MINUTE ITEM
This Calendar Item No. C10
was approved as Minute Item
No. 10 by the State Lands
Commission by a vote of 3
to 2 at its 7/15/91
meeting.

CALENDAR ITEM

A 27

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C 10

07/15/91
PRC 7324
Fong

AMENDMENT OF A GENERAL PERMIT - PUBLIC AGENCY USE

LESSEE:

California Department of Fish and Game
1416 Ninth Street
Sacramento, California 95814

AREA, TYPE LAND AND LOCATION:

Two parcels, totalling 0.98 acres, of submerged lands in the bed of the Merced River located one-half mile and one-and-one-half miles, respectively, downstream of the Crocker-Huffman Dam, Merced County.

LAND USE:

Restoration Project - Salmon spawning gravel.

TERMS OF ORIGINAL PERMIT:

Initial period:

Twenty (20) years beginning September 1, 1989.

Special:

The rock cobble which is to be removed from the bed of the Merced River and placed upon the upland will not be sold for commercial use.

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.

TERMS OF PROPOSED AMENDMENT:

Amend the existing land description to include two additional sites for restoration of salmon spawning gravel.

(ADDED pgs. 48 - 48.5)

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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. Code Regs. 2003.

APPLICANT STATUS:

Applicant is permittee of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee and processing costs 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. 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 4, Minor Alteration to Land, 14 Cal. Code Regs. 15304.

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

2. 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.

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3. Three sites that have been identified for spawning gravel enhancement on the Merced River are within an area which extends two miles downstream of Crocker-Huffman Dam, and about two miles east of the community of Snelling. Phase I, the upstream-most site, just downstream of Crocker-Huffman Dam was constructed in 1990 and involved the placement of 4,200 cubic yards of spawning quality gravel. Phase II consists of enhancing two spawning riffles. Riffle 2 is located about 0.5 miles downstream of Crocker-Huffman Dam and will involve placement of about 2,200 cubic yards of spawning quality gravel. Riffle 3 is located about 1.5 miles downstream of Crocker-Huffman Dam and involves the placement of about 3,400 cubic yards of spawning quality gravel.

This involves the placement of a spawning riffle composed of 0.5 to 4-inch-diameter, washed, river-run gravel which will be placed in the stream channel about two feet deep with gravel retainment and flow control rock weir structures placed perpendicular to the stream flow. The "window of construction" for the above, to avoid impacts on juvenile or adult salmon, is from August 1 through September 30.

3. The annual rental value of the additional sites are estimated to be $50, which is the minimum rental for this type of permit.

APPROVALS OBTAINED:
United States Army Corps of Engineers.

FURTHER APPROVALS REQUIRED:
State Reclamation Board and California Regional Water Quality Board.

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 4, MINOR ALTERATION TO LAND, 14 CAL. CODE REGS. 15304.

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2. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.

3. AUTHORIZE ISSUANCE TO THE CALIFORNIA DEPARTMENT OF FISH AND GAME OF AN AMENDMENT TO LEASE PRC 7324 FOR THE ADDITION OF TWO SITES AT WHICH SALMON SPAWNING GRAVEL WILL BE ENHANCED, EFFECTIVE AUGUST 1, 1991; 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 STATE'S BEST INTEREST; ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

PRC 7324

LAND DESCRIPTION

All that land in the bed of the Merced River, Merced County, California, lying immediately beneath the salmon spawning improvement as shown on Drawing No. 53-17 (Merced River-Riffle 1B) and Drawing No. 23-91 (Merced River Sites 2 & 3). Copies of said drawings are on file in PRC File No. 7324, in the California State Lands Commission Office, Sacramento, California.

EXCEPTING THEREFROM any portion lying landward of the ordinary low water mark of the Merced River.

END OF DESCRIPTION

PREPARED MAY, 1991 BY LLB

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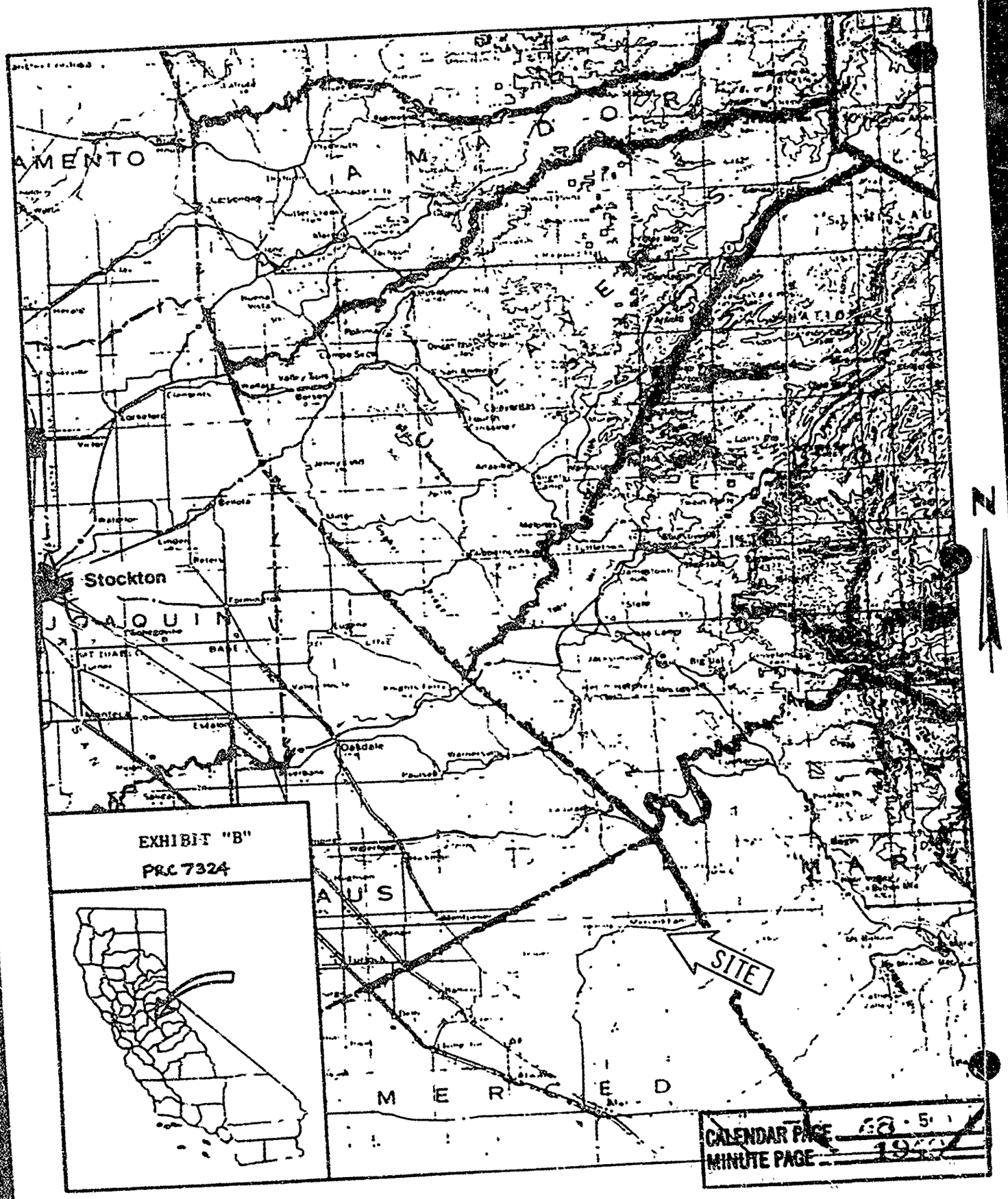
EXHIBIT "B"
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Stockton
Oakdale
SITE
N
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