MINUTE ITEM
This Calendar Item No. C10
was approved as Minute Item
No. 10 by the State Lands
Commission by a vote of 3
to Ø at its 3/8/94
meeting.

CALENDAR ITEM

A 2 C10

S 4

WP 7203
Burks
03/08/94
PRC7203

CONSIDERATION OF AMENDMENT TO MASTER LEASE, PRC 7203, GENERAL PERMIT - PUBLIC AGENCY USE

PARTIES: State Reclamation Board (DWR)
1416 Ninth Street, Room 455-4
Sacramento, California 95814

LOCATION: Tide and submerged land located on both banks of the Sacramento River from River Mile 88.8, right bank, to River Mile 143.3, left bank, Yolo, Sutter and Colusa Counties.

EXHIBITS:

A. Land Description
B. Location Map
C. Reclamation Board Findings
D. Reclamation Board Resolution 94-3
E. Reclamation Board Monitoring Program
F. Notice of Determination
G. U.S. Army Corps of Engineers Finding of No Significant Impact (FONSI)

AB 884: N/A

CEQA FINDING: A JOINT ENVIRONMENTAL ASSESSMENT/SITE SPECIFIC REVIEW (EA/SSR), SCH NO. 93122010, WAS PREPARED AND ADOPTED FOR THIS PROJECT (CONTRACT 42A) BY THE RECLAMATION BOARD AND THE UNITED STATES ARMY CORPS OF ENGINEERS. THE STATE LANDS COMMISSION STAFF HAS REVIEWED SUCH DOCUMENT. A RECORD OF THE RECLAMATION BOARD'S FINDINGS OF THE PROJECT AND ENVIRONMENTAL DOCUMENT IS ATTACHED AS EXHIBIT "C".

SIGNIFICANT LANDS INVENTORY FINDING: 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.

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

FIND THAT AN EA/SSR WAS PREPARED AND ADOPTED FOR CONTRACT 42A BY THE STATE RECLAMATION BOARD AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION THEREIN.

ADOPT THE FINDINGS MADE BY THE RECLAMATION BOARD AS CONTAINED IN EXHIBIT "C".

ADOPT THE MITIGATION MONITORING PLAN, ATTACHED AS EXHIBIT "E".

AUTHORIZE ISSUANCE TO THE STATE RECLAMATION BOARD OF AN AMENDMENT TO MASTER LEASE PRC 7203, EFFECTIVE MARCH 8, 1994; IN CONSIDERATION OF THE PUBLIC BENEFIT, FOR PROPOSED PHASE 2 RIVER BANK PROTECTION AT TEN SITES UNDER CONTRACT 42A; ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A "

LAND DESCRIPTION WP-7203

SACRAMENTO RIVER BANK PROTECTION PROJECT
Second Phase, Contract 42A

All the State-owned land in the bed of the Sacramento River in Yolo, Sutter, and Colusa Counties, California, lying immediately beneath proposed bank protection at the following locations:

Location	Site River Mile and River Bank	Approximate Length
Yolo County		
Sacramento River	88.8 Right Bank	455 Feet
Sacramento River	90.2 Right Bank	1,106 Feet
Sacramento River	90.8 Right Bank	235 Feet
Sacramento River	94.5 Right Bank	395 Feet
Sacramento River	101.7 Right Bank	645 Feet
Sutter County		
Sacramento River	111.2 Right Bank	767 Feet
Sacramento River	121.6 Left Bank	295 Feet
Colusa County		
Sacramento River	111.7 Right Bank	305 Feet
Sacramento River	116.7 Right Bank	805 Feet
Sacramento River	143.4 Left Bank	755 Feet

END OF DESCRIPTION

Prepared by Delta Boundary Staff

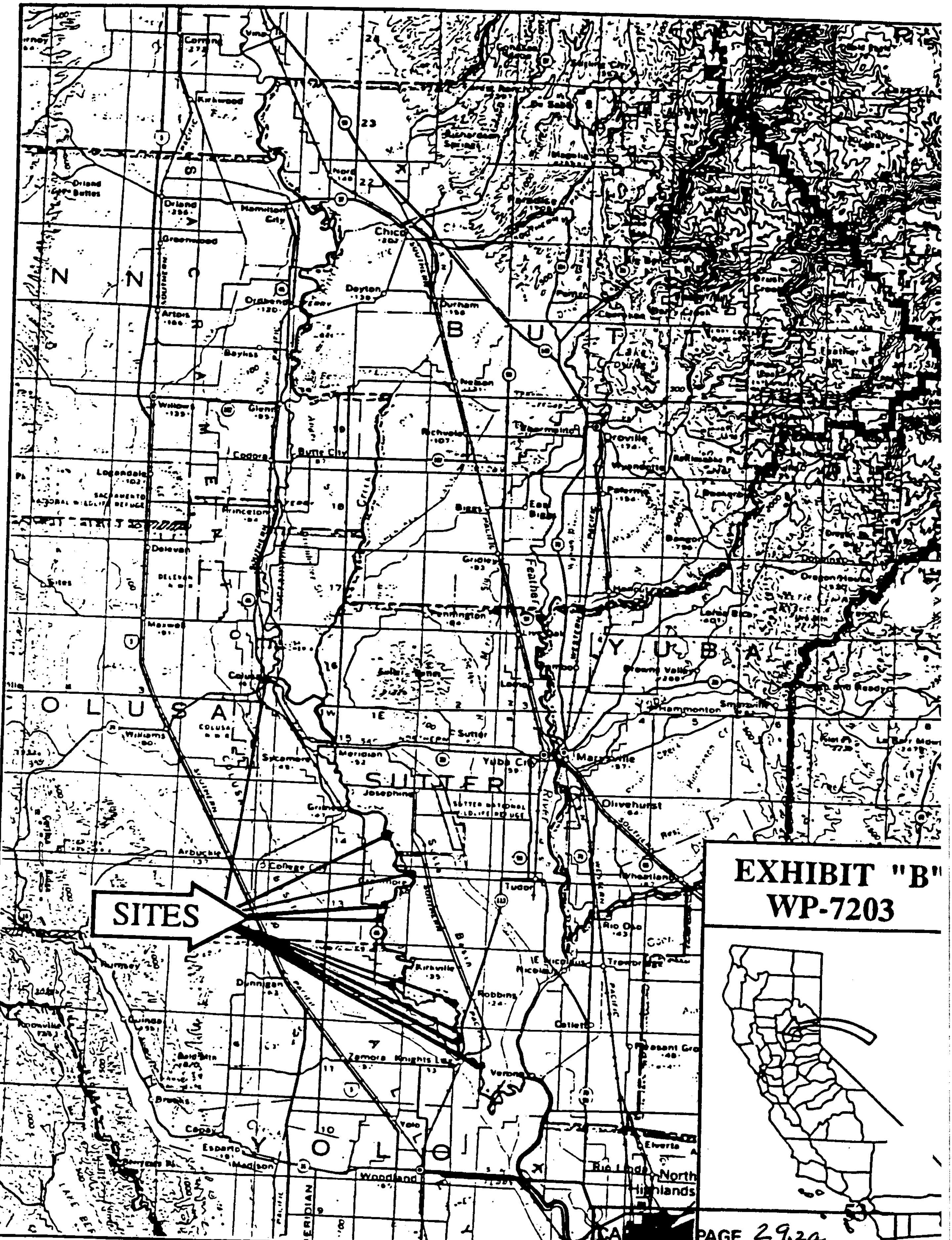

EXHIBIT "B"
WP-7203

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EXHBIT "C"

Determination of Conformance With
Sacramento River Bank Protection Project
Program Final Environmental Impact Report/Supplemental Impact
Statement IV for Site Specific Activity Under
Sacramento River Bank Protection Project
Contract 42A

The Reclamation Board is the nonfederal sponsor and lead agency under the California Environmental Quality Act for the Sacramento River Bank Protection Project. The Board is proposing to certify right of way for bank protection work to be carried out by the U.S. Army Corps of Engineers at 10 sites on the Sacramento River under Contract 42A. The Board and the Corps have prepared a joint Environmental Assessment/Site Specific Review for Contract 42A (SCH 93122010). The Board circulated the EA/SSR in the same manner as an Initial Study/Negative Declaration.

In January 1988, the Board approved the joint Final Program Environmental Impact Report/Supplemental EIS IV (SCH 86092321), for the Sacramento River Bank Protection Project. The proposed work for Contract 42A is part of that larger project.

Since the approval of FPEIR/SEIS IV, the winter-run chinook salmon was listed by the National Marine Fisheries Service as threatened and by the Department of Fish and Game as endangered in 1989, and in that year DFG also listed the bank swallow as threatened.

In addition, in 1992, the U.S. Fish and Wildlife Service identified the Shaded Riverine Aquatic cover as Resource Category 1 (SRA cover is the habitat at the interface between the river and an adjacent naturally eroding berm with vegetation overhanging the water. This habitat has high value and provides habitat features used by many avian, terrestrial, and aquatic species.). Resource Category 1 means that USF&WS considers this habitat to be irreplaceable and that in its view no loss of existing habitat should occur.

Furthermore, in 1993, NMFS designated the Sacramento River from Shasta Dam to Chipps Island as critical habitat for the winter-run chinook salmon.

The actions under the federal and State Endangered Species Acts did not alter the quality or quantity of the impacts of Contract 42A to the bank swallow, the winter-run chinook salmon or to Shaded Riverine Aquatic cover, but they have the effect of heightening the awareness of impacts to these resources.

The Corps and the Board have consulted with NMFS and DFG under the Federal Endangered Species Act and the California Endangered Species Act.

The Board has reviewed the information in the record for Contract 42A, including the Environmental Assessment/Site Specific Review, the response to comments received during the public comment period and the Mitigation and Monitoring Plan. Based on the information in the record, the Board has made the determination that the proposed Contract 42A will have no new significant impacts beyond the range of those described in Final Programmatic Environmental Impact Report/Supplemental Environmental Impact Statement IV and will have no significant adverse impacts to the environment. Therefore, the Board has made the following findings:

Direct impacts to the winter-run chinook salmon from construction are not significant. Impacts will be avoided primarily by limiting the work to those times when the species is either not present and/or not likely to be affected by construction. Turbidity controls will be implemented to minimize direct impacts should construction occur during those times when migrating winter run chinook salmon could be present in the river.

Potentially significant impacts to the habitat of the winter-run chinook salmon will be mitigated by the construction of fish groins, vegetated berms, and by willow pole cuttings in rock as described in the Environmental Assessment/ Site Specific Review. In addition, environmental easements have been acquired on the berms and rock revetment at the construction and mitigation sites where vegetation will be protected and preserved. The Board finds that these measures will adequately mitigate for the loss of habitat for winter-run chinook salmon and that the project will not have a significant impact to critical habitat of winter-run chinook salmon.

The Board finds that these measures also provide adequate mitigation for the potentially significant impacts to Shaded Riverine Aquatic cover from Contract 42A and that the project will have no significant impact to Shaded Riverine Aquatic cover.

Potentially significant impacts to Swainson's hawk nesting success will be avoided by continous monitoring during the nesting season and avoidance of work within sensitivity zones as determined by DFG. The Board finds that the project will have no significant adverse impacts to Swainson's hawk.

Potentially significant impacts to bank swallow nesting success will be avoided by not working within any known nesting sites used during the last five years, by continous monitoring for new nest sites and by avoiding work within sensitivity zones as determined by DFG. The Board finds that the project will have no significant impacts to bank swallow.

Potentially significant impacts to Valley Elderberry Longhorn Beetle habitat will be avoided to the maximum extent possible during construction. Unavoidable impacts will be mitigated by transplanting all impacted elderberry plants and by planting new elderberry plants as determined by USF&WS.

The Board finds that the project will have no significant impacts to Valley Elderberry Longhorn Beetle.

The proposed project will have no new impacts not previously analyzed in FPEIR/SEIS IV and will not have adverse impacts that could have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.

The project will have no new impacts not previously analyzed in FPEIR/SEIS IV and will have no adverse impacts that could have the potential to achieve short-term, to the disadvantage of long-term, environmental goals.

The project will have no new impacts not previously analyzed in FPEIR/SEIS IV and will have no adverse impacts which are individually limited, but cumulatively considerable.

The project has no environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

The project will not induce growth either directly or indirectly.

Dated: February 22, 1994

The Reclamation Board of the
State of California

By Wallace McCormack
President

By
Secretary

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EXHIBIT 'D'

STATE OF CALIFORNIA
THE RESOURCES AGENCY
THE RECLAMATION BOARD

Resolution No. 94-3

REQUEST TO U.S. ARMY CORPS OF ENGINEERS
TO CONDUCT A STUDY
OF THE
SACRAMENTO RIVER FLOOD CONTROL PROJECT

WHEREAS, the Sacramento River Flood Control Project was authorized by the federal Flood Control Act of 1917; and

WHEREAS, since that time, societal values, uses, restrictions, and demands on the flood control project and rivers encompassed by the project have changed significantly; and

WHEREAS, on May 12, 1992, The Reclamation Board's General Manager requested the U.S. Army Corps of Engineers to conduct a reconnaissance study of the upper Sacramento River system, including major tributaries, from Verona to Red Bluff; and

WHEREAS, the study was to investigate the viability of integrated flood control and fish and wildlife improvements for the upper Sacramento River; and

WHEREAS, this study was funded in 1993 and, in draft form, is recommending habitat restoration for approximately five river sites; and

WHEREAS, this study has helped identify that a <u>much</u> broader geographical and multi-objective investigation is warranted.

NOW, THEREFORE, BE IT RESOLVED that the Board believes comprehensive planning must be implemented on the Sacramento River Flood Control Project and tributaries to ensure its viability for future generations; and

BE IT FURTHER RESOLVED that the Board requests the U.S. Army Corps of Engineers to initiate a new study (e.g., special study, reconnaissance study, watershed management study, or general reevaluation report) or expand the existing reconnaissance study to evaluate the full Sacramento River Flood Control Project, in cooperation with other federal and State agencies and public interests, leading to a comprehensive multi-objective river corridor management plan that considers flood control project modifications or reconfigurations; and

BE IT FURTHER RESOLVED that the evaluation should be coordinated and/or integrated with existing studies and activities occurring on the Sacramento River, such as the Sacramento River Bank Protection Project and the Upper Sacramento River Fisheries and Riparian Habitat Management Plan (SB 1086); and

BE IT FURTHER RESOLVED that these modifications or reconfigurations should be for the purpose of meeting existing and future public safety demands and other existing and future multi-objective uses; and

BE IT FURTHER RESOLVED that the Board supports the efforts of the present site-specific single-purpose reconnaissance study; and

BE IT FURTHER RESOLVED that the Corps of Engineers should develop a demonstration project for river restoration on the upper Sacramento River, selecting a site from the present reconnaissance study; and

BE IT FURTHER RESOLVED that the Board shall determine if it can act as local sponsor for this demonstration project.

Dated: February 22, 1994

The Reclamation Board of the State of California

By _____
President

By _____
Secretary

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EXHIBIT 'E'

MITIGATION AND MONITORING PLAN
SACRAMENTO RIVER BANK PROTECTION PROJECT
CONTRACT 42A

The Sacramento River Bank Protection Project, Contract 42A, consists of the construction of rock revetment at 10 sites to protect the banks of the Sacramento River from erosion. The project and the specific sites are described in the Environmental Assessment/Site Specific Review for the Sacramento River Bank Protection Project, Contract 42A (SCH 93122010), to which this plan is amended.

The EA/SSR for Contract 42A identified the impacts and mitigation measures for work under Contract 42A.

All Environmental Easements and Mitigation Plantings

Mitigation - The Reclamation Board is acquiring all lands, easements and right of way necessary for completion of the project. This includes the acquisition of environmental easements that provide the right to plant, maintain and preserve vegetation on all berms adjacent to the revetment sites. Environmental easement are also being acquired for all mitigation areas for Contract 42A.

Reclamation District 1660, the Sacramento River Westside Levee District and the Department of Water Resources, the maintaining agencies for the Sacramento River Bank Protection Project, Contract 42A, will be required to restrict their maintenance activities to the levee and to the firebreak at the levee toe and to allow any mitigation plantings and volunteer vegetation to grow undisturbed on the environmental easements on the berms and in the rock riprap at the construction sites and on the mitigation areas for Contract 42A.

The intent of this measure is to preserve and protect the mitigation plantings and to allow vegetation to establish naturally on the berms by preventing the burning, spraying with herbicides, mowing and other practices that interfere with or prevent the natural vegetation from becoming established and to grow to maturity unimpeded.

The maintaining agencies will be allowed to control noxious weeds classified as "A" and "B" by the California Department of Food and Agriculture. Class "A" is defined as "an organism of known economic importance to the state (or commissioner when acting as a state agent) enforced action involving: eradication, quarantine regulation, containment, control or other holding action. "Class "B" is defined as "an organism of known economic importance subject to: eradication, containment,

other holding action at the discretion of the individual county agricultural commissioner.

Before the maintaining agency eradicates any plant belonging to either class "A" or to class "B", by applying herbicides, the plant must be identified as a noxious weed belonging to either class "A" or class "B" by a qualified biologist and/or a representative of the county agricultural commissioners's office. The maintaining agency shall notify the Board (Department of Water Resources, Flood Control Project Branch), before taking action to spray with herbicide any plant on the environmental easement areas. All herbicides must be applied by hand-held sprayer directly to the affected areas. Extreme care must be taken to avoid drift of herbicides to other plants than the weeds specifically targeted for eradication.

The maintaining agency shall notify the Board (DWR, Flood Control Project Branch), of any severe weed infestations by species not identified in either class "A" or class "B" that could pose a significant threat to adjacent agricultural operations. The Board will investigate the situation and take appropriate action.

A list of "A" and "B" species prepared by the Department of Food and Agriculture, Division of Plant Industry, is found in Appendix A.

The U.S. Army Corps of Engineers will prepare an amendment to the Operations and Maintenance Manual for Contract 42A that will describe maintenance requirements to preserve the vegetation on berms and the mitigation plantings.

The Local Assurance Agreements for the Sacramento River Bank Protection Project were formally entered into with DWR, Yolo County Service Area No. 6., Sacramento River West Side Levee District (July 18, 1963), and Reclamation District 1660 (April 19, 1984). A new Local Assurance Agreement will be prepared for Yolo County Service Area No. 6. Contract 42A is authorized as part of SRBPP and covered under these Local Assurance Agreements. As the mitigation for Contract 42A is an integral part of this project, each maintaining agency will make a commitment in writing to maintain according to this Mitigation and Monitoring Plan and in accordance with the Operations and Maintenance Manual prepared by the Corps before start of construction.

Therefore, each maintaining agency will be required to sign a letter of intent to receive the project for operation and maintenance before award of any construction contracts for Contract 42A. Staff for the Board has explained to the maintaining agencies the necessity to maintain the mitigation plantings and the environmental easements according to the amended O&M Manual and the Mitigation and Monitoring Plan.

Monitoring

All environmental mitigation plantings installed for Contract 42A will be monitored and maintained for three years after installation by the Corps' mitigation contractor.

After the three year establishment period, all environmental easements and mitigation plantings will be inspected twice a year by DWR staff. DWR inspectors will complete a checklist, noting obvious encroachments and damage and will take photographs of the berms and of the mitigation plantings. The inspection staff will prepare a report every year that includes the completed checklists and photographs. Copies of these checklists and reports will be provided to the Corps.

A sample checklist is found in Appendix B.

For Contract 42A, a yearly report on the status of the mitigation plantings will be included.

Staff for the Board will review these reports annually. The Board will contact the maintaining agencies should problems be documented that relate to actions within the jurisdiction and control of the maintaining agencies. The maintaining agencies will be responsible for restoring all mitigation plantings damaged by their maintenance activities.

Because environmental easements are being acquired over the mitigation areas, the land is not owned in fee by the State and is not considered public land. Therefore, the public can legally be prevented from trespassing on these lands. The State (or the maintaining agencies) will post "no trespassing" signs on the environmental easements. If trespass occurs, the local maintaining agency shall take corrective measures to minimize trespass. The maintaining agencies shall report as soon as possible any damage to the mitigation plantings and environmental easements to the DWR Flood Control Project Branch. After a on site inspection, DWR and DFG biologists will advise the Board about the biological condition of the site. The Board will determine whether remedial action is required and act accordingly.

The maintaining agencies will not be responsible for damage caused by "Acts of God", such as, but not limited to, floods, earthquakes and fires started by lightning, but shall report such damage to DWR, Flood Control Project Branch staff. The Board and the Corps in consultation with the resource agencies, will determine what action, if any, will be required to remedy damage caused by "Acts of God".

The Corps is preparing monitoring plan in consultation with the U.S. Fish and Wildlife Service for all mitigation features

for Contract 42A. This monitoring plan will evaluate the habitat values obtained by the mitigation features in the future and make comparisons with the anticipate habitat values in the Habitat Evaluation Procedure to review the success of the mitigation and to determine what corrective measures, if any, are required. This plan is expected to be completed in May or June of 1994. When completed and approved, all or portions of the plan will be incorporated in this monitoring plan. The Corps will perform any monitoring to evaluate the success of the mitigation that requires specialized expertise beyond that which the maintaining agencies can be expected to provide.

Impacts and Mitigation Measures

Riparian Vegetation

Mitigation - The EA/SSR for Contract 42A identified that no construction impacts will occur to riparian vegetation as long as existing vegetation on the berms and in rock riprap is protected and preserved. The Board has obtained environmental easements for the berms at the Contract 42A revetment sites in order to preserve and protect all existing and volunteer vegetation on these berms and in the rock.

The Board has also acquired environmental easements on all berms adjacent to off-site mitigating plantings on previously rocked slopes.

Shaded Riverine Aquatic Cover
Winter-run Chinook Salmon Critical Habitat

Mitigation - Impacts to Shaded Riverine Aquatic cover and winter-run chinook salmon critical habitat will be mitigated by installing pole cuttings on 10,000 feet of existing rock at various sites in the project area.

Impacts will also be mitigated by constructing rock fish groins at all revetment construction sites. In addition, fish groins will be constructed at River Mile 89.0 Right bank, where 3,000 feet of the 10,000 feet of pole cuttings will be placed.

At two sites an alternative rock revetment method that provides a low berm planting area near the mean summer water elevation that will be planted with pole cuttings. In addition, fish groins will be constructed and the bank slope will be planted with pole cuttings. This method has been called "the Works". The Works will be constructed at the following sites:

River Mile 143.3 L - 755 feet
" " 116.7 R - 850 feet

An additional 7,000 feet of revetment pole cuttings will also be planted at previously rocked sites.

Monitoring - After the three year establishment period when the plantings and the Works are maintained by the Corps' contractor, the sites will be inspected twice a year by DWR staff. The pole plantings and the Works are included in the environmental easements in order to preserve and protect the vegetation and will be monitored as described above.

The fish groins will be monitored by the USF&WS to evaluate their success for fish habitat.

The Board and the Corps will periodically evaluate the habitat value achieved by the Works and the pole cuttings and compare the values to those described in the EA/SSR HEP. If the Works and the pole cuttings fail to provide the anticipated habitat values, the Board will consult with the Corps, USF&WS and DFG. The Board and the Corps will determine what action, if any, will be required to remedy the situation and act accordingly.

Winter-run Chinook Salmon - Direct Impacts

Mitigation - Direct impacts to the winter-run salmon will be avoided by constructing during the May 1 to August 15 period.

Monitoring - Should construction occur from August 15 to November 1, turbidity control to avoid impact to water quality, that will be implemented by the construction contractor during the entire construction period, will minimize impacts to the winter-run Chinook salmon.

Valley Elderberry Longhorn Beetle

Mitigation - Impacts to Valley Elderberry Longhorn Beetle habitat will be minimized by avoiding impact to elderberry bushes to the maximum extent possible during construction. Elderberry bushes that are unavoidably removed or damaged during construction, as identified by on-site inspections by the Corps and USF&WS, will be transplanted to a site at River Mile 187 L near the Murphy Slough Flood Relief Structure, during the fall of 1994 and winter of 1995. The site will also be planted with elderberry seedlings. The number of seedlings will be determined by the number of removed or damaged stems more than one inch in diameter with or without exit holes, as required by the USF&WS Biological Opinion. The Corps and the Board anticipate that about seven acres will be planted with elderberry plants to fully mitigate impacts as required by USF&WS.

Monitoring - The Corps and the USF&WS will conduct a pre-construction survey of the construction sites and will flag and fence existing elderberry plants. The Corps, in coordination with the construction contractor, will determine which elderberry plants cannot be avoided during construction. Construction on sites with unavoidable impacts to elderberry plants will be deferred until after the plants have been transplanted.

The Corps and USF&WS will hold interim inspections to monitor the contractor and to deal with unexpected changes or situations that require the contractor to modify construction related procedures or methods that may result in additional environmental impacts.

The Corps and USF&WS will conduct a post-construction survey to determine the impacts from construction. The Corps and USF&WS will examine all plants that are unavoidably impacted for Valley Elderberry Longhorn Beetle exit holes in order to determine the ratio of impacted elderberry stems to new plants that must be planted. Mitigation requirements may be adjusted as a result of information obtained during the post-construction survey.

For three years after the installation, the Corps' contractor will monitor and maintain the elderberry plantings. After the three year establishment period, DWR staff will inspect the mitigation site twice a year as described above. Maintenance of the Valley Elderberry Longhorn Beetle mitigation site will be performed by DWR staff for the Board.

Swainson's Hawk and Bank Swallow

Mitigation - Disturbance to active nests will be avoided by prohibiting construction within a one-half mile zone around each Swainson's hawk nest or territory and within 1/4 mile of any bank swallow nests.

Impacts to active nest sites for bank swallow (sites used within the last five years) will be avoided. Construction sites have been deferred or shortened to avoid this impact.

Monitoring - Under contract with the Corps, biologists approved by DFG as having the required expertise, will monitor for Swainson's hawk nests and territories and bank swallow nest sites within the maximum potential sensitivity zones of each construction site. Monitoring will be conducted each year of construction. DFG will evaluate each site in the field to determine whether the no-construction sensitivity zones can be reduced or eliminated or must remain at one-half mile or 1/4 mile of each nest site. Nests will be monitored until the young have fledged or are independent of the nest as determined by DFG.

The Corps' contractor will provide weekly summary reports and monthly status reports on all monitoring activities.

Financing

The acquisition of environmental easements, the installation of all mitigation features and the initial maintenance and monitoring by the mitigation contractor are

cost-shared by the Board and the Corps as specified by the cost-sharing requirements of the Water Resources Development Act of 1986.

The twice yearly inspections, monitoring and reporting by DWR inspectors are funded by the State of California General Funds as appropriated by the Legislature.

The maintenance of the Sacramento River Flood Control Project, of which the Sacramento River Bank Protection Project is a part, by DWR under Section 8361 of the California Water Code is funded by State of California General Funds as appropriated by the Legislature.

The maintenance by the Sacramento River West Side Levee District and Reclamation District 1660 is funded by local assessments on land in the districts.

EXHIBIT J

STATE OF CALIFORNIA
DEPARTMENT OF FOOD AND AGRICULTURE
DIVISION OF PLANT INDUSTRY

PEST RATINGS OF NOXIOUS WEED SPECIES AND NOXIOUS WEED SEED

PURPOSE

To advise commissioners as to the Department's policy regarding any pest action.

DEFINITIONS

"A" An organism of known economic importance subject to state (or commissioner when acting as a state agent) enforced action involving: eradication, quarantine regulation, containment, rejection, or other holding action.

"B" An organism of known economic importance subject to: eradication, containment, control or other holding action at the discretion of the individual county agricultural commissioner.

or

An organism of known economic importance subject to state endorsed holding action and eradication only when found in a nursery.

"C" An organism subject to no state enforced action outside of nurseries except to retard spread. At the discretion of the commissioner.

GUIDANCE

The district will be allowed to control noxious weeds classified as "A" and identified by the Department of Food and Agriculture as "(an) organism of known economic importance to state (or commissioner when acting as a state agent) enforced action involving: eradication, quarantine regulation, containment, rejection, or other holding action."

The district will be allowed to control noxious weeds classified as "B" and identified by the Department of Food and Agriculture as (an) organism of known economic importance subject to: eradication, containment, control or other holding action at the discretion to the individual county agricultural commissioner.

Before the district eradicates any plant belonging to either class"A" or "B", the plant to be eradicated must be identified as a noxious weed in either class "A" or class "B" by a qualified biologist or a representative of the county agricultural commissioner's office. The district shall notify the Department of Water Resources, Flood Control Project Branch before taking action.

"A" SPECIES

Eradication, containment, rejection or other holding action at the state-county level. Quarantine interceptions to be rejected or treated at any point in the state.

Acaena anserinifolia	biddy biddy
Acaena novae-zelandiae (- A anserinifolia in part as used previously and of British and Australian authors.)	biddy biddy
Acaena pallida (- A anserinifolia in part as used previously.)	biddy biddy
Achnatherum brachychaetum (- Stipa brachychaeta	punagrass
Albagi maurorum (- A pseudalhagi)	camelthorn
Alternanthera philoxeroides	alligatorwood

"A" - *Pests Continued*

Arctotheca calendula	capeweed, as seed or fertile plants
Carduus acanthoides	plumeless thistle
Carduus nutans	musk thistle
Carthamus leucocaulos	whitestem distaff thistle
Centaurea diffusa	diffuse knapweed
Centaurea iberica	Iberian starthistle
Centaurea maculosa	spotted knapweed
Centaurea squarrosa	squarrosa knapweed
Chondrilla juncea	skeletonweed
Cirsium ochrocentrum	yellowspine thistle
Cirsium undulatum	wavyleaf thistle
Crupina vulgaris	bearded creeper
Cucumia melo var. dudain	dudain melon
Cuscuta reflexa	giant dodder
Euphorbia esula	leafy spurge
Euphorbia serrata	serrate spurge
Halimodendron halodendron	Russian salttree
Halogeton glomeratus	halogeaton
Helianthus ciliaris	blueweed
Heteropogon contortus	tanglehead

"A" - ***Pests Continued***

Hydrilla varticillata	hydrilla
Linaria gonistifolia spp. dalmatica (- L. dalmatica)	Dalmatian toadflax
Onopordum spp.	onopordum thistles
Orobanche ludoviciana var. cooperi (- O cooperi (Gray) Heller, as used in Munz', A Flora of Southern California.)	Cooper's broomrape
(- O multiflora Nutt., as used in Correll and Johnston's Manual of the Vascular Plants of Texas.)	desert broomrape
Orobanche ramosa	branched broomrape
Peganum harmala	harmel
Physalis virginians var. sonorae (- p subglabrata as used previously.)	smooth groundcherry
Prosopis strombulifera	creeping mesquite
Salsola vermiculata	wormleaf salsola
Salvia virgata (- S pratensis as used previously.)	meadow sage
Scolymus hispanicus	golden thistle
Solanum cardiophyllum	heartleaf nightshade
Solanum dimidiatum	Torrey's nightshade
Sonchus arvensis	perennial sowthistle
Sphaerophysa salsula	Austrian peaweed

"A" - *Pests Continued*

Striga lutea (- S asiatica)	witchweed
Tagetes minuta	wild marigold
Zygophyllum fabago	Syrian beancaper

"B" SPECIES

Eradication, containment, control or other holding action at the discretion of the commissioner.

Acacia paradoxa (- A armata)	kangaroothorn
Acrontilon repens (- Centaurea repens)	Russian knapweed
Aegilops cylindrica	jointed goatgrass
Aegilops ovata (- A geniculata and A neglecta in part)	ovate goatgrass
Aegilops triuncialis	barb goatgrass
Aeschynomene rudis	rough jointvetch
Agropyron repens	(see Elytrigia repens)
Allium paniculatum	panicled onion
Allium vineals	wild garlic
Ambrosia trifida	giant ragweed
Araujia sericofera	bladderflower
Cardaria chalepensis	lens-podded hoarycress

"B" - *Pests continued*

Cardaria drabs	heart-podded hoarycress
Cardaria pubescens	globe-podded hoarycress
Carthamus baeticus	smooth distaff thistle
Carthamus lanatus	woolly distaff thistle
Centaurea calcitrapa	purple starthistle
Centaurea repens	(See Acroptilon repens)
Centaurea sulphurea	Sicilian thistle
Chorispora tenella	purple mustard
Cirsium arvense	Canada thistle
Coronopus squamatus	swinecress
Cucumis myriocarpus	paddy melon
Cynara cardunculus	artichoke thistle
Cyperus esculentus	yellow nutsedge
Cyperus rotundus	purple nutsedge
Elytrigia repens (- Agropyron repens)	guackgrass
Euphorbia oblongata	oblong spurge
Gaura coccinea	scarlet gaura
Gaura drummondii (- G odorata)	scented gaura
Gaura sinuata	wayleaf gaura

"B" - ***Pests continued***

Gypsophila paniculata	baby's breath
Imperata breyifolia	satintail
Isatis tinotoria	dyer's woad
Lepidium latifolium	perennial peppercress
Lythrum salicaria	purple loosetrife
Muhlenborgia schreberi	nimblewill
Nothoscordum inodorum	false garlic
Nymphaea mexicana	banana waterlily
Oryza rufipogon	red rice
Panicum antidotale	blue panicgrass
Physalis viscosa	grape groundcherry
Polygonum cuspidatum	Japanese
Polygonum polystachyum	Himalayan knotweed
Polygonum sachalinonae	giant knotweed
Rorippa austriaca	Austrian fieldcress
Salvia aethiopis	Mediterranean sage
Senecio Jacobaea	tansy ragwort
Senecio squalidus	Oxford ragwort
Setaria faberi	giant foxrail
Solanum carolinense	Carolina horsenettle knotweed

"B" - *Pests continued*

Solanum elaeagnifolium	white horsenettle
Solanum lanceolatum	lanceleaf nightshade
Solanum marginatum	white-margined nightshade
Symphytum asperum	rough comfrey
Ulex europaeus	gorse
Viscum album	European mistletoe

"C" SPECIES

State endorsed holding action and eradication only when found in a nursery: action to retard spread outside of nurseries at the discretion of the commissioner: reject only when found in a cropseed for planting or at the discretion of the commissioner.

Carduus pycnocephalus	Italian thistle
Carduus tenuiflorus	Italian thistle
Cenchrus echinatus	Southern sandbur
Cenchrus incertus	coast sandbur
Cenchrus longispinus (- C pauciflorus as used previously)	mat sandbur
Centaurea solstitialls	yellow starthistle

****

Environmental Easement and Mitigation Area Inspection

Parcel No._____ Location _____

River Mile _____ Levee Mile _____

Owner _____ Acres_____

Date of Inspection _____ Inspected by _____

THE FOLLOWING INCOMPATIBLE ACTIVITIES OR CONDITIONS WERE NOTED:

1. Cutting of trees or other vegetation
2. Clearing, discing, or land levelling activity
3. Evidence of burning
4. Evidence of herbicide use
5. Gravel extraction
6. Conversion to agricultural production
7. Dumping - household garbage, home/farm clippings, etc.
8. Storage of equipment or vehicles
9. Vehicle use
10. Any other interference with vegetation growth
11. Evidence of noxious weeds.

ADDITIONAL COMMENTS/OVERALL SITE ASSESSMENT

EXHIBIT "F"

9410666

NOTICE OF DETERMINATION

To: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

From: The Reclamation Board
1416 9th Street, Room 455
Sacramento, CA 95814

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

Project: Sacramento River Bank Protection Project -- Contract 42A

State Clearinghouse Number: 9312 2010

Contact Person: Annalena Bronson (916) 653-1534

Location: Ten sites on both banks of the Sacramento River, River Mile 88.8 to River Mile 143.3 in Yolo and Sutter Counties.

Description: Placing rock revetment on 5778 feet of eroding river bank, placing of fish groins and planting willow and alders.

This is to advise that The Reclamation Board, as the Lead Agency, approved the above-described project on February 22, 1994 and made the findings contained in the attached Notice of Conformance with Program Final Environmental Impact Report/Supplemental Impact Statement IV for Site Specific Activity. A Mitigation and Monitoring Plan was adopted as part of project approval.

This is to certify that the final Environmental Assessment/Site-Specific Review, including comments and responses, and record of project approval is available at:

Division of Flood Management
Department of Water Resources,
1020 Ninth Street, Room 240
Sacramento, CA 95814

Raymond E. Barsch, General Manager
The Reclamation Board

February 25, 1994

Date received for filing at OPR:

94 FEB 28 PM 2:08

FEB 5 1994

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DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO
CORPS OF ENGINEERS
1325 J STREET
SACRAMENTO, CALIFORNIA 95814-2922

REPLY TO
ATTENTION OF

February 11, 1994

Environmental Resources Branch

FINDING OF NO SIGNIFICANT IMPACT

SACRAMENTO RIVER BANK PROTECTION PROJECT, CONTRACT 42A

I have reviewed and evaluated information presented in this Environmental Assessment/Site-Specific Review (EA/SSR), the Program Final Environmental Impact Report/Supplemental Environmental Impact Statement IV (FEIR/SEIS IV) prepared for the Sacramento River Bank Protection Project, other documents, and the views of other agencies, organizations, and individuals concerning the proposed bank protection work.

The possible consequences of conducting the work described in the EA/SSR have been studied with consideration given to environmental, social, economic, and engineering feasibility. The impacts and mitigation requirements have been thoroughly coordinated with the U.S. Fish and Wildlife Service, National Marine Fisheries Service, the California Department of Fish and Game (DFG), and the State Lands Commission. Measures recommended by DFG have been incorporated to avoid affecting the State-protected Swainson's hawk and the bank swallow. Mitigation is being provided to offset impacts to critical habitat of the endangered winter-run chinook salmon.

Based on my review, I have determined that the proposed bank protection work will result in no new significant effects on the environment beyond the significant effects identified in the FEIR/SEIS IV; that the scope and magnitude of impacts are within the range of impacts described in FEIR/SEIS IV; and that the mitigation measures agreed to in the FEIR/SEIS IV and EA/SSR are sufficient to substantially lessen the potentially significant effects on riparian habitat and shaded riverine aquatic habitat.

Based on the considerations cited above, I am convinced that there is no need to prepare a supplement to the FEIR/SEIS IV. An Environmental Assessment/Site-Specific Review and Finding of No Significant Impact provide adequate erviironmental documentation for the proposed action.

15 Feb 94
Date

John N. Reese
Colonel, Corps of Engineers
District Engineer

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DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO
CORPS OF ENGINEERS
1325 J STREET
SACRAMENTO, CALIFORNIA 95814-2922

REPLY TO
ATTENTION OF

February 22, 1994

Central Valley Section

Mr. Dale A. Pierce
Acting Field Supervisor
U.S. Fish and Wildlife Service
Ecological Services
Sacramento Field Office
2800 Cottage Way, Room E-1803
Sacramento, California 95825-1846

Dear Mr. Pierce:

This letter responds to your letter of January 19, 1994, in regard to Contract 42A of the Sacramento River Bank Protection Project. Additional information will be found in the responses to public and agency comments in the final Environmental Assessment/Site Specific Review for Contract 42A.

I recognize the Fish and Wildlife Service's concern regarding the declining state of the Sacramento River system and the Service's mission to maintain and restore the biological environment. The Service has made extraordinary efforts to educate both the construction agencies and the public about the importance of aquatic resources, the value of avoiding environmental impacts whenever possible, and the Service's interest in setback levees.

I think it important to emphasize that the U.S. Army Corps of Engineers also has an environmental mission. In the past, our goals included minimizing adverse impacts to the environment due to civil works projects and mitigation for unavoidable impacts. Today these goals have been expanded to include the potential for maintaining and restoring important habitats and natural resources. Superimposed on our environmental responsibilities, the Corps has a public safety mission regarding flood control as well. In the Sacramento Valley, this mission involves insuring that the Sacramento River Flood Control Project continues to effectively provide protection to over 1,000,000 acres of agricultural and urban lands, billions of dollars of potentially damageable property, and over 2,000,000 human lives. Because of these missions and responsibilities, I find that I must strike an appropriate balance between requirements to protect the environment and requirements to insure public health and safety. I believe that Contract 42A as proposed provides for public safety in an environmentally sensitive way.

Avoidance measures have been implemented to the maximum extent possible. The original length of the proposed contract in 1987 of 16,060 linear feet has been reduced over 60 percent to 5,778 linear feet, the minimum length that will protect the public health and safety. The initiation of bank protection construction has been deferred for 5 years (1989 to 1994) to insure adequate coordination with resource agencies and to avoid direct impacts to environmental resources. Impacts to riparian habitat will be avoided by using waterside rather than landside construction methods wherever possible. Because of this bank protection project and the use of more expensive construction techniques, we will all enjoy a net gain of riparian forest over the project life relative to the without-project (no action) condition, simply because bank erosion will cease. All of these actions have raised the cost of Contract 42A relative to a least-cost bank protection construction contract by more than 100 percent.

The difference between the plan evaluated in your September 1993 Draft Coordination Act Report and our present plan for Contract 42A is that more mitigation features have been added. The scope of the bank protection to be built remains the same. Further, at our January 10, 1994, meeting we offered to compromise on the amount of project impacts. This compromise resulted in increasing the mitigation measures considerably. We will keep our commitment to implement this compromise. We believe that the current contract as proposed fully mitigates for all environmental impacts.

We will continue to coordinate the various aspects of the project and this contract with your office. However, we are moving ahead with what we feel is a reasonable and justified contract that meets the needs of both the environment and public health and safety in a cost efficient manner. We anticipate initiating construction on May 1, 1994.

If you have any further questions, you may as always contact Mr. Bud Pahl, the Senior Project Manager, at (916) 557-7829, or Mr. Matt Davis, at (916) 557-6708.

Sincerely,

John N. Reese
Colonel, Corps of Engineers
District Engineer

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Copies Furnished:

Mr. Gary Matlock, Acting Regional Director, National Marine Fisheries Service, Southwest Region, 501 West Ocean Boulevard, Suite 4200, Long Beach, CA 90802-4213
Mr. Marv Plennert, Regional Director, U.S. Fish and Wildlife Service, Pacific Regional Office, Portland Eastside Federal Complex, 911 N.E. 11th Avenue, Portland, OR 97232-4181
Mr. Wayne White, Field Supervisor, U.S. Fish and Wildlife Service, 2800 Cottage Way, Room E-1803, Sacramento, CA 95825