MINUTE ITEM

This Calendar Item No. C34 was approved as Minute Item No. 34 by the California State Lands Commission by a vote of 3 to 0 at its 2-17-05 meeting.

CALENDAR ITEM
C34

A 15

S 5

AD 495
PRC 8041

02/17/05
W 25984
S. Nelson

CONSIDER ACCEPTANCE OF A QUITCLAIM DEED FOR 22 ACRES OF LAND AND AUTHORIZE THE ADMENDMENT OF LEASE PRC 8041.9

APPLICANT:

Ronald S. Wong and Letha B. Wong
Donna Maria Montosa
Joseph R. Martin and Charlene J. Martin

LOCATION:

Approximately 22 acres of land including the bed of Lost Slough, within the Cosumnes River Preserve, Sacramento County.

BACKGROUND:

The owners of the subject property, along with the Federal Bureau of Land Management (BLM) (Manager of the Cosumnes River Preserve), have requested that the California State Lands Commission (CSLC), accept a quitclaim deed to approximately 22 acres of land including the bed of Lost Slough, that will then be leased to the BLM for inclusion into the Cosumnes River Preserve.

This portion of Lost Slough is crucial to the Cosumnes River Preserve's management plan that involves an adjacent 146-acre parcel known as the "Wong Property". The Preserve's goal is to convert the Wong parcel from a dry fallow field into a wetland habitat for waterfowl such as the Northern Pintail Duck and Canada Geese. In order for this to occur it is essential that the Preserve first, obtain access to a water source, and secondly, a means of transporting the water to the Wong parcel. The Lost Slough parcel is capable of satisfying both of these needs in that the Slough itself would provide the necessary water supply while an existing pump station (that will be retrofitted) on the property would transport the water from the Slough to the newly established wetland habitat.

At it's June 19, 1998, meeting, the Commission authorized the purchase of a 263-acre parcel of land adjacent to the Cosumnes River Preserve in Sacramento County. The subject parcel has been leased to the BLM for inclusion in to the Preserve. The CSLC is a partner in the Preserve along with the BLM, California

Department of Water Resources, California Wildlife Conservation Board, Sacramento County, The Nature Conservancy, American Farmland Trust and Sacramento Valley Open Space Conservancy; Supporting agencies include: Environmental Protection Agency, Bureau of Reclamation, U. S. Fish and Wildlife Service, and National Fish and Wildlife Foundation.

The goals of the Cosumnes River Preserve are farmland preservation, habitat protection, and floodplain management. Working cooperatively with private landowners and purchasing land or easements from willing sellers, the partners in the Preserve have protected over 13,000 acres in Sacramento County since its initiation in 1984. The cumulative investment in the preserve so far has been over $35 million; much of this raised by the Nature Conservancy, corporations, foundations, and private individuals.

These natural habitats are particularly important because they span the zone between the Sacramento-San Joaquin Delta and the low foothills within the corridor of the last remaining undammed river flowing westward out of the Sierra Nevada, providing an important continuous corridor for mammal and bird migration.

Because the Cosumnes River Preserve supports a mosaic of habitats, it is an ideal wintering ground for hundreds of thousands of migratory birds, including the Tundra Swan and the Greater Sandhill Crane, listed as threatened species by the State of California. The Cosumnes River Preserve hosts the largest known population of Giant Garter Snakes, and contains critical habitat for the Swainson's Hawk, both of which are endangered species.

Staff has concluded that the subject property is useful for the public trust purposes of open space and wildlife habitat. The subject property will be leased to the BLM for inclusion in the Cosumnes River Preserve.

OTHER PERTINENT INFORMATION:

1. **Acceptance of Quitclaim:** Pursuant to the Commission's delegation of authority and the State CEQA Guidelines [Title 14, California Code of Regulations, section 15060(c)(3)], the staff has determined that this activity is not subject to the provisions of the CEQA because it is not a "project" as defined by the CEQA and the State CEQA Guidelines.

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

2. **Amendment of Lease PRC 8041.9:** 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 25, Transfers of Ownership of Interest in Land to Preserve Existing Natural Conditions; Title 14, California Code of Regulations, section 15325.

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

EXHIBIT:

A. Location Map
B. Land Description

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDINGS:

1. **ACCEPTANCE OF QUITCLAIM:** FIND THAT THE ACTIVITY IS NOT SUBJECT TO THE REQUIREMENTS OF THE 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.

2. **AMENDMENT OF LEASE PRC 8041.9:** 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 25, TRANSFERS OF OWNERSHIP OF INTEREST IN LAND TO PRESERVE EXISTING NATURAL CONDITIONS; TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15325.

3. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF CEQA PURSUANT TO 14, CALIFORNIA

CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 25, TRANSFERS OF OWNERSHIP OF INTEREST IN LAND TO PRESERVE EXISTING NATURAL CONDITIONS; TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15325.

AUTHORIZATION:

1. AUTHORIZE THE ACCEPTANCE AND RECORDATION OF A QUITCLAIM DEED FOR THE PARCEL OF REAL PROPERTY DSCRIBED IN EXHIBIT B.

2. AUTHORIZE STAFF OF THE CALIFORNIA STATE LANDS COMMISSION TO AMEND LEASE PRC 8041.9 TO THE U.S. BUREAU OF LAND MANAGEMENT TO INCLUDE THE MANAGEMENT OF THE ACQUIRED PROPERTY FOR THE PURPOSE OF OPEN SPACE AND WILDLIFE HABITAT.

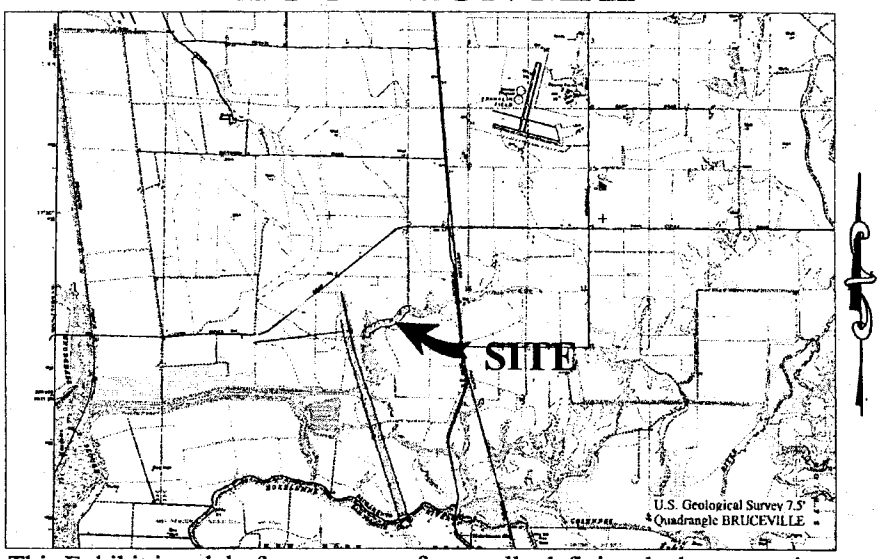
3. AUTHORIZE THE STAFF OF THE CALIFORNIA STATE LANDS COMMISSION AND/OR THE OFFICE OF THE ATTORNEY GENERAL TO TAKE ALL FURTHER STEPS WHICH MAY BE REASONABLY NECESSARY AND CONVENIENT TO IMPLEMENT THE TRANSACTION DESCRIBED ABOVE, INCLUDING, BUT NOT LIMITED TO, EXECUTION OF DOCUMENTS OF TITLE AND RECORDATION.

NO SCALE

SITE MAP

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
Lost Slough

APN 146-0120-021
Bureau of Land Management
General Lease - Public Use
Sacramento County

DWC 02-02-2005

EXHIBIT B

LAND DESCRIPTION
LOST SLOUGH

All that certain land, situate in protracted Section 17, T5N R5E M.D.B.&M., in the County of Sacramento, State of California, described as follows:

ATTACHMENT "A" of TAX DEED TO PURCHASER OF TAX-DEFAULTED PROPERTY recorded June 19, 1991 in Book 910619 Page 0442 of Official Records of said County.

END OF DESCRIPTION

PROFESSIONAL LAND SURVEYOR
DIANE W. CANZONERI
No. 7651
Exp. 12/31/2006
STATE OF CALIFORNIA