

MINUTE ITEM
This Calendar Item No. C29 was approved as
Minute Item No. 29 by the California State Lands
Commission by a vote of 3 to 0 at its
10-06-04 meeting.

CALENDAR ITEM
C29

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10/06/04

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PRC 7203 WP 7203.9
J. McComas

AMENDMENT OF LEASE

LESSEE:

The Reclamation Board

AREA, LAND TYPE, AND LOCATION:

Master Lease:

Designated areas along the Sacramento River and sloughs, distributaries and tributaries that join it.

Proposed Amendment:

Sovereign lands located in the Sacramento River, near RM 56.7L, directly south of Miller Park Marina, city of Sacramento, Sacramento County.

AUTHORIZED USE:

Master Lease:

Construction and maintenance of bank protection.

Proposed Amendment:

The construction and maintenance of approximately 1,600 lineal feet of bank protection on the left bank of the Sacramento River located at RM 56.7L.

LEASE TERM:

Master Lease:

30 years, beginning May 1, 1988.

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.

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PROPOSED AMENDMENT:

Lessee proposes to construct and maintain bank protection along the Sacramento River, directly south of the Miller Park Marina, which is part of the Sacramento River Bank Protection Project. All other terms and conditions of the lease shall remain in effect without amendment.

OTHER PERTINENT INFORMATION:

1. Applicant has the right to use the uplands adjoining the lease premises.
2. The Sacramento River Bank Protection Project, authorized by Congress in 1960, directs the U. S. Army Corps of Engineers to provide bank protection along the Sacramento River and its tributaries. The state legislature authorized The Reclamation Board's participation in the Sacramento River Bank Protection Project.
3. A Master Lease to The Reclamation Board for the Sacramento River Bank Protection Project was authorized by the State Lands Commission on May 9, 1988, effective May 1, 1988. The Master Lease authorizes maintenance of existing bank protection structures and construction of new bank protection structures as specific construction sites become known. The Master Lease also requires The Reclamation Board to seek an amendment of the lease to include new sites as they become known.
4. This project entails stabilizing approximately 1,600 linear feet on the left bank levee of the Sacramento River, approximately 3.5 miles downstream from the confluence of the Sacramento River and the American River. The Miller Park Marina, which includes a boat launch, is located just upstream of the site. The levee and levee berm at the site have been steadily eroding. In addition, the top of the levee has been undercut and large holes have developed. Continued erosion and undercutting may result in the levee's failure to function as designed to contain high flows, which are common during winter season.
5. The project involves the construction of a new berm approximately 1,600 linear feet in length to a depth of approximately 35 feet below mean low water surface.

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6. A Mitigated Negative Declaration (SCH# 2004062053), was prepared and adopted for this project by The Reclamation Board. The California State Lands Commission's staff has reviewed such document. A Mitigation Monitoring Program was adopted by The Reclamation Board.
7. 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; NOAA Fisheries; California Department of Fish and Game; California Regional Water Quality Control Board.

EXHIBIT:

- A. Site/Location Map

PERMIT STREAMLINING ACT DEADLINE:

November 7, 2004

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

1. FIND THAT A MITIGATED NEGATIVE DECLARATION (MND) AND A MITIGATION MONITORING PROGRAM WERE PREPARED AND ADOPTED FOR THIS PROJECT BY THE RECLAMATION BOARD AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
2. ADOPT THE MITIGATION MONITORING PROGRAM ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF.

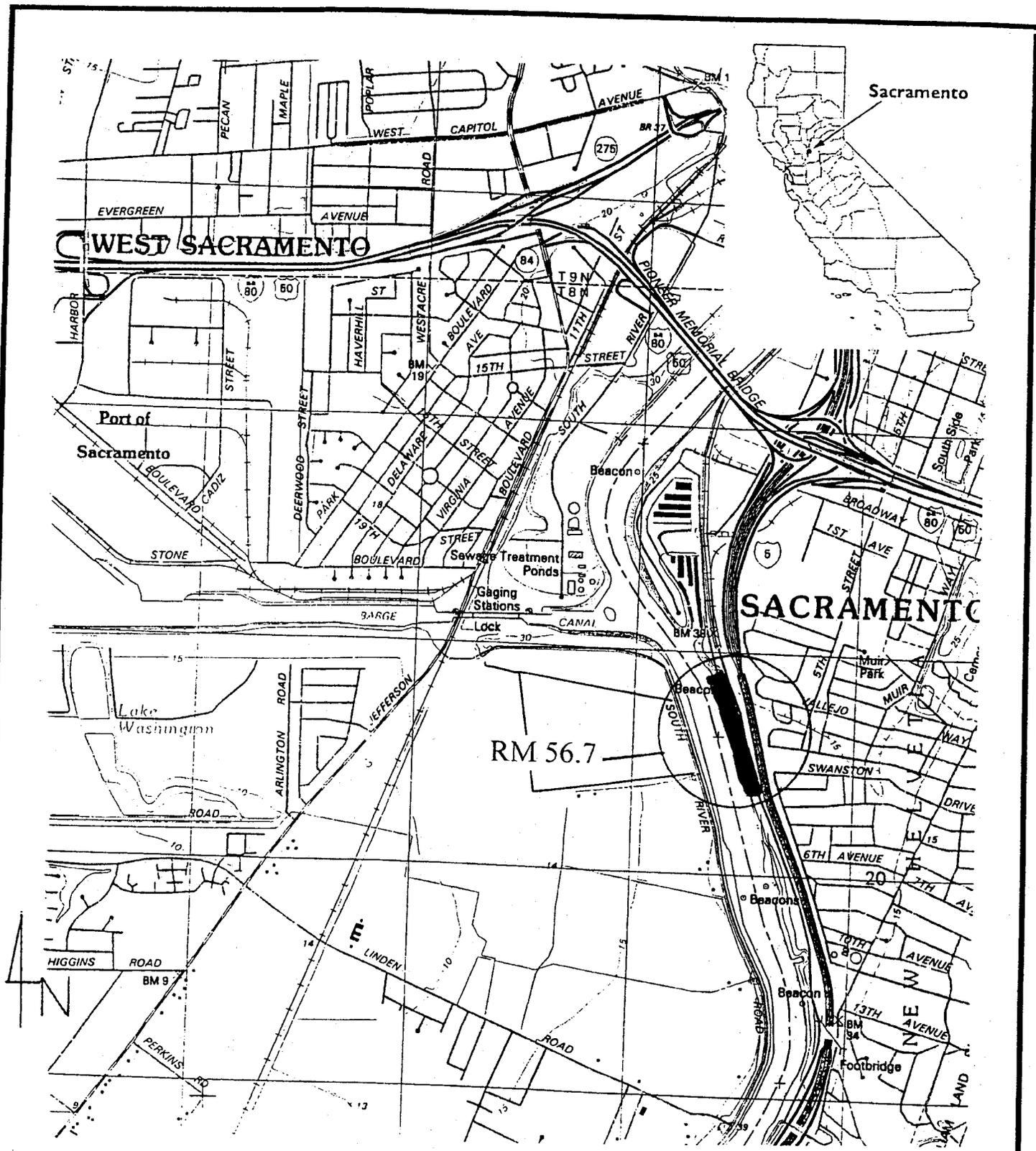
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SIGNIFICANT LANDS INVENTORY FINDING:

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 AMENDMENT OF LEASE NO. PRC 7203.9, A GENERAL LEASE – PUBLIC AGENCY USE, OF LANDS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF, EFFECTIVE OCTOBER 6, 2004, TO CONSTRUCT AND MAINTAIN BANK PROTECTION ALONG THE LEFT BANK OF THE SACRAMENTO RIVER, WHICH IS PART OF THE SACRAMENTO RIVER BANK PROTECTION PROJECT, AS DESCRIBED IN THE MND (SCH#2004062053); ALL OTHER TERMS AND CONDITIONS OF THE LEASE WILL REMAIN IN EFFECT WITHOUT AMENDMENT.



Map Source - USGS Sacramento West, Sacramento East

JM 9/8/2004

This exhibit is solely for purposes of generally defining the leased premises, is based on unverified information provided by lessee or other parties, and is not intended to be, nor shall it be construed to as a waiver or limitation of any state interest in the subject or any other property.

Exhibit A
WP 7203.9

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