

MINUTE ITEM

This Calendar Item No. C02 was approved as Minute Item No. 02 by the California State Lands Commission by a vote of 3 to 0 at its 12-3-99 meeting.

**CALENDAR ITEM
C02**

A 2

12/03/99

PRC 8122.9

W 23935

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L. Burks

**TERMINATION OF GENERAL PERMIT – PUBLIC AGENCY USE
NO. PRC 7351.9 AND ISSUANCE OF A NEW
GENERAL LEASE - PUBLIC AGENCY USE**

LESSEE:

Anderson-Cottonwood Irrigation District (ACID)
2810 Silver Street
Anderson, California 96007

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in the Sacramento River, adjacent to Caldwell Park, near the city of Redding, Shasta County.

AUTHORIZED USE:

Construction of a south bank fish ladder and main diversion fish screen.

LEASE TERM:

25 years, beginning November 1, 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.

OTHER PERTINENT INFORMATION:

1. Applicant has a right to use the uplands adjoining the lease premises.
2. On October 26, 1989, the Commission issued to the California Department of Fish and Game a General Permit – Public Agency Use No. PRC 7351.9 for the construction, use and maintenance of the south bank fish ladder on the existing ACID dam. By memorandum dated September 16, 1999, the California Department of Fish and Game is releasing their interest in this site at this time because the fish ladder and fish screen facilities are being completely replaced and will be under the control of the ACID. The California Department of Fish and Game will

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continue to access State land at this site to conduct fish monitoring activities and provide occasional assistance to the ACID.

3. A Mitigated Negative Declaration (SCH #99042076) and Mitigation Monitoring Program were prepared and adopted for this project by the Anderson-Cottonwood Irrigation District. The California State Lands Commission staff has reviewed such documents.
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.

APPROVALS OBTAINED:

United States Fish and Wildlife Service; National Marine Fisheries Service; United States Army Corps of Engineers; State of California Reclamation Board; Central Valley Water Quality Control Board; California Department of Fish and Game; Advisory Council on Historic Preservation; Federal Emergency Management Agency; City of Redding.

EXHIBITS:

- A. Site Plan
- B. Location Map

PERMIT STREAMLINING ACT DEADLINE:

February 29, 2000

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

1. FIND THAT A MITIGATED NEGATIVE DECLARATION AND A MITIGATION MONITORING PROGRAM WERE PREPARED AND ADOPTED FOR THIS PROJECT BY THE ANDERSON-COTTONWOOD IRRIGATION DISTRICT AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

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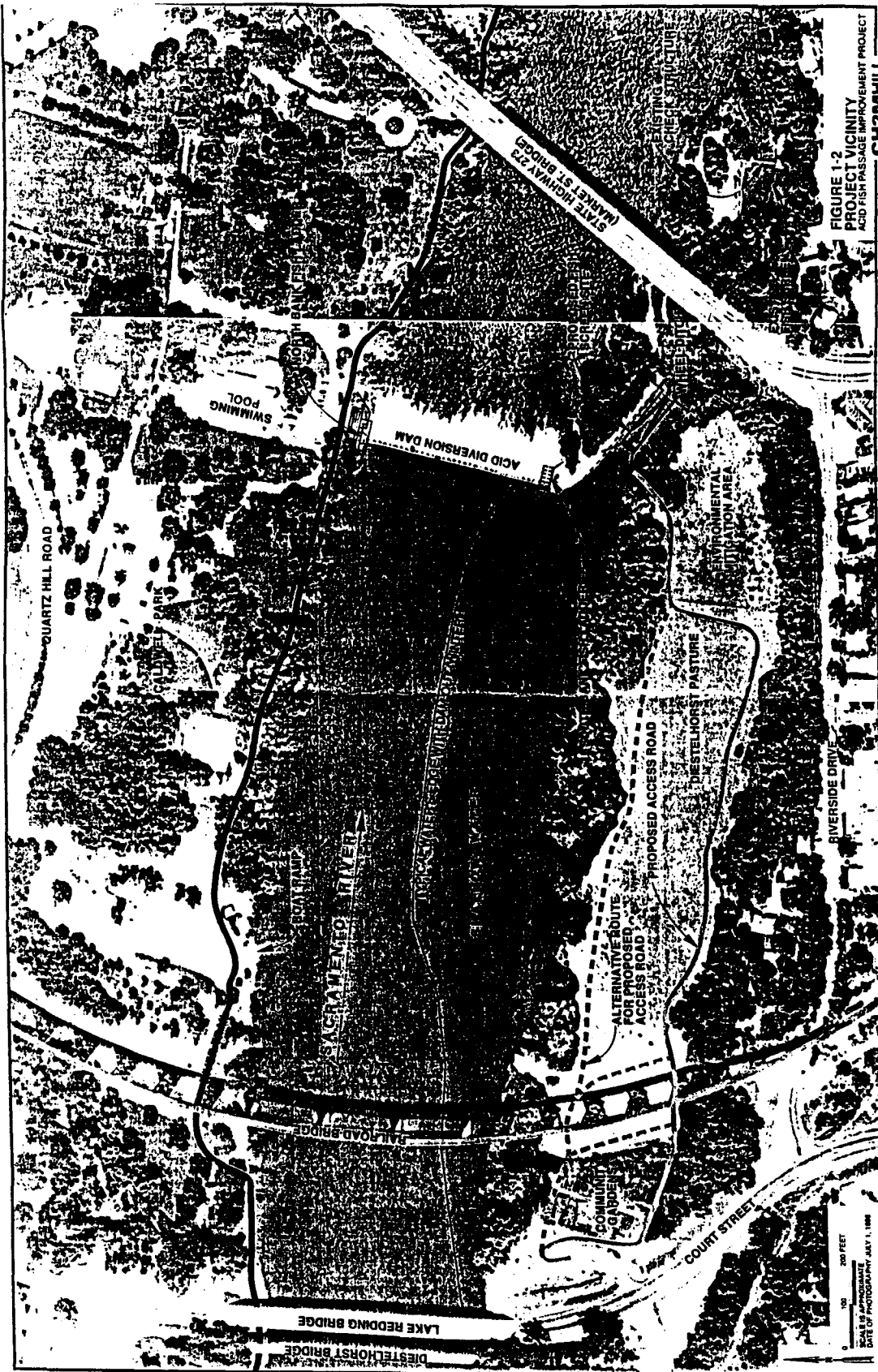
2. ADOPT THE MITIGATION MONITORING PROGRAM, WHICH IS ON FILE IN THE OFFICES OF THE CALIFORNIA STATE LANDS COMMISSION.

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.

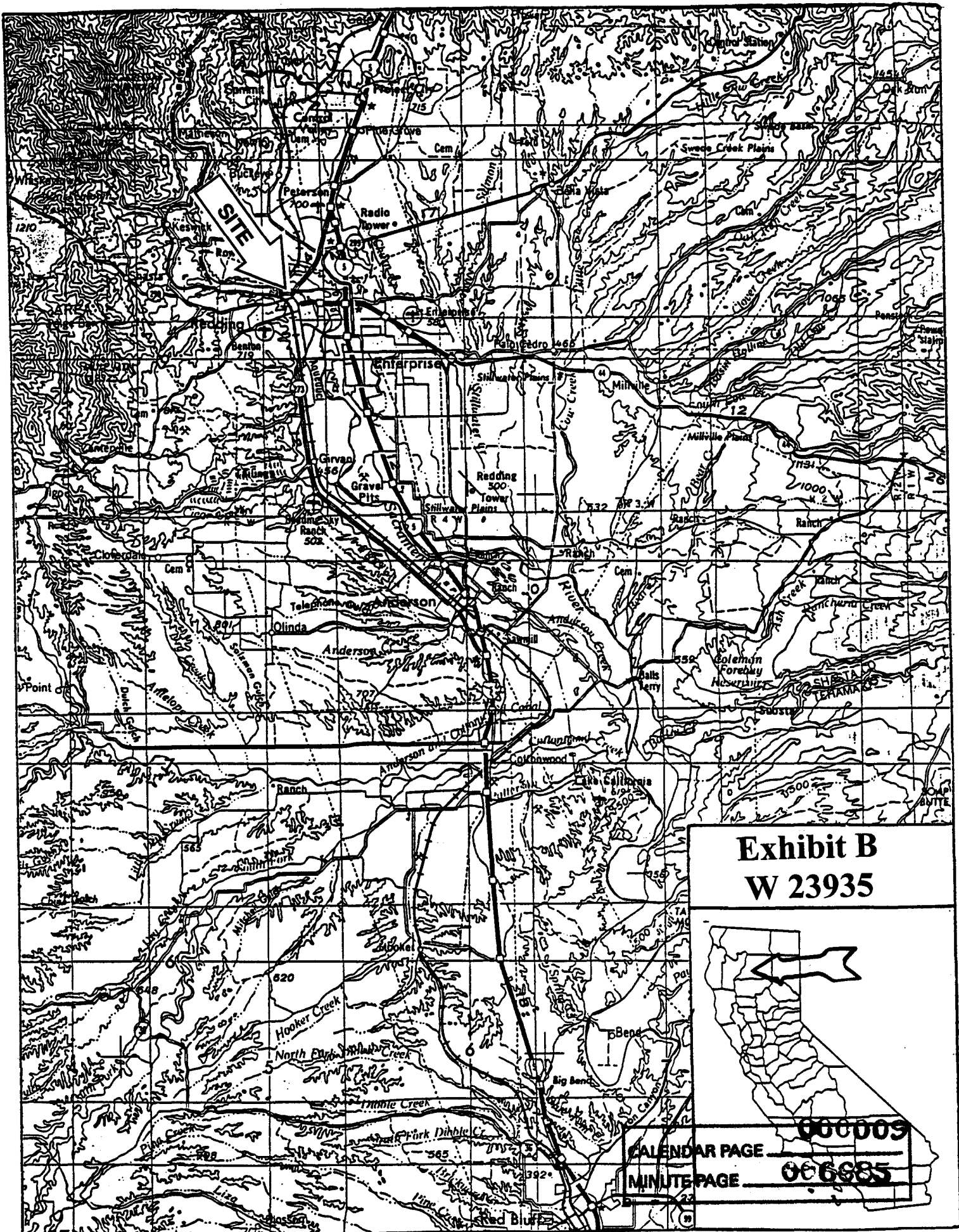
AUTHORIZATION:

1. AUTHORIZE TERMINATION OF GENERAL PERMIT – PUBLIC AGENCY USE NO. PRC 7351.9 ISSUED BY THE CALIFORNIA STATE LANDS COMMISSION ON OCTOBER 26, 1989.
2. AUTHORIZE ISSUANCE TO ANDERSON-COTTONWOOD IRRIGATION DISTRICT OF A GENERAL LEASE – PUBLIC AGENCY USE, FOR A TERM OF 25 YEARS, BEGINNING NOVEMBER 1, 1999, FOR CONSTRUCTION OF A SOUTH BANK FISH LADDER AND MAIN DIVERSION FISH SCREEN ASSOCIATED WITH THE EXISTING ACID DIVERSION DAM ON THE LAND 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 TO SET A MONETARY RENT IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST.



This exhibit is solely for purposes of generally defining the area to be leased, and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or other property.

Exhibit A
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**Exhibit B
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