

MINUTE ITEM

1/30/75  
EPW

7. AMENDMENT OF LEASE PRC 3446, TIDE AND SUBMERGED LAND IN THE KLAMATH RIVER, DEL NORTE COUNTY; STATE DEPARTMENT OF TRANSPORTATION - W 20135, PRC 3446.

After consideration of Calendar Item 5 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. DETERMINES THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21065; 14 CAL. ADM. CODE 15037 AND 15101(c), AS AMENDED; AND 2 CAL. ADM. CODE 2910.
2. AUTHORIZES THE ISSUANCE TO THE STATE DEPARTMENT OF TRANSPORTATION OF AN AMENDMENT TO LEASE PRC 3446 EFFECTIVE JANUARY 1, 1975; FOR CONSIDERATION AS SET FORTH IN SECTION 101.5 OF THE STREETS AND HIGHWAYS CODE; FOR THE PURPOSE OF MAINTAINING A STATE HIGHWAY OVER AND UPON TWO PARCELS OF SOVEREIGN LAND IN THE BED OF THE KLAMATH RIVER, DEL NORTE COUNTY, AS DESCRIBED ON DIVISION OF HIGHWAYS MAP 01-DN-101-694-1, PARCEL NO. 5964 ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF.

Attachment:

Calendar Item 5 (2 pages)

A 2  
S 2

CALENDAR ITEM

1/75  
EPW  
W 20135

5.

AMENDMENT OF LEASE PRC 3446

APPLICANT: State Department of Transportation.

AREA, TYPE LAND AND LOCATION:

A 4.274-acre and a 0.447-acre parcel of inland tide and submerged land in the Klamath River, Del Norte County.

LAND USE: Maintenance of a State highway.

TERMS OF ORIGINAL LEASE:

Period: Indefinite period, from March 17, 1966.

CONSIDERATION: As set forth by Section 101.5, Streets and Highways Code.

BASIS FOR CONSIDERATION:

Chapter 1052, Statutes of 1969.

PREREQUISITE TERMS:

Applicant is owner of upland.

STATUTORY AND OTHER REFERENCES:

- a. Public Resources Code: Div. 6, Parts 1 and 2.
- b. Administrative Code: Title 2, Div. 3, Arts. 1, 2 & 10.
- c. Streets and Highways Code: Section 101.5.

OTHER PERTINENT INFORMATION:

1. The State Lands Commission entered into an agreement for the reservation of lands for highway purposes dated March 17, 1966. This agreement was amended and authorized as Minute Item 7 and Minute Item 6, August 8, 1966, and April 27, 1967, respectively, to include additional areas of sovereign land. These lands were within an area in which the boundary lines of the State sovereignty had not been established. It was in the State's best interest to proceed with the scheduled construction of the highway at that time. Subsequently, the State's sovereign interest has been established in Boundary Line Agreement No. 105, recorded February 19, 1969, Book 139, page 401 in the office of the County Recorder in Del Norte County. Therefore, it is the purpose of this application to further amend the agreement to cover those lands of sovereign interest as shown on Exhibit "A" attached.

CALENDAR ITEM NO. 5. (CONTD)

2. An environmental impact report is not required as this is an existing facility and a non-project transaction. There is no change in the environmental setting. This transaction falls within the purview of 14 Cal. Adm. Code 15037(c), as amended, which categorically exempts existing highways and streets.

EXHIBITS:

A. Land Description.

B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21065; 14 CAL. ADM. CODE 15037 AND 15101(c), AS AMENDED; AND 2 CAL. ADM. CODE 2910.
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