

MINUTE ITEM

This Calendar Item No. 613
was approved as Minute Item
No. 13 by the State Lands
Commission by a vote of 3
to 0 at its 6/29/82
meeting.

CALENDAR ITEM

C 1 3

6/29/82
W 22905 PRC 6172
Lane

GENERAL LEASE - COMMERCIAL USE

APPLICANT: American Energetech
P. O. Box 985
Bellevue, Washington 98009

AREA, TYPE LAND AND LOCATION:
A 0.045-acre parcel of submerged land located
in the Sacramento River near Meridian,
Sutter County.

LAND USE: Installation and maintenance of a floating
platform to support a hydroelectric generation
unit.

TERMS OF PROPOSED LEASE:
Initial period: 25 years from May 1, 1982.
Surety bond: \$2,000.
Public liability insurance: Combined single
limit coverage of \$200,000.

CONSIDERATION: \$250 per annum with the State reserving
the right to fix a different rental on
each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:
Pursuant to 2 Cal. Adm. Code 2003.

PREREQUISITE TERMS, FEES AND EXPENSES:
Applicant is lessee of upland.
Filing fee has been received.

STATUTORY AND OTHER REFERENCES:
A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
B. Cal. Adm. Code: Title 2, Div. 3; Title 14,
Div. 6.

AB 884: 3/1/83.

A 3

S 1

-1-

CALENDAR PAGE	80
MINUTE PAGE	1533

CALENDAR ITEM NO. C 13 (CONTD)

OTHER PERTINENT INFORMATION:

1. The applicant proposes to construct a 200 KW hydroelectric generation unit utilizing energy of the natural fall of the water. Since the State may be interested in this type of energy at a future date, the applicant has agreed to submit an annual performance analysis relative to the unit.
2. Section 2 of the lease conforms to the Lyon/Fogerty decision.
3. A Negative Declaration was prepared and certified by the Sutter County Planning Department, pursuant to CEQA and the State EIR Guidelines. The Sutter County Planning Department found that the project will not have a significant effect on the environment.
4. The project is situated on lands identified as possessing significant environmental values pursuant to P.R.C. 6370.1, and is classified in use category "Class B", which authorizes Limited Use. The project as proposed will not have a significant effect on identified environmental values.

APPROVALS OBTAINED:

United States Army Corps of Engineers,
California Reclamation Board, County of
Sutter and the Department of Fish and Game.

FURTHER APPROVALS REQUIRED:

Federal Energy Regulatory Commission.

EXHIBITS:

- A. Land Description.
- B. Location Map.
- C. Notice of Determination.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT A NEGATIVE DECLARATION HAS BEEN PREPARED FOR THIS PROJECT BY THE COUNTY OF SUTTER.
2. CERTIFY THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED IN THE NEGATIVE DECLARATION.

CALENDAR ITEM NO. C 13 (CONTD)

3. DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT; AND THAT THE ACTIVITY IS CONSISTENT WITH THE LANDS USE CLASSIFICATION.

4. AUTHORIZE ISSUANCE TO AMERICAN ENERTECH OF A 25-YEAR GENERAL LEASE - COMMERCIAL USE FROM MAY 1, 1982; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$250, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF A \$2,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$200,000; FOR INSTALLATION AND MAINTENANCE OF A FLOATING PLATFORM TO SUPPORT A HYDROELECTRIC GENERATION UNIT ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

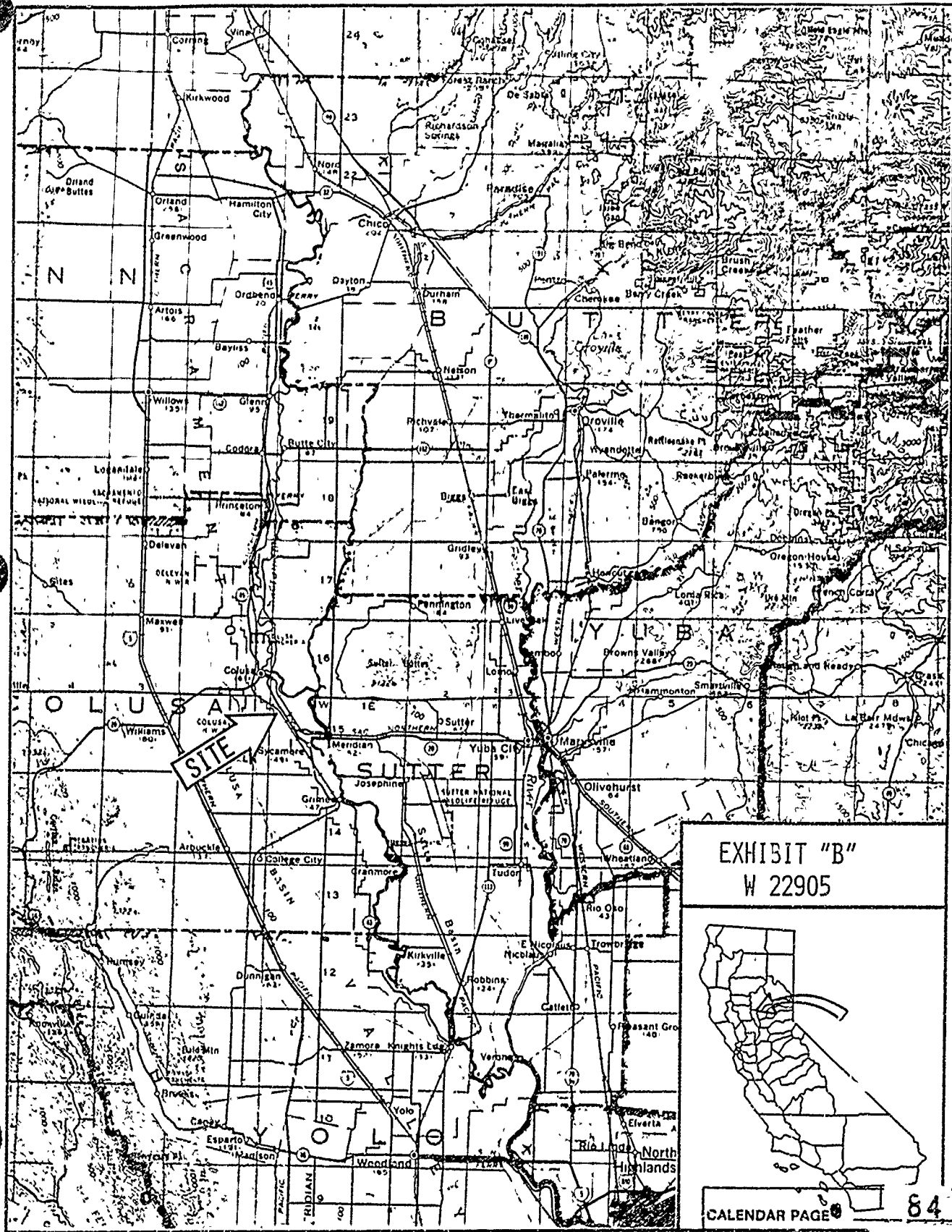


EXHIBIT "B"
W 22905



CALENDAR PAGE 84
MINUTE PAGE 1537

EXHIBIT "C"
COUNTY OF SUTTER
NEGATIVE DECLARATION

PROJECT NO. SUT- 1327

PROJECT TITLE: Hydro Electric on Flotation
PROJECT SPONSOR: American Energetech
PROJECT LOCATION: Sacramento River near the town of Meridian, Sutter
County; (Sec. 2, T. 15 N, R 1 W, M.D.B. & M.) Approx. 1/2 mi. south of
Pass Road.
ASSESSOR'S PARCEL NO. 13-010-47
DESCRIPTION OF PROJECT: Installation and operation of a floating
power generation station

An Initial Study has been conducted by the Planning Director of the
County of Sutter. The Planning Director finds that this project
will not have a significant effect on the environment. The Initial
Study is available for public review at the Sutter County Planning
Office, 204 "C" Street, Yuba City, California.

STATEMENT OF REASONS TO SUPPORT FINDING
OF NEGATIVE DECLARATION

SEE ATTACHED STATEMENT

CALENDAR PAGE	<u>85</u>
MINUTE PAGE	<u>1538</u>

Richard F. King

Planning Director and

November 30, 1981

STATEMENT OF REASONS TO SUPPORT FINDING OF NEGATIVE DECLARATION

Sutter County Project No. SUT-1327 - American Enertech

Impact of Structure - (42' by 14' boat and walkways) Visual - to be painted in earth tones to blend with surrounding landscape. Total visual impact unavoidable.

Flood Plain & Water Flow - Will not cause water damming or diversion. Debris guard and periodic patrol will insure that flows of water past the project can be maintained. The boat will not be accessible from land when water leaves the normal channel.

River Transportation & Recreation - The structure will not excessively block the river channel for transportation or recreational use. (Approximately 54 feet encroachment into a 250 foot wide low level channel - 21.6%)

Wildlife & Habitat - No effect.

Impact of Barriers - (Walkway entrance fences) No significant impact. Fences are intended only to control access to the structure.

Impact of Traffic - Approximately 2 to 4 trips per day; security and maintenance purposes. Structure will not impede traffic within the river. Adequate road access is provided.

Impact of Power Transmission - New facilities to be installed pursuant to Pacific Gas & Electric Company requirements. Overhead lines proposed with adequate clearances, shielding and switching provided. Major power transmission by existing lines. An on-board computer will be used to monitor power output, as well as river flows.

Impact of Noise - Generator produces 90 db noise at full production. All of the working equipment will be enclosed within a structure. A 20 gauge steel structure can reduce noise by 20-22 db. Anticipated noise level at the outside of the structure reduced to 70 db at full production. This level is acceptable for recreational and agricultural use. All residential uses in the area are on the landward side of the levee and are separated by an earth berm. The nearest public road is 250 feet away. The noise level to these areas will be less than 50 db and will not be significant.

Impact of Lighting and Safety - Intake and exhaust guards are to be provided for the raceway. All moving parts will be enclosed

CALENDAR PAGE

86

MINUTE PAGE

1539

PAGE TWO
NEGATIVE DECLARATION
PROJECT NO. SUT-1327
Sutter County

within a locked structure. Access gates and wing fences will control land access to the unit. Photo electric controlled security lights will be installed if deemed necessary. Photo electrically controlled navigation lights will be installed. Warning and "keep off" signs should be posted on the structure and the gates and fences. The facility will be patrolled daily by security and maintenance personnel.

CALENDAR PAGE	27
MINUTE PAGE	1540