

1.0 PROJECT AND AGENCY INFORMATION

1 1.1 PROJECT TITLE

2 Pacific Gas and Electric (PG&E) Line 114, Line 114-1, and Line SP4Z Pipeline
3 Decommissioning Project (Project)

4 1.2 LEAD AGENCY AND PROJECT SPONSOR

5 California State Lands Commission (CSLC)
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7 Sacramento, CA 95825

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19 1.3 PROJECT LOCATION

20 The proposed Project is located across the San Joaquin River between Sherman Island
21 and the city of Oakley (City). The northern landing of the crossing is located in
22 Sacramento County while the southern landing of the crossing is located in Contra
23 Costa County. The county boundary lines are located at the approximate centerline of
24 the river. Refer to Section 2, Project Description, for further details on the Project
25 location.

26 1.4 ORGANIZATION OF MITIGATED NEGATIVE DECLARATION

27 This Mitigated Negative Declaration (MND) is intended to provide the CSLC, as lead
28 agency under the California Environmental Quality Act (CEQA) (Pub. Resources Code,
29 § 21000 et seq.), and other responsible agencies with the information required to
30 exercise their discretionary responsibilities with respect to the proposed Project. The
31 document is organized as follows:

- 1 • Section 1 provides the Project background, Agency and Applicant information,
2 Project Objectives and anticipated agency approvals, and a summary of the
3 public review and comment process.
- 4 • Section 2 describes the proposed Project including its location, layout,
5 equipment, and facilities. Section 2 also provides an overview of the Project's
6 operations and schedule.
- 7 • Section 3 provides the Initial Study (IS), including the environmental setting,
8 identification and analysis of potential impacts, and discussion of various Project
9 changes and other measures that, if incorporated into the Project, would mitigate
10 or avoid those impacts, such that no significant effect on the environment would
11 occur. The IS was conducted by the CSLC pursuant to section 15063 of the
12 State CEQA Guidelines.¹
- 13 • Section 4 includes an environmental justice analysis and discussion consistent
14 with CSLC Policy.
- 15 • Section 5 presents the Mitigation Monitoring Program (MMP).
- 16 • Section 6 presents information on report preparation and references.
- 17 • Appendices. The appendices include specifications, technical data, and other
18 information supporting the analysis presented in this MND.
 - 19 ○ Appendix A: Project Execution Plan (Longitude 123)
 - 20 ○ Appendix B: Air Quality and Greenhouse Gas Calculations
 - 21 ○ Appendix C: Fugro Desktop Study (2006)
 - 22 ○ Appendix D: Biological Reconnaissance Report

23 **1.5 PROJECT BACKGROUND AND OBJECTIVES**

24 The subject submarine pipelines are Line 114, Line 114-1, and Line SP4Z, which cross
25 the San Joaquin River between Sherman Island and the City. The pipelines were
26 deactivated in 2006 and multiple survey events (Fugro 2006, Fugro 2014) have shown
27 them to be exposed on the riverbed and suspended over the Stockton Deep Water
28 Channel near the north landing of the crossing (offshore Sherman Island). Navigational
29 hazard signs are located at both landings. The Project is intended to decommission and
30 largely remove the three deactivated pipelines, an associated reinforced concrete valve
31 pit at Sherman Island, and navigational hazard signs at both landings that would no
32 longer be necessary after the pipelines have been removed.

¹ The State "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

1 **1.6 PUBLIC REVIEW AND COMMENT**

2 Pursuant to State CEQA Guidelines sections 15072 and 15073, a lead agency must
3 issue a proposed MND for a minimum 30-day public review period. Local and State
4 agencies and the public will have the opportunity to review and comment on the
5 document. Responses to written comments received by the CSLC during the 30-day
6 public review period will be incorporated into the proposed Final MND.

7 In accordance with State CEQA Guidelines section 15074, subdivision (b), the CSLC
8 will review and consider the proposed Final MND, together with any comments received
9 during the public review process, prior to taking action on approval of the MND and the
10 Project.

11 **1.7 APPROVALS AND REGULATORY REQUIREMENTS**

12 The CSLC's authority is set forth in Division 6 of the California Public Resources Code
13 and it is regulated by the California Code of Regulations, Title 2, sections 1900-2970.
14 The CSLC has authority to issue leases or permits for the use of sovereign lands held in
15 the public trust, including all ungranted tidelands, submerged lands, and the beds of
16 navigable lakes and waterways, as well as certain residual and review authority for
17 tidelands and submerged lands legislatively granted in trust to local jurisdictions (Pub.
18 Resources Code, §§ 6301, 6306). All tidelands and submerged lands, granted or
19 ungranted, as well as navigable lakes and waterways, are subject to the protections of
20 the Common Law Public Trust. As general background, the State of California acquired
21 sovereign ownership of all tidelands and submerged lands and beds of navigable lakes
22 and waterways upon its admission to the United States in 1850. The State holds these
23 lands for the benefit of all people of the State for statewide Public Trust purposes, which
24 include but are not limited to waterborne commerce, navigation, fisheries, water-related
25 recreation, habitat preservation, and open space. On tidal waterways, the State's
26 sovereign fee ownership extends landward to the mean high tide line, except for areas
27 of fill or artificial accretion. For the proposed Project, the CSLC has received an
28 application to remove and partially abandon three pipelines associated with Lease No.
29 PRC 5438.1E.

30 The CSLC must comply with CEQA when it undertakes an activity defined by CEQA as
31 a "project" that must receive some discretionary approval (i.e., the CSLC has the
32 authority to deny the requested lease, permit, or other approval), which may cause
33 either a direct physical change in the environment or a reasonably foreseeable indirect
34 change in the environment. CEQA requires the CSLC to identify the significant
35 environmental impacts of its actions and to avoid or mitigate those impacts, if feasible.

- 1 In addition to the CSLC, the Project is subject to the review and approval of other
- 2 Federal, State and local entities with statutory and/or regulatory jurisdiction over various
- 3 aspects of the Project (see Table 1-1).

Table 1-1. Other Agencies with Review/Approval over Project Activities

Permitting Agency		Anticipated Approvals/Regulatory Requirements
Federal	U.S. Army Corps of Engineers (USACE)	Clean Water Act Section 404 (under Nationwide Permit No. 12) Section 10 Permit (under Nationwide Permit No. 12)
	U.S. Fish and Wildlife Service (USFWS)	Section 7 Consultation under Federal Endangered Species Act (if necessary) Consultation for anadromous fish species
	National Marine Fisheries Service (NMFS)	
	U.S. Coast Guard (USCG)	Notice to Mariners
State	California State Lands Commission (CSLC)	Lease Quitclaim and Abandonment Agreement
	California Department of Fish and Wildlife (CDFW)	California Endangered Species Act Fish and Game Code sections 1600-1616 Streambed Alteration Agreement
	Central Valley Flood Protection Board (CVFPB)	Levee Encroachment Permit
	Regional Water Quality Control Board (RWQCB)	Clean Water Act Section 401 Water Quality Certification
	State Historic Preservation Office (SHPO)	Section 106 Compliance
Local	Reclamation District 341 (RD)	Encroachment Permit