

MINUTE ITEM.

This Calendar Item No. 33
was approved as Minute Item
No. 33 by the State Lands
Commission by a vote of 2
to 0 at its 8/21/84
meeting.

CALENDAR ITEM

A. 2

S. 2

33 1

08/21/84
W 23391
Lane
PRC 6719.9

APPROVAL OF A GENERAL PERMIT -
PUBLIC AGENCY USE

APPLICANT: City of Arcata
736 F Street
Arcata, California, 95521

AREA, TYPE LAND AND LOCATION:
A 27.8 + acre parcel of industrially zoned tide
and submerged land located in downtown Arcata,
Humboldt County. The parcel was for many years
the site of the Van Vleet plywood mill. It was
acquired by the State Lands Commission in mid
1981 by donation, hence its characterization as
sovereign land.

LAND USE: Creation and maintenance of Coastal Wetland
Habitat and Estuary.

TERMS OF PROPOSED PERMIT:
Initial period: .49 years from August 1, 1984.

CONSIDERATION: The public use and benefit; with the State
reserving the right at any time to set a
monetary rental if the Commission finds such
action to be in the State's best interest.

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

APPLICANT STATUS:
N/A.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing fee and Processing costs have been
received.

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CALENDAR ITEM NO. 33 (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: 12/18/84.

OTHER PERTINENT INFORMATION:

- 1. The proposed project is the culmination of several years study carried on by the City of Arcata, Humboldt State University and other interested citizens. It is considered a forerunner in California with respect to wetland restoration due to the involvement of an estuary where a balance must be achieved between fresh and salt water.

The project will include:

- A. Diversion to a meandering stream of an existing channelized slough.
- B. Creation of a nine acre fresh water pond complete with vegetated islands to encourage wildlife.
- C. Facilities for erosion and sedimentation control.
- D. Fisheries habitat improvements and nature trails with interpretative signs.

The California Coastal Conservancy has been instrumental in the planning stages and is financially backing the project.

The California Coastal Commission, in their general plan for coastal lands, has designated this parcel to remain in wetland habitat.

- 2. The annual rental value of the site is estimated to be \$40,000.
- 3. An EIR was prepared and adopted for this project by the City of Arcata. The State Lands Commission's staff has reviewed such document, and believes that it complies with the requirements of the CEQA.

4. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. but will not affect those significant lands. 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:

United States Army Corps of Engineers,
California Coastal Commission, Humboldt Harbor,
Conservation and Recreation District,
Department of Fish and Game, North Coast
Regional Water Quality Control Board.

FURTHER APPROVALS REQUIRED: None.

EXHIBITS:

- A. Land description.
- B. Location Map.
- C. Notice of Determination.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT AN EIR WAS PREPARED AND ADOPTED FOR THIS PROJECT BY THE CITY OF ARCATA AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN; DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
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 THE CITY OF ARCATA OF A 49-YEAR GENERAL PERMIT - PUBLIC AGENCY USE FROM AUGUST 1, 1984; IN CONSIDERATION OF THE PUBLIC USE AND BENEFIT; WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENTAL IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; FOR CREATION AND MAINTENANCE OF COASTAL WETLAND HABITAT AND ESTUARY ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

W 23391

Those portions of Section 32, T6N, R1E, HM, described as follows:

PARCEL 1

BEGINNING in the center of Butcher Slough at a point which is distant 300 feet north from the quarter section line forming the south line of the northeast quarter of Section 32, T6N, R1E, HBM;
 thence parallel to said quarter section line N 89° 59' W 803.8 feet, more or less, to the east line of the railroad right-of-way of the Arcata and Mad River Railroad Company as defined in deed from Elias Sharp dated January 6, 1876 and recorded in the office of the County Recorder of Humboldt County in Book "W" of Deeds, Page 578;
 thence S 23° 45' W 35.6 feet to the north point of a parcel of land conveyed by William M. Campbell to California and Northern Railway Company by deed dated November 1, 1901 and recorded in said Recorder's Office in Book 77 of Deeds, Page 75;
 thence along the easterly line of said parcel S 13° 39' W 275.7 feet, more or less, to the southeast corner of said parcel, which corner is situated on the above mentioned quarter section line;
 thence S 89° 59' E on the quarter section line to the east line of the railroad right-of-way conveyed by R. W. Bull and wife to R. H. Emmerson and wife by deed recorded in the office of the County Recorder of Humboldt County, California in Book 5 of Official Records, Page 110;
 thence following said east line S 11° 33' W 94.7 feet to the intersection of said east line with the east line of the right-of-way of the North-western Pacific Railroad Company;
 thence southerly following the easterly line of the railroad right-of-way to a point, this point is on a prolongation easterly of the southerly line of the existing sewage disposal plant sludge beds, and is on the north line of the road leading to the Arcata Sewage Disposal Plant;
 thence N 57° 40' E along the said prolongation and the north line of said road 34.58 feet to the west line of Highway 101;
 thence northerly along the highway following the curve thereof, 154.44 feet to the end of the curve;
 thence N 15° 27' W along the highway 484.72 feet;
 thence N 0° 12' E along the highway 231.9 feet to a point designated "A";
 thence N 15° 50' E 890.13 feet along the highway to its intersection with the eastern terminus of the curve in the south end of the south line of the extension of "H" Street in the City of Arcata, as said extension was conveyed to the County of Humboldt by deed recorded September 22, 1934 in Book 216 of Deeds, Page 159, Humboldt County Records;
 thence still along said line of "H" Street extension in a northerly direction to a point that is distant 300 feet northerly along said street from the quarter section line first above mentioned;
 thence parallel with said quarter section line to the middle of Butcher Slough in a westerly direction;
 thence northerly on same to the point of beginning.

ALSO, the right for an electric power line of poles and wires extending from the north line of the above described land north across the next 300 foot strip;
 thence northeasterly on a line as near as practicable to the west line of

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the Axel Anderson Tract of land to a connection with power lines in "X" Street near Fourth Street in Arcata, being the same right granted to R. H. Emmerson and wife dated June 18, 1946 and recorded in the Recorder's Office of Humboldt County, California on February 13, 1947.

ALSO, the right-of-way to construct, maintain and use a single track railroad spur to connect between the Northwestern Pacific Railroad Company's main line south of Arcata and the land of grantors situated in the southeast corner of the southeast quarter of the northwest quarter of said Section 32, along the route set forth in the deed for same executed by Ralph W. Bull and wife to R. H. Emmerson and wife recorded February 13, 1947 in Book 5 of Official Records, Page 110, Humboldt County Records.

ALSO, all rights incidental to the use thereof and any and all other rights granted by said deed.

EXCEPTING from the above described parcel of land that portion described as follows: BEGINNING at the point designated "A" above; thence N 74° 10' W 150.00 feet; thence N 12° 37' 06" E 891.53 feet; thence S 74° 10' 00" E 200.00 feet; thence S 15° 50' 00" W 890.13 feet to the point of beginning.

PARCEL 2

That portion of the southeast quarter of the northwest quarter of Section 32, T6N, R1E, H8M described as follows:

BEGINNING at a point 303 feet west of the quarter section corner of the center of said Section 32;

thence N 13° 00' E 277 feet to a point distant 15 feet from and on the east side of the centerline of Arcata & Mad. River Railroad as it existed on November 1, 1901;

thence following a line parallel to and distant 15 feet from the center of said Arcata & Mad. River Railroad S 31° 25' W 316.5 feet to a line running east and west through the center of said Section 32;

thence East 106 feet to the point of beginning.

EXCEPTING therefrom any portion thereof which lies westerly of the easterly line of a strip of land 66 feet wide, lying 33 feet on each side of the centerline of the main track of the Northwestern Pacific Railroad Company.

PARCEL 3

That portion of the northeast quarter of the southwest quarter of Section 32, T6N, R1E, H8M, described as follows:

COMMENCING at the quarter section corner in the center of said Section 32;

thence along the quarter section line running east and west through the center of said section N 89° 59' W 295.3 feet to the east line of the railroad right-of-way conveyed by Ralph W. Bull and wife to R. H. Emmerson and wife by deed recorded February 13, 1947 in Book 5 of Official Records, Page 110, Recorder's file No. 1450, Humboldt County Records, and the TRUE POINT OF BEGINNING of the parcel of land to be here described;

thence following said east line S 11° 33' W 94.7 feet to the intersection of said east line with the easterly line of the right-of-way of Northwestern Pacific Railroad Company;

thence northerly along said easterly line to the north line of the northeast quarter of the southwest quarter of said Section 32;

thence along said north line S 89° 59' E to the point of beginning.

END OF DESCRIPTION

REVISED JULY 31, 1984 BY BOUNDARY AND TITLE UNIT.

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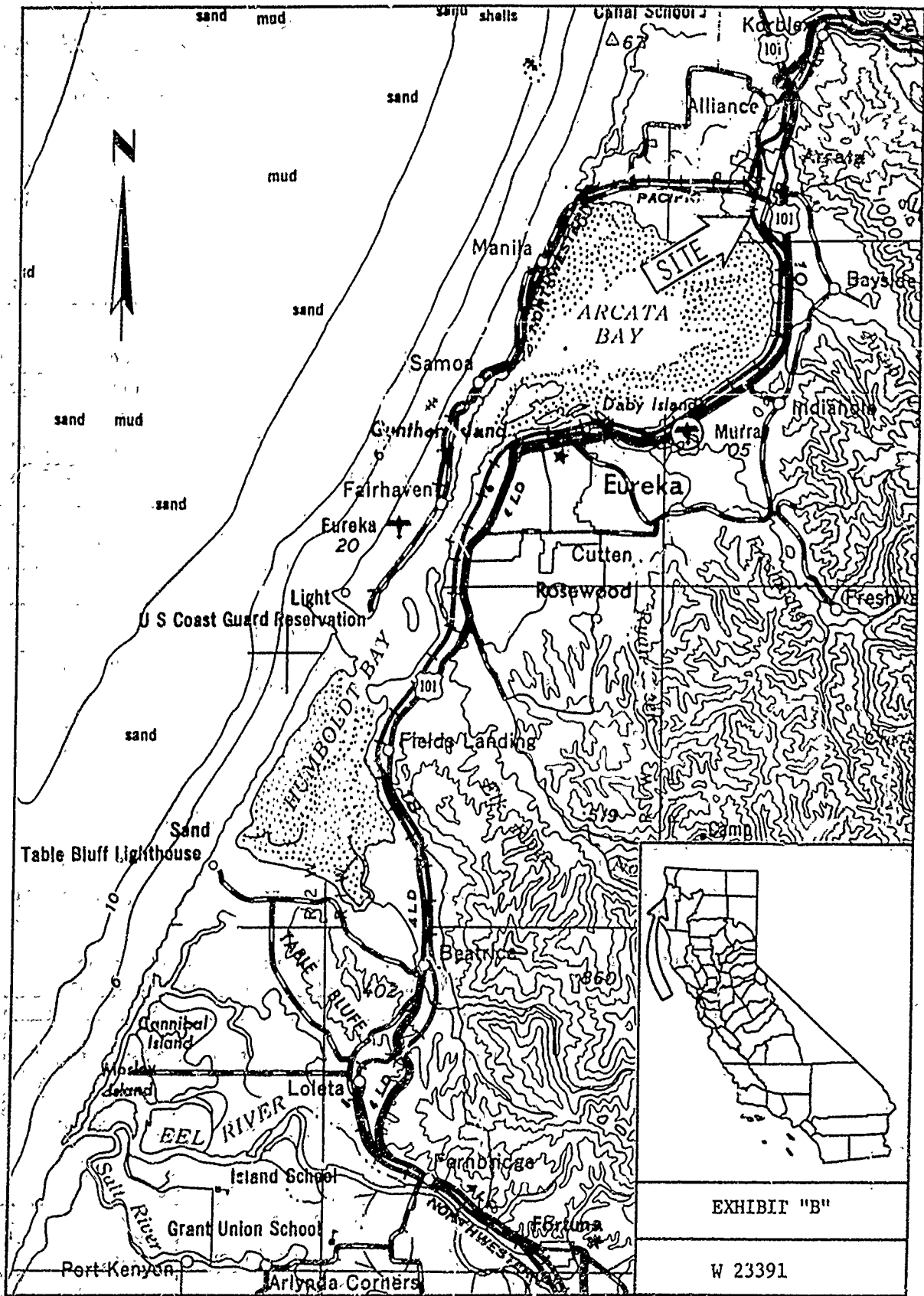


EXHIBIT "B"

W 23391

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EXHIBIT "C"
NOTICE OF DETERMINATION

W23391

TO: Secretary for Resources
1416 Ninth Street, Room 1311
Sacramento, California 95814
or
 County Clerk
County of Humboldt

FROM: (Public Agency) City of Arcata
736 F Street
Arcata, California 95521

SUBJECT: Filing of Notice of Determination in compliance with Section 21105 or 21152 of the Public Resources Code.

Butcher's Slough Wetlands Restoration Project
Project Title

84022105 Franklin R. Klopp, Director of Public Works (707)822-5957
State Clearinghouse Number Contact Person Telephone Number
(If submitted to Clearinghouse)

Project Location
31.4 more or less acres bordered on the east by So. G Street, and by the Northwestern Pacific Railroad on the north, west, & south. AP#s-503-241-1,5,6, & 16. Sec. 32, T6N, R1E, H8M.

Project Description
To restore a 31 acre site to a productive estuary and wetlands area. Butcher's Slough will be restructured to reflect its historic meandering course rather than the exiting channelized form.

This is to advise that the City of Arcata City Council
(Lead Agency or Responsible Agency)
has approved the above described project and has made the following determinations regarding the above described project:

1. The project will, will not, have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.

The EIR or Negative Declaration and record of project approval may be examined at: Public Works Department, City of Arcata,
736 F Street, Arcata, California 95521.

3. Mitigation measures were, were not, made a condition of the approval of the project.
4. A statement of Overriding Considerations was, was not, adopted for this project.

Date Received for Filing _____ W. Dan D... ..
Signature

Assistant Planner
Title
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NOTE: Authority cited: Section 21023, Public Resources Code; Reference: Sections 21105, 21152, and 21167, Public Resources Code.

RESOURCES AGENCY OF CALIFORNIA
MAY 21 1984
FILED AND POSTED BY
OFFICE OF THE SECRETARY