

**CALENDAR ITEM
C45**

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03/25/08
W 26254
D. Jones

GENERAL LEASE - PUBLIC AGENCY USE

APPLICANT:

Department of Water Resources
P. O. Box 942836
Sacramento, California 94236-0001

AREA, LAND TYPE, AND LOCATION:

0.32 acres, more or less, of sovereign lands in the historic bed of the San Joaquin River within the Stockton Deep Water Channel, at the Port of Stockton in the city of Stockton, San Joaquin County.

AUTHORIZED USE:

Construction, use and maintenance of barge loading equipment consisting of an 80-foot-long by four-foot-wide conveyor belt; four, approximately ten-foot by 20-foot support barges; and a rock barge measuring 50 feet by 150 feet.

LEASE TERM:

20 years, beginning March 25, 2008

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 PROVISIONS:

Other: The barge loading equipment will be placed within the Lease Premises only during a one week demonstration project in 2008 and during water-related emergencies in the Delta resulting from storm-related high-water events, levee failures during the summer or other periods, and earthquake-induced levee failures.

OTHER PERTINENT INFORMATION:

1. Applicant has the right to use the uplands adjoining the lease premises.

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2. The Sacramento-San Joaquin River Delta includes approximately 60 islands, which are protected by over 1,100 miles of levees. Many of these levees are not part of the federal and state flood control systems, but instead were constructed and are maintained by local agencies. The Delta levees have protected 700,000 acres of productive farmland since the 1860's and provide conveyance to local and statewide water supplies. Numerous Delta islands are subsiding and currently sit at or below sea level and are particularly vulnerable to failure; the proximity of the Delta to active earthquake fault zones heightens the risk of failures on multiple islands.

A scenario involving levee failures on multiple islands has the potential to draw in large volumes of saltwater from the San Francisco Bay, turning the Delta into a brackish estuary. A large-scale earthquake would not only threaten life and property in the Delta, but could result in a multi-year disruption of the local and statewide water distribution systems that supply water to over 30 million people and 3.75 million acres of farmland.

Given the risk and potential statewide impact of Delta levee failures, the Department of Water Resources (DWR) has undertaken several major initiatives to better plan for the future needs for the Delta. A key component of this effort is the on-going development of the Delta Emergency Operations Plan (DEOP). Under State law, DWR is the lead responding State agency in the event of any water-related emergency. With this in mind, the general scope of the DEOP is specific to water-related emergencies in the Delta resulting from storm-related high-water events, levee failures during the summer or other periods, and earthquake-induced levee failures.

As part of this effort, DWR proposes to stockpile rock and standard flood fighting materials in the Delta region and build new facilities to quickly deploy these materials. Materials and facilities would be mobilized for emergency response during an activation of the State-Federal Flood Operation Center. The pre-deployed stockpiles, located at upland locations, would provide an inventory of materials available for an immediate emergency response, and would significantly increase DWR's capability to load rock onto barges for water-based emergency operations.

The proposed project is one of three proposed sites and is located at the Port of Stockton in the historic bed of the San Joaquin River within the

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Stockton Deep Water Ship Channel. The other two sites, which are not part of this application, will be located at Hood and Rio Vista. The barge loading equipment would be stored on the upland until needed for deployment during an emergency flood fighting event. The barge loading equipment would consist of an 80-foot-long by four-foot-wide conveyor belt; four, approximately ten-foot by 20-foot support barges; and a rock barge measuring 50 feet by 150 feet. During a declared flood emergency event, the support barge, conveyor, and hopper/feeder components would be assembled using a land-based crane and then placed in the water within the Lease Premises.

DWR proposes to conduct a demonstration test which would last approximately two to three days, loading up to 500 tons of rock. Upon completion of the demonstration project, the system would be disassembled and staged in a long-term storage location adjacent to the barge loading area until it is needed.

3. A Mitigated Negative Declaration was prepared and adopted for this project by Department of Water Resources. The California State Lands Commission's staff has reviewed such document.

A Mitigation Monitoring Program was adopted by the Department of Water Resources.

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.

APPROVALS OBTAINED:

NOAA Fisheries, and the U. S. Fish and Wildlife Service

FURTHER APPROVALS REQUIRED:

U. S. Army Corps of Engineers, and the State Reclamation Board

EXHIBITS:

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

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PERMIT STREAMLINING ACT DEADLINE:

July 14, 2008

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT A MITIGATED NEGATIVE DECLARATION AND A MITIGATION MONITORING PROGRAM WERE PREPARED AND ADOPTED FOR THIS PROJECT BY THE CALIFORNIA DEPARTMENT OF WATER RESOURCES AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

ADOPT THE MITIGATION MONITORING PROGRAM ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF.

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 THE DEPARTMENT OF WATER RESOURCES, BEGINNING MARCH 25, 2008, FOR A TERM OF 20 YEARS, FOR THE CONSTRUCTION, USE, AND MAINTENANCE OF BARGE LOADING EQUIPMENT CONSISTING AN 80-FOOT-LONG BY FOUR FOOT-WIDE CONVEYOR BELT; FOUR, APPROXIMATELY TEN-FOOT BY 20-FOOT SUPPORT BARGES; AND A ROCK BARGE MEASURING 50 FEET BY 150 FEET AS SHOWN ON EXHIBIT A AND DESCRIBED ON EXHIBIT B 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.