

**CALENDAR ITEM
C18**

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10/16/08
W 26296
C. Hudson

GENERAL LEASE - PUBLIC AGENCY USE

APPLICANT:

City of Sacramento
915 I Street
Sacramento, CA 95814

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in the American River, adjacent to the Sunrise Boulevard bridge, near the city of Rancho Cordova, Sacramento County.

AUTHORIZED USE:

Construction, modification and restoration of the bed of the American River, consisting of excavation to increase the river flow level by lowering the elevation of the Sunrise Side Channel to restore Central Valley steelhead and Chinook salmon spawning, as shown on the attached Exhibit A.

LEASE TERM:

One year, beginning October 16, 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.

OTHER PERTINENT INFORMATION:

1. Applicant has the right to access the adjoining upland from the owner, the Sacramento County Department of Regional Parks.

2. The lower American River has changed dramatically since construction of Nimbus Dam because of managed flow releases from the dam which have subsequently reduced sediment and debris transport, and caused a reduction in natural Central Valley steelhead and Chinook salmon spawning habitat.

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3. The Applicant proposes to modify and restore the Sunrise side channel of the American River to increase flow level by lowering the elevation so that this area can become an important and reliable spawning location for steelhead and salmon in the lower American River. The Applicant is now applying for a General Lease – Public Agency Use for the project.
4. The first phase of the project is anticipated to start in the last week in September 2008, and includes transporting excavators and track loaders to the project area and staging outside of the River bed in an existing disturbed area of the American River Parkway. All work will be performed from above the ordinary high water mark of the River.
5. In mid October 2008, work is scheduled to commence in the downstream portion of the side channel of the River to lower the elevation to allow gravel and cobble material to be loosened and sorted to the desired size class structure, based on habitat suitability criteria for steelhead and salmon. Approximately 1,200 linear feet of the side channel will be excavated and graded, totaling a removal of approximately 7,000 cubic feet of gravel and cobble from the side channel. The channel side slopes will be excavated to help prevent steelhead and salmon from spawning on the channel margins that could be left without water as flows are lowered. The excess material generated during excavation and grading will be used to fill low-lying areas on the adjacent gravel bar.
6. To minimize surface water from entering the channel during excavation activities, temporary water bladder curtains will be installed to divert water at the up and downstream entrance and exit points. Turbidity curtains will also be installed to further reduce the potential for suspended sediments to enter the surface water downstream. Once the side channel has been excavated and graded, the up and downstream buffer areas, bladder curtain and turbidity curtains would be removed.
7. The project is scheduled to coincide with the late September lowering of River flows at Nimbus Dam when the Nimbus Dam Weir is installed. Upon releases from Nimbus Dam following construction, a portion of the flows will enter the excavated side channel. Construction activities are anticipated to take 1-2 weeks to complete.
8. 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

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Class 33, Small Habitat Restoration Projects; Title 14, California Code of Regulations, section 15333.

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

9. 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:

Sacramento County Department of Regional Parks, and the Sacramento Area Flood Control Agency

FURTHER APPROVALS REQUIRED:

U.S. Army Corps of Engineers, California Regional Water Quality Control Board, California Department of Fish and Game, and the Central Valley Flood Protection Board

EXHIBITS:

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

PERMIT STREAMLINING ACT DEADLINE:

December 16, 2008

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 33, SMALL HABITAT RESTORATION PROJECTS.

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.

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AUTHORIZATION:

AUTHORIZE ISSUANCE OF A GENERAL LEASE – PUBLIC AGENCY USE TO THE CITY OF SACRAMENTO BEGINNING OCTOBER 16, 2008, FOR A TERM OF ONE YEAR, FOR CONSTRUCTION, MODIFICATION, AND RESTORATION OF THE BED OF THE AMERICAN RIVER TO INCREASE THE FLOW LEVEL BY LOWERING THE ELEVATION OF THE SUNRISE SIDE CHANNEL FOR CENTRAL VALLEY STEELHEAD AND CHINOOK SALMON SPAWNING AS SHOWN ON EXHIBIT A 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.