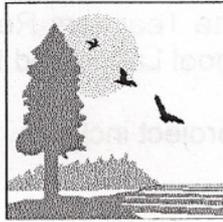


**CALIFORNIA STATE LANDS COMMISSION**

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

**PAUL D. THAYER**, Executive Officer

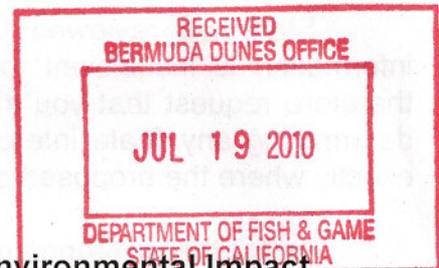
(916) 574-1800 FAX (916) 574-1810

California Relay Service From TDD Phone 1-800-735-2929  
from Voice Phone 1-800-735-2922

**Contact Phone: (916) 574-1900****Contact FAX: (916) 574-1885**

July 14, 2010

File Ref: SCH# 2010061062



Kimberly Nicol, DFG Program Manager  
Natural Resources Agency  
78078 Country Club Drive, Suite 109  
Bermuda Dunes, CA 92203

**SUBJECT: Notice of Preparation (NOP) to Prepare an Environmental Impact Report (EIR) for the Salton Sea Species Conservation Habitat Project, Near the Cities of Calipatria, Niland, and Oasis, Imperial and Riverside Counties**

Dear Ms. Nicol:

Staff of the California State Lands Commission (CSLC) has reviewed the Notice of Preparation for the above-proposed project. Under the California Environmental Quality Act (CEQA), the Natural Resources Agency is the Lead Agency and the CSLC is a Responsible and/or Trustee Agency for any and all projects that could directly or indirectly affect sovereign lands, their accompanying Public Trust resources or uses, and the public easement in navigable waters.

As general background, the State acquired sovereign ownership of all tidelands and submerged lands and beds of navigable waterways upon its admission to the United States in 1850. The State holds these lands for the benefit of all the people of the State for statewide Public Trust purposes of waterborne commerce, navigation, fisheries, water-related recreation, habitat preservation, and open space. The State owns sovereign fee title to tide and submerged lands landward to the mean high water line (MHTL) as they existed in nature, prior to fill or artificial accretions. The State's sovereign interests are under the jurisdiction of the CSLC. A lease from the CSLC is required for any portion of existing or proposed improvements extending onto State-owned lands that are under its jurisdiction.

Shortly after becoming a State, California was also granted Sections 16 and 36 (2 square miles), or lands in lieu thereof, out of each township (36 square miles) then held by the federal government. The lands, classified as "School Lands," were given to the State to help support public education. While many of the School Lands were sold off over the years, the State retains an interest in approximately 1.3 million acres of mostly desert and forest lands. State legislation has mandated that revenues from

these school lands accrue to the State Teachers Retirement System. The CSLC also has jurisdiction and authority over School Lands and lieu lands.

The facts pertaining to the proposed project include:

- Constructing a series of interconnected shallow habitat ponds at either the north or south ends of the Salton Sea, or in both areas.
- The project is expected to be approximately 2,400 acres.

Staff has reviewed the information submitted and has determined that the information is insufficient to determine the State's interest at these locations. We therefore request that you submit the following additional information to assist staff in determining any State interest. Please provide a detailed map or site plan depicting exactly where the proposed project improvements will occur.

As for the environmental review, the Draft EIS/EIR should analyze any potential impacts of invasive species within the project areas. The Climate Change section should analyze what may occur during the life of the project and any projected impacts from global warming on the Salton Sea and the Species Conservation Habitat areas.

If you have any questions, please contact Drew Simpkin, Public Land Management Specialist at 916-574-2275 or via email at [drew.simpkin@slc.ca.gov](mailto:drew.simpkin@slc.ca.gov). Should you have any questions regarding the environmental review, please contact Joan Walter at (916) 574-1310 or via email at [walterj@slc.ca.gov](mailto:walterj@slc.ca.gov).

Sincerely,

*Marina R. Brand*

*for* Cy R. Oggins, Chief  
Division of Environmental Planning  
and Management

cc: Office of Planning and Research  
D. Simpkin - CSLC  
J. Walter - CSLC