

MINUTE ITEM

41

A 25, 29

S 12, 14

04/13/99
WP 7969.9
J. Smith

FRIANT WATER USERS AUTHORITY (LESSEE):

PULLED PRIOR TO COMMISSION MEETING

Item attached

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**CALENDAR ITEM
C41**

A 25, 29

04/13/99

S 12, 14

WP 7969.9

J. Smith

AMENDMENT OF LEASE

LESSEE:

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

AREA, LAND TYPE, AND LOCATION:

Sovereign land 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, 1997.

CONSIDERATION:

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

PROPOSED AMENDMENT:

Extend the term of the lease to expire January 15, 2001. Authorize the short-term stabilization project involving the north and south channels of the San Joaquin River around Rank Island and amend the legal description to include this area.

All other terms and conditions of the lease shall remain in effect without amendment.

OTHER PERTINENT INFORMATION:

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

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2. The Lessee submitted an application to amend Lease No. PRC 7969.9 to accommodate a short-term channel repair project around Rank Island. The project was needed to restore this reach of the river to conditions prior to the 1997 flood and maintain the flows in the north channel of the San Joaquin River around Rank Island. The project is a short-term solution to reduce further channel degradation and provide temporary relief from the effects of reduced flows in the north channel. The project involves the construction of a temporary berm at the upstream end of the south channel and the placement of approximately 575 cubic yards of washed and clean cobble material in the south channel.
3. A Finding of No Significant Impact (FONSI) was prepared and adopted for this project by the U.S. Bureau of Reclamation. The document was circulated for public review as broadly as state and local law may require and notice was given meeting the standards in Title 14, California Code of Regulations, section 15072(a). Therefore, pursuant to Title 14, California Code of Regulations, sections 15221 and 15225, the staff recommends the use of the federal FONSI in place of a Negative Declaration.
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 Bureau of Reclamation; United States Army Corps of Engineers;
State Department of Fish and Game.

EXHIBITS:

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

PERMIT STREAMLINING ACT DEADLINE:

April 28, 1999

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

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FIND THAT THE FINDING OF NO SIGNIFICANT IMPACT, PREPARED AND ADOPTED FOR THIS PROJECT BY THE U.S. BUREAU OF RECLAMATION MEETS THE REQUIREMENTS OF THE CEQA. THEREFORE, PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTIONS 15221 AND 15225, ADOPT SUCH FEDERAL DOCUMENT FOR USE IN PLACE OF A NEGATIVE DECLARATION.

SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE U.S. 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 7969.9, A GENERAL LEASE - PUBLIC AGENCY USE, OF LANDS DESCRIBED ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF, EFFECTIVE FEBRUARY 3, 1999, TO EXTEND THE TERM OF THE LEASE THROUGH JANUARY 15, 2001; AUTHORIZE A SHORT-TERM PROJECT TO STABILIZE THE NORTH AND SOUTH CHANNELS OF THE SAN JOAQUIN RIVER AROUND RANK ISLAND AND AMEND THE LEGAL DESCRIPTION TO INCLUDE THE PROJECT AREA; ALL OTHER TERMS AND CONDITIONS OF THE LEASE WILL REMAIN IN EFFECT WITHOUT AMENDMENT.

EXHIBIT A
WP 7969



MADERA COUNTY

SECTION 35
N 89°45'18" W T. 11 S. R. 20 E. M. D. M.
5331.54'

SECTION 2
T. 12 S. R. 20 E. M. D. M.

PARCEL 2
2.68 ACRES

SAN JOAQUIN RIVER
1000.33'
N 14°22'11" E

255.82'
N 31°17'30" E
618.22'

185.16'
169.41' 169.40'
157.24'

SAN JOAQUIN RIVER
1216.21'
N 61°56'45" E

RIVERBEND RANCH BLA

N 89°47'46" E
1021.48'

PARCEL 1
32.11 ACRES

N 57°42'54" E
495.73'

N 15°06'01" W
270.66'

133.18'

SAN JOAQUIN RIVER

ISLAND NO. 1
(RANK ISLAND)

FRESNO COUNTY



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EXHIBIT B

LEGAL DESCRIPTION

PARCEL 1

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, 495.73 feet; N 89°47'46" E, 1021.48 feet; N 61°56'45" E, 1276.21 feet; and N 31°17'50" E, 618.22 feet; thence S 73°14'07" E, 255.82 feet 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, 83.20 feet; S 26°13'19" W, 174.78 feet; S 30°42'35" W, 169.40 feet; S 33°30'27" W, 169.41 feet; S 47°05'42" W, 137.24 feet; S 50°33'41" W, 211.41 feet; S 40°49'35" W, 224.36 feet; S 58°13'45" W, 200.35 feet; S 56°06'54" W, 176.21 feet; S 56°36'15" W, 181.44 feet; S 55°33'04" W, 214.74 feet; S 62°19'23" W, 263.60 feet; S 71°12'10" W, 253.20 feet; S 54°54'12" W, 154.62 feet; S 65°59'28" W, 72.57 feet; S 85°32'44" W, 83.11 feet; S 84°34'56" W, 133.18 feet; S 85°50'30" W, 119.34 feet; S 86°52'44" W, 126.10 feet; S 80°38'39" W, 100.92 feet; S 88°03'08" W, 91.82 feet; N 56°51'56" W, 80.11 feet; and N 55°07'03" W, 54.91 feet; thence leaving said Low Water Line N 11°57'01" W, 39.99 feet 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, 42.11 feet; N 66°00'09" W, 74.94 feet; S 89°19'43" W, 65.98 feet; and S 62°17'29" W, 108.35 feet; thence N 15°06'01" W, 270.66 feet to the POINT OF BEGINNING.

PARCEL 2

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, M. D. M., situated in the County of Fresno, State of California, described as follows:

BEGINNING at point number 7607 of the Low Water Line of the San Joaquin River on the North bank of Island No. 1 (Rank Island) 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, said point having California Coordinate System, Zone 4 (NAD 83) coordinates of N = 2,220,205.15 feet and E = 6,341,677.35 feet; N 2°20'22" E, 357.61 feet; S 87°26'37" E, 325.49 feet to point number 4285 of the Low Water Line of the Left Bank of the San Joaquin River as shown on said Sheet 6; along said Low Water Line the following three courses, S 12°40'24" W, 175.75 feet; S 16°01'23" W, 147.71 feet; and S 18°59'53" E, 107.86 feet; across the East Channel of the San Joaquin River N 89°24'10" W, 185.56 feet to point number 7609 of the Low Water Line on the Right bank of the East channel of San Joaquin River on said Island No. 1; along last said line the following two courses, N 31°49'19" W, 70.63 feet; and N 81°38'24" W, 7354 feet to the POINT OF BEGINNING.

END OF DESCRIPTION

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