

MINUTE ITEM
This Calendar Item No. C43 was approved as
Minute Item No. 43 by the California State Lands
Commission by a vote of 3 to 0 at its
10-06-04 meeting.

**CALENDAR ITEM
C43**

A 1
S 2

10/06/04
PRC 7993 WP 7993.1
B. Young

GENERAL LEASE - RIGHT OF WAY USE

APPLICANT:

Hansen Truck Stop, Inc.
2404 Sandy Prairie Road
Fortuna, CA 95540

AREA, LAND TYPE, AND LOCATION:

0.01 acres, more or less, of sovereign lands in the Eel River near Fortuna,
Humboldt County.

AUTHORIZED USE:

Placement of a seasonal bridge crossing over the Eel River constructed from a
railroad flat car, as shown on the attached Exhibit A. The exact location of the
bridge may vary from year to year within the lease premises due to river
conditions.

LEASE TERM:

Five years, beginning October 8, 2004.

CONSIDERATION:

\$100 per annum; with the State reserving the right to fix a different rent
periodically during the lease term, as provided in the lease.

SPECIFIC LEASE PROVISIONS:

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

OTHER PERTINENT INFORMATION:

1. The crossing shall be placed annually no earlier than June 30 and
removed annually no later than October 15, in accordance with criteria
established in permits issued by the California Coastal Commission, the
California Department of Fish and Game and the U.S. Army Corps of
Engineers.

CALENDAR ITEM NO. C43 (CONT'D)

2. The seasonal bridge crossing will be used as a haul road to access seasonal extraction of sand and gravel from river bars next to the Eel River. The seasonal bridge crossing shall be installed with sufficient clearance to provide safe passage for navigational and recreational activities. Low bridge warning signs are to be placed during the period the crossing is in place.
3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA under the general rule that the CEQA applies only to projects which have the potential for causing a significant effect on the environment. The staff believes, based on the information available to it, that there is no possibility that this project may have a significant effect on the environment.

Authority: Title 14, California Code of Regulations, section 15061 (b)(3).

4. Humboldt County has prepared and adopted EIR and Supplemental EIR (SCH #96013024) for this project. Subsequent to this EIR, on August 2, 2004, NOAA Fisheries issued a biological opinion that the proposed gravel mining extraction is not likely to jeopardize the continued existence of threatened Southern Oregon/Northern California (SONC) Coho Salmon, threatened Central California Chinook Salmon, or Northern California Steelhead and is not likely to destroy or adversely modify SONC Coho Salmon designated critical habitat for the next five years.
5. 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.

FURTHER APPROVALS REQUIRED:

U.S. Army Corps of Engineers, California Coastal Commission, California Department of Fish and Game, California Water Quality Control Board, North Coast Region and the county of Humboldt.

EXHIBIT:

- A. Location and Site Map

CALENDAR ITEM NO. C43 (CONT'D)

PERMIT STREAMLINING ACT DEADLINE:

October 12, 2004

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 BECAUSE THERE IS NO POSSIBILITY THAT THE ACTIVITY MAY HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT; TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 (b)(3).

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 ISSUANCE TO HANSEN TRUCK STOP, INC., OF A GENERAL LEASE – RIGHT OF WAY USE, BEGINNING OCTOBER 8, 2004, FOR A TERM OF FIVE YEARS FOR THE ANNUAL PLACEMENT AND REMOVAL OF A SEASONAL BRIDGE CROSSING ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION BEING \$100 PER ANNUM; WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; LIABILITY INSURANCE WITH COMBINED SINGLE LIMIT COVERAGE OF \$1,000,000.

