MINUTE ITEM

This Calendar Item No. C45 was approved as Minute Item No. 45 by the California State Lands Commission by a vote of 2 to 0 at its 06/07/04 meeting.

CALENDAR ITEM
C45

A 2

S 2

06/07/04
PRC 7307 WP 7307.9
B. Young

AMENDMENT OF GENERAL LEASE-PUBLIC AGENCY USE

APPLICANT/LESSEE:

County of Del Norte
840 9th Street
Crescent City, CA 95531

AREA, LAND TYPE, AND LOCATION:

0.14 acres, more or less, of tide and submerged lands in the bed of the Klamath River near Klamath, Del Norte County.

EXISTING AUTHORIZED USE:

Use and maintenance of an existing boat launching facility.

LEASE TERM:

49 years, beginning May 1, 1989.

PROPOSED AMENDMENT:

The Authorized Improvements contained in the existing Lease are amended to authorize the following: A two-lane 30-foot wide concrete boat launch ramp, bank slope excavation of a maximum of 3,000 cubic yards of material for the installation of the launching ramp and placement of rock riprap protection adjacent to the ramp and revegetation of the excavated area.

SECTION 2, SPECIAL PROVISIONS of the Lease is amended to include the following: Lessee agrees to the inclusion of the following native grass seed mix into the revegetation plan: creeping wildrye (Leymus Triticoides), CA oatgrass (Danthonio Californica), and meadow barley (Hordeum Brachyarntherum). Planting should occur at the most optimal time of year for successful establishment.

SECTION 3, Land Description is amended to include the attached Section 3, Exhibit A, Site Map.

CONSIDERATION:

Consideration for the boat launching facility being; the public's health, safety, use and benefit, with State reserving the right at any time to set a monetary rental if the Commission finds such action to be in the State's best interest.

As to the excavation for the installation of launch ramp and rock riprap bank protection, no monertary consideration for the excavated material, which will be disposed of at an approved upland disposal site; a royalty of $0.25 per cubic yard will be charged for any material used for private benefit or commercial sale purposes.

OTHER PERTINENT INFORMATION:

1. On July 10, 1989, the Commission authorized the issuance of a General Lease - Public Agency Use to Del Norte County (County) for a boat launching facility on the Klamath River. That lease will expire on April 30, 2038. The County wishes to improve the existing facility by modifying the angle of the launch ramp, excavating approximately 3,000 cubic yards of material for the installation of the launch ramp and by placing rock riprap protection upstream and downstream of the ramp, and vegetating the excavated area.

2. A Negative Declaration was prepared and adopted for this project by Del Norte County. The California State Lands Commission's staff has reviewed such document.

3. A Mitigation Monitoring Program was not adopted by Del Norte County.

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.

APPROPVAL OBTAINED:

U.S. Environmental Protection Agency and California Department of Fish and Game

APPROVALS REQUIRED:

U.S. Army Corps of Engineers and California North Coast Regional Water Quality Control Board

EXHIBITS:

A. Site Map
B. Location Map

PERMIT STREAMLINING ACT DEADLINE:

July 13, 2004

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT A NEGATIVE DECLARATION WAS PREPARED AND ADOPTED FOR THIS PROJECT BY DEL NORTE COUNTY ON SEPTEMBER 5, AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

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.

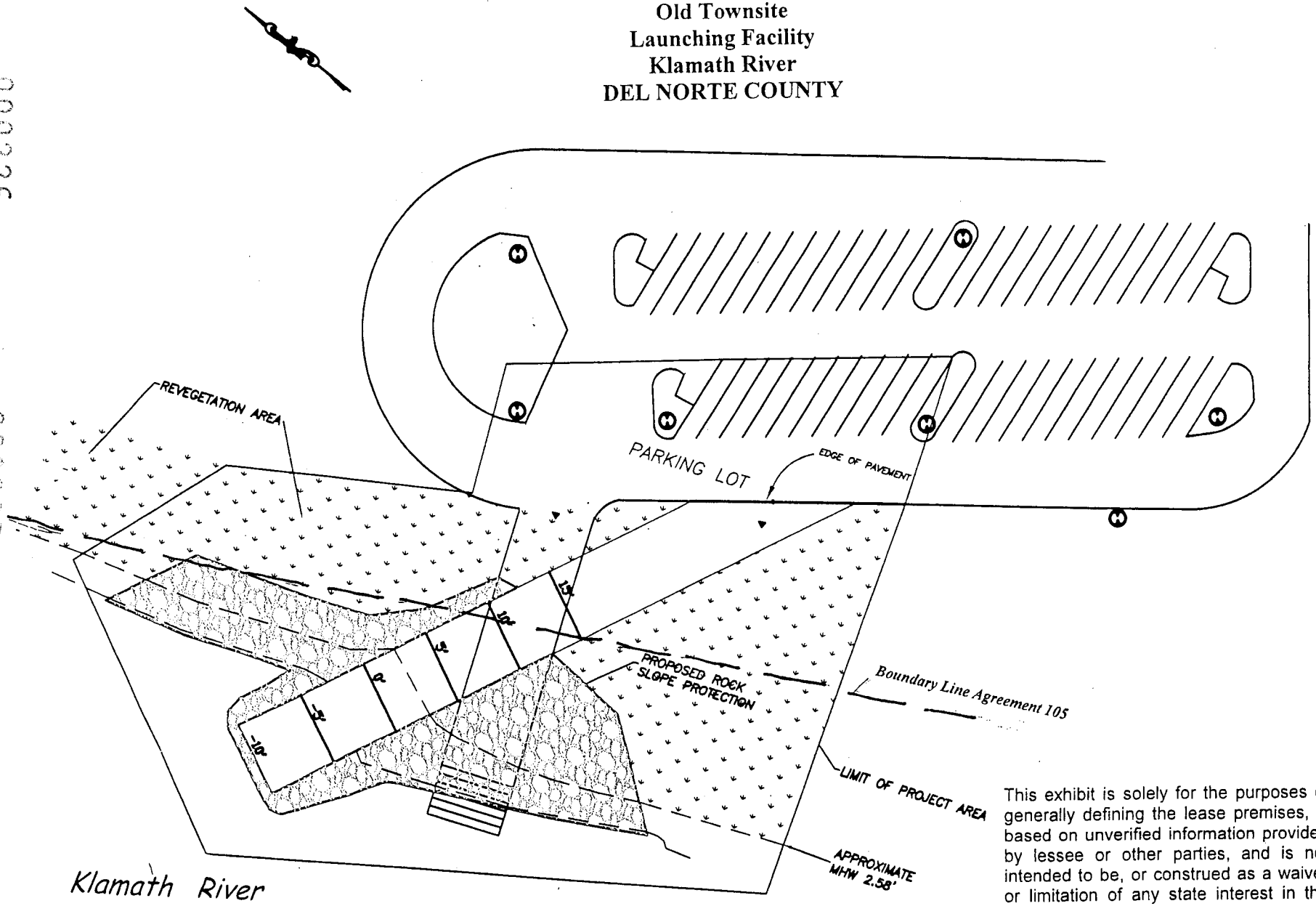
AUTHORIZATION:

AUTHORIZE THE AMENDMENT OF LEASE PRC 7307.9, A GENERAL LEASE – PUBLIC AGENCY USE, OF LANDS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF, EFFECTIVE JUNE 1, 2004, TO REVISE THE AUTHORIZED IMPROVEMENTS TO INCLUDE A TWO-LANE, 30-FOOT WIDE CONCRETE BOAT LAUNCH RAMP, BANK SLOPE EXCAVATION OF A MAXIMUM OF 3,000 CUBIC YARDS OF MATERIAL FOR THE INSTALLATION OF THE LAUNCHING RAMP AND PLACEMENT OF ROCK RIPRAP PROTECTION UPSTREAM AND DOWNSTREAM OF THE RAMP AND REVEGETATION OF THE EXCAVATED AREA. SECTION 2, SPECIAL PROVISIONS OF THE LEASE IS AMENDED TO INCLUDE THE FOLLOWING: LESSEE AGREES TO THE INCLUSION OF THE FOLLOWING NATIVE GRASS SEED MIX INTO THE REVEGETATION PLAN: CREEPING WILDRYE (LEYMUS RITICOIDES), CA OATGRASS (DANTHONIO CALIFORNICA), AND MEADOW BARLEY (HORDEUM BRACHYARNTHERUM). PLANTING SHOULD COCUR AT

THE MOST OPTIMAL TIME OF YEAR FOR SUCCESSFUL ESTABLISHMENT. SECTION 3, LAND DESCRIPTION IS AMENDED TO INCLUDE THE ATTACHED EXHIBIT A, SITE MAP. CONSIDERATION FOR THE BOAT LAUNCHING FACILITY BEING; THE PUBLIC'S HEALTH, SAFETY, USE AND BENEFIT, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENTAL IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; AS TO THE EXCAVATION OF 3,000 CUBIC YARDS OF MATERIAL, WHICH WILL BE DISPOSED OF AT AN APPROVED UPLAND DISPOSAL SITE, NO MONETARY CONSIDERATION; A ROYALTY OF $0.25 PER CUBIC YARD WILL BE CHARGED FOR ANY MATERIAL USED FOR PRIVATE BENEFIT OR COMMERCIAL SALE PURPOSES; ALL OTHER TERMS AND CONDITIONS OF THE LEASE WILL REMAIN IN EFFECT WITHOUT AMENDMENT.

SITE MAP

EXHIBIT A
PRC 7309.9
Old Townsite
Launching Facility
Klamath River
DEL NORTE COUNTY



This exhibit is solely for the purposes of generally defining the lease premises, is based on unverified information provided by lessee or other parties, and is not intended to be, or construed as a waiver or limitation of any state interest in the subject or any other property.

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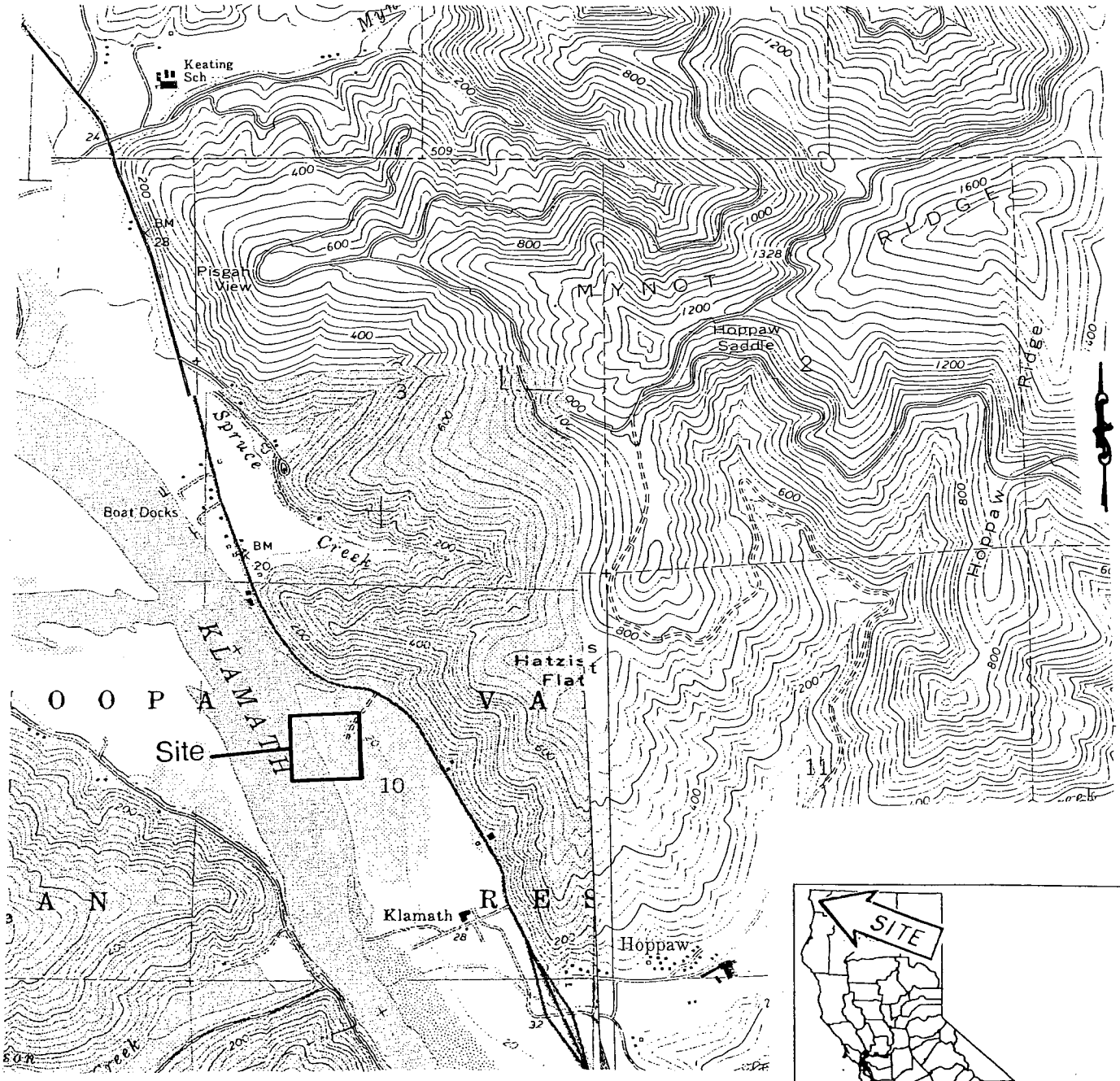
LOCATION MAP

EXHIBIT B
PRC 7309.9
Old Townsite
Launching Facility
Klamath River
DEL NORTE COUNTY



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