

MINUTE ITEM

Calendar Item No. 009  
was approved as a Calendar Item  
No. 9 by the State Lands  
Commission by a vote of 3  
to 0 at its 12/22/83  
meeting.

CALENDAR ITEM

009 - 4

12/22/83  
WP 6139  
Louie

AMENDMENT OF LEASE PRC 6139.9  
GENERAL PERMIT - PUBLIC AGENCY USE

APPLICANT: Monterey County Flood Control and  
Water Conservation District  
P. O. Box 930  
Salinas, California 93902  
Attention: Mr. Joseph Madruga

AREA, TYPE LAND AND LOCATION:  
A 0.986-acre parcel of tide and submerged  
land in the Salinas River at Potrero Road,  
near Moss Landing, Monterey County.

LAND USE: Maintenance of Potrero Road, tidegate structure,  
riprap, agricultural drains and access  
ramp.

TERMS OF ORIGINAL PERMIT:  
Initial period: 49 years from April 1,  
1982.

Consideration: Public use and benefit.

TERMS OF PROPOSED AMENDMENT:  
The amendment provides for a new land description  
and authorizes the addition of agricultural  
drains and access ramp. All other terms  
and conditions are to remain in full force  
and effect. The amendment is effective  
on January 1, 1984.

CONSIDERATION: The public use and benefit.

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CALENDAR ITEM NO. 009 (CONTD)

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Adm. Code 2003.

APPLICANT STATUS:

Applicant is owner of upland.

STATUTORY AND OTHER REFERENCES:

- A. F.R.C.: Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884:

N/A.

OTHER PERTINENT INFORMATION:

1. Lease PRC 6139.9 was issued by the State Lands Commission for the installation of a tidegate structure and appurtenances in the Salinas River. The installation of the tidegate structure and culverts has unexpectedly resulted in water levels remaining higher than their historical levels during certain periods of the year and therefore is adversely affecting upstream agricultural fields. To alleviate the problem, the Flood Control District is proposing to add agricultural drains at the subject site. The project will involve installation of an access ramp and additional riprap as well.
2. The annual rental value of the site is estimated to be \$100.
3. Pursuant to CEQA and the State CEQA Guidelines, a Negative Declaration was prepared and certified by the County of Monterey, which found that the project will not have a significant effect on the environment.
4. The project is situated on lands identified as possessing significant environmental values pursuant to F.R.C. 6370.1 and is classified in a use category "A" which authorizes Restricted Use. The project as proposed will not have a significant effect upon the identified environmental values.

CALENDAR ITEM NO. 609 (CONTD)

5. Since the additional work is an extension of the original tidegate structure and is necessary to alleviate flooding problems caused by that installation, the staff is recommending that the processing fee be waived.

EXHIBITS:           A. Land Description.  
                      B. Location Map.  
                      C. Negative Declaration.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT A NEGATIVE DECLARATION HAS BEEN PREPARED FOR THIS PROJECT BY THE COUNTY OF MONTEREY.
2. CERTIFY THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED IN THE NEGATIVE DECLARATION.
3. DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT; AND FIND THAT THE PROJECT IS CONSISTENT WITH THE LAND'S USE CLASSIFICATION, PURSUANT TO PRC 6370.1.
4. WAIVE THE PROCESSING FEE.
5. AUTHORIZE ISSUANCE TO MONTEREY FLOOD CONTROL AND WATER CONSERVATION DISTRICT OF AN AMENDMENT TO LEASE PRC 6139.9. TO PROVIDE FOR THE INSTALLATION OF AGRICULTURAL DRAINS, ACCESS RAMP AND ADDITIONAL RIPRAP AND AMENDMENT OF THE LAND DESCRIPTION TO THAT SHOWN ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF. THE EFFECTIVE DATE OF THIS AMENDMENT IS JANUARY 1, 1984.

|  |      |
|--|------|
|  | 46   |
|  | 2754 |

EXHIBIT "A"

LAND DESCRIPTION

WP 6139

A strip of tide and submerged land 125 feet wide in the old channel of the Salinas River lying southerly of the centerline of Potrero Road, Monterey County, California, the northerly line of said strip being described as follows:

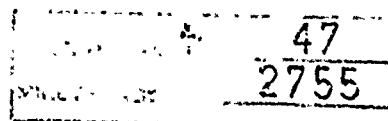
BEGINNING at a 6" diameter concrete monument set 11" underground at the intersection of the centerline of Potrero Road and the western boundary of Rancho Bolsa Nueva y Moro Cojo as shown on the Record of Survey filed for record May 22, 1967 in Book 8 of Maps of Survey, Page 38, Official Records, Monterey County; thence N 71° 18' 03" W 343.56 feet along said centerline to the southerly end of Boundary Line Agreement No. 54 as shown on said record of survey and the end of the herein described line.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark in said channel.

This description is based on the California Coordinate System, Zone 4.

END OF DESCRIPTION

PREPARED NOVEMBER 9, 1983 BY BOUNDARY AND TITLE UNIT, LEROY WEED, SUPERVISOR.



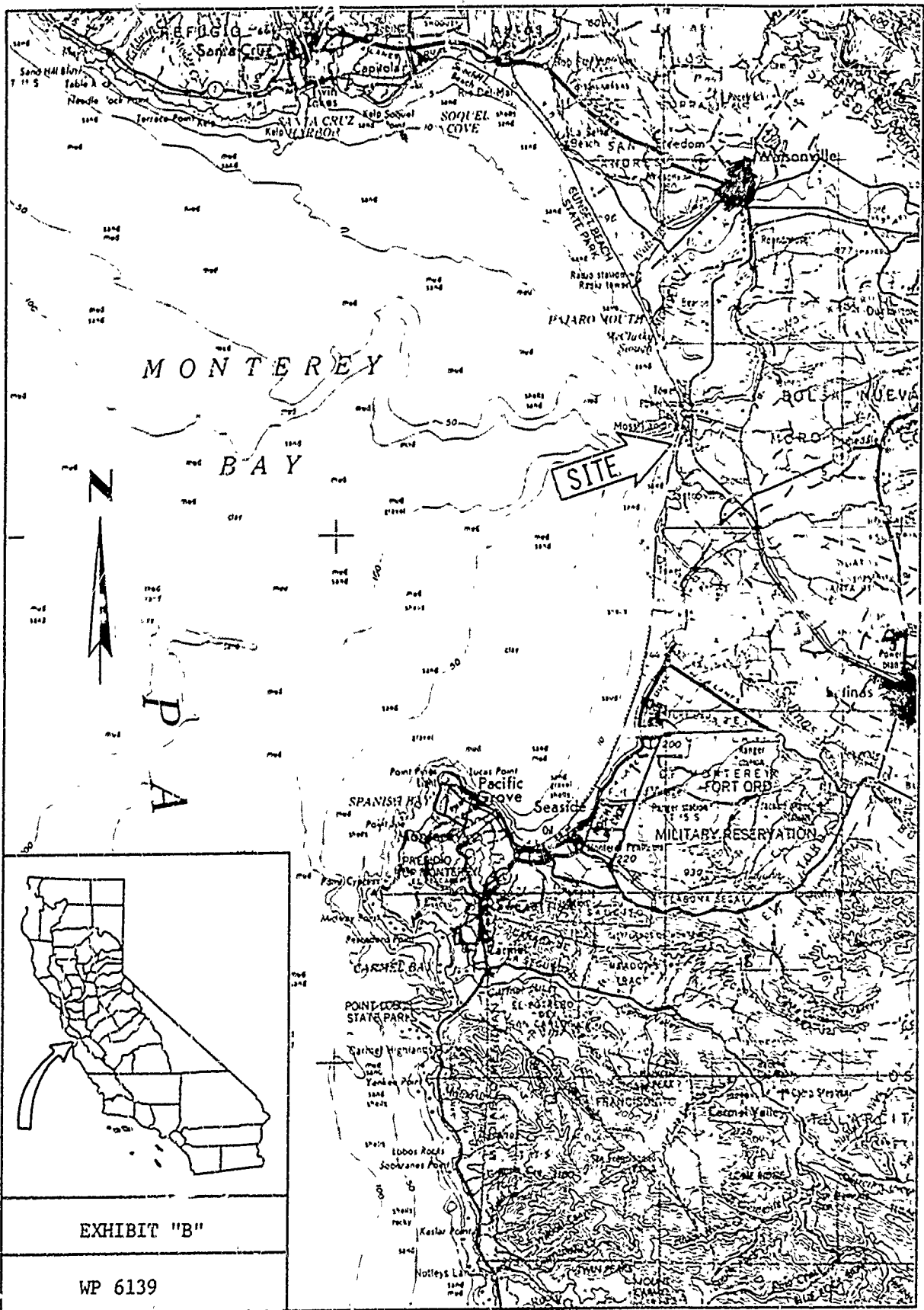


EXHIBIT "B"

WP 6139

48  
2756

EXHIBIT "C"

NEGATIVE DECLARATION

FILED  
SCH # 83100411

SEP 23 9 14 AM 1983

ERNEST A. MAGGINI  
MONTEREY COUNTY CLERK  
DEPUTY

|                    |                      |
|--------------------|----------------------|
| RESPONSIBLE AGENCY | DECISION MAKING BODY |
| COUNTY OF MONTEREY | Board of Supervisors |
| PROJECT TITLE      | WP 6139              |

|   |           |          |           |
|---|-----------|----------|-----------|
| ADDRESS                                       | CITY      | STATE    | ZIP CODE  |
| Flood Control and Water Conservation District |           |          |           |
| CONTACT PERSON                                | AREA CODE | PHONE    | EXTENSION |
| LYNNE MOUNDAY, SENIOR PLANNER                 | 408       | 422-118  | 30        |
| J. L. Binder, Acting Dist. Engr               | 408       | 422-0356 | 217       |

THIS PROPOSED PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT AS IT HAS BEEN FOUND:

- (a) That said project will not have the potential to significantly degrade the quality of the environment.
- (b) That said project will have no significant impact on long term environmental goals.
- (c) That said project will have no significant cumulative effect upon the environment.
- (d) That said project will not cause substantial adverse effects on human beings, either directly or indirectly.

PROJECT DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES

Proposed to add 3, 48" reinforced concrete pipe culverts, with tidegates, invert at - 4.0 NGVD but with a lip at - 3.0 NGVD to minimize inundation of farmland for maximum seasonal duration. Located on Petrovo Road at Old Salinas River Channel, Moss Landing.

|                  |                                 |
|------------------|---------------------------------|
| PROJECT LOCATION | TIME PERIOD PROVIDED FOR REVIEW |
|                  | October - 1983                  |

RECEIVED  
SEP 27 1983  
State Clearinghouse

ADDRESS WHERE COPY OF APPLICATION AND INITIAL STUDY IS AVAILABLE

Monterey County Planning Department  
 Monterey County Department of Building Inspection  
P. O. Box 1208, Courthouse, Salinas, CA 93902

TO BE FILED WITH COUNTY CLERK WHEN NO SIGNIFICANT EFFECT IS FOUND.

DATE FILED  
49  
FILE REFERENCE  
2757

ENVIRONMENTAL RECOMMENDATION AND INITIAL STUDY

MEETING: BOARD OF SUPERVISORS OF October 4, 1973

PROJECT: Proposed Ea Agric Drain FILE NO. ESB-07-018  
TIDEGATES

APPLICATION  
 TYPE: IMPROVEMENT PROJECT TO BE AUTHORIZED BY BOARD AS  
CD. OF HIGHWAY CD. FLOOD CONTROL / WATER CONSERVATION DISTRICT

LOCATION: RD. 92 ROAD AT OLD SLOANS BUNK GRANITE, MISS LAURINE

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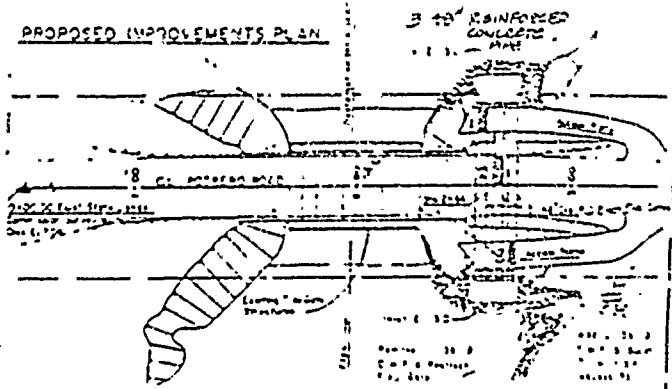
PRESENT: 10 COLLECTS WITH TIDEGATES AT ELEV. -0.5 NATIONAL  
GENERAL VERTICAL CURVE (N=V0)

PROPOSED: ADD 3 48" REINFORCED CONCRETE PIPE COLLECTS, WITH  
TIDEGATES, INVERT AT -4.0 NSVD BUT WITH A UP  
AT -5.0 NSVD TO MINIMIZE INUNDATION OF FARM AND FOR MAXIMUM  
SEASONAL FLOODING

PLAN: MONROE COUNTY GENERAL PLAN, NORTH COUNTY LCP  
MISS LAURINE COMMUNITY

PLAN DESIGNATION: PUBLIC / QUASI-PUBLIC REQUIRE CONSERVATION / INTERLUCE / COASTAL STRAND

PROJECT CONSISTENCY STATUS:  CONSISTENT  INCONSISTENT



THE STAFF PLANNING COMMISSION OTHER \_\_\_\_\_ MAKES  
 THE FOLLOWING ENVIRONMENTAL RECOMMENDATION: FROM AN INITIAL STUDY (SEE REVERSE)  
 IT HAS BEEN DETERMINED THAT THIS PROJECT  MAY,  WILL NOT HAVE A  
 SIGNIFICANT IMPACT(S) UPON THE ENVIRONMENT AND IT IS RECOMMENDED THAT A

NEGATIVE DECLARATION  NEGATIVE DECLARATION, OR  
FILED 7-23 8.5 (CIVIL OR HIGHWAY CD) NEGATIVE DECLARATION WITH MITIGATION MEASURES (attached),  
SUBJECT TO COMMUNICATION  
BY THE CD. OF SUPERVISORS OR  
 \_\_\_\_\_ ENVIRONMENTAL IMPACT REPORT (EIR), BE PREPARED.

PREPARER [Signature] TITLE Sr. Planner DATE 9/21/73

IF YOU HAVE ANY QUESTIONS ABOUT THE MEANING OF THIS INFORMATION PLEASE CONTACT THE ENVIRONMENTAL SECTION OF THE COUNTY PLANNING DEPARTMENT PRIOR TO THE MEETING DATE AT THE TOP OF THIS PAGE BY CALLING 422-3018.

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SIGNIFICANT  
IMPACT  
CAN BE  
MITIGATED  
INSIGNIFICANT  
IMPACT  
YES  
NO

BASIC ENVIRONMENTAL QUESTIONS

| SIGNIFICANT IMPACT | CAN BE MITIGATED | INSIGNIFICANT IMPACT | YES | NO | QUESTION  |
|--------------------|------------------|----------------------|-----|----|---|
|                    |                  | X                    | X   |    | 1. Within a high seismic hazard zone? Zone <u>II LIQUEFACTION</u>   |
|                    |                  | X                    |     | X  | 2. Development on slopes over 30%?  |
|                    |                  | X                    |     | X  | 3. Potential erosion problem?   |
|                    |                  | X                    | X   |    | 4. Evidence of geologic instability? <u>AREA SUBJECT TO LIQUEFACTION</u><br><u>SETTLEMENT AND SOIL COLLAPSE DURING 1906 QUAKE</u>     |
|                    |                  | X                    | X   |    | 5. Soil constraints for development? <u>INSTALLATION WILL BE</u><br><u>EXHAUSTED</u>  |
|                    |                  | X                    |     | X  | 6. Potential to degrade surface water? Affected water(s) _____  |
|                    |                  |                      |     |    | a. Reduce water quality?  |
|                    |                  |                      |     |    | b. Reduce downstream availability?  |
|                    |                  | X                    |     | X  | 7. Potential to degrade groundwater? _____  |
|                    |                  |                      |     |    | a. Quality?   |
|                    |                  |                      |     |    | b. Increase overdraft?  |
|                    |                  | X                    |     | X  | 8. Would increased project runoff be detrimental? <u>SEWAGES WILL BE</u>  |
|                    |                  | X                    | X   |    | 9. Within a 100 year floodplain? <u>COLEMAN</u>   |
|                    |                  | X                    |     | X  | 10. Eliminate native vegetation? Type: <u>LANDS PROTECTED AND ACCURATE</u><br><u>URBAN NATIVE VEGETATION IN "ELMER HILL - KENSON"</u> |
|                    |                  | X                    |     | X  | 11. Rare or endangered species? Species: _____  |
|                    |                  | X                    |     | X  | 12. Impact any unique or fragile biotic community?  |
|                    |                  |                      |     |    | <u>"SUIT OF ENVIRONMENTAL COMMUNITY PROTECTS NO ADVERSE"</u>  |
|                    |                  | X                    |     | X  | 13. Impact a wildlife use area? Type: <u>WILDLIFE HAVEN THIS PROJECT</u>  |
|                    |                  | X                    |     | X  | 14. Designated scenic area?   |
|                    |                  | X                    |     | X  | 15. Any significant visual impact?  |
|                    |                  | X                    |     | X  | 16. Obnoxious odors?  |
|                    |                  | X                    |     | X  | 17. Unacceptable noise?   |
|                    |                  | X                    | X   |    | 18. Traffic impact? <u>DURING CONSTRUCTION PROVISION WILL BE MADE</u><br><u>FOR ALTERNATE ACCESS TO SHELBY PARK STATE BEACH</u>       |
|                    |                  | X                    |     | X  | 19. Conflict with any airport land use plan or land use?  |
|                    |                  | X                    |     | X  | 20. Project access inadequate?  |
|                    |                  | X                    |     | X  | 21. Air quality degradation on a _____<br>temporary basis _____<br>permanent basis _____  |
|                    |                  | X                    |     | X  | 22. Sewage disposal problem?  |
|                    |                  | X                    |     | X  | 23. Water supply problem?   |
|                    |                  | X                    |     | X  | 24. Inadequate school facilities? District: _____   |
|                    |                  | X                    |     | X  | 25. Increased fire hazard?  |
|                    |                  | X                    |     | X  | 26. Inadequate access for fire trucks?  |
|                    |                  | X                    |     | X  | 27. Extension of utilities 1/2 mile or more?  |
|                    |                  | X                    |     | X  | 28. Inefficient use of energy?  |
|                    |                  | X                    |     | X  | 29. Archaeological site?  |
|                    |                  | X                    |     | X  | 30. Historical site?  |
|                    |                  | X                    |     | X  | 31. Loss of prime row crop or irrigated farmland? <u>WILL BENEFIT</u><br><u>FARMERS BY PROTECTING LANDS FROM INUNDATION</u>           |
|                    |                  | X                    |     | X  | 32. Loss of grazing land?   |
|                    |                  | X                    |     | X  | 33. Inconsistent with Growth Management Policies?   |
|                    |                  | X                    |     | X  | 34. Conflicts with neighboring land use?  |
|                    |                  | X                    |     | X  | 35. Generates the need for new housing?   |
|                    |                  | X                    |     | X  | 36. Adverse cumulative effect?  |
|                    |                  | X                    |     | X  | 37. Displace existing residents?  |
|                    |                  | X                    |     | X  | 38. Interfere with industry?  |
|                    |                  |                      |     |    | 39. TO BE ANSWERED FOR SPECIFIC OR GENERAL PLAN PROJECTS ONLY:<br>Short term benefits at expense of long-term benefits? _____         |
|                    |                  |                      |     |    | 40. Irreversible commitment of land or irreplaceable resources: _____   |

NOTES. \* ANALYSIS BASED UPON REVIEW OF (A) CURRENT PROJECT DESCRIPTION

(B) ENVIRONMENTAL ANALYSIS BY THE PLANNING COLLABORATIVE, APPENDIX B OF "POWERS ROAD PROJECT REPLACEMENT" SUPPLEMENT-VERMONT CONSULTANTS, JULY 1981.

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