

MINUTE ITEM

This Calendar Item No. C06 was approved as Minute Item No. 06 by the California State Lands Commission by a vote of 3 to 2 at its 11-01-06 meeting.

**CALENDAR ITEM
C06**

A	2	11/01/06
		W 26176
S	4	D. Jones

CONSIDER APPROVAL FOR THE PLACEMENT OF BOULDER BARRIERS TO RESTRICT VEHICULAR ACCESS, AND FOR CLEAN UP OF A PARCEL OF SOVEREIGN LAND COMMONLY KNOWN AS BARGE HOLE ON THE SACRAMENTO RIVER NEAR THE CONFLUENCE WITH BATTLE CREEK, TEHAMA COUNTY

PARTY:

California State Lands Commission
100 Howe Avenue, Suite 100-South
Sacramento, CA 95825-8202

BACKGROUND:

Pursuant to a quiet title action and permanent injunction in People of the State of California v. Charles A. Orwick, et al, Tehama County Superior Court Case 18801, 1983, title to the sovereign land, which is the subject of this Calendar Item, was quieted in the State and is under the jurisdiction of the Commission. Uncontrolled and unrestricted access to the property lead to various public health and safety problems because of the abandonment of vehicles, illegal and long-term camping and dumping of trash, etc. To correct those problems, in 1992 the Commission authorized the issuance of a ten-year General Permit – Public Agency Use to the Bureau of Land Management (BLM) for the management of the parcel. That Permit expired September 30, 2002 and the BLM has elected not to continue managing the parcel.

CURRENT SITUATION:

In May 2006, Commission staff received a letter from the California Regional Quality Control Board, Central Valley Region, informing it of a significant threat to water quality posed by dumping, illegal camping, and off road vehicle use at an area on the Sacramento River near Red Bluff commonly known as Barge Hole. During an on-site inspection, Commission staff found abandoned vehicles,

CALENDAR ITEM NO. C06 (CONT'D)

numerous household appliances, piles of household trash, and extensive soil disturbance from off-road vehicle usage. During rainstorms and high water, disturbed soils, trash and contaminates from vehicles and appliances flow directly into the Sacramento River.

This parcel of sovereign land is located just downstream from the confluence of Battle Creek on the Sacramento River and is habitat for threatened and endangered Spring Run Chinook Salmon and steelhead trout. This area is reportedly one of the most important coldwater fish spawning and rearing sections of the Sacramento River and is also a popular access point for boaters and fisherman. In addition, the gravel bar at the end of the access road provides a good natural boat launch as it is protected from swift water and gradually drops off to deep water. Bird watchers also frequent this area due to the number of eagles and ospreys that hunt salmon there.

At the present time, as previously described, access to Barge Hole is uncontrolled, which facilitates a wide variety of illegal activities including dumping of abandoned vehicles, appliances, and household waste. Commission staff, with the cooperation of other State, federal, and county agencies, has planned a clean-up to remove the trash and debris followed by the installation of boulder barriers along the access road to prohibit off-road use and dumping while allowing continued access to the River for boaters and fishermen.

Access to the State's parcel from Jelly's Ferry Road is over an easement across property owned by Mr. Charles A. Orwick. Mr. Orwick has been contacted and made aware of the project and has stated that he has no objection to the clean up, but does not want the boulders placed along the short easement across his frontage parcel.

PROJECT FUNDING:

Monies to fund the purchase of the boulder barriers will come from the Commission's annual operating budget. The California Department of Forestry will provide inmate work crews for the clean-up after the fire season for a minimal fee of \$200/per day, which pays for the cost of transportation and incidental expenses. The cost of trash bins, dump fees, and hauling of trash (estimated at \$3,000 - \$5,000), will be paid by the Tehama County Landfill. The BLM, which manages lands in close proximity to this parcel, has offered an operator and equipment necessary for the placement of the boulders.

CALENDAR ITEM NO. C06 (CONT'D)

Staff obtained several bids for 400 boulders 3 feet in diameter, each weighing an estimated 1,600 to 2,000 pounds . The projected cost of this project for the California State Lands Commission is an estimated \$25,000. Staff has calculated that the project would cost approximately \$33,000-\$40,000 without the contributions of the other agencies involved.

Support for the clean-up of the parcel has been given by: the California Regional Water Quality Control Board; California Department of Fish and Game; Tehama County; Federal Bureau of Land Management; California Department of Forestry; Tehama County Board of Supervisors; and the Sacramento River Conservation Area Forum.

EXHIBIT:

- A. Location Map

OTHER PERTINENT INFORMATION:

1. 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 4, Minor Alterations to Land; Title 14, California Code of Regulations, section 15304.

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

2. 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.

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

CALENDAR ITEM NO. C06 (CONT'D)

PROJECT, CLASS 4; MINOR ALTERATIONS TO LAND; TITLE 14,
CALIFORNIA CODE OF REGULATIONS, SECTION 15304.

SIGNIFICANT LANDS INVENTORY FINDING:

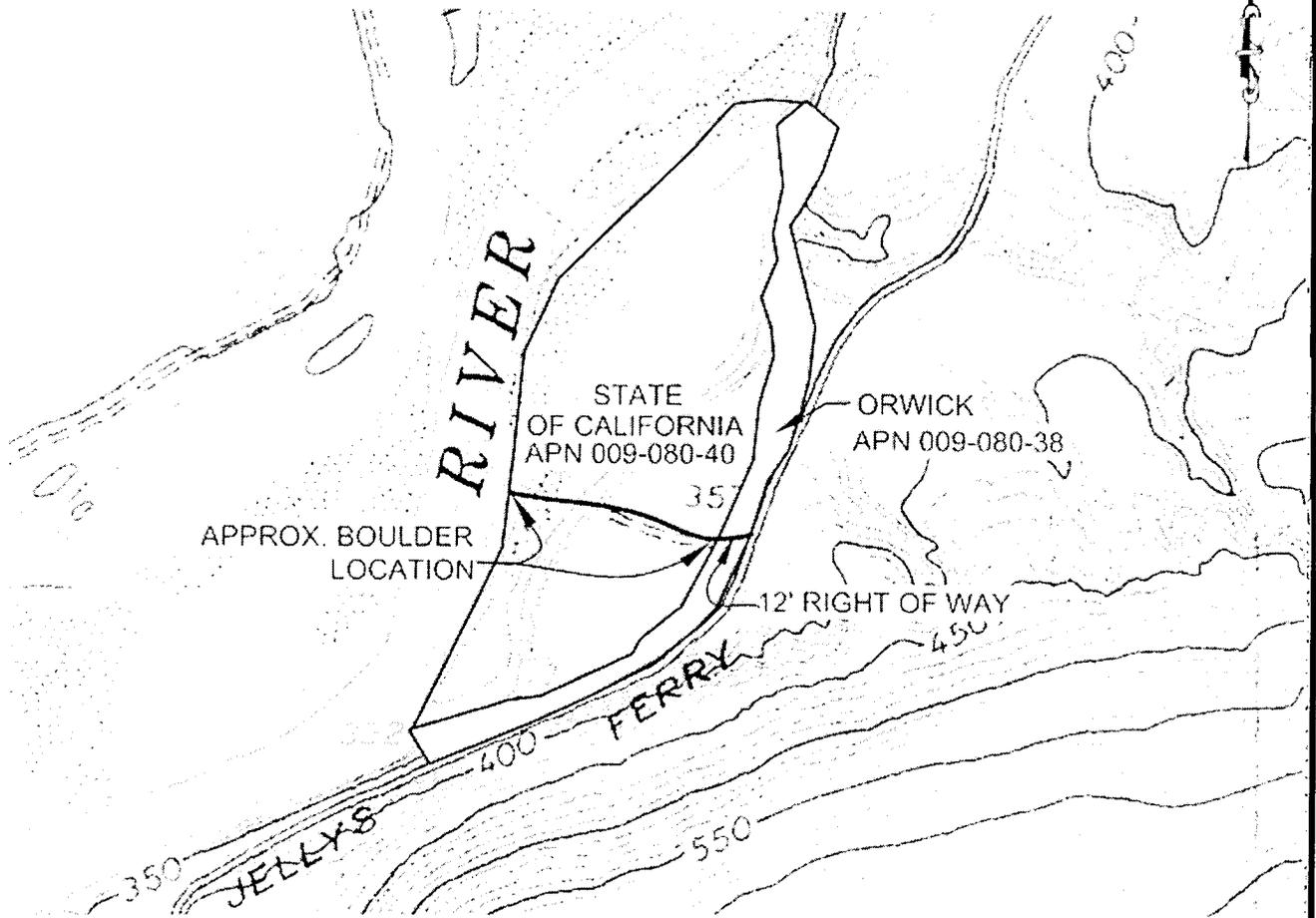
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE
CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE
LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370,
ET SEQ.

AUTHORIZATION:

AUTHORIZE THE CLEAN UP OF STATE SOVEREIGN LANDS AT
BARGE HOLE NEAR THE CONFLUENCE OF BATTLE CREEK AND
THE SACRAMENTO RIVER, AND THE PLACEMENT OF BOULDER
BARRIERS ALONG THE ACCESS ROAD TO LIMIT VEHICULAR
ACCESS TO THE PARCEL.

NO SCALE

SITE



SACRAMENTO RIVER, SOUTH OF CONFLUENCE WITH BATTLE CREEK

NO SCALE

LOCATION

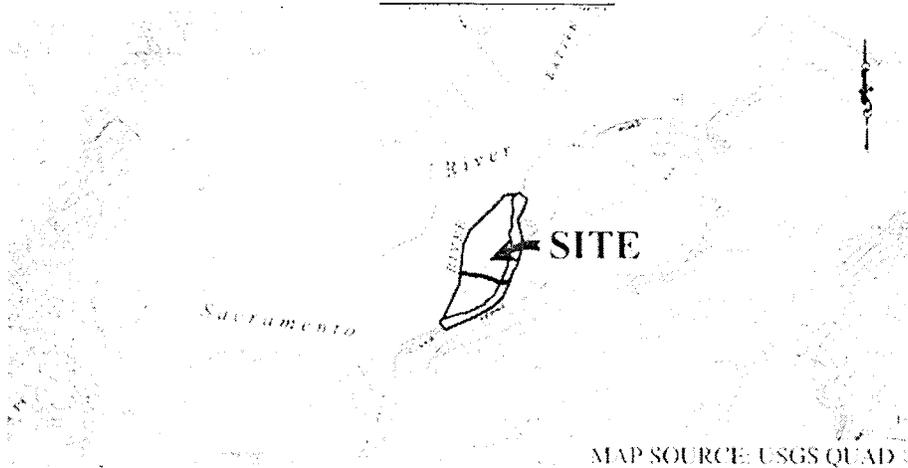


Exhibit A

W 26176
STATE LANDS
APN 009-080-40
TEHAMA COUNTY



M109.06

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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CALENDAR PAGE

602082

MINUTE PAGE