

60. RIGHT-OF-ENTRY PERMIT AND LAND EXCHANGE AGREEMENT, SOVEREIGN LAND, EUREKA SLOUGH, HUMBOLDT COUNTY; COUNTY OF HUMBOLDT - S.W.O. 8370, P.R.C. 3963.9.

After consideration of Calendar Item 59 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES THE ISSUANCE TO THE COUNTY OF HUMBOLDT OF A ONE-YEAR RIGHT-OF-ENTRY PERMIT FROM MAY 23, 1968, IN CONSIDERATION OF THE PUBLIC BENEFIT, FOR CONSTRUCTION OF AN EXTENSION TO AN AIRPORT RUNWAY ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF; PROVIDED, THAT, AS A CONDITION FOR ISSUANCE OF THE PERMIT, THE COUNTY SHALL AGREE TO CONSUMMATE WITHIN A REASONABLE TIME AN EXCHANGE OF STATE AND COUNTY LANDS PURSUANT TO SECTION 6307 OF THE PUBLIC RESOURCES CODE SO AS TO INSURE THAT THERE SHALL BE MAINTAINED A CONTINUOUS STATE-OWNED NAVIGABLE WATERWAY WITHIN THE PROPOSED REALIGNMENT OF EUREKA SLOUGH.

Attachment

Calendar Item 59 (3 pages)

SUPPLEMENTAL CALENDAR ITEM

5/68
S.W.O. 8370

59.

RIGHT-OF-ENTRY PERMIT AND LAND EXCHANGE AGREEMENT

APPLICANT: County of Humboldt

LOCATION: Sovereign land in Eureka Slough within the City of Eureka,
Humboldt County

PROPOSED USE OF SOVEREIGN LAND:

To be filled and then to form a part of an extension to Murray Field, the Humboldt County Airport. The slough will be realigned as shown on Exhibit "C" in order to maintain navigational continuity and flood protection.

TERM OF PERMIT: One year from May 23, 1968

CONSIDERATION: No charge (the public use and benefit)

PREREQUISITE ITEM:

Applicant is owner of the upland

STATUTORY AND OTHER REFERENCES:

- (1) The proposed realignment of Eureka Slough at the location shown on Exhibit "C" will increase the length of the slough at the site from 600 feet to about 1550 feet.
- (2) The specific area covered by this transaction is shown as Site "A" on Exhibit "C". The right-of-entry permit will allow the use by the County of Federal funds which are scheduled to revert after June 30, 1968. These funds are specifically for filling Site "A" (Exhibit "C") and for construction of the replacement loop of the slough, Site "B". The permit is for the interim pending completion of an exchange between the State and County of Sites "A" and "B". Negotiations to date on the exchange have been favorable and no obstacle to successful conclusion of the transaction is apparent. At this point, it appears the exchange will meet all statutory requirements applicable to the Commission.
- (3) While the County requests entry upon the land in advance of completion of an exchange in order to qualify for the funds, it is the opinion of staff that the Commission should not authorize issuance of an entry permit without assurance through an agreement that an exchange pursuant to Section 6307 of the Public Resources Code will be completed at some future date. To this end, the recommendation provides for execution of an exchange agreement as a condition for issuance of an immediate right-of-entry so that maintenance of a continuous State-owned navigable waterway may be assured.

SUPPLEMENTAL CALENDAR ITEM 59. (CONTD.)

- EXHIBITS:
- A. Legal description
 - B. Location map
 - C. Site map

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE ISSUANCE TO THE COUNTY OF HUMBOLDT OF A ONE-YEAR RIGHT-OF-ENTRY PERMIT FROM MAY 23, 1968, IN CONSIDERATION OF THE PUBLIC BENEFIT, FOR CONSTRUCTION OF AN EXTENSION TO AN AIRPORT RUNWAY ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF; PROVIDED, THAT, AS A CONDITION FOR ISSUANCE OF THE PERMIT, THE COUNTY SHALL AGREE TO CONSUMMATE WITHIN A REASONABLE TIME AN EXCHANGE OF STATE AND COUNTY LANDS PURSUANT TO SECTION 6307 OF THE PUBLIC RESOURCES CODE SO AS TO INSURE THAT THERE SHALL BE MAINTAINED A CONTINUOUS STATE-OWNED NAVIGABLE WATERWAY WITHIN THE PROPOSED REALIGNMENT OF EUREKA SLOUGH.

Attachment: Exhibit "A"

EXHIBIT "A"

Those tide and submerged lands situated in the County of Humboldt, State of California, described as follows:

All that portion of the sovereign lands in Projected Section 19, T. 5 N., R. 1 E., H.M., that lies within the following described boundaries:

Beginning at a point which bears N. $50^{\circ} 57' 49''$ W., 2910.39 feet, from the southeast corner of said Section 19 (a corner of Swamp and Overflowed Lands Location No. 3000) said point also being located N. $22^{\circ} 40' 50''$ E., 60.00 feet, from Engineer's Station "L" 2+20 of the survey made by the County of Humboldt for the realignment of a portion of Jarnigan Slough;

Thence, N. $67^{\circ} 19' 10''$ W., 250.00 feet;

Thence, N. $38^{\circ} 00' 31''$ E., 154.88 feet;

Thence, N. $9^{\circ} 27' 43''$ E., 243.31 feet;

Thence, N. $16^{\circ} 30' 16''$ E., 140.80 feet;

Thence, N. $29^{\circ} 25' 08''$ E., 83.71 feet, to a point on the north bank of said slough that is S. $43^{\circ} 55' 50''$ W., 60.00 feet, from Engineer's Station "L" 22+41.87 P.O.T.;

Thence, S. $46^{\circ} 04' 10''$ E., 415.00 feet, to a point on the south bank of said slough that bears N. $40^{\circ} 55' 20''$ W., 2875.69 feet, from said southeast corner of Section 19;

Thence, S. $70^{\circ} 01' 01''$ W., 234.09 feet;

Thence, S. $22^{\circ} 28' 46''$ W., 156.92 feet;

Thence, S. $35^{\circ} 32' 16''$ W., 86.02 feet;

Thence, S. $46^{\circ} 18' 36''$ W., 64.96 feet, to the point of beginning.

Said boundaries contain 2.88 acres.