

MINUTE ITEM

This Calendar Item No. C25 was approved as Minute Item No. 25 by the California State Lands Commission by a vote of 3 to 0 at its 6-2-03 meeting.

**CALENDAR ITEM
C25**

A 29
S 14

06/02/03
PRC8220 WP 8220.9
J. Smith

AMENDMENT OF LEASE

LESSEE:

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 private road subject to a public 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.

PROPOSED AMENDMENT:

Expand the lease area to include sovereign lands and authorize the construction and maintenance of improvements associated with the Scout Island Outdoor Education Center. All other terms and conditions of the lease shall remain in effect without amendment.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.

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2. On November 27, 2000, the Commission authorized the issuance of Lease No. PRC 8220.9 to the Lessee for use and maintenance of a private road that is subject to a public access easement acquired by the State pursuant to Easement Deed recorded on August 29, 1997, as Document Number 97112137, Official Records of Fresno County. The easement allows for limited public access from the private road to the San Joaquin River. The Lessee needed to acquire the access rights from the Commission in order to complete the escrow for their purchase of Scout Island. The Lessee 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. In addition, overnight camping will be available to students and the facilities will be available for statewide public use on a reservation basis.

The Lessee has submitted an application requesting that the lease be amended: (1) to include an additional area of sovereign lands lying below the ordinary low water mark; and (2) to authorize the construction and maintenance of improvements associated with the Scout Island Outdoor Education Center. Various educational programs will be offered on a year-round basis. The improvements include a road/trail system, outdoor classrooms, swimming access, canoe put-in/storage, weather station/equipment station, camping facilities, restrooms and a discharge/return water pipeline in conjunction with the enhancement of Pirates Creek, removal of non-native vegetation and planting of native species including elderberry bushes, as shown on Exhibit A.

The area between the ordinary low and high water marks of the San Joaquin River is owned by the Lessee, subject to the Public Trust Easement. As to those improvements that will be constructed on lands subject to the Public Trust Easement, Commission staff believes that the improvements proposed will not interfere with and are not inconsistent with Public Trust needs.

The project has received the support of the San Joaquin River Parkway and Conservation Trust (Trust). The Trust plans to utilize the Lessee's facilities during their summer River Camp, which is held between June and August.

3. A Mitigated Negative Declaration was prepared and adopted for this project by the Fresno County Office of Education. The Commission's staff

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has reviewed this document. A Mitigation Monitoring Program was adopted by the Fresno County Office of Education.

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:

Reclamation Board.

FURTHER APPROVALS REQUIRED:

U.S. Army Corps of Engineers; Regional Water Quality Control Board; California Department of Fish and Game; California State Lands Commission; City and County of Fresno; Fresno Metropolitan Flood Control District.

EXHIBITS:

- A. Land Description
- B. Location and Site Map
- C. Notice of Determination

PERMIT STREAMLINING ACT DEADLINE:

October 21, 2003

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT A MITIGATED NEGATIVE DECLARATION AND A MITIGATION MONITORING PROGRAM WERE PREPARED AND ADOPTED FOR THIS PROJECT BY THE FRESNO COUNTY OFFICE OF EDUCATION AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

ADOPT THE MITIGATION MONITORING PROGRAM, AS CONTAINED IN THE MITIGATED NEGATIVE DECLARATION, ON FILE IN THE SACRAMENTO OFFICE OF THE COMMISSION.

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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.

PUBLIC TRUST LANDS FINDING:

FIND THAT THE PROPOSED IMPROVEMENTS WILL NOT INTERFERE WITH AND ARE NOT INCONSISTENT WITH PUBLIC TRUST NEEDS.

AUTHORIZATION:

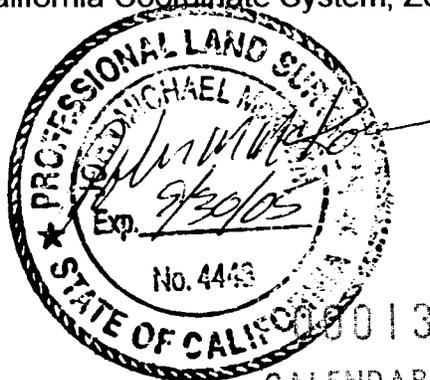
AUTHORIZE THE AMENDMENT OF LEASE NO. PRC 8220.9, A GENERAL LEASE - PUBLIC AGENCY USE, OF LANDS DESCRIBED ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF, EFFECTIVE JUNE 2, 2003, TO EXPAND THE LEASE AREA TO INCLUDE SOVEREIGN LANDS AND AUTHORIZE THE CONSTRUCTION AND MAINTENANCE OF IMPROVEMENTS ASSOCIATED WITH THE SCOUT ISLAND OUTDOOR EDUCATION CENTER; ALL OTHER TERMS AND CONDITIONS OF THE LEASE WILL REMAIN IN EFFECT WITHOUT AMENDMENT.

EXHIBIT A

A parcel of submerged land in the bed of the San Joaquin River lying adjacent to fractional Section 25, T. 12 S., R. 19 E. MDM, situate in Fresno and Madera Counties, California more particularly described as follows:

BEGINNING at a point on the Low Water Line of the Left Bank of the San Joaquin River as said line is shown on the Administrative Maps of said river dated March 1992 on file in the Offices of the California State Lands Commission, said point having coordinates of N = 2,196,155.402 feet and E = 6,316,083.802 feet, thence along said Low Water Line the following courses: N 6°59'06" W, a distance of 107.27 feet; thence N 2°45'22" E, a distance of 96.58 feet; thence N 9°58'07" E, a distance of 147.09 feet; thence N 15°22'38" W, a distance of 125.82 feet; thence N 18°14'22" W, a distance of 150.61 feet; thence N 35°49'52" W, a distance of 136.50 feet; thence N 49°48'41" W, a distance of 167.17 feet; thence N 49°46'20" W, a distance of 181.81 feet; thence N 60°25'14" W, a distance of 180.14 feet; thence N 63°28'17" W, a distance of 200.40 feet; thence N 59°16'47" W, a distance of 142.69 feet; thence N 81°08'33" W, a distance of 102.72 feet; thence S 88°04'29" W, a distance of 143.90 feet; thence S 87°20'58" W, a distance of 142.57 feet; thence S 77°16'56" W, a distance of 131.27 feet; thence S 57°35'32" W, a distance of 85.29 feet; thence S 63°10'06" W, a distance of 101.65 feet; thence S 82°41'27" W, a distance of 54.90 feet; thence S 62°55'14" W, a distance of 77.44 feet; thence S 70°43'08" W, a distance of 107.66 feet; thence S 55°39'01" W, a distance of 86.23 feet; thence S 39°59'47" W, a distance of 108.45 feet; thence S 21°24'06" W, a distance of 72.76 feet; thence S 58°55'27" W, a distance of 47.99 feet; thence S 29°54'01" W, a distance of 225.45 feet; thence S 57°19'02" W, a distance of 88.34 feet; thence S 45°25'38" W, a distance of 110.08 feet; thence S 38°08'40" W, a distance of 85.68 feet; thence S 4°33'15" E, a distance of 69.84 feet; thence S 4°43'14" E, a distance of 67.09 feet; thence N 67°24'46" W, a distance of 77.23 feet; thence S 18°00'39" W, a distance of 39.02 feet; thence S 82°15'04" W, a distance of 51.57 feet; thence S 4°27'47" W, a distance of 61.23 feet; thence S 45°12'48" W, a distance of 39.02 feet; thence leaving said Low Water Line N 18°36'13" E, a distance of 1175.85 feet; thence N 86°02'07" E, a distance of 802.16 feet; thence N 69°57'26" E, a distance of 868.01 feet; thence S 77°03'42" E, a distance of 202.67 feet; thence S 24°51'35" E, a distance of 1505.96 feet; thence S 60°15'09" W, a distance of 422.62 feet; to the POINT OF BEGINNING.

Coordinates, bearings and distances used in the above description are based on the California Coordinate System, Zone 4 (NAD 83).



END OF DESCRIPTION

5/13/03

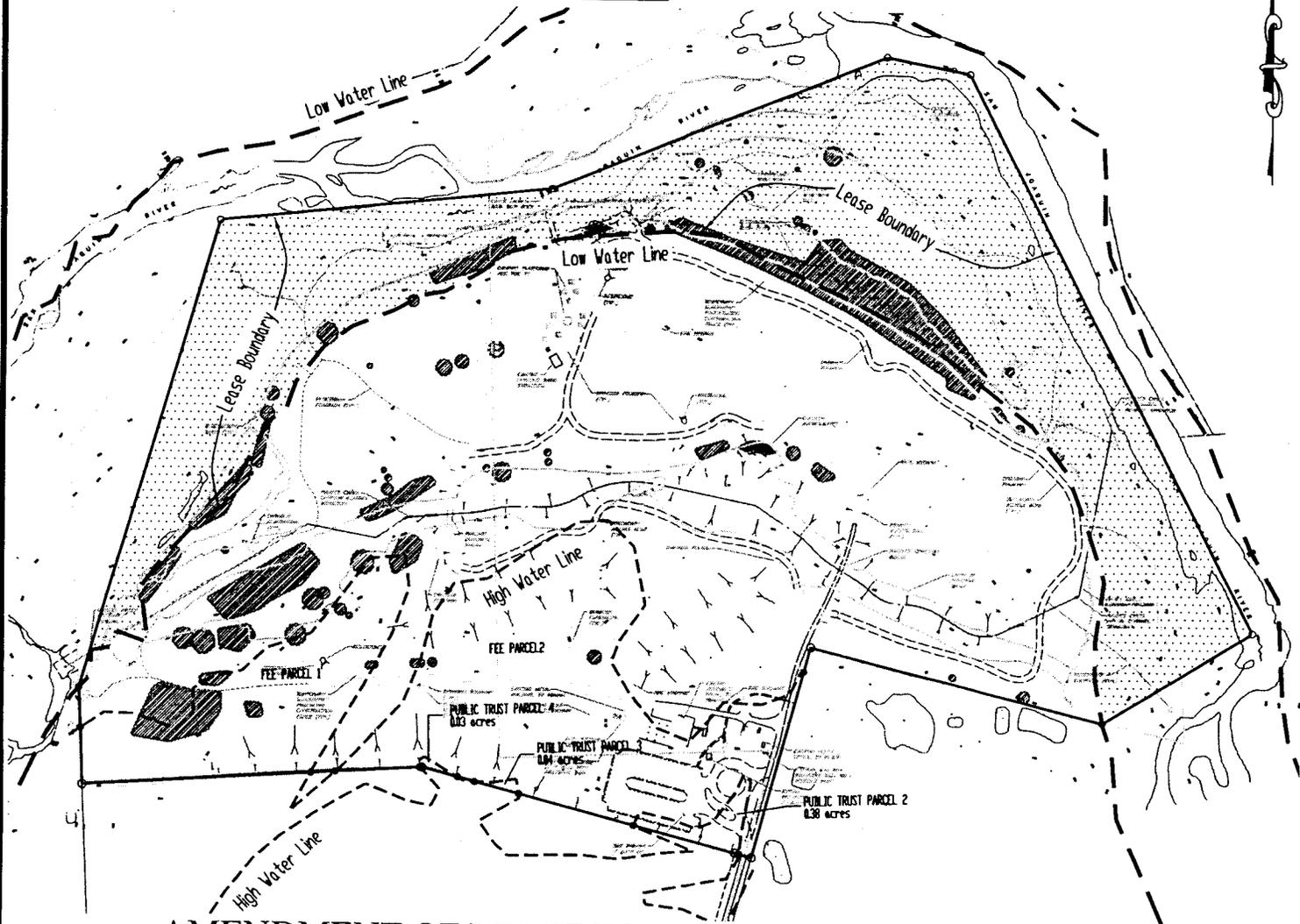
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NO SCALE

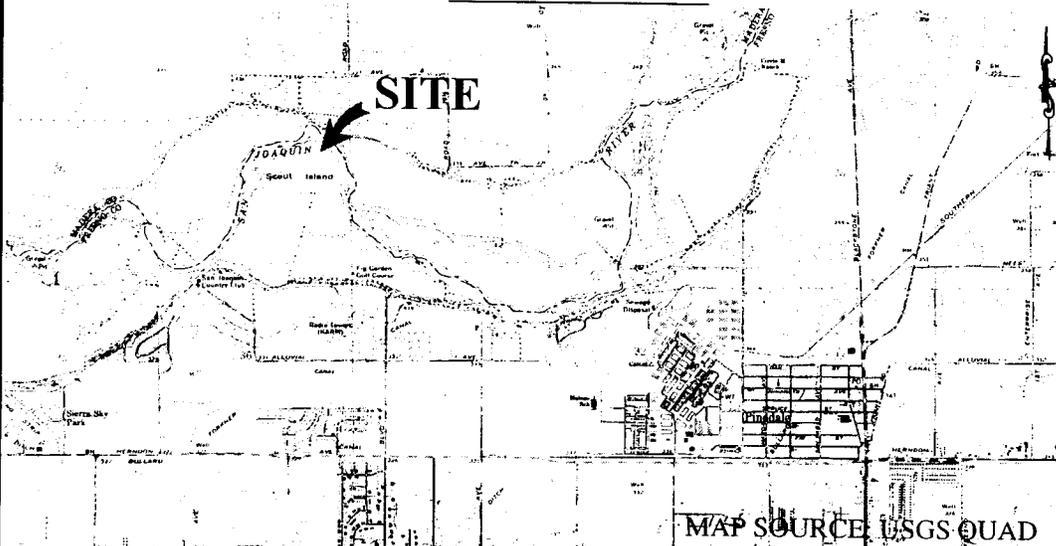
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AMENDMENT OF LEASE FOR SCOUT ISLAND OUTDOOR EDUCATION CENTER IMPROVEMENTS

NO SCALE

LOCATION



MAP SOURCE USGS QUAD

Exhibit B

WP 8220.9
 FRESNO COUNTY
 OFFICE OF EDUCATION
 SCOUT ISLAND
 FRESNO COUNTY



This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties 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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CEQA Appendix D: Notice of Determination

JAN 17 2003

By: [Signature] FRESNO COUNTY CLERK DEPUTY

Notice of Determination

E200310000023

Appendix D

To: Office of Planning and Research 1400 Tenth Street, Room 121 Sacramento, CA 95814

From: (Public Agency) Fresno County Office of Education 1111 Van Ness Avenue Fresno, CA 93721

X County Clerk County of Fresno

Subject:

Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

Scout Island Outdoor Education Center Project Title

2002081050 State Clearinghouse Number

Jamie Perry Lead Agency Contact Person

(559) 497-3721 Area Code/Telephone/Extension

APN 500-020-08, 500-020-09, 500-020-10; 7695 N. Van Ness Avenue, Fresno, CA 93711, Fresno County Project Location (include county)

Project Description:

Development of a regional outdoor education center on an 82-acre site along the south bank of the San Joaquin River in the City of Fresno and Fresno County.

This is to advise that the Fresno County Office of Education has approved the above described project on January 16, 2003 and has made the following determinations regarding the above described project.

- 1. The project [will not] have a significant effect on the environment
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
3. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
4. Mitigation measures [were] [were not] made a condition of the approval of the project.
5. A statement of Overriding Considerations [was] [was not] adopted for this project.
6. Findings [were] [were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval is available to the General Public at: Fresno County Office of Education, 1111 Van Ness Avenue, Fresno, CA 93721-2000

[Signature] January 17, 2003 Deputy Superintendent, Business

Date received for filing at OPR:

Revised October 199