

CALIFORNIA STATE LANDS COMMISSION

100 Howe Avenue, Suite 100-South
Sacramento, CA 95825-8202



Established in 1938

September 20, 2017

JENNIFER LUCCHESI, *Executive Officer*
(916) 574-1800 Fax (916) 574-1810
California Relay Service TDD Phone 1-800-735-2929
from Voice Phone 1-800-735-2922

Contact Phone: (916) 574-1865
Contact Fax: (916) 574-1835

File Ref: W 25612

Cadiz, Inc.
550 S Hope Street, # 2850
Los Angeles, CA 90071

Subject: Notice of Jurisdictional Determination for Proposed Cadiz Water Project

Dear Sir/Madam:

The California State Lands Commission (Commission) staff sent a comment letter to the California Natural Resources Agency and the Metropolitan Water District of Southern California in February 2000 regarding the Commission's jurisdiction over property located within the proposed Cadiz Groundwater Storage and Dry-Year Supply Program Project. The letter responded to a notice from the State Clearinghouse (SCH #99021039) regarding the preparation of a Draft Environmental Impact Report (EIR). A copy of the letter is enclosed.

The letter noted that the Commission owns lands within the Project boundaries and proposed water conveyance alternatives and that any use of state-owned lands would require a lease from the Commission. In Volume 2 of the Final EIR, *Response to Comments from the California State Lands Commission Dated February 22, 2000*, the response to Commission comments states:

- S2-1 It is acknowledged that the State Lands Commission will be a responsible agency under CEQA if the Western Alternative or Combination Alternative is selected. The following are State-owned parcels of land. If a project alternative crossing School Lands is selected, a lease or easement agreement will be obtained.
- T 1 N, R 16 E, S 36. At the West Portal - State Land that would be crossed by the Western and Combination Alignment Alternatives.
 - T 5 N, R 14 E, S 36. Where the main transmission line crosses Rice Road – Private surface ownership, however the State reserved the mineral rights of the SE ¼. Any required acquisition of mineral rights will be negotiated with the State Lands Commission.
 - T 3 N, R 16 E, S 36. Lies 1 mile east of the Eastern Alignment Alternative.

Owing to recent renewed activity related to the Project and the amount of time that has elapsed since preparation of the Final EIR, Commission staff re-analyzed the property ownership within these areas and determined that the Commission owns a 200-foot-wide strip of land in the southeast quarter of Section 36, Township 5 North, Range 14 East. Response S2-1, as shown above, erroneously stated this land was privately owned. The approved water conveyance route in the Final EIR crosses this land and is owned by the Commission.

This letter is a reminder that any use of state-owned lands under the Commission's jurisdiction will require a lease from the Commission. Because the Commission will be making a discretionary decision when considering a lease, a subsequent EIR or its equivalent may be required to meet the California Environmental Quality Act requirements. Staff will make a final determination about possible ownership of other lands within the Project area and conveyance route, and the level of environmental documentation to be required, after we receive your application.

Please submit an application as soon as possible to allow sufficient time to process it, conduct any required environmental review, and negotiate a draft lease for the Commission's consideration at a properly noticed public meeting. The lease application and guidelines are enclosed and available on the Commission's website at www.slc.ca.gov.

Please complete the application and return it, along with a Minimum Expense Deposit of \$2,500, for staff costs associated with application processing, and a \$25 non-refundable Filing Fee. The Filing Fee and Minimum Expense Deposit total of \$2,525 must be submitted with the application in order for staff to process the application. Upon receipt of an application and fees, you will be provided a Reimbursement Agreement. An executed Reimbursement Agreement to cover the Commission's staff costs to process this transaction is required as part of a complete application.

After reviewing your application, staff may request supplemental information or additional clarification as application processing progresses, and as required by law and the Commission's application requirements. If you have questions, please contact Jim Porter, Public Land Management Specialist, at (916) 574-1865 or Jim.Porter@slc.ca.gov.

Sincerely,



Brian Bugsch, Chief
Land Management Division

Enclosure(s)

cc: Jim Porter, PLMS