

**CALENDAR ITEM
C21**

A 8, 15
S 5

08/20/10
W 26405
D. Jones

GENERAL LEASE - PUBLIC AGENCY USE

APPLICANT:

Department of Water Resources
3310 El Camino Avenue
Sacramento, CA 95821

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the Sacramento River, in the city of Sacramento [River Mile (RM) 53.6] and near the town of Hood (RM 36.8), Sacramento County.

AUTHORIZED USE:

Construction, repair, use, and maintenance of bank protection.

LEASE TERM:

20 years, beginning August 20, 2010.

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 use the uplands adjoining the lease premises.
2. To maintain the flood control integrity of the Sacramento River Flood Control Project, the Department of Water Resources (DWR), Division of Flood Management (DFM), Flood Maintenance Office (FMO), needs to conduct levee repairs at two sites. Maintenance Area (MA) 9 consists of 19.61 levee miles in length running along the left bank (east side) of the Sacramento River starting at Sutterville Road in Sacramento at RM 55.9 and ending approximately two miles south of the town of Hood at RM 36.7. This section of levee protects both high-density urban populations as well as agricultural lands of both the City and County of Sacramento. The two sites are located along the left bank of the Sacramento River in

CALENDAR ITEM NO. **C21** (CONT'D)

MA 9 at River Miles (RM) 36.8 near the town of Hood and RM 53.6 in the City of Sacramento.

3. The site at RM 36.8 has been previously armored but the existing rock at the site has slipped or been scoured away, leaving behind small areas of erosion or sloughing. A large interior live oak tree, located just below the crown of the levee, outside of the Commission's jurisdiction, needs to be limbed up. There are also a sycamore tree and a Fremont cottonwood tree near the water's edge, both of which will be avoided. The repair work will consist of placing additional soil and rock riprap on the levee. The work will be done either from the river via a barge or by ground crews from the levee crown. If the repair is conducted from the levee, a staging area will be located at an existing industrial facility nearby.
4. The site at RM 53.6 has been previously armored, but much of the existing rock at the site has slipped or been scoured away, leaving behind small areas of erosion or sloughing. The repair work will consist of placing additional soil and rock riprap on the levee. The repair will be done either from the river via a barge or by ground crews from the levee crown outside the Commission's jurisdiction.
5. Pursuant to the Commission's delegation of authority and State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff determined that this activity is exempt from the requirements of CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities Title 14, California Code of Regulations, section 15301 (d).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15301.

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.

APPROVALS REQUIRED:

U. S. Army Corps of Engineers, U. S. Fish and Wildlife Service, NOAA Fisheries, California Regional Water Quality Control Board, California Department of Fish and Game, Central Valley Flood Protection Board, and the National Historic Preservation Act.

CALENDAR ITEM NO. **C21** (CONT'D)

EXHIBIT:

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

PERMIT STREAMLINING ACT DEADLINE:

October 5, 2010

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

Find that the activity is exempt from the requirements of CEQA pursuant to Title 14, California Code of Regulations, section 1561 as a categorically exempt project, Class 1, Existing Facilities; Title 14, California Code of Regulations, section 15301 (d).

SIGNIFICANT LANDS INVENTORY FINDING:

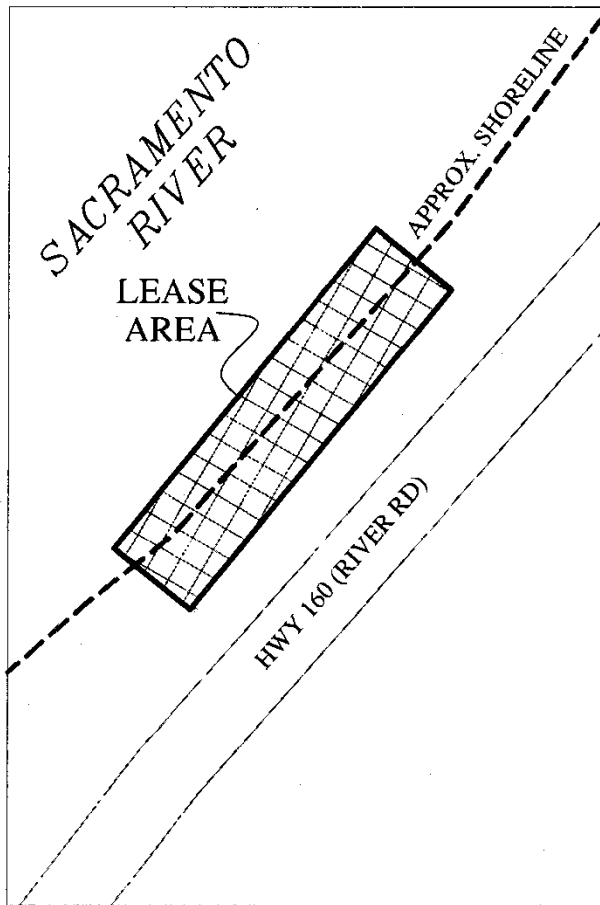
Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code sections 6370, et seq.

AUTHORIZATION:

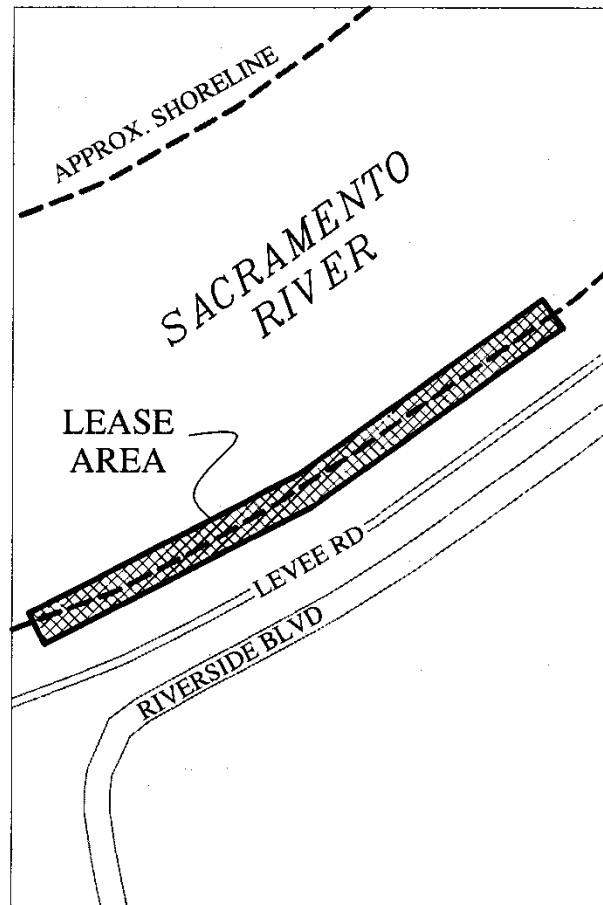
Authorize Issuance of a General Lease - Public Agency Use to the Department of Water Resources beginning August 20, 2010, for a term of 20 years, for the construction, repair, use, and maintenance of bank protection as shown on Exhibit A and as described on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; and consideration to be 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.

NO SCALE

SITE



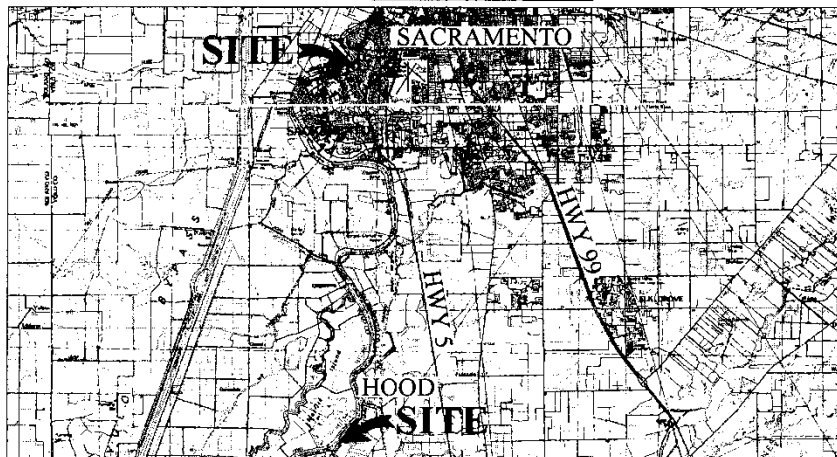
RM 36.8, Sacramento River near Hood



RM 53.6, Sacramento River, Sacramento

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit A

W 26405

DEPT OF WATER RESOURCES
 APN 029-0010-010,011,013 &
 029-0021-013, 132-0091-024,
 132-0210-044, 054
 GENERAL LEASE -
 PUBLIC AGENCY USE
 SACRAMENTO COUNTY



MJE 8/04/10

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

W 26405

LAND DESCRIPTION

PARCEL 1 (River Mile 36.8)

A 40 foot wide strip of tide and submerged lands in the bed of the Sacramento River, State of California, situate adjacent to Section 27, T6N, R4E, MDM, as shown on official township plat approved 6/18/1859, lying 40 feet on the northwesterly side of the following described line more particularly described as follows:

BEGINNING at a point on the left bank of said river having the following geographic coordinates: Latitude 38°20'57.50", Longitude 121°32'02.39", thence S 39°04'38" W 170 feet to the point of termination.

Sidelines of said strip shall begin and terminate at a point lying perpendicular to the beginning and termination of said line.

EXCEPTING THEREFROM any portion of land lying landward of the ordinary high water mark of said river.

PARCEL 2 (River Mile 53.6)

A 40 foot wide strip of tide and submerged lands in the bed of the Sacramento River, State of California, situate adjacent to Section 27, T8N, R4E, MDM, as shown on official township plat approved 8/22/1872, lying 40 feet on the northwesterly side of the following described line more particularly described as follows:

BEGINNING at a point on the left bank of said river having the following geographic coordinates: Latitude 38°31'06.02", Longitude 121°31'30.54", thence S 54°13'07" W 350 feet; thence S 62°40'42" W 350 feet to the point of termination.

Sidelines of said strip shall begin and terminate at a point lying perpendicular to the beginning and termination of said line.

EXCEPTING THEREFROM any portion of land lying landward of the ordinary high water mark of said river

Bearing and coordinates based on NAD83.

END OF DESCRIPTION

Prepared 8/4/10 by the California State Lands Commission Boundary Unit

