

**CALENDAR ITEM
C26**

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03/25/08
WP 2168.9
V. Caldwell

GENERAL LEASE - PUBLIC AGENCY USE

APPLICANT:

Sacramento Regional County Sanitation District
10545 Armstrong Avenue, Suite 102
Mather, California 95655

AREA, LAND TYPE, AND LOCATION:

0.271 acres of sovereign lands in the American River, vicinity of the Interstate 80 Business Bridge, city of Sacramento, Sacramento County.

AUTHORIZED USE:

Continued maintenance of an existing 18-inch buried force main pipeline, as shown on Exhibit A and described on Exhibit B.

LEASE TERM:

Ten years, beginning May 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.

SPECIFIC LEASE PROVISION:

Approval from the Commission must be obtained prior to the facility being placed in service and the Lessee must submit all necessary permits and evidence that the facility is fit for service.

OTHER PERTINENT INFORMATION:

1. The Applicant has the right to use the uplands adjoining the lease premises.
2. On July 29, 1958, the Commission authorized a Right-of-Way easement to the Sacramento County Sanitation District No. 2, for a term of 49 years for

CALENDAR ITEM NO. **C26** (CONT'D)

the installation, operation, and maintenance of an underground sewer pipeline with appurtenant fixtures located in the American River.

3. On December 23, 1986, the Commission authorized an amendment to the Right-of-Way easement for the 1977 replacement and relocation of the underground sewer pipeline and for a name change from the Sacramento County Sanitation District No. 2 to the Sacramento Regional County Sanitation District (District). That lease expired on May 23, 2007. The Applicant is now applying for a new General Lease – Public Agency Use.
4. The District has reported that the facility was taken out of service in the late 1980's and at this time is currently still out of service due to the lack of available capacity in the City of Sacramento collection system caused by the growth within the northern portions of the City. The District, in conjunction with the U.S. Army Corps of Engineers, is currently in the process of evaluating and assessing the condition of all District pipeline crossings of the American River and this facility is part of the study. Results of the study will be provided to the Commission. If the study indicates the pipeline is inoperable, the District will submit to the Commission for its review and approval a removal or abandonment plan.
5. 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 2, California Code of Regulations, section 2905 (a)(2).

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

6. 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.

CALENDAR ITEM NO. C26 (CONT'D)

EXHIBITS:

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

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 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (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 SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE OF A GENERAL LEASE - PUBLIC AGENCY USE, TO SACRAMENTO REGIONAL COUNTY SANITATION DISTRICT, BEGINNING MAY 24, 2007, FOR A TERM OF TEN YEARS, FOR THE CONTINUED MAINTENANCE OF AN EXISTING 18-INCH BURIED FORCE MAIN PIPELINE AS SHOWN ON EXHIBIT A AND AS DESCRIBED ON EXHIBIT B ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; AND 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.