

MINUTE ITEM

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meeting.

CALENDAR ITEM

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APPROVAL OF GENERAL LEASE - RIGHT-OF-WAY

APPLICANT: Fortuna Ready Mix Company
P. O. Box 718
Fortuna, California 95540

AREA, TYPE LAND AND LOCATION: A 0.119-acre parcel of submerged land located in the Eel River, NW of Fortuna, Humboldt County.

LAND USE: Annual placement and use of a temporary bridge crossing.

TERMS OF PROPOSED LEASE: Initial period: Ten years from June 1, 1984.

Public liability insurance: Combined single limit coverage of \$300,000.

CONSIDERATION: \$100 per annum; with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION: Pursuant to 2 Cal. Adm. Code 2003.

APPLICANT STATUS: Applicant is lessee of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES: Filing fee has been received.

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CALENDAR ITEM NO. 08 (CONT'D)

STATUTORY AND OTHER REFERENCES:

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

AB 884:

09/12/84.

OTHER PERTINENT INFORMATION:

- 1. The applicant plans to place a seasonal, temporary bridge crossing in the Eel River for access to a site for gravel extraction. During low river flows, gravel approach fills will be constructed and a railroad flat car bed will be installed with removal before the onslaught of high water.

Terms of the lease address the State's discretion in requiring a gravel extraction lease in the future.

- 2. Lease language conforms to the Lyons/Fogarty decision.

- 3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorical exempt project. The project is exempt under Class 4, temporary use of land with no permanent effects on the environment, 14 Cal. Adm. Code 15304(e).

Authority: P.R.C. 21084 and 14 Cal. Adm. Code 15300

- 4. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 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.

CALENDAR ITEM NO. 008 (CONT'D)

APPROVALS OBTAINED:

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

FURTHER APPROVALS REQUIRED:

None.

EXHIBITS:

- A. Land Description.
- B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 AS A CATEGORICAL EXEMPT PROJECT, CLASS 4, TEMPORARY USE OF LAND WITH NO PERMANENT EFFECTS ON THE ENVIRONMENT, 14 CAL. ADM. CODE 15304(e).
2. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.
3. AUTHORIZE ISSUANCE TO FORTUNA READY MIX COMPANY OF A TEN-YEAR GENERAL LEASE - RIGHT-OF-WAY USE FROM JUNE 1, 1984, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$100, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF PUBLIC LIABILITY INSURANCE IN THE AMOUNT OF \$300,000 FOR COMBINED SINGLE LIMIT COVERAGE; FOR ANNUAL PLACEMENT AND USE OF A TEMPORARY BRIDGE CROSSING ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

W 23139

LAND DESCRIPTION

A parcel of State owned land in the bed of the Eel River in Section 34 T3N, R1W, HM, approximately one mile northwest of Fortuna, Humboldt County, California, said parcel of land lying immediately beneath a temporary bridge and approach structures and adjacent to that parcel of land described in Book 384 Page 509, Official Record, of Humboldt County (A.P.N. 200-332-06).

END OF DESCRIPTION

PREPARED MARCH 28, 1984 BY BOUNDARY AND TITLE UNIT, LEROY WEEB, SUPERVISOR

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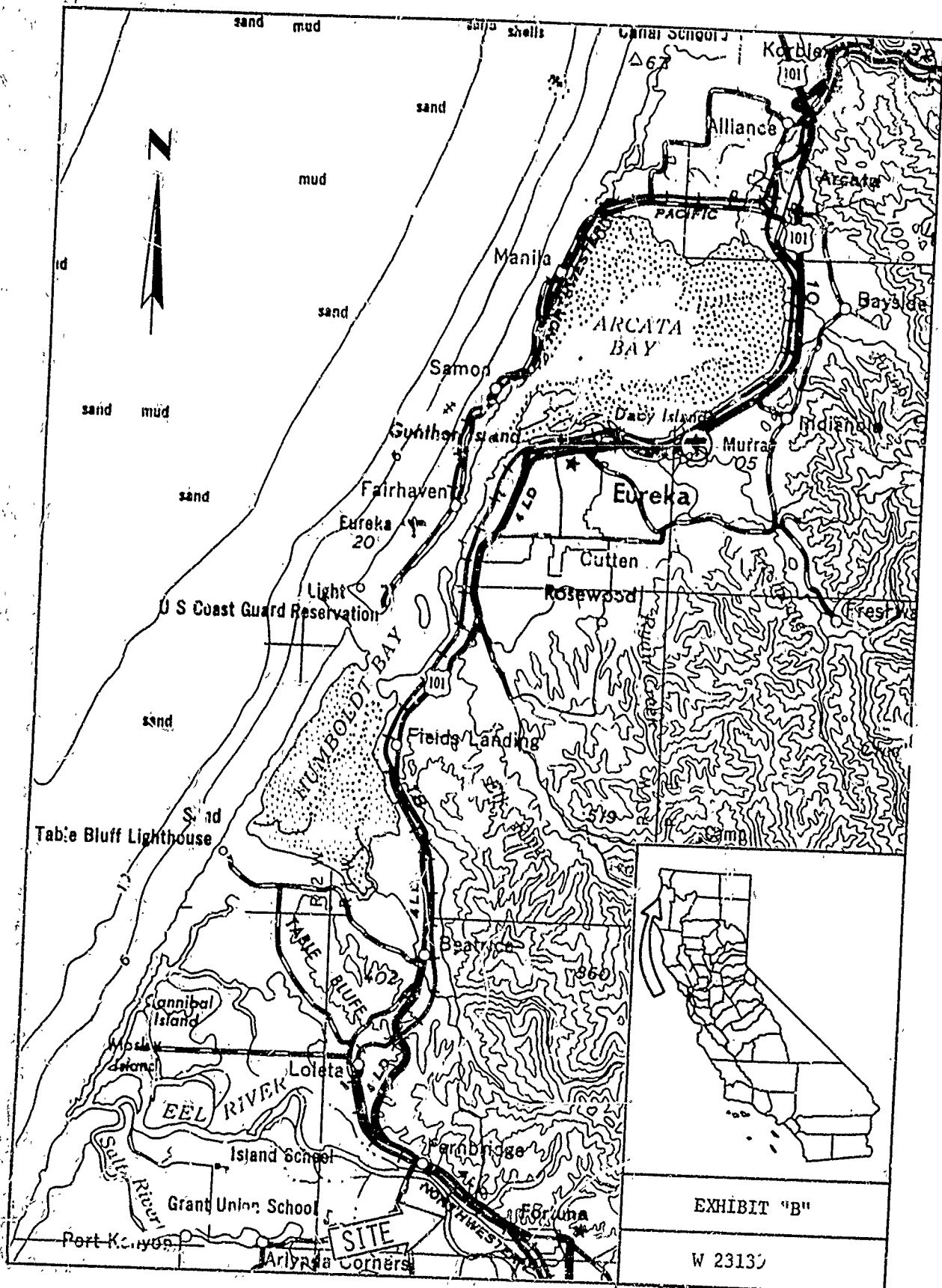


EXHIBIT "B"

W 23137

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