MINUTE ITEM
This Calendar Item No. C36 was approved as Minute Item No. 36 by the California State Lands Commission by a vote of 3 to 0 at its 11/27/00 meeting.

CALENDAR ITEM
C36

A 29, 30

S 14

PRC 8220

11/27/00
AD 282
J. Smith
C. Fossum

GENERAL LEASE - PUBLIC AGENCY USE

APPLICANT:
Fresno County Office of Education
1111 Van Ness Avenue
Fresno, California 93721-2000

AREA, LAND TYPE, AND LOCATION:
Public trust lands adjacent to the San Joaquin River at Scout Island, city of Fresno, Fresno County.

AUTHORIZED USE:
Use and maintenance of access rights over Access Easement.

LEASE TERM:
49 years, beginning December 1, 2000.

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 interests.

SPECIFIC LEASE PROVISIONS:
Insurance:
Liability Insurance: Combined single limit coverage of $1,000,000 .

OTHER PERTINENT INFORMATION:

1. Applicant is in escrow to purchase the lands adjoining the lease premises.

2. Pursuant to Minute Item 77 at its meeting of May 12,1997, the Commission authorized a Compromise Title Settlement Agreement between the State of California and Scout Island Investors, LLC, a California limited liability corporation, involving land in and adjacent to the

bed of the San Joaquin River in Fresno County. The agreement provided, among other things, for conveyance of an Access Easement across Scout Island Investors' property to the State. The easement provides that the State's lessee will be responsible for any access improvements they construct and also for management and maintenance of the Easement. The Easement Deed was recorded on August 29, 1997 as Document Number 97112137, Official Records of Fresno County.

3. The Applicant has advised Commission staff that it is currently in escrow to purchase Scout Island. The close of escrow is contingent upon the Applicant acquiring the access rights from the Commission across the private road over which the Access Easement is held. The Applicant intends to use Scout Island in furtherance of public education programs to promote scientific study, open space, ecological protection, and preservation of the San Joaquin River and its resources. Minimal vehicular traffic will utilize the access road consisting of an average of approximately one vehicle (bus) per day. The County will ensure that the road is suitable for vehicle traffic. Both the San Joaquin River Parkway and Conservation Trust (Trust) and the San Joaquin River Conservancy (Conservancy) support the Applicant's proposed plans for Scout Island and the proposed lease from the Commission.

4. In addition to providing educational facilities, the Fresno County Board of Education will itself, or through cooperation with other parties, develop facilities for overnight camping for the disabled and a canoe-in campground available to the public on a reservation basis. The Board of Education also has committed to cooperate with the Commission, Conservancy and Trust in implementation of the San Joaquin River Parkway Master Plan. The Plan includes a trail system with a trail crossing the property being purchased by the Fresno County Board of Education.

5. On November 16, 2000, the Applicant adopted a resolution declaring that their proposed acquisition of Scout Island (to which access is being requested in this calendar item) was exempt from the requirements of the CEQA, as a categorically exempt project, under Class 13, Acquisition of Lands for Wildlife Conservation Purposes, Title 14, California Code of Regulations section 15313, and under Class 25, Transfers of Ownership of Interest in Land to Preserve Existing Natural Conditions, Title 14, California Code of Regulations, section 15325 (c)(d).

6. 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 under the general rule that the CEQA applies only to projects which have the potential for causing a significant effect on the environment. The staff believes, based on the information available to it, that there is no possibility that this project may have a significant effect on the environment.

   Authority: Title 14, California Code of Regulations, section 15061 (b) (3).

EXHIBITS:

A. Location and Site Map
B. Land Description

PERMIT STREAMLINING ACT DEADLINE:

N/A

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 BECAUSE THERE IS NO POSSIBILITY THAT THE ACTIVITY MAY HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT; TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 (b) (3).

AUTHORIZATION:

AUTHORIZE ISSUANCE TO FRESNO COUNTY OFFICE OF EDUCATION OF A GENERAL LEASE - PUBLIC AGENCY USE, BEGINNING DECEMBER 1, 2000, FOR A TERM OF 49 YEARS, FOR USE AND MAINTENANCE OF ACCESS RIGHTS OVER THE ACCESS EASEMENT DESCRIBED ON EXHIBIT B ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF $1,000,000.

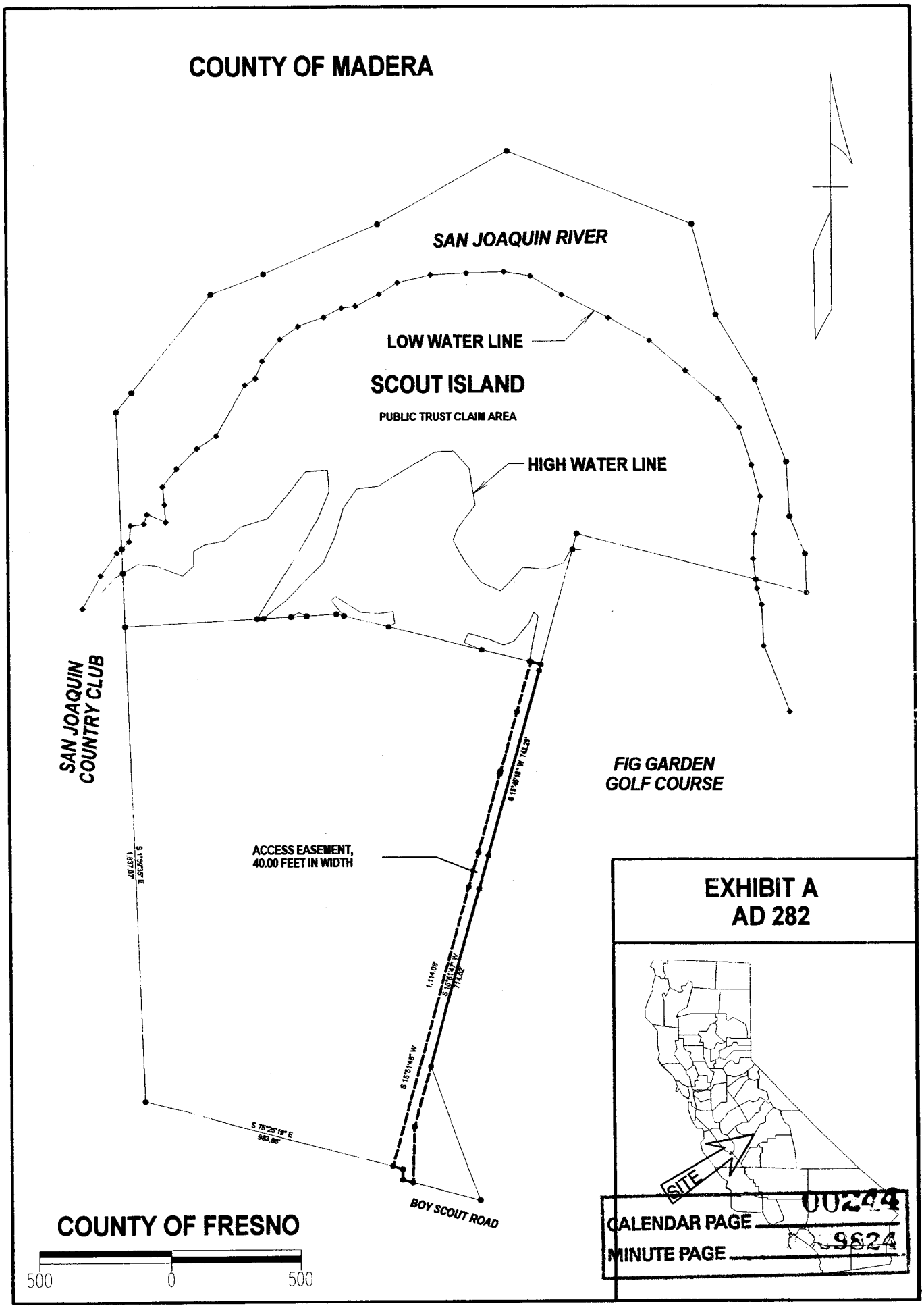
COUNTY OF MADERA
SAN JOAQUIN RIVER
LOW WATER LINE
SCOUT ISLAND
PUBLIC TRUST CLAIM AREA
HIGH WATER LINE
SAN JOAQUIN COUNTRY CLUB
FIG GARDEN GOLF COURSE
ACCESS EASEMENT, 40.00 FEET IN WIDTH
S 1°59'35" E 1,837.07'
S 16°46'18" W 742.29'
1,114.08'
S 16°51'47" W 714.02'
S 15°51'48" W
S 75°25'19" E 983.86'
BOY SCOUT ROAD
COUNTY OF FRESNO
500
0
500
EXHIBIT A
AD 282
SITE
CALENDAR PAGE 00244
MINUTE PAGE 9824

Exhibit B

Land Description

ACCESS EASEMENT

A Parcel of land situate in the City of Fresno and the County of Fresno State of California and being a portion of the East ½ of Section 25 and the North ½ of Section 36 both in T. 12 S., R.19 E., MDM and being a portion of those certain parcels conveyed by deeds recorded May 4, 1995 as Instrument Number 95054176 and April 15, 1996 as Instrument Number 96047805, both in the Official Records of Fresno County, California, described as follows:

BEGINNING at the most northerly corner of Parcel 2 as described in deed from Fig Garden Golf Course, Inc., to James R. Coson recorded on March 7, 1973 in Book 6137 of Official Records of Fresno County at page 201; thence along the southerly line of Lot 10 as described in the above referenced deed recorded May 4, 1995, N. 75° 25' 19" W., 40.00 feet; thence N. 15° 51' 48" E., 1251.67 feet; thence N. 15° 45' 18" E., 766.07 feet to the north line of Lot 1 as described in said deed recorded April 15, 1996; thence along said northerly line S. 75° 56' 32" E., 40.02 feet to the northeasterly corner of said Lot 1; thence along the easterly line of said Lot 1 and the easterly lines of Lots 12 and 11 as described in said deed recorded April 15, 1996 and the easterly line of said Lot 10 the following two courses: S. 15° 45' 18" W., 768.92 feet and S. 15° 51' 48" W., 847.52 feet; thence continuing S. 15° 51' 48" W., 237.54 feet; thence S. 1°58' 45" W., 212.61 feet to the southerly line of said Lot 10; thence along said southerly line N.75° 22" 09" W., 41.00 feet and N. 1° 58' 45" E., 41.81 feet to the POINT OF BEGINNING.

END OF DESCRIPTION