MINUTE ITEM

This Calendar Item No. C16 was approved as Minute Item No. 16 by the California State Lands Commission by a vote of 3 to 0 at its 04-05-04 meeting.

CALENDAR ITEM
C16

A 9

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PRC 8517.9

04/05/04
W 25908
PRC 5432.9
D. Jones

TERMINATION OF EXISTING GENERAL PERMIT - PUBLIC AGENCY USE PRC 5432.9 AND ISSUANCE OF NEW GENERAL LEASE – PUBLIC AGENCY USE

APPLICANT:

Sacramento Regional County Sanitation District
10545 Armstrong Avenue, Suite 101
Mather, California 95655

AREA, LAND TYPE, AND LOCATION:

Existing and New Sewer Pipelines:

Filled and unfilled sovereign lands in the existing and historic bed of the American River, city of Sacramento, Sacramento County.

Temporary Construction Area:

Filled sovereign lands in the historic bed of the American River, city of Sacramento, Sacramento County.

AUTHORIZED USE:

Existing and New Sewer Pipelines:

The construction, use and maintenance of two new 60-inch diameter sewer pipelines and one existing 60-inch diameter sewer pipeline, crossing the American River.

Temporary Construction Area:

The use and maintenance of a temporary construction area.

LEASE TERM:

Existing and New Sewer Pipelines:

25 years, beginning April 1, 2004.

Temporary Construction Area:

April 1, 2004, through December 31, 2006.

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 is negotiating the right to use the uplands adjoining the lease premises with the city of Sacramento, the county of Sacramento and the Los Rios Community College District.

2. **Existing Lease PRC 5432.9 to the Sacramento Regional County Sanitation District:**

   On January 26, 1978, the Commission issued a 49-year General Permit – Public Agency Use to the Sacramento Regional County Sanitation District for the construction of one 60-inch diameter Arden Interceptor sewer force main pipeline (PRC 5432.9). That lease does not expire until December 31, 2026. This transaction will terminate this lease and include the existing pipeline in the new lease. According to the California Regional Water Quality Control Board, there have been no reports of sewage spills on this line.

   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 Class 1, Existing Facilities; Title 2, California Code of Regulations, section 2905 (a)(2).

   Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

   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.

Proposed Project:

The Sacramento Regional County Sanitation District (District) provides sewer services within the Sacramento area. The regional system includes a network of interceptor pipelines, trunk lines, and pump stations that convey sewage to the Sacramento Regional Wastewater Treatment Plant located in the southwest portion of the service area, in southern Sacramento County. The Arden Interceptor was constructed in the late 1970s and conveys raw sewage from the Arden pump station to the Central Interceptor located south of the American River. The existing Arden Interceptor pipeline, authorized under Lease PRC 5432.9, is the main underwater crossing of the American River for the regional wastewater collection and conveyance system.

The District is proposing to improve its sewer system by providing a greater measure of reliability to the existing Arden Interceptor pipeline crossing the American River. The District indicates that proposed changes in the operation of the Folsom Reservoir upstream of the existing sewer pipeline may result in increased discharges to the American River. With higher flows in the American River, the District is concerned about the long-term reliability of the existing pipeline at the river crossing due to the shallow cover over the existing pipe at the river bottom. A second crossing of the American River, designated to withstand the higher river discharge flows, would provide reliability that does not currently exist in the system. The proposed second new pipeline river crossing would address this concern and provide two reliable river crossings.

The proposed project, known as the Arden Parallel Force Main Project, involves microtunneling two new 60" diameter parallel sewer pipelines across the American River. The total length of the project is approximately 10,000 feet in length. The existing pipeline is approximately 5 feet below the surface and covered with rock. The microtunnelling of the new pipelines under the American River will occur under the existing pipeline. At the location where the scour depth is calculated to occur, there is 37 feet of depth between the bottom of the river and the top of the new pipeline at the scour location. The new pipelines will be hydrotested to 100 psi before they are placed into service.

This second pipeline will not only cross under the American River, but will also be trenched under filled sovereign land to a depth of approximately 10 to 15 feet.
The microtunneling shafts will be located outside and landward of the lease area. Three shafts will be constructed to send and receive the tunnel-boring machine. There will be two jacking shafts and one receiving shaft, which will all be constructed using an auguring method. The shafts will be backfilled upon completion of the microtunneling.

The alignment of the new parallel pipelines begins at the Arden Pump Station just north of Northrop Avenue adjacent to the American River Parkway, crosses the levee south of Northrop Avenue and follows the inside of the levee to the point across from the city of Sacramento's E.A. Fairbairn Water Treatment Plan (WTP) near California State University at Sacramento. From that point, they cross under the American River and connect into the existing Arden sewer system located on the WTP property.

One of the new pipelines will replace only that segment of the existing pipeline which crosses the American River (PRC 5432.9). The second new pipeline will parallel the entire 10,000 feet of the project, including crossing the American River at the same location as the existing pipeline. The existing pipeline will remain in place, but out of service, until approximately 2010 to ensure the dependability of the new pipelines. Once that period has passed, and the District is satisfied that the new pipes are operating correctly, the District proposes to permanently abandon the existing pipeline in place. The lease contains provisions, which will require the District, six months prior to initiating any abandonment activities of the pipeline, to submit to the Commission staff for review and approval, a feasibility plan analyzing the District's proposal for the final disposition of the existing pipeline.

The District has also applied to lease an area for temporary construction on State-owned land which term will commence on April 1, 2004, and terminate on December 31, 2006.

2. Specific measures to be implemented by the Contractor to avoid slurry spills or frac-outs include:

a. The microtunneling will be conducted at a minimum depth of 31 feet below the river bottom.
b. Lubrication will be closely monitored to ensure pressures are below critical pressures and that the volume of lubricant pumped is approximately equal to the calculated annular volume.
c. To reduce the risks of spills from the separation plant that could enter the river or come into contact with cultural or biological resources, shafts and work areas will be set back a sufficient distance from the river to allow contingency measures to be implemented before any spill can enter the river or come into contact with sensitive features or resources. Silt fences and hay bales will be erected between the separation plant, the lubrication plant, and the river and other sensitive features. All slurry will be contained, transported and disposed of at an approved offsite location. No stockpiling or dumping of soils or slurry will be allocated onsite or within the American River Parkway.
d. Full-time monitoring of potential sources of spills and hydrofracture (frac-outs) to provide early warning of potential releases will be implemented.
e. Containment and cleanup equipment will be onsite or available within one hour if offsite.
f. All conditions for slurry are required to be bentonite or bio-degradable polymers so as to minimize harmful effects in the event of a tunneling fluid release.

3. An EIR was prepared and certified for this project by the Sacramento Regional County Sanitation District. The California State Lands Commission staff has reviewed such document and Mitigation Monitoring Program adopted by the lead agency.

Findings made in conformance with the State CEQA Guidelines (Title 14, California Code of Regulations, sections 15091 and 15096) are on file in the Sacramento Office of the Commission.

A Statement of Overriding Considerations made in conformance with the State CEQA Guidelines (Title 14, California Code of Regulations, section 15093) is on file in the Sacramento Office of the Commission.

The significant impacts that cannot be avoided include:

a. Permanent or long term impact on visual resources resulting from removal and disturbance of riparian areas along the American River Parkway. The mitigation measure for this impact will provide native replacement planting in the American River parkway; however, the replacement planting will take many years to reach the habitat and aesthetic value of the mature landscaping being removed.

b. Singular air quality impacts associated with this project exceed the current significance criteria of the Sacramento Metropolitan Air Quality Management District for Nox. While mitigation measures for air quality impacts would substantially lessen the impact, the measures will not reduce air qualify impacts associated with Nox to less than significant levels.

c. Potential increase in noise levels caused by the construction activities in noise sensitive areas. While mitigation measures for construction related noise impacts would substantially lessen the impact, the measures will not reduce construction noise impacts to less than significant levels.

d. Grading and construction activities will require the removal of significant amounts of riparian and ornamental vegetation. While this impact will be considered less than significant in the long term, it is considered significant and unavoidable in the short term. This is due to the removal of mature vegetation and the amount of time it will take replacement vegetation to reach current habitat values.

e. The project proposes to remove 21 trees, which equates to approximately 7% of those inventoried. These trees include oak, cottonwood, box elder and non-native. This impact to the removal of riparian vegetation is considered significant and unavoidable in the short term and less than significant in the long term. Implementation of mitigation will provide native replacement planting in the American River Parkway; however, the replacement planting will take many years to reach the habitat and aesthetic value of the mature landscaping being removed.

Of these significant impacts, (b), (c), and (d) could potentially affect State-owned land; however, these impacts would be of relatively short duration and occur only during the construction phase of the project. Significant impacts (a) and (e) would directly or indirectly affect State-owned land and would be of longer duration; therefore, adopting the Statement of Overriding Considerations is recommended. It appears that the majority of the trees to be impacted in (e) would be outside the Commission's leasing jurisdiction.

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:

California Department of Fish and Game.

FURTHER APPROVALS REQUIRED:

U. S. Army Corps of Engineers, U. S. Fish and Wildlife Service, National Marine Fisheries Service, California Department of Fish and Game, The Reclamation Board, California Regional Water Quality Control Board.

EXHIBIT:

A. Site Map and Location Map

PERMIT STREAMLINING ACT DEADLINE:

June 28, 2004

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

EXISTING PIPEINE:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1 EXISTING FACILITIES, TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

PROPOSED PROJECT:

1. FIND THAT AN EIR WAS PREPARED AND CERTIFIED FOR THIS PROJECT BY SACRAMENTO REGIONAL COUNTY SANITATION DISTRICT AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

2. ADOPT THE FINDINGS MADE IN CONFORMANCE WITH TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTIONS 15091 AND 15096 (h), ON FILE IN THE SACRAMENTO OFFICE OF THE COMMISSION.

3. ADOPT THE MITIGATION MONITORING PROGRAM, ON FILE IN THE SACRAMENTO OFFICE OF THE COMMISSION.

4. ADOPT THE STATEMENT OF OVERRIDING CONSIDERATIONS MADE IN CONFORMANCE WITH TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15093, ON FILE IN THE SACRAMENTO OFFICE OF THE COMMISSION.

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:

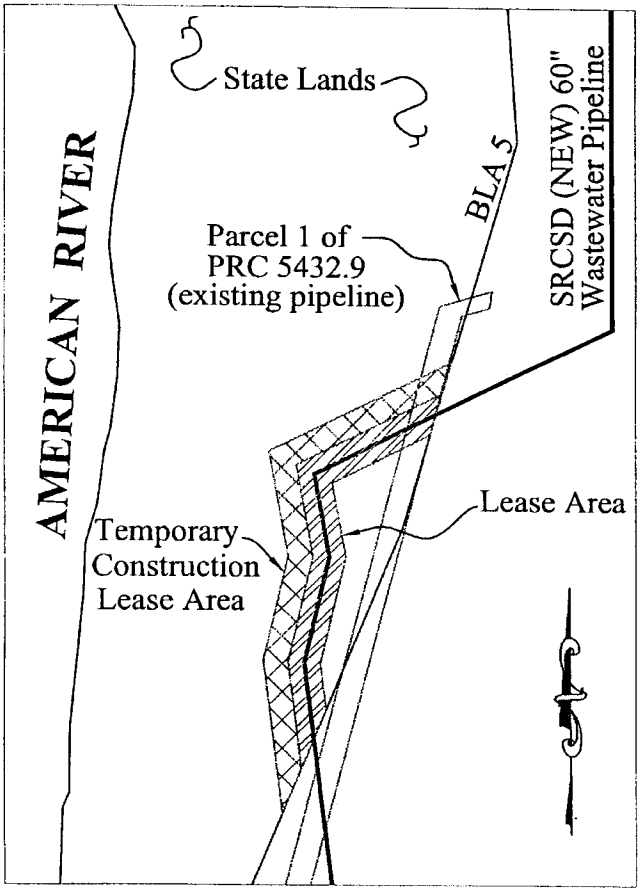
1. AUTHORIZE TERMINATION OF GENERAL PERMIT – PUBLIC AGENCY USE, PRC 5432.9, EFFECTIVE MARCH 31, 2004.

2. AUTHORIZE ISSUANCE TO THE SACRAMENTO REGIONAL COUNTY SANITATION DISTRICT OF A GENERAL LEASE - PUBLIC AGENCY USE, BEGINNING APRIL 1, 2004, FOR A TERM OF 25 YEARS, FOR THE CONSTRUCTION, USE AND MAINTENANCE OF TWO NEW 60-INCH DIAMETER FORCE MAIN PIPELINES ON THE LAND SHOWN ON EXHIBIT A, AND ONE EXISTING 60 INCH DIAMATER FORCE MAIN PIPELINE; AND FOR A TEMPORARY CONSTRUCTION AREA FOR A TERM FROM APRIL 1, 2004, THROUGH DECEMBER 31, 2006; ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS

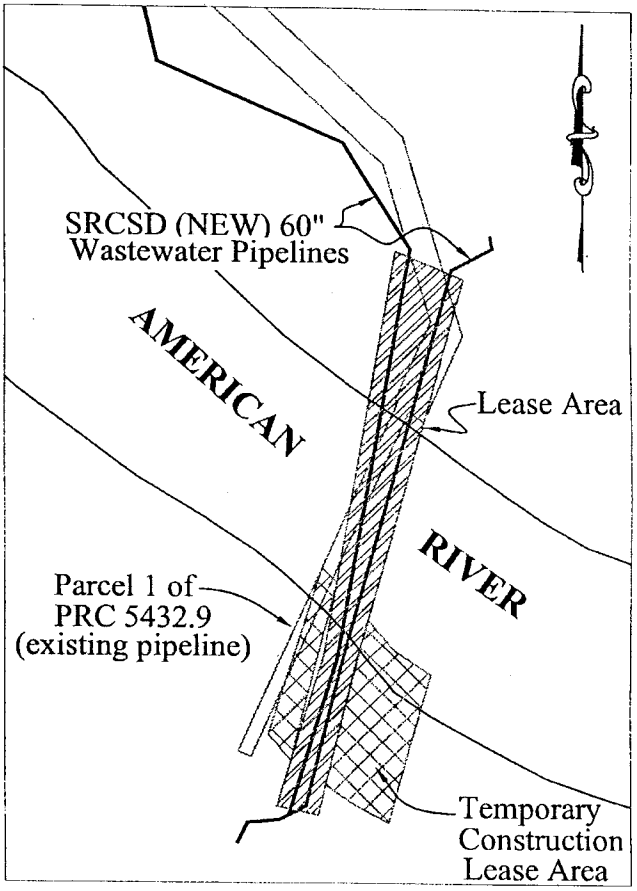
REFERENCE MADE A PART HEREOF; CONSIDERATION: THE PUBLIC USE AND BENEFIT, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENT IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST.

NO SCALE

SITE MAP



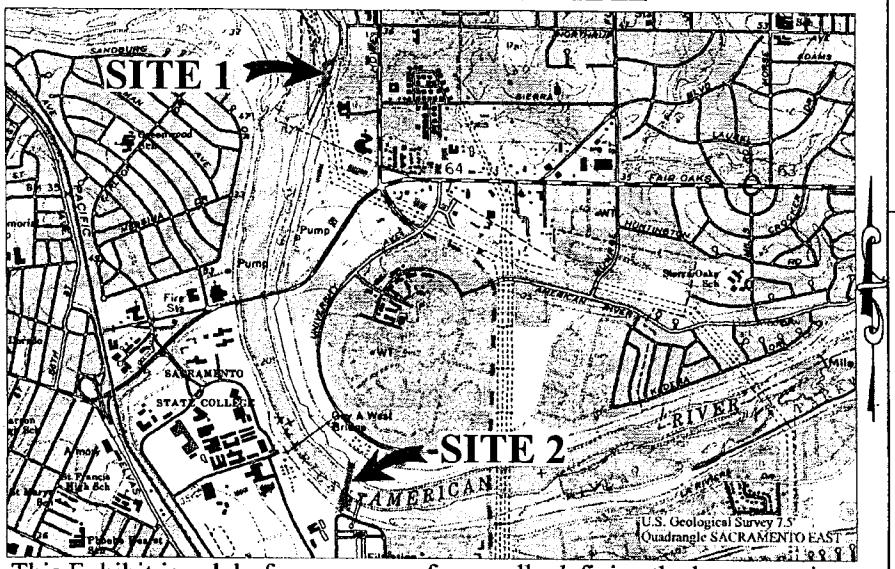
SITE 1 (Northerly Site)



SITE 2 (Southerly Site)

NO SCALE

LOCATION MAP



This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by 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 A
W25908
Sacramento Regional County Sanitation District
General Lease
Public Agency Use
Sacramento County

DWC 03-12-2004