

MINUTE ITEM
This Calendar Item No. C10 was approved as
Minute Item No. 10 by the California State Lands
Commission by a vote of 3 to 0 at its
06/29/05 meeting.

**CALENDAR ITEM
C10**

A 25
S 14

06/20/05
PRC 8609.9 N 26076
L. Burks

GENERAL LEASE - HABITAT RESTORATION

APPLICANT:

Friends of the Tuolumne, Inc., a California Non-Profit Corporation

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in the Tuolumne River, between River Mile 43 and 44.5, approximately five river miles west of the community of La Grange, Stanislaus County.

AUTHORIZED USE:

To restore and enhance the quantity of salmon and steelhead spawning and rearing habitat.

LEASE TERM:

Three years, beginning July 1, 2005.

CONSIDERATION:

The public use and benefit; with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interest.

SPECIFIC LEASE PROVISIONS:

Liability insurance with coverage of no less than \$1,000,000.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.
2. The project is proposed to restore and enhance the quantity and quality of salmon and steelhead spawning and rearing habitat between River Mile 43 and 44.5 within, and adjacent to, the Tuolumne River in Stanislaus County by re-establishing natural floodplain processes through implementation of the following activities:

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- a. Extracting 40,000 cubic yards of cobbles and coarse gravels from the project site by excavating the river floodplain on the western half of the project site, already disturbed by historic gold dredger activities. Sediments will be temporarily stockpiled, screened, sorted and cleaned. All coarse sediment materials will be excavated from the project site for use on the project site. No excavated materials will be transported off the project site, or sold.
 - b. Introducing cobbles and coarse gravels into six new or enhanced gravel bars in the Tuolumne River at Riffles 20 and 21 and adjacent to an on-site peninsula at River Mile 43 in the western half of the project.
 - c. Re-contouring the existing floodplain with a new high flow channel to restore its natural floodplain function.
 - d. Revegetating the site.
 - e. Replacing spawning gravels introduced in conjunction with this project which may be transported by high flows outside of the project reach over the life of the project to maintain spawning and rearing habitat.
2. The project site, known as Bobcat Flat, consists of three undeveloped agricultural parcels, totaling 303± acres, which contain River Mile 43 through River Mile 44.5 of the Tuolumne River, with some river meanders and an extensive floodplain. This portion of the River was re-channeled during the early 1970s. A peninsula on the western portion of the project site has a few gravel bars extending into the Tuolumne River. The eastern areas of the project site along the Tuolumne River are planned for additional spawning and rearing habitat restoration and enhancement as funding becomes available in the future.
 3. The project site has been severely damaged and the fish and wildlife habitat left significantly altered for many years. This reach of the Tuolumne River was altered by gold dredging activities done to excavate the original River channel and flood plain up to 25 feet deep during the first half of the century. This reach of the River was further altered during the 1960s by harvesting gravels during construction of upstream dams and by upstream dam construction (especially the New Don Pedro Dam in

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1971) that has changed the flow regime of the river and reduced coarse gravel recruitment in this reach of the River. The Tuolumne River historically served as spawning and rearing habitat for large populations of Chinook salmon and steelhead. The Chinook salmon and steelhead populations have declined significantly over the past several decades throughout their range. They have now declined to a point that the Central Valley fall-run Chinook salmon is a candidate for listing pursuant to the Federal Endangered Species Act. Central Valley Steelhead and Central Valley spring-run Chinook salmon are listed as Threatened pursuant to the Federal Endangered Species Act. Central Valley winter-run Chinook are listed as endangered under the Federal Endangered Species Act.

3. A Negative Declaration was prepared and adopted for this project by the Turlock Irrigation District. The California State Lands Commission's staff has reviewed such document.
4. A Mitigation Monitoring Program was not adopted by Turlock Irrigation District.
5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 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:

California Regional Water Quality Control Board; State Reclamation Board; San Joaquin Valley Air Pollution Control District; Stanislaus County; United States Fish and Wildlife Services; NOAA Fisheries.

FURTHER APPROVALS REQUIRED:

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

EXHIBITS:

- A. Site Plan
- B. Location Map
- C. Notice of Determination

CALENDAR ITEM NO. C10 (CONT'D)

PERMIT STREAMLINING ACT DEADLINE:

November 22, 2005

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

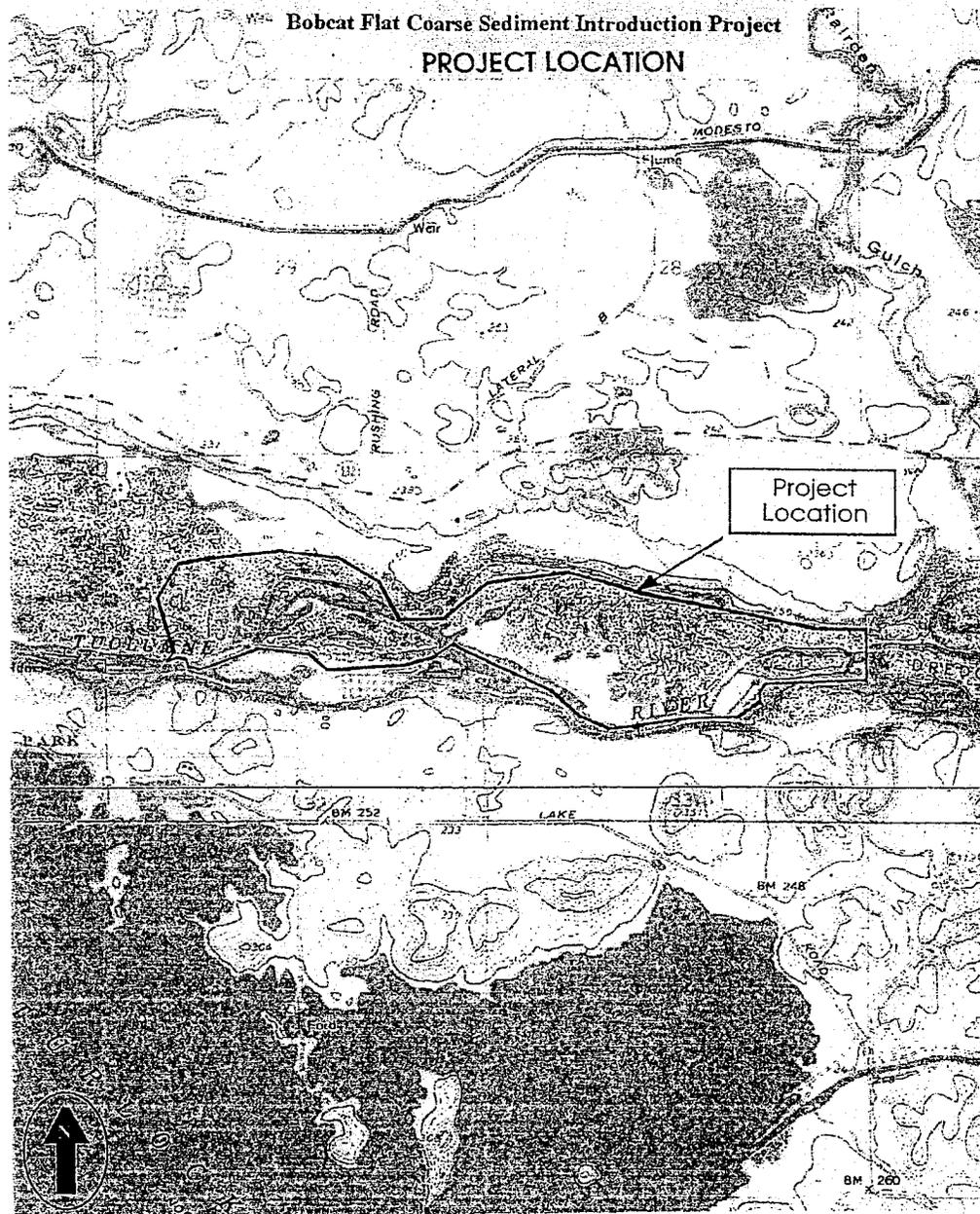
FIND THAT A NEGATIVE DECLARATION WAS PREPARED AND ADOPTED FOR THIS PROJECT BY THE TURLOCK IRRIGATION DISTRICT AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO FRIENDS OF THE TUOLUMNE, INC., A CALIFORNIA NON-PROFIT CORPORATION, OF A GENERAL LEASE - HABITAT RESTORATION, BEGINNING JULY 1, 2005, FOR A TERM OF THREE YEARS, FOR RESTORATION AND ENHANCEMENT OF SALMON AND STEELHEAD SPAWNING AND REARING HABITAT ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; 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; LIABILITY INSURANCE WITH COVERAGE OF NO LESS THAN \$1,000,000.



Source: USGS

This exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by Lessee or other parties, and is not intended to be, nor shall it be construed as, a waiver or limitation of any state interest in the subject or other property.

Exhibit A
W 26076

LMB 5/25/05

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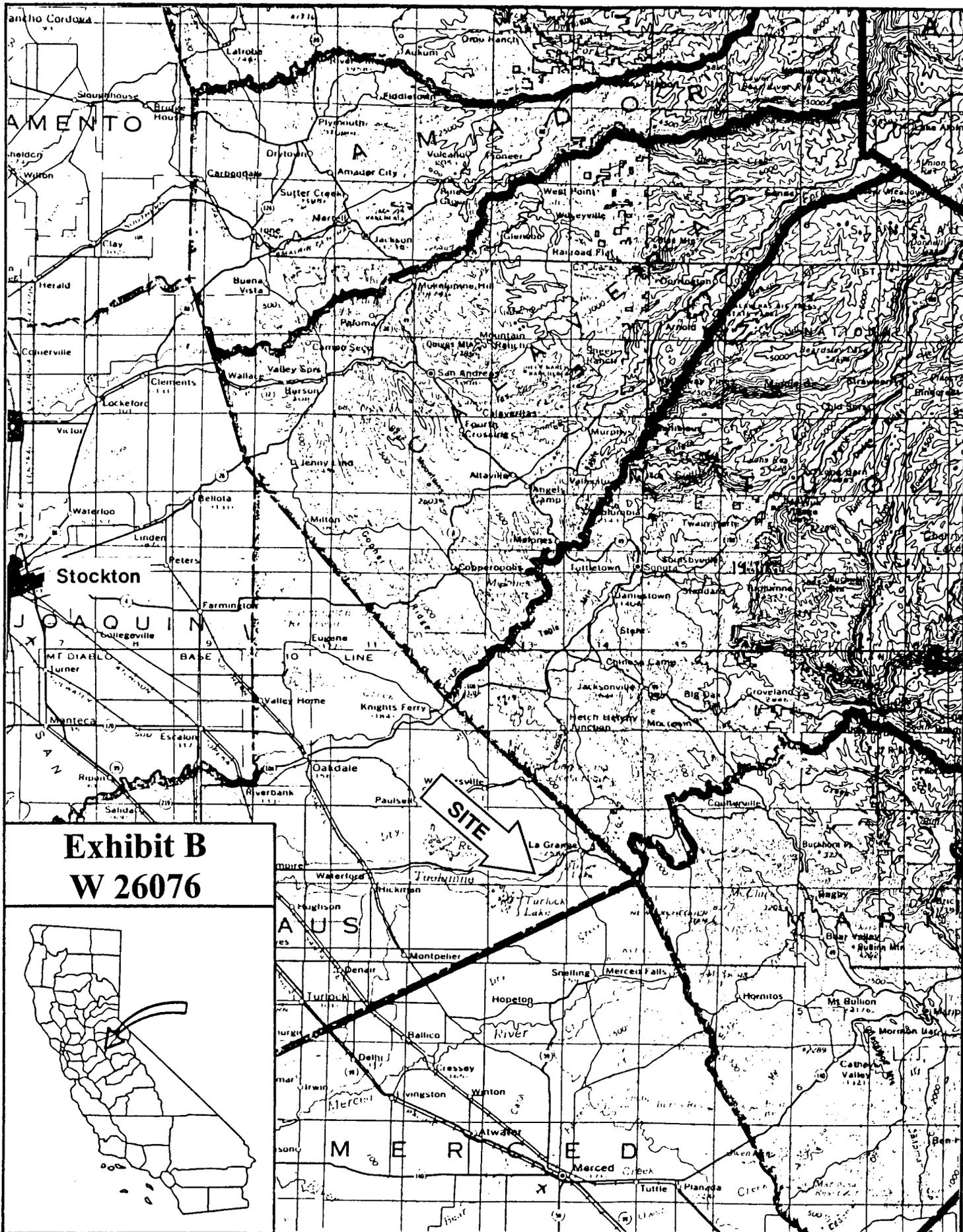


Exhibit B
W 26076

Notice of Determination
Bobcat Flat Coarse Sediment Introduction and Riparian Restoration Project

Notice of Determination

FILED

TO: Stanislaus County Clerk
1021 "I" Street, Suite 101
Modesto, CA 95354

Office of Planning & Research
P.O. Box 3044
Sacramento, CA 95812-3044

FROM: Turlock Irrigation District
333 East Canal Drive
Turlock, CA 95380
05 APR 19 07:03
STANISLAUS COUNTY - RECORDER
BY _____
DEPUTY

SUBJECT: NOTICE OF DETERMINATION in compliance with Section 21108 and 21152 of the Public Resources Code.

Project Title: Bobcat Flat Coarse Sediment Introduction and Riparian Restoration Project

State Clearinghouse Number: 2005022101

Contact Person: Amy Augustine, Contract Planner, 209/532-7376

Project Location: Along the Tuolumne River in unincorporated eastern Stanislaus County, California, approximately five river miles west of the community of La Grange and 27± miles east of Modesto, California. A portion of Sections 32 and 33, of Township 3 South, Range 13 East extending along 1.6± miles of the Tuolumne River including all of river mile 43 and portions of river miles 42 and 44.

County: Stanislaus County

Assessor's Parcel Numbers: 008-020-017, 008-021-011, and 008-021-026

Project Description: See attached.

This is to advise that the Turlock Irrigation District 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 have a significant effect on the environment.
- An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 An Initial Study resulted in approval of a Negative Declaration prepared for this project pursuant to the provisions of CEQA.
The Negative Declaration and record of the project approval may be examined at the Turlock Irrigation District located at 333 East Canal Drive, Turlock, CA 95380
- Mitigation measures, were, were not, made conditions of project approval.
- A Statement of Overriding Considerations was, was not, adopted for this project.

Wilton B Fryer
Wilton Fryer
Turlock Irrigation District (209) 883-8316, wbfryer@tid.org

Project Approval Date: April 19, 2005

Date received for filing and posting at OPR: _____

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