



COUNTY OF HUMBOLDT

Legislation Text

File #: 18-938, **Version:** 1

To: Board of Supervisors

From: Public Works

SUBJECT:

Renewal of Lease Number PRC5659.9 with the California State Lands Commission for the Continued Use and Maintenance of Bank Protection Structures on the Eel River Near Fernbridge

RECOMMENDATION(S):

That the Board of Supervisors approve the renewal of Lease Number (No.) PRC 5659.9 for the use and maintenance of bank protection structures; and Authorize the Public Works Director or his designee to execute the lease in duplicate. (Attachment 1)

SOURCE OF FUNDING:

Water Management Budget 1100-251.

DISCUSSION:

In 1979, the United States Army Corps of Engineers completed construction of a bank erosion demonstration project on the Eel River near Singley pool just downstream from Fernbridge. Per State law, the county was required to obtain a lease from the State Lands Commission. The county received a lease for fifteen (15) years, which expired in May of 1994. The county executed a reimbursement agreement with the California State Lands Commission on April 19, 1994, to cover application costs. The lease was renewed and the most recent expiration was May 2009. The current lease is for the period beginning May 1, 2009 through April 30, 2034. Application fees were paid in 2012 and the State Lands Commission approved the new lease on October 19, 2012. A misunderstanding of the State Lands process for approving the lease and personnel turnover caused multiple delays in executing the lease in a timely manner. In order for the lease to be considered a renewal rather than a new lease at much greater cost, the start date of the lease must be the day after the lease last expired, which is why the new term is longer than the original.

FINANCIAL IMPACT:

The lease is provided at no cost to the county. There is no impact to the General Fund.

Approval of this lease supports the Core Role to provide for and maintain infrastructure.

OTHER AGENCY INVOLVEMENT:

State Lands Commission

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The county could disapprove the lease. Disapproval would violate State law requiring the county to maintain the embankment structures.

ATTACHMENTS:

1. Lease No. PRC5659.9

PREVIOUS ACTION/REFERRAL:

Board Order No.: D-22

Meeting of: April 19, 1994