

MINUTE ITEM

This Calendar Item No. C56 was approved as Minute Item No. 56 by the California State Lands Commission by a vote of 3 to 0 at its 12/16/98 meeting.

**CALENDAR ITEM
C56**

A 27
S 12

12/16/98
PRC 7183 WP 7183.9
D. Jones

AMENDMENT OF LEASE

LESSEE:

County of Stanislaus
1100 H Street
Modesto, California 95354

AREA, LAND TYPE, AND LOCATION:

Master Lease: 2.686 acres of sovereign lands consisting of five parcels (five bridges), located in the San Joaquin, Stanislaus, and Tuolumne Rivers, Stanislaus County.

Proposed Amendment: Parcel 3, Roberts Ferry Bridge: 0.49 acre, more or less, of sovereign lands in the Tuolumne River at Roberts Ferry Road, near the city of Modesto, Stanislaus County.

AUTHORIZED USE:

The maintenance of vehicular bridges and ancillary facilities used for public transportation.

LEASE TERM:

49 years, beginning October 18, 1985.

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.

CALENDAR ITEM NO. C56 (CONT'D)

PROPOSED AMENDMENT:

This amendment, if approved, will authorize the reconstruction of the Roberts Ferry Bridge and amend Parcel 3 in Section 3 of the lease to reflect the lease premises of the newly constructed bridge.

OTHER PERTINENT INFORMATION:

1. The Commission issued Lease PRC No. 7183.9 to the County of Stanislaus for the maintenance of five bridges within the County, one of which is the vehicular bridge across the Tuolumne River at Roberts Ferry Road near the city of Modesto. The Roberts Ferry Bridge was washed out during the floods of January 1997. The County is proposing to build a new reinforced concrete vehicular bridge in approximately the same location.
2. Applicant has the right to use the uplands adjoining the lease premises.
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 categorically exempt project. The project is exempt under Class 2, Replacement or Reconstruction Title 2, California Code of Regulations, section 2905 (2)(b).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

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, County of Stanislaus

EXHIBITS:

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CALENDAR ITEM NO. C56 (CONT'D)

- A. Lease Description
- B. Site and Location Map

PERMIT STREAMLINING ACT DEADLINE:
November 16, 1998

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 CATEGORICALLY EXEMPT PROJECT, CLASS 2, REPLACEMENT OR RECONSTRUCTION; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (2)(b).

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 THE AMENDMENT OF LEASE NO. PRC 7183.9, A GENERAL LEASE - PUBLIC AGENCY USE, OF LANDS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF, EFFECTIVE AUGUST 1, 1998, TO AUTHORIZE THE RECONSTRUCTION OF THE ROBERTS FERRY BRIDGE AND TO AMEND PARCEL 3 OF SECTION 3 OF THE LEASE TO REFLECT THE REVISED LEASE AREA; ALL OTHER TERMS AND CONDITIONS OF THE LEASE WILL REMAIN IN EFFECT WITHOUT AMENDMENT.

EXHIBIT A**PARCEL 3 AMENDED**

**ROBERTS FERRY ROAD AT TUOLUMNE RIVER
AREA COVERED BY STATE LANDS COMMISSION LEASE**

All that portion of the bed of the Tuolumne River in Section 35, T3S, R12E MDM, County of Stanislaus, State of California described as follows:

Commencing at the north one quarter corner of said section 35; thence N. 28°24'30" W, 238.92 feet, as shown on the survey of Roberts Ferry Road, County File No. B-6B-1605; thence S 4°30'30" W, on the centerline of Roberts Ferry Road 246.58 feet; thence S 0°02'00" W, 179.85 feet; thence S6°05'00"E, 179.92 feet; thence S 14°42'30" E, 239.76 feet to the POINT OF BEGINNING of this description; thence S 75°17'30" W, 55.00 feet; thence S 14°42'30" E, 401.71 feet; thence N 75°17'30" E, 110.00 feet; thence N 14°42'30" W, 401.71 feet; thence S 75°17'30" W, 55.00 feet to the point of beginning.

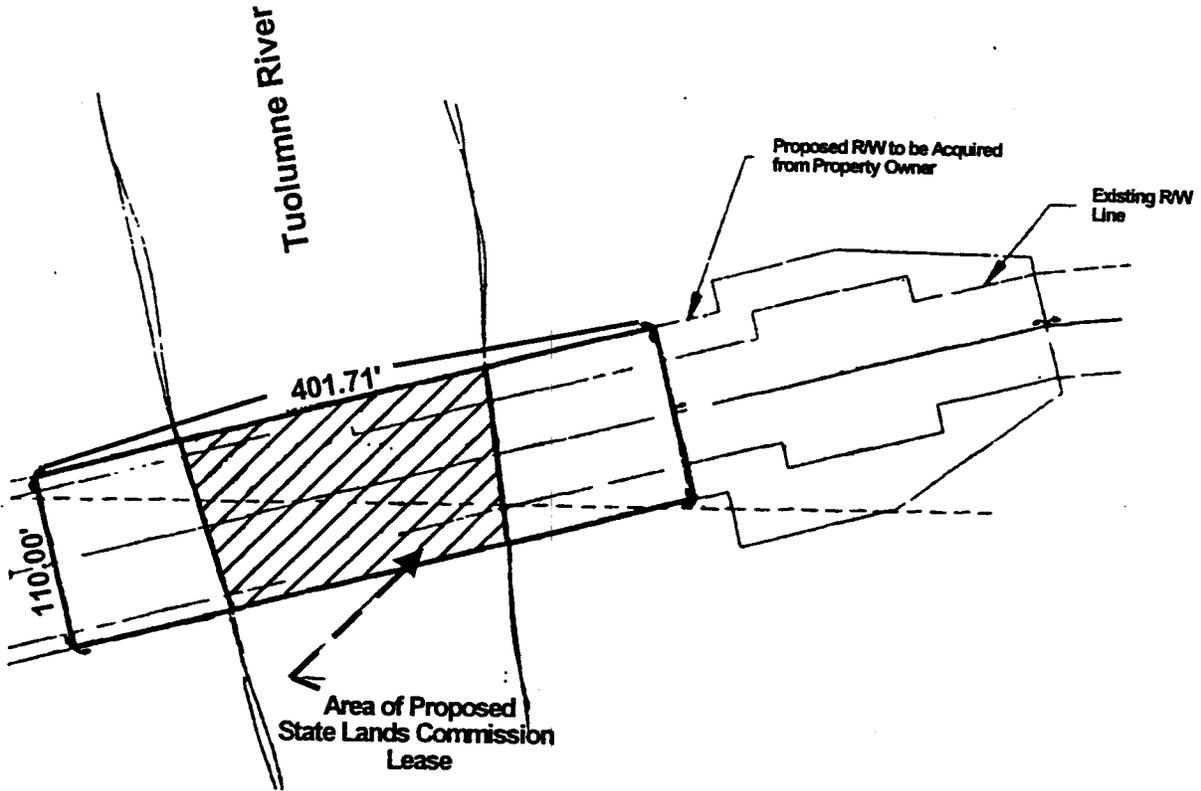
EXCEPTING FROM the above described parcel, any portion thereof lying landward of the ordinary low water marks of said river.

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NO SCALE

SITE MAP



Roberts Ferry Bridge over Mokelumne River

NO SCALE

LOCATION MAP

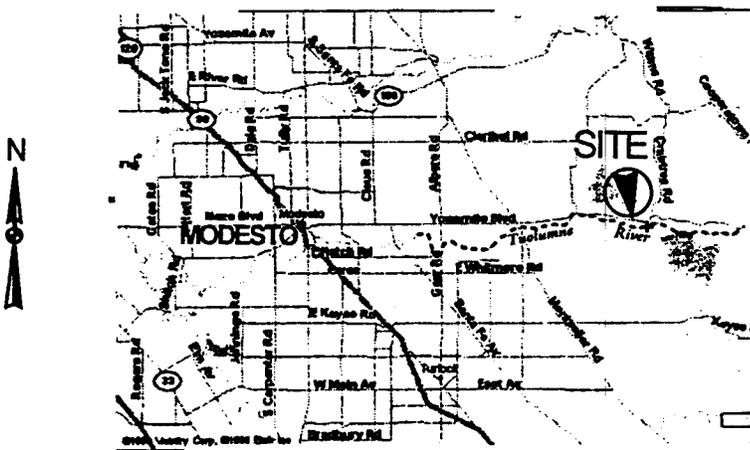
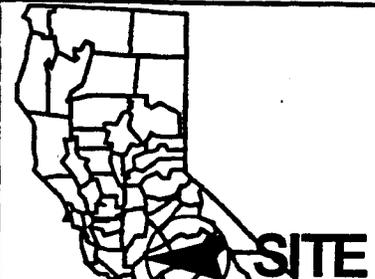


EXHIBIT B
PRC 7183
Roberts Ferry Bridge
Tuolumne River
STANISLAUS COUNTY



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.

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