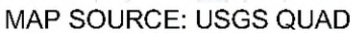


APPLICANT:

PROPOSED ACTION:

AREA, LAND TYPE, AND LOCATION:

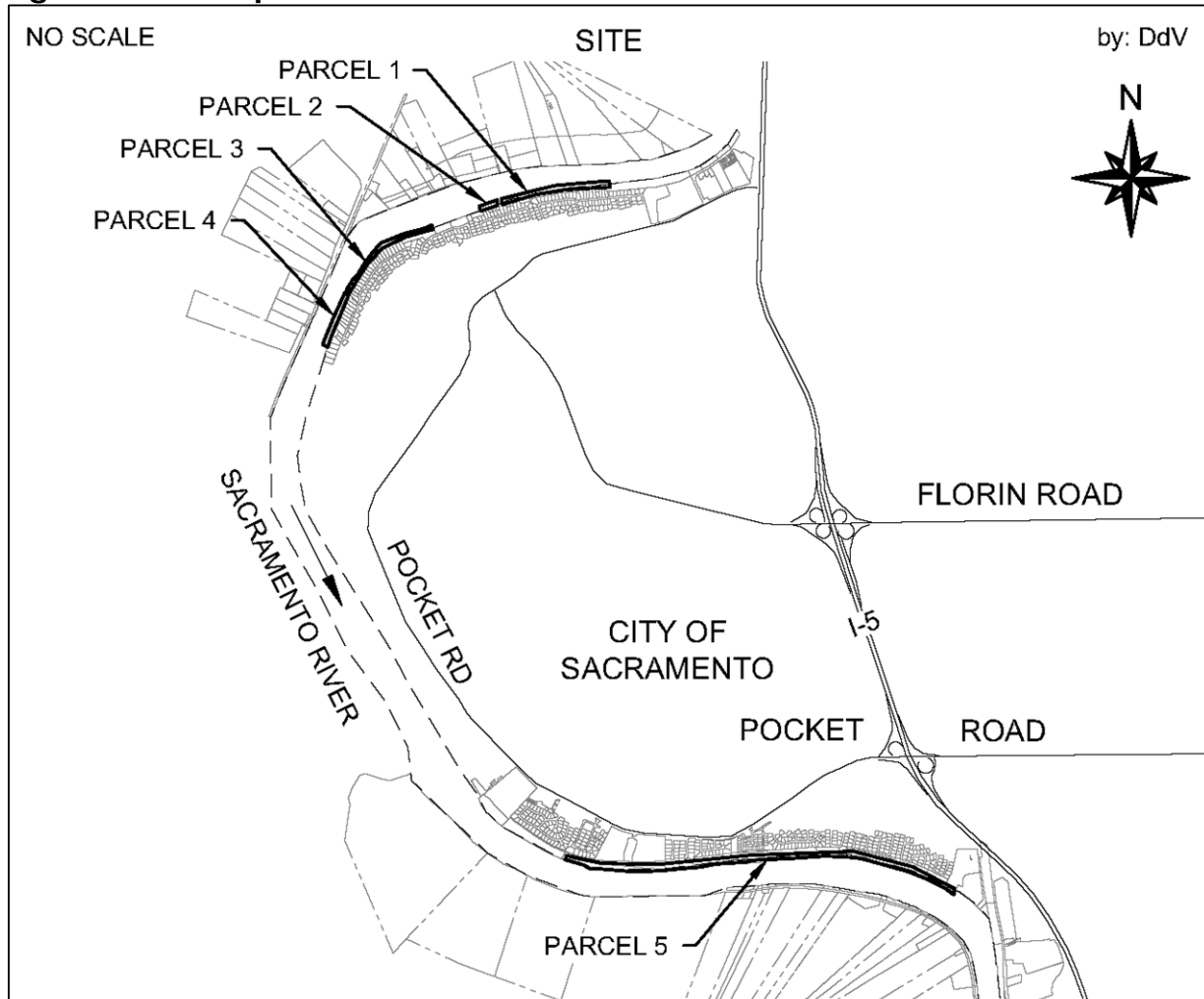
Figure 1. Location



AUTHORIZED USE:

Construction and use of bank protection, including launchable rock toe protection, rock tie-backs, planting benches, in-stream woody material, and soil-filled rock slope protection as proposed in the American River Watershed Common Features, Water Resources Development Act of 2016 Project, Sacramento River Contract 3 (as shown in Figure 2).

Figure 2. Site Map



NOTE: This depiction of the lease premises is based on unverified information provided by the Applicant or other parties and is not a waiver or limitation of any State interest in the subject or any other property.

TERM:

49 years, beginning December 16, 2025.

CONSIDERATION:

Public use and benefit; with the State reserving the right at any time to set monetary rent if the Commission finds such action to be in the State's best interests.

SPECIFIC LEASE PROVISIONS:

- Lessee shall place warning signage or buoys, or both, clearly visible from the shore and in the water, both upstream and downstream of the construction sites, to provide notice of the construction and to advise the public to exercise caution. Lessee shall place and maintain such signage during the term of the construction and shall notify the California Department of Parks and Recreation's Division of Boating and Waterways of the location, description, and purpose of such signage upon installation and removal.
- Provisions requiring Lessee to comply with certain safety and construction standards.

BACKGROUND:

Following extensive flooding in 1986, and severe impacts to Sacramento's levee system, Congress directed the U.S. Army Corps of Engineers (USACE) to investigate additional means to reduce flood risk to Sacramento. USACE completed this investigation in 1991, recommending levee improvements downstream of Folsom Dam. As a result of subsequent studies, the American River Common Features Project (ARCF) was authorized in the Water Resources Development Act (WRDA) of 1996, Pub. L. No. 104 - 303, § 101(a)(1) (WRDA 1996).

Major components of the ARCF within WRDA 1996 included construction of seepage remediation along approximately 22 miles of American River levees, levee strengthening, and the raising of 12 miles of the Sacramento River levee in the Natomas Basin. Over time, the ARCF Project has expanded and, in 2016, an extensive program of levee strengthening and erosion repair along the Sacramento and American rivers was analyzed in the American River Watershed Common Features General Reevaluation Report (ARCF GRR) Environmental Impact Statement/Environmental Impact Report (EIS/EIR) (State Clearinghouse No. 2005072046).

Supplemental EIS/EIRs have been prepared for each portion or contract of the overall ARCF as each project design has been refined. There are four Sacramento River Erosion contracts:

- Contract 1 included bank protection at a single site at River Mile 55.2 at the east bank of the Sacramento River in the Little Pocket neighborhood and was authorized under Lease 7203 by the Commission on October 25, 2022 ([Item 28, October 25, 2022](#)).
- Contract 2 included approximately 14,950 linear feet of improvements between RM 49 to 59 along the Sacramento east levee between Miller Park and the Pocket Greenhaven neighborhood under application number 3623 and was authorized by the Commission on December 17, 2024 ([Item 26, December 17, 2024](#)).
- Contract 3 includes approximately 8,600 linear feet of improvements between RM 47.3 and 53.1 along the Sacramento River east levee in Sacramento's Pocket neighborhood. It is being considered for authorization under this application.
- Contract 4 includes approximately 1,700 linear feet of bank protection between RM 54.5 to 55 along the Sacramento River east levee in the Little Pocket neighborhood. It will be considered at the December 2025 Commission meeting under application number 4462.

PROJECT DESCRIPTION:

The American River Watershed Common Features, Water Resources Development Act of 2016 Project, Sacramento River Contract 3 (Project) includes installation of approximately 8,600 linear feet of bank protection between RM 47.3 and 53.1 along the Sacramento River east levee in Sacramento's Pocket neighborhood.

Permit agreements between the Central Valley Flood Protection Board (CVFPB) and upland owners require the owners to remove docks, ramps, and related encumbrances from the project footprint in advance of flood control projects. Six private floating boat docks, trees, shrubs, and other vegetation will be removed from the work area either by the owners or by the construction contractor prior to construction. It is anticipated that most, if not all pilings, will remain in place. Following construction of the improvements, property owners may replace docks on the existing pilings in accordance with valid lease and permit agreements.

The Project includes three sites (7, 8, and 9) totaling 2.8 miles. Sump 70, which is owned by the City of Sacramento, would be protected in place.

To protect against boat wake erosion during the peak recreation season, quarry stone would be placed on the shoreline above the summer water surface elevation to slightly above the boat wake zone. This stone would feature soil fill to cover the voids in the rock and would be hydroseeded with grasses and forbs for levee stabilization.

Quarry stone revetment will be placed on-grade along the east riverbank between the riverbed and the summer water surface elevation to protect against scour and erosion during high river flows. For the reestablishment of riparian vegetation, soil-filled planting benches would be incorporated into the rock revetment in areas where the slope allows. In-stream woody material consisting of whole trees would be anchored into the bank revetment at the summer water surface elevation to provide shelter and shading for fish. The material will be placed at least 50 feet from private boat docks.

The design also includes a launchable rock toe, consisting of a thicker layer of quarry stone along the riverbed. The self-launching rocks will provide protection against riverbed scour and protect the toe of the levee when the rocks naturally fall into any voids created beneath them.

Rock tiebacks would be installed perpendicular to the river's flow to provide additional erosion protection for the upper banks. Tiebacks would be spaced intermittently, as needed, and eliminate the need for continuous rock protection up to the top of the levee.

Construction will be accomplished from the river by equipment on barges or by equipment accessing the project footprint from the barge. Incidental truck trips will be made for small volumes of materials not transportable by barge. Boaters and other water-borne users of the river would be alerted to the construction activities by warning buoys placed at both the up- and downstream ends of work areas.

STAFF ANALYSIS AND RECOMMENDATION:

AUTHORITY:

Public Resources Code sections 6005, 6216, 6301, 6321, 6321.2, 6501.1, and 6503; California Code of Regulations, title 2, sections 2000 and 2003.

PUBLIC TRUST AND STATE'S BEST INTERESTS:

The CVFPB applied for a General Lease – Public Agency Use for the construction and use of bank protection including launchable rock toe protection, rock tie-backs, planting benches, in-stream woody material, and soil-filled rock slope protection under the Project.

The Applicant is responsible for ensuring that levees are maintained in a manner that reduces the risk of flooding and works in partnership with the USACE, California Department of Water Resources (DWR), and the Sacramento Area Flood Control Agency (SAFCA). The high risk of flooding from levee failure threatens public safety, property, and critical infrastructure. Multiple erosion control measures are planned to allow conveyance of the 200-year flood flow without risk of levee failure.

The Applicant has requested a 49-year lease term for various reasons, the most pertinent being that the USACE requires that the Applicant have control over the land for the life of the project, anticipated for over 50 years. Given that the Commission is not able to lease lands for more than 49-years, nor alienate sovereign Public Trust Lands, a 49-year lease is proposed as a compromise that satisfies federal requirements for the Project.

All workers would access the site by regional and local roadways. Construction hours would comply with the City of Sacramento's noise ordinance and would be Monday through Saturday from 7:00 a.m. to 6:00 p.m. and Sundays from 9:00 a.m. to 6:00 p.m. No work or hauling would take place on holidays without permission given by the City of Sacramento.

A vegetation management plan will be developed in coordination with the U.S. Fish and Wildlife Service and National Marine Fisheries Service to ensure that native riparian plantings installed within the planting benches are protected, managed, monitored, and maintained for a period of three to five years following installation and ensure that they are on an ecologically sustainable trajectory. This vegetation management plan will be consistent with the Habitat Mitigation, Monitoring, and Adaptive Management Plan developed for the ARCF GRR Final EIS/EIR. The vegetation management plan will identify activities and establish objectives, priorities, and tasks for monitoring, managing, maintaining, and reporting on the established habitats.

The Project will impact the Sacramento River Parkway trail between Garcia Bend Park and Freeport Boulevard. These impacts will be temporary and will only occur during the summer construction season. Detours for work disrupting this segment of

the trail will be coordinated with the City of Sacramento and a mitigation measure will reduce the significant impacts to bicycle and pedestrian facilities to less than significant.

While the proposed project will temporarily impact Public Trust uses while underway, the Applicant has agreed to limit such impacts to the extent necessary to protect the public health and safety during the construction activity. Given the overall public value of this project, staff believe the proposed Project does not constitute an unreasonable interference with the Public Trust uses at this time and is in the best interests of the State. The Project's purpose is to provide enhanced levee erosion protection, protecting the public and Public Trust resources from potential flooding while preserving public access along the levee to the extent feasible.

The proposed lease does not alienate the State's fee simple interest or permanently impair public rights. The lease requires the Applicant to conduct all construction and maintenance work safely and indemnify the Commission in the event of any liability resulting from the proposed action.

CLIMATE CHANGE:

INTRODUCTION:

The climate crisis and rising sea levels are impacting California's coastal and inland waterways now. Likely impacts to the lease premises include, but are not limited to, sea level rise, saltwater intrusion, prolonged drought, extreme heat, and changes to the intensity and timing of precipitation events. These impacts can exacerbate natural hydrological processes such as erosion, scour, and sedimentation. These impacts may affect the existing levees subject to the proposed lease, located on the Sacramento River.

DATA & PROJECTIONS:

Water levels in tidally-influenced rivers will rise as sea levels rise. The California Ocean Protection Council updated the [State of California Sea Level Rise Guidance](#) in 2024 to provide a synthesis of the best available science on sea level rise projections and rates for multiple emissions scenarios. Commission staff evaluated the "intermediate-high" and "high" scenarios due to the vulnerability and exposure of the lease location and the continued global reliance on fossil fuels. The San Francisco tide gauge was used for the projected sea level rise scenario for the region, as listed in Table 1.

Table 1. Projected Sea Level Rise for San Francisco

Year	Intermediate-High (feet)	High (feet)
2040	0.7	0.8
2050	1.0	1.3
2070	2.2	2.9
2100	4.8	6.5

Source: Table 6, State of California Sea Level Rise Guidance: 2024 Update

Note: Projections are with respect to a 2000 baseline.

In addition to rising seas, warmer temperatures have led California and the Southwest region to experience a megadrought from 2000 to 2022, measured as the driest 22 years in the past 1200 years, and more megadroughts are projected through the end of the century ([Fifth National Climate Change Assessment: Southwest Region, 2023](#)). Hotter and drier conditions have led to declines in snowpack volumes, higher-elevation snow lines, earlier snowmelt, and reduced overall runoff. Streamflow and river volumes are lower and will be drawn down farther as temperatures continue to rise and demand for water increases. Despite the region's increasing aridity, flooding from extreme precipitation events is projected to increase, attributed to earlier snowmelt, sea level rise, and more intense and frequent atmospheric rivers. Minor and moderate flooding (flooding events defined as disruptive to damaging), attributed to higher water levels, is expected to increase five to ten orders of magnitude by 2100, according to [NOAA's 2022 Sea Level Rise Technical Report](#).

ANALYSIS:

The lease premises are likely to experience more extreme conditions over the lease term than in the past, due to climate change. Changes to the timing and amount of runoff from the higher elevations of the watershed, stronger storm surge, and rising water levels will result in higher flood risks. Bank stability may be compromised due to increased channel erosion and undercutting from more intense precipitation and floods.

The proposed Project would install levee improvements on the east riverbank to prevent erosion and possible levee failure, and to continue to protect the adjacent Pocket neighborhood against scour and erosion during high river flow. Activities would include adding rock bank protection and installing nature-based solutions, such as riparian benches and in-stream woody material, to prevent erosion along the Sacramento River. Activities on State lands would be short-term and consist of

in-water work to improve existing facilities and reduce the potential for future impacts from climate change. However, as sea levels rise, bank protection will provide less defense against flood waters, increasing the vulnerability of the upland parcel.

RECOMMENDATIONS:

To reduce the likelihood of adverse impacts to the lease premises and improvements, the lessee should consider the following adaptation strategies to improve resiliency to climate change: 1) inspect bank improvements frequently and monitor for degradation, and 2) maintain a wide buffer between the bank and any upland improvements to minimize potential impacts from flooding and erosion. Any future construction or activities on State land would require a separate authorization from the Commission. For more information regarding nature-based strategies, please refer to the [2023 Shoreline Adaptation and the Public Trust](#) report.

Regular maintenance, as referenced in the lease, may reduce the likelihood of severe degradation. Pursuant to the proposed lease, the Applicant acknowledges that the lease premises and adjacent upland are located in an area that may be subject to the effects of climate change, including sea level rise.

CONCLUSION:

For all the reasons above, staff believe the issuance of this lease will not substantially interfere with Public Trust needs at this location, at this time, and for the term of the proposed lease; and is in the best interests of the State.

OTHER PERTINENT INFORMATION:

1. Approval or denial of the application is a discretionary action by the Commission. Each time the Commission approves or rejects a use of sovereign land, it exercises legislatively delegated authority and responsibility as trustee of the State's Public Trust lands as authorized by law. The lessee also has no right to a new lease or to renewal of any previous lease.
2. This action is consistent with the "Leading Climate Activism", "Meeting Evolving Public Trust Needs", and "Committing to Collaborative Leadership" Strategic Focus Areas of the Commission's 2021-2025 Strategic Plan.
3. The Applicant has also submitted an application (A4462) for similar work along the Sacramento River east levee between RM 54.5 to 55 along the Sacramento

River east levee in Sacramento's Little Pocket neighborhood, near Sacramento, Sacramento County. That application will be considered under a separate staff report at the December 16, 2025, Commission meeting.

4. An Environmental Impact Report (EIR) and a Supplemental EIR, State Clearinghouse No. 2005072046, were prepared for this Project by the Central Valley Flood Protection Board (CVFPB) and certified on June 9, 2016, and July 18, 2025, respectively. As part of its project approvals, CVFPB made a Statement of Facts and Findings and Statement of Overriding Considerations for the American River Watershed Common Features, Water Resources Development Act of 2016 Project, Sacramento River Erosion Contract 3 and adopted Mitigation Monitoring and Reporting Programs.

Staff has reviewed these documents and prepared an independent Mitigation Monitoring Program (attached, Exhibit A) that incorporates the CVFPB documents. Staff recommends adoption of Exhibit A by the Commission.

Staff also prepared Findings made in conformance with the California Environmental Quality Act (CEQA) Guidelines (Cal. Code Regs., tit. 14, §§ 15091, 15096) contained in the attached Exhibit B.

Staff determined that 13 potential resource areas would have impacts that are less than significant with implementation of mitigation measures. Staff also identified in the Findings that the project could cause potentially significant impacts to Aesthetic and Visual Resources, Air Quality, Noise and Vibration, and Vegetation and Wildlife from the removal of riparian vegetation and construction activities on the Sacramento River (hauling of material and equipment via barges), despite the implementation of all applicable measures. Staff prepared a Statement of Overriding Considerations made pursuant to the CEQA Guidelines (Cal. Code Regs., tit. 14, § 15093) that balances the benefits of the project against its unavoidable impacts and finds that the potential impacts are acceptable in light of the project benefits. Staff recommends the Commission adopt the Findings and Statement of Overriding Considerations contained in the attached Exhibit B.

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 participation from the agency nominating such lands through the CEQA review and permitting process, it is staff's opinion that the project, as proposed, is consistent with its use classification.

APPROVALS OBTAINED:

- Central Valley Regional Water Quality Control Board
- U.S. Fish and Wildlife Service
- National Marine Fisheries Service

EXHIBITS:

- A. Mitigation Monitoring Program
- B. Findings and Statement of Overriding Considerations

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that an EIR and a Supplemental EIR, State Clearinghouse No. 2005072046, were prepared for this project by the Central Valley Flood Protection Board and certified on June 9, 2016 and July 18, 2025, respectively, and that the Commission has reviewed and considered the information contained therein; that in the Commission's independent judgment, the scope of activities to be carried out under the lease to be issued by this authorization have been adequately analyzed; that none of the events specified in Public Resources Code section 21166 or CEQA Guidelines section 15162 resulting in any new or substantially more severe significant impact have occurred; and, therefore no additional CEQA analysis is required.

Adopt the Mitigation Monitoring Program, as contained in the attached Exhibit A.

Adopt the Findings, made in conformance with California Code of Regulations, title 14, sections 15091 and 15096, subdivision (h), as contained in the attached Exhibit B.

Adopt the Statement of Overriding Considerations made in conformance with California Code of Regulations, title 14, section 15093, as contained in the attached Exhibit B.

PUBLIC TRUST AND STATE’S BEST INTERESTS:

Find that the proposed lease will not cause an unreasonable interference with the public rights to navigation, fishing, and commerce or cause an unreasonable interference with Public Trust needs and values at this location, at this time, and for the term of the lease; and is in the best interests of the State.

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 Applicant, beginning December 16, 2025, for a term of 49 years, for the construction and use of bank protection including launchable rock toe protection, rock tie-backs, planting benches, in-stream woody material, and soil-filled rock slope protection in the Sacramento River, along the Sacramento River east levee from River Mile (RM) 47.3 to 53.1; consideration being 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 interests.