

was approved as ...
Commission by ...
at its 5/5/92 meeting

CALENDAR ITEM

A 1, 2
S 1, 2

622

.05/05/92
W 24709 PRC 7626
J. Ludlow

APPROVAL OF A GENERAL PERMIT - PUBLIC AGENCY USE

APPLICANT:

United States Fish and Wildlife Service
P. O. Box 1006
Yreka, California 96097

AREA, TYPE LAND AND LOCATION:

Selected State-owned tide and submerged lands located in the Klamath River basin and its tributaries (excluding the Trinity River) in Modoc, Humboldt, Siskiyou, and Del Norte counties.

LAND USE:

Various activities to enhance anadromous fish habitat.

TERMS OF PROPOSED PERMIT:

Initial period:
Twenty (20) years beginning August 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.

EASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Code Regs. 2003.

APPLICANT STATUS:

Applicant will obtain upland permits or easements for ingress/egress, as necessary.

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CALENDAR ITEM NO. 022 (CONT'D)

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 384:

06/30/92

OTHER PERTINENT INFORMATION:

1. A Finding Of No Significant Impact (FONSI) was prepared and adopted for this project by the United States Army Corps of Engineers. The document was circulated for public review as broadly as State and local law may require and notice was given meeting the standards in 14 Cal. Code Regs. 15072(a). Therefore, pursuant to 14 Cal. Code Regs. 15225, the staff recommends the use of the federal FONSI in place of the Negative Declaration.
2. 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.
3. The Applicant has applied for a permit to conduct an array of activities to enhance anadromous fish habitat in the Klamath River watershed. The project will encompass approximately 150 instream areas in the Klamath River basin, mainstream and its tributaries, excluding the Trinity River. The proposed activities will promote the objectives of the "Klamath Act" which calls for a 20-year restoration program to offset the adverse affects of sedimentation, reduced flows, and degraded water quality on fish habitat within the watershed area.
4. The activities will include the placement of weirs, deflectors, revetments, randomly placed rock, and gravel blankets. It will also include substrate disturbance and removal, and the creation of rearing ponds and spawning channels.

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CALENDAR ITEM NO. C 2 2 (CONT'D)

5. The Applicant has entered into a Memorandum of Understanding with the State Department of Fish and Game for the purpose of coordinating the project within the requirements set forth in the California State Fish and Game Code, Section 1600 et seq.
6. The work to be performed by the Applicant at each selected site will be substantially similar in nature. The issuance of this permit will eliminate the processing of individual permits for each selected site.
7. The Applicant will notify the State Lands Commission staff at least 120 days in advance of work to be performed each fiscal year . The notice shall include the project proposal and detailed description of the work to be performed, including specific dredge disposal sites.
8. Commission staff will evaluate each project proposal as it is received to determine if further review and analysis will be required pursuant to the CEQA
9. Applicant will supply Commission staff with an annual evaluation report at the end of each calendar year for five years. The report will summarize the work completed during the preceding calendar year and describe specific monitoring activities and contingency requirements undertaken in association with the habitat restoration efforts.

APPROVALS OBTAINED:

Department of Fish and Game (MOU) and United States Army Corps of Engineers.

FURTHER APPROVALS REQUIRED:

California Coastal Commission, State Water Quality Control Board, and various upland easements for ingress and egress.

CALENDAR ITEM NO. C 2 2 (CONT'D)

EXHIBITS:

- A. Land Description
- A-1. Site Map
- B. Location Map
- C. MOU between Fish and Game and the United States Fish and Wildlife Service
- D. Environmental Impact Assessment, SCH No. 91084004

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE FINDING OF NO SIGNIFICANT IMPACT, SCH 91084004, PREPARED AND ADOPTED FOR THIS PROJECT BY THE UNITED STATES ARMY CORPS OF ENGINEERS MEETS THE REQUIREMENTS OF THE CEQA AND, THEREFORE, PURSUANT TO 14 CAL. CODE REGS. 15225 ADOPT SUCH FEDERAL DOCUMENT FOR USE IN PLACE OF A NEGATIVE DECLARATION.
2. AUTHORIZE ISSUANCE TO THE UNITED STATES FISH AND WILDLIFE SERVICE OF A 20-YEAR GENERAL PERMIT - PUBLIC AGENCY USE, BEGINNING AUGUST 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 FISH ENHANCEMENT ACTIVITIES AND STRUCTURES ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

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EXHIBIT "A"

W 24709

LAND DESCRIPTION

All state-owned sovereign lands in the Klamath River basin area within Del Norte, Siskiyou, Modoc and Humboldt Counties, State of California, as said river basin is described and shown on that certain map entitled "Figure 1-1 Klamath River Basin" on file in the office of the State Lands Commission, Sacramento, California. A reduced copy of said map is attached as Exhibit "A-1".

EXCEPTING THEREFROM any portion of the Trinity River.

END OF DESCRIPTION

REVISED APRIL, 1992 BY LLB

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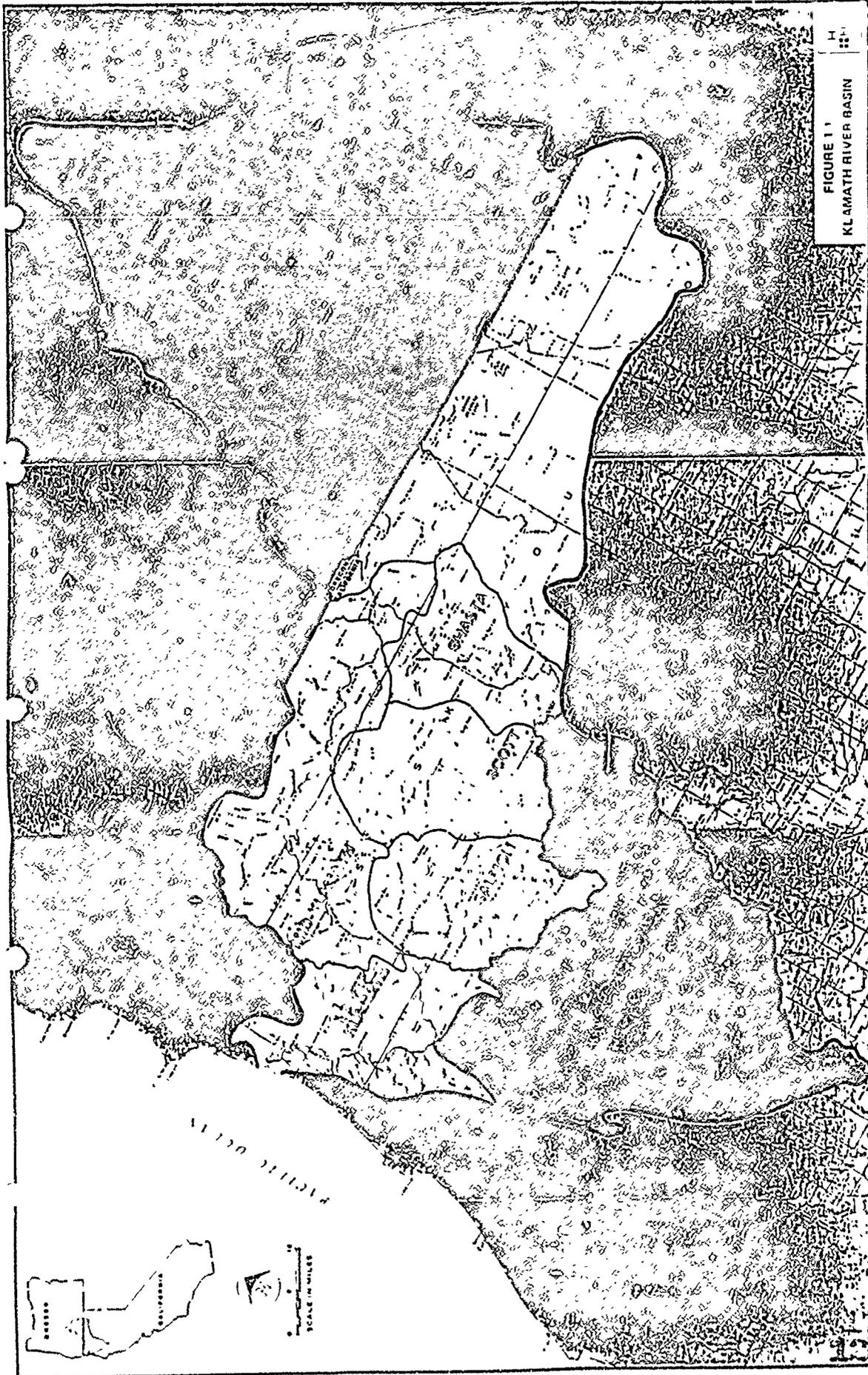
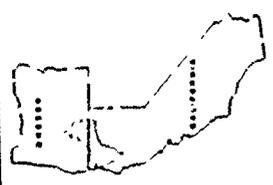


FIGURE 1
KLAMATH RIVER BASIN

EXHIBIT 'A-1'
W 24709



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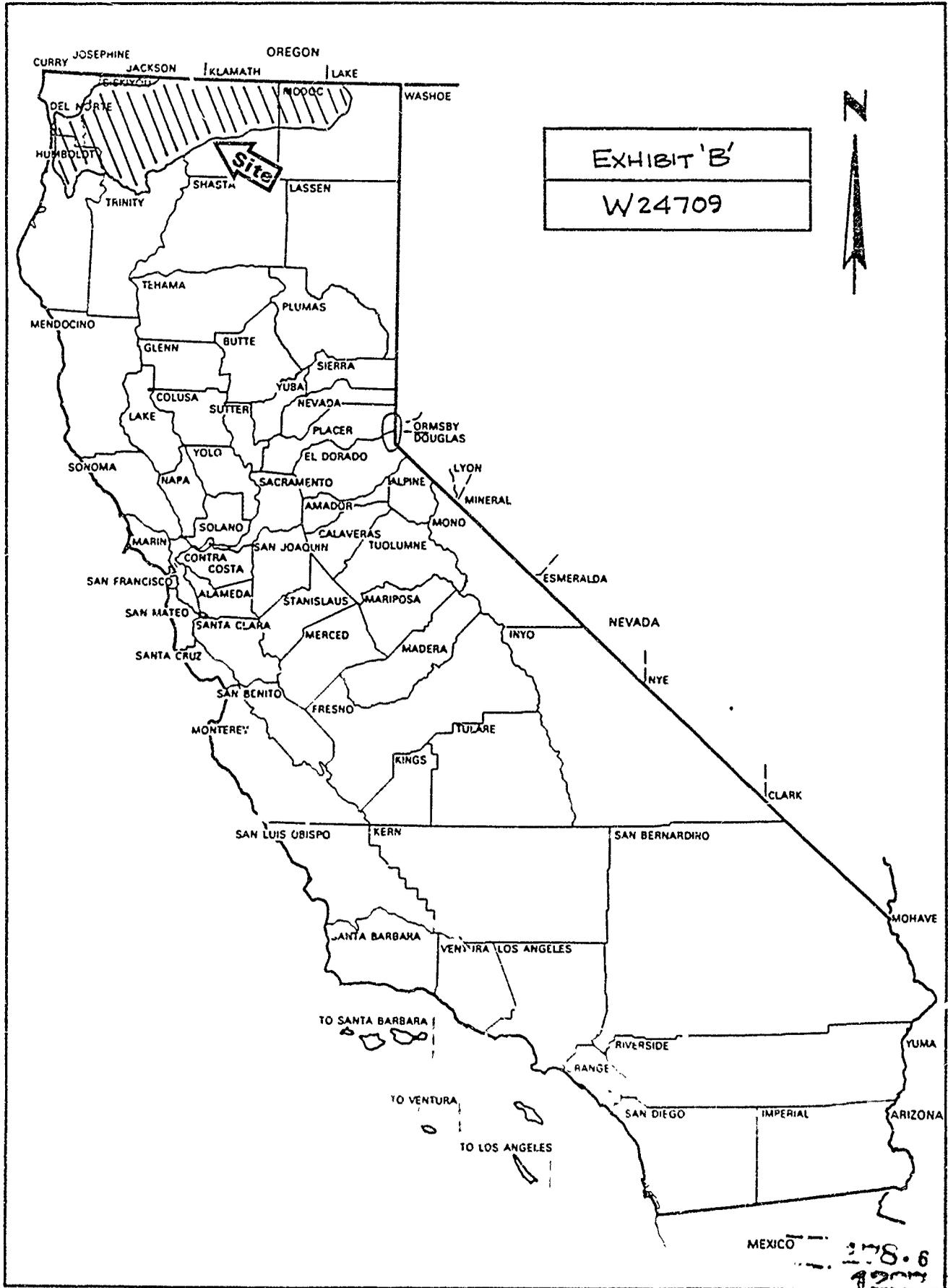


EXHIBIT 'B'
W24709



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MEMORANDUM OF UNDERSTANDING
BETWEEN THE
U.S. FISH AND WILDLIFE SERVICE
AND THE
CALIFORNIA DEPARTMENT OF FISH AND GAME

As a signatory of this Memorandum of Understanding, each respective agency agrees to the following steps in order to fulfill the intent of California Department of Fish and Game Code, Section 1600 et seq. and to facilitate coordination of fish habitat restoration activities in the Klamath River Fishery Restoration Program.

Step 1: By May 15, each year, the U.S. Fish and Wildlife Service, Klamath River Fishery Resource Office (KRFRO), will provide a package of project proposals to California Department of Fish and Game (CDFG), Region 1, for review and comment. The project proposals will be those received in response to the annual Request For Proposals issued by the KRFRO, for fishery restoration projects in the Klamath River Basin.

Step 2: In mid to late July, each year, the KRFRO will provide a list of all project proposals involving stream bed alterations in the Klamath River or tributaries, to CDFG. Additional information, maps, and/or plans will be provided, if available.

Step 3: CDFG staff will review these proposals and reply to KRFRO with written recommendations within 30 days. CDFG will forward these comments to the U.S. Corps of Engineers and the California State Lands Commission.

Step 4: Upon receipt of comments from CDFG, KRFRO staff will incorporate those recommendations into the draft cooperative agreements, prior to sending them to the cooperators for review. This will occur by the start of the Federal Fiscal Year.

Step 5: After all cooperative agreements are completed and signed, KRFRO staff will provide CDFG a final work plan for the Klamath River Fishery Restoration Program, including those projects involving stream bed alterations. This will occur in January of each year.

Signed:


Bankey E. Purtilis
California Department of Fish and Game

9-3-91
Date


Ronald A. Iverson
U.S. Fish and Wildlife Service

8-22-91
Date

Notice of Completion

Appendix F

See NOTE below
SCH # 91084004

EXHIBIT "D"

W 24709

Mail to: State Clearinghouse, 1400 Tech Street, Sacramento, CA 95814 916/445-0613

Project Title: Klamath River Fishery Restoration Program

Lead Agency: U.S. Fish and Wildlife Service

Contact Person: DEUG ALCORN

Street Address: P.O. Box 1006

Phone: (916) 843-5763

City: YREKA, CA

Zip: 96097

County: Siskiyou

Project Location

County: Siskiyou, Humboldt, Del Norte, Trinity City/Township Community: YREKA

Cross Sts: N/A

Total Acres: Entire Klamath R.

Assessor's Parcel No.: N/A

Section: N/A

Trp: _____

Range: _____

Block: _____

Within 2 Miles: State Hwy # E-5 Waterways: Klamath R. + Tributaries (Including Trinity)

Airports: _____

Railways: _____

Schools: _____

Document Type

- OEQA: NOP Supplement/Subpart NEPA: NOI Other: Other Document
- Early Cons EIS (Prior SCH No.) EA Final Document
- Neg Des Other Draft EIS Other
- Draft EIS FONSI

Local Action Type

- General Plan Update Specific Plan Easement Amendment
- General Plan Amendment Master Plan Prisons Redevelopment
- General Plan Element Planned Unit Development Use Permit Coastal Permit
- Community Plan S.L. Plan Land Division (Subdivision, Parcel Map, Trust Map, etc.) Other Stream Rehab.

Development Type

- Residential: Units _____ Acres _____ Water Facilities: Type _____ MGD _____
- Office: Sq. Ft. _____ Acres _____ Employees _____ Transportation: Type _____
- Commercial: Sq. Ft. _____ Acres _____ Employees _____ Mining: Mineral _____
- Industrial: Sq. Ft. _____ Acres _____ Employees _____ Power: Type _____ Watt _____
- Educational _____ Waste Treatment: Type _____
- Recreational _____ Hazardous Waste: Type _____
- Fish Habitat Enhancement

Project Issues Discussed in Document

- Aesthetic/Visual Flood Risk/Flooding Schools/Universities Water Quality
- Agricultural Land Forest Land/Fire Hazard Septic Systems Water Supply/Groundwater
- Air Quality Geologic/Seismic Sewer Capacity Wetland/Stream
- Archeological/Historic Minerals Soil Erosion/Compaction/Grading Wetlands
- Coastal Zone Noise Solid Waste Growth Inducing
- Drainage/Absorption Population/Housing Balance Toxic/Hazardous Land Use
- Economic/Job Public Services/Facilities Traffic/Cholesterol Cumulative Effects
- Flood Recreation/Parks Vegetation Other

Proposed Land Use/Zoning/General Plan Use

Project Description

Fish Habitat enhancement activities to occur in the Klamath River, and primarily in the tributaries to the Klamath R. Habitat enhancement activities include: placement of large boulder clusters; log sills, rock + log weirs; gravel (spawning); gabions; and Rip-Rap for soil erosion control.

CLEARINGHOUSE CONTACT: Dora Lynn Cox (916) 445-0613

DATE REVIEW BEGAN: 7-2-91

EPT REV TO AGENCY: 7-26

ES AGY COMPLIANCE: 9-4

PLEASE RETURN NOC WITH ALL COMMENTS

QMD APCD: (Resources: 8110)

Please submit comments to: Nadell Gayou, Department of Water Resources, 1425 Ninth Street, Room 449, Sacramento, CA 95814

GMT SMT

Resources

[Redacted list of resources]

GMT SMT

State/Consumer Svcs

[Redacted list of state/consumer services]

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ENVIRONMENTAL IMPACT ASSESSMENT WORKSHEET IVA
SECTION 404(b)(1) IMPACT ASSESSMENT
AND ENVIRONMENTAL IMPACT ASSESSMENT

Applicant: USFWS - Klamath Field Office

ADP Number: 18772N22

Permit Manager: Straub

Date:

Environmental Coordinator: Vick

II. ENVIRONMENTAL AND PUBLIC INTEREST FACTORS CONSIDERED

C. IMPACTS ON THE AQUATIC ECOSYSTEM

1. Physical/Chemical Characteristics and Anticipated Changes

Substrate - The placement of various types of fill would alter both substrate composition and elevation. The proposed fill consists of woody debris and various sizes of gravel and rock. This fill would replace the native river run substrate. Also, dredging at tributary mouths and excavation on the flood plain would reduce substrate elevation at these sites. The impacts derived from these alterations would vary based on the specific site and activity. Although the fill and dredging, as proposed, would enhance the aquatic habitat, it may adversely impact the quality of the floodplain and riparian habitat. This damage would be especially likely to occur in areas of the floodplain proposed for the excavation of spawning gravels.

Currents/Circulation - No effect

Drainage Patterns - No effect

Streamflow - The placement of fill would result in complex alterations in streamflow velocity. These alterations would result from the creation of pools and side channels as well as channel restrictions. These alterations are designed to benefit the watershed.

Flood Control Function of Wetland - No effect

Aquifer Recharge - No effect

Baseflow - No effect

Storm, Wave, Erosion Buffer of Wetland - No effect

Erosion/Sedimentation Rate - The placement of fill would result in a redistribution of erosion patterns. In areas where riprap and willow mats are placed, the rate of erosion would be reduced. However, this action may increase the rate of erosion downstream. In areas where large boulders

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are placed in the stream, the rate of erosion would increase and result in the formation of pools. Also, the placement of V-notch weirs would result in an increase in scour on the banks immediately downstream of the structure. These impacts are considered to be minor to moderate.

Water Supply (Natural) - No effect

Water Quality - Construction activity would result in short-term, adverse impacts on water quality by increasing turbidity levels and introducing petrochemical pollutants to the river and its tributaries. This adverse impact is considered to be minor to moderate.

2. Biological Characteristics and Anticipated Changes

Wetlands (Special Aquatic Site) - The use of heavy equipment in areas adjacent to the river and its tributaries may result in adverse impacts to wetlands. These impacts would include soil compaction and contamination, destruction of vegetation, and alteration of grades and hydrology. The magnitude of these impacts can not be evaluated at this time. However, it may range from minor to major.

Mud Flats (Special Aquatic Site) - No effect

Vegetated Shallows (Special Aquatic Site) - No effect

Pool and Riffle Areas (Special Aquatic Site) - Implementation of the proposed Klamath River Restoration Project would enhance the area and quality of available pool and riffle habitat. This beneficial impact is considered to be long-term and moderate.

Wildlife Sanctuaries - No effect

Endangered Species - The Klamath River Basin provides habitat used by federally listed endangered or threatened species. In order to avoid adverse impacts to these species, each activity will be reviewed on a per project basis. If deemed necessary, consultation pursuant to Section 7 of the Endangered Species Act will be initiated.

Habitat for Fish, Other Aquatic Organisms, and Wildlife - The purpose of the proposed project is the restoration and enhancement of anadromous fish habitat in the Klamath River Basin. The fisheries habitat of this watershed was severely impacted by the 1964 floods. These floodwaters, in many places, stripped the streambanks of riparian vegetation, increased the rate of sedimentation, and in other ways decreased habitat diversity. In addition, summer water temperatures in many tributaries in the Basin are limiting

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to the successful rearing of anadromous fish. This project proposes to increase diversity by creating rearing pools, collecting and stabilizing spawning gravels, alleviating impacted gravel conditions, removing migration barriers, constructing winter high flow refuge areas, introducing and stabilizing riparian vegetation, stabilizing streambanks, and other activities. These activities would be performed in accordance with the Long Range Plan for the Klamath River Basin Conservation Area Fishery Restoration Program and subject to the review of the Klamath River Basin Fisheries Task Force. Overall, this plan

- emphasizes the need for both fish habitat protection and restoration from a total watershed perspective;
- recognizes that instream structural treatments improve fish habitat in specific, necessarily limited ways, but that they are not a cure-all for the underlying causes of fish habitat degradation;
- calls for on-going stream assessment of fish habitat and fish populations to gauge the success of the program and make necessary adjustments;
- argues that each distinct population of anadromous fish in the Klamath River Basin should be protected from over-harvesting, poaching, or loss of habitat; and
- identifies those fish populations scattered throughout the Basin that appear to be distinct from the fish produced at the Iron Gate and Trinity River State hatcheries and commits the Task Force to monitoring these populations and advising the Klamath Fisheries Management Council whenever one appears to be at risk of becoming extinct.

This plan is designed to benefit the habitat for fish and other aquatic organisms in the long-term. The adverse impacts incurred by construction activities would be minor and short-term.

D. IMPACTS ON RESOURCES OUTSIDE THE AQUATIC ECOSYSTEM

1. Physical Characteristics and Anticipated Changes

Air Quality - Construction activity would have minor, short-term, adverse impacts on air quality in the project vicinity.

Noise Conditions - Construction activity would have minor, short-term, adverse impacts on ambient noise conditions in the project vicinity.

Geologic Conditions - No effect

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2. Biological Characteristics and Anticipated Changes

Riparian Habitat (Not in Corps' Jurisdiction) - The use of heavy equipment in the riparian zone would adversely impact this habitat by damaging vegetation and compacting soils. The applicant states that large scale activities would be conducted only where direct access to the stream currently exists. This avoidance of access through the riparian zone would minimize adverse impacts to this habitat. In addition, the stabilization of bare, eroding banks and the placement of willow stakes would enhance the riparian habitat.

Other Terrestrial Habitat - No effect

Special Wildlife Areas - No effect

3. Socioeconomic Characteristics and Anticipated Changes

Aesthetic Quality - The placement of structures may result in minor adverse impacts to the aesthetic quality of the stream.

Agricultural Activity - No effect

Commercial Fishing - By improving anadromous fish habitat, the proposed project would benefit commercial fishing.

Community Cohesion - No effect

Economics - No effect

Employment - No effect

Energy - No effect

Mineral Resources - No effect

Population/Growth Inducement - No effect

Prime and Unique Agricultural Lands - No effect

Public Health and Safety - No effect

Recreational Opportunities - The Klamath River provides a major recreational boating resource which may be adversely impacted by the placement of structures. The magnitude of this impact can not be determined at this time.

Recreational Fishing - By improving anadromous fish habitat, the proposed project would benefit recreational fishing.

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Silviculture - No effect

Traffic/Transportation - By altering patterns of erosion, streamflow modifications may adversely impact bridge structures in the immediate project vicinity. In order to avoid such impacts, the applicant has agreed to notify the Resources Agency of California of proposed projects annually in order to facilitate review on a per project basis.

Transportation/Navigation - see "Recreational Opportunities"

Water Supply (M&I) - No effect

Wild & Scenic Rivers - The Klamath River is protected under the National Wild and Scenic Rivers Act for its scenic, recreational, fisheries, wildlife, and cultural resources values. It is California's second largest river and provides one of the state's longest continuous river runs. In addition, it supports California's largest coho salmon and steelhead trout runs and its second largest chinook salmon fishery. These fisheries, in turn, support significant recreational and commercial fishing activity. The river also provides habitat for numerous raptors including endangered species and harbors significant cultural resources including two federally listed sites. The placement of fill into portions of the river designated as wild and scenic may adversely impact the scenic values of that stretch but would enhance its fisheries and recreational values.

4. Historic - Cultural Characteristics and Anticipated Changes

Archaeological Resources - Archaeological sites are commonly located on terraces along the Klamath River and its tributaries. Disturbance of these resources would constitute an adverse impact. Due to the breadth of the proposed project, the magnitude of this impact can not be evaluated at this time. In order to prevent adverse impacts, the cultural resource value of each site will be reviewed on a per project basis.

Historic Resources - Due to the geographic scope of the proposed project, it is not possible to assess the impacts to cultural resources at this time. However, the Klamath River Basin is known to harbor valuable cultural resources. In order to avoid adverse impacts to such resources, a cultural resources evaluation will be completed on a per project basis.

National Register Properties - Due to the geographic scope of the proposed project, it is not possible to assess the impacts to cultural resources at this time. However, the

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adverse impacts to such resources, a cultural resources evaluation should be completed on a per project basis.

E. SUMMARY OF INDIRECT IMPACTS

None have been identified.

F. SUMMARY OF CUMULATIVE IMPACTS

None have been identified.

G. CONCLUSIONS AND RECOMMENDATIONS

Based on an analysis of the above identified impacts, a determination has been made that it will not be necessary to prepare an Environmental Impact Statement (EIS) since the proposed action would not have a significant impact on the quality of the human environment.

Recommended by: [Signature] Date 17 July 91
Environmental Coordinator

Concur with Recommendation: [Signature] Date 23 JUL 1991
Chief, Impact Analysis Section

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