

**MINUTE ITEM**

This Calendar Item No. C22  
was approved as Minute Item  
No. C22 by the State Lands  
Commission by a vote of 2  
to 0 at its 8-22-90  
meeting.

**CALENDAR ITEM**

**C 2 2**

A 1

S 4

08/22/90

PRC 5482

Fong

**PUBLIC AGENCY PERMIT**

**APPLICANT:** California Department of Fish and Game  
1416 Ninth Street  
Sacramento, California 95814

**AREA, TYPE LAND AND LOCATION:**  
Nine parcels of submerged lands in the bed of  
the Sacramento River located near Redding,  
Shasta County.

**LAND USE:** Placement of approximately 100,000 cubic yards  
of clean gravel for the rehabilitation and  
restoration of King Salmon and winter-run  
chinook salmon spawning grounds.

**TERMS OF ORIGINAL PERMIT:**  
Initial period: Six years beginning May 1,  
1983.

**CONSIDERATION:** The public 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.

**TERMS OF PROPOSED PERMIT:**  
Initial period: Ten years beginning August 9,  
1990.

**CONSIDERATION.** The public 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. Code Regs. 2003.

**PREREQUISITE CONDITIONS, FEES, AND EXPENSES:**

Filing fee has been received.

**STATUTORY AND OTHER REFERENCES:**

- A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Code Regs.: Title 2, Div. 3;  
Title 14, Div. 6.

AB 884:

12/02/90.

**OTHER PERTINENT INFORMATION:**

1. The Department of Fish and Game is responsible for the protection and maintenance of spawning areas in California. Dam construction on the Sacramento River has contributed to the loss of anadromous fish spawning habitat. The winter-run chinook salmon were placed on the State endangered species list in 1989 and were recently placed on the federal threatened species list when the estimated population fell to 550 fish.
2. The State Lands Commission issued a Public Agency Permit to the Department of Fish and Game on May 31, 1978 for salmon spawning habitat rehabilitation projects within the Sacramento and San Joaquin River systems for five years from May 1, 1978. This permit was renewed by the Commission for an additional six-year period at the May 31, 1983 Commission meeting. The Department of Fish and Game wishes to renew the permit for an additional ten-year period to perform a spawning gravel rehabilitation project involving eight sites in the Sacramento River near the City of Redding, Shasta County. In 1988, the Commission authorized (PRC 7240) the placement of 16,000 cubic yards of gravel at the mouth of Salt Creek about one-and-one-half miles below Keswick Dam and the placement of 8,000 cubic yards just downstream of Keswick Dam on the west bank in 1989.

CALENDAR ITEM NO. C 2 2 CONT'D

The additional placement of 1,000,000 cubic yards of spawning gravels in the Sacramento River is recommended as a high priority item in the January 1989 "Upper Sacramento River Fisheries and Riparian Habitat Management Plan" prepared pursuant to SB 1086 passed in 1986. This will increase spawning and rearing habitat to a level roughly equivalent to that existing prior to the construction of Shasta Dam. The most critical area of immediate need is between Keswick Dam and Clear Creek where gravel is most depleted and water temperatures are coolest. A disproportionately large number of fish try to spawn in this area because they are hindered from further upstream migration by the Anderson Cottonwood Irrigation District Dam and blocked by the Keswick Dam.

3. This project is the initial phase of a ten-year project to restore and rehabilitate spawning gravels in the upper Sacramento River. It is expected to take two years to complete and will involve the placement of 100,000 cubic yards of gravel on a 12-mile reach of the Sacramento River between Keswick Dam and Clear Creek in the vicinity of the City of Redding, Shasta County. Phase II, which will involve placement of up to 900,000 cubic yards of gravel on a longer reach of the river over the remainder of the ten-year period will require additional environmental review and will also require Commission authorization upon completion of the additional CEQA review.
4. The Applicant has requested the processing fee be waived in consideration of the public benefit to be gained from the rehabilitation of the spawning gravels.
5. A Negative Declaration was prepared and adopted for this project by the California Department of Water Resources. The State Lands Commission's staff has reviewed such document.

CALENDAR ITEM NO. 022 CONT'D

6. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 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:

United States Army Corps of Engineers.

FURTHER APPROVALS REQUIRED:

Reclamation Board and Regional Water Quality Control Board.

EXHIBITS:

- A. Land Description.
- B. Location Map.
- C. Local Approval Letter.
- D. Negative Declaration.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT A NEGATIVE DECLARATION WAS PREPARED AND ADOPTED FOR THIS PROJECT BY THE CALIFORNIA DEPARTMENT OF WATER RESOURCES AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
2. DETERMINE THE THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
3. WAIVE THE PROCESSING FEE FOR THIS PROJECT BECAUSE OF THE STATEWIDE BENEFIT TO BE DERIVED FROM THIS PROJECT.
4. AUTHORIZE ISSUANCE TO THE CALIFORNIA DEPARTMENT OF FISH AND GAME OF A TEN-YEAR RENEWAL OF PUBLIC AGENCY PERMIT PRC 5482 BEGINNING AUGUST 9, 1990 FOR THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF; IN CONSIDERATION OF THE PUBLIC 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.

**EXHIBIT "A"**  
**LAND DESCRIPTION**

**PRC 5482**

Nine parcels (8 locations) of submerged land in the State owned bed of the Sacramento River, Shasta County, California, said parcels being shown on sheets 1 through 4, of the "Upper Sacramento River Spawning Gravel Restoration Project-Phase I- River Mile 290-302" dated May 1990, a copy of said sheets being on file in file PRC 5482 in the office of the State Lands Commission, Sacramento, California.

**EXCEPTING THEREFROM** any portion lying above the ordinary low water mark of the Sacramento River.

**END OF DESCRIPTION**

**PREPARED JULY 17, 1990 BY LLB.**

CALENDAR PAGE	163
MINUTE PAGE	1904

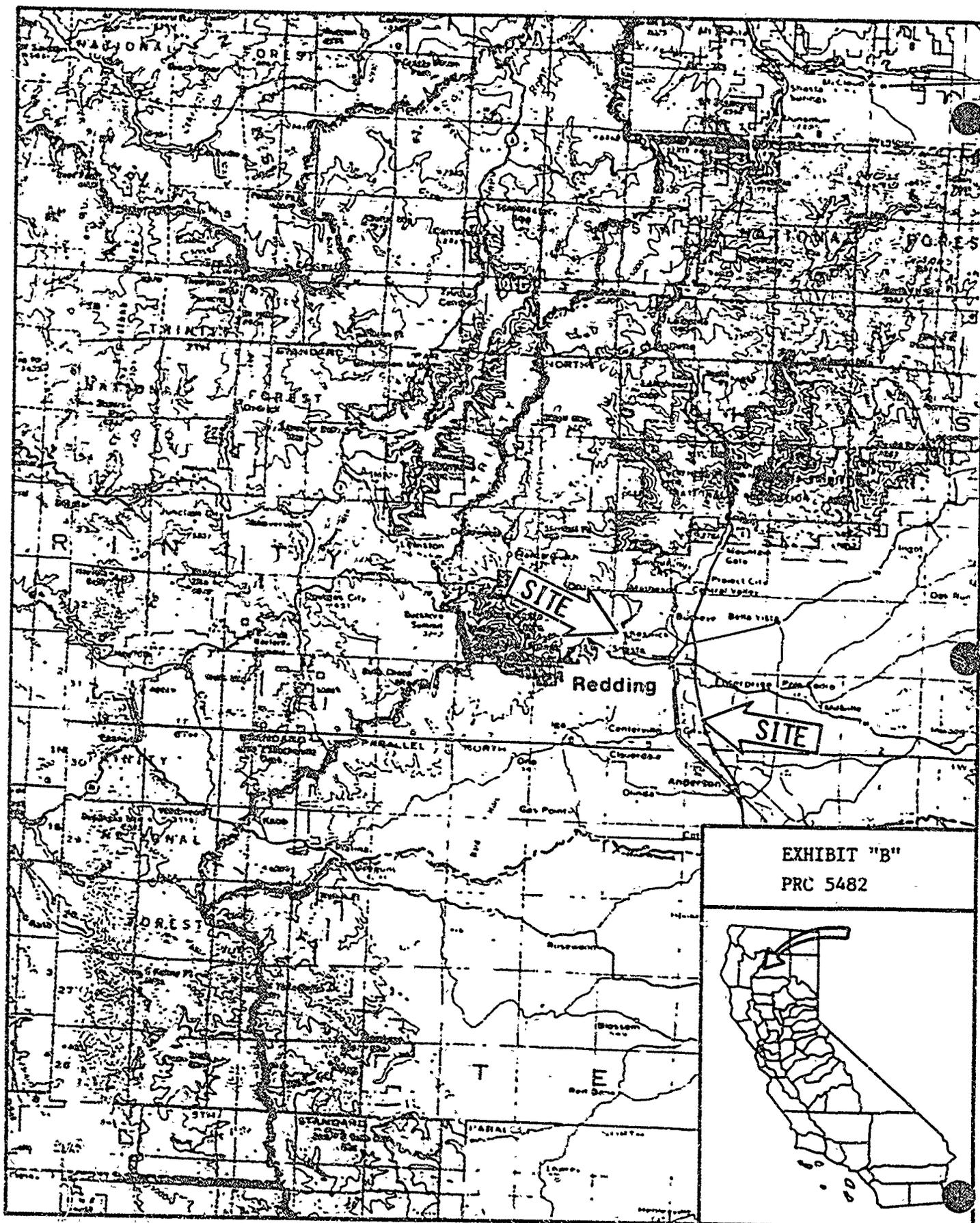


EXHIBIT "B"  
 PRC 5482



CALENDAR PAGE 164  
 MINUTE PAGE 1955

ITEM NO	9 - 4(b)
MEETING DATE	7-3-90
APPROVED BY	
DEPARTMENT DIRECTOR	<i>Phillip Berg</i>
CITY MANAGER	<i>Sam DeWitt</i>

CITY OF REDDING  
**REPORT TO CITY COUNCIL**

DATE: June 26, 1990  
 CODE: W-030-550-700  
 FROM: Planning and Community Development  
 SUBJECT: Encroachment Permit for Gravel Enhancement  
 in the Sacramento River

**BACKGROUND**

At its regular meeting of June 19, 1990, the Council approved a request by the State to do gravel-enhancement work across five sites owned by the City of Redding. As the Council will recall, the primary issue was a condition which required Fish and Game and the City to enter into a Memorandum of Understanding (MOU) that would set the limits for new studies and mitigation measures resulting from the 10,000 cubic yards of new gravel proposed for placement in the River downstream of the ACID dam near Market Street Bridge. This gravel has the potential to be washed downstream and concentrate in the vicinity of the preferred alignment for the Auditorium Drive crossing of the River. Attached for your review are the approved conditions and the minutes of the previous Council meeting.

Since then, staff has been advised by the State that it intends to proceed with four of the five sites approved by the Council. At this time, the State does not intend to proceed with the Diestelhors/ACID site, which requires the MOU. Accordingly, staff will issue encroachment permits only for the four other sites.

This is an information item only.

**ATTACHMENTS**

Minutes  
 Conditions of Approval

TH:jh  
 STAFFGRAVELCC

CALENDAR PAGE 165  
 MINUTE PAGE 1966

DRAFT MINUTES EXCERPT - Regular Meeting of City Council, June 5, 1990

STATE DEPARTMENT OF WATER RESOURCES - Request for Encroachment Permits for Gravel Enhancement  
(W-030-550-700)

Senior Assistant Planner Hanson reported that the State Department of Water Resources submitted a letter requesting permission to encroach into City-owned land at five different sites to do gravel enhancement work in the Sacramento River. Mr. Hanson explained that the work project involves depositing 70,000 cubic yards of gravel at five sites affecting City-owned land during the first year. He reviewed the issues and implications of the project to the City. It is the recommendation of staff to approve the encroachment permits at all five sites subject to the conditions stated in the Report to City Council dated June 13, 1990, which is incorporated herein by reference.

Noting that a bridge crossing is proposed for somewhere behind the Convention Center area, Council Member Arness asked what will happen when gravel is placed at the ACID site and it becomes a great spawning area. Then the Department of Fish and Game may object to a bridge built there.

Dave Hoopaugh, State Department of Fish and Game, said there will have to be environmental studies for the bridge; however, any limitations imposed would be minimal with respect to the dollar cost of the project, and it may reduce the amount of study required. Water Resources will be monitoring the movement of gravel and that information may apply to the bridge studies.

Mr. Hoopaugh stated that if Condition 10, the Memorandum of Understanding (MOU) is required, the situation will be moot. He explained that there are two other agencies involved, and he cannot speak for them. Mr. Hoopaugh added that he does not believe that the placement of gravel will cause the City any problems.

Mayor Buffum noted that the bridge abutments may actually enhance trapping the gravel.

**MOTION:** Made by Council Member Fulton, seconded by Council Member Moss, to approve the encroachment permit for the Department of Water Resources for gravel enhancement at all five sites on the Sacramento River subject to the list of conditions. The Vote: Unanimous Ayes

Doug Denton, State Department of Water Resources, explained that the Department is trying to prepare a contract to work within a restricted time period. He explained that they plan to begin the project in September in order to have a positive impact on the winter run. Mr. Denton added that action must begin within the next two weeks, and by including Condition 10, it will preclude the Department from starting work until winter.

Council Member Moss conveyed that he does not have a problem with any area except where the bridge is proposed. He noted that there is no spawning area there now. He questioned why a policy on this one site could not be written. Council Member Moss added that Council is asking for assurance that the project will not cause mitigation problems.

CALENDAR PAGE 166  
MINUTE PAGE 1967

Mr. Denton said he would be glad to have seven of the eight sites approved. He opined that Fish and Game will probably not agree to something that may or may not happen in the future.

Council Member Arness agreed that Condition 10 should be removed except for the ACID site.

MOTION: Made by Council Member Fulton, seconded by Council Member Moss, to amend the motion to state that the encroachment permits to the Department of Water Resources for gravel enhancement on the Sacramento River are approved subject to Conditions 1 through 9, except for the site by the ACID Canal, which shall be subject to Conditions 1 through 10. The Vote: Unanimous Ayes

CALENDAR PAGE	167
MINUTE PAGE	1968

June 19, 1990

Encroachment Permit to State of California to Cross City Lands  
for Gravel Enhancement in the Sacramento River

DRAFT CONDITIONS

General

1. No additional encroachments shall be permitted until an EIR has been completed in compliance with CEQA.
2. The encroachment permit is being issued for the crossing of City-owned land and the stockpiling of clean spawning gravel on City-owned land at the following sites during the dates specified below and at the quantities specified below:

Salt Creek	20,000 cu. yd.	Sep. 1 to Oct. 15, 1990
Diestelhorst & ACID Site	12,000 cu. yd.	Jan. 1 through March 31, 1991
Redding Riffle	10,000 cu. yd.	Jan. 1 through March 31, 1991
Turtle Bay West	10,000 cu. yd.	Jan. 1 through March 31, 1991
Turtle Bay East	5,000 cu. yd.	Jan. 1 through March 31, 1991

Variations to these quantities or time periods must be approved in advance.

3. Access and stockpiling of gravel is limited to that shown on the attached map exhibits (Sheets 1 through 5).
4. The State Department of Water Resources and State Department of Fish and Game shall sign an agreement prepared by the City Attorney that shall hold the City harmless from any and all liability and claims for damage resulting from the work associated with this permit. The State of California shall also agree to bear the cost of defending the City from any claim associated with this work. This agreement shall be executed prior to commencement of work.
5. The State shall be responsible for any damage to City-owned or lessee-owned fences, gates, waterlines, crops, improved parking areas, other facilities, or equipment caused by the State, its agents, or contractors. Repair or replacement of damaged facilities shall be completed within 20 working days.
6. The State Department of Water Resources shall obtain all necessary permits from the Regional Water Quality Control Board, the State Lands Commission, the Bureau of Reclamation, and the Army Corps of Engineers. The State is to hold the City of Redding harmless from mitigation measures or conditions of permits required by other agencies. The State shall cease dumping gravel at the request of the Public Works Director should increased turbidity be in evidence at the City of Redding domestic-water intake at Pump House No. 1. Trucking operations would continue as outlined in Condition No. 3.
7. The State of California is to be solely responsible for injury occasioned by this project or claims occurring from dumping of the gravel in the River.

CALENDAR PAGE 168  
MINUTE PAGE 1969

June 19, 1990

8. The State Departments of Water Resources and Fish and Game, the contractor, and/or his key personnel shall meet with City staff prior to the start of work to clarify these conditions and their intent.
9. The Director of Public Works shall be notified within 24 hours of project completion at each site for a final inspection to assess possible damage to any City facilities.

**Salt Creek Site**

1. The amount of gravel deposited/truck activity is not to exceed 20,000 cubic yards or approximately 2,000 truck and pup loads.
2. The hours of gravel-truck operation are to be limited to daylight hours. The operation is to be limited to areas designated on Exhibit "A."
3. This permit is valid from September 1, 1990, to November 15, 1990. The contractor is to work continuously, five days a week for four consecutive weeks, in order to accomplish the trucking operation in as short a time period as possible.
4. The gates on the rail bed, providing access, are to remain closed and locked except during truck crossings.
5. The existing trail section designated for truck crossing is to be rebuilt with a nine-inch base and an eight-inch concrete section with ramps. Improvement drawings are to be submitted to the City of Redding for approval prior to commencement of work.
6. Should the trail be discolored or damaged as a result of the gravel operation, the damaged trail section shall be removed and replaced to the satisfaction of the City of Redding Department of Public Works.
7. During the period of gravel operations, the trail shall be signed for construction activity, including flashing warning lights during nondaylight hours. The contractor shall submit his plan showing the amount, type, and location of signs and flashing warning lights to the Department of Public Works for review and approval.
8. Flaggers shall be stationed at the truck crossing of the River trail to ensure that there is not a safety hazard to users of the trail. The flaggers shall also ensure that only authorized vehicles pass through the gates off the abandoned rail bed.
9. The State shall cause to have the gravel project and resulting trail-use disruption publicized through local media, i.e., newspaper articles, television, and radio announcements prior to and during truck activity.
10. The State shall water the dirt-access road and turnaround area to maintain them in a dust-free condition as necessary.

June 19, 1990

11. The trail area shall be cleaned of any gravel or debris throughout the day and immediately after the end of each day's operation.

#### Diestelhorst Site

1. The encroachment permit is issued for access through City of Redding lands utilized as a Community Garden and grazing lands leased to Harry Scott as designated on Exhibit "A." No equipment or vehicles shall drive across grazing land other than the designated access route.
2. The hours of equipment access across the access route are to be limited to daylight hours.
3. This permit is valid from January 1, 1991, to March 31, 1991.
4. Both the Community Garden and Scott gate shall be replaced with 20-foot-wide and 16-foot-wide gates, respectively, prior to commencement of gravel transport. The gate reconstruction is to be accomplished within one working day to protect the security of both parcels. Reconstruction shall be the sole responsibility of the State.
5. The State is to give the City, People of Progress (lessee), and Harry Scott (lessee) 24-hours' notice of equipment-access times. This requirement is particularly important when heavy equipment is mobilized because People of Progress may wish to shut off the water supply to its irrigation lines to minimize potential damage.
6. An encroachment permit from ACID is to be obtained prior to commencement of work.
7. The gate to the Scott Leasehold is to remain closed and locked except during equipment crossings. The gate to the Community Garden is to be locked at the end of the work day.
8. Prior to commencement of work, the State of California Department of Fish and Game and the City of Redding shall enter into a Memorandum of Understanding concerning the impact of gravel enhancement on bridges proposed by the City of Redding at Lake Redding Park and the Redding Convention Center/Rodeo Grounds. The memorandum shall primarily cover the limits of new studies and additional mitigation measures that may result from the additional gravel installed in the River with this project.

#### Redding Riffle

1. No vegetation shall be removed to access the River or stockpile the gravel.
2. The hours of gravel-truck operation are to be limited to daylight hours. The operation is to be limited to areas designed on Sheet No. 3.

CALENDAR PAGE	170
MINUTE PAGE	1971

June 19, 1990

3. During the period of gravel operations, the parking-lot/driveway areas shall be signed for construction activity. The paved road to the boat ramp shall remain open. The parking-lot/driveway areas shall be swept clean of loose gravel at the end of each day of operations.
4. The temporary stockpile area shall be maintained in a dust-free condition.
5. All barriers removed or modified to facilitate this project shall be replaced to prior-project condition.
6. The stockpiled gravel shall be completely removed by May 10, 1990, to allow use of the land for the annual Pedding Rodeo.
7. Construction equipment shall not be stored or operated in a manner that interferes with parking for Convention Center activities.
8. Gravel hauling shall not occur during peak-hour departures for major events occurring at the Convention Center. The Director of Community Services shall be consulted to coordinate hauling times and dates with major events.

**Turtle Bay West**

1. No vegetation shall be removed to access the River or stockpile the gravel.
2. The access gate shall be kept locked at all times including gravel-hauling times, or the gate shall be manned to prohibit all but authorized vehicles.
3. The dirt access roads and temporary stockpile areas shall be maintained in a dust-free condition.
4. Construction equipment shall not be stored or operated in a manner that interferes with parking for Convention Center activities.
5. Gravel hauling shall not occur during peak-hour departures for major events occurring at the Convention Center. The Director of Community Services shall be consulted to coordinate hauling times and dates with major events.

**Turtle Bay East**

1. Gravel hauling shall be completed no later than October 15, 1990. Should heavy rains occur prior to that date, gravel hauling shall be immediately suspended to protect the integrity of the North Bechelli Lane structural section.
2. Quantities of gravel shall not exceed 5,000 cubic yards or 250 truck and pup loads.
3. Hours of hauling operation shall be limited to 6 a.m. to 11:30 a.m. and 1:30 p.m. to 4 p.m., Monday through Friday; and 8 a.m. to 5:30 p.m. on Saturdays. No hauling shall occur on Sundays.

CALENDAR PAGE	171
MINUTE PAGE	1972

June 19, 1990

4. NOTE: Loaded trucks in subsequent years will not be allowed on Bechelli Lane. Any subsequent-year-encroachment permits will be subject to Caltrans' approval to allow loaded trucks to enter the area via the Highway 44 off ramp to Interstate 5.
5. The State shall construct a "big foot" gate and suitable barrier near the undercrossing of Highway 44. The barriers shall be adequate (as determined by the Department of Public Works) to deter vehicle access under the freeway.
6. The removal of riparian habitat to gain access to the River's edge for gravel work shall be limited to three 20-foot-wide openings in the riparian habitat as shown on Sheet 3. In conjunction with the Shasta Audubon Society and the City of Redding, a riparian-habitat-restoration plan shall be prepared by the State prior to commencement of work. That plan shall specify the location and type of restoration work and timing for completion.
7. Dirt access roads and the temporary stockpile area shall be maintained in a dust-free condition.

Exhibit "L"

RESOURCES AGENCY  
NOTICE OF DETERMINATION

TO: ( ) Office of Planning and Research  
1400 Tenth Street  
Sacramento, CA 95814

FROM: Department of Water Resources  
2440 Main Street  
P. O. Box 607  
Red Bluff, CA 96080

( ) County Clerk  
County of Shasta County

SUBJECT: Filing of Notice of Determination in compliance with Section 21108  
or 21152 of the Public Resources Code.

PROJECT TITLE: Upper Sacramento River Gravel Restoration Project

STATE CLEARINGHOUSE NUMBER: 90030390

CONTACT PERSON: Douglas Denton TELEPHONE NUMBER: (916) 527-6530

PROJECT LOCATION: Shasta County, near Redding, California. Nine spawning gravel replacement sites are located in a 12 mile reach of the Sacramento River between Keswick Dam and Clear Creek.

PROJECT DESCRIPTION: Dam construction on the Sacramento River has contributed to the loss of anadromous fish spawning habitat. Up to 100,000 cubic yards of spawning gravel will be placed in the river between Keswick Dam and Clear Creek. Work will begin September 1, 1990 and end March 31, 1991.

This is to advise that the California Department of Water Resources  
(Lead Agency or Responsible Agency)  
has approved the above described project and has made the following determinations regarding the above described project:

1. The project ( ) will have a significant effect on the environment.  
(X) will not
2. ( ) An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.  
(X) A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.  
The EIR or Negative Declaration and record of project approval may be examined at: \_\_\_\_\_
3. Mitigation measures ( ) were, (X) were not, made a condition of the approval of the project.
4. A statement of Overriding Considerations ( ) was, (X) was not, adopted for this project.

Date Received for Filing \_\_\_\_\_

Douglas Denton  
Signature  
St. Ensl. W.R.  
Title

CALENDAR PAGE 173  
MINUTE PAGE 1974

DRAFT NEGATIVE DECLARATION

Upper Sacramento River Spawning Gravel Restoration Project

Description

The Departments of Water Resources and Fish and Game propose to place spawning gravel in the Sacramento River between Keswick Dam and Clear Creek. This work was recommended in the "Upper Sacramento River Fisheries and Riparian Habitat Management Plan" published in January 1989 by the California Resources Agency. Federal legislation (H.R. 3613 and S. 1857) has been introduced to authorize and fund this management plan. State support for the program was expressed in Senate Current Resolution 62 (1989), and initial funding requests for the program are contained in next year's budget.

The DWR-DFG Delta Pumping Plant Fish Protection Agreement Advisory Committee has agreed to fund placement of 100,000 cubic yards of spawning gravel in the upper river. Placement of gravel in this segment of the river would improve spawning conditions for the endangered winter run chinook salmon, other chinook races and steelhead trout. Gravel would be placed at nine sites along a twelve-mile reach from Keswick Dam to Clear Creek. This project would be started in the summer of 1990 and is scheduled to be completed within two years at a cost of \$1,650,000.

Factors that would help prevent or mitigate any significant negative environmental impacts resulting from this project are:

1. Gravel would be obtained from commercial suppliers, so no new pits would be opened,
2. Existing river access would be used at all sites, and
3. Some gravel would be placed along eroding streambanks to act as temporary protection.

Gravel restoration activities have been coordinated with the U. S. Fish and Wildlife Service (USFWS), National Marine Fisheries Service (NMFS), U.S. Army Corps of Engineers (COE), U.S. Bureau of Reclamation (USBR), Federal Emergency Management Agency (FEMA) State Water Quality Control Board (SWQCB), State Reclamation Board (SRB), City of Redding and Shasta County. DWR has consulted with NMFS, DFG and USFWS about resident and anadromous fish species to avoid impacts on winter run eggs.

#### Determination

The attached initial study examines the potential environmental effects of the proposed project. This study determined that restoring spawning gravel to the upper reach of the river would not have a significant adverse effect on the environment.