

MINUTE ITEM

This Calendar Item No. C41 was approved as Minute Item No. 41 by the California State Lands Commission by a vote of 3 to 0 at its 06/26/06 meeting.

CALENDAR ITEM  
**C41**

A	25	06/26/06
S	14	PRC 7738.9 T. Lipscomb

**AMENDMENT OF GENERAL LEASE—PUBLIC AGENCY USE**

**LESSEE:**

California Department of Fish and Game  
P.O. Box 10  
737 N. La Grange Road  
La Grange, CA 95325

**AREA, LAND TYPE, AND LOCATION:**

Sovereign lands in the Tuolumne River between River Mile 50.1 and 50.3 , near the town of La Grange, Stanislaus County.

**AUTHORIZED USE:**

Continued use and maintenance of clean river gravel into the Tuolumne River to improve spawning habitat and salmonid productivity.

**LEASE TERM:**

20 years, beginning June 14, 1999.

**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.

**PROPOSED AMENDMENT:**

Amend the lease premises to include the area from River Mile 49.9 to 50.7, as shown described in the attached Exhibit A, by reference made a part thereof. The Lease Amendment will contain provisions that: a) any work done outside the scope of the Negative Declaration (SCH# 2001072063) will require additional authorization from the State Lands Commission; b) the DFG must provide the Commission with annual reports of all work preformed; c) DFG must continue to submit all permits from other agencies having authority over the project as they are amended or reissued; and d) the Lease will require DFG to send SLC notice

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when they plan to conduct activities within the lease area. All other terms and conditions of the lease shall remain in effect without amendment.

**OTHER PERTINENT INFORMATION:**

1. On June 14, 1999, the State Lands Commission approved a 20 year lease, which allowed the placement of 11,000 tons (7,333 cubic yards) of gravel into the Tuolumne River for the Department of Fish and Game's (DFG) salmonid habitat improvement project. The DFG has requested that the lease area be expanded to include the whole salmonid spawning area from River Mile 49.9 to River Mile 50.7 and for an unspecified amount of gravel to be added to the River in the spawning area. CSLC staff has confirmed with the DFG that all future work for this project will be within the scope of the existing Negative Declaration (SCH 2001072063). The staff believes that the amount of gravel to be added to the River should be unspecified in the lease, and that the lease area should include the entire area covered in the Negative Declaration: River Mile 49.9 to 50.7. This lease amendment will obviate the need for the DFG to continually amend their lease to work on an ongoing project. The Lease Amendment will contain provisions that: a) any work done outside the scope of the Negative Declaration (SCH# 2001072063) will require additional authorization from the State Lands Commission; b) the DFG must provide the Commission with annual reports of all work performed; c) DFG must continue to submit all permits from other agencies having authority over the project as they are amended or reissued; and d) the Lease will require DFG to send SLC notice when they plan to conduct activities within the lease area.
2. Applicant is in the process of obtaining permission from the upland owners in order to access the river bed. No construction will commence until the necessary upland owners have been notified and permission has been obtained to access the lease area.
3. A Negative Declaration (SCH# 2001072063) was prepared and adopted for this project by California Department of Fish and Game. The California State Lands Commission's staff has reviewed such document.
4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 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.

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**APPROVALS OBTAINED:**

United States Army Corps of Engineers, State Reclamation Board, California  
Department of Fish and Game, California Regional Water Quality Control Board,  
and the County of Stanislaus.

**EXHIBITS:**

A. Site and Location Map

**RECOMMENDED ACTION:**

IT IS RECOMMENDED THAT THE COMMISSION:

**CEQA FINDING:**

FIND THAT A NEGATIVE DECLARATION WAS PREPARED AND  
ADOPTED FOR THIS PROJECT BY CALIFORNIA DEPARTMENT OF  
FISH AND GAME AND THAT THE COMMISSION HAS REVIEWED AND  
CONSIDERED THE INFORMATION CONTAINED THEREIN.

**SIGNIFICANT LANDS INVENTORY FINDING:**

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE  
CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE  
LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370,  
ET SEQ.

**AUTHORIZATION:**

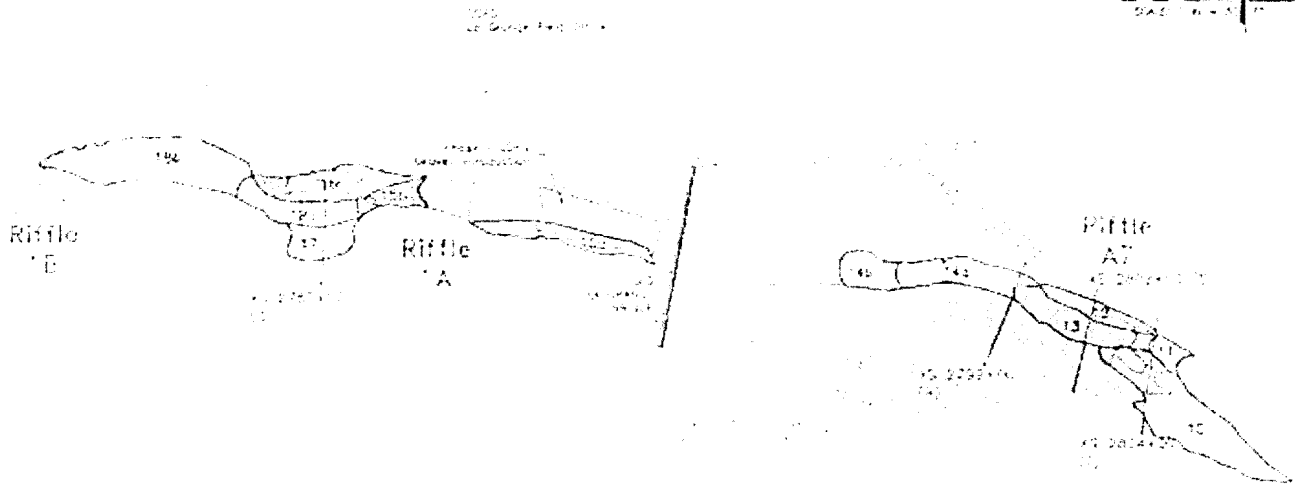
AUTHORIZE THE AMENDMENT OF LEASE NO. PRC 7738.9, A  
GENERAL LEASE-PUBLIC AGENCY USE, OF LANDS SHOWN ON  
EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART  
HEREOF, EFFECTIVE JUNE 26, 2006, TO AMEND THE LEASE  
DESCRIPTION TO INCLUDE AREAS FROM RIVER MILE 49.9 TO 50.7  
AND TO INCLUDE AN UNSPECIFIED AMOUNT OF RIVER GRAVEL TO  
BE PLACED IN THE SPAWNING AREA, PROVIDED THAT THE WORK  
IS DONE IN COMPLIANCE WITH THE EXISTING NEGATIVE  
DECLARATION (SCH# 2001072063) ; ANY WORK DONE OUTSIDE  
THE SCOPE OF THE NEGATIVE DECLARATION (SCH# 2001072063)  
WILL REQUIRE ADDITIONAL AUTHORIZATION FROM THE STATE  
LANDS COMMISSION; THE CALIFORNIA DEPARTMENT OF FISH AND  
GAME (DFG) MUST PROVIDE THE COMMISSION WITH ANNUAL  
REPORTS OF ALL WORK PREFORMED; DFG MUST CONTINUE TO  
SUBMIT ALL PERMITS FROM OTHER AGENCIES HAVING  
AUTHORITY OVER THE PROJECT AS THEY ARE AMENDED OR

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REISSUED; AND THE LEASE WILL REQUIRE DFG TO SEND THE STATE LANDS COMMISSION NOTICE WHEN THEY PLAN TO CONDUCT ACTIVITIES WITHIN THE LEASE AREA. ALL OTHER TERMS AND CONDITIONS OF THE LEASE WILL REMAIN IN EFFECT WITHOUT AMENDMENT.

NO SCALE

# SITE



## LA GRANGE BETWEEN RIVER MILES 49.9 AND 50.7 TUOLUMNE RIVER CDFG/DWR GRAVEL REPLENISHMENT PROJECT

NO SCALE

### LOCATION



MAP SOURCE: USGS QUAD

### **Exhibit A**

PRC 7738  
GENERAL LEASE  
PUBLIC AGENCY USE  
TUOLUMNE RIVER  
STANISLAUS COUNTY



MJG 6/12/06

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