

**CALENDAR ITEM  
C14**

A 26

12/16/02

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WP 6878.9

T. Lipscomb

**GENERAL LEASE - PUBLIC AGENCY USE**

**APPLICANT:**

California Department of Parks and Recreation  
Caswell Memorial State Park  
28000 South Austin Road  
Ripon, CA 95366

**AREA, LAND TYPE, AND LOCATION:**

0.48 acres, more or less, of submerged lands in the Stanislaus River, near the city of Ripon and adjacent to Caswell Memorial State Park, San Joaquin County.

**AUTHORIZED USE:**

Maintenance of the existing rock and concrete riprap material utilized for erosion control and bank protection purposes.

**LEASE TERM:**

15 years, beginning April 22, 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 interest.

**OTHER PERTINENT INFORMATION:**

1. Applicant owns the uplands adjoining the lease premises.
2. On August 29, 1985, the Commission authorized a 15-year General Permit - Protective Structure Use to the State of California, Department of Parks and Recreation for bank protection. The bank protection project was constructed between 1978 and 1980 as an emergency measure to protect the upland campground of Caswell Memorial State Park from

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further erosion damage. The Department is now applying for a new General Lease - Public Agency Use for the same purpose.

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 1; Existing Facilities; Title 2, California Code of Regulations, section 2905 (a)(2).

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.

**EXHIBITS:**

- A. Site Plan
- B. Location Map

**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 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

**SIGNIFICANT LANDS INVENTORY FINDING:**

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE

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LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370,  
ET SEQ.

**AUTHORIZATION:**

AUTHORIZE ISSUANCE TO THE STATE OF CALIFORNIA,  
DEPARTMENT OF PARKS AND RECREATION OF A GENERAL LEASE-  
PUBLIC AGENCY USE, BEGINNING APRIL 22, 2000, FOR A TERM OF  
15-YEARS FOR MAINTENANCE OF THE EXISTING ROCK AND  
CONCRETE RIPRAP MATERIAL UTILIZED FOR EROSION CONTROL  
AND BANK PROTECTION PURPOSES ON THE LAND DESCRIBED ON  
EXHIBIT "A" ATTACHED AND BY THIS REFERENCE MADE A PART  
HEREOF; 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 STATES BEST INTEREST.