

MINUTE ITEM

This Calendar Item No. C 4
was approved as Minute Item
by the State Lands
Commission by a vote of 3
to 0 at its 3-25-76
meeting.

CALENDAR ITEM

3/76
EPW
WP 4492

C4

PUBLIC AGENCY PERMIT

APPLICANT: Department of Water Resources
3251 "S" Street
Sacramento, California 95814

AREA, TYPE LAND AND LOCATION:
A 2.755 acre parcel of tide and submerged
land in Old River, Northwest of Mossdale, San
Joaquin County.

LAND USE: Annual reconstruction and removal of a temporary
stone enclosure to improve migration and spawning
conditions for salmon.

TERMS OF ORIGINAL LEASE:
Initial period: 5 years, 3 months from September
1, 1970.

Special: No charge; the public use and benefit.

TERMS OF PROPOSED LEASE:
Initial period: 49 years, from December 1, 1975.

CONSIDERATION: The public use and benefit with 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.

PREREQUISITE TERMS, FEES AND EXPENSES:
Processing costs received of \$325.

STATUTORY AND OTHER REFERENCES:
A. Public Resources Code: Div. 6, Parts 1 & 2.
B. Administrative Code: Title 2, Div. 3,
Arts. 1, 2, 10 & 11.

OTHER PERTINENT INFORMATION:
1. The annual rental value of the site is
estimated to be \$1,120.
2. This is a stone closure which can be removed
on short notice by a crane barge. During
extremely low-water summers, retrograde
tidal flows and low-dissolved-oxygen-content
prevent salmon migration up the San Joaquin
River, particularly in the Stockton deep
water channel, and inhibit spawning farther
up in the San Joaquin tributaries. The

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placement of the closure during the period September 15 through November 15, at the latest, in dry summer years, together with Federal water releases from the Delta Mendota Canal, will force a continual flow of better quality water through the Stockton area, minimizing detrimental effects. The project is a part of a four-party agreement between the State Department of Water Resources, the State Department of Fish and Game, the U. S. Bureau of Reclamation, and the U. S. Bureau of Sport Fisheries and Wildlife.

3. This project is situated on State land identified as environmentally significant, pursuant to Public Resources Code 6370.1, and is classified in a significant use category, Class B: Limited Use. The project is determined to be a compatible use not inconsistent with identified significant environmental values.
4. A Negative Declaration was prepared by the Department of Water Resources, pursuant to CEQA and implementing regulations. A Notice of Determination has been received.

EXHIBITS: A. Land Description. B. Location Map.
 C. Negative Declaration.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS PROJECT BUT THAT A NEGATIVE DECLARATION HAS BEEN PREPARED BY THE DEPARTMENT OF WATER RESOURCES ON JULY 27, 1973.
2. CERTIFY THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED IN THE NEGATIVE DECLARATION.
3. DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. FIND THAT GRANTING OF THE APPLICATION WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1 ET SEQ.; OF THE PUBLIC RESOURCES CODE.
5. AUTHORIZE ISSUANCE TO THE DEPARTMENT OF WATER RESOURCES OF A 49-YEAR PUBLIC AGENCY PERMIT FROM DECEMBER 1, 1975; IN CONSIDERATION OF THE PUBLIC USE AND BENEFIT WITH 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 THE ANNUAL RECONSTRUCTION AND REMOVAL OF

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A TEMPORARY STONE CLOSURE TO IMPROVE MIGRATION AND SPAWNING
CONDITIONS FOR SALMON ON THE LAND DESCRIBED ON EXHIBIT "A"
ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

WP 4492

A strip of state owned tide and submerged land 200 feet in width across Old River immediately downstream from the junction of Old River and the San Joaquin River lying 100 feet on each side of the following described centerline:

BEGINNING at a point from which a spike and washer at the northwest corner of Section 35, T1S, R6E, M.D.M., bears N 82° 15' 09" E, 11,246.55 feet; thence from said point of beginning N 10° 18' 16" E, 600 feet to the end of the herein described centerline.

EXCEPTING THEREFROM any load lying landward of the Ordinary High Water Mark of Old River.

Bearings and distances based on California Coordinate System, Zone 3.

END OF DESCRIPTION

Prepared James A. Whitlow Checked John K. Allison
Reviewed W. H. Runnecke Date 12/12/75