

**CALENDAR ITEM  
C03**

A 2  
S 2

08/15/14  
PRC 7988.1  
G. Asimakopoulos

**AMENDMENT OF LEASE**

**LESSEE:**

Eureka Ready Mix Concrete Co., Inc.  
4945 Boyd Road  
Arcata, CA 95521

**AREA, LAND TYPE, AND LOCATION:**

Sovereign land in the Eel River, adjacent to Assessor's Parcel Numbers 106-221-001, 201-221-009, and 201-261-005, near the city of Fortuna, Humboldt County.

**AUTHORIZED USE:**

Annual placement, use, and removal of a seasonal bridge crossing over the Eel River. The exact location of the bridge may vary from year to year within the lease premises due to conditions in the River.

**LEASE TERM:**

Five years, beginning September 9, 2009.

**CONSIDERATION:**

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

**SPECIFIC LEASE PROVISIONS:**

Insurance:

Liability insurance in an amount no less than \$1,000,000.

Other:

The lease includes provisions for annual reporting of extraction plans and location of the seasonal bridge.

Hazard Signs:

Lessee is to post low-bridge warning signs during the period that the crossing is in place.

CALENDAR ITEM NO. **C03** (CONT'D)

**PROPOSED AMENDMENT:**

Amend the Lease to extend the lease expiration date from September 8, 2014, to October 15, 2014. All other terms and conditions of the lease shall remain in effect without amendment.

**OTHER PERTINENT INFORMATION:**

1. Lessee has the right to use the uplands adjoining the lease premises.
2. On October 22, 2009, the Commission approved a five-year General Lease – Right-of-Way Use with Eureka Ready Mix Concrete Co., Inc. (Eureka), for the annual placement, use, and removal of a seasonal bridge crossing over the Eel River. That lease will expire on September 8, 2014.
3. On an annual basis, the seasonal bridge crossing may not be placed on the Lease Premises sooner than June 30 and shall be removed no later than October 15. The placement and removal of the seasonal bridge crossing is in accordance with criteria established in authorizations issued by the U.S. Army Corps of Engineers Section 404 Permit, the California Coastal Commission (Coastal Development Permit No. 1-09-006-A1), and the California Department of Fish and Wildlife Section 1603 Streambed Alteration Agreement. Given that these authorizations allow Eureka to conduct operations until October 15 of each year, Eureka is now applying to amend the Lease to extend the term from September 8, 2014, to October 15, 2014. Eureka will then apply for a new lease with a beginning date that will coincide with all agency authorizations.
4. The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. 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.

CALENDAR ITEM NO. **C03** (CONT'D)

**EXHIBITS:**

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

**RECOMMENDED ACTION:**

It is recommended that the Commission:

**CEQA FINDING:**

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

**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 section 6370 et seq.

**AUTHORIZATION:**

Authorize the amendment of Lease No. PRC 7988.1, a General Lease – Right-of-Way Use, effective August 15, 2014, to extend the lease expiration date from September 8, 2014, to October 15, 2014; all other terms and conditions of the lease will remain in effect without amendment.

**EXHIBIT A**

**PRC 7988.1**

**LAND DESCRIPTION**

A 75 foot wide by 150 foot long, more or less, strip of submerged lands lying in the bed of the Eel River situate adjacent to Sections 14, 15, 22, and 23 Township 2 North, Range 1 West, Humboldt Base and Meridian, County of Humboldt, State of California, the location of said strip to be within the following described lands:

Said strip lying within those lands bounded on the west by the ordinary low water mark of the left bank of the Eel River, bounded on the east by the ordinary low water mark of the right bank of the Eel River, bounded on the north by the northerly line of the south half of Sections 14 and 15, and bounded on the south by the southerly line of the north half of Sections 22 and 23.

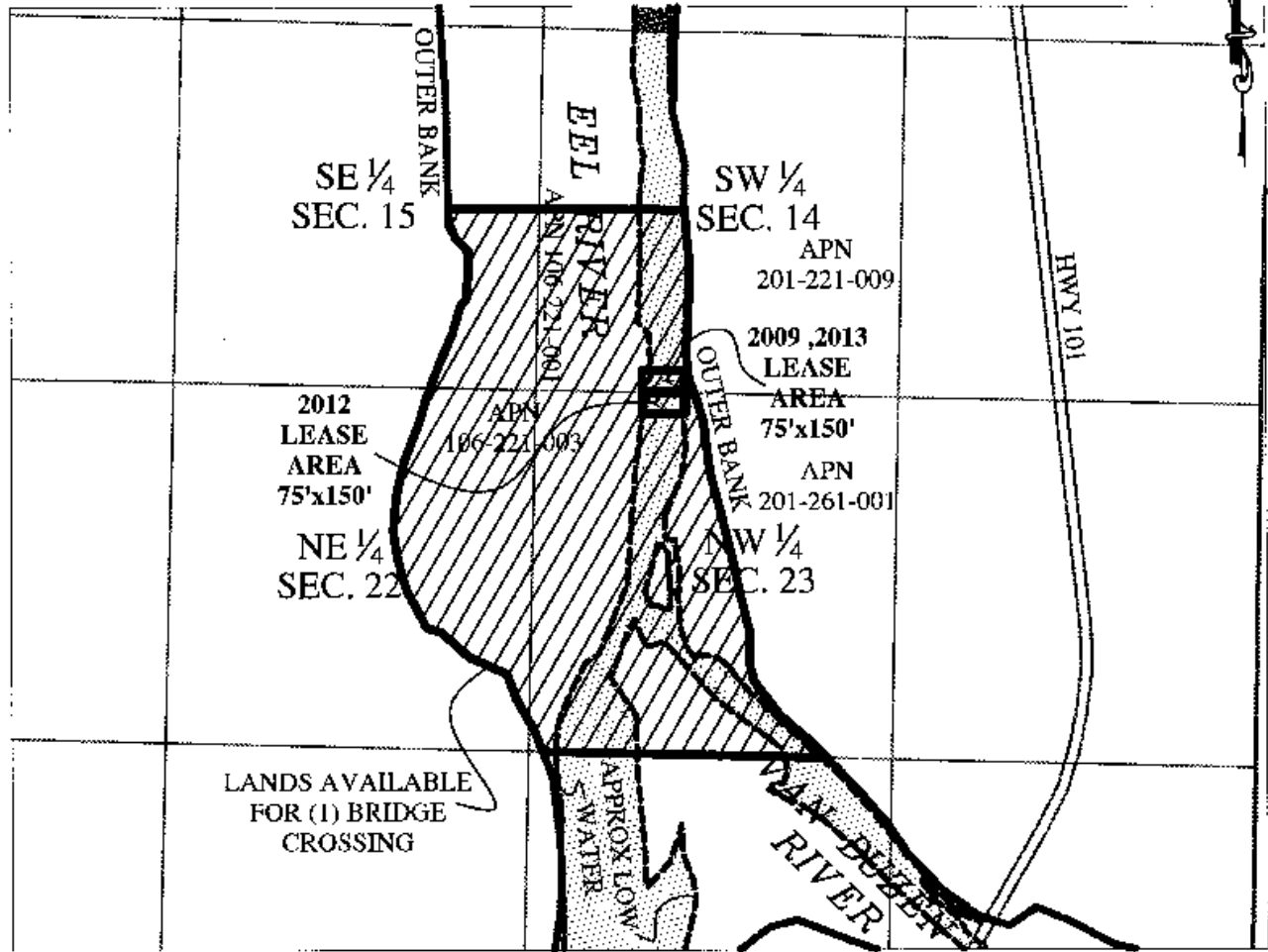
**END OF DESCRIPTION**

Prepared by the California State Lands Commission Boundary Unit  
August 23, 2009.



NO SCALE

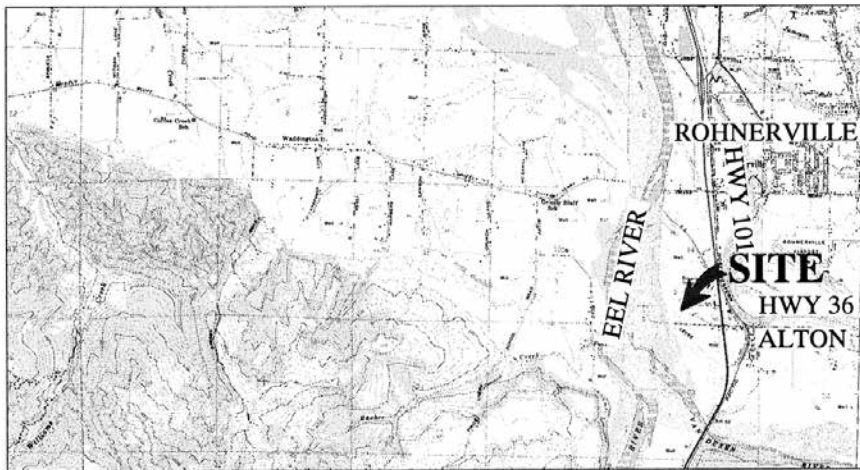
### SITE



Seasonal Bridge Crossing the Eel River

NO SCALE

### LOCATION



MAP SOURCE: USGS QUAD

### Exhibit B

PRC 7988.1  
 EUREKA READY MIX  
 CONCRETE CO., INC.  
 APN 106-221-001 & 003,  
 201-221-209, 201-261-001  
 GENERAL LEASE -  
 RIGHT-OF-WAY USE  
 HUMBOLDT COUNTY



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.