CALENDAR ITEM

C19

A 25, 26 01/29/09

WP 2350.9

S 12, 14 M. Clark

GENERAL LEASE – PUBLIC AGENCY USE

APPLICANT:

County of Stanislaus
1716 Morgan Road
Modesto, California 95358

AREA, LAND TYPE, AND LOCATION:

0.46 acres, more or less, of sovereign lands in the Tuolumne River, adjacent to Assessor's Parcel No. 18-05-04 and 18-03-06, between the cities of Turlock and Oakdale, Stanislaus County.

AUTHORIZED USE:

Continued use and maintenance of an existing bridge known as the Geer Road Bridge as shown on Exhibit A.

LEASE TERM:

20 Years, beginning February 24, 2008.

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 has the right to use the uplands adjoining the lease premises.

2. On February 24, 1959, the Commission authorized a 49-year Right-of-Way Permit to the County of Stanislaus. That permit expired February 23, 2008, and the County is now applying for a new General Lease – Public Agency Use for the existing bridge.

3. The Geer Road bridge span crossing the Tuolumne River was constructed in 1960 with a total length of 656 feet, of which 133 feet in length crosses the historic bed of the River. On October 3, 2007, an inspection of the bridge was conducted by the California Department of Transportation and

no substantive issues were found. The County continues to perform regularly scheduled maintenance and repairs.

4. 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.

5. 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 and Location Map
B**.** Land Description

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:

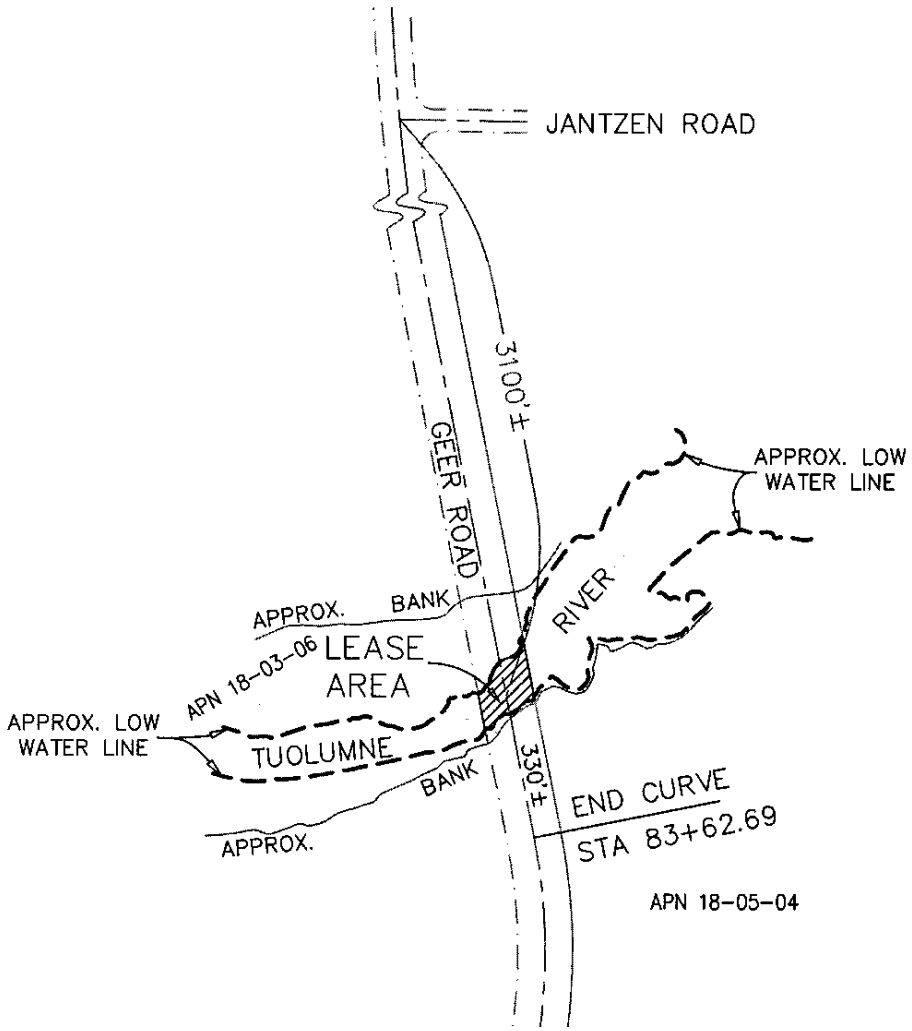
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE OF A GENERAL LEASE – PUBLIC AGENCY USE TO THE COUNTY OF STANISLAUS BEGINNING FEBRUARY 24, 2008, FOR A TERM OF 20 YEARS, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING BRIDGE AS SHOWN ON EXHIBIT A (FOR REFERENCE PURPOSES ONLY) AND AS DESCRIBED ON EXHIBIT B ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION TO BE 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.

NO SCALE

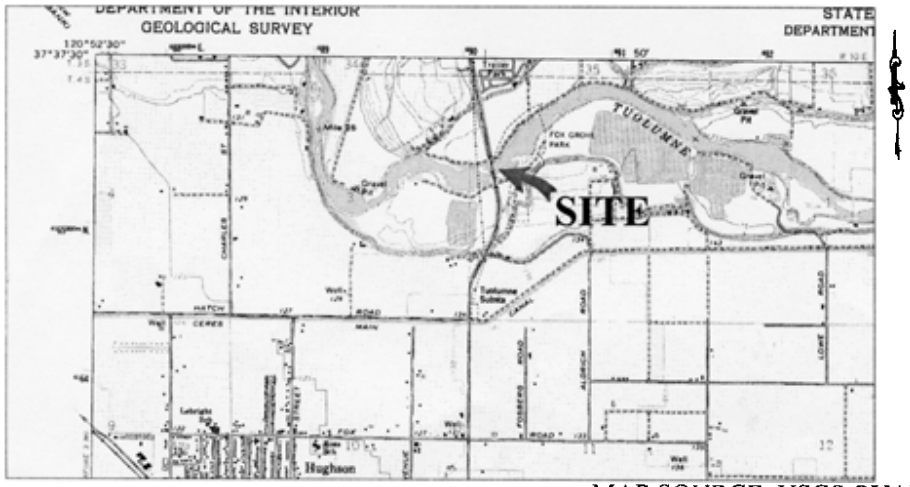
SITE



GEER ROAD CROSSING OF THE TUOLUMNE RIVER, HUGHSON AREA

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

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.

Exhibit A

WP 2350.9
GENERAL LEASE
PUBLIC AGENCY USE
COUNTY OF
STANISLAUS

EAP 8/8/2008