

MINUTE ITEM CO6

PRC 5721

Judy Ludlow

ACCEPT QUITCLAIM DEED
TERMINATE GENERAL PERMIT - RECREATIONAL USE PRC 5721
AND APPROVE GENERAL PERMIT - RECREATIONAL USE

Calendar Item CO6, attached, was pulled from the agenda prior to the meeting.

Attachment: Calendar Item CO6

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S 4

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CALENDAR ITEM

A 1

C 06

11/05/91
PRC 5721
J. Ludlow

S 4

ACCEPT QUITCLAIM DEED
TERMINATE GENERAL PERMIT - RECREATIONAL USE PRC 5721
AND APPROVE GENERAL PERMIT - RECREATIONAL USE

APPLICANT:

Viola Bryant
dba Driftwood R.V. resort
24630 Tehama-Vina Road
Los Molinas, California 96055

AREA, TYPE LAND AND LOCATION:

A .08-acre parcel of submerged land located in the
Sacramento River at Los Molinas, Tehama County.

LAND USE:

Continued use and maintenance of two floating boat docks and
ramps.

TERMS OF PROPOSED PERMIT:

Initial period:

Ten (10) years beginning May 2, 1990.

Public liability insurance:

Combined single limit coverage of \$300,000.

Surety bond:

\$1,000.

CONSIDERATION:

\$362.75 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 2 Cal. Code Regs. 2003.

APPLICANT STATUS:

Applicant is owner of upland.

CALENDAR ITEM NO. 006 (CONT'D)

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee and partial rental have been received.

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

B. Cal. Code Regs.: Title 3, Div. 3; Title 14, Div. 6.

AB 884:

N/A

OTHER PERTINENT INFORMATION:

1. As to the acceptance of the quitclaim deed and the termination of the existing permit, pursuant to the Commission's delegation of authority and the State CEQA guidelines (14 Cal. Code Regs. 15061), the staff has determined that these activities are not "projects" as defined by CEQA and the State CEQA Guidelines.

Authority: P.R.C. 21065 and 14 Cal. Code Regs. 15378.

2. As to the new permit, 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 categorically exempt project under Class 1, Existing Facilities, 2 Cal. Code Regs 2905(a)(2).

Authority: PRC 21084, 14 Cal. Code Regs 15300, and 2 Cal Code Regs. 2905

3. The Commission authorized issuance of a General Permit - Recreational Use to David and Elizabeth Hunter for a ten-year period beginning January 1, 1982. On May 2, 1990, the property was sold to the Applicant. In lieu of a permit assignment, Ms. Bryant wishes to enter into a new permit. Commission approval is therefore requested to terminate the existing permit and to issue a new permit, effective May 2, 1990, to Ms. Bryant.
4. The permit area contains two floating docks and ramps adjacent to the upland R.V. park. The docks, covered under the terms of this permit, shall be used solely to accommodate boats and floating structures of the upland residents and visitors.

CALENDAR ITEM NO. C 0 6 (CONT'D)

5. No dockage fees or rentals shall be assessed to, or received from, any person or persons for the use of the docks.
6. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion, that the project, as proposed, is consistent with its use classification.

APPROVALS OBTAINED:

All approvals previously obtained.

FURTHER APPROVALS REQUIRED:

None

EXHIBITS:

- A. Land Description
- A-1. Site Map
- B. Location Map

IT IS RECOMMENDED THAT THE COMMISSION:

1. AS TO THE TERMINATION OF THE EXISTING PERMIT, FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. CODE REGS. 15378.
2. TERMINATE LEASE NO. PRC 5721, ISSUED TO DAVID AND ELIZABETH HUNTER, AND ACCEPT A QUITCLAIM DEED TRANSFERRING THEIR LEASEHOLD INTEREST IN THE PROPERTY BACK TO THE STATE OF CALIFORNIA, EFFECTIVE MAY 1, 1990.
3. AS TO THE NEW PERMIT, 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. 29059(a)(2).
4. AUTHORIZE ISSUANCE TO VIOLA BRYANT DOING BUSINESS AS DRIFTWOOD R.V. RESORT OF A TEN-YEAR GENERAL PERMIT - RECREATIONAL USE, BEGINNING MAY 2, 1990; IN CONSIDERATION OF

CALENDAR ITEM NO. C 06 (CONT'D)

ANNUAL RENT IN THE AMOUNT OF \$362.75; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$300,000; FOR THE CONTINUED USE AND MAINTENANCE OF TWO EXISTING FLOATING DOCKS AND RAMPS ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

PRC 5721

LAND DESCRIPTION

Two parcels (Parcel 1, north dock and Parcel 2, south dock) of submerged land in the State-owned bed of the Sacramento River, Tehama County, California, more directly described as follows:

All that land lying immediately beneath two existing floating boat docks, walkways, and ramps, together with the necessary use area adjacent to said structures, said structures being situated along the left bank of the Sacramento River adjacent to that land described in the deed recorded on April 8, 1977, in Book 713, at page 18, Tehama County records, said parcels are depicted on the attached Exhibit "A-1".

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

END OF DESCRIPTION

PREPARED OCTOBER, 1991; LAND LOCATION and BOUNDARY SECTION

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Sacramento River

Flow
↓

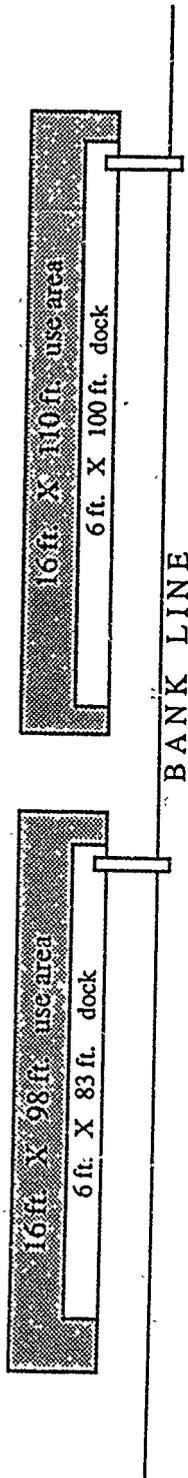


EXHIBIT "A-1"

PRC 5721

SACRAMENTO RIVER
TEHAMA COUNTY

SITE

No Scale

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JKH 10/27/03 62
0603

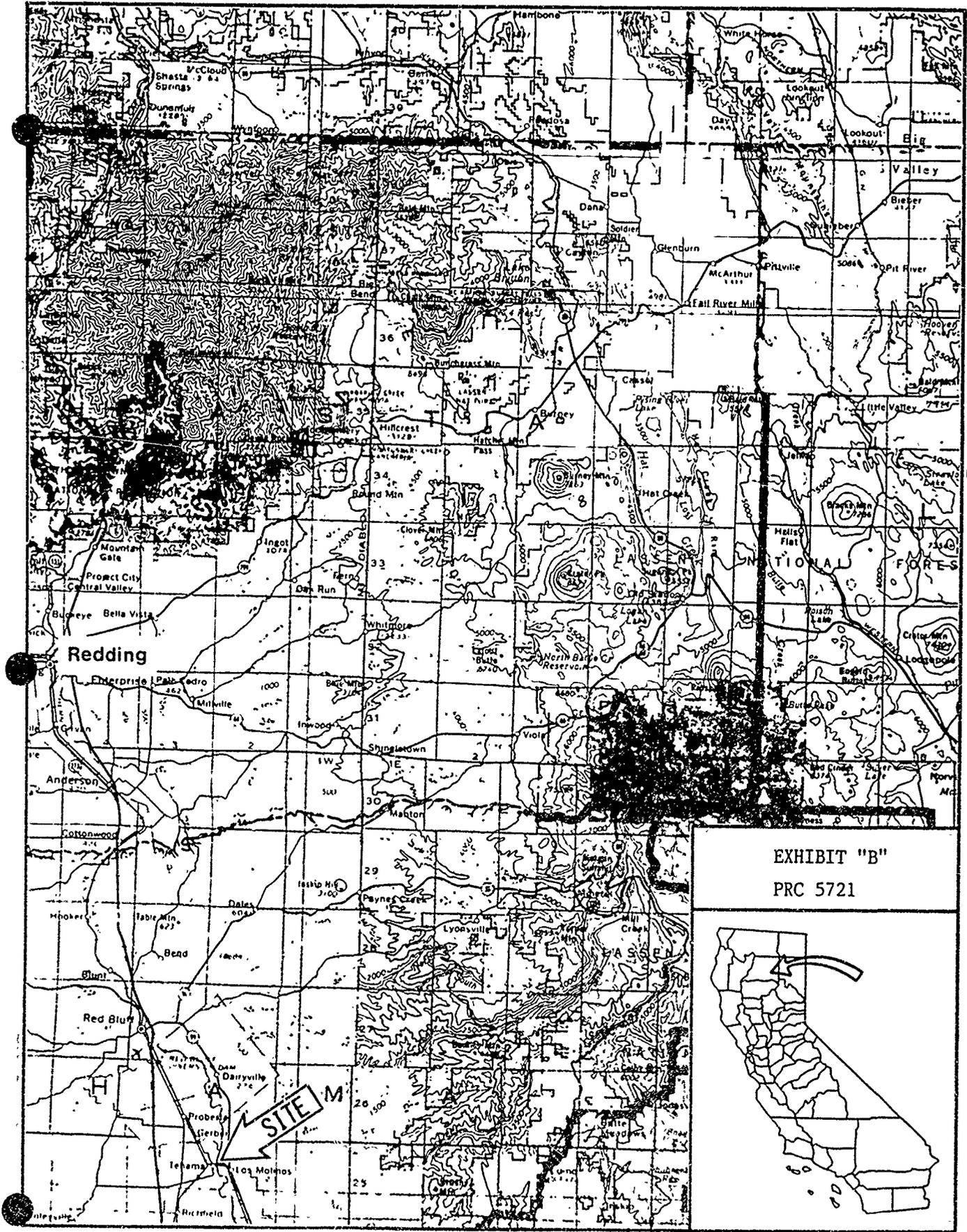


EXHIBIT "B"
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