

**CALENDAR ITEM
C62**

A 17, 25, 29, 31

03/29/12
WP 8840.9
G. Kato

S 12, 14, 16

AMENDMENT OF LEASE

LESSEE:

California Department of Water Resources
3374 E. Shields Avenue
Fresno, CA 93726

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in the San Joaquin River at various locations from Friant Dam downstream to the confluence with the Merced River, Stanislaus, Merced, Fresno, and Madera counties.

AUTHORIZED USE:

Installation and maintenance of stream gages, water level recorders, and scour chains.

LEASE TERM:

20 years, beginning August 11, 2009.

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.

PROPOSED AMENDMENT:

To include the maintenance and monitoring of additional piezometers, alluvial wells, scour chains, and crest gages on sovereign lands in the San Joaquin River between Highway 145 and the Chowchilla Flood Bypass Canal and the bed of the San Joaquin River located between the Mendota Pool to just east of Highway 145, near the city of Fresno, Fresno and Madera counties. The lease area is also amended to include this section of the San Joaquin River. All other terms and conditions of the lease shall remain in effect without amendment.

CALENDAR ITEM NO. **C62** (CONT'D)

OTHER PERTINENT INFORMATION:

1. Applicant has a right to use the uplands adjoining the lease premises.
2. On August 11, 2009, the Commission authorized a General Lease – Public Agency Use (Lease No. PRC 8840.9) to the California Department of Water Resources for the installation and maintenance of stream gages, water level recorders, and scour chains at various locations from Friant Dam downstream to the confluence with the Merced River in Stanislaus, Merced, Fresno, and Madera Counties.
3. On April 20, 2000, the Commission authorized a General Lease – Public Agency Use (Lease No. PRC 8161.9) to the Friant Water Users Authority for the installation, maintenance and monitoring of piezometers and alluvial wells as part of the San Joaquin River Riparian Habitat Restoration Program 1999 and 2000 Pilot Projects.

On September 17, 2001, the Commission authorized an amendment to Lease No. PRC 8161.9 to include scour chains, crest gages, and additional piezometers in the bed of the San Joaquin River between the Mendota Pool to just east of Highway 145.

Lease No. PRC 8161.9 expired on June 30, 2009. The Department of Water Resources would like the monitoring covered under this lease to continue. The applicants are therefore requesting to amend Lease No. PRC 8840.9 to include the areas previously covered by Lease No. PRC 8161.9.

4. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Cal. Code Regs., tit. 14, § 15061), the staff has determined that this activity is exempt from the requirements of 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.

5. 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.

CALENDAR ITEM NO. **C62** (CONT'D)

EXHIBITS:

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

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 the Amendment of Lease No. PRC 8840.9, a General Lease – Public Agency Use to the California Department of Water Resources to include the maintenance and monitoring of previously authorized piezometers, alluvial wells, scour chains, and crest gages on sovereign land located in the bed of the San Joaquin River at locations as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof, effective March 29,2012; all other terms and conditions of the lease will remain in effect without amendment.

EXHIBIT A**LAND DESCRIPTION**

Thirty eight parcels of currently or historically submerged sovereign land lying in the historic bed of the San Joaquin River, said parcels being variously within the County of Fresno, the County of Madera, or the County of Merced, California, and individually described more particularly as follows:

Parcel 1

A circular parcel of sovereign land within the historic bed of the San Joaquin River, lying adjacent to Government Lot 10 of Section 25, Township 11 South, Range 20 East, MDM, Fresno County, California, having a radius of 25 feet, and a central point of North = 1804676 feet, East = 6785634 feet, CCS 83, Zone 3.

Parcel 2

A circular parcel of sovereign land within the historic bed of the San Joaquin River, lying adjacent to Government Lot 7 of Section 25, Township 11 South, Range 20 East, MDM, Fresno County, California, having a radius of 25 feet, and a central point of North = 1800821 feet, East = 6781720 feet, CCS 83, Zone 3.

Parcel 3

A circular parcel of sovereign land within the historic bed of the San Joaquin River, lying adjacent to Government Lot 13 of Section 35, Township 11 South, Range 20 East, MDM, Fresno County, California, having a radius of 25 feet, and a central point of North = 1795750 feet, East = 6780475 feet, CCS 83, Zone 3.

Parcel 4

A circular parcel of sovereign land within the historic bed of the San Joaquin River, lying adjacent to Government Lot 13 of Section 30, Township 12 South, Range 20 East, MDM, Fresno and Madera Counties, California, having a radius of 25 feet, and a central point of North = 1769857 feet, East = 6755809 feet, CCS 83, Zone 3.

Parcel 5

A circular parcel of sovereign land within the historic bed of the San Joaquin River, lying adjacent to Government Lot 2 Section 35, Township 12 South, Range 19 East, MDM, Fresno County, California, having a radius of 25 feet, and a central point of North = 1768808 feet, East = 6746336 feet, CCS 83, Zone 3.

Parcel 6

A circular parcel of sovereign land within the historic bed of the San Joaquin River, lying adjacent to Government Lot 4 of Section 4, Township 13 South, Range 18 East, MDM, Madera County, California, having a radius of 25 feet, and a central point of North = 1758458 feet, East = 6701764 feet, CCS 83, Zone 3.

Parcel 7

A circular parcel of sovereign land within the historic bed of the San Joaquin River, lying adjacent to Government Lot 3 of Section 22, Township 13 South, Range 16 East, MDM, Madera County, California, having a radius of 25 feet, and a central point of North = 1746535 feet, East = 6647607 feet, CCS 83, Zone 3.

Parcel 8

A 100 foot wide strip of sovereign land within the historic bed of the San Joaquin River, lying adjacent to Government Lot 5 of Section 23, Township 13 South, Range 16 East, MDM, Fresno and Madera Counties, California, lying 50 feet on each side of the following described centerline:

BEGINNING at CCS 83, Zone 3, North = 1742410 feet, East = 6649672 feet, being on the left (southerly) bank; thence N 36°27' E a distance of 500 feet, more or less to the right (northerly) bank.

Parcel 9

A 100 foot wide strip of sovereign land within the historic bed of the San Joaquin River, lying adjacent to Government Lot 3 of Section 28, Township 13 South, Range 16 East, MDM, Fresno and Madera Counties, California, lying 50 feet on each side of the following described centerline:

BEGINNING at CCS 83, Zone 3, North = 1738541 feet, East = 6638574 feet, being on the left (southerly) bank; thence N 00°54' E a distance of 600 feet, more or less to the right (northerly) bank.

Parcel 10

A circular parcel of sovereign land within the historic bed of the San Joaquin River, lying adjacent to Government Lot 3 of Section 25, Township 13 South, Range 15 East, MDM, Madera County, California, having a radius of 25 feet, and a central point of North = 1740136 feet, East = 6624352 feet, CCS 83, Zone 3.

Parcel 11

A circular parcel of sovereign land within the historic bed of the San Joaquin River, lying within the NW ¼ of protracted Section 12, Township 11 South, Range 13 East, MDM, Fresno County, California, having a radius of 25 feet, and a central point of North = 1820272 feet, East = 6561264 feet, CCS 83, Zone 3.

Parcel 12

A circular parcel of sovereign land within the historic bed of the San Joaquin River, lying adjacent to Government Lot 2 of Section 25, Township 9 South, Range 12 East, MDM, Merced County, California, having a radius of 25 feet, and a central point of North = 1865213 feet, East = 6529213 feet, CCS 83, Zone 3.

Parcel 13

A circular parcel of sovereign land within the historic bed of the San Joaquin River, lying adjacent to Government Lot 2 of Section 10, Township 7 South, Range 9 East, MDM, Stanislaus County, California, having a radius of 25 feet, and a central point of North = 1949309 feet, East = 6423321 feet, CCS 83, Zone 3.

Parcel 14

A circular parcel of sovereign land within the historic bed of the San Joaquin River, lying adjacent to Government Lot 2 of Section 10, Township 7 South, Range 9 East, MDM, Stanislaus County, California, having a radius of 25 feet, and a central point of North = 1949237 feet, East = 6423810 feet, CCS 83, Zone 3.

Parcel 15

A 50 foot wide strip of sovereign land within the historic bed of the San Joaquin River, lying adjacent to Government Lot 3 of Section 7, Township 13 South, Range 18 East, MDM, Fresno and Madera Counties, California, lying 25 feet on each side of the following described centerline:

BEGINNING at CCS 83, Zone 3, North = 1758147 feet, East = 6692267 feet, being on the left (southerly) bank; thence S 11°18' W a distance of 319 feet, more or less to the right (northerly) bank.

Parcel 16

A circular parcel of sovereign land within the historic bed of the San Joaquin River, lying adjacent to Government Lot 3 of Section 7, Township 13 South, Range 18 East, MDM, Fresno County, California, having a radius of 25 feet, and a central point of North = 1758121 feet, East = 6692292 feet, CCS 83, Zone 3.

Parcel 17

A circular parcel of sovereign land within the historic bed of the San Joaquin River, lying adjacent to Government Lot 3 of Section 7, Township 13 South, Range 18 East, MDM, Fresno County, California, having a radius of 25 feet, and a central point of North = 1758036 feet, East = 6692297 feet, CCS 83, Zone 3.

Parcel 18

A circular parcel of sovereign land within the historic bed of the San Joaquin River, lying adjacent to Government Lot 3 of Section 7, Township 13 South, Range 18 East, MDM, Fresno County, California, having a radius of 25 feet, and a central point of North = 1757861 feet, East = 6692248 feet, CCS 83, Zone 3.

Parcel 19

A circular parcel of sovereign land within the historic bed of the San Joaquin River, lying adjacent to Government Lot 5 of Section 9, Township 13 South, Range 17 East, MDM, Fresno County, California, having a radius of 25 feet, and a central point of North = 1753483 feet, East = 6669754 feet, CCS 83, Zone 3.

Parcel 20

A circular parcel of sovereign land within the historic bed of the San Joaquin River, lying adjacent to Government Lot 3 of Section 8, Township 13 South, Range 17 East, MDM, Fresno County, California, having a radius of 25 feet, and a central point of North = 1753011 feet, East = 6669085 feet, CCS 83, Zone 3.

Page 5

Parcel 21

A 50 foot wide strip of sovereign land within the historic bed of the San Joaquin River, lying adjacent to Government Lot 3 of Section 8, Township 13 South, Range 17 East, MDM, Fresno and Madera Counties, California, lying 25 feet on each side of the following described centerline:

BEGINNING at CCS 83, Zone 3, North = 1753474 feet, East = 6669037 feet, being on the left (southerly) bank; thence S 00°12' E a distance of 382 feet, more or less to the right (northerly) bank.

Parcel 22

A circular parcel of sovereign land within the historic bed of the San Joaquin River, lying adjacent to Government Lot 3 of Section 8, Township 13 South, Range 17 East, MDM, Fresno County, California, having a radius of 25 feet, and a central point of North = 1753472 feet, East = 6668986 feet, CCS 83, Zone 3.

Parcel 23

A circular parcel of sovereign land within the historic bed of the San Joaquin River, lying adjacent to Government Lot 3 of Section 8, Township 13 South, Range 17 East, MDM, Fresno County, California, having a radius of 25 feet, and a central point of North = 1753350 feet, East = 6668995 feet, CCS 83, Zone 3.

Parcel 24

A circular parcel of sovereign land within the historic bed of the San Joaquin River, lying adjacent to Government Lot 3 of Section 8, Township 13 South, Range 17 East, MDM, Fresno County, California, having a radius of 25 feet, and a central point of North = 1753181 feet, East = 6668995 feet, CCS 83, Zone 3.

Parcel 25

A circular parcel of sovereign land within the historic bed of the San Joaquin River, lying adjacent to Government Lot 5 of Section 23, Township 13 South, Range 16 East, MDM, Fresno County, California, having a radius of 25 feet, and a central point of North = 1742542 feet, East = 6649873 feet, CCS 83, Zone 3.

Parcel 26

A circular parcel of sovereign land within the historic bed of the San Joaquin River, lying adjacent to Government Lot 5 of Section 23, Township 13 South, Range 16 East, MDM, Fresno County, California, having a radius of 25 feet, and a central point of North = 1742501 feet, East = 6649841 feet, CCS 83, Zone 3.

Parcel 27

A circular parcel of sovereign land within the historic bed of the San Joaquin River, lying adjacent to Government Lot 5 of Section 23, Township 13 South, Range 16 East, MDM, Fresno County, California, having a radius of 25 feet, and a central point of North = 1742452 feet, East = 6649807 feet, CCS 83, Zone 3.

Parcel 28

A circular parcel of sovereign land within the historic bed of the San Joaquin River, lying adjacent to Government Lot 4 of Section 22, Township 13 South, Range 16 East, MDM, Fresno County, California, having a radius of 25 feet, and a central point of North = 1744323 feet, East = 6643638 feet, CCS 83, Zone 3.

Parcel 29

A 50 foot wide strip of sovereign land within the historic bed of the San Joaquin River, lying adjacent to Government Lot 4 of Section 22, Township 13 South, Range 16 East, MDM, Fresno and Madera Counties, California, lying 25 feet on each side of the following described centerline:

BEGINNING at CCS 83, Zone 3, North = 1744139 feet, East = 6643302 feet, being on the left (southerly) bank; thence S 70°02' E a distance of 356 feet, more or less to the right (northerly) bank.

Parcel 30

A circular parcel of sovereign land within the historic bed of the San Joaquin River, lying adjacent to Government Lot 4 of Section 22, Township 13 South, Range 16 East, MDM, Fresno County, California, having a radius of 25 feet, and a central point of North = 1744095 feet, East = 6643479 feet, CCS 83, Zone 3.

Parcel 31

A circular parcel of sovereign land within the historic bed of the San Joaquin River, lying adjacent to Government Lot 4 of Section 22, Township 13 South, Range 16 East, MDM, Fresno County, California, having a radius of 25 feet, and a central point of North = 1744068 feet, East = 6643554 feet, CCS 83, Zone 3.

Parcel 32

A circular parcel of sovereign land within the historic bed of the San Joaquin River, lying adjacent to Government Lot 4 of Section 22, Township 13 South, Range 16 East, MDM, Fresno County, California, having a radius of 25 feet, and a central point of North = 1744063 feet, East = 6643641 feet, CCS 83, Zone 3.

Parcel 33

A circular parcel of sovereign land within the historic bed of the San Joaquin River, lying adjacent to Government Lot 5 of Section 28, Township 13 South, Range 16 East, MDM, Fresno County, California, having a radius of 25 feet, and a central point of North = 1739367 feet, East = 6640374 feet, CCS 83, Zone 3.

Parcel 34

A 50 foot wide strip of sovereign land within the historic bed of the San Joaquin River, lying adjacent to Government Lot 6 of Section 30, Township 13 South, Range 16 East, MDM, Fresno and Madera Counties, California, lying 25 feet on each side of the following described centerline:

BEGINNING at CCS 83, Zone 3, North = 1739398 feet, East = 6629132 feet, being on the left (southerly) bank; thence N 17°10' E a distance of 342 feet, more or less to the right (northerly) bank.

Parcel 35

A circular parcel of sovereign land within the historic bed of the San Joaquin River, lying adjacent to Government Lot 6 of Section 30, Township 13 South, Range 16 East, MDM, Fresno County, California, having a radius of 25 feet, and a central point of North = 1739441 feet, East = 6629117 feet, CCS 83, Zone 3.

Parcel 36

A circular parcel of sovereign land within the historic bed of the San Joaquin River, lying adjacent to Government Lot 6 of Section 30, Township 13 South, Range 16 East, MDM, Fresno County, California, having a radius of 25 feet, and a central point of North = 1739495 feet, East = 6629140 feet, CCS 83, Zone 3.

Parcel 37

A circular parcel of sovereign land within the historic bed of the San Joaquin River, lying adjacent to Government Lot 6 of Section 30, Township 13 South, Range 16 East, MDM, Fresno County, California, having a radius of 25 feet, and a central point of North = 1739723 feet, East = 6629205 feet, CCS 83, Zone 3.

Parcel 38

A 50 foot wide strip of sovereign land within the historic bed of the San Joaquin River, lying adjacent to Government Lot 3 of Section 22, Township 13 South, Range 15 East, MDM, Fresno and Madera Counties, California, lying 25 feet on each side of the following described centerline:

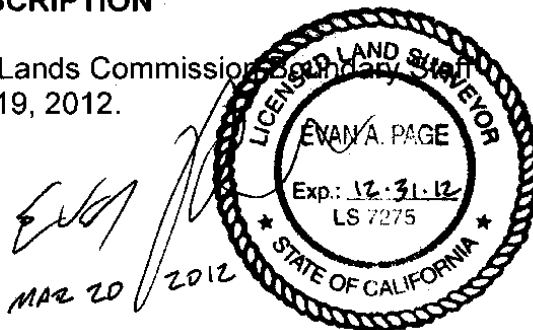
BEGINNING at CCS 83, Zone 3, North = 1743583 feet, East = 6613354 feet, being on the left (southerly) bank; thence S 58°50' E a distance of 165 feet, more or less to the right (northerly) bank.

EXCEPTING THEREFROM any portion of any of the heretofore described parcels lying landward of the Low Water Mark of the San Joaquin River.

The coordinates stated herein were provided by the applicant or produced from drawings provided by the applicant and are subject to change pending as-built locations. New coordinates are to be collected and verified by the lessee at time of placement of the proposed facilities, and the coordinates herein edited accordingly.

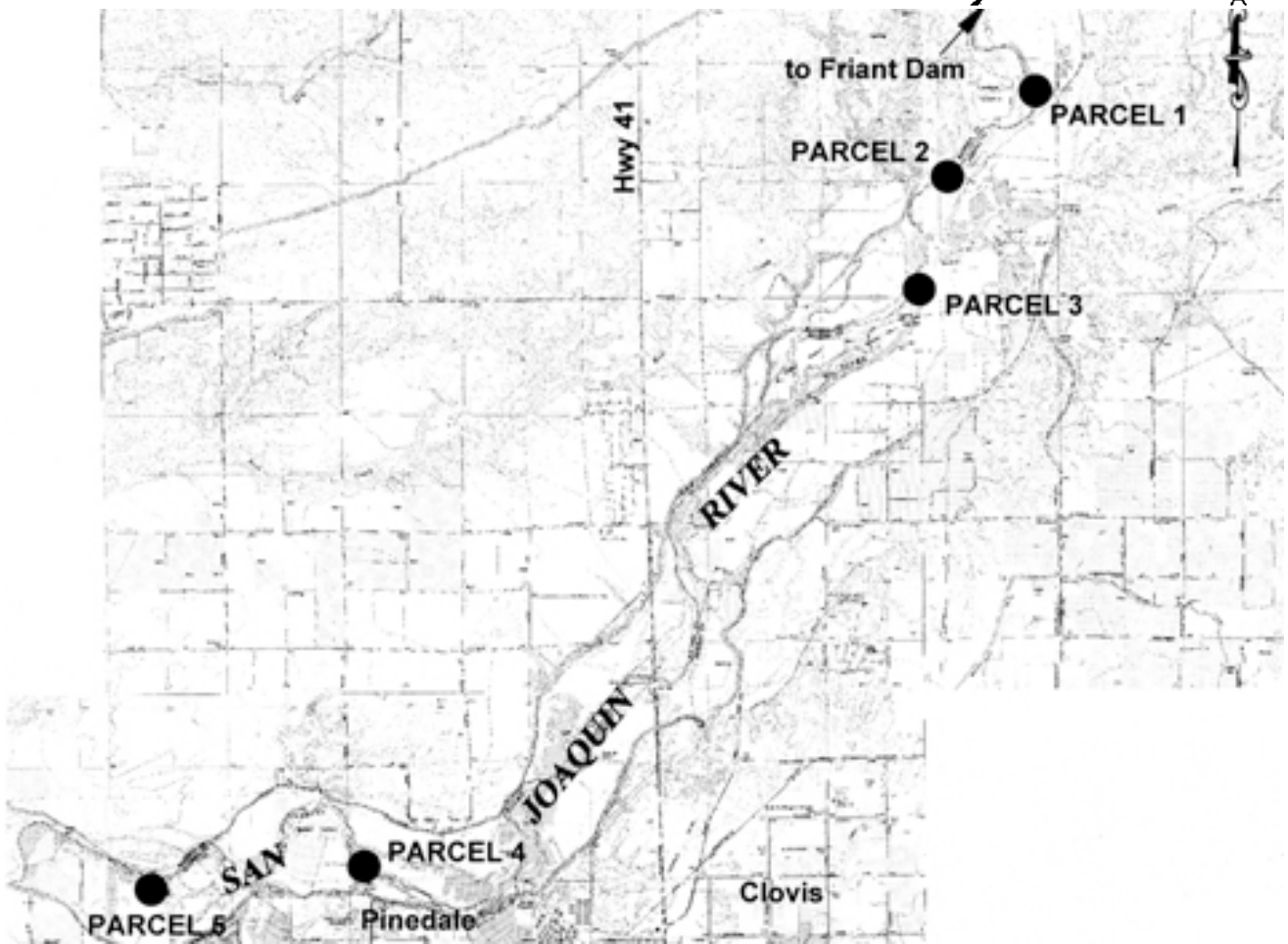
END DESCRIPTION

Prepared by the California State Lands Commission
March 19, 2012.



NO SCALE

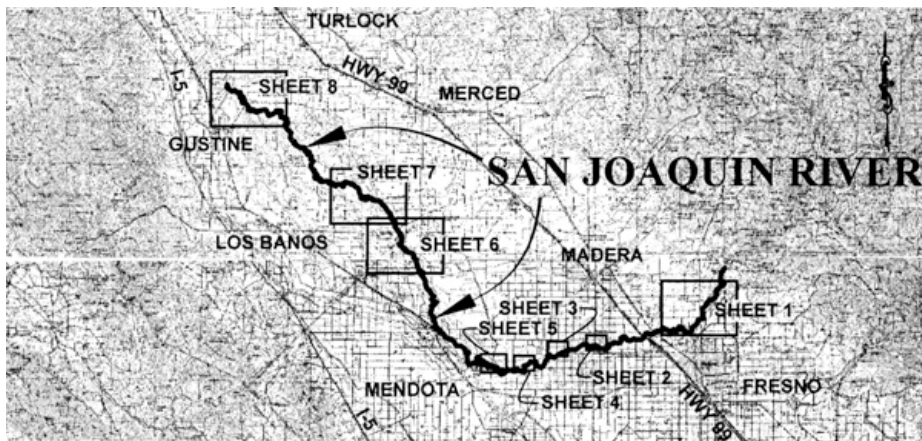
SHEET 1 of 8



DEPT. OF WATER RESOURCES STREAM STUDY SITES

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC8840.9
 DEPT OF WATER RESOURCES
 GENERAL LEASE
 PUBLIC AGENCY USE
 FRESNO, MADERA, MERCED
 & STANISLAUS COUNTIES

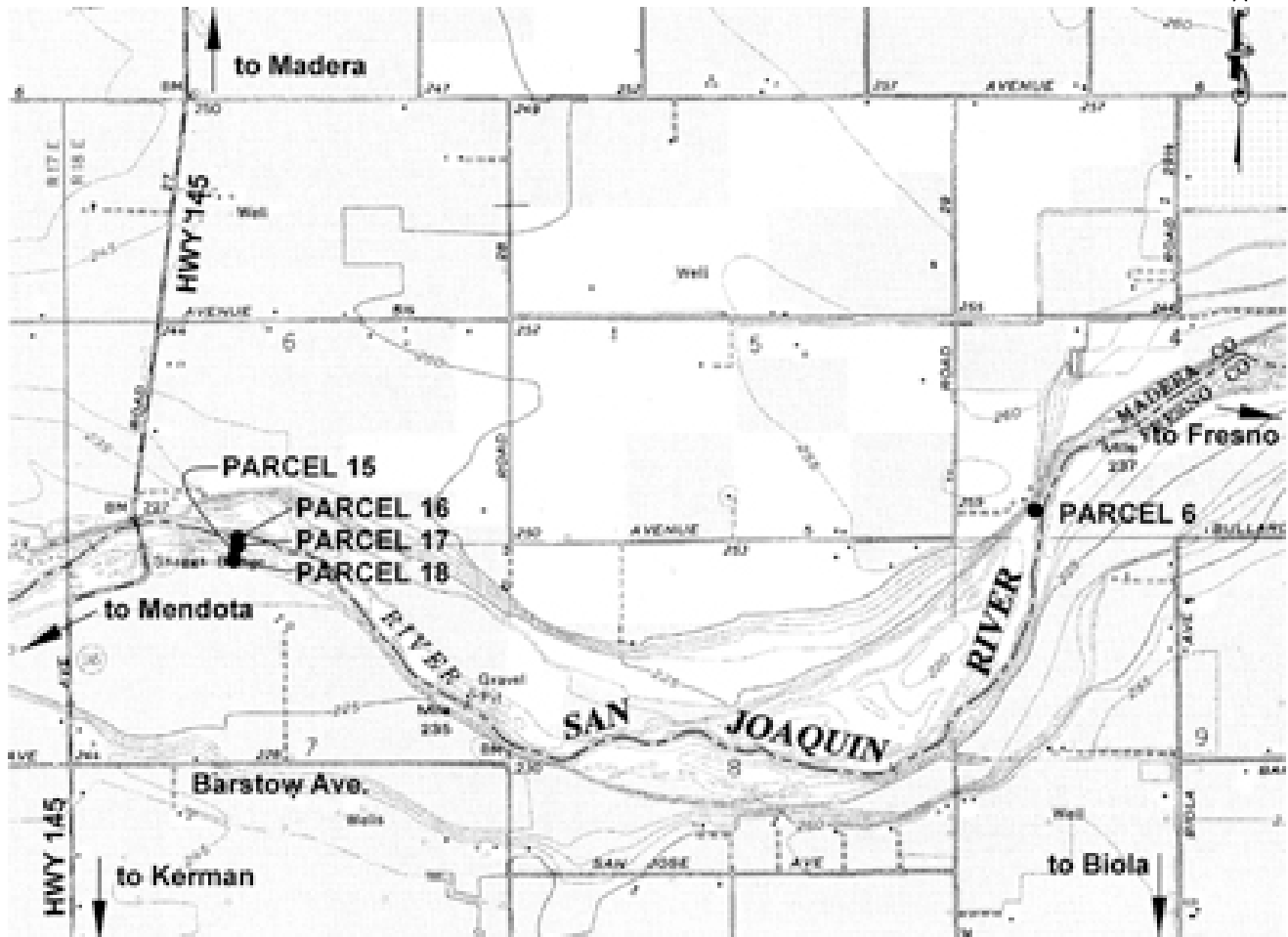


EAP 03/12

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.

NO SCALE

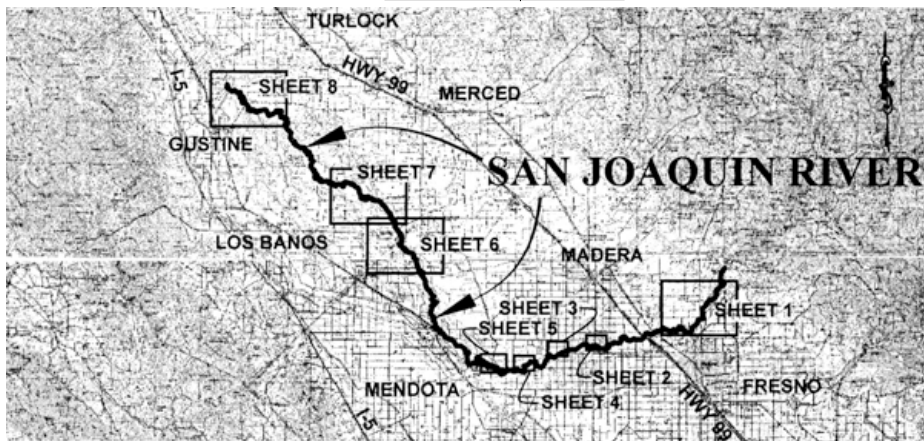
SHEET 2 of 8



DEPT. OF WATER RESOURCES STREAM STUDY SITES

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

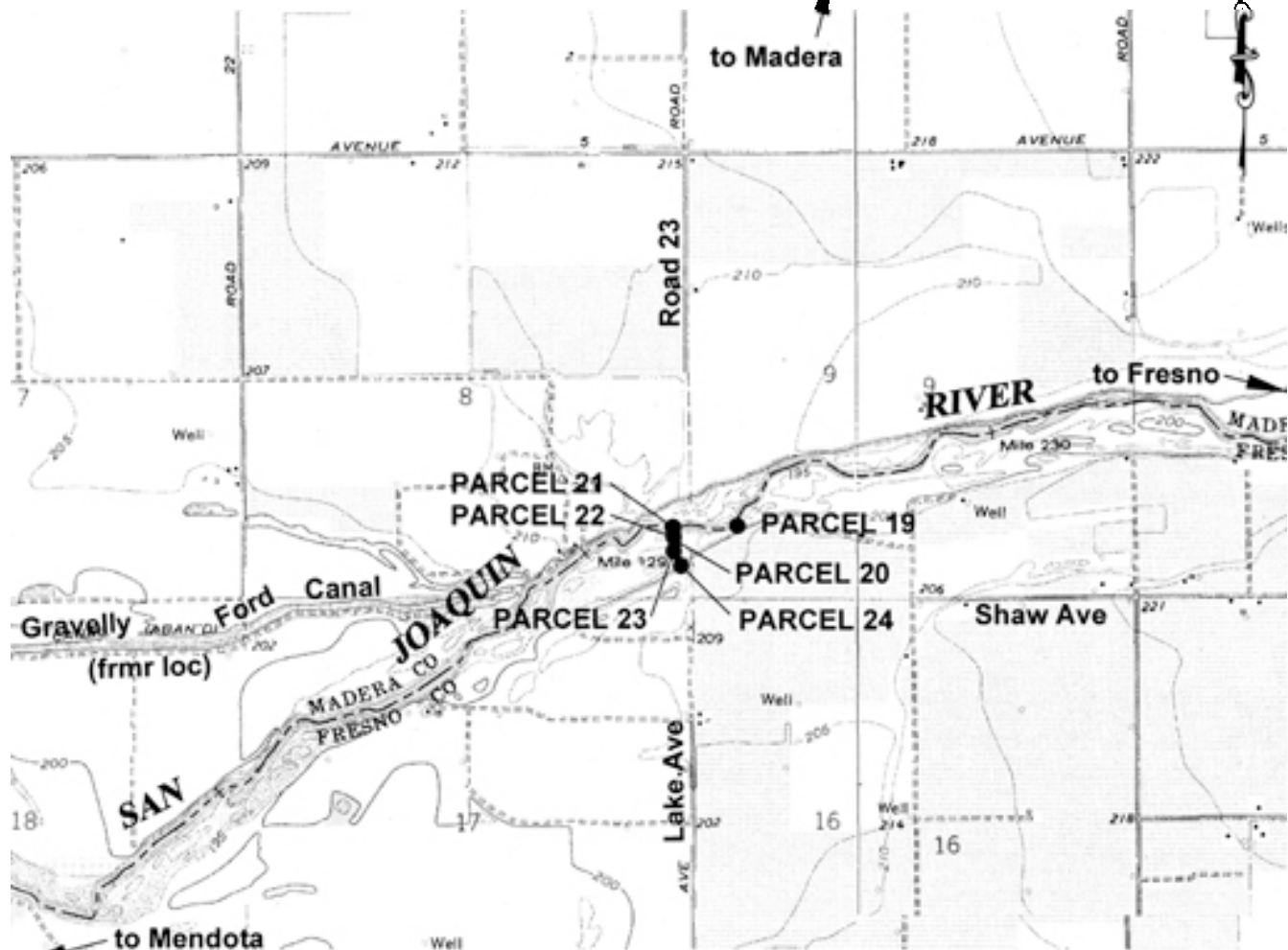
PRC 8840.9
 DEPT OF WATER RESOURCES
 GENERAL LEASE
 PUBLIC AGENCY USE
 FRESNO, MADERA, MERCED
 & STANISLAUS COUNTIES



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.

NO SCALE

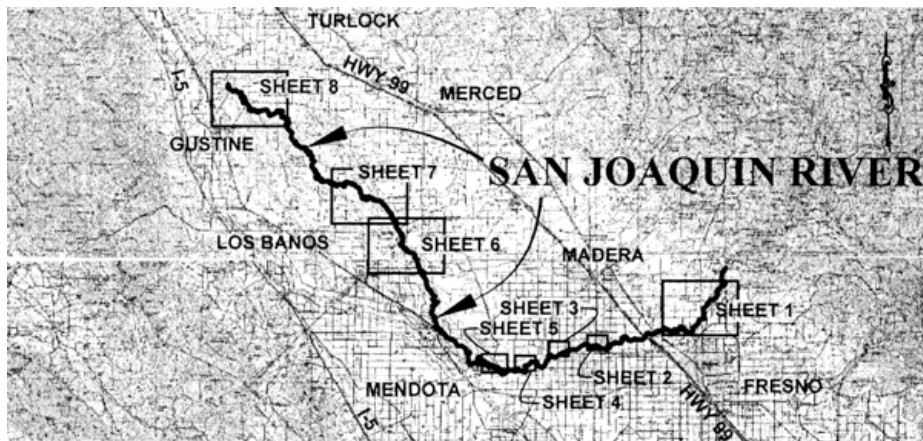
SHEET 3 of 8



DEPT. OF WATER RESOURCES STREAM STUDY SITES

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

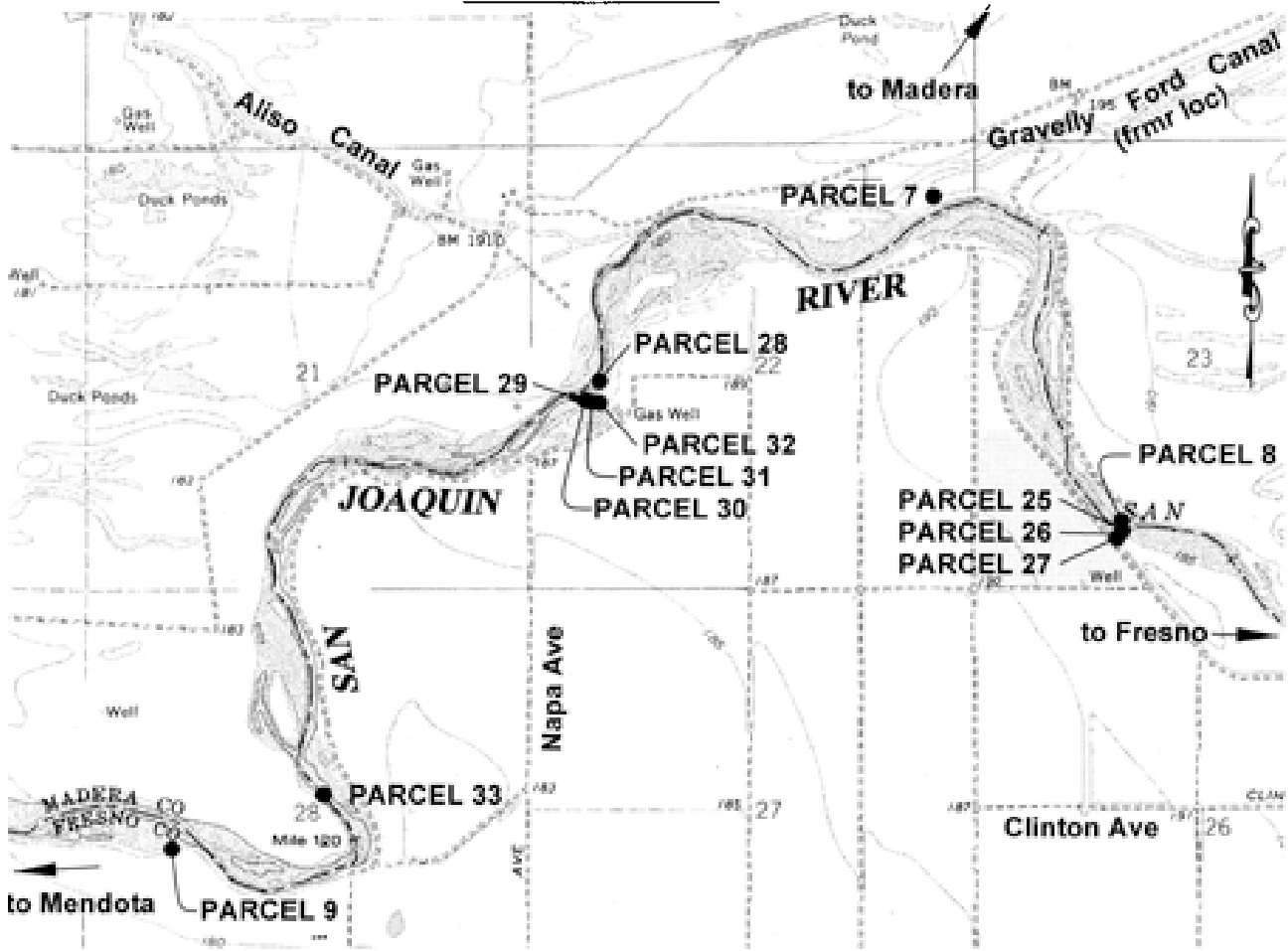
PRC 8840.9
 DEPT OF WATER RESOURCES
 GENERAL LEASE
 PUBLIC AGENCY USE
 FRESNO, MADERA, MERCED
 & STANISLAUS COUNTIES



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.

NO SCALE

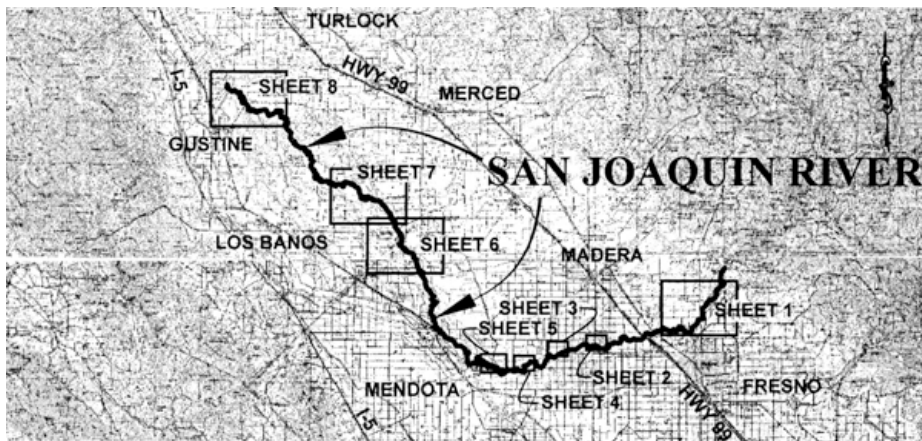
SHEET 4 of 8



DEPT. OF WATER RESOURCES STREAM STUDY SITES

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 8840.9
 DEPT OF WATER RESOURCES
 GENERAL LEASE
 PUBLIC AGENCY USE
 FRESNO, MADERA, MERCED
 & STANISLAUS COUNTIES

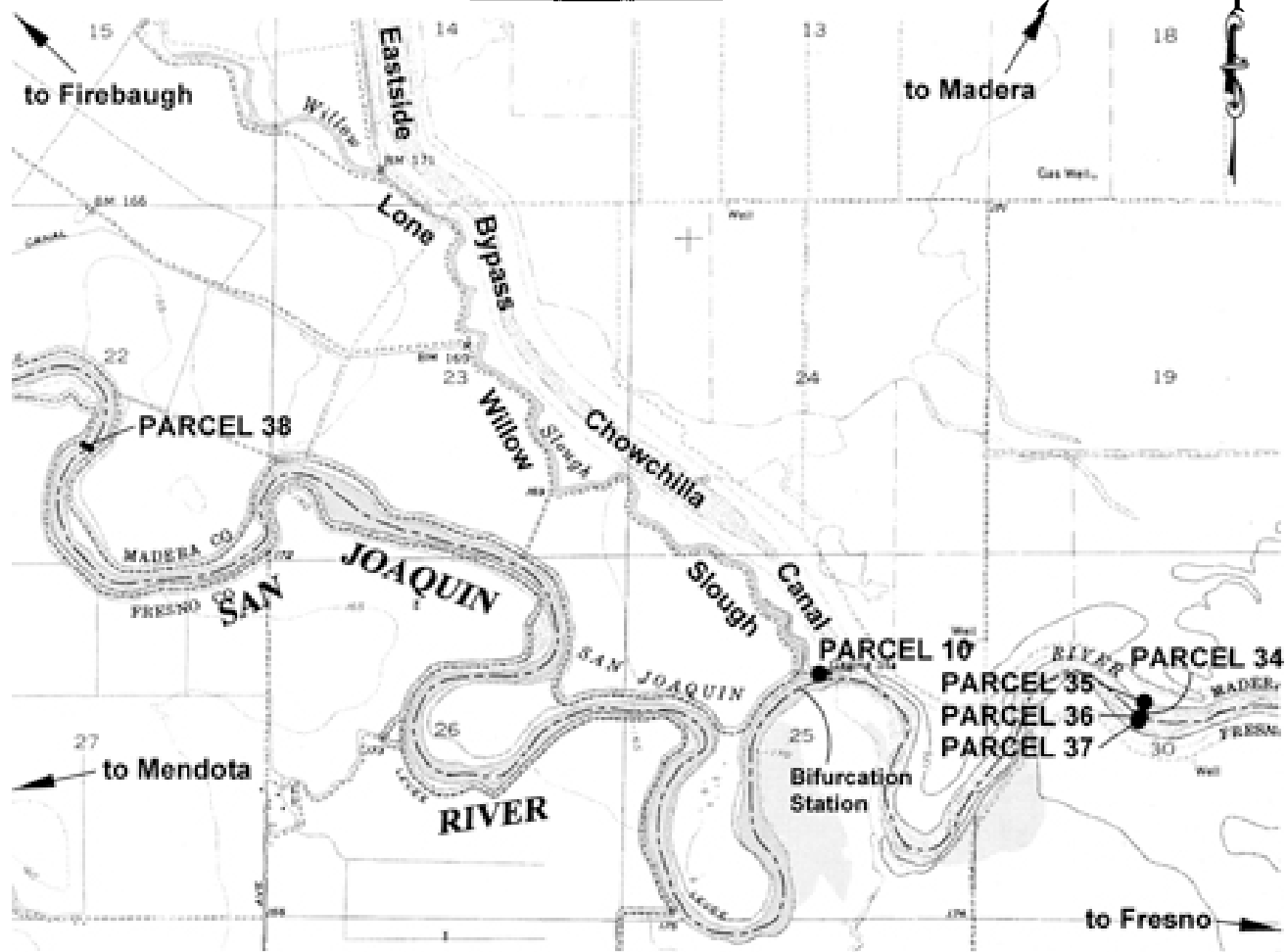


EAP 03/12

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.

NO SCALE

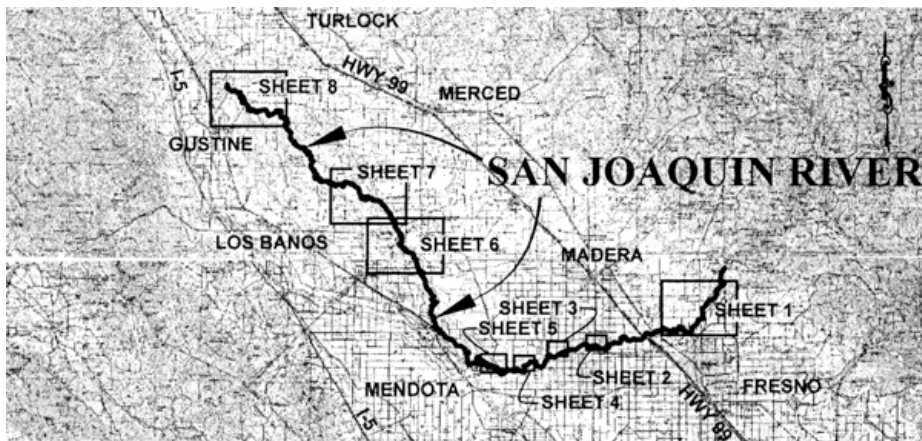
SHEET 5 of 8



DEPT. OF WATER RESOURCES STREAM STUDY SITES

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 8840.9
 DEPT OF WATER RESOURCES
 GENERAL LEASE
 PUBLIC AGENCY USE
 FRESNO, MADERA, MERCED
 & STANISLAUS COUNTIES



EAP 03/12

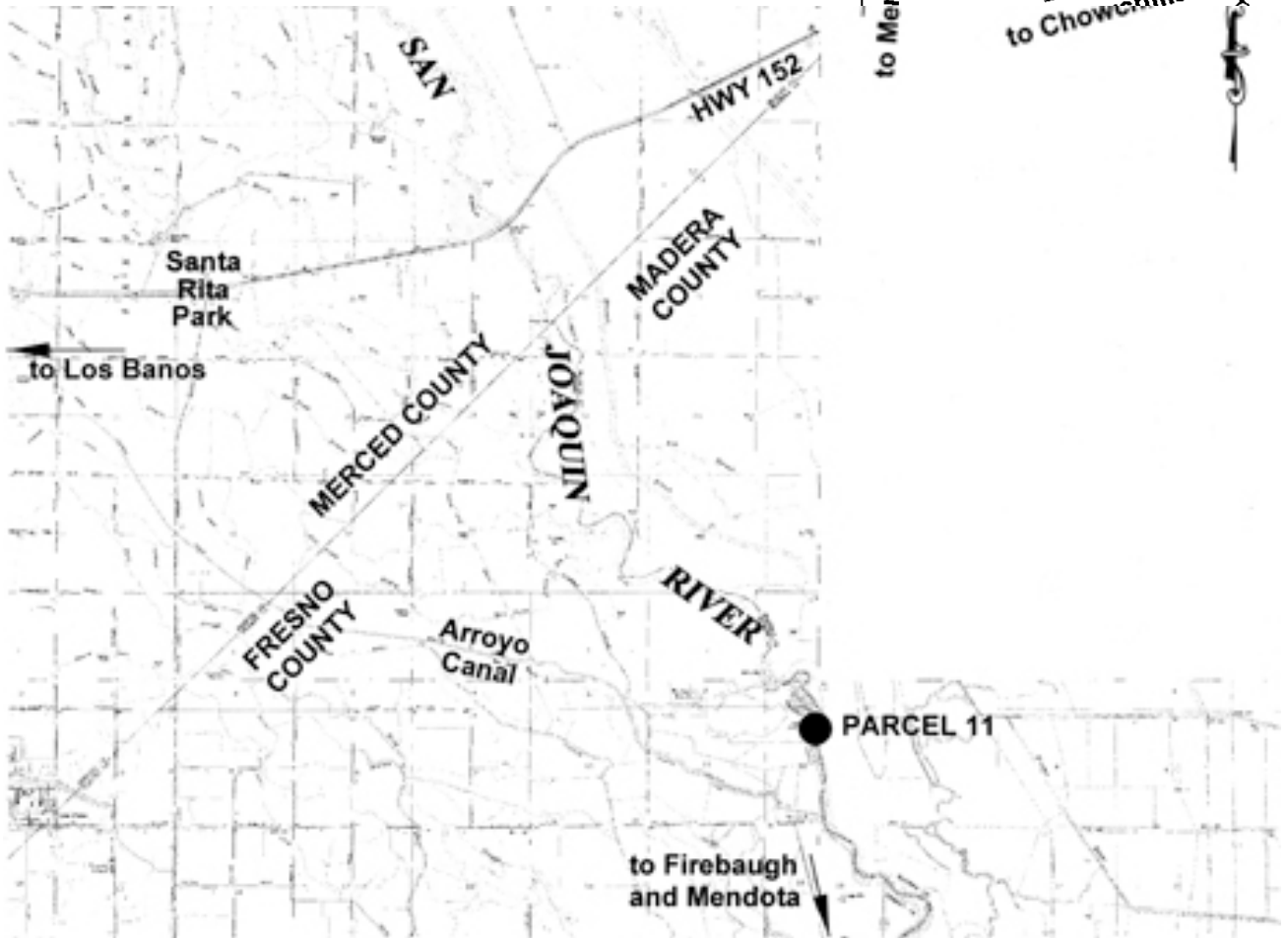
This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

NO SCALE

SHEET 6 of 8

to Merced

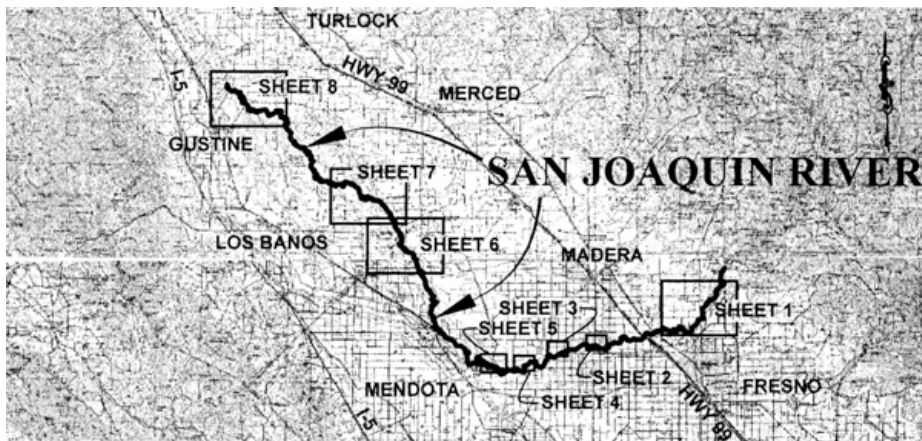
to Chowchilla



DEPT. OF WATER RESOURCES STREAM STUDY SITES

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

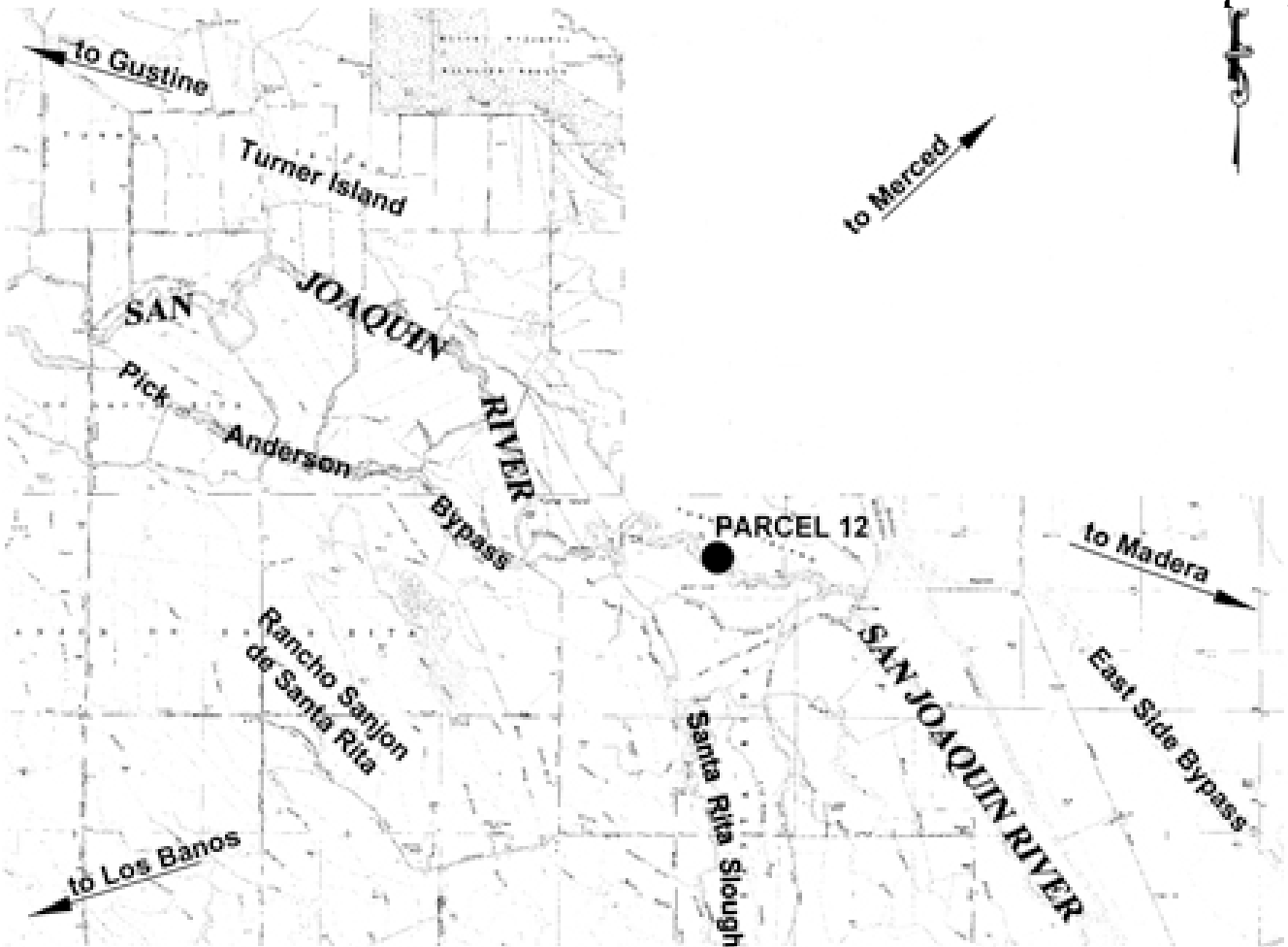
PRC 8840.9
 DEPT OF WATER RESOURCES
 GENERAL LEASE
 PUBLIC AGENCY USE
 FRESNO, MADERA, MERCED
 & STANISLAUS COUNTIES



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.

NO SCALE

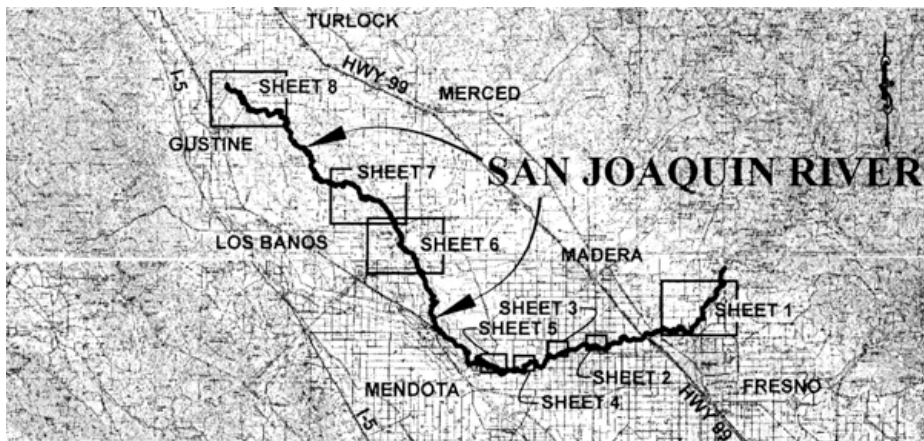
SHEET 7 of 8



DEPT. OF WATER RESOURCES STREAM STUDY SITES

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 8840.9
 DEPT OF WATER RESOURCES
 GENERAL LEASE
 PUBLIC AGENCY USE
 FRESNO, MADERA, MERCED
 & STANISLAUS COUNTIES

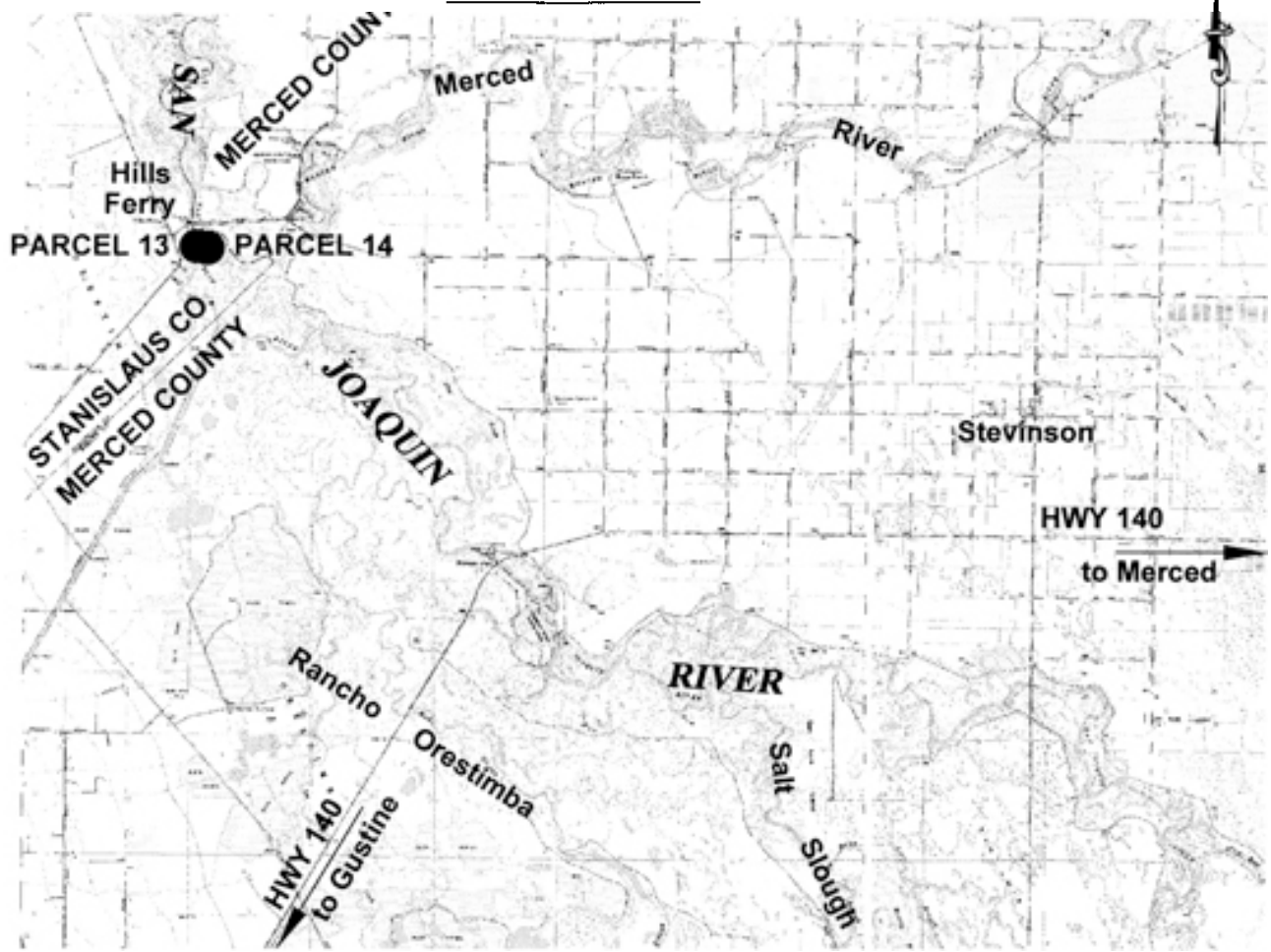


EAP 03/12

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.

NO SCALE

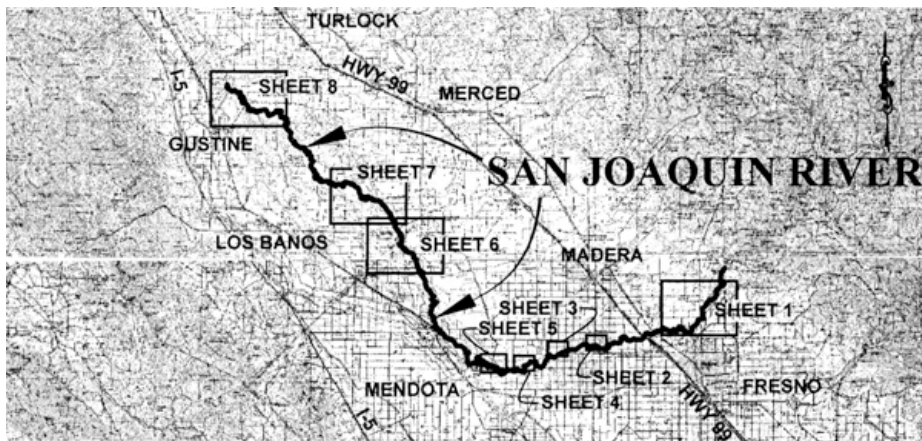
SHEET 8 of 8



DEPT. OF WATER RESOURCES STREAM STUDY SITES

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 8840.9
 DEPT OF WATER RESOURCES
 GENERAL LEASE
 PUBLIC AGENCY USE
 FRESNO, MADERA, MERCED
 & STANISLAUS COUNTIES



EAP 03/12

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.