

**CALENDAR ITEM
C58**

A 3
S 4

10/14/14
W 26696
B. Terry

GENERAL LEASE - PUBLIC AGENCY USE

APPLICANT:

Sewerage Commission - Oroville Region
P.O. Box 1350
Oroville, CA 95965

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the Feather River, near the city of Oroville, Butte County.

AUTHORIZED USE:

Use, maintenance, and operation of an existing 12-inch-diameter sewer force main pipeline attached to the State Route 162 bridge over the Feather River not previously authorized by the Commission.

LEASE TERM:

25 years, beginning October 14, 2014.

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 has the right to use the upland adjoining the lease premises.
2. On November 21, 1974, the Commission authorized a General Lease – Public Agency Use, Lease Number PRC 4962.9, for a 12-inch-diameter sewer force main pipeline (pipeline), located beneath the bed of the Feather River. This lease will expire on October 31, 2019. In 1996, the California Department of Transportation (Caltrans) constructed a new State Route 162 bridge crossing over the Feather River, authorized under Lease No. PRC 7878.1. The location of the pipeline beneath the river affected the construction of the bridge and Caltrans ordered the Sewerage Commission-Oroville Region (Sewerage Commission) to relocate the

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pipeline and place it within the new bridge. The Sewerage Commission chose to abandon the original pipeline, and constructed a new pipeline of the same size, material, and use for placement within the bridge. The construction and placement of the new pipeline was completed in 1998.

3. Due to an oversight by the Applicant, an application was not submitted for the Commission's consideration for the placement of the new sewer pipeline. The Applicant is now applying for a General Lease – Public Agency Use.
4. A visual inspection of the new pipeline was conducted in May 2014 by a California state licensed civil engineer contracted by the Sewerage Commission and found no evidence of damage. The Applicant understands that, prior to expiration of PRC 4962.9, a burial survey will need to be completed and the Commission will, at a later date, need to approve plans for removal or abandonment of the original pipeline.
5. The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (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

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

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RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

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:

Authorize issuance of a General Lease – Public Agency Use to the Sewerage Commission – Oroville Region beginning October 14, 2014, for a term of 25 years, for the use, maintenance, and operation of a 12-inch-diameter sewer force main pipeline not previously authorized by the Commission, as described in Exhibit A and shown on Exhibit B (for reference purposes only) 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.

EXHIBIT A

W 26696

LAND DESCRIPTION

A ten (10) foot wide strip of submerged lands, in the bed of the Feather River, and lying adjacent to Rancho Fernandez patented March 15, 1869 , County of Butte, State of California, and lying five (5) feet on each side of the following described line:

A line lying parallel with and three (33) feet southerly of, measured at right angles, to "A-Line" as shown on that Caltrans right-of-way map 000484 R, post mile 15.7, Route 162, Butte County, drawing number R-37580.11, dated April 2, 1998 and on file with Caltrans, District 3, Right of Way Engineering.

EXCEPTING THEREFROM any portion lying landward of low water of said river.

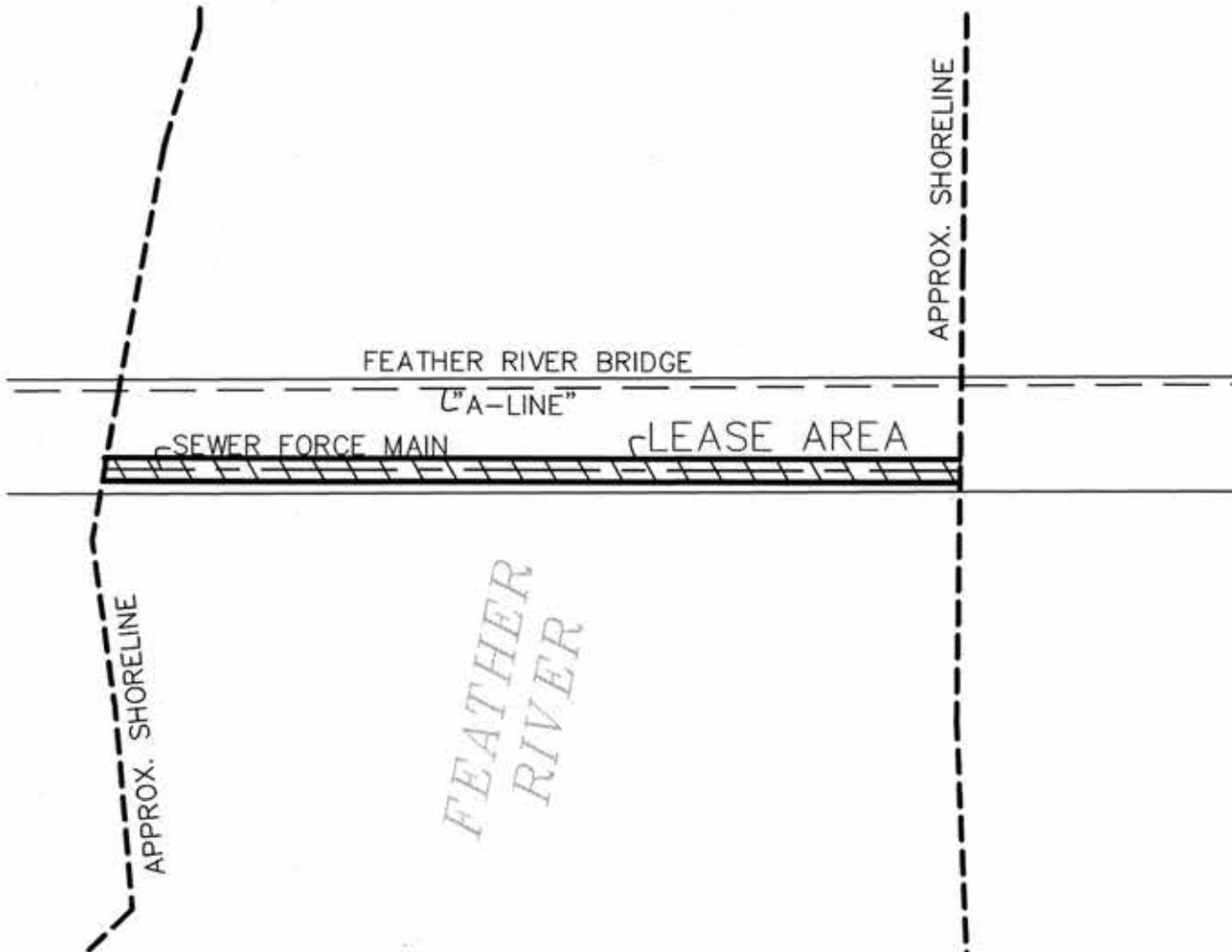
END OF DESCRIPTION

PREPARED 4/25/14 BY THE CALIFORNIA STATE LANDS COMMISSION BOUNDARY UNIT



NO SCALE

SITE



HWY 162 OROVILLE DAM RD. BRIDGE, OROVILLE
- SEWER FORCE MAIN

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

W 26696

SEWERAGE COMMISSION
OROVILLE DIVISION
GENERAL LEASE -
PUBLIC AGENCY USE
BUTTE COUNTY



MJF 10/7/13

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.