

**CALENDAR ITEM
C41**

A 14, 12, 11, 7, 4

S 7, 6, 5, 3

10/14/14
PRC 7650.9
J. Sampson

**TERMINATION AND ISSUANCE OF A
GENERAL LEASE – PUBLIC AGENCY USE**

APPLICANT:

United States Geological Survey

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the Old River, Middle River, San Joaquin River, Holland Cut, False River, South Fork Mokelumne River, North Fork Mokelumne, Little Potato Slough, Threemile Slough, Sacramento River, Sutter Slough, Steamboat Slough, Georgiana Slough, Miner Slough, Cache Slough, in Contra Costa, San Joaquin, Sacramento, Yolo, and Solano Counties.

AUTHORIZED USE:

Continued use and maintenance of 17 existing water monitoring stations previously authorized by the Commission, and use and maintenance of 10 existing water monitoring stations not previously authorized by the Commission.

LEASE TERM:

15 years, beginning October 14, 2014.

CONSIDERATION:

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 does not require the use of the upland adjoining the lease premises.

2. On June 21, 2013, the Commission authorized Lease No. PRC 6980.9, a General Lease – Public Agency Use, with the United States Geological Survey (USGS), for a 15-year term starting June 1, 2011, and expiring May 30, 2026, for the continued use and maintenance of two water monitoring stations. On August 17, 2004, the Commission authorized

CALENDAR ITEM NO. **C41** (CONT'D)

General Lease – Public Agency Use, PRC No. 7650.9, a General Lease – Public Agency Use, with the USGS, for a 10-year term starting August 17, 2004, and expiring August 16, 2014, for the continued use and maintenance of 15 water monitoring stations. These leases authorized a total of 17 water monitoring stations for the routine measurement of water volume and velocity to determine California water supply. The Applicant is now applying for a new General Lease – Public Agency Use to continue water monitoring activities previously authorized under Lease Nos. PRC 6980.9 and 7650.9, and an additional 10 existing water monitoring stations located throughout the San Joaquin-Sacramento River Delta region. The 10 additional water monitoring stations have existed on sovereign lands, but were not previously authorized. Staff is recommending termination of Lease No. PRC 6980.9 and consolidation of the water-monitoring stations authorized in that lease with the water monitoring stations authorized in Lease No. 7650.9 and the unauthorized water monitoring stations into the proposed new lease.

3. The water monitoring stations measure the river velocity by transmitting acoustic pulses via a transducer. The sites provide valuable flow magnitude and direction data necessary for water management in the Central Valley. This information is used by numerous federal, State, and local agencies participating in the water management programs of the Delta, San Francisco Bay system, and the State and Central Valley water projects.
4. **Lease Termination:** The staff recommends that the Commission find that the subject lease termination does not have a potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment, and is, therefore, not a project in accordance with the California Environmental Quality Act (CEQA).

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

5. **Issuance of New Lease:** The staff recommends that the Commission find that this activity is exempt from the requirements of CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

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

CALENDAR ITEM NO. **C41** (CONT'D)

6. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. 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.

EXHIBITS:

- A. Land Description
- B. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Lease Termination: Find that the subject lease termination is not subject to the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c)(3), because the subject activity is not a project as defined by Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.

Issuance of a New Lease: Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

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 section 6370 et seq.

AUTHORIZATION:

1. Authorize termination of Lease No. PRC 6980.9, a General Lease – Public Agency Use, issued to the United States Geological Survey, effective October 13, 2014.
2. Authorize issuance of a General Lease – Public Agency Use to the United State Geological Survey beginning October 14, 2014, for a term of 15 years, for the continued use and maintenance of 17 existing water monitoring stations previously authorized by the Commission and 10 existing water monitoring stations not previously authorized by the Commission, as described in Exhibit A and shown on Exhibit B (for

CALENDAR ITEM NO. **C41** (CONT'D)

reference purposes only) attached and by this reference made a part hereof; consideration to be the public use and benefit, with the State reserving the right, at any time, to set a monetary rent as specified in the lease if the Commission finds such action to be in the State's best interest.

EXHIBIT A

PRC 7650.9

LAND DESCRIPTION

Twenty-seven (27) parcels of tide and submerged lands situate in the State of California, and being more particularly described as follows:

Parcel 1 (OLD)

A parcel of land in the bed of the Old River in Contra Costa County, said parcel lying immediately beneath instruments, cables, buoys, piles, and related appurtenances thereto, and being in the vicinity of NAD83 geographic coordinates Latitude 37°58'12" North, Longitude 121°34'16" West.

Parcel 2 (MID)

A parcel of land in the bed of the Middle River in San Joaquin County, said parcel lying immediately beneath instruments, cables, buoys, piles, and related appurtenances thereto, and being in the vicinity of NAD83 geographic coordinates Latitude 37°56'32" North, Longitude 121°31'57" West.

Parcel 3 (STK)

A parcel of land in the bed of the San Joaquin River in San Joaquin County, said parcel lying immediately beneath instruments, cables, buoys, piles, and related appurtenances thereto, and being in the vicinity of NAD83 geographic coordinates Latitude 37°56'08" North, Longitude 121°19'45" West.

Parcel 4 (MRC)

A parcel of land in the bed of the Middle River in San Joaquin County, said parcel lying immediately beneath instruments, cables, buoys, piles, and related appurtenances thereto, and being in the vicinity of NAD83 geographic coordinates Latitude 38°00'11" North, Longitude 121°30'39" West.

Parcel 5 (ORF)

A parcel of land in the bed of the Old River in Contra Costa and San Joaquin Counties, said parcel lying immediately beneath instruments, cables, buoys, piles, and related appurtenances thereto, and being in the vicinity of NAD83 geographic coordinates Latitude 37°53'28" North, Longitude 121°34'09" West.

Parcel 6 (HOL)

A parcel of land in the bed of the Holland Cut in Contra Costa County, said parcel lying immediately beneath instruments, cables, buoys, piles, and related appurtenances

thereto, and being in the vicinity of NAD83 geographic coordinates Latitude 38°00'59" North, Longitude 121°34'55" West.

Parcel 7 (FAL)

A parcel of land in the bed of the False River in Contra Costa County, said parcel lying immediately beneath instruments, cables, buoys, piles, and related appurtenances thereto, and being in the vicinity of NAD83 geographic coordinates Latitude 38°03'21" North, Longitude 121°40'01" West.

Parcel 8 (ORS)

A parcel of land in the bed of the Old River in Contra Costa County, said parcel lying immediately beneath instruments, cables, buoys, piles, and related appurtenances thereto, and being in the vicinity of NAD83 geographic coordinates Latitude 38°04'16" North, Longitude 121°34'44" West.

Parcel 9 (PPT)

A parcel of land in the bed of the San Joaquin River in San Joaquin County, said parcel lying immediately beneath instruments, cables, buoys, piles, and related appurtenances thereto, and being in the vicinity of NAD83 geographic coordinates Latitude 38°03'34" North, Longitude 121°33'26" West.

Parcel 10 (SFM)

A parcel of land in the bed of the South Fork Mokelumne River in San Joaquin County, said parcel lying immediately beneath instruments, cables, buoys, piles, and related appurtenances thereto, and being in the vicinity of NAD83 geographic coordinates Latitude 38°13'32" North, Longitude 121°29'28" West.

Parcel 11 (NFM)

A parcel of land in the bed of the North Fork Mokelumne River in Sacramento County, said parcel lying immediately beneath instruments, cables, buoys, piles, and related appurtenances thereto, and being in the vicinity of NAD83 geographic coordinates Latitude 38°13'24" North, Longitude 121°30'26" West.

Parcel 12 (LPS)

A parcel of land in the bed of the Little Potato Slough in San Joaquin County, said parcel lying immediately beneath instruments, cables, buoys, piles, and related appurtenances thereto, and being in the vicinity of NAD83 geographic coordinates Latitude 38°05'47" North, Longitude 121°29'46" West.

Parcel 13 (MOK)

A parcel of land in the bed of the Mokelumne River in Sacramento County, said parcel lying immediately beneath instruments, cables, buoys, piles, and related appurtenances thereto, and being in the vicinity of NAD83 geographic coordinates Latitude 38°06'22" North, Longitude 121°34'16" West.

Parcel 14 (TMN)

A parcel of land in the bed of the Threemile Slough in Sacramento County, said parcel lying immediately beneath instruments, cables, buoys, piles, and related appurtenances thereto, and being in the vicinity of NAD83 geographic coordinates Latitude 38°06'12" North, Longitude 121°41'10" West.

Parcel 15 (JPT)

A parcel of land in the bed of the San Joaquin River in Contra Costa County, said parcel lying immediately beneath instruments, cables, buoys, piles, and related appurtenances thereto, and being in the vicinity of NAD83 geographic coordinates Latitude 38°03'08" North, Longitude 121°41'16" West.

Parcel 16 (FPT)

A parcel of land in the bed of the Sacramento River in Sacramento County, said parcel lying immediately beneath instruments, cables, buoys, piles, and related appurtenances thereto, and being in the vicinity of NAD83 geographic coordinates Latitude 38°27'22" North, Longitude 121°30'01" West.

Parcel 17 (SUT)

A parcel of land in the bed of the Sutter Slough in Yolo County, said parcel lying immediately beneath instruments, cables, buoys, piles, and related appurtenances thereto, and being in the vicinity of NAD83 geographic coordinates Latitude 38°19'43" North, Longitude 121°34'38" West.

Parcel 18 (STM)

A parcel of land in the bed of the Steamboat Slough in Sacramento County, said parcel lying immediately beneath instruments, cables, buoys, piles, and related appurtenances thereto, and being in the vicinity of NAD83 geographic coordinates Latitude 38°17'05" North, Longitude 121°35'12" West.

Parcel 19 (WGA)

A parcel of land in the bed of the Sacramento River in Sacramento County, said parcel lying immediately beneath instruments, cables, buoys, piles, and related appurtenances

thereto, and being in the vicinity of NAD83 geographic coordinates Latitude 38°15'28" North, Longitude 121°31'02" West.

Parcel 20 (GEO)

A parcel of land in the bed of the Georgiana Slough in Sacramento County, said parcel lying immediately beneath instruments, cables, buoys, piles, and related appurtenances thereto, and being in the vicinity of NAD83 geographic coordinates Latitude 38°14'14" North, Longitude 121°31'03" West.

Parcel 21 (WGB)

A parcel of land in the bed of the Sacramento River in Sacramento County, said parcel lying immediately beneath instruments, cables, buoys, piles, and related appurtenances thereto, and being in the vicinity of NAD83 geographic coordinates Latitude 38°14'20" North, Longitude 121°31'18" West.

Parcel 22 (MIN)

A parcel of land in the bed of the Miner Slough in Solano County, said parcel lying immediately beneath instruments, cables, buoys, piles, and related appurtenances thereto, and being in the vicinity of NAD83 geographic coordinates Latitude 38°17'30" North, Longitude 121°37'51" West.

Parcel 23 (LIB)

A parcel of land in the bed of the Cache Slough in Solano County, said parcel lying immediately beneath instruments, cables, buoys, piles, and related appurtenances thereto, and being in the vicinity of NAD83 geographic coordinates Latitude 38°14'32" North, Longitude 121°41'10" West.

Parcel 24 (DWS)

A parcel of land in the bed of the Cache Slough in Solano County, said parcel lying immediately beneath instruments, cables, buoys, piles, and related appurtenances thereto, and being in the vicinity of NAD83 geographic coordinates Latitude 38°15'22" North, Longitude 121°41'00" West.

Parcel 25 (CCH)

A parcel of land in the bed of the Cache Slough in Solano County, said parcel lying immediately beneath instruments, cables, buoys, piles, and related appurtenances thereto, and being in the vicinity of NAD83 geographic coordinates Latitude 38°12'46" North, Longitude 121°40'09" West.

Parcel 26 (RIO)

A parcel of land in the bed of the Sacramento River in Solano County, said parcel lying immediately beneath instruments, cables, buoys, piles, and related appurtenances thereto, and being in the vicinity of NAD83 geographic coordinates Latitude 38°09'36" North, Longitude 121°41'08" West.

Parcel 27 (DEC)

A parcel of land in the bed of the Sacramento River in Sacramento County, said parcel lying immediately beneath instruments, cables, buoys, piles, and related appurtenances thereto, and being in the vicinity of NAD83 geographic coordinates Latitude 38°05'36" North, Longitude 121°44'10" West.

END OF DESCRIPTION

Prepared 08/21/2014 by the California State Lands Commission Boundary Unit, based on NAD83 geographic coordinates provided by the U.S. Geological Survey.



WATER MONITORING STATIONS

Exhibit B

PRC 7650.9
U.S. GEOLOGICAL SURVEY
GENERAL LEASE -
PUBLIC AGENCY USE
MULTI COUNTY AREA



FWP 08/21/14



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.