

**CALENDAR ITEM
C38**

MINUTE ITEM
This Calendar Item No. C38
was approved as Minute Item
No. 38 by the State Lands
Commission by a vote of 3
to 0 at its 02/12/97
meeting.

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PRC7935

02/12/97

W 24036

J. Lam

GENERAL LEASE - PUBLIC AGENCY USE

APPLICANT:

Monterey County Water Resources Agency
P.O. Box 930
Salinas, California 93902-0930

AREA, LAND TYPE, AND LOCATION:

A 0.17 acre, more or less, of tide and submerged lands in Old Salinas River,
near Castroville, Monterey County.

AUTHORIZED USE:

Use and maintenance of a five-by-five foot concrete box culvert and a steel
slidegate to provide flood protection and stability to the adjacent Salinas River
Lagoon.

LEASE TERM:

25-years, beginning November 1, 1996.

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.

OTHER PERTINENT INFORMATION:

1. Applicant is permittee of the uplands adjoining the lease premises.
2. On August 18, 1995, the California State Lands Commission's staff
received a request from the Monterey County Water Resources Agency to
replace an existing deteriorated culvert and slidegate within the Old
Salinas River. The County stated that the replacement project had to be
completed before the winter months in order to provide adequate flood
protection of the area. In addition, the project will also provide stability to
the adjacent Salinas River Lagoon by limiting brackish water from entering

CALENDAR ITEM NO. C38 (CONT'D)

the lagoon area. This action helps to preserve a diversity of habitats, including salt marsh, fresh water marsh and wetlands within the lagoon area for numerous species of plants, fish and wildlife. The project was completed by the County during November of 1995.

3. On August 9, 1995, the California Coastal Commission granted Permit #3-95-58 for this project under its certified regulatory program. (Title 14, California Code of Regulations, section 15251 (c)).
4. Staff has reviewed the document and determined that the conditions, as specified in Title 14, California Code of Regulations, section 15253 (b), have been met for the California State Lands Commission to use the environmental analysis document certified by the Coastal Commission as a Negative Declaration equivalent in order to comply with the requirements of CEQA.
5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 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:

California Coastal Commission, Department of Fish and Game, Regional Water Quality Control Board, United States Army Corps of Engineers, Monterey County Planning Department.

FURTHER APPROVALS REQUIRED:

California State Lands Commission.

EXHIBITS:

- A. Land Description
- B. Location Map

PERMIT STREAMLINING ACT DEADLINE:

February 12, 1997

CALENDAR ITEM NO. C38 (CONT'D)

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT AN ENVIRONMENTAL ANALYSIS DOCUMENT (COASTAL COMMISSION PERMIT #3-95-58), WAS ADOPTED FOR THIS PROJECT BY THE CALIFORNIA COASTAL COMMISSION UNDER ITS CERTIFIED PROGRAM (TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15251 (c)), AND THAT THE CALIFORNIA STATE LANDS COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION THEREIN, AND CONCURS IN ITS DETERMINATION.

SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO MONTEREY COUNTY WATER RESOURCES AGENCY OF A 25-YEAR GENERAL LEASE - PUBLIC AGENCY USE, EFFECTIVE NOVEMBER 1, 1996; 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; FOR USE AND MAINTENANCE OF A FIVE-BY-FIVE FOOT CONCRETE BOX CULVERT AND A STEEL SLIDEGATE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT A

W 24036

LAND DESCRIPTION

A parcel of land in the Old Salinas River, Monterey County, California, more directly described as follows:

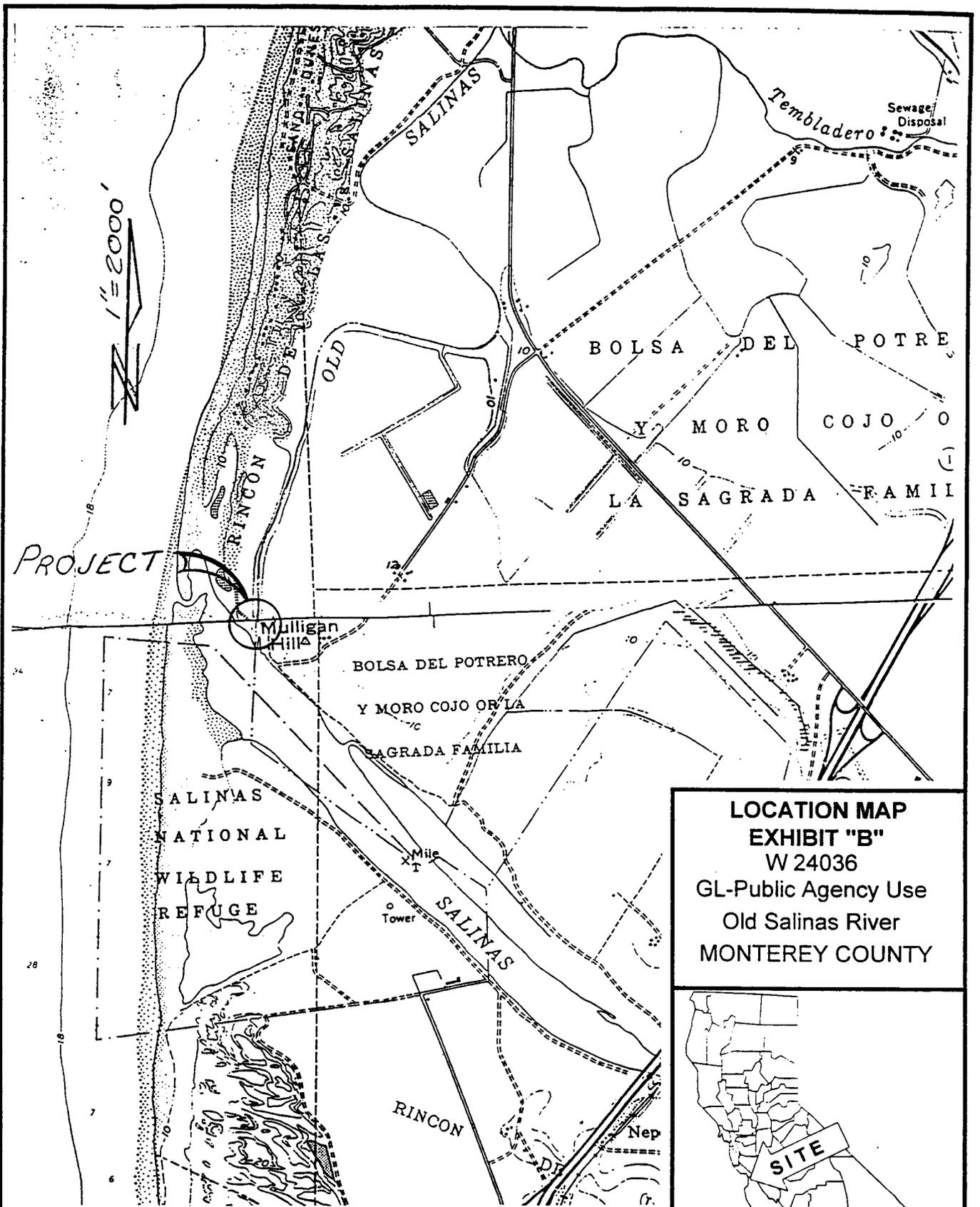
A parcel being a part of 'Parcel F' as shown on the Record of Survey of Mulligan Hill Ranch, filed for record on November 2, 1953, in Volume 5 of Surveys at Page 9, Records of Monterey County, being 70 feet in width, lying 30 feet North and 40 feet South of the following described center line, the sidelines of which lengthen and shorten to terminate on the property lines: **COMMENCING**; at the most southerly corner of the above reference Record of Survey; thence along the easterly boundary of said 'Parcel F', N 03° 35' E, 444.03 feet to the centerline of an existing road and the **TRUE POINT OF BEGINNING** thence along the centerline of said existing road N 57° 30' W, 104.51 feet to a point on the westerly boundary of said 'Parcel F' and the end of the herein described centerline.

END OF DESCRIPTION

PREPARED AUG, 1996 BY SFBCC

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PROJECT

**LOCATION MAP
EXHIBIT "B"**
W 24036
GL-Public Agency Use
Old Salinas River
MONTEREY COUNTY



This Exhibit is solely for purposes of generally defining the lease premises, and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.