

MINUTE ITEM

This Calendar Item No. C7
was approved as Minute Item
No. 7 by the State Lands
Commission by a vote of 3
to 0 at its 4/27/82
meeting.

CALENDAR ITEM

C 07

4/22/82
W 22894
Louie
PRC 6139

GENERAL PERMIT - PUBLIC AGENCY USE

APPLICANT: Monterey County Flood Control and
Water Conservation District
County Courthouse
P. O. Box 930
Salinas, California 93902

AREA, TYPE LAND AND LOCATION:
A 0.413-acre parcel of tide and submerged
land in the Salinas River at Potrero Road,
near Moss Landing, Monterey County.

LAND USE: Replacement and maintenance of Potrero
Road, culvert and tide gate structure,
and associated riprap.

TERMS OF PROPOSED PERMIT:
Initial period: 49 years from April 1, 1982.

CONSIDERATION: The public use and benefit with the State
reserving the right at any time to set
a monetary rental if the Commission finds
such action to be in the State's best interest.

BASIS FOR CONSIDERATION:
Pursuant to 2 Cal. Adm. Code 2003.

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 ; Div. 13.
B. Cal. Adm. Code: Title 2, Div. 3; Title 14,
Div. 6.

AB 884: 3/2/83.

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OTHER PERTINENT INFORMATION:

1. The applicant proposes to replace an existing culvert and tide gate structure which is no longer functional. The replacement will allow drainage of runoff water from agricultural lands upstream while preventing the upstream flow of tidal saltwater. Potrero Road is used for access to Salinas State Beach.
2. The annual rental value of the site is estimated to be \$100.
3. A negative declaration was prepared and certified by the County of Monterey, pursuant to CEQA and the State EIR Guidelines. The County of Monterey found that the project will not have a significant effect on the environment.
4. The project is situated on lands identified as possessing significant environmental values pursuant to P.R.C. 6370.1, and is classified in use category "A", which authorizes Restricted Use. The project as proposed will not have a significant effect upon the identified environmental values.

APPROVALS OBTAINED:

United States Army Corps of Engineers,
California Coastal Commission and Department
of Fish and Game.

EXHIBITS:

- A. Land Description.
- B. Location Map.
- C. Negative Declaration.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT A NEGATIVE DECLARATION HAS BEEN PREPARED FOR THIS PROJECT BY THE COUNTY OF MONTEREY.

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2. CERTIFY THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED IN THE NEGATIVE DECLARATION.
3. DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT: AND IS CONSISTENT WITH THE LAND'S USE CLASSIFICATION.
4. AUTHORIZE ISSUANCE TO MONTEREY COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT OF A 49-YEAR GENERAL PERMIT - PUBLIC AGENCY USE, FROM APRIL 1, 1982; IN CONSIDERATION OF THE PUBLIC USE AND BENEFIT, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENTAL IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATES BEST INTEREST, FOR REPLACEMENT AND MAINTENANCE OF POTRERO ROAD, CULVERT AND TIDE GATE STRUCTURE, AND ASSOCIATED RIPRAP ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

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EXHIBIT "A"

LAND DESCRIPTION

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A parcel of tide and submerged land 120 feet wide in the old channel of the Salinas River lying southwesterly of the centerline of Potrero Road in Monterey City Lands Tract No. 3, Monterey County, California, lying 60 feet on each side of the following described centerline:

COMMENCING at a point on the right (easterly) bank of the old channel of the Salinas River, from which point a 4 inch x 4 inch post marked PC5WP, standing at the southerly corner of "Parcel A", as said parcel is so designated in that certain "Lease of and Option to Purchase Real Property" made between Port Costa Packing Company, a corporation, and Minnie Sandholdt, dated March 25, 1942, and recorded in Volume 761 of Official Records at page 219, Records of Monterey County, California, bears the following three courses:

1. N 16° 50' 15" E 40 feet;
2. N 73° 09' 45" W 531.7 feet; and
3. N 17° 13' E 3254.73 feet distant; thence N 73° 09' 45" W 115 feet to the POINT OF BEGINNING; thence S 16° 50' 15" W 150 feet to the end of the herein described centerline.

END OF DESCRIPTION

PREPARED MARCH 17, 1982 BY TECHNICAL SERVICES UNIT, ROY MINNICK, SUPERVISOR.

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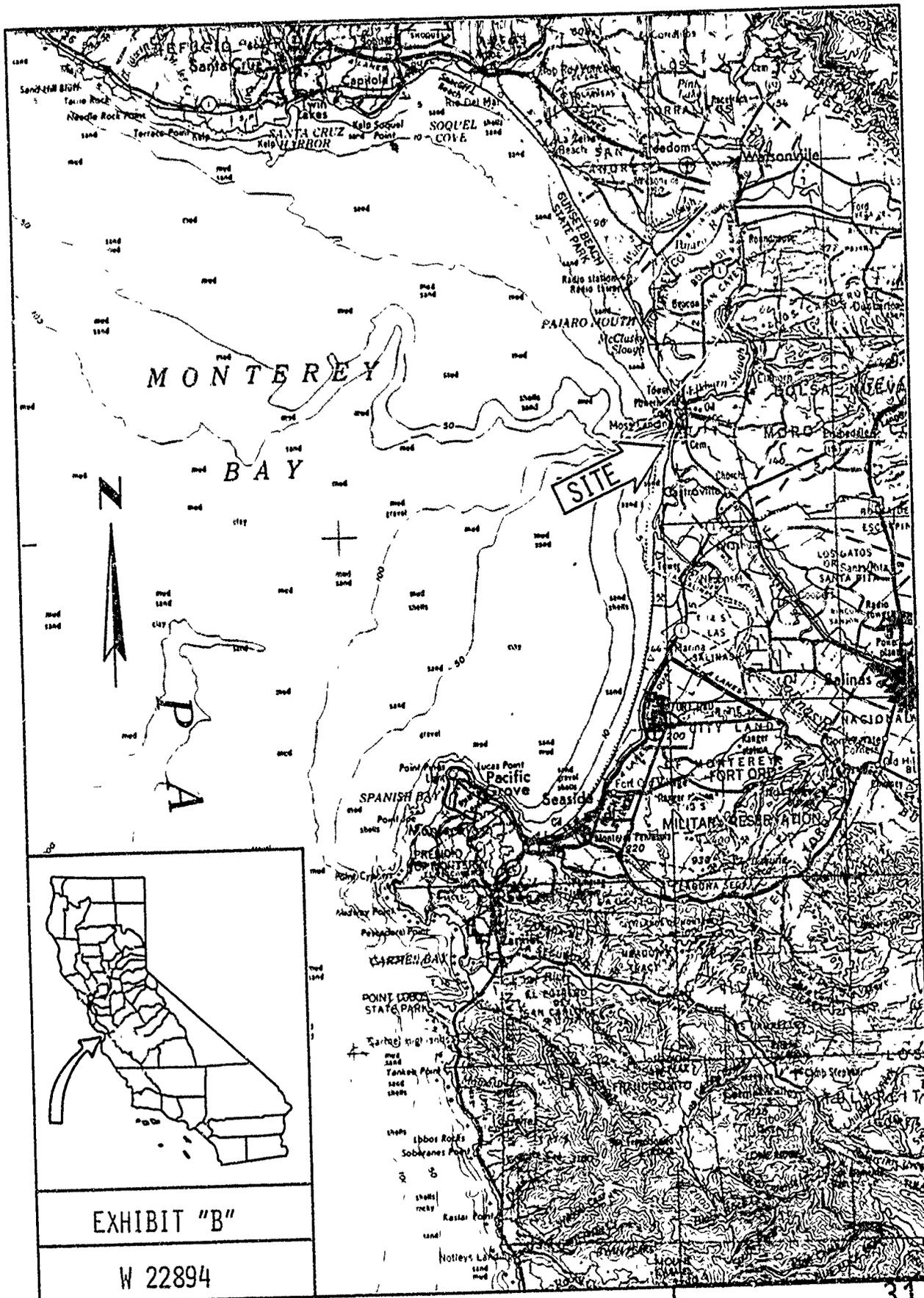


EXHIBIT "B"
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COUNTY OF MONTEREY
STATE OF CALIFORNIA

EXHIBIT "C"

AUG 19 4 15 PM 1981

ERNEST A. MAGGIONI
MONTEREY COUNTY CLERK

(Mitigated)

NEGATIVE DECLARATION

RESPONSIBLE AGENCY	DECISION MAKING BODY
COUNTY OF MONTEREY	Board of Supervisors
PROJECT TITLE	
Potrero Road Tidalgate Replacement	

DEPUTY

ADDRESS	CITY	COUNTY	ZIP
P.O. Box 1208	Salinas	Monterey	93902
CONTACT PERSON	AREA CODE	PHONE	EXT.
Lynne H. Mounday, Senior Planner	408	422-9018	30

THIS PROPOSED PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT AS IT HAS BEEN FOUND:

- (a) That said project will not have the potential to significantly degrade the quality of the environment.
- (b) That said project will have no significant impact on long term environmental goals.
- (c) That said project will have no significant cumulative effect upon the environment.
- (d) That said project will not cause substantial adverse effects on human beings, either directly or indirectly.

See Mitigation Measures Attached.

PROJECT DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES

Monterey County Flood Control and Water Conservation District plans to replace 10 Tide Floodgates at Potrero Road south of Moss Landing on the Old Salinas River Channel. The purpose is to allow efficient drainage of runoff water from agricultural lands while preventing the upstream flow of tidal saltwater.

PROJECT LOCATION: Moss Landing, Potrero Road
TIME PERIOD PROVIDED FOR REVIEW: August 29, 1981

ADDRESS WHERE COPY OF APPLICATION AND INITIAL STUDY IS AVAILABLE.

- Monterey County Planning Department (Appendix B of Potrero Rd. Tidalgate Replacement Report by Anderson-Nichols July 1981)
- Monterey County Department of Building Inspection
P. O. Box 1208
Courthouse, Salinas, California 93902

TO BE FILED WITH COUNTY CLERK WHEN NO SIGNIFICANT EFFECT IS FOUND.

August 19, 1981

DATE FILED

ES1-08-001

FILE REFERENCE

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MITIGATION MEASURES FOR PETTERO RD.
TIDEGATE REPLACEMENT PROJECT

NUMBERS BELOW CORRESPOND TO INITIAL STUDY ITEMS

INTENT	MEASURE
1) TO PREVENT MALFUNCTION DUE TO SEDIMENTATION	1) PERIODICAL DREDGING UPSTREAM FROM THE TIDEGATES TO REMOVE SEDIMENT BUILDUP IN A SMALL BASIN AREA.
2) TO MONITOR WATER QUALITY	2) BIENNIAL WATER AND SEDIMENT SAMPLES TAKEN AT 4 SITES (2 ABOVE AND 2 BELOW) THE TIDEGATES.
3) TO ACHIEVE BALANCE BETWEEN USE OF LAND FOR AGRICULTURE AND ITS NATURAL FUNCTION AS HABITAT.	3) RESTRICT AGRICULTURE TO EXISTING FARMED LANDS.
4) MAINTAIN A MINIMUM FRESHWATER FLOW DOWNSTREAM.	4) CONTINUE AG DRAIN PROGRAM CHANNELING WATER TO THIS DRAINAGE AREA.
5) TO PREVENT LOSS OF ACCESS TO SALINAS RIVER STATE BEACH DURING ACTIVE CONSTRUCTION	5) REROUTE RECREATION TRAFFIC TO SANDHOLT RD OR CONSTRUCT A BRIDGE BYPASS OF TEMPORARY NATURE AT PETTERO RD.
6) TO PREVENT DEGRADATION BY MOVEMENT OF HEAVY CONSTRUCTION EQUIPMENT.	6) ON-SITE "YARD" AREA AND LIMITS OF WORK AREAS SHOULD BE CLEARLY DELINEATED IN ANY CONTRACTS LET FOR THIS PROJECT.
7) TO PROTECT IMMERGENT VEGETATION	SAME AS ABOVE

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MITIGATIC MEASURES FOR PETEERC ROAD
TIREGARE REPLACEMENT PROJECT

NUMBERS BELOW CORRESPOND TO INITIAL STUDY ITEMS

INTENT	MEASURE
8 TO REDUCE EROSION	8. COVER SAND OR SILT FILES WITH PLASTIC OR GRAVEL TO PREVENT EROSION. CONDUCT CONSTRUCTION OF PROJECT DURING DRY SEASON MAY-OCT IF POSSIBLE
9 TO REPLACE DISTURBED VEGETATION	9. STOCKPILE SEED-LADEN TOPSOIL BY SETTING ASIDE WHILE CONSTRUCTING. WHEN CONSTRUCTION IS COMPLETE, SCARIFY HARD-PACKED SURFACES THEN BROADCAST OR SPREAD STOCKPILED SOIL ADOP THESE AREAS