

MINUTE ITEM

This Calendar Item No. C28 was approved as Minute Item No. 28 by the California State Lands Commission by a vote of 3 to 0 at its 06/26/06 meeting.

CALENDAR ITEM
C28

A 25, 29

06/26/06
PRC8686 W 26128
M. Hays

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GENERAL LEASE - PUBLIC AGENCY USE

APPLICANT:

San Joaquin River Conservancy
5469 E. Olive Avenue
Fresno, CA 93727

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in the bed of the San Joaquin River, near the city of Fresno, Madera and Fresno counties.

AUTHORIZED USE:

Cattle grazing for the purpose of vegetation control and fire prevention with associated installation and use of seasonal temporary fencing of a riparian woodland area next to the San Joaquin River.

LEASE TERM:

Four years, beginning June 26, 2006.

CONSIDERATION:

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

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance with coverage of no less than \$1,000,000.

OTHER PERTINENT INFORMATION:

1. The San Joaquin River Conservancy (Conservancy) acquired the uplands, known as the Spano Ranch property, on August 25, 2003, which includes approximately 340 acres of grasslands and gravel mine ponds on the southerly side of the San Joaquin River.

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2. In order to preserve and enhance vegetation for the benefit of wildlife, weed control, and fuel reduction for fire prevention, the Conservancy is proposing to solicit written proposals for cattle grazing on the Conservancy's property, which is adjacent to State sovereign lands in the bed of the River. Cattle grazing occurred at this location from 1996 until 2003. The Conservancy has submitted an application for a lease for grazing purposes in conjunction with the Conservancy's upland ranch property.
3. The proposed lease area includes dry river bed pasture area, riparian woodland, and River frontage and will be used for grazing cattle and for providing access to the River as a source of drinking water for the cattle.
4. The cattle grazing operation is proposed as an interim use while the Conservancy's San Joaquin River Parkway Master Plan (Plan) is being developed and implemented. The Plan implementation will provide for public access and recreational uses throughout the River Parkway from Friant Dam to Highway 99.
5. At such time as the Conservancy selects a grazing operator, the Conservancy is required to submit the final agreement for Commission staff's review and approval. The proposed grazing operation will be year-round and is estimated to have a carrying capacity from 20 to 30 head of livestock, depending on annual supporting forage. The Conservancy anticipates receiving nominal rent from the grazing operation, which will partially offset the annual costs incurred to maintain adequate fencing; creating firebreaks each spring; and weed abatement.
6. Upon recommendations received from the Department of Fish and Game, grazing will be limited within the protected riparian area at the East end of the lease premises. The protected area will be open for grazing from November 1 to March 31 of each year and will be temporarily fenced the remainder of the year to keep cattle from entering the area. The grazing operation will also provide for a management presence to discourage trespass, poaching, campfires and other violations and public nuisances. The Conservancy will continue to perform oversight of the area for illegal dumping, gate repairs, and maintaining signage, etc.
7. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the

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staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 4, Minor Alteration to Land; Title 2, California Code of Regulations, section 2905 (d)(1).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

8. This activity involves lands which have NOT been identified as possessing significant environmental values pursuant to Public Resources Code sections 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 "environmentally significant"). Since such declaration of significance is not based upon the requirements and criteria of Public Resources Code sections 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 Title 2, California Code of Regulations, section 2954 is not applicable.

EXHIBIT:

- A. Site and Location Map

PERMIT STREAMLINING ACT DEADLINE:

August 8, 2006

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 4, MINOR ALTERATION TO LAND; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (d)(1).

AUTHORIZATION:

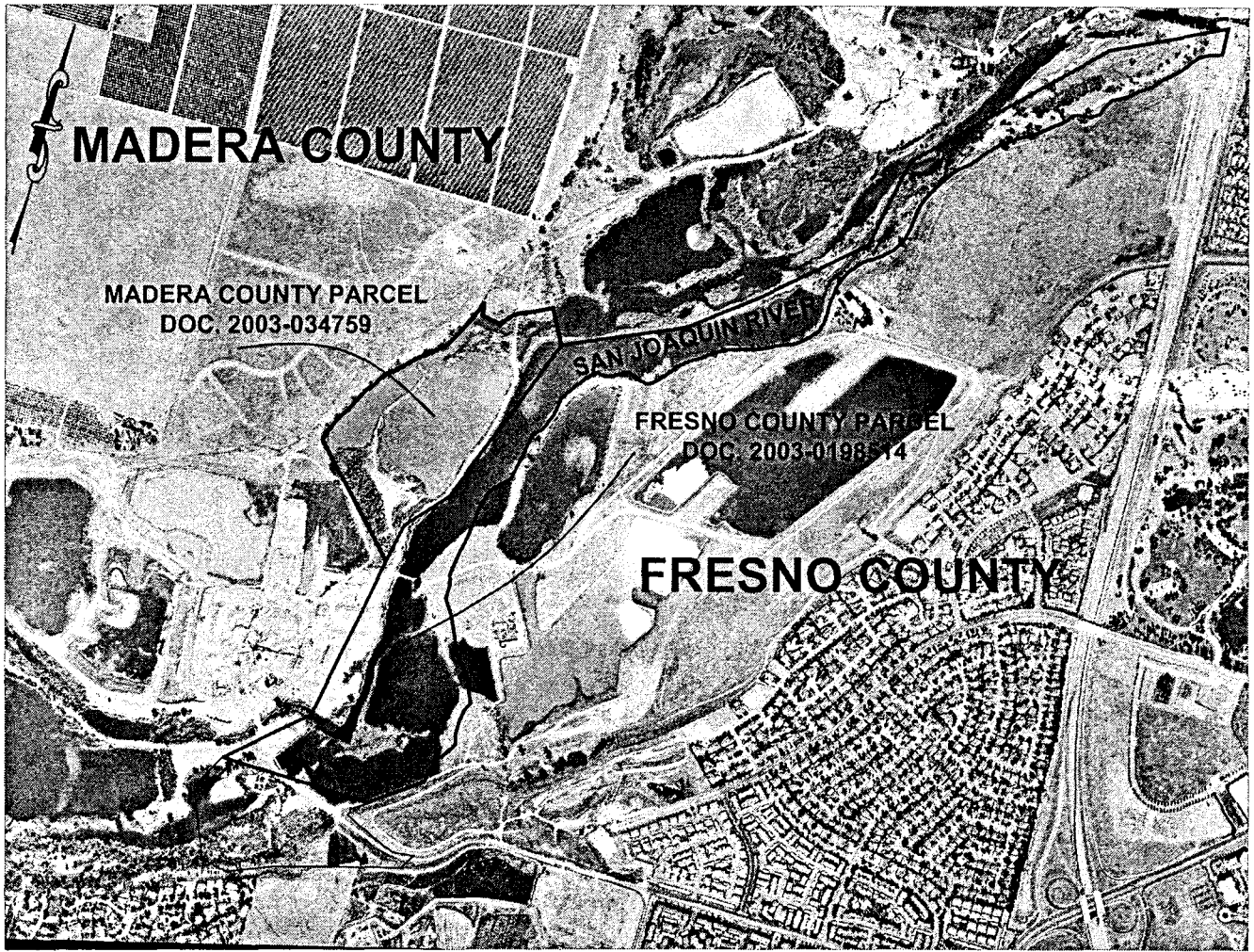
AUTHORIZE ISSUANCE TO THE SAN JOAQUIN RIVER CONSERVANCY OF A GENERAL LEASE - PUBLIC AGENCY USE, BEGINNING JUNE 26, 2006, FOR A TERM OF FOUR YEARS, FOR

CALENDAR ITEM NO. C28 (CONT'D)

CATTLE GRAZING FOR THE PURPOSE OF VEGETATION CONTROL AND FIRE PREVENTION AND INSTALLATION AND USE OF TEMPORARY SEASONAL FENCING, AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION BEING THE PUBLIC USE AND BENEFIT, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENT IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; LIABILITY INSURANCE WITH COVERAGE OF NO LESS THAN \$1,000,000.

NO SCALE

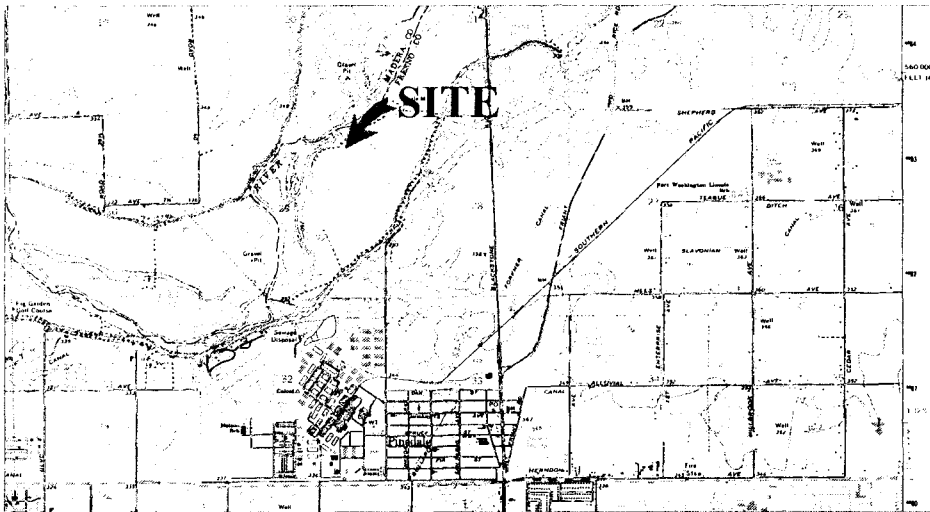
SITE



SAN JOAQUIN RIVER CONSERVANCY

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit A

W 26128
 GENERAL LEASE
 PUBLIC AGENCY FOR GRAZING
 SAN JOAQUIN RIVER
 FRESNO & MADERA COUNTY



This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

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