MINUTE ITEM
This Calendar Item No. C28 was approved as Minute Item No. 28 by the California State Lands Commission by a vote of 3 to 0 at its 8/26/97 meeting.

CALENDAR ITEM
C28

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08/26/97
PRC7981 W 25399
D. Jones

GENERAL LEASE - PROTECTIVE STRUCTURE USE

LESSEE:
Mokelumne Village Homeowners Association
1341 W. Robinhood Drive, Suite C-6
Stockton, California 95207

AREA, LAND TYPE, AND LOCATION:
.34 acre, more or less, of tide and submerged lands in the Mokelumne River, near Lodi, San Joaquin County.

AUTHORIZED USE:
Construction and maintenance of approximately 750 lineal feet of bank protection.

LEASE TERM:
Ten years, beginning August 1, 1997.

CONSIDERATION:
The public use and benefit; 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:
Insurance:
Combined single limit liability insurance coverage of $500,000.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.

2. The project site is currently used as a 3.34-acre private park by the property owners of the Mokelumne Village Subdivision. The bank of the river in the park area has been eroding due to the previous years of heavy rainfall and consequently high water levels. The installation of rip-rap is necessary due to the erosion.

3. A Mitigated Negative Declaration and Mitigation Monitoring Program were prepared and adopted for this project by the city of Lodi. The California State Lands Commission staff has reviewed such document.

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:

U.S. Army Corps of Engineers, California Department of Fish and Game, State Reclamation Board, city of Lodi.

EXHIBITS:

A. Site Map.
B. Location Map.
C. Mitigation Monitoring Plan.

PERMIT STREAMLINING ACT DEADLINE:

January 9, 1998.

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

1. FIND THAT A MITIGATED NEGATIVE DECLARATION AND A MITIGATION MONITORING PROGRAM WERE PREPARED AND ADOPTED FOR THIS PROJECT BY THE CITY OF LODI AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

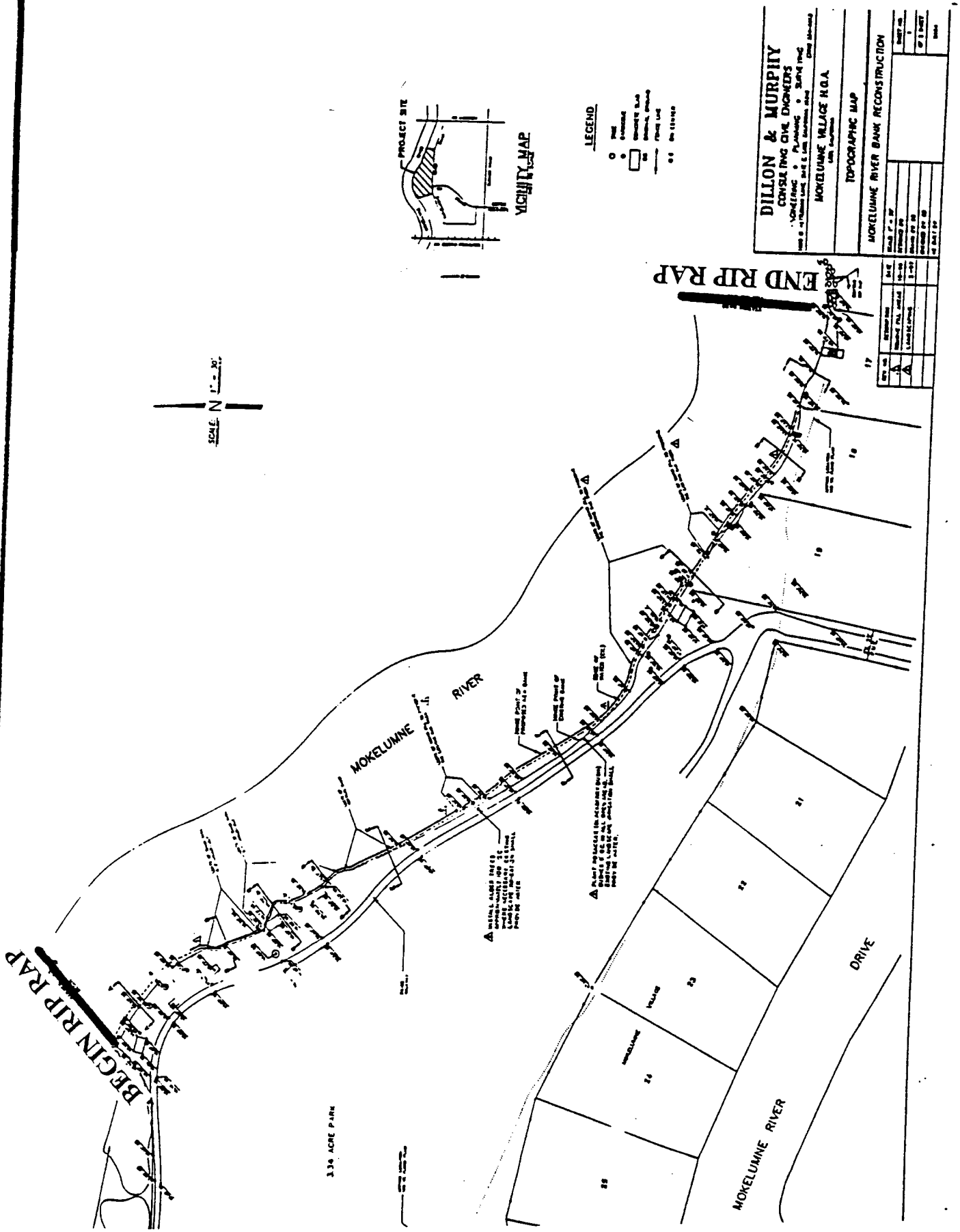
2. ADOPT THE MITIGATION MONITORING PROGRAM, AS CONTAINED IN EXHIBIT C ATTACHED HERETO.

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 THE MOKELUMNE VILLAGE HOME OWNERS ASSOCIATION OF A GENERAL LEASE - PROTECTIVE STRUCTURE USE, BEGINNING AUGUST 1, 1997, FOR A TERM OF TEN YEARS, FOR THE CONSTRUCTION AND MAINTENANCE OF BANK PROTECTION ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION BRING THE PUBLIC USE AND BENEFIT, 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; LIABILITY INSURANCE: COMBINED SINGLE LIMIT LIABILITY INSURANCE COVERAGE OF $500,000.



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.

Exhibit A

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MINUTE PAGE

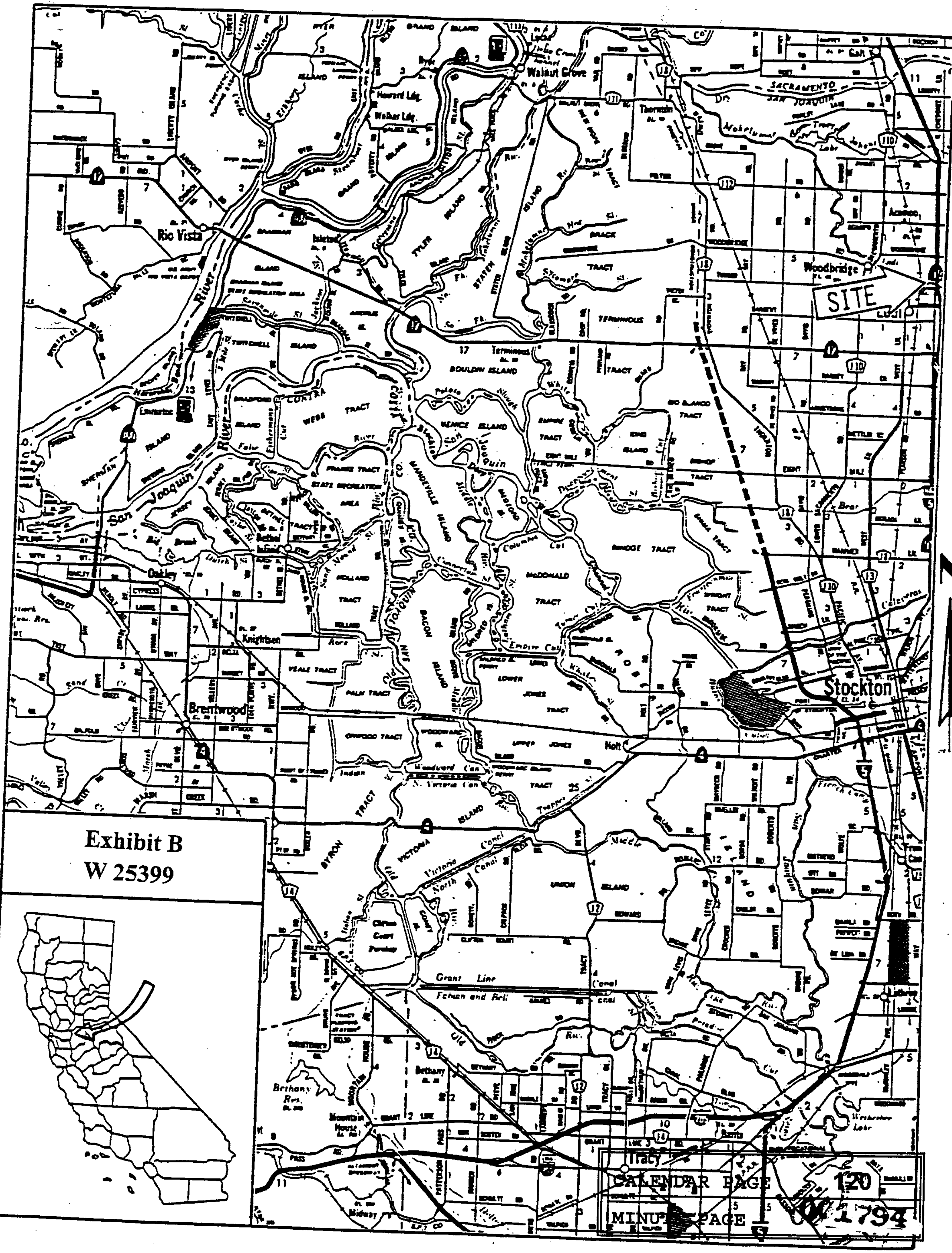

Exhibit B
W 25399

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EXHIBIT C

Environmental Assessment
INITIAL STUDY

1. **PROJECT TITLE** Mokelumne Village Rip-Rap Project
2. **LOCATION** 305 Mokelumne River Drive APN: 041-410-10

3. **PROJECT DESCRIPTION:** The project site is currently used as a 3.34 acre private park by the property owners of the Mokelumne Village Subdivision. The bank of the river in the park area has been eroding due to the two previous years of heavy rainfall and consequently high water levels. The installation of rip-rap, and the stabilization of existing heritage oak trees along the riverbank is necessary due to the erosion.

   The project is proposed to take place during the winter months when the Woodbridge dam is opened downstream for flood control purpose and the Lodi Lake and Mokelumne River drain to very low levels that will expose the riverbanks. Construction is planned to take place when the water level is low because it will allow the bank stabilization, including earth moving, grading and rip-rap, to take place without disturbing the water itself.

   The vertical and undercut banks of the project area are proposed to be graded to a two to one slope. The plans illustrate that the proposed hinge point of the bank will be placed were it was originally located prior to the recent erosion. In order to place the hinge point in its original location, reclaiming of some of the existing water way with fill material will be necessary. The project engineer has stated that fill dirt will predominately be used in the areas where the existing Heritage Oak trees are located very close to the riverbank. These trees have become unstable and will require the extra land area to regain and preserve their stability.

   The details section of the plans illustrate that a geotextile filter fabric will be placed along the newly graded riverbank prior to the installation of the rip-rap. The filter fabric is designed to further enhance the stability of the riverbank. The rip-rap itself is described on the plans as "Quarry stone rip-rap. 12-inch minus per Cal-Trans standard 72-2.02. Place rip-rap per Cal-Trans standard 72-2.03 (Typ.)."

4. **General Plan Designation**
   LDR, Low Density Residential

5. **Site Description and surrounding land use:**

   The project site is approximately 750 feet of the south bank of the Mokelumne River at 305 Mokelumne River Drive. The project site/riverbank is a portion of the northern boundary of a private 3.34 acre park that serves the residents of the Mokelumne Village subdivision. The park site is landscaped primarily with grass. Natural vegetation on the riverbank includes oak and other trees and shrubs. The vegetation on the riverbank has been maintained to limit growth in order to provide a view of the river. Man made features of the park include a meandering sidewalk near the riverbank, two tennis courts, a sand pit, a few barbecues, four small concrete slabs, and an irrigation system for the lawn. The park site is accessed by a 25 foot

wide driveway between two residences at 301 and 309 Mokelumne River Drive. A total of eight single-family homes rear to the park site at the south boundary of the project site. The Mokelumne River makes up the north, east, and west boundaries of the project site.

6. **Zoning**
FP, Flood Plain

Will the Project Have a Significant Effect Through Any of the Following Impacts?

7. a. Substantial alteration of natural topography, soil or subsoil features? **MAYBE**
   b. Substantially degrade surface or ground water quality? **MAYBE**
   c. Substantially deplete surface or ground water resources? **NO**
   d. Substantially interfere with ground water flow or recharge? **NO**
   e. Cause a significant affect related to flood, erosion or siltation? **NO**
   f. Substantial interference with the habitat of any species of fish, wildlife or plant? **MAYBE**
   g. Violate ambient air quality standards or create substantial air emissions or objectionable odors? **NO**
   h. Substantially increase ambient noise or glare level for adjoining areas? **NO**
   i. Substantial reduction of existing cropland? **NO**
   j. Expose individuals or property to geologic, public health, traffic, flood, seismic or other hazards? **NO**
   k. Have a substantial, demonstrable, negative aesthetic effect? **MAYBE**
   l. Result in the disruption or alteration of an archeological, historical or paleontological site? **NO**
   m. Cause or allow substantial increase in consumption in any natural resources? **NO**
   n. Results in the use or waste of substantial amounts of fuel or energy? **NO**
   o. Necessitate major extensions of water, sewer, storm drain, electrical lines or public roads? **NO**
   p. Substantial increase in demand for or utilization of public services such as schools or fire or police protection? **NO**
   q. Substantially change transportation patterns related to existing traffic load, street capacity, parking availability or traffic safety? **NO**
   r. Induce substantial growth, concentration or displacement of population? **NO**
   s. Result in an alteration or conflict with existing or planned land uses? **NO**
   t. Conflict with adopted plans, goals or policies of the City of Lodi? **NO**

Adverse impacts of the project and their magnitude:

7a. The grading and fill that will take place on the riverbank may be considered a substantial alteration of the natural topography. The project is basically engineered to reclaim the riverbank that has been lost to erosion, save some trees from being washed into the river, and to reinforce the riverbank by reshaping it and adding geotextile filter fabric covered with rock. The type of work that will be taking place and the physical

location of the project would qualify this project as sensitive; however, the grading is limited to putting the riverbank back to its original location and the introduction of rip-rap to reinforce the riverbank will create minor impacts that can be mitigated to less than significant levels. The timing of the project and the limited amount of rip-rap should help mitigate the potential impact.

7b. The project has the potential to substantially degrade the water quality of the Mokelumne River in the immediate project area and downstream by creating excessive amounts of dirt in the water. The timing of the project for when the water levels are low and clean up after the work is completed will help reduce impacts to the surface water quality to less than significant levels.

7f. The project has the potential to substantially interfere with the salmon run through the area if siltation of the water becomes excessive. The timing of the project for when the water levels are low and clean up after the work is completed will help reduce impacts to the fish habitat to less than significant levels.

7k. The project does not include plans to revegetate the riverbank after the rip-rap has been completed. In order to accomplish the grading, heavy equipment such as a back-hoe and/or front loader will be required. Any existing vegetation in the area of construction, excluding large trees that will most likely be removed or destroyed by the heavy equipment. Leaving the riverbank devoid of all vegetation could be considered a substantial negative aesthetic effect.

Mitigation Measures to Reduce Adverse Impacts Identified by Initial Study:

NATURAL TOPOGRAPHY: In order to limit the impacts of grading the riverbank in the project area the grading shall take place in substantial conformance with the plans as submitted. The portions of the riverbank that will be reclaimed due to excessive erosion shall not extend into the river farther than their original locations. All grading shall take place during the time of year when the water levels of the river are low enough to expose the entire area of construction. This will help to ensure that fill or graded dirt are not washed into the river.

WATER QUALITY AND FISH HABITAT: All grading shall take place during the time of year when the water levels of the river are low enough to expose the entire area of construction. This will help to ensure that fill or graded dirt are not washed into the river which could create unacceptable amounts of turbid water. The fill dirt that will be used to reclaim lost areas of riverbank shall be of a quality that will not be harmful to the fish and wildlife.

AESTHETICS: In order to preserve the aesthetics of the project area, precautions shall be taken to protect as many existing trees and as much vegetation as possible. A plan to revegetate the riverbank areas to, at a minimum, the original state prior to the erosion will be made a condition of the Use Permit approval and resolution.

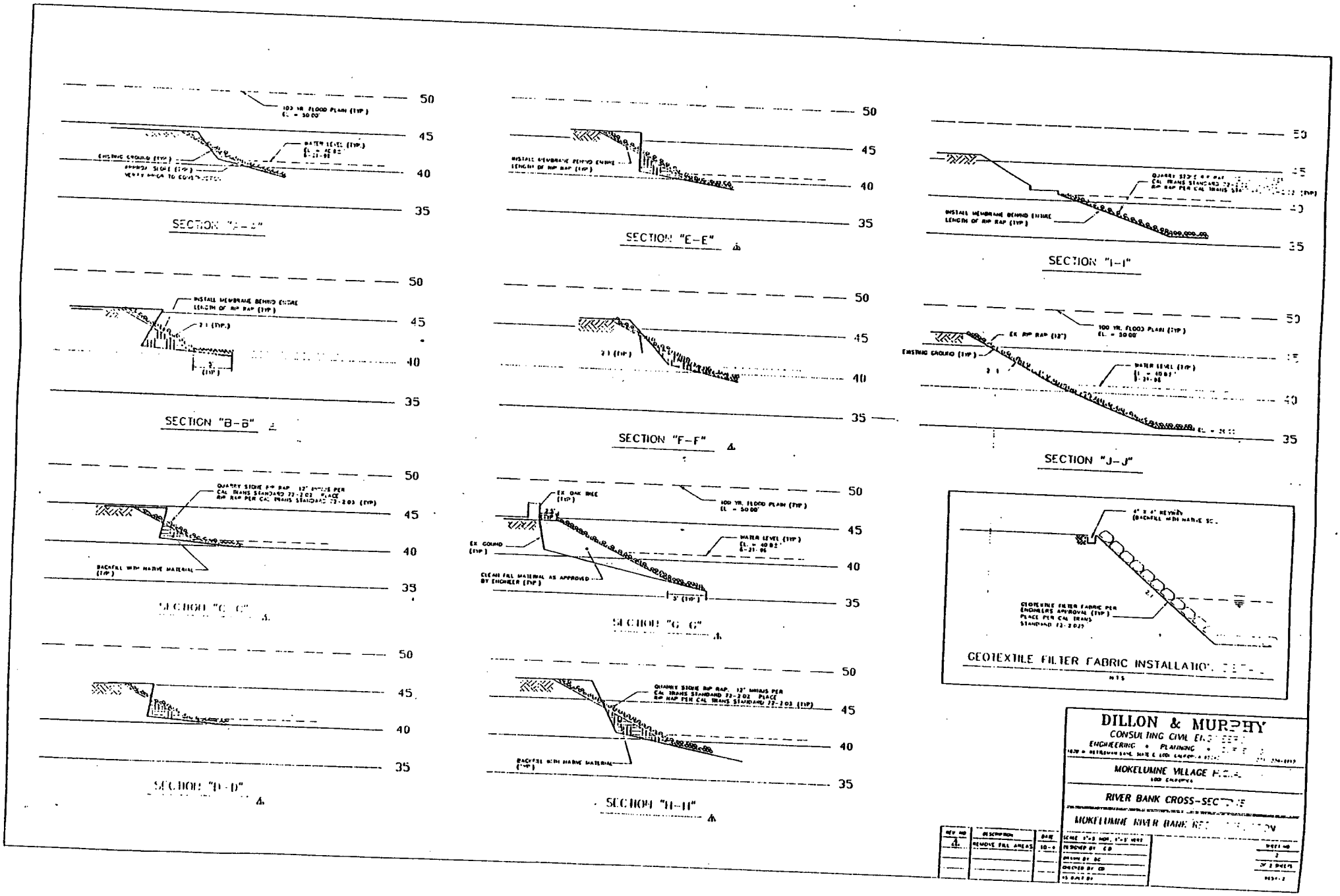
OVERALL: The applicant will be required to obtain all required permits from State and Federal agencies. These include the State Department of Fish and Game, the State Board of Reclamation, and the Army Corps of Engineers. Obtaining necessary permits will be a

condition of the Use Permit. Additionally, any environmental conditions or requirements will become part of the mitigation measures for the negative declaration.

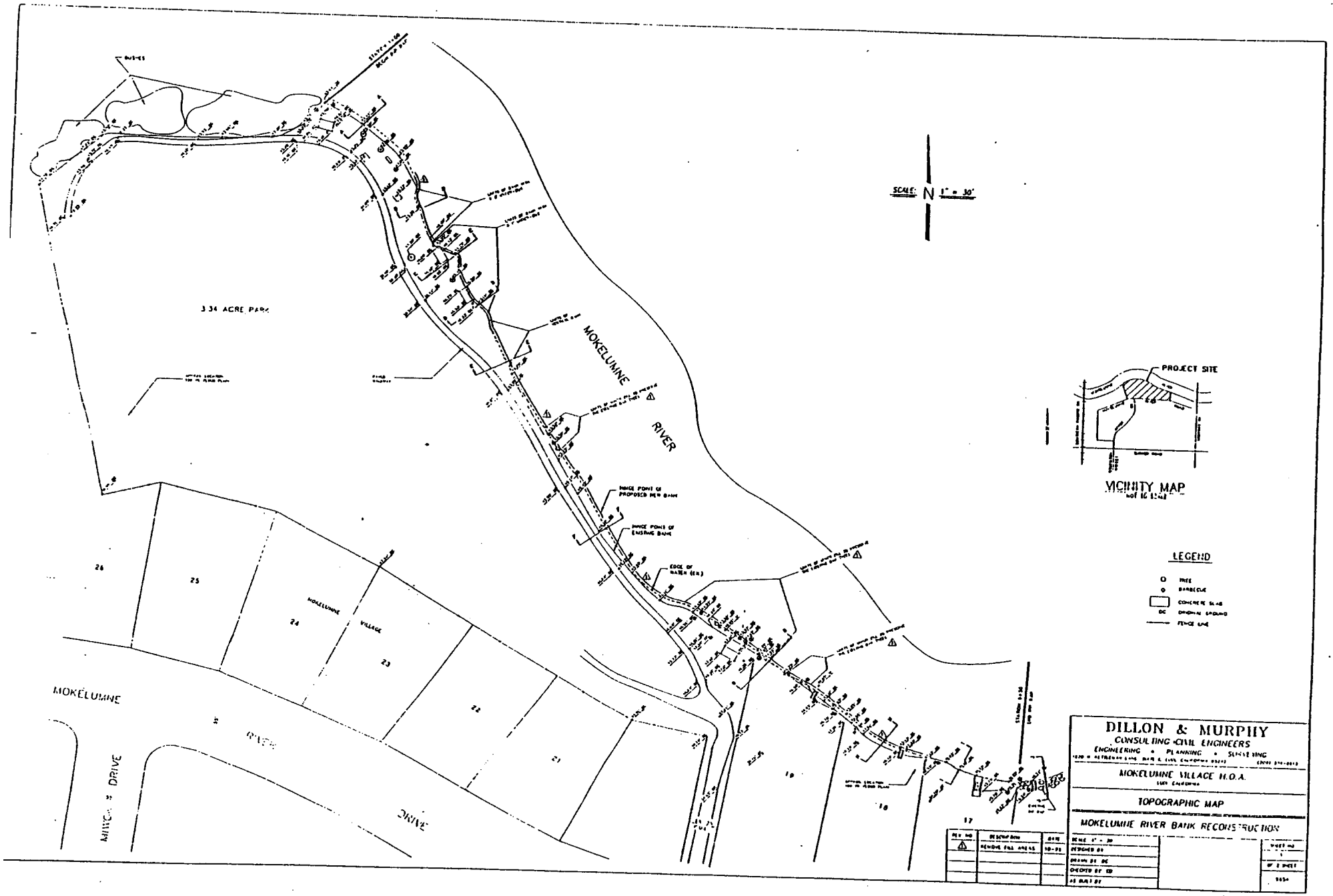
RECOMMENDATION: MITIGATED NEGATIVE DECLARATION

Konradt Bartlam
Environmental Review Officer

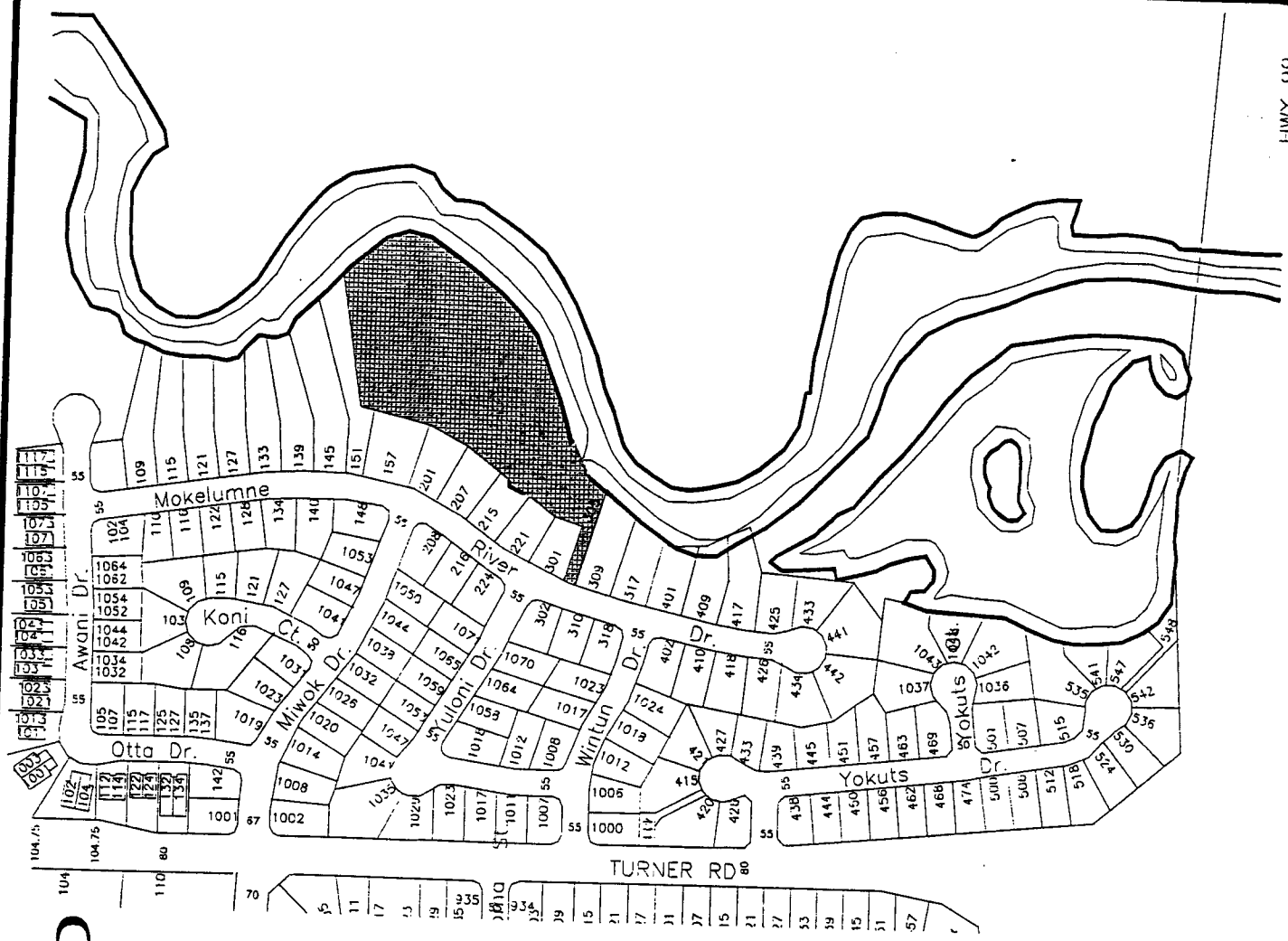
By _____ Date 11/07/96



SECTION "A-A"
SECTION "B-B"
SECTION "C-C"
SECTION "D-D"
SECTION "E-E"
SECTION "F-F"
SECTION "G-G"
SECTION "H-H"
SECTION "I-I"
SECTION "J-J"
GEOTEXTILE FILTER FABRIC INSTALLATION
DILLON & MURPHY
CONSULTING CIVIL ENGINEERS
ENGINEERING • PLANNING
MOKELUMNE VILLAGE
RIVER BANK CROSS-SECTION
MOKELUMNE RIVER BANK
REMOVE FILL AREAS



SCALE: N 1" = 30'
3.34 ACRE PARK
MOKELUMNE RIVER
MOKELUMNE VILLAGE
MOKELUMNE RIVER DRIVE
MIWOK DRIVE
26
25
24
23
22
21
19
18
17
PROJECT SITE
VICINITY MAP
LEGEND
TREE
BARBECUE
CONCRETE SLAB
DC ORIGINAL GROUND
FENCE LINE
DILLON & MURPHY
CONSULTING CIVIL ENGINEERS
ENGINEERING • PLANNING • SURVEYING
MOKELUMNE VILLAGE H.O.A.
TOPOGRAPHIC MAP
MOKELUMNE RIVER BANK RECONSTRUCTION



VICINITY MAP

N

CITY OF LODI
CALIFORNIA
PLANNING

Dillon & Murphy
Install Rip-Rap Along South Bank
305 Mokelumne River Drive
U-96-10