

**CALENDAR ITEM  
C52**

A 9, 13  
S 5, 14

06/21/13  
PRC 6980.9  
V. Caldwell

**GENERAL LEASE – PUBLIC AGENCY USE**

**APPLICANT:**

United States Geological Survey  
6000 J Street, Placer Hall  
Sacramento, California 95819

**AREA, LAND TYPE, AND LOCATION:**

Sovereign land in the Old River and Middle River at Bacon Island, adjacent to Assessor's Parcel Numbers 129-150-15 (San Joaquin County), and 015-230-013 (Contra Costa County), near the city of Brentwood.

**AUTHORIZED USE:**

Continued use and maintenance of two existing water quality and velocity monitoring stations located on pilings, including transducer mounts and velocity meters previously authorized by the Commission; and use and maintenance of two existing instrument shelters, water quality meters, solar panels, modem antennas, and caution signs not previously authorized by the Commission.

**LEASE TERM:**

15 years, beginning June 1, 2011.

**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.

**OTHER PERTINENT INFORMATION:**

1. Applicant does not require the use of the upland adjoining the lease premises.
2. On August 19, 2003, the Commission authorized a General Lease – Public Agency Use with the United States Geological Survey (USGS) for two water quality and velocity monitoring stations located on the outer

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sides of the levee at Bacon Island. That lease expired May 31, 2011. USGS is now applying for a new General Lease – Public Agency Use.

3. The two flow monitoring stations measure the river velocity by transmitting acoustic pulses via a transducer. The two sites provide valuable flow magnitude and direction data necessary for water management in the Central Valley. This information is used by numerous federal, State, and local agencies participating in the water management programs of the Delta, San Francisco Bay system, and the State and Central Valley water projects.
4. Bacon Island is privately owned and the original monitoring sites could only be accessed through permission from the adjacent upland owners. In 2011, the USGS moved its monitoring stations from the levee at Bacon Island, to the existing pilings located in Old River and Middle River. Permission to access the sites from the upland owners is no longer necessary as the monitoring stations are now accessed by boat only.

The USGS removed, in their entirety, the existing cables that ran from the original stations to the pilings as they are no longer needed in the collection of data.

5. Each piling monitoring station now includes: transducer mounts with instrument shelters to house the water quality and velocity meters; solar panels; modem antennas; and caution signs with flashing yellow lights.
6. The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (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.

7. 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. **C52** (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 Issuance of a General Lease – Public Agency Use to the United States Geological Survey beginning June 1, 2011, for a term of 15 years, for the continued use and maintenance of two existing water quality and velocity monitoring stations located on pilings, including transducer mounts and velocity meters previously authorized by the Commission; and use and maintenance of two existing instrument shelters, water quality meters, solar panels, modem antennas, and caution signs not previously authorized by the Commission as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; consideration to be the public use and benefit, with the State reserving the right, at any time, to set a monetary rent as specified in the lease if the Commission finds such action to be in the State's best interest.

**EXHIBIT A**

**PRC 6980.9**

**LAND DESCRIPTION**

Two parcels of tide and submerged land situate in the bed of Old River and Middle River, lying adjacent to Swamp and Overflowed Land Survey 410 patented May 9, 1872 and Swamp and Overflowed Land Survey 1132 patented March 26, 1873 respectively, Counties of Contra Costa and San Joaquin, State of California and more particularly described as follows:

PARCEL 1 – (Velocity & water quality monitoring station in Old River)

All those lands underlying an existing transducer mount on piling, solar panel and modem antenna lying adjacent to that parcel described in Grant Deed, recorded July 2, 1993 as Document Number 93 176902 in Book 18717 at Page 328 Official Records of said Contra Costa County.

PARCEL 2 – (Velocity & water quality monitoring station in Middle River)

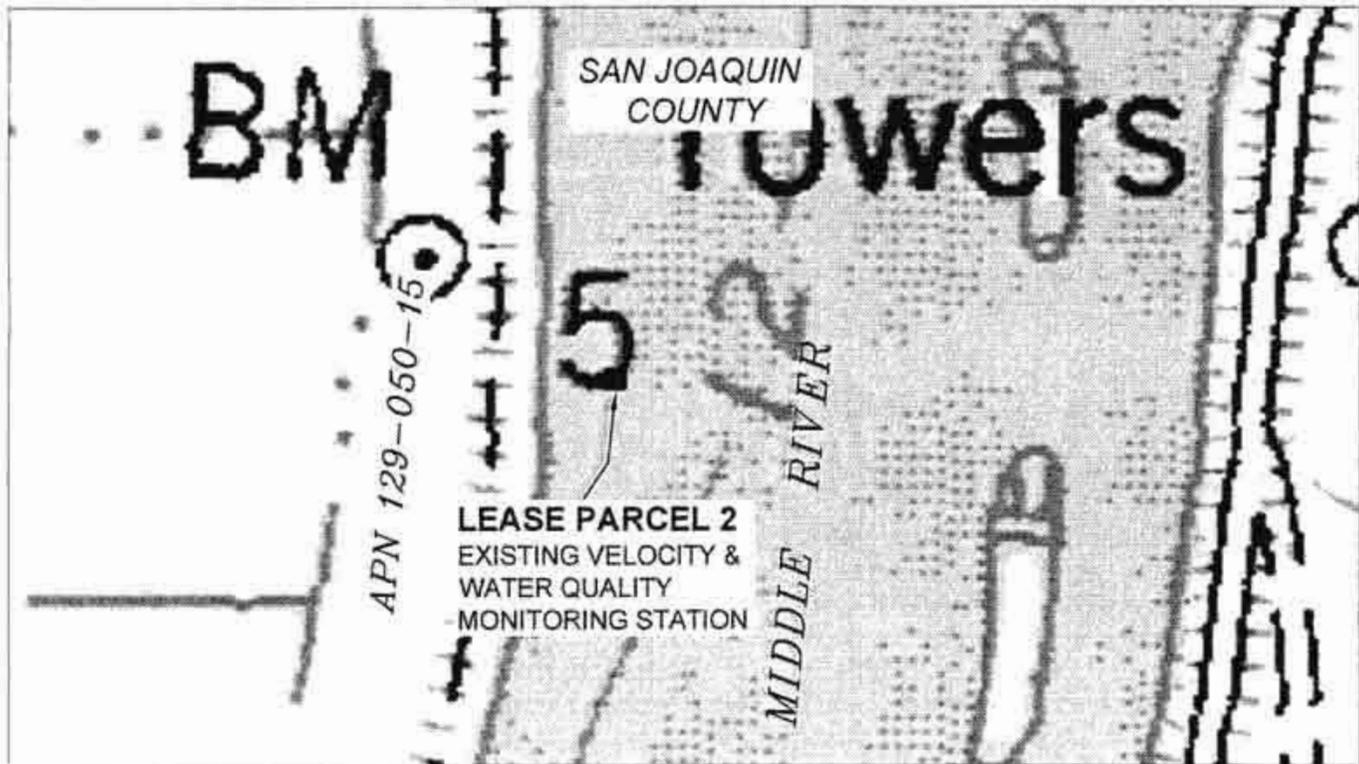
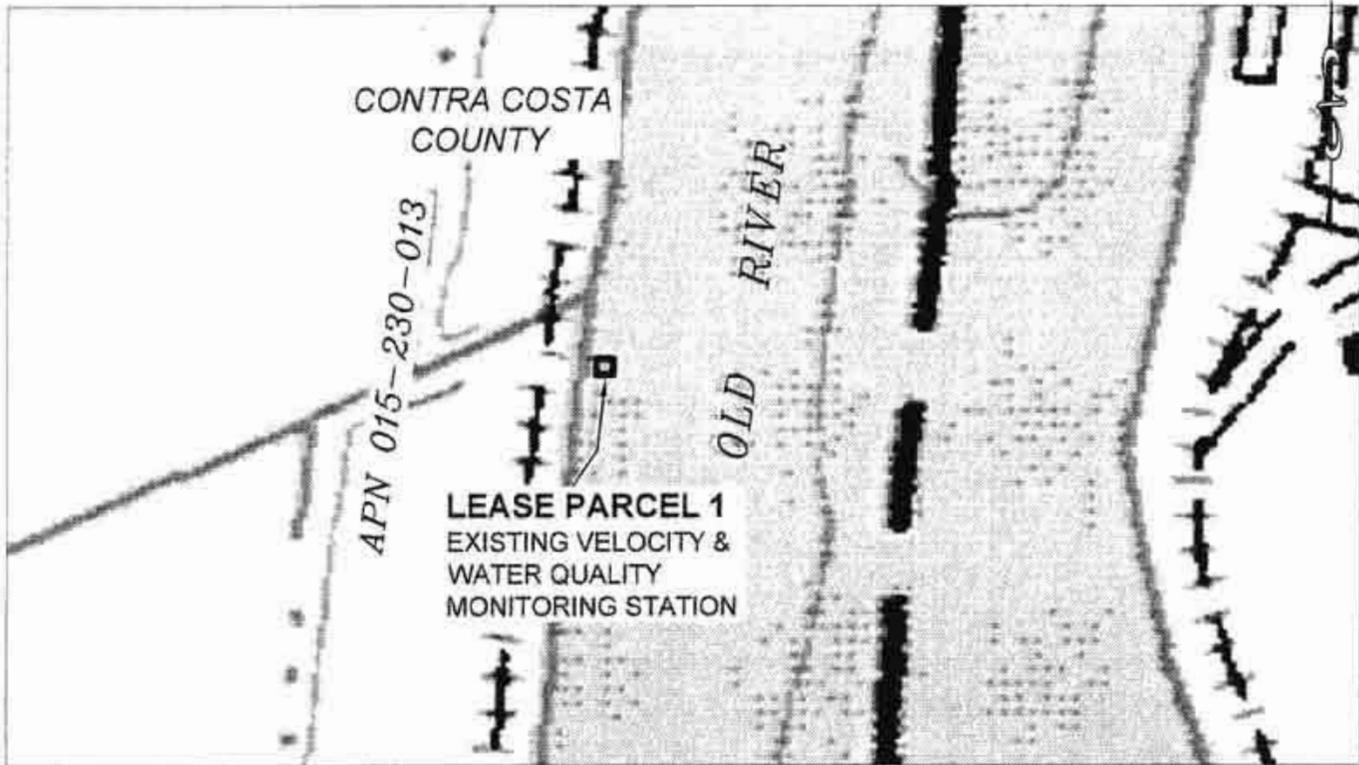
All those lands underlying an existing transducer mount on piling, solar panel and modem antenna lying adjacent to that parcel described in Grant Deed, recorded February 16, 1996 as Document Number 96016067 Official Records of said San Joaquin County.

Accompanying plat is hereby made part of this description.

**END OF DESCRIPTION**

Prepared 04/25/2013 by the California State Lands Commission Boundary Unit



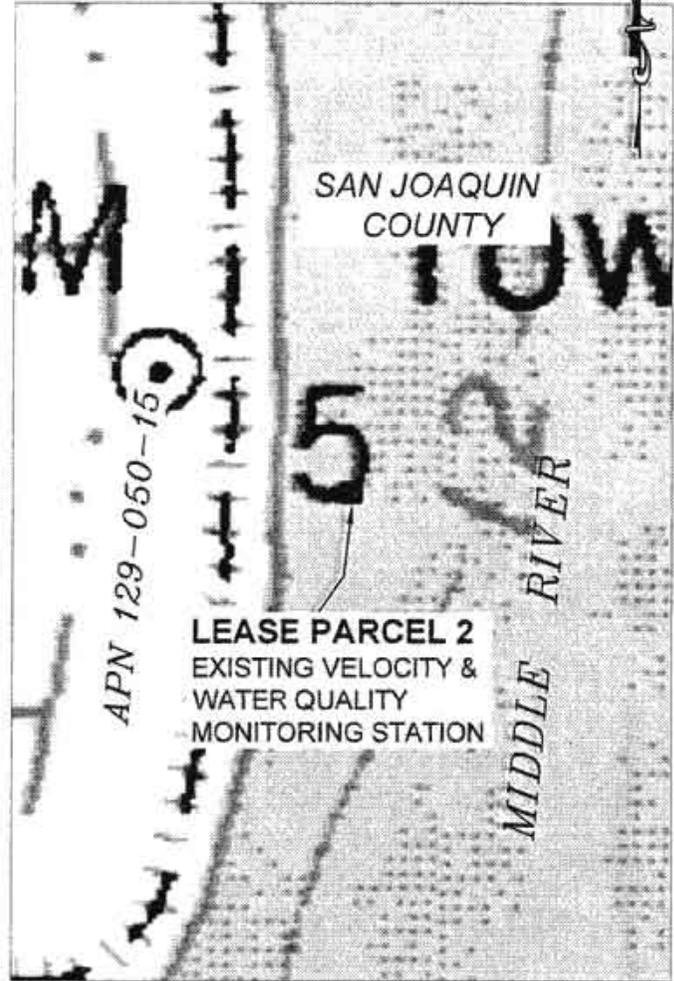
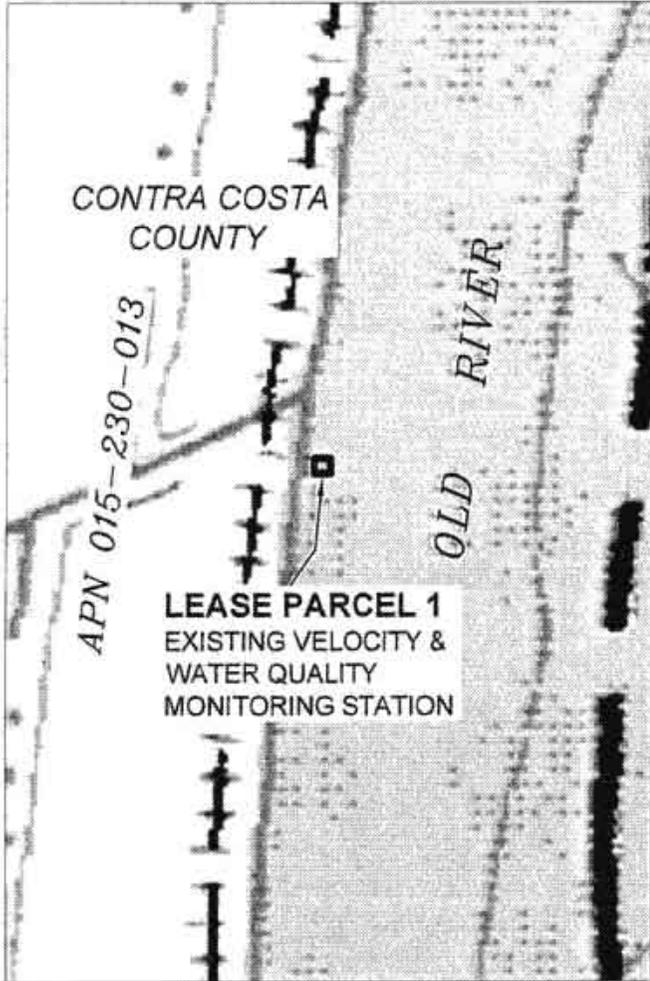


**EXHIBIT A**



NO SCALE

### SITE



OLD RIVER AND MIDDLE RIVER AT BACON ISLAND

NO SCALE

### LOCATION



MAP SOURCE: USGS QUAD

### **Exhibit B**

PRC 6980.9

US GEOLOGICAL SURVEY  
 APNs 129-150-15 & 015-230-013  
 GENERAL LEASE -  
 PUBLIC AGENCY USE  
 SAN JOAQUIN & CONTRA COSTA  
 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.