

Staff Report 59

PARTY:

California State Lands Commission

PROPOSED ACTION:

Consider taking title to and authorizing the removal and disposal of a floating barge with an attached excavator.

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the Sacramento River, near Walnut Grove, Sacramento County (as shown in Figures 1 and 2 below).

Figure 1. Location

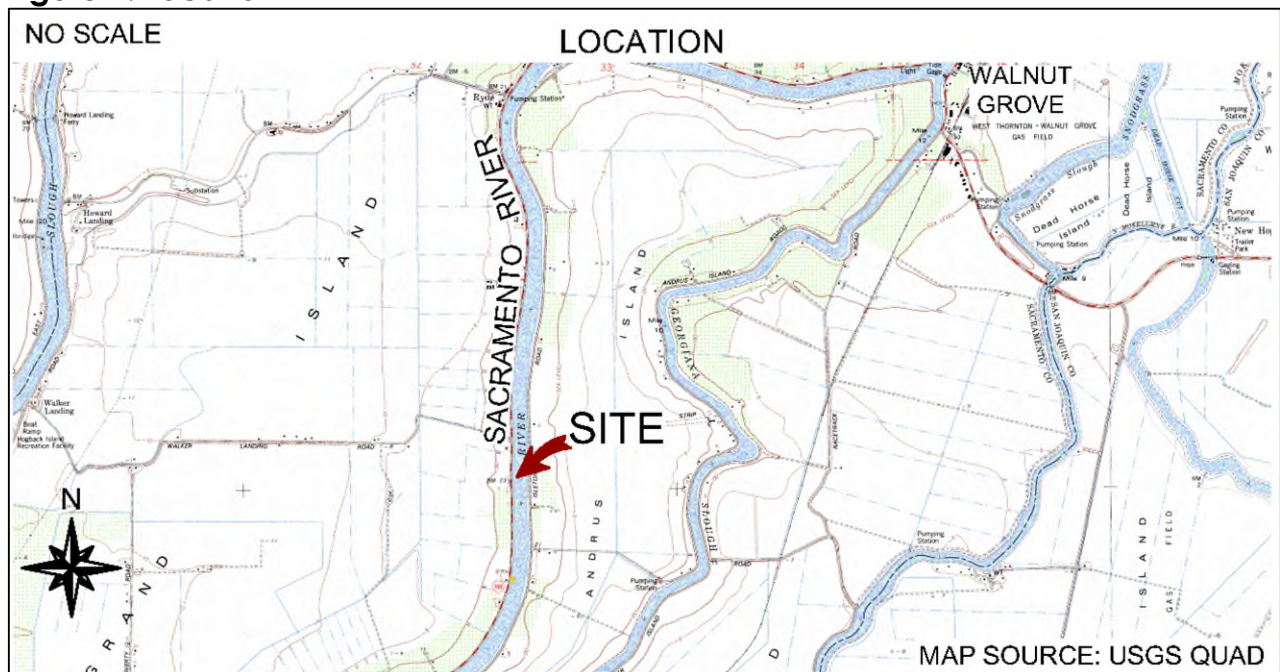
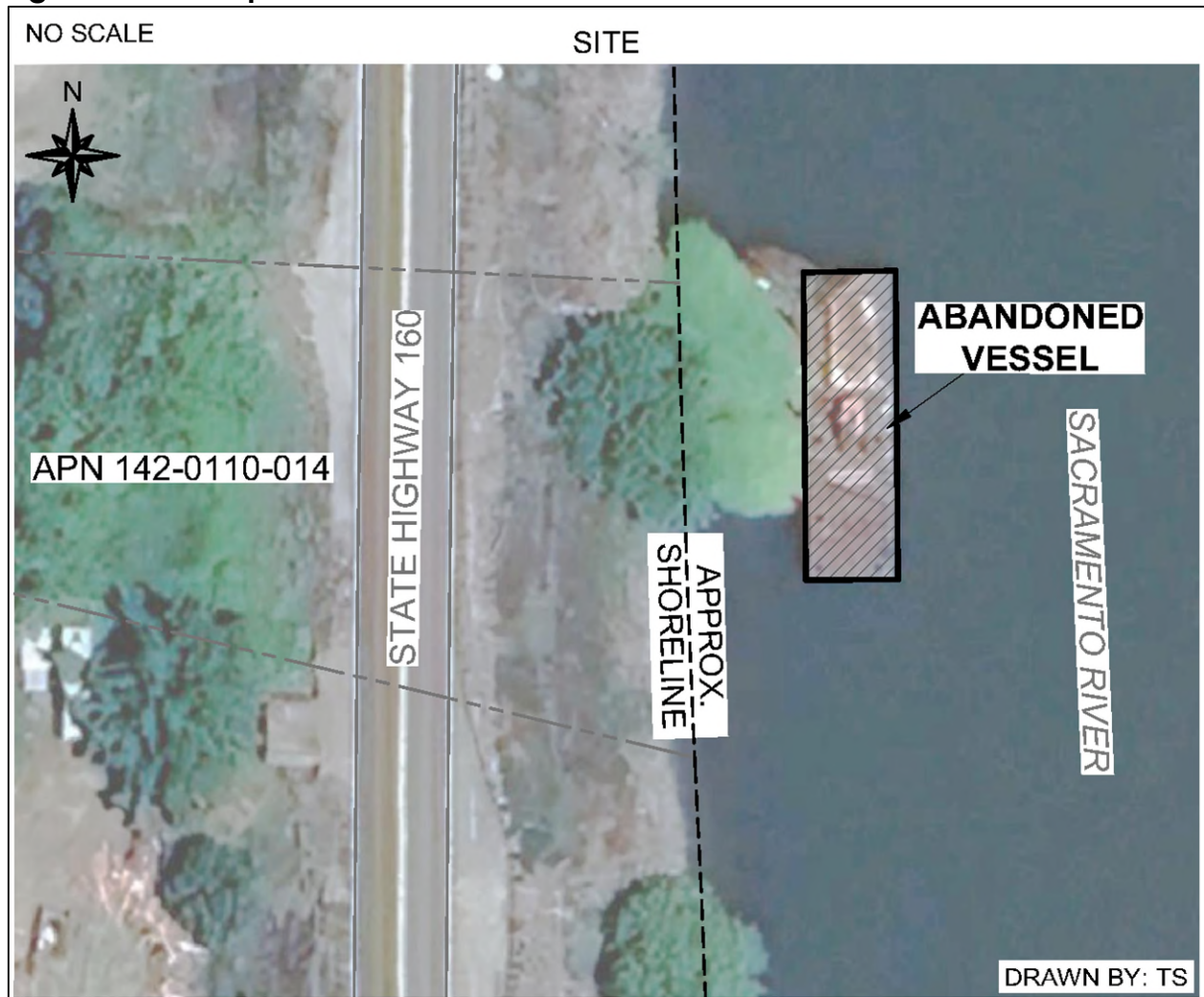


Figure 2. Site Map

BACKGROUND:

In February 2022, the Commission authorized staff to contract for studies that would help implement the Commission's 2019 [Abandoned Commercial Vessel Removal Plan \(Item 49, February 25, 2022\)](#). Staff engaged an environmental services contractor to perform a survey of abandoned commercial vessels on waterways within the Sacramento-San Joaquin Delta. This survey is complete, and staff has begun analyzing the data and prioritizing vessels for removal.

Staff's analysis identified several commercial vessels as high priority because of the vessels' location, condition, suspected or known pollutants, and hazards presented, among other factors. One of these vessels is a floating barge with excavator in the Sacramento River, south of Walnut Grove.

STAFF ANALYSIS AND RECOMMENDATION:

AUTHORITY:

Public Resources Code sections 6005, 6216, 6301, 6302.1, 6302.3, and 6302.4.

PUBLIC TRUST AND STATE'S BEST INTERESTS:

The Commission's abandoned vessels survey contractor identified this unnamed floating barge tied up to three steel pilings in the Sacramento River. The barge has a small excavator or tractor on its deck, along with other machinery and debris. Historical satellite imagery shows that the barge has been at this location since at least April 2015. Staff prioritized this barge as "Tier 2," moderate risk based on [staff's analysis of the survey data](#), because the barge is floating but has been untended for many years and because the excavator almost certainly contains fuel, oil, hydraulic fluids, and other hazardous materials. Staff believes that removing the barge before it sinks is a priority and an efficient use of limited state resources.

Staff has no information on ownership of the barge. The steel pilings are under lease to Ron Edwardson (Lease 8484, authorized by [Item 62, June 29, 2015](#)). Edwardson is deceased. Edwardson's next-of-kin said that they do not know who owns the barge and do not believe it was Edwardson's vessel.

Staff posted physical notice of trespass on the vessel on April 28, 2025, starting a 30-day period after which the vessel will be abandoned according to law. This period concluded on May 28, 2025. (Pub. Resources Code § 6302.1). If a claimant comes forward, staff may still work with the person to remove the vessel. To date, no one has come forward to claim the vessel.

If authorized by the Commission, and after all notice periods, staff will contract with one of its on-call vessel services contractors to assess the vessel and prepare a work plan and cost estimate for removal.

CONCLUSION:

Staff recommends that taking title to the vessel and directing its disposal and believes this action is consistent with the Public Trust and is in the best interests of the State.

OTHER PERTINENT INFORMATION:

1. The recommended authorizations are discretionary actions by the Commission. Each time the Commission approves or rejects an action on sovereign land, it exercises legislatively delegated authority and responsibility as trustee of the State's Public Trust lands.
2. Public Resources Code section 6302.3 requires that any action regarding the disposition of a vessel must be delayed by 30 days following Commission authorization. Staff recommends that the authorization to take title be delayed until this period has passed to minimize liability to the state.
3. This action is consistent with the "Meeting Evolving Public Trust Needs," "Prioritizing Social, Economic, and Environmental Justice," and "Committing to Collaborative Leadership" Strategic Focus Areas of the Commission's 2021–2025 Strategic Plan.
4. 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 4, Minor Alteration to Land; California Code of Regulations, title 2, section 2905, subdivision (d)(3), and Class 30, Minor Actions to Prevent, Minimize, Stabilize, Mitigate or Eliminate the Release or Threat of Release of Hazardous Waste or Hazardous Substances; California Code of Regulations, title 14, section 15330.

Authority: Public Resources Code section 21084, California Code of Regulations, title 14, section 15061, and California Code of Regulations, title 2, section 2905.

EXHIBIT:

- A. Photographs of the vessel

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 through the combination of the following exemptions: Class 4, Minor Alteration to Land; California Code of Regulations, title 2, section 2905, subdivision (d)(3) and Class 30, Minor Actions to Prevent, Minimize, Stabilize, Mitigate or Eliminate the Release or Threat of Release of Hazardous Waste or Hazardous Substances; California Code of Regulations, title 14, section 15330.

PUBLIC TRUST AND STATE'S BEST INTERESTS:

Find that the proposed action will not substantially impair the public rights to navigation and fishing or substantially interfere with Public Trust needs and values at this location, at this time, and for the foreseeable future; is consistent with the common law Public Trust Doctrine; and is in the best interests of the State.

AUTHORIZATION:

1. Authorize the Executive Officer, or designee, to take title to an unnamed floating barge with excavator, in the Sacramento River, near Walnut Grove, on or after September 22, 2025, unless before that date the vessel has been removed from state lands and not returned or has been moved to a permitted location.
2. Authorize the Executive Officer, or designee, on or after September 22, 2025, to direct one or more of the Commission's on-call abandoned vessel services contractors to remove and dispose of the vessel taken by the Commission and all of its contents.
3. Authorize the Executive Officer, or designee, in cooperation with the Office of the Attorney General, to recoup the Commission's costs through any available administrative or civil means, if determined feasible and prudent.

EXHIBIT A



