

**CALENDAR ITEM
C48**

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10/16/08

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R. B. Greenwood

**CONSIDER APPROVAL OF A NON-EXCLUSIVE
GEOLOGICAL SURVEY PERMIT
ON DESIGNATED TIDE AND SUBMERGED LANDS OF
THREE MILE SLOUGH, SACRAMENTO COUNTY
UNDER THE JURISDICTION OF THE
CALIFORNIA STATE LANDS COMMISSION**

APPLICANT:

California Department of Water Resources
Attn.: Mr. Victor Pacheco
1416 Ninth Street, Room 252-18A
Sacramento, CA 94236-0001

BACKGROUND:

The geological survey permit would authorize the gathering of data that will be used in an environmental impact report and preliminary design for installing one operable gate to control the flow of water in Three Mile Slough. If approved and installed, the gate will aid in reducing salinity in the central and south Delta Region and would limit entry of at-risk fish species into the central and southern Delta Region. Two locations along Three Mile Slough will be sampled via rotary wash drilling.

The proposed project involves 14 rotary wash borings in Three Mile Slough to a total depth of 60 feet below the base of the slough. Nine borings will be drilled approximately 650 feet southeast of the Highway 160 bridge. Five borings will be drilled approximately 1,625 feet from the confluence of Three Mile Slough and the San Joaquin River. The drilling will be conducted over a period of two years (approximately five days at each boring location). The deep geologic samples will be collected at locations, as depicted on Exhibit A (attached hereto), utilizing rotary wash drilling methods, down-hole sampling and testing from a self-contained barge.

Borings are anticipated to be approximately 60 feet deep. The borings will be advanced using a 4 ½ to 5 ½ inch bit, and a bentonite clay or polymer drilling fluid, in a closed circulation system, completely isolated from the river waters.

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After drilling and sampling, the boreholes will be backfilled with clean cement grout. Drill cuttings, drilling fluid, and wash water will be retained in 55-gallon steel drums for testing and disposal at an approved landfill.

The drilling barge, whose dimensions are 23 feet by 14 feet, requires a minimum depth of 36 inches of water. The barge will be secured by anchors. The California State Lands Commission will receive, upon request, copies of all data derived from any and all surveys conducted under the proposed permit.

TERM OF PROPOSED PERMIT:

Two years beginning October 17, 2008, through October 16, 2010.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Required fees, expense deposit and other security have been received.

STATUTORY AND OTHER REFERENCES:

- A. Public Resources Code section 6826
- B. California Code of Regulations, Title 2, section 2905(e)(3)
- C. California Code of Regulations, Title 14, section 15061

OTHER PERTINENT INFORMATION:

1. The California Department of Water Resources (DWR) is the project applicant and has provided copies of its project description to and coordinated the project with the following agencies: County of Sacramento, Sacramento County Environmental Health Department, California State Parks and Recreation, Central Valley Flood Protection Board, each of which has considered the proposed activities and has not raised any issue or concern. A Spill Contingency Plan has been also provided and reviewed by staff.
2. 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 Class 6 Information Collection; Title 2, California Code of Regulations section 2905 (e)(3).

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

3. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370, et

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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.

EXHIBIT:

- A. Permit Location Map

PERMIT STREAMLINING ACT DEADLINE:

December 19, 2008, (CSLC acting as lead agency under the CEQA).

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDINGS:

1. 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, UNDER CLASS 6, INFORMATION COLLECTION; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (e)(3).

2. 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 ISSUANCE TO THE CALIFORNIA DEPARTMENT OF WATER RESOURCES OF A NON-EXCLUSIVE PERMIT TO CONDUCT A GEOLOGICAL SURVEY PROGRAM AS HEREIN DESCRIBED DURING THE PERIOD OCTOBER 17, 2008, THROUGH OCTOBER 16, 2010, WITHIN THE PERMIT REGION AS DESIGNATED ON EXHIBIT A, ATTACHED HERETO.