

CALENDAR ITEM

C19

A 26

12/14/06

S 14

PRC 2057 WP 2057.9

V. Massey

GENERAL LEASE - PUBLIC AGENCY USE

APPLICANTS:

San Joaquin County
1810 East Hazelton Ave
P.O. Box 1810
Stockton, CA 95201

Stanislaus County
Public Works
1716 Morgan Road
Modesto, CA 95358

AREA, LAND TYPE, AND LOCATION:

0.47 acres, more or less, of sovereign lands in the Stanislaus River, near Escalon, San Joaquin and Stanislaus counties.

AUTHORIZED USE:

Continued use and maintenance of the existing McHenry Avenue Bridge on State Highway 13 as shown on Exhibit A.

LEASE TERM:

25 years, beginning January 24, 2007.

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. Applicants have the right to use the uplands adjoining the lease premises.
2. On March 10, 1958, the Commission authorized a 49-year Life of Structure Permit to San Joaquin County and Stanislaus County for the

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construction of the McHenry Bridge on State Highway 13 which crosses the Stanislaus River. That lease will expire on January 23, 2007. San Joaquin and Stanislaus Counties are now applying for a new General Lease - Public Agency Use.

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 as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; Title 14, California Code of Regulations, section 15301(d).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300.

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.

EXHIBIT:

- A. Site and Location Map

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 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15301(d).

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.

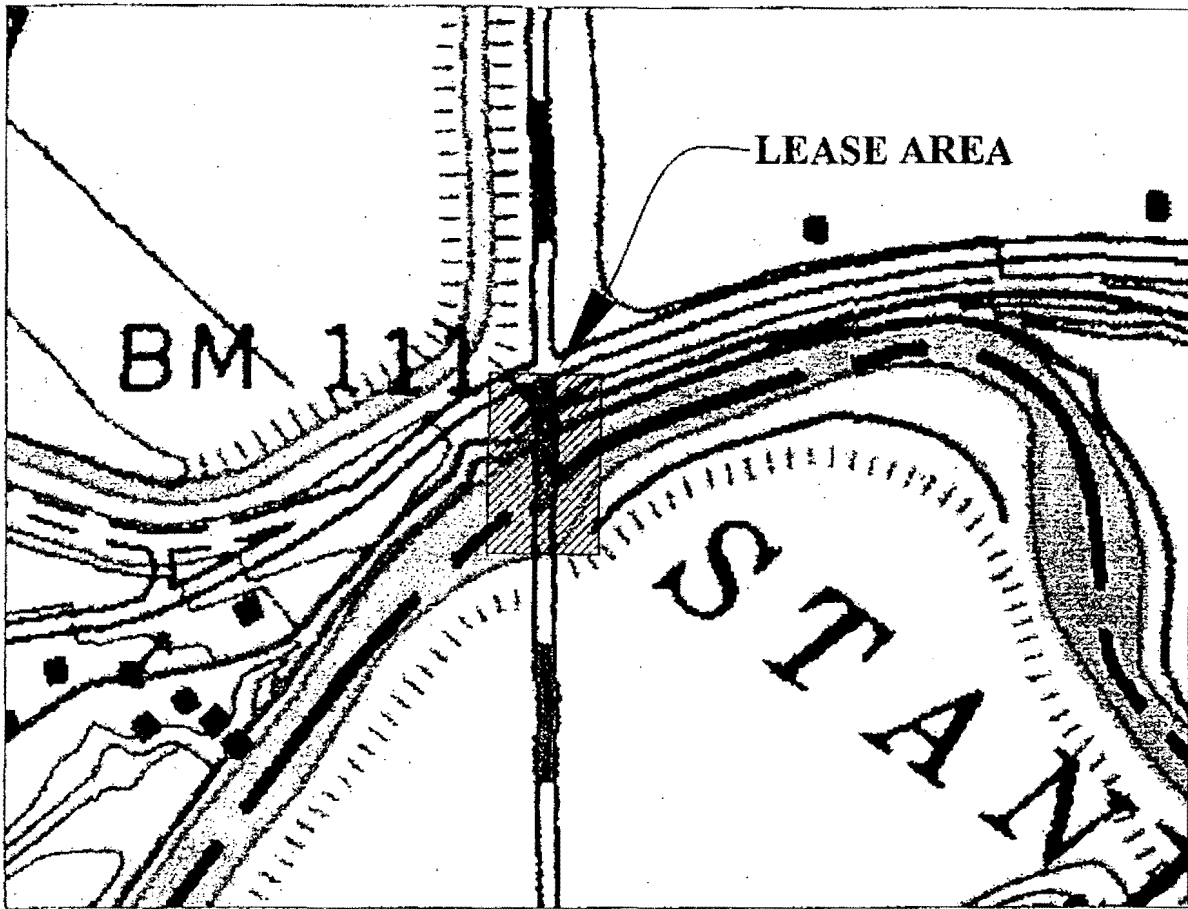
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AUTHORIZATION:

AUTHORIZE ISSUANCE TO SAN JOAQUIN COUNTY AND STANISLAUS COUNTY OF A GENERAL LEASE - PUBLIC AGENCY USE, BEGINNING JANUARY 24, 2007, FOR A TERM OF 25 YEARS, FOR THE EXISTING MCHENRY AVENUE BRIDGE ON STATE HIGHWAY 13 AS 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 AT ANY TIME TO SET A MONETARY RENT IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST.

NO SCALE

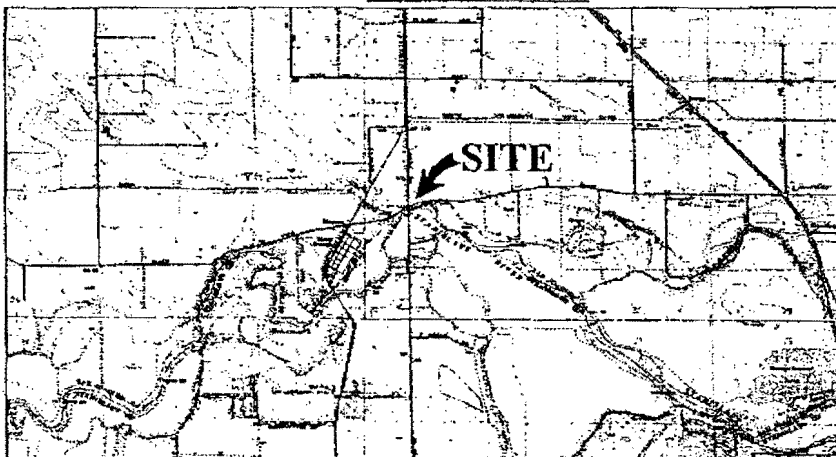
SITE



State Hwy. 13 (McHenry Ave.)
Stanislaus River, Stanislaus and San Joaquin Counties

NO SCALE

LOCATION



MAP SOURCE: USGS QUADS AVENA & ESCALON

Exhibit A
PRC 2057.9
PUBLIC AGENCY USE
STATE HWY. 13
STANISLAUS &
SAN JOAQUIN COUNTIES



FED 8/6/06

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

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