MINUTE ITEM
This Calendar Item No. C47
was approved as Minute Item
No. 47 by the State Lands
Commission by a vote of 2
to Ø at its 7/11/97
meeting.

CALENDAR ITEM
C47

A 25;29

S 12;14

07/11/97
W 25391
J. Smith
PRC 7969

GENERAL LEASE - PUBLIC AGENCY USE

LESSEE:

Friant Water Users Authority
845 N. Harvard Avenue
Lindsay, California 93247-1715

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in the San Joaquin River, near Rank Island, Fresno and Madera counties.

AUTHORIZED USE:

Emergency flood repair consisting of removal of debris, solid waste and accumulated sediments; and revegetation of disturbed areas.

LEASE TERM:

Two years, beginning April 1, 1977.

CONSIDERATION:

The public health and safety; with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interest.

SPECIFIC LEASE PROVISIONS:

Revegetation plan will be approved in advance by the staffs of the Commission and the California Department of Fish and Game.

Lessee is required to provide photographs of the site upon completion of the project.

OTHER PERTINENT INFORMATION:

1. Applicant has a right to use the uplands adjoining the lease premises.

2. The January floods resulted in scouring and an accelerated deposition of sediments and debris on the northern channel of the San Joaquin River around Rank Island separating Fresno and Madera counties. This resulted in the almost total obstruction of the channel, having a potential adverse impact on wildlife habitat, vegetation growth and the ability of the river to deliver water to riparian landowners. In addition, if the sediments and debris were to remain, additional flooding and damage could result from anticipated spring runoff releases from Friant Dam.

   In light of the need to perform work as soon as possible, and in the interest of expediting recovery from the flood damage, most of the work has been completed. The emergency flood repair project included the excavation and removal of debris, downed trees, stumps, and other organic material, solid waste (tires, plastic bottles, sign posts, etc.) and accumulated sediments from the northern channel as well as revegetation of disturbed areas. Revegetation of the area remains to be completed, and will not be undertaken until after the first Fall rain, in consultation with staffs of the Commission and the California Department of Fish and Game. The proposed lease authorizes only those activities necessary to accomplish the emergency flood repair project and return the channel to its pre-flood condition.

3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a statutorily exempt project. The project is exempt because it involves a project undertaken, carried out, or approved by a public agency to maintain, repair, restore, demolish, or replace property or facilities damaged or destroyed as a result of a disaster in a disaster-stricken area in which a state of emergency has been proclaimed by the Governor pursuant to Chapter 7 (commencing with section 8550) of Division 1, Title 2 of the Government Code.

4. 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:

United States Army Corps of Engineers; California Department of Fish and Game.

EXHIBITS:

A. Location/Site Map.
B. Land Description.

PERMIT STREAMLINING ACT DEADLINE:

August 8, 1997.

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A STATUTORILY EXEMPT PROJECT PURSUANT TO PUBLIC RESOURCES CODE SECTION 21080(b)(3) AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15269(a), TO MAINTAIN, REPAIR, RESTORE, DEMOLISH, OR REPLACE PROPERTY OR FACILITIES DAMAGED OR DESTROYED AS A RESULT OF A DISASTER IN A DISASTER-STRICKEN AREA IN WHICH A STATE OF EMERGENCY HAS BEEN PROCLAIMED BY THE GOVERNOR.

SIGNIFICANT LANDS INVENTORY FINDING:

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

AUTHORIZATION:

AUTHORIZE ISSUANCE TO FRIANT WATER USERS AUTHORITY OF A GENERAL LEASE - PUBLIC AGENCY USE, BEGINNING APRIL 1, 1997, FOR A TERM OF TWO YEARS, FOR EMERGENCY FLOOD REPAIR WORK ON THE LAND DESCRIBED ON EXHIBIT B ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; THE CONSIDERATION BEING THE PUBLIC HEALTH AND SAFETY, WITH

THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENT IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST.

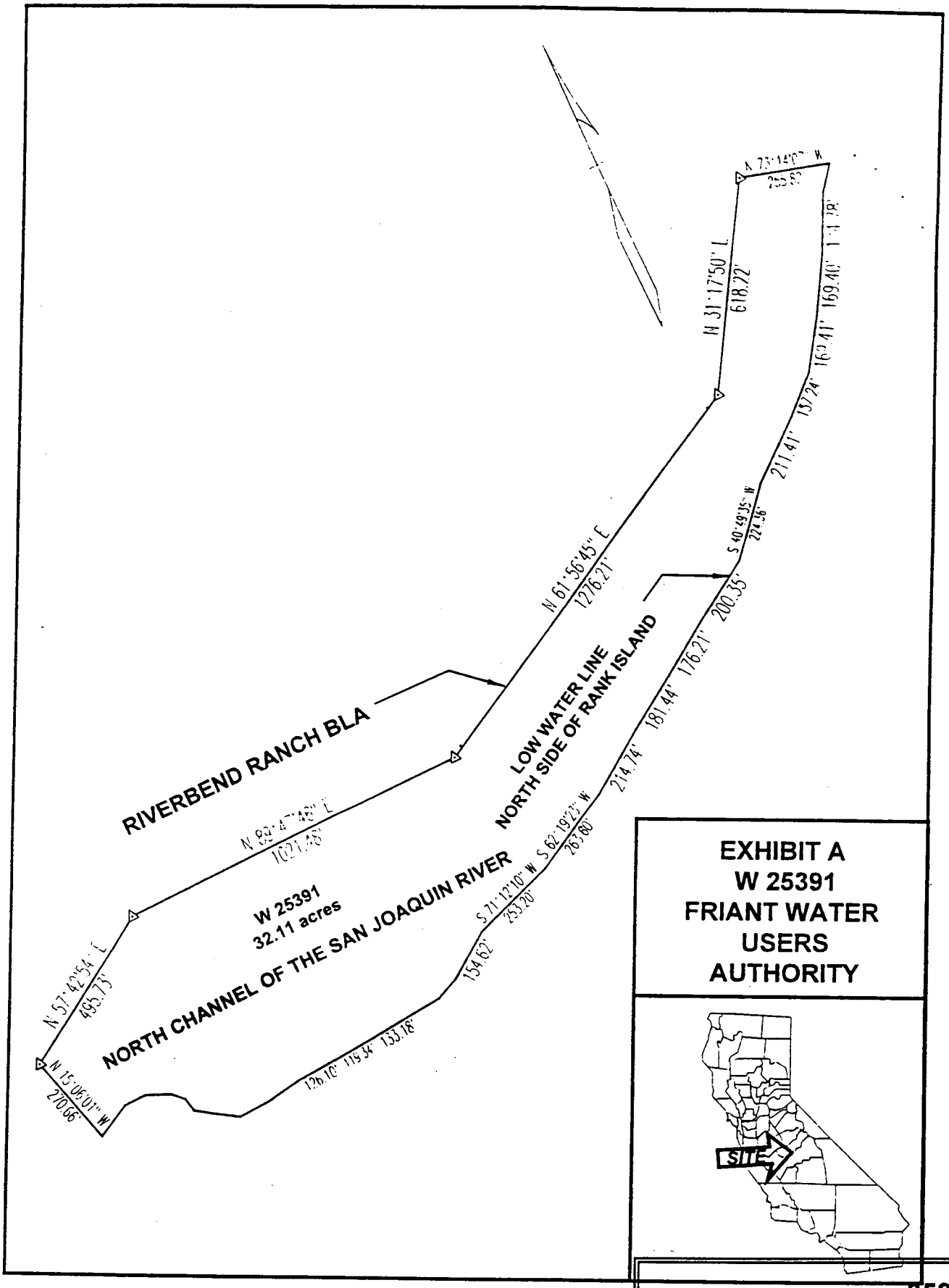

EXHIBIT A
W 25391
FRIANT WATER USERS AUTHORITY

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EXHIBIT B

LEGAL DESCRIPTION

A parcel of sovereign submerged land in the bed of the San Joaquin River, lying within the exterior boundaries of Section 35, T 11 S, R 20 E, and Section 2, T 12 S, R 20 E, both M. D. M. situated in Fresno and Madera Counties, California described as follows:

BEGINNING at a point on the RIVERBEND RANCH AGREED BOUNDARY LINE as said boundary line is described in Exhibit "A" in that certain document recorded December 9, 1996 as Instrument Number 9633066 in the Official Records of Madera County, California, said point having California Coordinate System, Zone 4 (NAD 83) coordinates of N = 2218882.056 feet and E = 6338544.421 feet; thence along said agreed boundary line the following four courses N 57°42'54" E, a distance of 495.73'; N 89°47'46" E, a distance of 1021.48'; N 61°56'45" E, a distance of 1276.21' and N 31°17'50" E, a distance of 618.22'; thence S 73°14'07" E, a distance of 255.82' to point number 7607 in the low water line of the San Joaquin River as shown on sheet 6 of 27 of the Administrative Maps of the San Joaquin River, dated April 1992, on file in the Office of the State Lands Commission; thence along said low water line as shown on said Sheet 6 and on Sheet 7 the following 23 courses: S 38°17'33" W, a distance of 83.20';
S 26°13'19" W, a distance of 174.78'; S 30°42'35" W, a distance of 169.40';
S 33°30'27" W, a distance of 169.41'; S 47°05'42" W, a distance of 137.24';
S 50°33'41" W, a distance of 211.41'; S 40°49'35" W, a distance of 224.36';
S 58°13'45" W, a distance of 200.35'; S 56°06'54" W, a distance of 176.21';
S 56°36'15" W, a distance of 181.44'; S 55°33'04" W, a distance of 214.74';
S 62°19'23" W, a distance of 263.60'; S 71°12'10" W, a distance of 253.20';
S 54°54'12" W, a distance of 154.62'; S 65°59'28" W, a distance of 72.56';
S 85°32'44" W, a distance of 83.11'; S 84°34'56" W, a distance of 133.18';
S 85°50'30" W, a distance of 119.34'; S 86°52'44" W, a distance of 126.10';
S 80°38'39" W, a distance of 100.92'; S 88°03'08" W, a distance of 91.82';
N 56°51'49" W, a distance of 80.11'; N 55°07'12" W, a distance of 54.90';
N 11°57'10" W, a distance of 39.99' to point number 7694 of the Low Water Line as shown on said sheet 7; thence along last said low water line the following four courses:
N 44°30'03" W, a distance of 42.11'; N 66°00'09" W, a distance of 74.94';
S 89°19'43" W, a distance of 65.98'; S 62°17'29" W, a distance of 108.35'; thence
N 15°06'01" W, a distance of 270.66' to the POINT OF BEGINNING.

END OF DESCRIPTION