of facilities less than 3,000 square feet.

Authority: 2 Cal. Adm. Code Section 2907, Class 3.

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 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.

EXHIBITS: A. Land Description B. Location Map

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 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 PUBLIC RESOURCES CODE.

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3. AUTHORIZE AMENDMENT OF USE PERMIT PRC 5172.1 TO A 10-YEAR GENERAL PERMIT-RECREATIONAL USE, EFFECTIVE MARCH 1, 1975 IN CONSIDERATION OF RENT IN THE AMOUNT OF \$191.73 FOR PERIOD MARCH 1, 1975, THRU FEBRUARY 28, 1977; AND \$50 PER ANNUM THEREAFTER, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF A \$1,000 SURETY BOND; FOR MAINTENANCE OF EXISTING FLOATING DOCK ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

W 20231

A strip of tide and submerged land 45 feet wide in the State owned bed of Piper Slough adjacent to Bethel Tract, Contra Costa County, California, lying 22.5 feet on each side of the following described centerline:

COMMENCING at the southeast corner of Lot 15 as shown on a map entitled "Subdivision 3870, Willow Road West", recorded April 1, 1970, in Book 129, pages 44, 45 and 46, Official Records of Contra Costa County; thence N 19° 25' 00" E, 153.44 feet along the easterly line of said Lot 15 to a 1½ inch iron pipe taged "R.C.E. 4000"; thence N 70° 35' W, 27.5 feet to the TRUE POINT OF BEGINNING; thence N 19° 25' E, 84 feet to a point in Piper Slough, said point being the terminous of the herein described centerline.

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

END OF DESCRIPTION

Prepared *A. H. Kimmiche* Checked *John K. Hering*
Reviewed *A. Britton* Date *7/13/76*

