

MINUTE ITEM

This Calendar Item No. C48 was approved as Minute Item No. 48 by the California State Lands Commission by a vote of 3 to 0 at its 02-09-06 meeting.

CALENDAR ITEM
C48

A 80
S 40

02/09/06
W 26119
S. Young
PRC 8665.9

GENERAL LEASE - PUBLIC AGENCY USE

APPLICANT:

U.S. Department of the Interior
Bureau of Reclamation
Lower Colorado Regional Office
500 Fir Street
Boulder City, NV 89005

AREA, LAND TYPE, AND LOCATION:

40 acres, more or less, of sovereign lands adjacent to the Salton Sea, near the town of Niland, Imperial County.

AUTHORIZED USE:

Construction of a parking/staging area and the creation, use and maintenance of a pond and four islands for the purpose of providing an area for bird nesting in connection with the Salton Sea Shallow Habitat Pilot Project.

LEASE TERM:

Five years, beginning December 27, 2005.

CONSIDERATION:

The public use and benefit, with the State reserving the right at any time to set a monetary rental 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 the U.S. Bureau of Reclamation has obtained all necessary permits or approvals including, but not limited to, the U.S. Army Corps of Engineers, the U.S. Fish and Wildlife Service and the California Regional Water Quality Control Board.

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OTHER PERTINENT INFORMATION:

1. Applicant has obtained the necessary encroachment permits, and licenses from the Imperial Irrigation District, the Imperial County Public Works and California Energy Commission, for the Salton Sea Shallow Habitat Pilot Project construction activities, use and operation on the lands adjoining the lease premises.
2. The Applicant, in cooperation with Tetra Tech, Inc., Agrarian Research and Management, Ltd. and the U.S. Geological Survey Salton Sea Science Office, proposes to develop a shallow habitat system (Project) to evaluate the quality of saline shallow water shorebird habitat that would be created using water similar in quality to a discharge stream from a desalination facility. The Project involves modifyng two abandoned ponds to form four ponds, less than two feet deep, on exposed sediments of the Salton Sea. The Applicant's Environmental Assessment (EA) indicates that the Project will provide planners with critical information on how biological and chemical factors could be used in a restoration plan to maximize uses and minimize risks to wildlife in shallow saline habitats. The Project operation will run from two to five years. Upon Project completion, all equipment will be removed from the Lease Premises. The constructed berms and islands will remain in place as requested by the Imperial Irrigation District. Due to project funding and contract deadlines, as well as the limited wildlife data collection period, the Applicant requested authorization to proceed with the project prior to Commission authorization. On December 20, 2005, CSLC staff issued a conditional letter authorizing the Applicant to begin the project once all required permits were obtained. The project was initiated on December 27, 2005, when the Applicant complied with all conditions.
3. The portion of the project on State sovereign land is referred to as Pond 1 and involves the construction of a parking/staging area and construction of a pond and four islands. The islands are for the purpose of providing a bird nesting area. Operation of the system would involve pumping water from the Salton Sea and the nearby Alamo River in volumes sufficient to keep the ponds full and in ratio to maintain sufficient salinity targets.
4. 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

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Class 6: Information Collection: Title 14, California code of Regulations, section 15306.

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

5. 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:

U.S. Army Corps of Engineers
U.S. Fish and Wildlife Service
California Regional Water Quality Control Board
State Water Resources Control Board
Imperial Irrigation District
Imperial County Public Works
California Energy Commission

EXHIBITS:

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

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 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15306.

SIGNIFICANT LANDS INVENTORY FINDING:

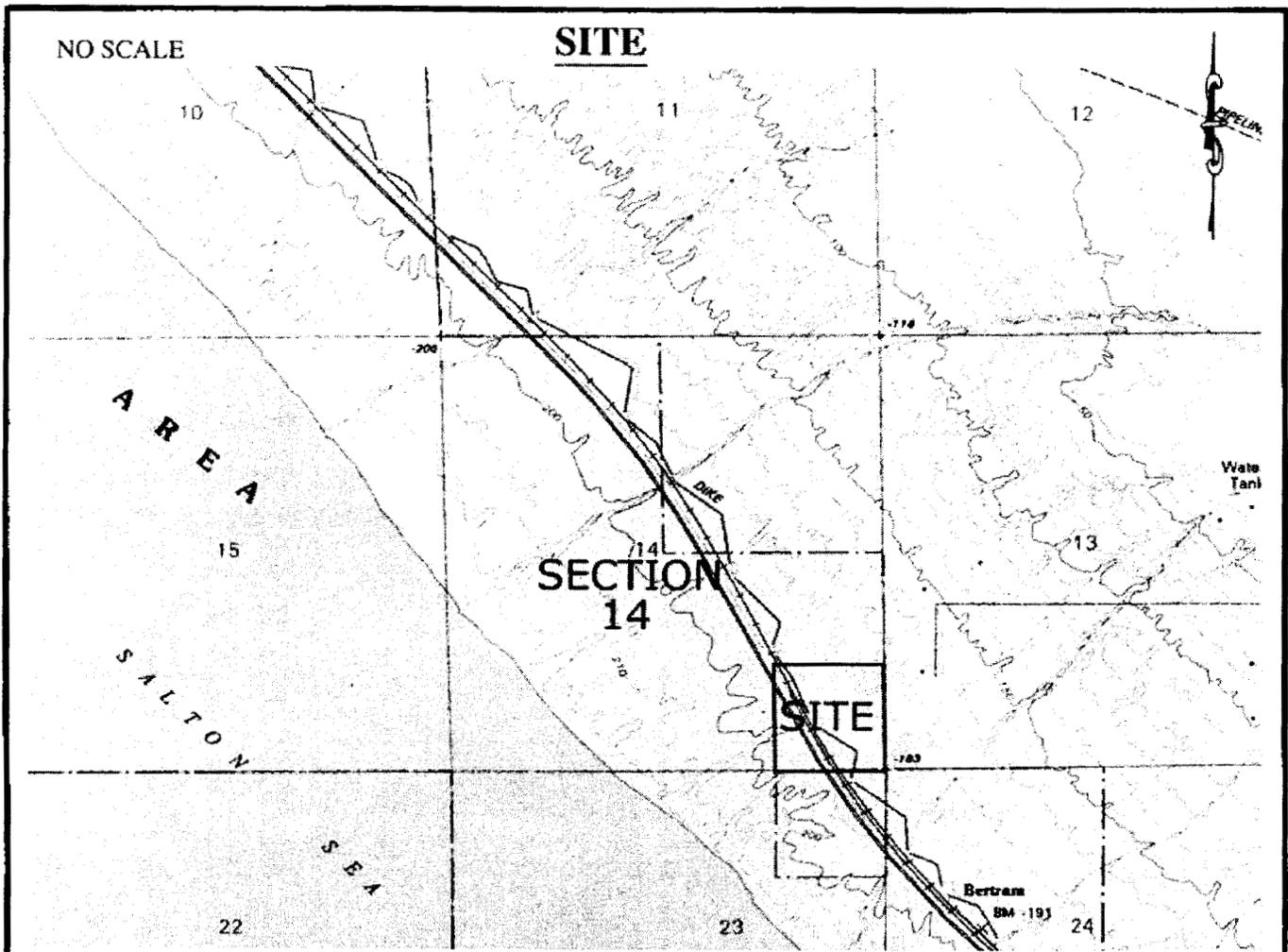
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE

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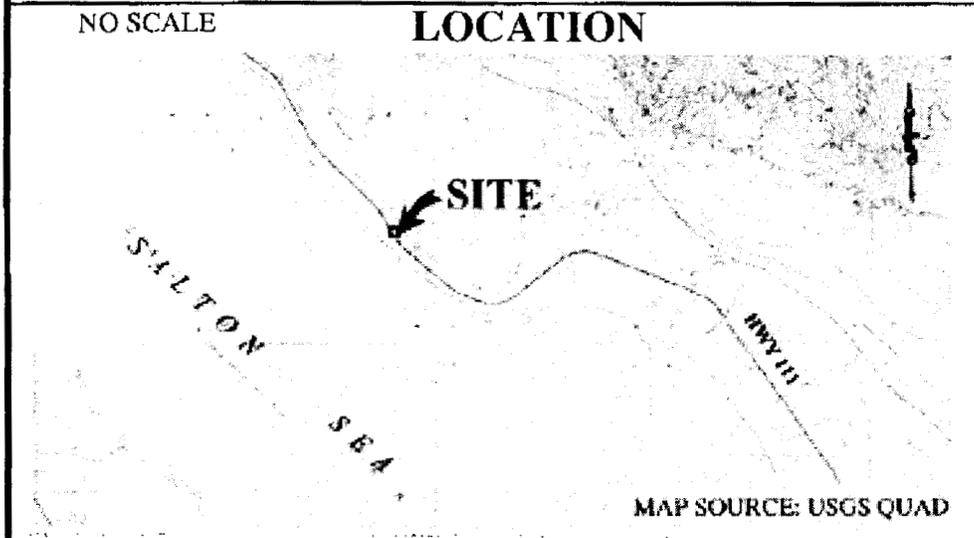
LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370,
ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO THE U.S. BUREAU OF RECLAMATION OF A GENERAL LEASE – PUBLIC AGENCY USE, BEGINNING DECEMBER 27, 2005, FOR A TERM OF FIVE YEARS, FOR CONSTRUCTION OF A PARKING/STAGING AREA AND THE CREATION, USE AND MAINTENANCE OF A POND AND FOUR ISLANDS FOR BIRD NESTING IN CONNECTION WITH THE SALTON SEA SHALLOW HABITAT PILOT PROJECT AS SHOWN ON EXHIBIT A AND DESCRIBED IN EXHIBIT B ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION BEING THE PUBLIC USE AND BENEFIT, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENTAL IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST.



SALTON SEA SHALLOW HABITAT PILOT PROJECT
 SE 1/4 OF SE 1/4 SECTION 14, T11S R13E



MAP SOURCE: USGS QUAD

Exhibit A
 W 26119
 BUREAU OF RECLAMATION
 APN 020-010-30
 PUBLIC AGENCY LEASE
 SALTON SEA
 IMPERIAL COUNTY



MJ 01/06

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.

**EXHIBIT B
LAND DESCRIPTION**

W26119

A parcel of State owned sovereign land situate in Imperial County, State of California and more particularly described as follows:

That parcel of land conveyed by the quitclaim deed from the Imperial County Irrigation District to the State of California being Document No. 19, recorded May 15, 1956 in Book 943, Page 622, Official Records of Imperial County.

END OF DESCRIPTION

Prepared on January 9, 2006 by staff of the California State Lands Commission.

