

MINUTE ITEM

This Calendar Item No. C04
was approved as Minute Item
No. 4 by the State Lands
Commission by a vote of 3
to 0 at its 1/2/92
meeting.

CALENDAR ITEM

A 2
S 2

C 0 4

01/08/92
W 21461 PRC 7601
Dugal

GENERAL LEASE - PUBLIC AGENCY USE

APPLICANT:

Humboldt Bay Municipal Water District
828 - 7th Street
Eureka, California 95501

AREA, TYPE LAND AND LOCATION:

A 0.10±-acre parcel of State-owned sovereign land in the bed
of the Mad River near the City of Arcata, Humboldt County.

LAND USE:

Construction of a 107-foot by 40-foot rock dike on the
summer low-flow channel of the Mad River.

TERMS OF PROPOSED LEASE:

Initial period:
Five (5) years beginning February 1, 1992.

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. Code Regs. 2003.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing and processing costs have been received.

STATUTORY AND OTHER REFERENCES:

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

AB 884:

04/10/92

| | |
|---------------|-----------|
| CALENDAR PAGE | <u>19</u> |
| MINUTE PAGE | <u>29</u> |

OTHER PERTINENT INFORMATION:

1. 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.
2. A Negative Declaration, SCH 91043048, was prepared and adopted for this project by Humboldt Bay Municipal Water District. The State Lands Commission's staff has reviewed such document.
3. The Humboldt Bay Municipal Water District proposes to install a rock dike across the summer low-flow channel on the south side of the Mad River near the City of Arcata, Humboldt County. The dike will be approximately 190 feet down stream of the District's intake structure, Pump Station No. 6. The purpose of the project is to maintain the water surface elevation in the forebay of the District's Pump Station No. 6. Over the past several years, there has been a drop in the river bed and a subsequent drop in the water surface elevation into the forebay of the pump intake structure. If this drop continues, pumping capabilities will be disrupted, as the water surface now drops nearly to the top of the pump intake bowl during low-flow conditions.
4. The proposed lease conditions require the Applicant to properly implement all mitigation measures and to submit to the State Lands Commission copies of all monitoring reports.

APPROVALS OBTAINED:

United States Army Corps of Engineers, and the California Department of Fish and Game.

EXHIBITS:

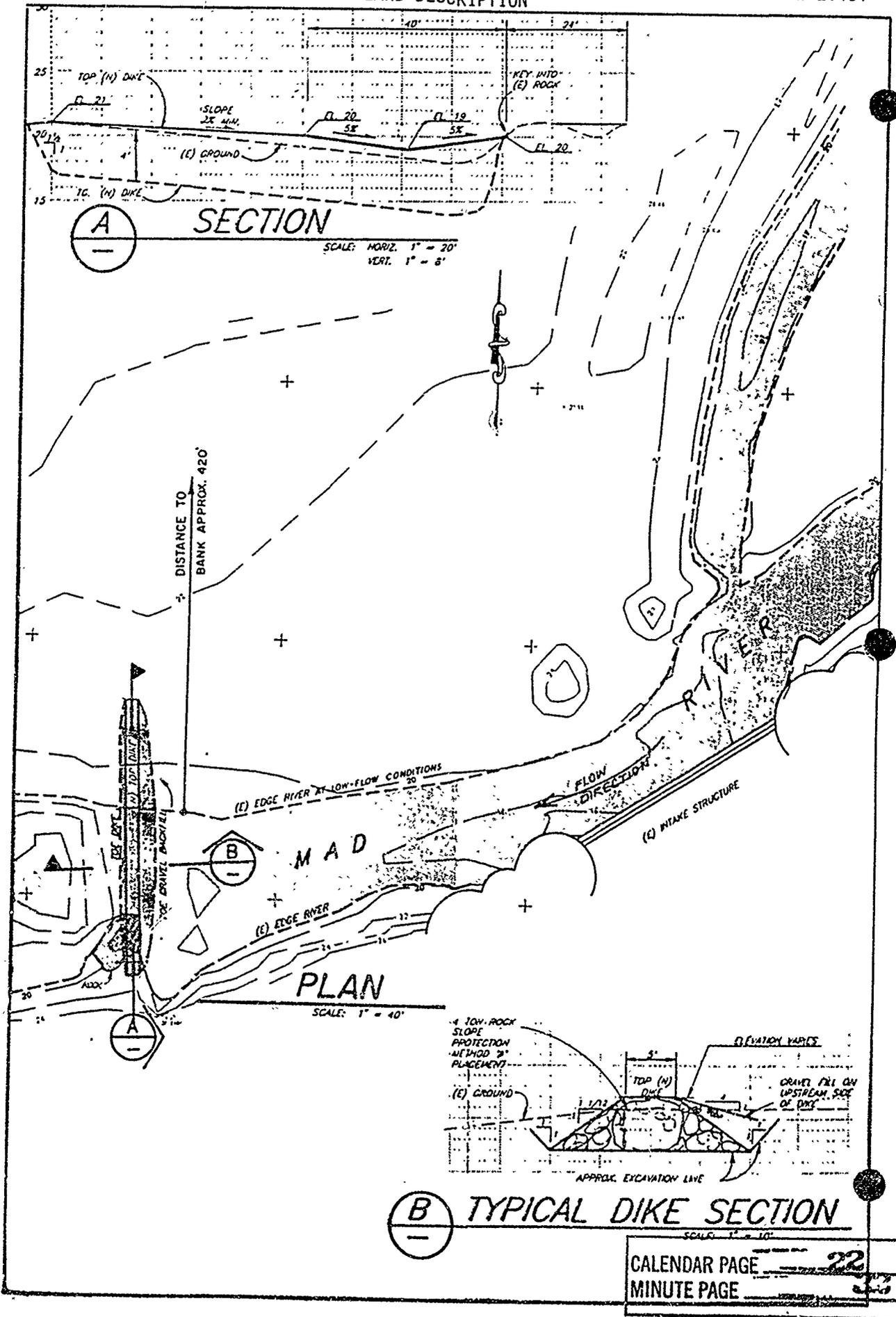
- A. Land Description
- B. Location Map
- C. Notice of Determination
- D. Resolution, Board of Directors, Humboldt Bay Municipal Water District

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.
2. FIND THAT A NEGATIVE DECLARATION, SCH 91043048, WAS PREPARED AND ADOPTED FOR THIS PROJECT BY THE HUMBOLDT BAY MUNICIPAL WATER DISTRICT AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
3. AUTHORIZE ISSUANCE TO HUMBOLDT BAY MUNICIPAL WATER DISTRICT OF A FIVE-YEAR GENERAL LEASE - PUBLIC AGENCY USE BEGINNING FEBRUARY 1, 1992; 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 CONSTRUCTION OF A 107-FOOT BY 40-FOOT ROCK DIKE, AS DESCRIBED HEREIN, ON THE SUMMER LOW-FLOW CHANNEL OF THE MAD RIVER ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"
LAND DESCRIPTION

W 21461



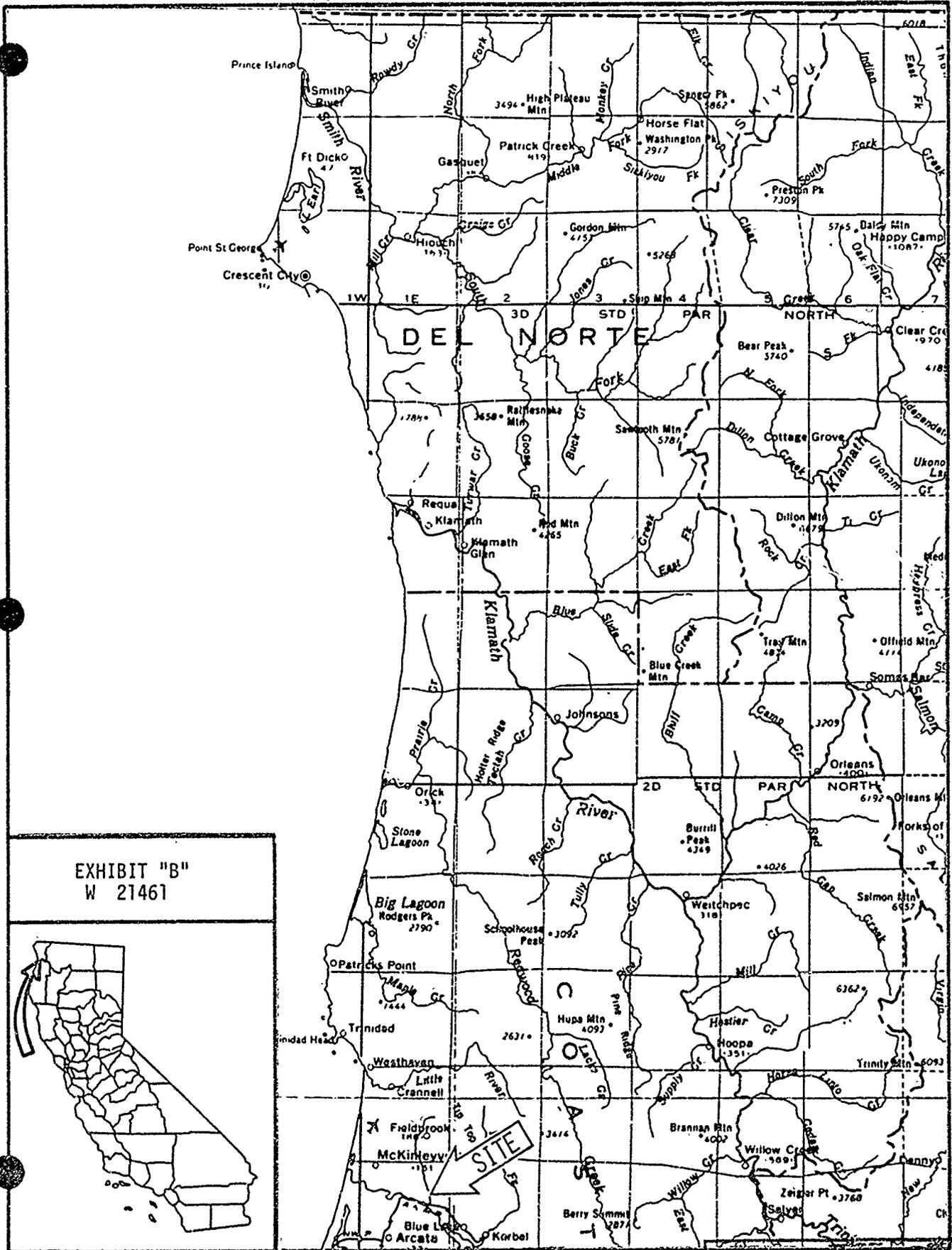


EXHIBIT "B"
W 21461



EXHIBIT "C"

W - 1

91-004-H30

Notice of Determination

To: Office of Planning and Research
 1400 Tenth Street
 Sacramento, California 95814
 or
 County Clerk
 County of Humboldt County

From: (Public Agency) Humboldt
Bay Municipal Water District
(HBMWD), Eureka, CA

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

Rock Dike on Summer Low-Flow Channel of the Mad River.
 Project Title
91043048
 State Clearinghouse Number (If submitted to State Clearinghouse)
Art Bolli 707 443-5018
 Contact Person Telephone Number
Mad River, Humboldt County, Down Stream of HBMWD Pump Station #6
 Project Location
See Attached
 Project Description

This is to advise that the Humboldt Bay Municipal Water District on 10/10/91 (Lead Agency or Responsible Agency) has approved the above described project and has made the following determinations regarding the above described project:

- The project will have a significant effect on the environment.
 will not
- An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 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: HBMWD, 828 Seventh Street, Eureka, CA 95501
- Mitigation measures were, were not, made a condition of the approval for this project.
- A statement of Overriding Considerations was, was not, adopted for this project.

Date Received for Filing _____
 Signature Art Bolli
 Title General Manager

EXHIBIT "D"

RESOLUTION NO. 463

Resolution of the Board of Directors of the Humboldt Bay Municipal Water District for Approval of Negative Declaration for Rock Dike Project on Summer Low-Flow Channel of the Mad River Immediately Downstream from the Hilfiker Pump Station

WHEREAS, the Board of Directors of the Humboldt Bay Municipal Water District (HBMWD) has reviewed the Negative Declaration for the Mad River Immediately Downstream from Essex and the comments received during the 30-day review period, and

WHEREAS, the Board of Directors finds that the project as proposed, including Mitigation Measures #1, 2 and 3 as described below does not have the potential to produce significant negative impacts;

- 1 The construction sequence has been designed to keep the channel open continuously, and produce a smooth weir that will facilitate fish passage. This mitigation measure is also designed to reduce turbidity and to facilitate crossing by recreational boats.

The following is a description of the construction sequence.

A key area, in the live channel, will be dug out in approximately eight hours and replaced with 4-ton riprap. After the ditch is excavated, the 4-ton riprap will immediately be placed, starting from the north bank of the summer low-flow channel, and proceeding south. An estimated 192 cubic yards of riprap will be required. A narrow channel on the south side of the summer low-flow channel will be left open to allow fish passage until the gravel backfill on the upstream side is installed. This installation will be partially completed in water, but there will be little current and thus siltation impacts are not anticipated.

Prior to filling the last narrow channel, the contractor will be required to jackhammer, as required, the high points on the rock dike, approximately 40 feet wide, to keep the top slope as even as possible (6 inches +/-). This will minimize the occurrence of separate small rivulets, help concentrate the river during low flow conditions, and ease passage over the dike by recreational boats. This will also aid in the passage of migrating fish.

The final effort will be to complete the dike on the south side. At this time, the river surface would be just below the top of the dike spillway. The portion of the dike already constructed will be backfilled with gravel excavated for the ditch and stockpiled. The dike will be slowly raised to make sure the water surface rises with it so as not to cut off flow at any time. The gravel backfill would then be installed in this short section.

Approximately 15 cubic yards of the excavated gravel will be required as backfill on the upstream side of the dike. The remaining 285 cubic yards will be spread evenly on the bar, or spoiled off site out of the river channel, if the material is excessively silty or clayey.

- 2 We have documented that a gradual drop in grade may continue to occur. If the vertical drop at the dike does occur and reaches an unacceptable level, as deemed by resource agencies, then one of the following mitigation measures will be implemented.
 - A) A study complying with CEQA will be performed to address environmental impacts associated with the construction of several dikes between the proposed dike and the hydrologic checkpoint approximately 2,000 feet downstream. The idea would be to construct several dikes to produce a staircase effect with drops no greater than one foot. If this is considered to be beneficial for the District, feasible to construct and does not appear to have significant environmental impacts, it will be implemented.
 - B) If the multiple dike proposal is determined to be unfeasible because of environmental impacts or design constraints, the existing dike will be modified to the satisfaction of the resource agencies, or, if no other alternatives exist, will be removed.
- 3 Although cultural materials are not expected to be encountered in this shallow disturbed river bed excavation, the construction contractor shall be informed that, should artifacts or unusual amounts of stone, bone, or shell be uncovered during construction activities at any site, work in that area should be halted immediately. If the bone appears to be human, the Humboldt County Coroner and the Native American Heritage Commission must also be consulted.

and

WHEREAS, in response to a comment from the California Department of Fish and Game of concern over possible impacts to migrating fish if stream degradation continues to occur, the Board of Directors directs that Mitigation Measure #4 be added as follows:

The Humboldt Bay Municipal Water District shall breach the rock dike within 24 hours of notice by the Department of Fish and Game of the occurrence of any one of the following conditions:

- 1 Concentrations of fish, regardless of number, which, in the opinion of the Department, indicate impeded fish passage.
- 2 The observation of fish unsuccessfully attempting to pass the weir by Department of Fish and Game personnel.
- 3 Degradation of the streambed below the dike that results in a jump of one foot or more for fish to move upstream.

Mitigation Measure #1 will be carried out by conditions in the plans and specifications. Plans and specifications will be prepared by Winzler & Kelly, Consulting Engineers.

Mitigation Measure #2 will be the responsibility of the District. If the river does continue to degrade, then it will be necessary to implement.

Mitigation Measure #3 will be carried out by conditions in the plans and specifications. Plans and specifications will be prepared by Winzler & Kelly, Consulting Engineers.

Mitigation Measure #4 will be the California Department of Fish and Game's responsibility for monitoring, and the District's responsibility for dike modification.

THEREFORE, the Board of Directors approves the Negative Declaration for the Rock Dike project on the Summer Low-flow Channel on the Mad River and directs Winzler & Kelly to file a Notice of Determination for the project. Payment of necessary filing fees is also authorized.

PASSED, APPROVED, and ADOPTED this 10th day of October, 1991 by the following votes:

AYES:

NOES:

ABSENT:

ATTEST:

Lloyd L. Hecathorn, President

Walter J. Warren, Secretary
Board of Directors

| | |
|---------------|----|
| CALENDAR PAGE | 37 |
| MINUTE PAGE | 37 |