

**MINUTE ITEM**

This Calendar Item No. C42 was approved as Minute Item No. 42 by the California State Lands Commission by a vote of 3 to 0 at its 2-17-05 meeting.

**CALENDAR ITEM  
C42**

A 25

S 14

PRC 8595

02/17/05

W 26031

J. Smith

**GENERAL LEASE - PUBLIC AGENCY USE**

**APPLICANT:**

U. S. Bureau of Reclamation  
1243 N Street  
Fresno, California 93721-1813

**AREA, LAND TYPE, AND LOCATION:**

Sovereign lands in the San Joaquin River, near Fresno, Madera County.

**AUTHORIZED USE:**

Installation and maintenance of a stream gauge and measuring equipment station to monitor stream flow and water quality.

**LEASE TERM:**

Ten years, beginning March 1, 2005.

**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.

**SPECIFIC LEASE PROVISIONS:**

No construction is to commence and no structures or material shall be placed on State lands until copies of all necessary permits or approvals are provided to the Staff of the Commission, including, but not limited to, the U.S. Army Corps of Engineers, the National Marine Fisheries Service and the California Regional Water Quality Control Board.

**OTHER PERTINENT INFORMATION:**

1. Applicant has a right to use the uplands adjoining the lease premises.
2. The Applicant is requesting Commission authorization to install and maintain a stream gauge and measuring equipment station to monitor

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stream flow and water quality in the San Joaquin River, approximately 150 feet downstream of the southbound span of the Highway 41 Bridge in Madera County. The measuring equipment will be housed within a two-inch perforated pipe, which will be anchored to the river bottom. At the base of the riverbank, the pipe will connect to a 1.5-inch metal conduit that will be buried within a trench four inches wide and one foot below grade. At the top of the bank, the conduit will connect to a gauge house. Construction is expected to take one week. Access to the site will be from Highway 41 and Wildwood Native Park (owned by the San Joaquin River Conservancy).

The project complements previous data gathering that was conducted in 2000 and 2001. The Bureau is undertaking this project to support River restoration efforts that are required under the Central Valley Project Improvement Act and as a result of a recent U.S. District Court decision and continuing litigation to determine the scope and definition of restoration. The Applicant indicates that the project has the approval of the members of the San Joaquin River Riparian Habitat Restoration Program, (the Natural Resources Defense Council, the Pacific Coast Federation of Fishermen's Association, Friant Water Users Authority, the San Joaquin River Exchange Contractors Water Authority, the Bureau of Reclamation, and the U.S. Fish and Wildlife Service). In addition, the Applicant indicates that the project is supported by the San Joaquin River Conservancy and the San Joaquin River Parkway and Conservation Trust.

The station will be programmed to automatically take River stage, temperature and electrical conductivity readings on the hour and that data will be uploaded via satellite once a day to the California Data Exchange Center where it will be available to the public on the Internet.

3. 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 6: Information Collection; Title 2, California Code of Regulations, section 2905(e)(5).

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

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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:**

San Joaquin River Conservancy; California Department of Transportation.

**APPROVALS REQUIRED:**

U.S. Army Corps of Engineers; National Marine Fisheries Service; California Regional Water Quality Control Board; California State Lands Commission.

**EXHIBIT:**

- A. Location and Site Map

**PERMIT STREAMLINING ACT DEADLINE:**

April 3, 2005

**RECOMMENDED ACTION:**

IT IS RECOMMENDED THAT THE COMMISSION:

**CEQA FINDING:**

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 6: INFORMATION COLLECTION; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (e)(5).

**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 TO THE U.S. BUREAU OF RECLAMATION OF A GENERAL LEASE - PUBLIC AGENCY USE, BEGINNING MARCH 1, 2005, FOR A TERM OF TEN YEARS, FOR INSTALLATION

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AND MAINTENANCE OF A STREAM GAUGE AND MEASURING EQUIPMENT STATION TO MONITOR STREAM FLOW AND WATER QUALITY ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION IS 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

MADERA COUNTY

21

41

HIGHWAY 41

Lanes Bridge

File 255

25' RADIUS BLM GAGE HOUSE LEASE AREA

5' WIDE LEASE AREA CONDUIT AT SAN JOAQUIN RIVER

SAN JOAQUIN RIVER

FRESNO COUNTY

21

U.S. BUREAU OF RECLAMATION  
SECTION 21, T12S, R20E, SBM

NO SCALE

LOCATION

SITE

SAN JOAQUIN RIVER

PINEDALE

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.

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**Exhibit A**

W 26031  
PUBLIC AGENCY LEASE  
SAN JOAQUIN RIVER  
MADERA COUNTY



SITE