

**CALENDAR ITEM
C20**

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06/24/08
PRC 7889.9
M. Clark

AMENDMENT OF LEASE

LESSEE:

Ironhouse Sanitary District
P.O. Box 1105
Oakley, California 94561

AREA, LAND TYPE, AND LOCATION:

Sovereign lands located in the Dutch Slough, Jersey Island, near the town of Oakley, Contra Costa County.

AUTHORIZED USE:

Continued use and maintenance of a 24-inch diameter treated effluent pipeline to provide reclaimed water for irrigation and wildlife habitat enhancement purposes on Jersey Island, and placement of approximately 1,500 cubic yards of rock riprap on each side of the pipeline for additional pipe protection.

LEASE TERM:

25 years, beginning August 1, 1996.

CONSIDERATION:

The public use and benefit; with the State reserving the right at any time to set a monetary rental if the Commission finds such action to be in the State's best interest.

PROPOSED AMENDMENT:

1) the construction, use, maintenance, and operation of a 400-foot long, 30-inch diameter sewer outfall pipeline, a 150-foot, 30-inch diameter diffuser with 16 diffuser ports, 50 concrete ballast weights, riprap; the removal of three existing pilings; construction dredging; and the use of a temporary work area that includes the temporary placement of spud pilings and marker pilings, construction work barges, work ramp, warning signs and buoys; and 2) Delete Section 3 of the Lease and replace it with the attached exhibit B, Land Description.

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All other terms and conditions of the lease shall remain in effect without amendment.

SPECIFIC AMENDMENT PROVISIONS:

The amendment provides provisions for construction activities, compliance with all Federal, State, and local regulations and requirements, and the Mitigation Monitoring Program for the project. At all times while construction activities are taking place in the river, warning signs and buoys will be placed upstream and downstream of the construction site, in order to provide notice to the public that construction activities are taking place in the river and to exercise caution.

OTHER PERTINENT INFORMATION:

1. Lessee owns the uplands adjoining the lease premises.
2. On May 9, 1996, the Commission authorized a General Lease - Public Agency Use to the Ironhouse Sanitary District (District) for the installation of a 24-inch diameter treated effluent pipeline and the placement of 1,500 cubic yards of rock riprap. That lease will expire July 31, 2021. The District has filed an application to amend its existing lease to include an expanded lease area for the construction of a new 30-inch diameter outfall pipeline, diffuser, and the placement of riprap. The proposed project will extend from the existing 24-inch pipeline to an expanded 30-inch pipeline across Jersey Island and into the bed of the San Joaquin River.
3. The District provides sanitary sewer service to the city of Oakley, Bethel Island, and other unincorporated areas in Contra Costa County and is proposing to upgrade and expand its wastewater treatment and disposal facilities by constructing a new wastewater treatment plant, a sewer outfall pipeline, and diffuser. The proposed project consists of extending the existing 24-inch pipeline to the new wastewater treatment plant on Jersey Island and constructing a new 30-inch diameter effluent outfall pipeline (pipeline) with a 30-inch diameter diffuser (diffuser) containing 16 diffuser ports into the bed of the San Joaquin River. The proposed pipeline and diffuser will extend a total of 550 feet into the San Joaquin River to a river depth of 15 to 32 feet. The pipeline will encompass the first 400 feet and the diffuser, with discharge ports extending upwards, would extend the final 150 feet. The pipeline will be buried five feet below the riverbed to minimize the potential for damage to the pipeline from vessel traffic in the San Joaquin River and to ensure rapid mixing into the San Joaquin River. Prior to burial of the pipe, three existing pilings will be removed from the construction right of way. A hydraulic suction dredge would then remove material within a ten-foot area from the shoreline to approximately 550 feet to accommodate the discharge pipeline and diffuser. A total of 3,700

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cubic yards of dredged materials will be removed from the project site by barge and transported to the upland owned by the Lessee for use in on-site levee repairs. With the installation and operation of the new pipeline and diffuser, the treatment plant's capacity will increase from 2.7 million gallons per day (MGD) to an average future dry weather flow of 8.6 MGD and a peak flow of 17.2 MGD. Riprap is proposed to be placed along the sides of the pipeline to aid in weighing the pipe down and for additional protection.

4. During in-water construction operations, the pipeline and diffuser will be extended into the San Joaquin River using "wet" construction techniques. During wet construction, the pipe and diffuser would be assembled on land and floated into place using barges, then filled with water and adjusted into the final position in the dredged trench on the river bottom. The pipeline and diffuser would then be anchored in place with weights and riprap.
5. The District anticipates the contractor to have a survey boat, divers and crew boat, temporary work ramp, dredge equipment on a barge, and barges for equipment and materials for laying and sinking the pipe. The temporary construction work area is estimated to be within an 80-foot width along the alignment of the outfall pipeline and diffuser. Three to four spud pilings will be used for each contractor's barge and there would be at least one contractor's barge used. The temporary pilings will remain in the water for most of the construction period and will be removed at the completion of construction. A proposed temporary ramp will be used to provide support for the assembled pipe during launching into the water. The construction in-water work window is set for August 1 to October 1 with all temporary facilities removed from the bed of the San Joaquin River by October 31. After the pipeline and diffuser are sunk, clean gravel and rock would be placed to restore depths to preconstruction contours. In addition, the area of levee disturbed during construction would be backfilled, and riprap would be placed along the water side of the levee.
6. Staff has reviewed the integrity inspection reports for the existing 24-inch pipeline and found no abnormalities. In addition, no violations have been reported by the California Regional Water Quality Control Board.
7. A Final Supplemental Environmental Impact Report (FSEIR) was prepared for this project by Ironhouse Sanitary District and certified on January 16, 2007. The California State Lands Commission staff has reviewed such document and Mitigation Monitoring Program prepared in conformance with the provisions of the CEQA (Public Resource Code Section 21081.6)

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and adopted by the lead agency. Findings made in conformance with the State CEQA Guidelines (Title 14, California Code of Regulations, sections 15091 and 15096) are on file in the Sacramento Office of the California State Lands Commission.

8. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. 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

APPROVALS OBTAINED:

State Historic Preservation Office and the California Regional Water Quality Control Board

FURTHER APPROVALS REQUIRED:

U.S. Army Corps of Engineers, NOAA Fisheries, U.S. Fish and Wildlife Service, Department of Fish and Game, and the Central Valley Flood Protection Board

EXHIBITS:

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

PERMIT STREAMLINING ACT DEADLINE:

September 12, 2008

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT FSEIR WAS PREPARED AND CERTIFIED FOR THIS PROJECT BY IRONHOUSE SANITARY DISTRICT ON JANUARY 16, 2007, AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

ADOPT THE FINDINGS MADE IN CONFORMANCE WITH TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTIONS 15091 AND 15096 (h), ON FILE IN THE SACRAMENTO OFFICE OF THE CALIFORNIA STATE LANDS COMMISSION.

ADOPT THE MITIGATION MONITORING PROGRAM, ON FILE IN THE SACRAMENTO OFFICE OF THE CALIFORNIA STATE LANDS COMMISSION.

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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 SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE THE AMENDMENT OF LEASE NO. PRC 7889.9, A GENERAL LEASE – PUBLIC AGENCY USE, OF SOVEREIGN LANDS, TO AUTHORIZE THE CONSTRUCTION, USE, MAINTENANCE AND OPERATION OF A 400-FOOT LONG, 30-INCH DIAMETER SEWER OUTFALL PIPELINE, A 150-FOOT 30-INCH DIAMETER DIFFUSER WITH 16 DIFFUSER PORTS, 50 CONCRETE BALLAST WEIGHTS, RIPRAP; CONSTRUCTION DREDGING; THE REMOVAL OF THREE EXISTING PILINGS; AND THE USE OF A TEMPORARY WORK AREA THAT INCLUDES THE TEMPORARY PLACEMENT OF SPUD PILINGS AND MARKER PILINGS, CONSTRUCTION WORK BARGES, WORK RAMP, WARNING SIGNS AND BUOYS; AND DELETE SECTION 3 OF THE LEASE, AND REPLACE IT WITH THE ATTACHED EXHIBIT B, LAND DESCRIPTION; EFFECTIVE JUNE 24, 2008; ALL OTHER TERMS AND CONDITIONS OF THE LEASE WILL REMAIN IN EFFECT WITHOUT AMENDMENT.