

MINUTE ITEM
This Calendar Item No. C12 was approved as
Minute Item No. 12 by the California State Lands
Commission by a vote of 3 to 0 at its
8-19-03 meeting.

**CALENDAR ITEM
C12**

A 15
S 5

08/19/03
PRC 7203 WP 7203.9
L. Burks

AMENDMENT OF LEASE

LESSEE:

The Reclamation Board

AREA, LAND TYPE, AND LOCATION:

Master Lease:

Designated areas along the Sacramento River and sloughs, distributaries and tributaries that join it.

Proposed Amendment:

Sovereign lands in the Sacramento River, from approximately one mile north of Clarksburg to two miles downstream from the town of Hood, Sacramento County.

AUTHORIZED USE:

Master Lease:

Construction and maintenance of bank protection.

Proposed Amendment:

The construction and maintenance of approximately 1300 lineal feet of bank protection on the east bank of the Sacramento River at nine eroded sites located between River Miles 36 and 45.

LEASE TERM:

Master Lease:

30 years, beginning May 1, 1988.

Term of new construction:

During the summer months August through October, 2003.

CALENDAR ITEM NO. C (CONT'D)

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:

Lessee proposes to construct and maintain bank protection along nine eroded sites of the Sacramento River which is part of the Sacramento River Bank Protection Project. All other terms and conditions of the lease shall remain in effect without amendment.

OTHER PERTINENT INFORMATION:

1. Applicant has a right to use the uplands adjoining the lease premises.
2. The Sacramento River Bank Protection Project, authorized by Congress in 1960, directs the Corps of Engineers to provide bank protection along the Sacramento River and its tributaries. The state legislature authorized The Reclamation Board's participation in the Sacramento River Bank Protection Project.
3. A Master Lease to The Reclamation Board for the Sacramento River Bank Protection Project was authorized by the State Lands Commission on May 9, 1988, effective May 1, 1988. The Master Lease authorizes maintenance of existing bank protection structures and construction of new bank protection structures as specific construction sites become known. The Master Lease requires The Reclamation Board to seek an amendment of the lease to include new sites as they become known.
4. The Maintenance Area 9 Stabilization Project entails stabilizing 1300 lineal feet of an 8.5 mile stretch of the east bank levee of the Sacramento River from approximately one mile north of Clarksburg to two miles downstream from the town of Hood, in Sacramento County. The project involves resloping the levee and placing a total of 3600 tons of rock riprap on nine eroded sites from a barge. The purpose of the project is to avoid extensive loss of levee embankment material that is located in the heavily populated areas of the Pocket and Laguna areas of South Sacramento, and to protect a 10-mile area that has Highway 160 located on top of the levee. As requested by the California Department of Fish and Game, the rock will be covered with soil and reseeded.

CALENDAR ITEM NO. C (CONT'D)

5. A Mitigated Negative Declaration (SCH No. 2003032032) was prepared and adopted for this project by the California Department of Water Resources. The California State Lands Commission staff has reviewed such document. A Mitigation Monitoring Program was adopted by California Department of Water Resources.
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 OBTAINED:

United States Army Corps of Engineers; California Department of Fish and Game; Regional Water Quality Control Board; and The Reclamation Board.

EXHIBITS:

- A-1. Land Description
- A-2. Site Plan
- B. Location Map
- C. Mitigation Monitoring Plan

PERMIT STREAMLINING ACT DEADLINE:

December 8, 2003

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

1. FIND THAT A MITIGATED NEGATIVE DECLARATION AND A MITIGATION MONITORING PROGRAM WERE PREPARED AND ADOPTED FOR THIS PROJECT BY CALIFORNIA DEPARTMENT OF WATER RESOURCES AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
2. ADOPT THE MITIGATION MONITORING PROGRAM, AS CONTAINED IN EXHIBIT C, ATTACHED HERETO.

SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE

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CALENDAR ITEM NO. C (CONT'D)

LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370,
ET SEQ.

AUTHORIZATION:

AUTHORIZE THE AMENDMENT OF MASTER LEASE NO. PRC 7203.9,
A GENERAL LEASE - PUBLIC AGENCY USE, OF LANDS DESCRIBED
ON EXHIBIT A-1 ATTACHED AND BY THIS REFERENCE MADE A
PART HEREOF, EFFECTIVE AUGUST 15, 2003, TO CONSTRUCT AND
MAINTAIN BANK PROTECTION ALONG NINE ERODED SITES ALONG
THE EAST BANK OF THE SACRAMENTO RIVER WHICH IS PART OF
THE SACRAMENTO RIVER BANK PROTECTION PROJECT; ALL
OTHER TERMS AND CONDITIONS OF THE LEASE WILL REMAIN IN
EFFECT WITHOUT AMENDMENT.

EXHIBIT A-1

LAND DESCRIPTION

All the State-owned land in the bed of the Sacramento River in Sacramento County, lying immediately beneath proposed bank protection at the following locations:

<u>Site</u>	<u>River Mile and River Bank</u>	<u>Approximate Length</u>
1	44.80 – 44.85 RT.	120 Feet
2	44.65 RT.	30 Feet
3	43.95 RT.	100 Feet
4	43.85 RT.	160 Feet
5	43.65 RT.	150 Feet
6	40.65 RT.	200 Feet
7	37.65 RT.	200 Feet
8	36.95 RT.	140 Feet
9	36.35 RT.	200 Feet

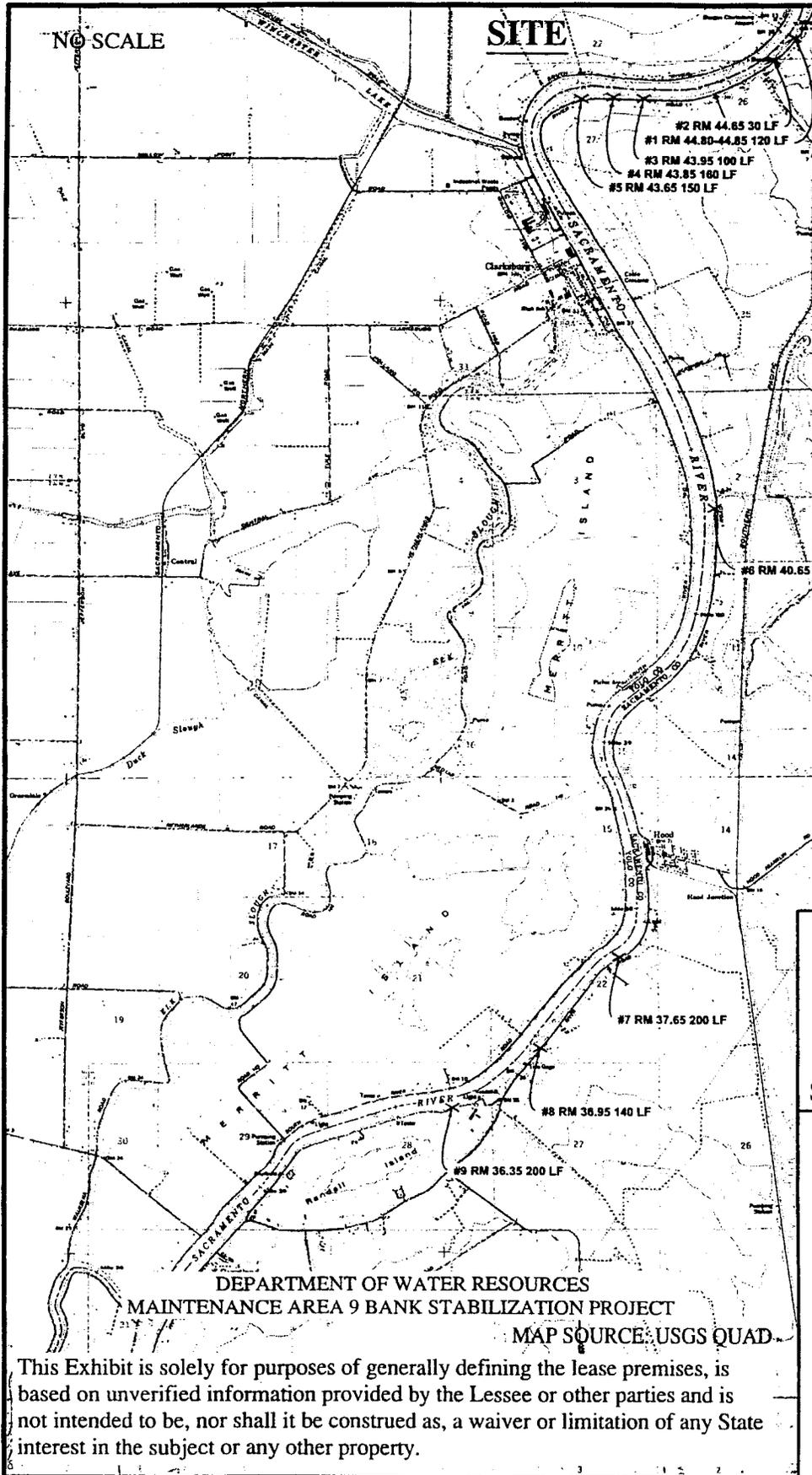
END OF DESCRIPTION

Revised: June 26, 2003



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NO SCALE

SITE

RM - RIVER MILE
LF - LINEAR FEET

Exhibit A-2
 WP 7203.9
 AMENDMENT TO
 MASTER LEASE
 PRC 7203.9
 SACRAMENTO COUNTY



DEPARTMENT OF WATER RESOURCES
 MAINTENANCE AREA 9 BANK STABILIZATION PROJECT
 MAP SOURCE: USGS QUAD

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.

JAK 06/03

NO SCALE

LOCATION

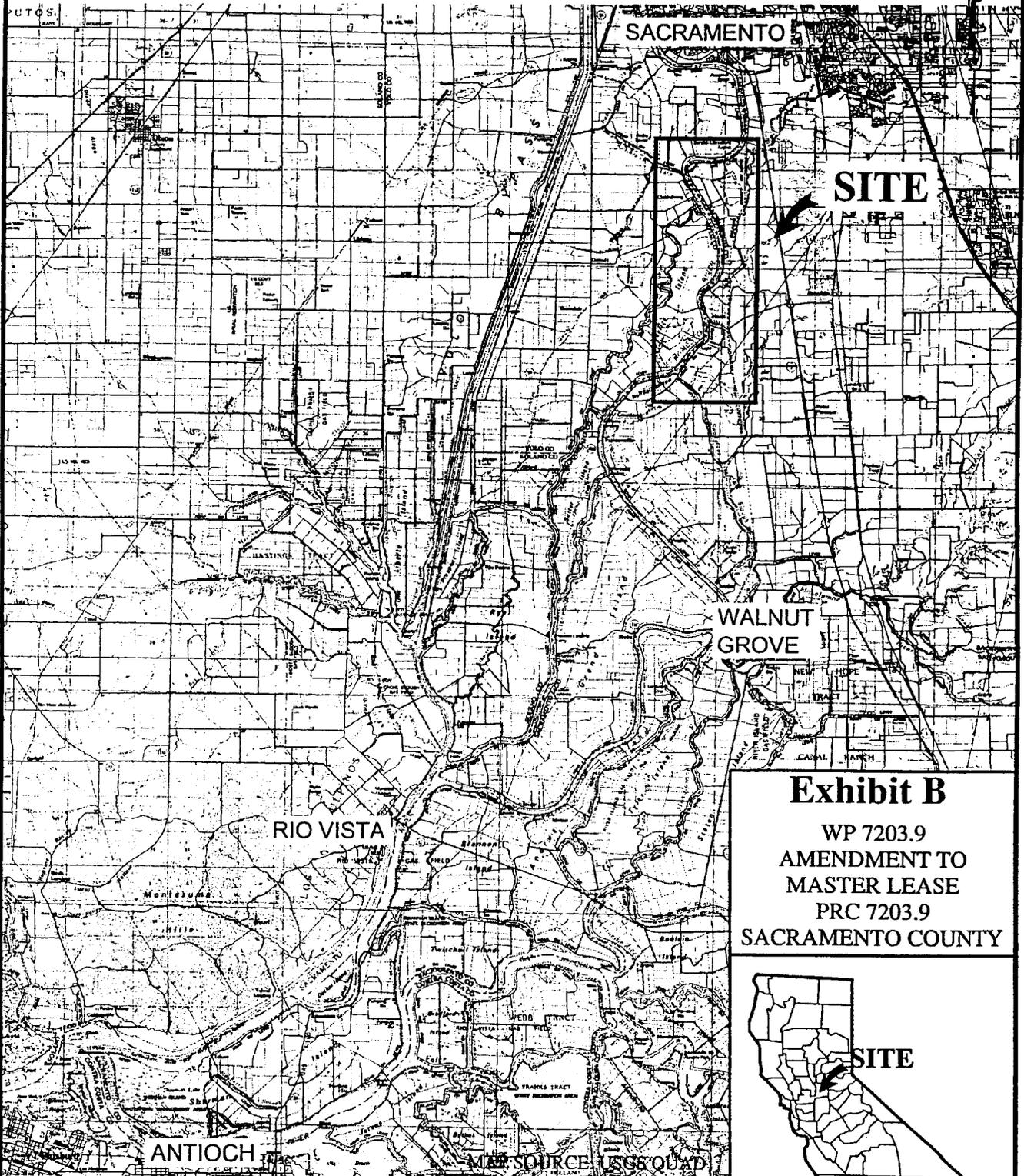


Exhibit B

WP 7203.9
 AMENDMENT TO
 MASTER LEASE
 PRC 7203.9
 SACRAMENTO COUNTY



JAK 06/03

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Exhibit C

Master Lease No. PRC 7203.9

Appendix D
Maintenance Area 9 Bank Stabilization Mitigation Monitoring Plan

Impact	Mitigation Measures	Monitoring/ Reporting Action	Effectiveness Criteria	Responsible Agency	Timing
AIR QUALITY MITIGATION MEASURES Impact 2.3.3-1. Production of diesel emissions and temporary inhalable dust.	Mitigation Measure 2.3.3-1. (a) construction equipment will be maintained so that engines are operating at maximum efficiency. (b) during grading, all exposed soil will be watered with adequate frequency to keep soil moist at all times.	DWR staff will consult with contractor and place BMP guidelines in the contract	DWR environmental staff will make routine site visits to make sure contract guidelines are met	DWR and contractor	during 2-3 week construction period

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**Appendix D
Maintenance Area 9 Bank Stabilization Mitigation Monitoring Plan**

Impact	Mitigation Measures	Monitoring/ Reporting Action	Effectiveness Criteria	Responsible Agency	Timing
BIOLOGICAL RESOURCES Impact 2.3.4-1. Levee protection project may cause disturbance to the State Threatened Swainson's hawk	Mitigation Measure 2.3.4-1. (a) a pre-construction survey will be conducted for Swainson's hawks to ensure that no new nests are active in the immediate vicinity of the proposed project. (b) Work will be limited to the period August 1 to October 30	DWR hawk biologist will survey the area two weeks prior to the start of the project. If active nests are determined within .5 miles of construction, work will be halted and DFG personnel contacted.	DWR environmental staff will make routine site visits to make sure contract guidelines are met	DWR and DFG	Two weeks prior to construction and during 2-3 week construction period
Impact 2.3.4-2. Levee protection project may be detrimental to several listed fish species and their habitat	Mitigation Measures 2.3.4-2. (a) No tree or vegetation removal will occur. (b) All woody riparian and/or Shaded Riverine Aquatic (SRA) habitat shall be avoided or preserved to the maximum extent possible. (c) Work will be limited to the period August 1 to October 30. (d) Reasonable care will be taken to limit siltation and sedimentation during construction. (e) Diesel engines will be maintained to prevent leaks of materials that, if introduced to the water, could be deleterious to aquatic life.	DWR staff will consult with contractor and place BMP guidelines in the contract	DWR environmental staff will make routine site visits to make sure contract guidelines are met	DWR, DFG, USFWS, NMFS	during 2-3 week construction period