

**MINUTE ITEM**

This Calendar Item No. C04  
was approved as Minute Item  
No. 04 by the State Lands  
Commission by a vote of 3  
to 0 at its 2-28-93  
meeting.

**CALENDAR ITEM**

**C04**

A 17

S 5

02/25/93  
W 24833  
Fong  
PRC 7673

**General Permit - Public Agency Use**

**APPLICANT:**

Reclamation District 2074  
P.O. Drawer 20  
Stockton, California 95201-3020

**AREA, TYPE LAND AND LOCATION:**

Approximately 3400 lineal feet of tide and submerged lands located along the south bank of Fourteen Mile Slough between Ten Mile Slough and the I-5 Highway Bridge crossing, San Joaquin County.

**LAND USE:**

Bank stabilization and protection of the south bank of the levee along Fourteen Mile Slough.

**PROPOSED PERMIT TERMS:**

Permit period:  
Thirty (30) years beginning March 1, 1993.

**Special:**

1. All conditions contained in Permit Number 199200482 of the U.S. Army Corps of Engineers, as executed by Applicant, Reclamation District 2074, on January 8, 1993, are incorporated herein by this reference and made conditions of this permit.
2. No emergent vegetation that subsequently grows in the area below low water shall be removed or destroyed without the express approval of the Commission or its designee. Any request to remove or destroy such vegetation shall be submitted in writing to the Sacramento office of the Commission at least 30 days prior to the proposed action by the Applicant or its agents. Approval or modification of the Applicants' request will be similarly in writing and no work shall

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commence until the Applicant has received such authorizations.

3. The Applicant shall submit to the Commission, concurrently with and identical to its submission to the Corps of Engineers and the U.S. Fish and Wildlife Service, sufficient photographic evidence, annually, for a period of five (5) years to document plant growth on the berm area between the protected rock slope and the levee crown. Additional photographic evidence of the growth of emergent vegetation as described in condition "A" above shall also be included with each submission.
4. The Applicant shall submit to the Commission, for its review and approval prior to the start of construction, a plan detailing the location at which the mitigation tree planting will take place. Such plan shall be identical to that as specified to be submitted to the Corps of Engineers and the U.S. Fish and Wildlife Service. To the extent that such plan provides for "off-site" mitigation, the Commission may require a higher mitigation ratio than that described in the Expanded Initial Study and the Addendum to the Expanded Initial Study.

**CONSIDERATION:**

The public 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. Code Regs. 2003.

**APPLICANT STATUS:**

Applicant is owner of upland.

**PREREQUISITE CONDITIONS, FEES AND EXPENSES:**

Filing fee and processing deposit have been received.

**STATUTORY AND OTHER REFERENCES:**

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

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**AB 884:**

8/1/93

**OTHER PERTINENT INFORMATION:**

1. A Negative Declaration was prepared and adopted for this project by Reclamation District 2074. The State Lands Commission's staff has reviewed such document. A Mitigation Monitoring Plan was adopted by Reclamation District 2074.
  
2. This activity involves lands which have NOT been identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. However, the Commission has declared that all tide and submerged lands are "significant" by nature of their public ownership (as opposed to "environmental significant"). Since such declaration of significance is not based upon the requirements and criteria of P.R.C. 6370, et seq., use classifications for such lands have not been designated. Therefore, the finding of the project's consistency with the use classification as required by 2 Cal. Code Regs. 2954 is not applicable.

**APPROVALS OBTAINED:**

U.S. Army Corps of Engineers.

**FURTHER APPROVALS REQUIRED:**

Fish and Game Streambed Alteration Agreement, Reclamation Board, Regional Water Quality, State Lands Commission.

**EXHIBITS:**

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

**IT IS RECOMMENDED THAT THE COMMISSION:**

1. FIND THAT A NEGATIVE DECLARATION AND MITIGATION MONITORING PLAN WERE PREPARED AND ADOPTED FOR THIS PROJECT BY RECLAMATION DISTRICT 2074 AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
  
3. AUTHORIZE ISSUANCE TO RECLAMATION DISTRICT 2074 OF A THIRTY-YEAR GENERAL PERMIT - PUBLIC AGENCY USE WITH SPECIAL CONDITIONS BEGINNING MARCH 1, 1993; IN CONSIDERATION OF THE PUBLIC BENEFIT, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT;

CALENDAR ITEM NO. C04 (CONT'D)

FOR THE PLACEMENT OF STONE FILL AND STONE PROTECTION ON THE  
LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE  
A PART HEREOF.

## LAND DESCRIPTION

TWENTY-FIVE (25') FOOT WIDE STRIP OF LAND  
FOURTEEN MILE SLOUGH

Being a twenty-five (25') foot wide strip of land located on the southerly, easterly and southeasterly waterside bank of Fourteen Mile Slough in Sections 29 and 30, Township 2 North, Range 6 East, Mount Diablo Meridian, San Joaquin County, California, the southerly, easterly and southeasterly lines of said twenty-five (25') foot wide strip of land more particularly described as follows:

Beginning at the southeast corner of the forty (40') foot wide strip of land described in Exhibit "F", recorded in Instrument No. 92029274, San Joaquin County Records; said last mentioned corner also being a point on the northerly fixed agreed boundary line, said last mentioned line being described in Exhibit "D", recorded in Instrument No. 90071574, San Joaquin County Records; thence along said northerly fixed agreed boundary line the following fifteen (15) courses: (1) South 87° 35' 30" East 150.69 feet, (2) South 89° 37' 00" East 200.23 feet, (3) North 84° 55' 00" East 200.23 feet, (4) North 89° 27' 30" East 200.10 feet, (5) North 87° 00' 00" East 200.01 feet, (6) North 83° 05' 00" East 200.64 feet, (7) North 79° 18' 00" East 101.07 feet, (8) North 82° 23' 00" East 100.42 feet, (9) South 84° 08' 00" East 103.62 feet, (10) North 76° 53' 00" East 19.42 feet, (11) North 72° 44' 00" East 44.77 feet, (12) North 19° 46' 00" East 72.07 feet, (13) North 05° 47' 00" East 108.16 feet, (14) North 00° 08' 30" East 814.06 feet, and (15) North 22° 49' 00" East 30.84 feet to a point on the east line of said Section 30, said point being designated Point "G" in said Exhibit "D"; thence along the southeasterly waterside bank of Fourteen Mile Slough the following five (5) courses: (1) North 22° 07' 00" East 17.47 feet, (2) North 51° 14' 00" East 71.67 feet, (3) North 45° 56' 00" East 76.90 feet, (4) North 36° 10' 00" East 78.55 feet, (5) North 20° 12' 00" East 31.85 feet to a point, said point being on the westerly boundary of Parcel 6635-01-01 recorded in Book 4415 of Official Records, Page 943, San Joaquin County Records; thence continuing along the southeasterly waterside bank of Fourteen Mile Slough the following six (6) courses: (1) North 20° 12' 00" East 57.29 feet, (2) North 18° 39' 00" East 68.32 feet, (3) North 23° 27' 00" East 76.13 feet, (4) North 16° 52' 00" East 78.35 feet, (5) North 09° 04' 00" East 129.55 feet, and (6) North 06° 52' 00" East 63.93 feet to a point on the easterly boundary of said Parcel 6635-01-01, said last mentioned point being the point of termination of said twenty-five (25') foot wide strip of land.

END OF DESCRIPTION

Reviewed and approved September 18, 1992  
by Bob Lea, LS4589, of SLC Delta Team



*Lex A. Corrales*  
Lex A. Corrales

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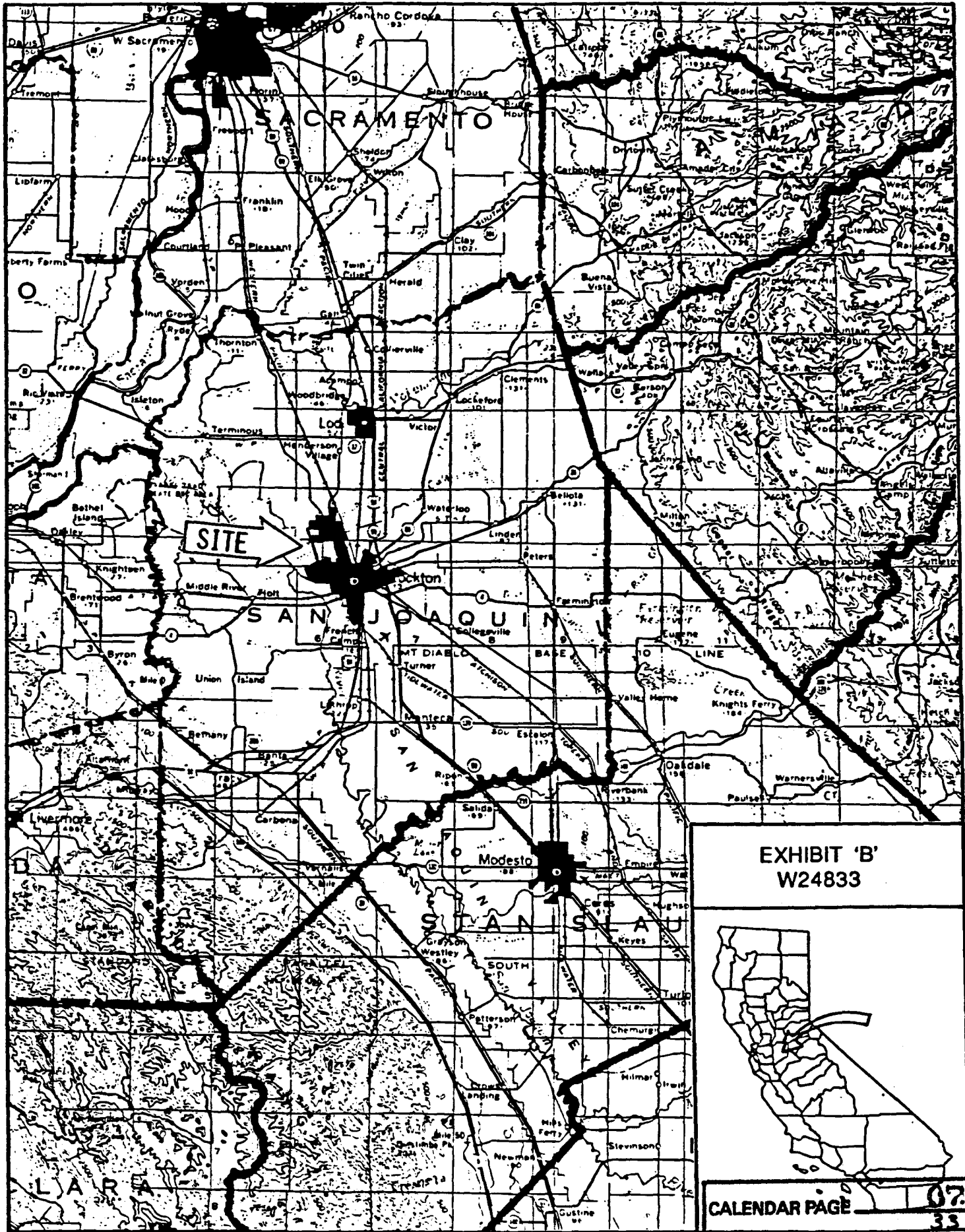


EXHIBIT 'B'  
W24833



CALENDAR PAGE 07.5  
MINUTE PAGE 33

RECLAMATION DISTRICT 2074  
NOTICE OF DETERMINATION

TO:  County Clerk  
San Joaquin County  
  
 Office of Planning and Research  
1400 - 10th Street, #121  
Sacramento, CA 95814

FROM: Lead Agency  
Reclamation District  
c/o Harry Montgomery  
P.O. Drawer 20  
Stockton, CA 95201-3020

Contact Person: Harry Montgomery  
Phone: (209) 957-1219

FILED  
92 MAY 21 3:10:37  
CLERK  
*Bonnie R. [unclear]*

SUBJECT: NOTICE OF DETERMINATION PURSUANT TO PUBLIC RESOURCES CODE, SECTION 21152 AND CAL. CODE OF REGULATIONS, SECTIONS 15075 AND 15094

Project Title: Fourteen Mile Slough Bank Stabilization Project  
State Clearing House No: SCH #92042015  
Discretionary Application(s) File No.(s): R.W. Siegfried Files (Reclamation District 2074)  
Project Applicant: Reclamation District 2074  
Project Description/Location: Proposed bank stabilization project for the water side of the south bank of Fourteen Mile Slough from the I-5 Freeway to Ten Mile Slough. It is estimated that approximately 15,600 tons of stone fill and 14,000 tons of stone protection will be required for the project.

Determinations: This is to advise that Reclamation District 2074 approved the above described project on May 21, 1992 and has made the following determinations regarding the 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.
3. Mitigation measures  were,  were not incorporated as part of the approval of the project.
4. A Mitigation Monitoring and Reporting Program  was,  was not adopted for this project.
5. A Statement of Overriding Considerations  was,  was not adopted for this project.
6. Findings  were,  were not made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration or Final EIR and any adopted mitigation measures, findings, statements of overriding consideration, and record of project approval may be examined at the above-noted Lead Agency address.

ROBERT RIPKEN, PRESIDENT  
BOARD OF TRUSTEES, RECLAMATION DISTRICT 2074

By Harry W. Montgomery  
HARRY MONTGOMERY, REGISTERED CIVIL ENGINEER

Date May 21, 1992

AFFIDAVIT OF FILING AND POSTING

I declare that on the date stamped above, I received and posted this notice as required by California Public Resources Code Section 21152(c). Said notice will remain posted for 30 days from the filing date.

Bonnie R. [unclear]  
Signature *Bonnie R. [unclear]*

MAY 21 1992  
Title

SDS-NOT-DET-WPP