

Staff Report 34

APPLICANT/SUBLESSOR:

Humboldt County Resource Conservation District

SUBLESSEE:

Andrew J. Albin and Sarah E. Albin

PROPOSED ACTION:

Issuance of a General Lease – Public Agency Use; and Endorsement of a Sublease.

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the Salt River, near Ferndale, Humboldt County.

AUTHORIZED USE:

Continued use and maintenance of the Salt River Ecosystem **Restoration Project**, **vegetation maintenance (clearing, planting, flash grazing)**, **access road maintenance, culvert installation for maintenance of restoration project**, maintenance dredging of up to a maximum of **25,000~~00~~** cubic yards **per year**, and an agricultural bridge.

TERM:

10 years, beginning October 27, 2021.

CONSIDERATION:

Agricultural Bridge: \$671 per year, with an annual Consumer Price Index adjustment.

Salt River Ecosystem **Restoration Project and Maintenance Dredging:** 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.

SPECIFIC LEASE PROVISIONS:

- Liability insurance in an amount no less than \$2,000,000 per occurrence
- Lessee agrees and acknowledges that the hazards associated with climate change may require additional maintenance or protection strategies regarding the improvements on the lease premises.

STAFF ANALYSIS AND RECOMMENDATION:

AUTHORITY:

Public Resources Code sections 6005, 6216, 6301, 6303, 6501.1, and 6503; California Code of Regulations, title 2, sections 2000 and 2003.

PUBLIC TRUST AND STATE'S BEST INTERESTS:

On October 27, 2011, the Commission authorized a 10-year General Lease – Public Agency Use to the Applicant for Phase I of the Salt River Ecosystem Restoration Project ([Item C24, October 27, 2011](#)). On December 5, 2012, the Commission authorized an amendment of the lease for Phase II of the project ([Item C86, December 5, 2012](#)). On April 20, 2017, the Commission authorized a second amendment of the lease for an extension of the construction completion date ([Item C16, April 20, 2017](#)). On June 21, 2018, the Commission authorized a third amendment of the lease for construction of an agricultural bridge, revised consideration to \$600 per year for the bridge, and endorsement of a sublease to Andrew J. Albin and Sarah E. Albin ([Item C15, June 21, 2018](#)). The original lease expired October 26, 2021. The Applicant is now applying for a General Lease – Public Agency Use for the continued use and maintenance of the restored Salt River Ecosystem Restoration Project, including **vegetation maintenance (clearing, planting, flash grazing), access road maintenance, culvert installation for maintenance of restoration project**, maintenance dredging, and for continued use and maintenance of the agricultural bridge by the Sublessee.

The purpose of the Salt River Ecosystem Restoration Project (the “project”) was to restore 330 acres of a tidal marsh and 7.5 miles of river channel in the Eel River Delta. The project was divided into two phases. Phase I was completed in 2013 and included restoration and construction of 330 acres of tidal marsh and 2.5 miles of Salt River channel and riparian corridor. Phase II was constructed over multiple years. Beginning in 2014, a segment of the Salt River channel and riparian corridor was restored, resulting in reconnection of Reas Creek. Thereafter, from 2015 through 2019, additional segments of the Salt River channel and riparian corridor were restored, with reconnection of Frances Creek.

Construction of the agricultural bridge was completed after issuance of the amendment in 2018. The bridge is used by the Sublessee for agricultural management purposes (vehicular and livestock crossing) and provides access to both sides of the restored Salt River channel. The channel bisects a 200-acre ranch owned by the Sublessee.

Now that the Salt River Ecosystem Restoration Project is complete, the Salt River Ecosystem must be maintained. ~~Yearly Annual Periodic~~ maintenance dredging will continue to maintain the restored channel of the Salt River. ~~Periodic Dredging of~~ ~~is proposed to occur every three to five years as needed. Up to 25,000~~ cubic yards of sediment ~~would will occur be dredged~~ after a major storm event (such as a 5 or 10-year event). ~~However, it is~~ It is also anticipated that the Salt River will need to be dredged approximately 3,000 cubic yards of sediment on a yearly basis ~~per year, with no sediment removal occurring in most years~~. An excavator with bucket would be used along the riverbank edges to remove sediment. The sediment would be loaded into a ~~10 cubic yard~~ dump truck and hauled to an approved disposal site. Dredging will take place during the fall months when the river flows are minimal.

Staff recommends approval of the lease and endorsement of the sublease. The proposed lease maintains a Public Trust resource of a restored ecosystem, including maintenance dredging of the restored Salt River channel. In addition, the proposed lease does not alienate the State's fee simple interest or permanently impair public rights. The lease is limited to a 10-year term, does not grant the lessee exclusive rights to the lease premises, and reserves an easement to the public for Public Trust-consistent uses. Upon termination of the lease, the lessee may be required to remove the agricultural bridge and restore the lease premises to their original condition. The proposed lease also requires payment of annual rent to compensate the people of the State for the agricultural bridge occupation of the public land involved.

CLIMATE CHANGE:

Climate change impacts, including sea level rise and more frequent and intense storm events affect both open coastal areas and inland waterways in California. The lease area is located in the Salt River in Humboldt County.

The Salt River Ecosystem Restoration Project was implemented in two primary phases to distinguish between the tidal wetland restoration (Phase 1) and the riverine restoration work (Phase 2). The Phase 1 portion of the project area is located within a tidally influenced area, and the Phase 2 area is beyond tidal influence and subject to riverine influences. For the proposed maintenance within the Phase 1 area, the California Ocean Protection Council updated the State of

California Sea-Level Rise Guidance in 2018 to provide a synthesis of the best available science on sea level rise projections and rates. Commission staff evaluated the “high emissions,” “medium-high risk aversion” scenario to apply a conservative approach based on both current emission trajectories and the lease location and structures. The North Spit tide gauge was used for the projected sea level rise scenario for the lease area as listed in Table 1.

Table 1. Projected Sea Level Rise for North Spit

Year	Projection (feet)
2030	1.0
2040	1.6
2050	2.3
2100	7.6

Source: Table 4, State of California Sea-Level Rise Guidance: 2018 Update

Note: Projections are with respect to a 1991 to 2009 baseline.

The Phase 2 project area is not tidally influenced and therefore, would not be subject to sea level rise. However, as stated in *Safeguarding California* (California Natural Resources Agency 2018), climate change is projected to increase the frequency and severity of natural disasters related to flooding, drought, and storms. In rivers, more frequent and powerful storms can result in increased flooding conditions and damage from storm-created debris. Conversely, prolonged droughts could dramatically reduce river flow and water levels, leading to loss of public access and navigability. Climate change will further influence riverine areas by changing erosion and sedimentation rates, and flooding and storm flow, as well as runoff, will likely increase scour, decreasing bank stability at a faster rate.

The Environmental Impact Report for the project analyzed climate change related impacts, such as sea level rise, flooding, sedimentation and scour, and land uses within and adjacent to Federal Emergency Management Agency designated flood zones. Channel and floodplain restoration, and existing structures within the project area have been designed in consideration of future projections for extreme flood and weather events. Further, an objective of the project was to design site components to support natural geomorphic response to climate change related impacts on riverine processes. The project allows flooding to newly restored wetland and floodplain lands to support riverine and ecosystem process. Collectively, the improvements to hydrologic function and expansion and connectivity of floodplain area and processes will serve to offset the impacts of future flooding and climate change related impacts on project area waterways (Salt River and Eel River Delta).

Regular monitoring and maintenance, as referenced in the lease, may reduce the likelihood of severe structural degradation. Pursuant to the proposed lease, the Applicant acknowledges that the lease premises are located in an area that may be subject to the effects of climate change, including sea level rise.

CONCLUSION:

For all the reasons above, staff believes the issuance of the proposed lease and endorsement of a sublease is consistent with the common law Public Trust Doctrine; will not substantially interfere with the Public Trust needs at this location, at this time, and for the foreseeable term of the lease; and is in the best interests of the State.

OTHER PERTINENT INFORMATION:

1. Approval or denial of the application for issuance of a lease and endorsement of a sublease is a discretionary action by the Commission. Each time the Commission approves or rejects a use of sovereign land, it exercises legislatively delegated authority and responsibility as trustee of the State's Public Trust lands as authorized by law. If the Commission denies the application, the Applicant may not be able to continue to maintain lands under the Commission's jurisdiction and may be required to remove the existing agricultural bridge crossing over sovereign land and restore the premises to their original condition. Upon expiration or prior termination of the lease, the lessee also has no right to a new lease or to a renewal of any previous lease.
2. This action is consistent with the "Leading Climate Activism" and "Meeting Evolving Public Trust Needs" Strategic Focus Areas of the Commission's 2021-2025 Strategic Plan.
3. An Environmental Impact Report (EIR), State Clearinghouse No. 2007062030, was prepared by the Humboldt County Resource Conservation District (HCRCD) and certified on February 24, 2011, for this project. Commission staff has reviewed such document and Mitigation Monitoring and Reporting Program pursuant to the provisions of the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21081.6) and adopted by the lead agency.
4. The Commission considered the EIR at its October 27, 2011, meeting ([Item C24, October 27, 2011](#)) for Phase I of the project and again for a lease amendment for Phase II of the project at its December 5, 2012, meeting ([Item C86, December 5, 2012](#)). As part of the Commission's approval of the lease, the Commission adopted a Mitigation Monitoring Program and Findings made in conformance with the State CEQA Guidelines (Cal. Code Regs., tit. 14, §§ 15091,

15096), as contained in Exhibits C and D, respectively, to Item [C24](#) at the October 27, 2011, meeting.

EXHIBITS:

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

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that an EIR, State Clearinghouse No. 2007062030, and a Mitigation Monitoring and Reporting Program and Findings were prepared by the HCRC and certified on February 24, 2011, for this project and that the Commission has reviewed and considered the information contained therein; that in the Commission's independent judgement, the scope of activities to be carried out under the lease to be issued by this authorization have been adequately analyzed; that none of the events specified in Public Resources Code section 21166 or the State CEQA Guidelines section 15162 resulting in any new or substantially more severe significant impacts have occurred, and therefore, no additional CEQA analysis is required.

PUBLIC TRUST AND STATE'S BEST INTERESTS:

Find that the proposed lease and endorsement of a sublease will not substantially impair the public rights to navigation or substantially interfere with the Public Trust needs and values at this location, at this time, and for the foreseeable term of the lease; is consistent with the common law Public Trust Doctrine; and is in the best interests of the State.

AUTHORIZATION:

1. Authorize issuance of a General Lease – Public Agency Use to the Applicant, beginning October 27, 2021, for a term of 10 years, for the continued use and maintenance of the Salt River Ecosystem **Restoration Project, vegetation maintenance (clearing, planting, flash grazing), access road maintenance, culvert installation for maintenance of restoration project**, maintenance dredging, and an agricultural bridge, as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; consideration for the agricultural bridge: \$671 per year, with an

annual Consumer Price Index adjustment; consideration for the Salt River Ecosystem **Restoration Project** and maintenance dredging of up to a maximum of ~~25,00000~~ cubic yards **per year**; 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; and liability insurance in an amount no less than \$2,000,000 per occurrence.

2. Authorize, by endorsement, a sublease of Lease 8955, between Humboldt County Resource Conservation District and Andrew J. Albin and Sarah E. Albin, which shall be subject to the terms of the Lease Agreement by and between Sublessor and Sublessee, of sovereign land located in the Salt River, as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof.

EXHIBIT A

LEASE 8955

LAND DESCRIPTION

Two parcels of land lying in the historic beds of the Salt River and historic tidal sloughs, adjacent to protracted Fractional Township 3 North, Range 2 West, H.B.M. as shown on official government township plat approved October 22, 1890, County of Humboldt, State of California, more particularly described as follows:

PARCEL ONE

BEGINNING at a point lying distant N 55°28'45" W 20,023.86 feet from NGS Monument "HPGN D CA 01 PA" (PID AC9251) having CCS 83, Zone 1 (2007.00) coordinates of North (Y) = 2,105,897.76 feet, and East (X) = 5,935,326.91 feet; thence along the historic Ordinary High Water Mark (OHWM) of the Salt River, the following fifty four (54) courses:

- 1) S 36°50'30" E 62.91 feet;
- 2) S 36°36'30" E 349.80 feet;
- 3) S 34°22'10" E 159.19 feet;
- 4) S 44°56'16" E 166.42 feet;
- 5) S 51°02'56" E 108.90 feet;
- 6) S 56°08'31" E 106.03 feet;
- 7) S 46°54'07" E 181.31 feet;
- 8) S 42°08'13" E 114.99 feet;
- 9) S 36°04'36" E 122.81 feet;
- 10) S 33°26'24" E 167.68 feet;
- 11) S 14°30'50" E 117.93 feet;
- 12) S 9°15'37" E 189.67 feet;
- 13) S 4°51'43" E 122.45 feet;
- 14) S 10°28'56" W 127.68 feet;
- 15) S 2°19'51" E 221.12 feet;
- 16) S 2°19'51" E 160.46 feet;
- 17) S 5°36'28" E 156.75 feet;
- 18) S 11°02'27" E 119.99 feet;
- 19) S 15°36'18" E 260.99 feet;
- 20) S 22°58'01" E 234.12 feet;
- 21) S 14°58'57" E 209.19 feet;
- 22) S 8°04'41" E 122.40 feet;
- 23) S 18°33'06" E 217.90 feet;
- 24) S 53°58'59" E 228.07 feet;
- 25) S 62°43'57" E 89.48 feet;

26) S 87°56'19" E 459.45 feet;
 27) N 69°58'06" E 158.12 feet;
 28) N 61°16'24" E 801.36 feet;
 29) N 71°14'15" E 106.02 feet;
 30) S 86°45'52" E 106.56 feet;
 31) S 54°13'22" E 96.91 feet;
 32) S 34°57'17" E 425.08 feet;
 33) S 29°04'37" E 185.91 feet;
 34) S 19°18'19" E 382.60 feet;
 35) S 13°06'58" E 320.23 feet;
 36) S 19°56'33" E 360.30 feet;
 37) S 2°30'00" E 567.72 feet;
 38) S 11°59'27" E 399.33 feet;
 39) S 5°33'41" W 321.49 feet;
 40) S 3°37'49" W 266.42 feet;
 41) S 10°20'00" E 322.15 feet;
 42) S 16°20'49" E 167.06 feet;
 43) S 19°17'49" E 281.98 feet;
 44) S 31°42'17" E 187.42 feet;
 45) S 39°37'16" E 210.28 feet;
 46) S 52°17'24" E 425.00 feet;
 47) S 45°26'17" E 196.64 feet;
 48) S 38°01'08" E 328.88 feet;
 49) S 37°08'21" E 386.51 feet;
 50) S 31°13'13" E 158.86 feet;
 51) S 40°10'50" E 220.26 feet;
 52) S 66°50'58" E 283.79 feet;
 53) S 77°28'09" E 225.85 feet;
 54) S 89°23'10" E 186.15 feet; thence leaving said OHWM the following five (5) courses:

1) N 29°43'15" E 135.73 feet;
 2) N 67°41'13" E 636.56 feet;
 3) N 74°23'31" E 354.03 feet;
 4) N 56°25'09" E 40.52 feet;
 5) S 17°40'32" E 45.45 feet to said OHWM; thence along said OHWM the following four (4) courses:

1) N 79°57'10" E 170.76 feet;
 2) N 85°51'31" E 194.62 feet;
 3) S 58°13'00" E 213.47 feet;
 4) S 63°38'50" E 280.49 feet; thence leaving said OHWM the following four (4) courses:

- 1) S 76°08'39" E 119.48 feet;
- 2) S 80°51'06" E 183.07 feet;
- 3) S 46°06'27" E 66.77 feet;
- 4) S 18°22'48" E 30.50 feet to said OHWM; thence along said OHWM the following two (2) courses:

- 1) S 85°12'01" E 63.95 feet;
- 2) N 84°35'09" E 232.46 feet; thence leaving said OHWM the following five (5) courses:

- 1) N 23°35'27" E 128.60 feet;
- 2) N 70°03'10" E 314.48 feet;
- 3) N 74°49'16" E 259.44 feet;
- 4) N 81°40'57" E 156.66 feet;
- 5) S 0°08'54" E 37.69 feet to said OHWM;

thence along said OHWM N 69°27'17" E 56.60 feet; thence leaving said OHWM N 8°04'18" W 22.13 feet; thence S 87°52'26" E 302.51 feet to said OHWM; thence along said OHWM the following three (3) courses:

- 1) N 87°57'17" E 150.62 feet;
- 2) S 73°17'43" E 294.00 feet;
- 3) S 59°02'43" E 36.05 feet;

thence leaving said OHWM S 75°12'40" E 147.75 feet; thence South 47.97 feet to said OHWM; thence along said OHWM S 59°02'43" E 65.71 feet; thence leaving said OHWM the following eight (8) courses:

- 1) N 1°17'28" E 95.54 feet;
- 2) S 60°28'02" E 140.84 feet;
- 3) S 50°51'31" E 182.86 feet;
- 4) S 44°11'58" E 167.36 feet;
- 5) S 48°28'48" E 207.18 feet;
- 6) S 35°41'05" E 250.46 feet;
- 7) S 41°02'19" E 65.91 feet;
- 8) S 49°34'19" E 176.35 feet to said OHWM; thence along said OHWM the following three (3) courses:

- 1) S 69°51'58" E 196.13 feet;
- 2) S 83°11'48" E 189.83 feet;

3) N 86°35'10" E 231.65 feet; thence leaving said OHWM the following nine (9) courses:

- 1) N 4°31'10" E 59.83 feet;
- 2) N 78°13'21" E 344.66 feet;
- 3) N 63°38'48" E 232.31 feet;
- 4) N 79°56'26" E 202.96 feet;
- 5) N 80°09'33" E 188.06 feet;
- 6) N 87°39'10" E 107.13 feet;
- 7) S 85°36'28" E 121.25 feet;
- 8) S 77°54'49" E 99.10 feet;
- 9) S 1°20'01" E 106.06 feet to said OHWM;

thence along said OHWM S 81°43'42" E 64.60 feet; thence leaving said OHWM the following three (3) courses:

- 1) N 0°59'49" W 101.02 feet;
- 2) S 70°51'45" E 135.18 feet;
- 3) S 62°53'16" E 229.81 feet to said OHWM; thence along said OHWM the following three (3) courses:

- 1) S 81°43'42" E 140.33 feet;
- 2) S 55°13'45" E 237.04 feet;
- 3) S 69°18'43" E 52.40 feet; thence leaving said OHWM the following three (3) courses:

- 1) N 89°10'16" E 34.00 feet;
- 2) N 82°29'10" E 176.93 feet;
- 3) S 13°05'52" E 78.62 feet to said OHWM; thence along said OHWM the following fifteen (15) courses:

- 1) N 70°24'26" E 232.65 feet;
- 2) N 57°48'09" E 199.75 feet;
- 3) N 35°44'05" E 85.61 feet;
- 4) N 21°53'24" E 92.98 feet;
- 5) N 35°02'53" E 138.25 feet;
- 6) N 30°40'00" E 258.61 feet;
- 7) N 31°15'11" E 170.52 feet;
- 8) N 42°35'03" E 200.33 feet;
- 9) N 54°54'45" E 128.68 feet;
- 10) N 69°07'05" E 114.52 feet;

- 11) N 83°43'47" E 158.69 feet;
- 12) N 89°49'42" E 318.46 feet;
- 13) S 79°22'26" E 142.44 feet;
- 14) S 63°25'24" E 135.61 feet;
- 15) S 46°43'39" E 816.02 feet to the east line of Section 35, Township 3 North, Range 2 West, H.B.M.

thence along said east line N 1°24'15" E 230.65 feet to the historic OHWM of the right bank of the Salt River; thence along said OHWM the following six (6) courses:

- 1) N 43°35'35" W 591.21 feet;
- 2) N 49°45'45" W 100.13 feet;
- 3) N 63°00'55" W 187.06 feet;
- 4) N 75°12'12" W 91.16 feet;
- 5) N 82°27'48" W 110.66 feet;
- 6) N 87°29'24" W 197.82 feet; thence leaving said OHWM the following eleven (11) courses:

- 1) S 78°54'29" W 118.09 feet;
- 2) S 75°03'24" W 248.24 feet;
- 3) S 73°08'56" W 121.82 feet;
- 4) S 62°18'05" W 47.19 feet;
- 5) S 56°01'14" W 67.23 feet;
- 6) S 51°09'48" W 63.30 feet;
- 7) S 46°39'46" W 168.32 feet;
- 8) S 35°40'16" W 120.75 feet;
- 9) S 33°04'56" W 245.63 feet;
- 10) S 31°10'21" W 125.46 feet;
- 11) S 39°23'39" W 165.96 feet to said OHWM; thence along said OHWM the following five (5) courses:

- 1) S 25°18'49" W 118.86 feet;
- 2) S 58°55'38" W 127.90 feet;
- 3) S 73°18'56" W 201.75 feet;
- 4) N 69°19'19" W 157.28 feet;
- 5) N 43°32'33" W 34.11 feet; thence leaving said OHWM the following eight (8) courses:

- 1) N 71°54'28" W 203.28 feet;
- 2) N 60°37'50" W 351.53 feet;
- 3) N 71°42'53" W 196.89 feet;

- 4) N 79°51'02" W 140.09 feet;
- 5) N 85°21'29" W 143.80 feet;
- 6) S 87°19'08" W 177.20 feet;
- 7) S 80°06'08" W 189.43 feet;
- 8) S 77°43'52" W 306.96 feet to said OHWM; thence along said OHWM the following four (4) courses:

- 1) S 73°38'32" W 324.79 feet;
- 2) S 83°56'33" W 444.77 feet;
- 3) N 77°54'27" W 210.84 feet;
- 4) N 43°24'57" W 530.92 feet; thence leaving said OHWM the following twenty five (25) courses:

- 1) S 81°13'36" W 25.68 feet;
- 2) N 46°50'00" W 166.66 feet;
- 3) N 49°01'35" W 90.10 feet;
- 4) N 53°09'31" W 160.64 feet;
- 5) N 55°38'51" W 98.62 feet;
- 6) N 62°03'48" W 195.86 feet;
- 7) N 67°39'52" W 120.97 feet;
- 8) N 70°38'02" W 103.30 feet;
- 9) N 72°57'15" W 95.33 feet;
- 10) N 81°43'35" W 246.62 feet;
- 11) N 84°38'17" W 157.13 feet;
- 12) N 87°54'30" W 159.59 feet;
- 13) S 87°12'46" W 181.87 feet;
- 14) S 80°21'34" W 178.19 feet;
- 15) S 73°17'07" W 209.24 feet;
- 16) S 69°54'25" W 127.41 feet;
- 17) S 67°45'26" W 251.68 feet;
- 18) S 72°36'00" W 51.04 feet;
- 19) S 63°47'40" W 95.88 feet;
- 20) S 77°16'02" W 60.99 feet;
- 21) S 72°42'59" W 45.25 feet;
- 22) S 86°54'32" W 78.73 feet;
- 23) N 85°40'20" W 140.64 feet;
- 24) N 27°44'28" W 17.13 feet;
- 25) N 29°57'27" E 45.56 feet to said OHWM; thence along said OHWM the following two (2) courses:

- 1) N 75°58'26" W 61.26 feet;
- 2) N 63°27'16" W 207.29 feet; thence leaving said OHWM the following nine (9) courses:

- 1) S 33°13'40" W 97.57 feet;
- 2) N 62°34'04" W 74.76 feet;
- 3) N 51°33'05" W 172.93 feet;
- 4) N 63°58'57" W 38.33 feet;
- 5) N 75°30'40" W 85.99 feet;
- 6) N 83°11'37" W 110.56 feet;
- 7) S 87°30'06" W 55.85 feet;
- 8) S 76°02'13" W 119.34 feet;
- 9) N 16°27'57" W 68.08 feet to said OHWM;

thence along said OHWM S 86°43'58" W 44.84 feet; thence leaving said OHWM the following three (3) courses:

- 1) S 6°01'47" E 78.33 feet;
- 2) S 71°28'03" W 110.96 feet;
- 3) N 32°55'40" W 87.04 feet to said OHWM;

thence along said OHWM S 65°28'40" W 28.39 feet; thence leaving said OHWM the following five (5) courses:

- 1) S 18°58'25" E 83.94 feet;
- 2) S 75°53'06" W 177.19 feet;
- 3) S 59°33'36" W 45.98 feet;
- 4) S 78°37'02" W 35.84 feet;
- 5) N 21°58'56" W 67.80 feet to said OHWM;

thence along said OHWM S 70°19'26" W 25.84 feet; thence leaving said OHWM the following nine (9) courses:

- 1) S 8°15'58" E 63.15 feet;
- 2) S 81°23'49" W 29.74 feet;
- 3) S 49°06'50" W 23.88 feet;
- 4) S 70°27'21" W 77.26 feet;
- 5) S 67°55'13" W 107.15 feet;
- 6) S 67°16'30" W 222.87 feet;
- 7) S 70°35'51" W 222.62 feet;
- 8) S 72°23'33" W 74.04 feet;
- 9) N 75°44'11" W 125.98 feet to said OHWM; thence along said OHWM the following forty four (44) courses:

- 1) N 75°44'11" W 107.80 feet;

- 2) N 52°47'52" W 467.86 feet;
- 3) N 44°13'29" W 360.21 feet;
- 4) N 35°40'23" W 325.16 feet;
- 5) N 40°18'13" W 157.48 feet;
- 6) N 44°19'14" W 152.90 feet;
- 7) N 49°04'05" W 441.94 feet;
- 8) N 41°02'09" W 118.68 feet;
- 9) N 17°52'17" W 196.49 feet;
- 10) N 15°43'24" W 381.15 feet;
- 11) N 11°59'09" W 290.47 feet;
- 12) N 0°57'49" E 271.00 feet;
- 13) N 5°46'51" E 249.51 feet;
- 14) N 8°48'51" W 474.04 feet;
- 15) N 8°59'51" W 725.35 feet;
- 16) N 10°26'47" W 394.03 feet;
- 17) N 15°12'55" W 447.88 feet;
- 18) N 23°28'36" W 441.92 feet;
- 19) N 40°27'02" W 361.82 feet;
- 20) N 53°15'37" W 192.72 feet;
- 21) N 87°32'52" W 178.76 feet;
- 22) S 83°29'13" W 179.77 feet;
- 23) S 63°07'26" W 197.37 feet;
- 24) S 55°08'54" W 205.21 feet;
- 25) S 64°08'19" W 286.38 feet;
- 26) S 74°14'44" W 225.34 feet;
- 27) S 89°13'03" W 186.27 feet;
- 28) N 83°24'23" W 146.78 feet;
- 29) N 57°17'31" W 175.34 feet;
- 30) N 8°59'37" W 212.96 feet;
- 31) N 20°22'10" W 130.36 feet;
- 32) N 16°20'55" W 116.79 feet;
- 33) N 22°58'01" W 237.35 feet;
- 34) N 15°28'35" W 222.53 feet;
- 35) N 11°02'27" W 95.88 feet;
- 36) N 3°16'20" W 472.63 feet;
- 37) N 10°28'56" E 134.89 feet;
- 38) N 2°57'47" W 257.51 feet;
- 39) N 10°42'44" W 215.66 feet;
- 40) N 23°52'40" W 147.61 feet;
- 41) N 35°17'14" W 320.10 feet;
- 42) N 45°07'11" W 271.83 feet;
- 43) N 53°29'32" W 266.78 feet;
- 44) N 41°18'48" W 190.81 feet; thence leaving said OHWM the following four (4) courses:

- 1) N 58°10'39" W 361.97 feet;
- 2) N 59°08'58" W 125.44 feet;
- 3) N 35°19'53" W 69.99 feet;
- 4) S 48°23'35" W 116.00 feet to the POINT OF BEGINNING.

PARCEL TWO

All those lands lying below the historic Ordinary High Water Mark of the banks of historic sloughs within the lands described in Parcel One of Exhibit A of that Grant Deed recorded as Document Number 2007-24419-4, on August 15, 2007, in Official Records of the County of Humboldt, State of California.

The BASIS OF BEARINGS for this description is the California Coordinate System of 1983, Zone 1 (2007.00). All distances are grid distances.

END OF DESCRIPTION

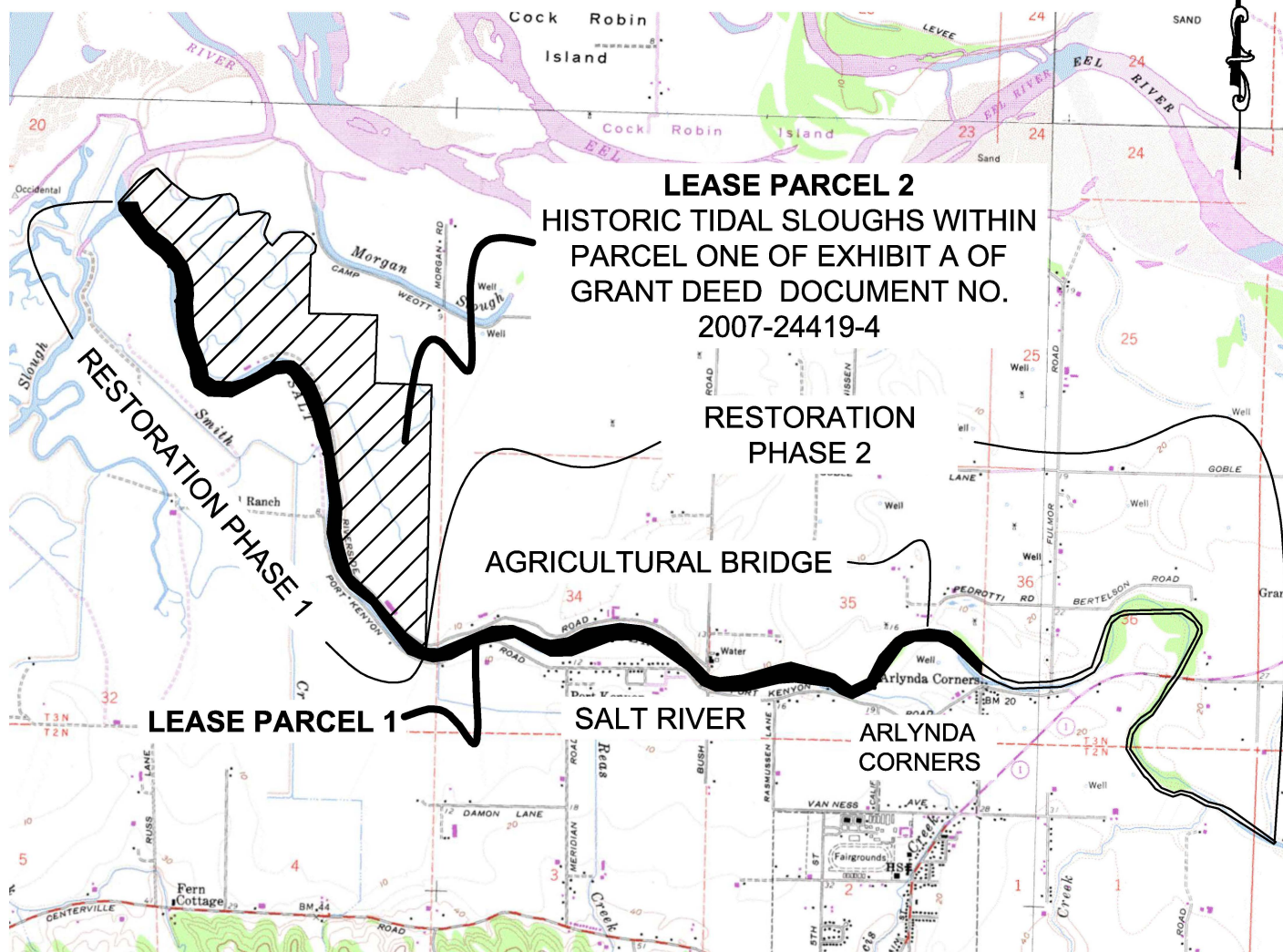
A portion of Parcel One is based on Applicant provided 50% Submittal Salt River Ecosystem Restoration Project Phase 2 Construction plans dated May 2011. This description is to be reviewed and updated as necessary once final as-built plans are submitted.

Prepared 10/29/12 by the California State Lands Commission Boundary Unit.



NO SCALE

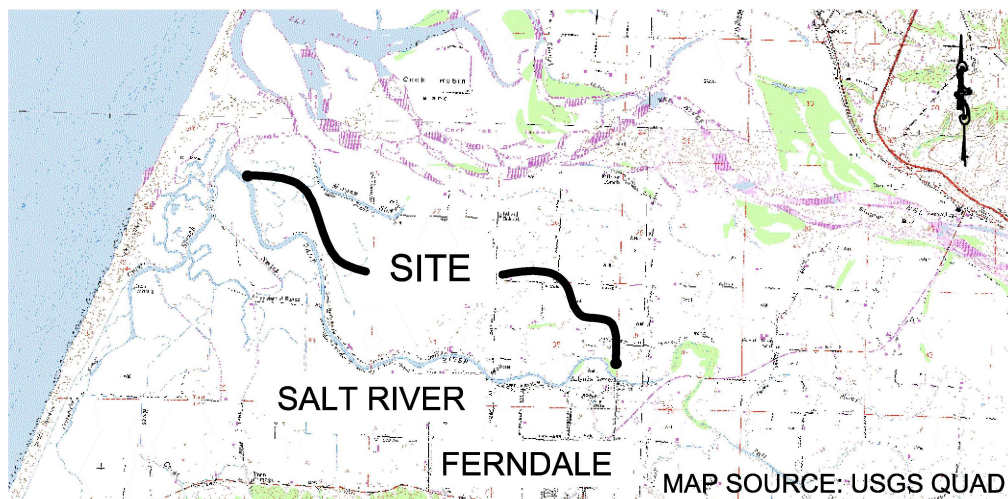
SITE



SALT RIVER ECOSYSTEM RESTORATION

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

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.

EXHIBIT B

LEASE 8955
HUMBOLDT COUNTY
RESOURCE CONSERVATION
DISTRICT
GENERAL LEASE -
PUBLIC AGENCY USE
HUMBOLDT COUNTY



DJF 11/1/2021