

MINUTE ITEM

This Calendar Item No. C65 was approved as Minute Item No. 65 by the California State Lands Commission by a vote of 3 to 0 at its 06/26/06 meeting.

CALENDAR ITEM  
**C65**

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S 4

06/26/06  
PRC 7192  
D. Oetzel

**GENERAL LEASE - HABITAT RESTORATION USE**

**APPLICANT:**

Reservation Ranch  
Mr. Steven Westbrook  
P.O. Box 75  
341 Sarina Road  
Smith River, CA 95567

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

Sovereign lands in the Smith River near 341 Sarina Road, approximately three miles southwest of the town of Smith River, Del Norte County.

**AUTHORIZED USE:**

To increase and enhance the habitat for juvenile salmon in the Smith River.

**LEASE TERM:**

Five years, beginning June 15, 2006.

**CONSIDERATION:**

The public use and benefit; with the State reserving the right at any time to set a monetary royalty and/or rent on sand and gravel extracted if the Commission finds such action to be in the State's best interest.

**SPECIFIC LEASE PROVISIONS:**

Liability insurance with coverage of no less than \$1,000,000.

**OTHER PERTINENT INFORMATION:**

1. The Applicant owns the Reservation Ranch uplands adjoining the lease premises.
2. The proposed project is located approximately three miles southwest of the town of Smith River, California, and approximately two and one-half miles from the mouth of the Smith River at the Pacific Ocean. The project

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site is in a tidal and flood-prone area periodically inundated by seasonally high flows of the Smith River.

3. The Smith River provides habitat for Southern Oregon/Northern California Coast coho salmon which is listed as Threatened under the State and Federal Endangered Species Acts.
4. The project is proposed to enhance and provide additional rearing and cover habitat for juvenile salmon through implementation of the following activities:
  - a. Skimming a layer of sediment of one and one-half to two feet from the surface of the project area between the vegetation line and the summer low flow elevation of the Smith River Estuary to encourage the colonization of emergent wetland vegetation; and
  - b. Excavating three tidally influenced side channels and one new channel by approximately three feet and then installing the lower trunks and root fans of large trees. The channels will be designed to maximize inundation by the flood tide.
5. Public access to the River near the project area is available through the Tolowa Dunes State Park located on the opposite riverbank from Reservation Ranch. Other land uses surrounding the project area are dairy farming and pasture management. No dwellings or developments are present in properties immediately surrounding the project area.
6. The proposed project will be located at a previously mined gravel site.
7. A maximum of 20,000 cubic yards of sand and gravel will be removed from the site and stored on the Reservation Ranch. The Applicant may eventually use the material for ranch purposes.
8. A Negative Declaration was prepared and adopted for this project by the County of Del Norte. The California State Lands Commission's staff has reviewed the document.
9. A Mitigation Monitoring Program was not adopted by County of Del Norte.

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10. 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:**

County of Del Norte  
California Department of Conservation

**FURTHER APPROVALS REQUIRED:**

United States Army Corps of Engineers  
California Coastal Commission  
California Department of Fish and Game

**EXHIBIT:**

- A. Location and Site Map

**RECOMMENDED ACTION:**

IT IS RECOMMENDED THAT THE COMMISSION:

**CEQA FINDING:**

FIND THAT A NEGATIVE DECLARATION WAS PREPARED AND ADOPTED FOR THIS PROJECT BY THE COUNTY OF DEL NORTE 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 ISSUANCE TO RESERVATION RANCH, A CALIFORNIA PARTNERSHIP, OF A GENERAL LEASE - HABITAT RESTORATION USE, BEGINNING JUNE 15, 2006, FOR A TERM OF FIVE YEARS FOR RESTORATION AND ENHANCEMENT OF SALMON HABITAT ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; IN CONSIDERATION OF THE PUBLIC USE

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AND BENEFIT, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY ROYALTY AND/OR RENTAL ON SAND AND GRAVEL EXCAVATED IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; LIABILITY INSURANCE WITH COVERAGE OF NO LESS THAN \$1,000,000.

