Authorization Date: 10/21/26
Permit Number: 9964
Staff: M. Pelka

Staff Report 39

PERMITTEE:

Sacramento County Department of Transportation

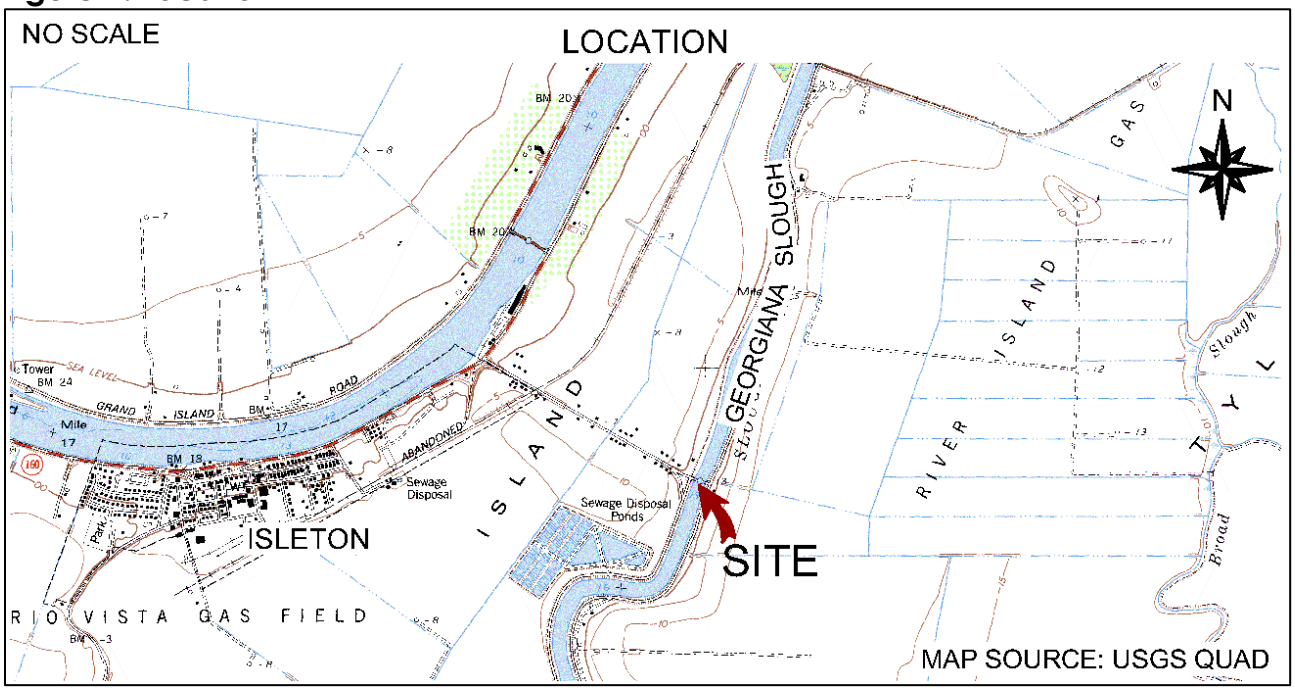
PROPOSED ACTION:

Amendment of a Non-Exclusive Geological Survey Permit.

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Georgiana Slough, South of the Tyler Island Bridge, in Sacramento County (as shown in Figure 1).

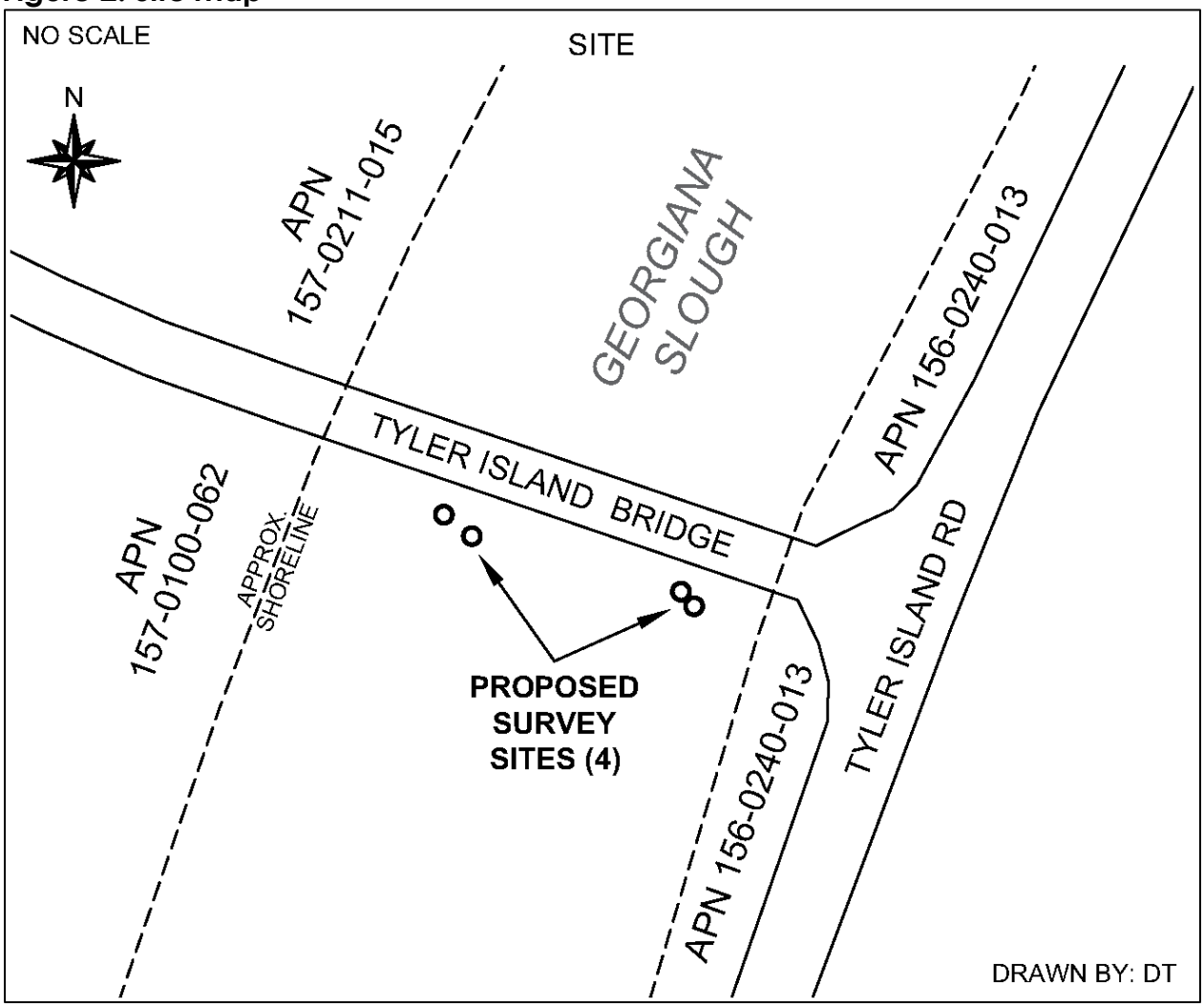
Figure 1. Location



AUTHORIZED USE:

Collection of geological data by mud-rotary drilling methods and cone penetrometer test soundings (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:

1 year, beginning June 23, 2026.

PROPOSED AMENDMENT:

- Paragraph 2, Terms of Permit, ending date amended from June 22, 2027, to October 22, 2028.

SPECIFIC PERMIT PROVISIONS:

The general terms of this Geological Survey Permit require the permittee to provide staff with advance notification of operations, including identification of the vessels deployed and locations and depth of the sampling, as well as a field operations report following any survey activities. The permit requires staff approval of sampling locations. Staff may obtain copies of all geological data derived from any surveys under this permit upon request. The permittee must perform all work with due regard for the preservation of property and potential environmental impacts, and with due caution to minimize damages to third parties. The work must be completed by the permit expiration date.

STAFF ANALYSIS AND RECOMMENDATION:

AUTHORITY:

Public Resources Code sections 6005, 6212.2, 6216, and 6301.

PUBLIC TRUST AND STATE'S BEST INTERESTS:

On June 23, 2026, the Commission authorized issuance of a Non-Exclusive Geological Survey Permit to Sacramento County Department of Transportation for the collection of geological data by mud-rotary drilling methods and cone penetrometer test soundings in Georgiana Slough, South of Tyler Island Bridge, in Sacramento County. The permit expires June 22, 2027. After approval by the Commission, the Applicant requested an extension and amendment of the permit due to restrictions within their Streambed Alteration Agreement from the California Department of Fish and Wildlife which limits the project work window between August 1 and November 30.

The permit will enable the collection of up to two mud-rotary borings and up to two cone penetrometer testing (CPT) soundings. The borings will be 4 inches in diameter and up to 120 feet deep. The borings will be performed within a 6-inch diameter dry drilled boring up to 10 feet deep to reduce the possibility of a frac-out. The two CPT soundings will use a 3.25-inch diameter casing lowered to at least 10-feet under

the mudline and from there, a 1.5-inch diameter push cone rod within the casing advanced to a depth of up to 100 feet.

Routine bridge inspections of the Tyler Island Bridge Road over Georgiana Slough have determined the existing bridge to have deficiencies including foundation scour. The geological sampling covered under this permit supports the collection of geotechnical data necessary to analyze subsurface conditions and create soil profiles for foundation analysis and development of a preventative maintenance plan.

Drilling mud will not come into contact with other soils except at the wireline casing tip during drilling. Drill cuttings will be drummed for removal and offsite disposal. Once sampling is completed, all borings and CPT soundings will be backfilled/sealed with a concrete grout mix. Borings and CPT backfills will be performed in compliance with the U.S. Army Corps of Engineers guidelines, California regulations and industry standards, and the Sacramento County Environmental Management Department well requirements.

Sampling is expected to take approximately four days to complete, with working hours of 7 am to 5 pm.

California courts have recognized the collection of data for scientific study on lands subject to the Public Trust as a use consistent with the common law Public Trust Doctrine. (See, e.g., *Marks v. Whitney* (1971) 6 Cal.3d 251, 259-260.) Additionally, California Public Resources Code section 6212.2 expressly authorizes the Commission to issue permits for the taking of cores or other samples for the purpose of obtaining geological information so long as the activity is not for the purpose of commercial exploration or exploitation.

The permit contains restrictions such that the Permittee shall perform all work with due regard for the preservation of property covered under this permit, potential environmental impacts, and with due caution to minimize damages to third parties. In addition, the permit grants non-exclusive use of the permit area to the permittee, and the defined work must be completed within two years and four months.

For all the reasons above, staff believes the issuance of this permit amendment will not substantially interfere with Public Trust needs and values; is consistent with the common law Public Trust Doctrine; and is in the best interests of the State. Staff recommends approval of amendment of this Non-Exclusive Geological Survey Permit application.

CONCLUSION:

For all the reasons above, staff believes the issuance of this lease amendment will not substantially interfere with the Public Trust needs and values at this location, at the time, and for the term of the proposed permit term extension; 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 the use of sovereign land, it exercises legislatively delegated authority and responsibility as trustee of the State's Public Trust lands as authorized by law. If the Commission denies the amendment, the permit end date will not be extended. Upon expiration or prior termination of the permit, the applicant has no right to a new permit or to renewal of any previous permit.
2. This action is consistent with the "Meeting Evolving Public Trust Needs" Strategic Focus Area of the Commission's 2021-2025 Strategic Plan.
3. Amendment of the lease to extend the permit's ending date from June 22, 2027 to October 22, 2028, is not a project as defined by the California Environmental Quality Act because it is an administrative action that will not result in direct or indirect physical changes in the environment.

   Authority: Public Resources Code section 21065 and California Code of Regulations, title 14, sections 15060, subdivision (c)(3), and 15378, subdivision (b)(5).

APPROVAL OBTAINED:

California Department of Fish and Wildlife (EPIMS-SAC-58445-R3)

RECOMMENDED ACTION:

It is recommended that the Commission:

PUBLIC TRUST AND STATE'S BEST INTERESTS:
Find that the proposed Permit amendment will not substantially interfere with Public Trust needs and values; is consistent with the common law Public Trust Doctrine; and is in the best interests of the State.

AUTHORIZATION:
Authorize the amendment of Permit Number 9964, a Non-Exclusive Geological Survey Permit, to the Applicant to amend the ending date of the Permit from June 22, 2027 to October 22, 2028, to conduct geological surveys, and to gather geological data by conducting mud-rotary drillings and cone penetrometer test soundings as described in the Permit; all other terms and conditions of the Permit shall remain in effect.