

MINUTE ITEM

7/6/72
ENC

30. EMERGENCY AUTHORIZATION TO EXECUTE TEMPORARY LEASES OR PERMITS TO PUBLIC AGENCIES OR PUBLIC UTILITIES TO MITIGATE OR FORESTALL FLOOD DAMAGE, ETC., ANDRUS AND BRANNAN ISLANDS, SACRAMENTO COUNTY - W 20374.

After consideration of Calendar Item 28 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. FINDS THAT A TEMPORARY LEASE OR PERMIT FOR USE OF STATE LANDS TO FACILITATE THE REPAIR, RESTORATION AND RECOVERY OF ANDRUS AND BRANNAN ISLANDS FROM DAMAGE DUE TO FLOODING WILL NOT HAVE A SIGNIFICANT DETRIMENTAL ENVIRONMENTAL EFFECT; AND
2. AUTHORIZES THE EXECUTION OF SUCH TEMPORARY LEASES OR PERMITS TO PUBLIC AGENCIES OR PUBLIC UTILITIES AS ARE REASONABLY NECESSARY TO MITIGATE OR FORESTALL FLOOD DAMAGE AND TO RELIEVE OR RECONSTRUCT FLOOD-DAMAGED LAND, LAND IMPROVEMENTS AND STRUCTURES DURING THE STATE OF EMERGENCY AND WHERE IT IS IN THE STATE'S BEST INTEREST TO DO SO. FOR THE PURPOSES OF THIS AUTHORIZATION, "TEMPORARY" MEANS LEASES FOR A TERM NOT IN EXCESS OF TWO YEARS FROM JUNE 21, 1972.

Attachment:

Calendar Item 28 (2 pages)

EMERGENCY AUTHORIZATION - ANDRUS ISLAND

The levee break at the Spindrift Marina on June 21, 1972, has caused flood damage on Andrus and Brannan Islands and has caused attention to and concern for other nearby levees and islands. An emergency exists in that measures to halt further damage to levees and islands, and to prevent damage in as yet unaffected nearby locations, will be necessary. (Governor Reagan executed a Proclamation of Emergency on June 21.) Such measures may include construction on tide and submerged lands under Commission jurisdiction for which a lease or permit is required.

Such emergency works will have to be undertaken by public agencies and public utilities and may include the placing of transmission and telephone lines, dikes or fills, pumps, pipes and discharges, diversion of water or other such construction, largely short-term in nature.

For each lease or permit, the Commission now must prepare an environmental impact report, make a finding of no significant detrimental environmental effect, establish a fair rental based upon an appraisal of the land involved, and negotiate the terms of a lease or permit with the applicant before construction commences. Normal processing, under ideal conditions, takes a minimum of a hundred days. This is inadequate for meeting the emergency situation that exists.

The levee failure and the consequent flood damage are clearly harmful environmentally in the short run. While a case can be made for a long-run benefit due to the deposition of new soil on a compacting peat base, there appears not to be a sufficient charge of soil in the waters flooding these islands in this case to provide any such benefit. Rather, there is potential for significant harm from salinity in the flood waters covering this agricultural land. Measurements are still being made to determine the extent of saline intrusion into the flooded area. However, current salinities appear to have stabilized, as of this date, at around 500 parts per million. According to the State Department of Agriculture, 1,200 parts per million would be a significant concentration which would have to be flushed from the area by fresh water after the flood waters have been removed.

The evaporation of the present charge of flood waters will increase the salinity in it. Although the discharges from Oroville, Shasta and Folsom Dams have been increased partially to mitigate that effect, salinity will increase more rapidly after the levee break is closed.

In short, the damage far outweighs the benefit in terms of cost to return to preflood conditions. For that reason, this proposed action of the Commission, far from having a detrimental effect, will have a net beneficial effect upon the environment. Any works which are to remain longer than two years will have to be treated in more depth after the emergency period by at least a formal re-evaluation of their long-run environmental effects. Also, the State will reserve the right to review these permits

SUPPLEMENTAL CALENDAR ITEM NO. 28. (CONTD)

at any time during or after the emergency period and to amend or terminate them for cause including that of having a detrimental environmental effect.

EXHIBIT: A. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT A TEMPORARY LEASE OR PERMIT FOR USE OF STATE LANDS TO FACILITATE THE REPAIR, RESTORATION AND RECOVERY OF ANDRUS AND BRANNAN ISLANDS FROM DAMAGE DUE TO FLOODING WILL NOT HAVE A SIGNIFICANT DETRIMENTAL ENVIRONMENTAL EFFECT; AND
2. AUTHORIZE THE EXECUTION OF SUCH TEMPORARY LEASES OR PERMITS TO PUBLIC AGENCIES OR PUBLIC UTILITIES AS ARE REASONABLY NECESSARY TO MITIGATE OR FORESTALL FLOOD DAMAGE AND TO RELIEVE OR RECONSTRUCT FLOOD-DAMAGED LAND, LAND IMPROVEMENTS AND STRUCTURES DURING THE STATE OF EMERGENCY AND WHERE IT IS IN THE STATE'S BEST INTEREST TO DO SO. FOR THE PURPOSES OF THIS AUTHORIZATION, "TEMPORARY" MEANS LEASES FOR A TERM NOT IN EXCESS OF TWO YEARS FROM JUNE 21, 1972.