

MINUTE ITEM

This Calendar Item No. C06
was approved as Minute Item
No. 6 by the State Lands
Commission by a vote of 3
to 0 at its 7/10/89
meeting.

CALENDAR ITEM
C06

07/10/89
PRC 4239
J. Ludlow

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S 2

RE-ISSUANCE OF GENERAL PERMIT - PUBLIC AGENCY USE

APPLICANT: Humboldt County Department
of Public Works
1106 - 2nd Street
Eureka, California 95501

AREA, TYPE LAND AND LOCATION:
A 0.122-acre parcel of tide and submerged land
at the mouth of the Mad River near
McKinleyville, Humboldt County.

LAND USE: Continued use and maintenance of a
boat-launching ramp and riprap bank protection.

TERMS OF ORIGINAL PERMIT:
Initial period: Twenty (20) years beginning
April 7, 1969.

TERMS OF PROPOSED PERMIT:
Initial period: Forty-nine (49) years
beginning April 7, 1989.

CONSIDERATION: The public use and benefit; with the 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.

BASIS FOR CONSIDERATION:
Pursuant to 2 Cal. Code Regs. 2003.

APPLICANT STATUS:
Applicant is owner of upland.

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(CONT'D)

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing fee has been received.

STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Code Regs.: Title 2, Div. 3;
Title 14, Div. 6.

AB 884: N/A.

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15061), the staff has determined that the continued use of the boat launching ramp exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities, 2 Cal. Code Regs 2905(a)(2).

Authority: P.R.C. 21034, 14 Cal. Code Regs. 15300, and 2 Cal. Code Regs. 2905.

2. The original permit was issued to the Wildlife Conservation Board (WCB) for a period of twenty years as the operators of the County owned upland park. In late December 1988, the Humboldt County Board of Supervisors directed staff to notify the WCB that the County no longer wished the park operated by WCB but would take over operation themselves.
3. The original permit to WCB was for the boat-launching ramp only. The proposed permit to the County will also include existing bank protection placed in 1986.
4. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15061), the staff has determined that the riprap bank protection is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 4, Minor Alterations to Land, 14 Cal. Code Regs. 15304.

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Authority: P.R.C. 21084 and 14 Cal. Code
Regs. 15300.

5. The County has requested that the processing fee be waived due to the fact that the Mad River County park offers a statewide benefit to the public by offering public access, including both ocean and river, and recreational facilities at no cost to the user.
6. The annual rental value of the site is estimated to be \$305.
7. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 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:

All approvals previously obtained.

FURTHER APPROVALS REQUIRED:

Coastal Commission (after-the-fact permit for the riprap).

EXHIBITS:

- A. Land Description.
- B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. AS TO THE CONTINUED USE OF THE BOAT LAUNCHING RAMP, FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES, 2 CAL. CODE REGS. 2905(a)(2).
2. AS TO THE BANK PROTECTION, FIND THAT THE AGENCY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 4, MINOR ALTERATIONS TO LAND, 14 CAL. CODE REGS. 15304.

- 3. FIND IT TO BE IN THE STATE'S BEST INTEREST TO WAIVE THE PROCESSING FEE.
- 4. AUTHORIZE ISSUANCE TO HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS OF A 49-YEAR GENERAL PERMIT - PUBLIC AGENCY USE, BEGINNING APRIL 7, 1989; IN CONSIDERATION OF THE PUBLIC USE AND BENEFIT, WITH THE 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 CONTINUED USE AND MAINTENANCE OF AN EXISTING BOAT-LAUNCHING RAMP AND RIPRAP BANK PROTECTION ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

PRC 4239.9

A parcel of tide and submerged land in the bed of the Mad River in that portion of the south half of Section 1, T. 6 N., R. 1 W., H.B.M., in Humboldt County, California, described as follows.

All that land lying immediately beneath the launching ramp and shore protection, TOGETHER WITH a necessary use area extending 10 feet from the extremities of said launching ramp and shore protection, being adjacent to the parking lot at the public launching facilities, mouth of the Mad River.

EXCEPTING THEREFROM any land lying landward of the ordinary high tide line of the Mad River

PREPARED OCTOBER 3, 1988 BY BIU 1.

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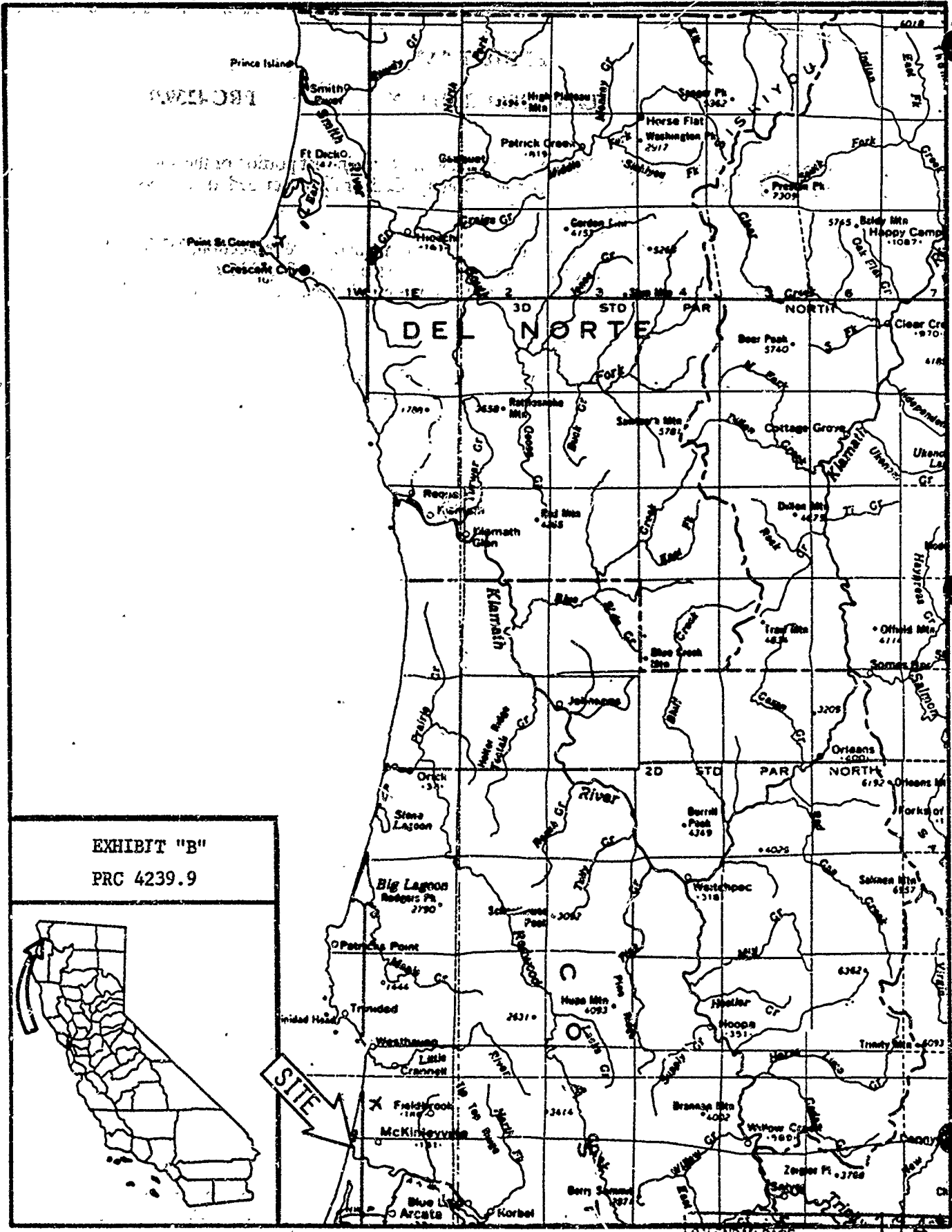


EXHIBIT "B"
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SITE