

**CALENDAR ITEM
C32**

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M. Clark

GENERAL LEASE – PUBLIC AGENCY USE

APPLICANT:

John B. Davids
Oakdale Irrigation District
1205 East F Street
Oakdale, CA 95361

AREA, LAND TYPE, AND LOCATION:

21 acres, more or less, of sovereign land in the Stanislaus River, adjacent to Assessor's Parcel Number 010-006-004, near the city of Oakdale, Stanislaus County.

AUTHORIZED USE:

Creation and restoration of a floodplain, spawning riffles, and side-channel habitat for Chinook salmon and Central Valley steelhead as shown on Exhibit A.

LEASE TERM:

Ten years, beginning June 28, 2010.

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.

OTHER PERTINENT INFORMATION:

1. Applicant has the right to use the uplands adjoining the lease premises.
2. The Oakdale Irrigation District (District) has applied to the Commission to create and restore spawning and rearing habitat for the Chinook salmon and Central Valley steelhead in the lower Stanislaus River. The project site, known as the Honolulu Bar Recreation Area, will encompass approximately 21 acres of sovereign land and include the main channel of the river, a side channel, and a mid-channel island.

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3. The proposed lease area is located within designated critical habitat for the Central Valley steelhead and essential habitat for the Chinook salmon. Damming, non-native vegetation encroachment, and gravel and gold mining in the lower Stanislaus River have reduced flows and decreased coarse sediment transport, reducing natural floodplain and rearing habitat. The project proposes to enhance 2.4 acres of floodplain habitat, 0.7 acres of floodplain bench, 0.4 acres of spawning riffles, and re-vegetate 3.85 acres within the lease area.
4. Construction activities will begin during the summer months when the River flows are low and are scheduled to begin no earlier July 2 and end no later than September 31. Prior to the start of construction, approximately 0.39 acres of the side channel will be cleared of non-native trees and shrubs and graded to improve flow connectivity within the side channel and promote floodplain inundation. Approximately 10,800 cubic yards of sediment and gravel will be excavated from the west side of the mid-channel island to be placed in the bed of the Stanislaus River for habitat creation. No excavated materials will be transported or sold from the project site. Approximately 8,100 cubic yards of gravel will be used to create a floodplain bench upstream of the mid-channel island. The bench will be 22 feet wide and approximately 1,660 feet long. The remaining excavated sediment will be used to create 0.4 acres of spawning riffles in the main channel of the river. Once construction is completed, up to 3.85 acres of the lease area will be restored with native vegetation. Re-vegetation activities are scheduled to start in the fall of 2010, while maintenance and monitoring will continue through November 1, 2013.
5. To minimize water from entering the side-channel during construction, a temporary water-filled bladder dam will be installed upstream. The dam will allow flow conditions to stay low, similar to summer conditions. The water bladder will be removed at the end of construction.
6. The portion of the project involving the side-channel will provide out-of-kind habitat mitigation for unavoidable impacts to 0.6 acres of seasonal wetlands/seasonal vernal pools related to the construction of a new District reservoir, which is located outside of the Commission's jurisdiction.
7. A Mitigated Negative Declaration SCH# 2010032004 was prepared by the Oakdale Irrigation District and adopted on April 7, 2010 for this project. The California State Lands Commission's staff has reviewed such document. A Mitigation Monitoring Program was adopted by the Oakdale Irrigation District.

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8. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 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

FURTHER APPROVALS REQUIRED:

U.S. Army Corps of Engineers, United States Fish and Wildlife Service, NOAA Fisheries, California Department of Fish and Game, California Department of Water Resources, and Stanislaus County

EXHIBITS:

- A. Site and Location Map
- B. Land Description

PERMIT STREAMLINING ACT DEADLINE:

October 21, 2010.

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that a Mitigated Negative Declaration SCH# 2010032004 and a Mitigation Monitoring Program were prepared by Oakdale Irrigation District and adopted on April 7, 2010, for this Project and that the Commission has reviewed and considered the information contained therein. Adopt the Mitigation Monitoring Program, as contained on file in the Sacramento office of the California State Lands Commission and by reference made a part hereof.

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 section 6370, et seq.

AUTHORIZATION:

Authorize issuance of a General Lease – Public Agency Use to the Oakdale Irrigation District, beginning June 28, 2010, for a term of ten years, for the creation and restoration of a floodplain, spawning riffles, and side-channel habitat for Chinook salmon and Central Valley steelhead as

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shown on Exhibit A (for reference purposes only) and as described in Exhibit B attached and by this reference made a part hereof; consideration being 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.