

**CALENDAR ITEM
C08**

A 8, 10, 15, 26

02/01/10
WP 8784.9
V. Caldwell

S 1, 5, 14

AMENDMENT OF LEASE

LESSEE:

Sacramento Area Sewer District
9660 Ecology Lane
Sacramento, California 95827

AREA, LAND TYPE, AND LOCATION:

0.0126 acres, more or less, of sovereign lands in Snodgrass Slough, Middle Slough, and the Mokelumne and Cosumnes rivers, Sacramento and San Joaquin Counties.

AUTHORIZED USE:

Construction, use, operation and maintenance of a ten-inch diameter force main pipeline and a 24-inch diameter steel casing with two ten-inch carrier pipes.

LEASE TERM:

25 years, beginning June 24, 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.

PROPOSED AMENDMENT:

Amend the lease to provide for a new Section 3 (Land Description), as described on the attached Exhibit B. All other terms and conditions of the lease shall remain in effect without amendment.

OTHER PERTINENT INFORMATION:

1. Applicant has permission to use the uplands adjoining the lease premises.
2. On June 24, 2008, the Commission authorized a General Lease - Public Agency Use to the Sacramento Area Sewer District. The lease will expire on June 23, 2033.

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3. During the installation of the pipeline, which was completed as of November 9, 2009, the Lessee determined that the alignment of the pipeline crossings at the Snodgrass Slough and Mokelumne River routes needed to be adjusted in order to avoid a conflict with a utility within the original alignment. The new pipeline alignment crosses Snodgrass Slough and the Mokelumne River approximately 400 feet and 100 feet, respectively, more southerly than the original alignment. Staff has reviewed the final "as-built" alignments submitted by the Lessee, as required under the Lease, and recommends that the Lease be amended to reflect these changes.
4. Pursuant to the Commission's delegation of authority and State CEQA Guidelines [Title 14, California Code of Regulations, section 15060(c)(3)], the staff determined that this activity is not subject to the provisions of CEQA because it is not a "project" as defined by CEQA and State CEQA Guidelines.

Authority: Public Resources Code section 21065 and Title 14, California Code of Regulations, sections 15060 (c)(3) and 15378.

5. 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 CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

EXHIBITS:

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

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is not subject to the requirements of CEQA pursuant to title 14, California Code of Regulations, Section 15060(c)(3) because the activity is not a project as defined by Public Resources Code Section 21065 and Title 14, California Code of Regulations, Section 15378.

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 the Amendment of Lease No. PRC 8784.9, a General Lease – Public Agency Use, to provide for a new Land Description of lands as described on Exhibit B attached and by this reference made a part hereof, effective February 1, 2010; all other terms and conditions of the lease will remain in effect without amendment.