MINUTE ITEM

This Calendar Item No C14
was approved as Minute Item
No. 14 by the State Lands
Commission by a vote of 3
to 0 at its 12/22/83
meeting.

CALENDAR ITEM

C 14

12/22/83
W 23294
Lane
PRC 6541

APPROVAL OF A
GENERAL PERMIT - PUBLIC AGENCY USE

APPLICANT: Redwood National Park
1111 Second Street
Crescent City, California 95531

AREA, TYPE LAND AND LOCATION:
A 2.0-acre parcel of tide and submerged land located in the mouth of Redwood Creek, Humboldt County.

LAND USE: Streambed control and stabilization for Estuary management.

TERMS OF PROPOSED PERMIT:
Initial period: 30 years from January 1, 1983.

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.

BASIS FOR CONSIDERATION:
Pursuant to 2 Cal. Adm. Code 2003.

PREREQUISITE TERMS, FEES AND EXPENSES:
Applicant is owner of upland.

Filing fee and processing costs have been received.

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STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884: 6/4/84.

OTHER PERTINENT INFORMATION:

1. The National Park Service requests a public agency permit to implement improvements in fish, wetland, and riparian habitat while avoiding any adverse impacts to adjacent private lands by dredging the embayment and utilizing controlled breaching and drainage structures at the mouth of Redwood Creek.

2. The annual rental value of the site is estimated to be $540.

3. A Federal Environmental Document, Finding of No Significant Impact, was prepared and certified by Nat onal Park Service. A Notice of Intent to use this document to satisfy CEQA pursuant to 14 Cal. Adm. Code 15225 was filed by the State Lands Commission. Commission staff has found that the project as proposed will not have a significant effect on the environment.

4. The project is situated on lands identified as possessing significant environmental values pursuant to P.R.C. 6370.1 and is classified in a use category "A" which authorizes Restricted Use.

APPROVALS OBTAINED:

United States Army Corps of Engineers; California Coastal Commission.

EXHIBITS:

A. Land Description.
B. Location Map.
C. Notice of Intent.
D. Finding of No Significant Impact.

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IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT THE FEDERAL ENVIRONMENTAL DOCUMENT, FINDING OF NO SIGNIFICANT IMPACT, SCH#83070506, HAS BEEN PREPARED FOR THIS PROJECT BY THE NATIONAL PARK SERVICE.

2. CERTIFY THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED IN THE FINDING OF NO SIGNIFICANT IMPACT; AND THAT SUCH FEDERAL DOCUMENT MEETS THE REQUIREMENTS OF CEQA, AS PROVIDED IN 14 CAL. ADM. CODE 15225.

3. DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT; AND FIND THAT THE PROJECT IS CONSISTENT WITH THE LAND'S USE CLASSIFICATION, PURSUANT TO P.R.C. 6370.1.

4. AUTHORIZE ISSUANCE TO REDWOOD NATIONAL PARK OF A 30-YEAR GENERAL PERMIT - PUBLIC AGENCY USE, FROM JANUARY 1, 1983; IN CONSIDERATION OF 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; FOR STREAMBED CONTROL AND STABILIZATION FOR ESTUARY MANAGEMENT, ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

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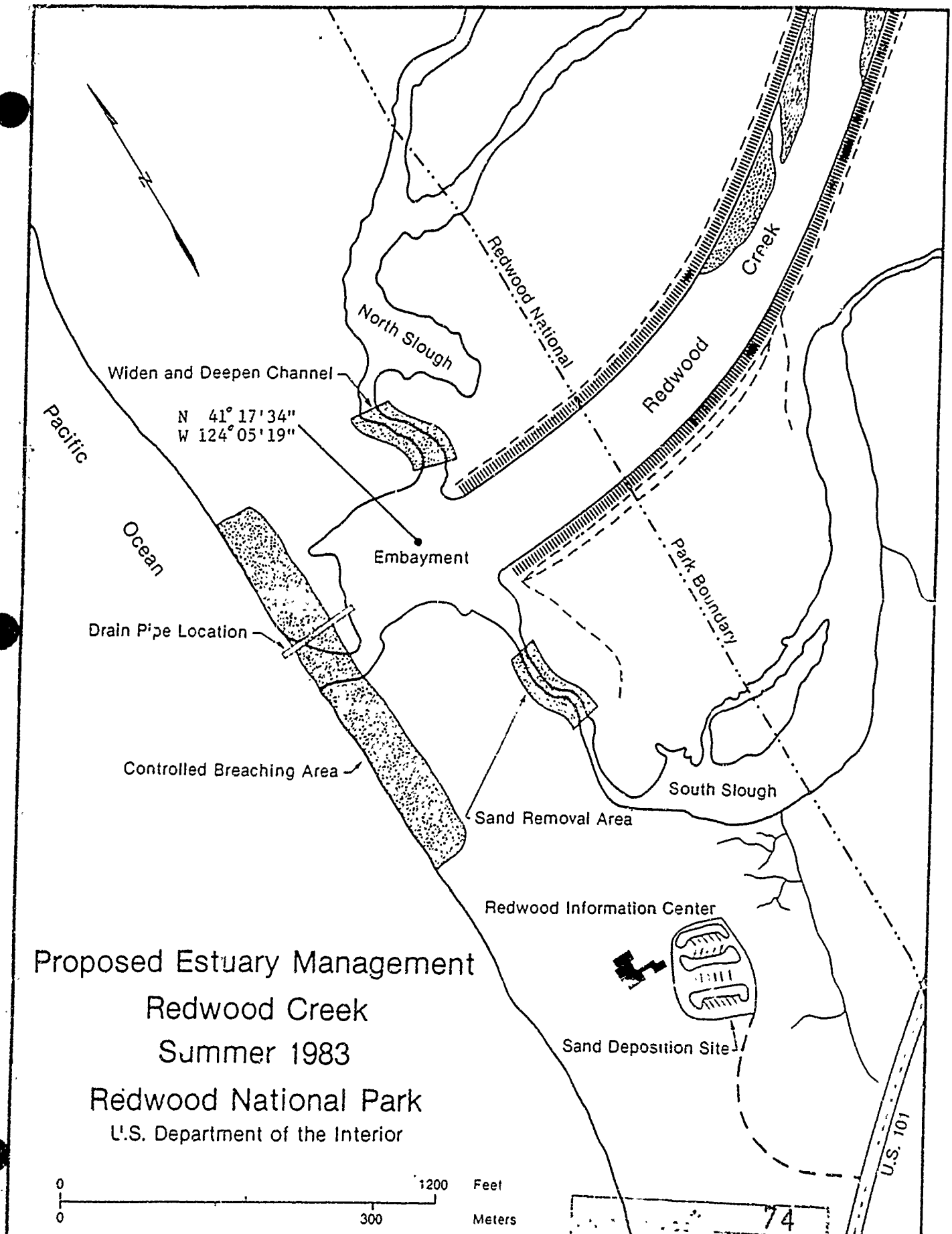

EXHIBIT "A"
LAND DESCRIPTION

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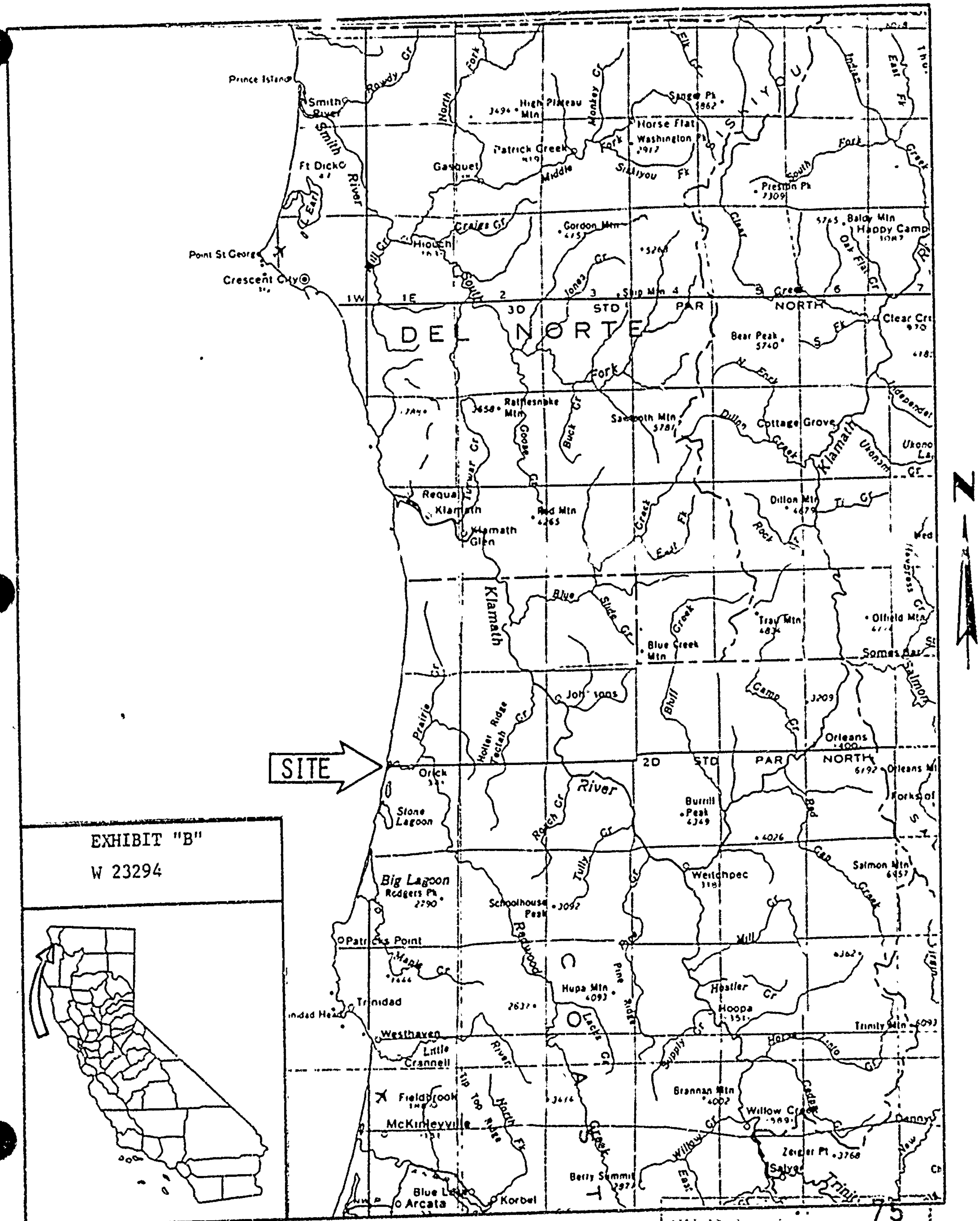

EXHIBIT "B"
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FINDING OF NO SIGNIFICANT IMPACT

REDWOOD NATIONAL PARK

REDWOOD CREEK ESTUARY MANAGEMENT

In accordance with the provisions of the National Environmental Policy Act of 1969 and the regulations of the Council on Environmental Quality, 40 DFR 1508.9, an environmental assessment was prepared on Management of the Redwood Creek Estuary. Estuary management was also described and evaluated in separate environmental assessments for the Watershed Rehabilitation Plan (October 1980) and the Resources Management Plan (February 1982).

Short-term goals of Redwood Creek Estuary Management are to maintain critical summer rearing habitat for anadromous salmonids, particularly Chinook salmon, while avoiding any adverse impacts to adjacent private lands. In addition, longer term solutions to the problems of estuary management and restoration will be explored.

A total of seven short-term and seven long-term alternatives were discussed in the assessment. (Note: short-term alternatives 8, Flood Easements, and 9, Land Acquisition, should have been long-term alternatives). Short-term alternatives include: 1. No action, 2. Strict enforcement of management policies, 3. Dredging, 4. Diking pastures, 5. Controlled breaching, 6. Temporary installation of drainage structures, and 7. Drainage structures and controlled breaching. Long-term alternatives include: 1. No action, 2. Levee removal, 3. Partial levee removal, 4. Breaching the levees/culvert installation, 5. Installation of controlled flood gates, 6. Flood easements, and 7. Land Acquisition.

The environmental assessment was made available for review in June and July 1983 and two responses were received. On August 11, 1983 the California Coastal Commission concurred with the determination made by the National Park Service that the preferred alternative was consistent to the maximum extent practicable with the policies of the California Coastal Act (Consistency Determination No. 31-83). The State Lands Commission requested that the National Park Service obtain a permit or lease for activities on lands under jurisdiction of the state. Application for a permit is being made. The lack of comment can be attributed to a larger response received in April 1983 during review of a more comprehensive document entitled Management Alternatives for the Redwood Creek Estuary. A total of 37 written or oral statements were received during two public hearings and the one month review period of that document. Most individuals stated their hope that management and rehabilitation of the estuary could be accomplished so that both agriculture and fisheries interests would be preserved. The most favored short-term alternative was controlled breaching.

The National Park Service proposes to implement a combination of two short-term alternatives: dredging the embayment (alternative 3) and utilizing controlled breaching and drainage structures (alternative 7).

EXHIBIT "C"
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Implementation will result in short-term improvements in fish, wetland and riparian habitat. No unavoidable adverse impacts are expected and no long-term decreases in productivity will occur to wetlands or floodplains or other resources as a result of implementing the proposed actions. A U.S. Army Corps of Engineers Section 404 permit has been obtained.

Although the environmental assessment addressed a variety of short and long-term alternatives, those alternatives dealing with diking, flood easements, land acquisition, or modification of the existing levees will require additional environmental compliance prior to their implementation.

Implementation of the preferred alternative is in compliance with all applicable Executive Orders, laws and regulations. Based on the analysis of environmental consequences and public review of the proposed actions, the National Park Service has determined that the project is not a major federal action significantly affecting the human environment. Therefore, no additional environmental compliance will be necessary prior to implementing the management actions.

Recommended:

Donald G. Wainwright — Sept 2, 1983

Superintendent, Redwood National Park — Date

Approved:

Lawrence C. W. Chapman — 9/13/83

Regional Director, Western Region — Date

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STATE OF CALIFORNIA
STATE LANDS COMMISSION
KENNETH CORY, *Controller*
LEO T. McCARTHY, *Lieutenant Governor*
MICHAEL FRANCHETTI, *Director of Finance*

GEORGE DEUKMEJIAN, *Governor*
EXECUTIVE OFFICE
1807 - 13th Street
Sacramento, California 95814
CLAIRE T. DEDRICK
Executive Officer

File Reference: W 23294

November 7, 1983

NOTICE OF INTENT TO USE A
FEDERAL FINDING OF NO SIGNIFICANT
IMPACT IN PLACE OF A NEGATIVE DECLARATION

As the State lead agency, pursuant to the State CEQA Guidelines (14 Cal. Adm. Code 15367), the State Lands Commission is proposing to use the following Federal environmental document in place of a Negative Declaration, as we believe such document meets CEQA requirements:

Finding of No Significant Impact,
Redwood Creek Estuary,
Redwood National Park,
National Park Service,
SCH No. 83070506

In our opinion, the above named document adequately addresses environmental factors relative to an application received by the State Lands Commission for estuary restoration, which includes State lands in Humboldt County.

This notice is provided pursuant to 14 Cal. Adm. Code 15225 (State CEQA Guidelines).

CLAIRE T. DEDRICK
Executive Officer

Attachment

EXHIBIT "D"

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