

MINUTE ITEM

11/78
De La Cruz

C8 - GENERAL LEASE, RIGHT-OF-WAY USE - W 21387

Calendar Item C8, attached, was pulled prior to the meeting.

Attachment: Calendar Item C8 (16 pages)

A 1

S 1

CALENDAR ITEM

C8.

11/78
W 21387
De La Cruz

GENERAL LEASE
RIGHT-OF-WAY USE

APPLICANT: Jai Chand
P. O. Box 31
Gridley, California 95948

AREA, TYPE LAND AND LOCATION:
A 0.35 acre parcel of submerged land across
a former channel of the Sacramento River
at Wilson Landing Road, Butte and Glenn
Counties.

LAND USE: Construction and operation of a private
cable ferry.

TERMS OF PROPOSED LEASE:

Initial period: 25 years from December 1,
1978.

Surety bond: \$2,000.

Public liability insurance: \$300,000 per
occurrence for bodily
injury and \$100,000 for
property damage.

CONSIDERATION: \$100 per annum, with the State reserving
the right to fix a different rental on
each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:

\$100 minimum rental for this type of lease.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is owner and permittee of upland.

Filing fee and environmental costs have
been received.

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 & 2.

B. Cal. Adm. Code: Title 2, Div. 3.

A 1

S 1

CALENDAR ITEM NO. C 8- (CONTD)

OTHER PERTINENT INFORMATION:

1. A final negative declaration was prepared by the Commission's staff, pursuant to CEQA and implementing regulations.
2. This project is situated on State land identified as possessing significant environmental values pursuant to P.R.C. 6370.1, and is classified in a use category, Class B, which authorizes Limited Use.

Staff has coordinated this project with those agencies and organizations who nominated the site as containing significant environmental values. They have found this project to be compatible with their nomination.

3. Applicant has an encroachment permit from Butte County, Department of Public Works, for the upland on east side of the former channel. Applicant is upland owner on the west.

APPROVALS OBTAINED:

Butte County - Department of Public Works.

FURTHER APPROVALS REQUIRED:

United States Army Corp of Engineers.

EXHIBITS:

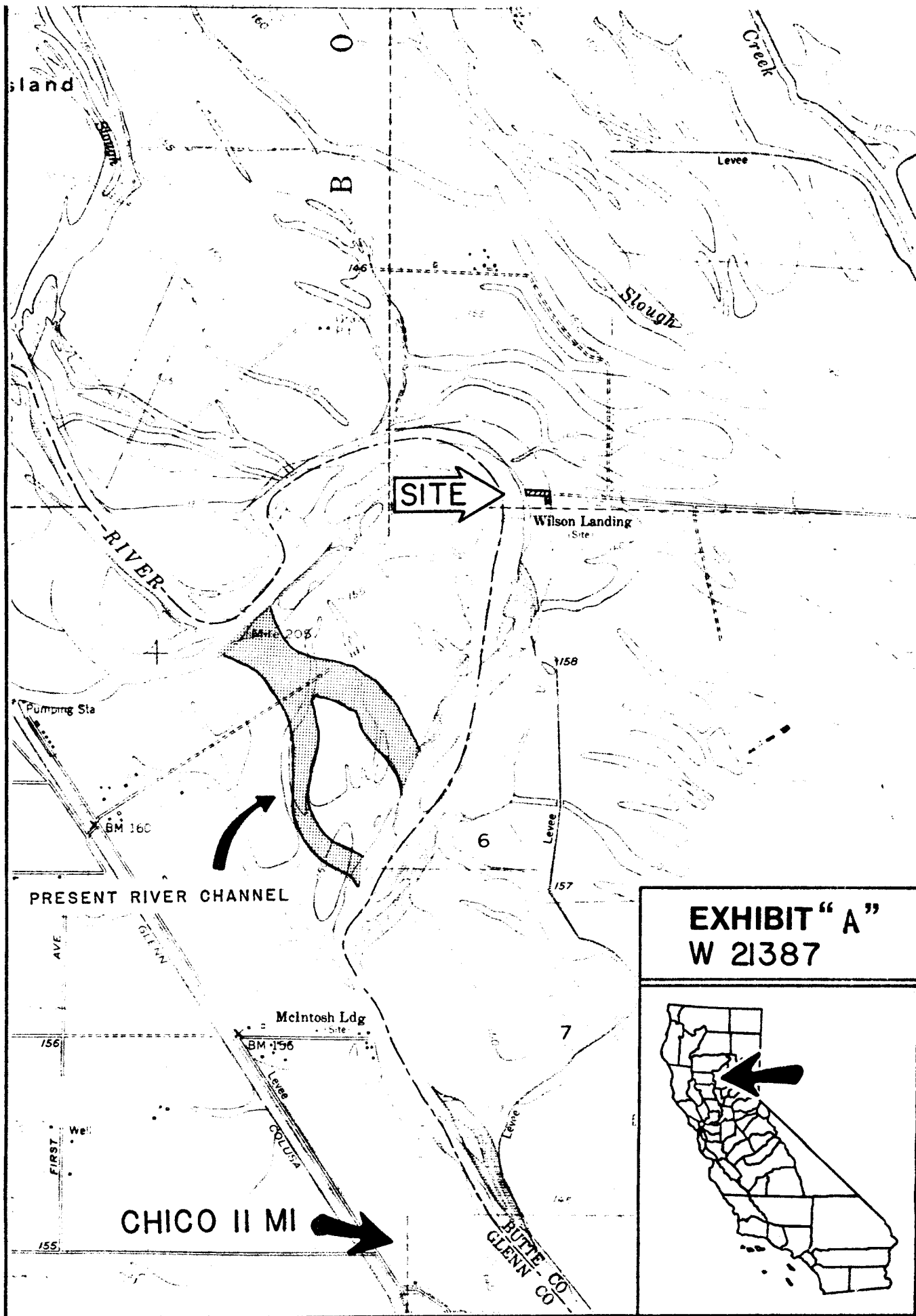
A. Location Map. B. Negative Declaration.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN EIR HAS NOT BEEN PREPARED FOR THIS PROJECT BUT THAT A NEGATIVE DECLARATION HAS BEEN PREPARED BY THE COMMISSION'S STAFF.
2. CERTIFY THAT THE NEGATIVE DECLARATION NO. 224 HAS BEEN COMPLETED IN COMPLIANCE WITH THE CEQA OF 1970, AS AMENDED, AND THE STATE EIR GUIDELINES, AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

CALENDAR ITEM NO. C 8. (CONTD)

3. DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. FIND THAT GRANTING OF THE LEASE WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE P.R.C.
5. AUTHORIZE ISSUANCE TO JAI CHAND OF A 25-YEAR GENERAL LEASE - RIGHT-OF-WAY USE FROM DECEMBER 1, 1978; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$100, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF A \$2,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$300,000 PER OCCURRENCE FOR BODILY INJURY AND \$100,000 FOR PROPERTY DAMAGE; FOR CONSTRUCTION AND OPERATION OF A CABLE FERRY.



NEGATIVE DECLARATION

Agricultural Ferry at Wilson Landing

W 21387

This Negative Declaration is prepared pursuant to Section 15083, California Administrative Code, Title 14, Division 6 and is based upon an Initial Study pursuant to Sections 15080 and 15066 thereof.

Description

It is proposed to construct a cable ferry across a slough of the Sacramento River near Chico between Glenn and Butte counties. The area of the project is approximately 9,000 square feet.

The ferry will consist of a motor driven barge to transfer agricultural equipment and produce to and from the island to Wilson Landing Road. A limited amount of riparian vegetation and habitat will be lost during the construction project. Use of the ferry will allow the vegetation on the interior of the island to be removed. The steel barge will measure 28 feet by 55 feet and will be anchored to concrete deadmen. When not in use, the barge will be anchored on the downstream side.

Project Proponent

Most of the project area is over the historical bed of the Sacramento River. All such sovereign lands are under the jurisdiction of the State Lands Commission. The project is to be constructed for Jai Chand of Gridley, who will farm the island.

The Findings

The staff of the State Lands Commission finds the proposed project will not have a significant effect on the environment. These conclusions can be summarized as follows:

(1) There will be no significant growth inducing impact, inefficient energy consumption, air, water or noise pollution, or solid waste problems created as a result of implementation of this project.

(2) There will be only minimal impacts upon fish and wildlife during and after construction.

(3) The project will indirectly cause the removal of riparian and riparian grassland communities on the interior of the island by permitting its cultivation.

(4) No park lands, recreational areas, or known archaeological or historic sites will be affected by the proposal.

(5) No public services or utilities will be affected by the proposal.

(6) The implementation of this project will not narrow the range of beneficial uses of the environment or pose long-term risks to health or safety.

This Negative Declaration has been prepared by the staff of the State Lands Commission. Additional copies of this document and/or the Initial Study may be obtained from Ted Fukushima, State Lands Commission, 1807 13th Street, Sacramento, CA 95814, telephone number (916) 322-7813.

INITIAL STUDY

I. Description of Project

The proposed project is an agricultural ferry across a slough of the Sacramento River about 15 miles west northwest of Chico. The site is near the intersection of Glenn, Tehama and Butte counties (See Exhibit 1). The ferry will permit the transportation of agricultural implements from the end of Wilson Landing Road in Butte County to a privately-owned island presently vacant in Glenn County. This operation will permit the island to be used for agriculture having been fallow for some years.

The ferry or barge used will be a steel vessel measuring 28 feet by 55 feet. It will travel back and forth across the slough on a steel cable anchored with concrete deadmen. The barge will be powered by a deck-mounted gas combustion engine driving a power winch attached to the steel cable. The barge will have 10-foot wide by 28-foot long steel ramps at each end which can be lowered onto concrete landings at each side of the slough for loading and unloading farm equipment and products.

The two concrete landings will set approximately 230 feet apart across the slough. Both will be approximately 35 feet wide by 20 feet long. A 20-foot wide concrete ramp will be added to the east side landing which will provide access from the landing to the existing road grade. Neither landing will extend into the channel of the slough.

In operation, the barge when fully loaded will draw about 4 feet of water. A channel will be dredged in the area of operation to a minimum depth of 5 feet. Approximately 1,000 cubic yards of dredged material will be disposed of on the land of the applicant. Rock riprap will be placed around the two landings to prevent erosion upstream and downstream of the site. When not in operation the barge will be anchored to a deadman with a cable as shown on Exhibit 2.

A variety of State and local agencies exercise some level of control over the project. In addition to its role as lead agency, the State Lands Commission administers the Significant Lands Program (PRC 6370), which inventories the waterways of the State according to their environmental values. The Sacramento River at the site area is classified as a "limited" use area. Fish and Game has demonstrated concern for the environmental values of the riparian and adjoining vegetative and habitat complexes (See Exhibit 3).

Local planning jurisdictions have zoned and defined all upland land uses as agricultural. Glenn County has zoned its portion of the project as A-2 (20 acre parcel size) with an "agricultural intensive" designation on its 1974 General Plan. It is considered in a flood hazard zone "A". Butte County has

zoned the upland as "A-160" (160-acre minimum) and an "A-5" in the water zone, both are agricultural designations.

State and local agencies will require different permits for the project. Neither Glenn nor Butte counties will require building permits. A permit for access, however, will be necessary across the county road on the Butte County side. The State Reclamation Board has a permit on file. The Army Corps of Engineers will not act on their permit until county approval for access is given. Approval for a Streambed Alteration Permit has been given by Fish and Game.

II. Description of the Environmental Setting

The slough across which this ferry will be constructed is a former channel of the Sacramento River. The river was realigned to remove the sharp bend it had to make. This action created an island and an oxbow slough. The 250-acre island is between the new and the former channels.

The project area sits in the floodplain of the Sacramento River. All land surrounding the site is agricultural, specializing in row crops, grain and orchards. The average elevation is about 150 feet above sea level. Soil on the island is light brown, smooth-textured and a friable loam which contains a good percentage of organic matter. Water penetrates it readily and is well retained. The soil is easily workable and productive.

Soils and land uses are determined by the meandering of the river. Much of the island and the immediate area consists of primary flood deposition of silt and sand. Swales and intersecting water courses are typical of this section of the Sacramento River. It is still prone to periodic inundation with less flood control work than other portions of the river. The area is not prone to seismic hazards. Several earthquakes with magnitudes of 4.0 to 4.9 have occurred thirty miles to the east of the project site.

Agricultural encroachment on low-terrace riparian lands has been slow because of the erosion hazard. It is believed that the river will always have about the same acreage of low-terrace riparian lands and gravel bars.

The project area is just outside of the study area of the Upper Butte Basin Study, the prime source of natural data for this area. The Butte Basin is one of the major overflow basins of the Sacramento Valley.

Natural vegetation covering the island consists of many varieties. Some of the island was farmed before the river was realigned, but the passage of time has allowed many native species to be reintroduced to the area. Investigations by the Department of Fish and Game have defined the island and in particular its perimeter as being environmentally significant (See Exhibit 3).

The land and vegetation on the island has been altered by past agricultural activity and differs substantially from untilled areas in plant composition. Wildlife species probably also vary in these areas. The banks of the slough have young riparian growth composed of cottonwoods, willows, vines and other vegetation typical of riparian growth along the Sacramento River. Although this growth is young, it is increasingly becoming more valuable as habitat for a wide range of species. If allowed to remain untouched it would regain its former value as prime habitat.

Riparian areas are subject to varying degrees of seasonal flooding and dessication. Encroaching in these areas are sandbar willow, Pacific willow and black willow. Riparian tree growth generally grows on banks that do not have abrupt slopes. This tree growth includes black willow, Fremont cottonwood, blue elderberry, white alder, box elder, Oregon ash, western sycamore and valley oak. A dense shrub and perennial plant cover extends to the water's edge under the riparian trees. This cover consists mostly of California blackberry, western raspberry, California wild grape, California mugwort, western ragweed and yellow and white sweetclover.

Inland from the bank vegetation is a zone of vegetation termed the riparian grassland. In the case of the project area, the low level of the island allows riparian vegetation to grow far inland. Riparian grassland is thus limited to the interior of the island.

The slough at the crossing site has no current and is slowly becoming dominated by aquatic vegetation. This is also highly productive as habitat and may be frequented by beavers and river otters.

Butte Basin and the project area constitute an area highly important to wildlife in California. The permanently wet lowlands provide the most valuable habitat for waterfowl. Other wildlife, such as the ringnecked pheasant, occur in large numbers in the project area. Nongame birds, mammals and other animals are found heavily in the project area. The project area may be frequented by the California yellow-billed cuckoo, currently in the rare category of endangered species. Two endangered birds, the American peregrine falcon and Southern bald eagle, may frequent the general region. If not now extinct, the thicktail chub, an endangered fish, may be found in the general region of the Sacramento River and its sloughs.

The project site was in the bed of the Sacramento River until the 1960's. From this reason, it is doubtful if there are any archaeological sites at the project area, although generally riparian areas are in highly sensitive archaeological zones. The eastern side of the project at Wilson Landing Road has been extensively altered by dumping of rubble and the construction of

a levee. The State Historic Preservation Officer has been contacted concerning this site. If there are indications of potential sites in the project area, site surveys may be authorized prior to construction. If any evidence of archaeological artifacts are discovered during construction, operations will cease until a site survey is performed.

III. Environmental Effects of the Proposal

Construction of the proposed ferry will cause certain adverse impacts to a small aquatic area of the slough and to riparian areas on the banks. Use of the ferry will permit indirect impacts in habitat loss to the grassland area on the interior of the island.

Aquatic and riparian plants will be removed by the construction and dredging at the site. Some of the vegetation and habitat removed will recover with time reducing the loss. Aquatic benthic life will be lost in the construction zone and dredging area. Fish will suffer a loss of feeding and breeding areas. Riparian species, chiefly small mammals, reptiles, amphibians and birds will be displaced from the landing areas on both sides of the slough. Some of the animal species will experience a prolonged avoidance of the construction area and the ferry, especially in operation.

Riparian, riparian shrub and riparian grassland vegetative zones and habitat areas away from the perimeter of the island will be removed by farming operations resulting from this project. The island, which has been farmed previously, is more or less determined to be agricultural as to its most economic use, especially since it is privately owned. Although riparian lands generally have decreased in the Sacramento Valley, agricultural use is often temporary on these low-terrace areas due to periodic flooding.

Placement of the cable may act as an inconvenience to navigation. This short slough of the river may be used on occasion by small fishing boats. Depending upon the season and water level, the cable may restrict or require increased care in using the slough.

IV. Mitigation of Any Significant Effects Identified

The intensive and limited scope of the project will act as a mitigating factor in protecting most of the riparian habitat in the project area. Outside of the channel and upland island areas, there will be no significant disturbance to the vegetation. Any disturbance to the habitat outside of the construction area resulting from construction activities will recover as the area will not have frequent or continual use. Most of the operation of the facility will be seasonal with little use of the ferry in winter months.

BIBLIOGRAPHY

Wild, Scenic, and Recreational Characteristics-Sacramento River, California Keswick Dam to Sacramento. Department of the Army, Corps of Engineers, Sacramento, California, August, 1975.

Upper Butte Basin Study, 1974-75. Terry D. Brumley, Department of Fish and Game, Resources Agency, Sacramento, California, 1976.

At the Crossroads, 1974. Fish and Game Commission, State of California, January, 1974.

Draft Environmental Impact Report for Safety and Seismic Safety Element of the Butte County General Plan, Butte County, California, 1976.

AGENCY CONTACTS

BUTTE COUNTY - Mack Parker, also Public Works, Assessor and
Planning Department

FISH AND GAME, DEPARTMENT OF - Jim Swanson, Bob Mapes

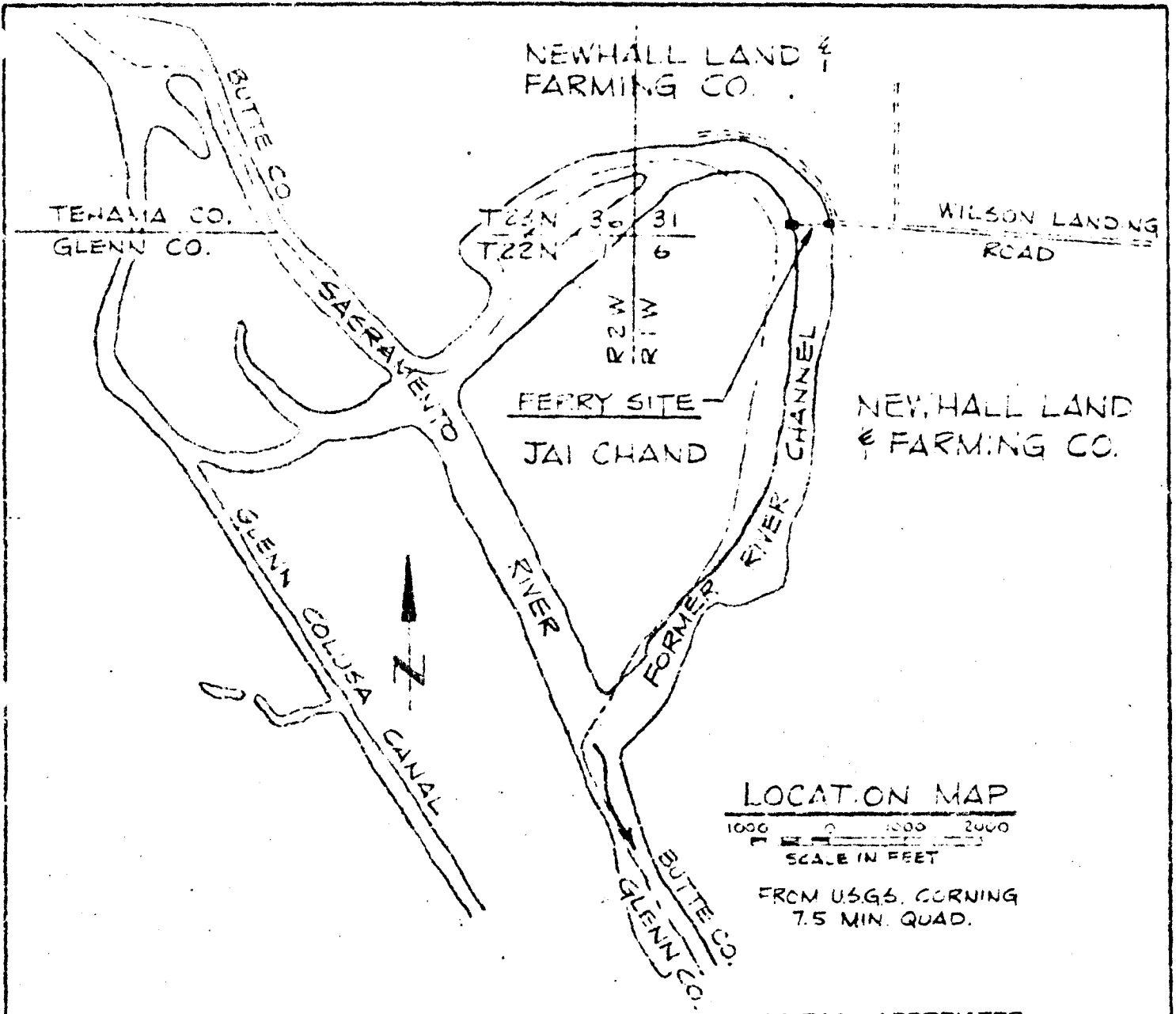
FISH AND WILDLIFE - Richard Morat

GLENN COUNTY - Christy Leighton, Planning and Tom Landon, Engineering

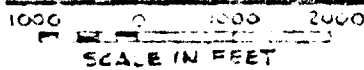
MINES AND GEOLOGY, DIVISION OF - Dr. Roger Sherburn

STATE RECLAMATION BOARD - Barney Myers

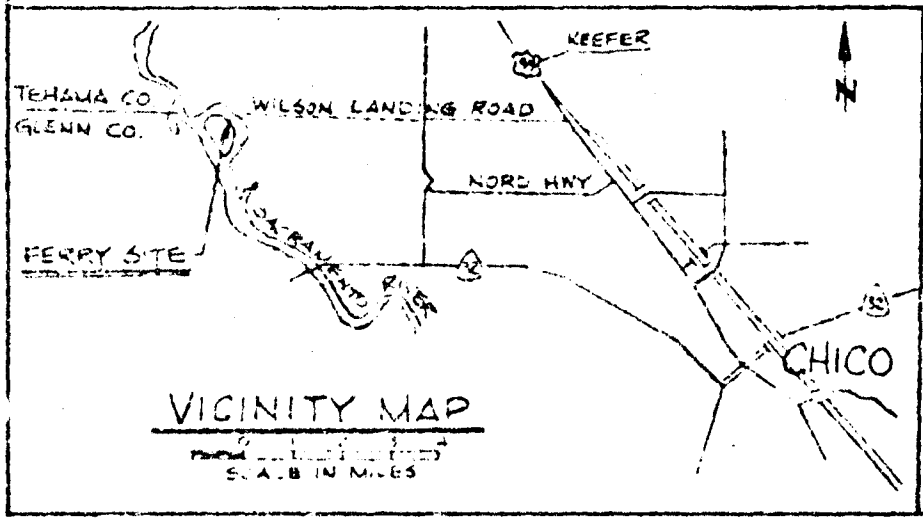
U. S. ARMY CORPS OF ENGINEERS - Jerry McQuaid



LOCATION MAP



FROM USGS, CORNING
7.5 MIN. QUAD.

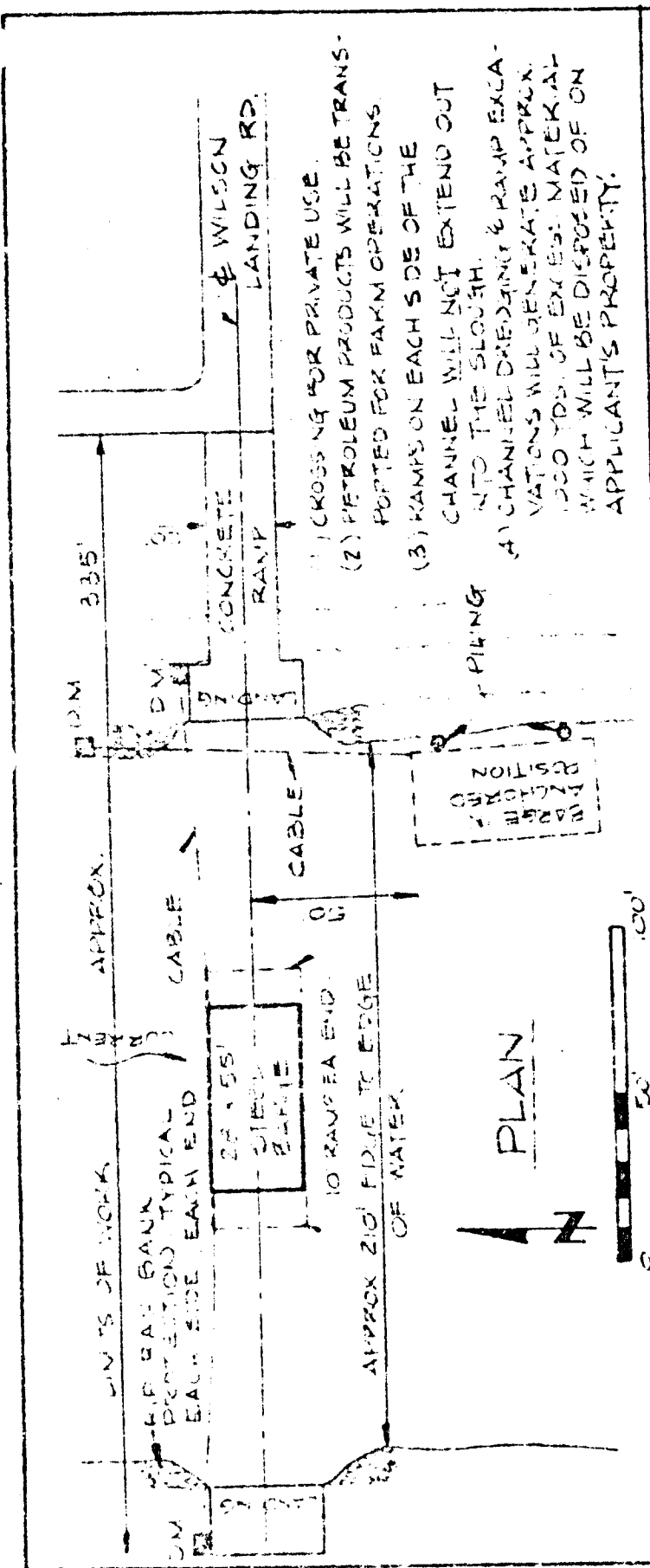


MCCAIN ASSOCIATES 1981343-8228
555 EAST AVENUE CHICO CALIFORNIA 95928
ARCHITECTS ENGINEERS SURVEYORS

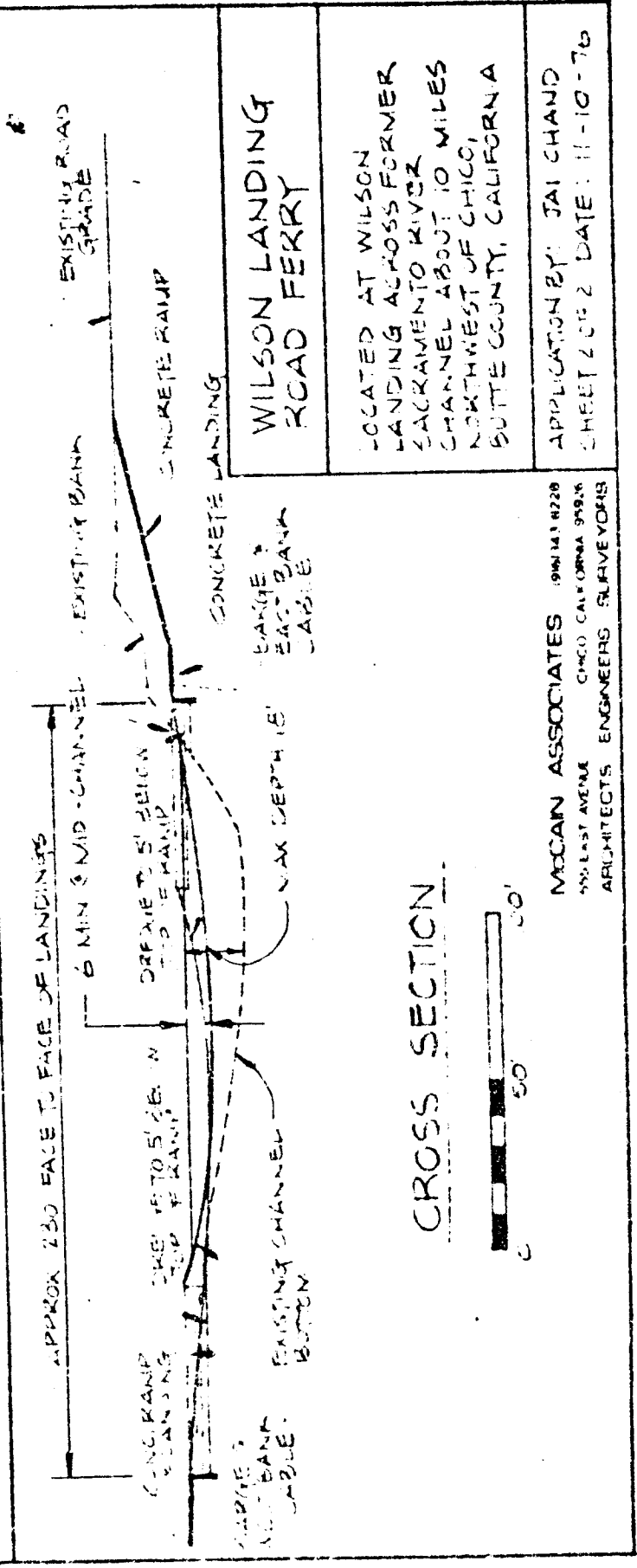
WILSON LANDING ROAD FERRY

LOCATED AT WILSON LANDING ACROSS FORMER SACRAMENTO RIVER CHANNEL ABOUT 10 MILES NORTHWEST OF CHICO, BUTTE COUNTY, CALIFORNIA

APPLICATION BY: JAI CHAND
SHEET 1 OF 2 DATE: 11-10-76



- (1) CROSSING FOR PRIVATE USE.
- (2) PETROLEUM PRODUCTS WILL BE TRANSPORTED FOR FARM OPERATIONS.
- (3) RAMPS ON EACH SIDE OF THE CHANNEL WILL NOT EXTEND OUT INTO THE SLOUGH.
- (4) CHANNEL DREDGING & RAMP EXCAVATIONS WILL GENERATE APPROX. 1000 YDS. OF EXCESS MATERIAL WHICH WILL BE DISPOSED OF ON APPLICANT'S PROPERTY.



LOCATED AT WILSON LANDING ACROSS FORMER SACRAMENTO RIVER CHANNEL ABOUT 10 MILES NORTHWEST OF CHICO, BUTTE COUNTY, CALIFORNIA

APPLICATION BY: JAI CHAND
SHEET 2 OF 2 DATE: 11-10-76

MCCAN ASSOCIATES 1941418228
550 EAST AVENUE CHICO CALIFORNIA 95926
ARCHITECTS ENGINEERS SURVEYORS

Memorandum

Mr. Dave Black
State Lands Commission
1807 13th Street
Sacramento CA 95814

Date: November 15, 1977

From : Department of Fish and Game - Region 2

Subject: Jai Chand's Island, Sacramento River, Glenn County

These comments are submitted as per your request.

Subject island has an excellent fringe of riparian forest developing along the old river channel. Willow species are the dominant plant species. This is the preferred habitat of the rare California yellow-billed cuckoo which is known to inhabit the area.

The main body of the island is covered with riparian grassland with small pockets of riparian forest. While the island is now important to wildlife, its importance will increase significantly as more forest develops. Approximately 99 percent of the virgin riparian habitat of the Sacramento Valley has been destroyed by human activity.

Mr. Chand's proposed ferry crossing project would be deleterious to many aquatic species, including such mammals as river otter and beaver. Depending upon its design, impudence of channel use by river recreationists is possible.

The proposed island and ferry project can be expected to have an adverse impact on habitat and wildlife.

J. Snowden
James H. Snowden *JH*
Assistant Wildlife Manager Biologist
Region 2

NOV 21 10 16 AM '77
STATE LANDS COMMISSION
RECEIVED

Do not type to the left of dotted line.

(A)

FEDERAL GRANT APPLICATION/AWARD NOTIFICATION
STATE OF CALIFORNIA STATE CLEARINGHOUSE (916) 445-0613

1 APPLICATION DATE
yr mo day
19 8 10 17

ITEMS 1-31 TO BE COMPLETED BY APPLICANT

3. APPLICANT - Organizational Unit
STATE LANDS COMMISSION
4. ADDRESS - Street or P. O. Box
1807 13th STREET

2 FEDERAL EMPLOYER ID NO.

5. CITY
SACRAMENTO
6. COUNTY
SACRAMENTO
7. STATE
CA
8. ZIP CODE
95814
9. PROG TITLE/NO. (Catalog of Fed Domestic Assistan.

10. TYPE OF ACTION
a New c Modification
b Continuation
11. TYPE OF CHANGE (Complete if 10b or 10c was checked)
a Increased Dollars b Decreased Dollars
12. a Increased Duration b Decreased Duration
13. a Other Scope Change b Cancellation
14. EXISTING FED GRANT

15. REQUESTED FUND START
19 8 11
16. FUNDS DURATION
17. EST. PROJECT START
19
18. EST. PROJECT DURATION
1 (Months)
19. APPLICANT TYPE
A. State B. Interstate C. Sub State Dist D. County E. City
F. School District G. Community Action Agency H. Sponsored Organization I. Indian J. Other (Specify in Remarks)
20. FEDERAL () \$
21. STATE () \$
22. LOCAL () \$
23. OTHER () \$
24. TOTAL (20, 21, 22, 23) () \$

25. BRIEF TITLE OF APPLICANT'S PROJECT
Agricultural Ferry at Wilson Landing

26. DESCRIPTION OF APPLICANT'S PROJECT (Purpose)
The project will be the construction of a cable ferry across a slough of the Sacramento River near Chico. The ferry will transfer agricultural supplies and equipment from the shore to an island in the river.

27. AREA OF PROJECT IMPACT (Indicate City, County, State, etc.)
Sacramento River, Glenn and Butte Counties
STATE-WIDE COUNTY-WIDE MULTICOUNTY
Yes No Yes No Yes

28. CONGRESSIONAL DISTRICT
Of Applicant Districts Impacted By Project
29. Environmental Assessment Required By State/Federal Agency?
Yes No
30. CLEARINGHOUSE(S) TO WHICH SUBMITTED
a State b Area Wide c None

31. a NAME/TITLE OF CONTACT PERSON
Ted Fukushima
b ADDRESS - Street or P. O. Box
1807 13th Street, Sacramento
c TELEPHONE NO.
(916) 322-7811

31. d IS ENVIRONMENTAL DOCUMENT REVIEW REQUIRED YES X NO
If Yes Environmental Impact Statement (Report) Attached (20 copies)
Draft EIR Final EIR
Negative Declaration Attached (20 copies)
None attached - Document Will Be Forwarded On
Approximately Mon Day Year
If No Federal Program Does Not Require An Environmental Document
Project Exempt Under State Categorical Exemption, Class
e Will the project require relocation? YES NO X
f Does your agency have a civil rights affirmative action policy and plan? YES X NO
g Is project covered by A-95 Pt IV? YES NO X
If yes, is MOA executed? YES NO X
h If project is physical in nature or requires environmental document, list the U. S. Geologic Survey Quadrangle map in which project is located.
Foster Island

ITEMS 32-38 TO BE COMPLETED BY CLEARINGHOUSE

32. CLEARINGHOUSE ID
MULTIPLE CLEARINGHOUSE

33. a ACTION BASED ON REVIEW OF
b Notification c Application
33. b ACTION TAKEN
a With Comment b Without Comment c Waived d Unfavorable
34. STATE APPLICATION IDENTIFIER (SAI)
C A
State Number

35. CLEARINGHOUSE IMPACT CODE
STATE WIDE County/ City County/ City County/ City County/ City County/ City
Yes No Ping Area Ping Area Ping Area Ping Area Ping Area Ping Area

36. STATE PLAN REQUIRED
Yes No
37. RECEIVING DATE AT CLEARINGHOUSE
yr mo day
38. FINAL CH ACTION DATE
yr mo day
38. a SIGNATURE OF CH OFFICIAL

ITEMS 39-42 TO BE COMPLETED BY APPLICANT BEFORE SENDING FORM TO FEDERAL AGENCY

39. CERTIFICATION - The applicant certifies that to the best of his knowledge and belief the above data are true and correct and filing of this form has been duly authorized by the governing body of the applicant.
Check box if clearinghouse response is attached.

40. a NAME (Print or Type) b TITLE c SIGNATURE of Authorized Representative d TELEPHONE NUMBER
41. DATE MAILED TO FEDERAL/STATE AGENCY
yr mo day
42. NAME OF FEDERAL / STATE AGENCY TO WHICH THIS APPLICATION SUBMITTED

ITEMS 43-54 TO BE COMPLETED BY FEDERAL OFFICE EVALUATING AND RECOMMENDING ACTION ON THE APPLICATION

43. GRANT APPLICATION ID (Assigned by Federal Agency)
44. GRANTOR AGENCY
45. ORGANIZATIONAL UNIT
46. ADMINISTERING OFFICE
47. ADDRESS - Street or P. O. Box
48. CITY
49. STATE
50. ZIP CODE
51. TELEPHONE NUMBER
52. Application Rec'd.
yr mo day
53. a Exp. Action Date
yr mo day
53. b Rev. to Applicant
yr mo day
54. Exp. Action Revised As Of
yr mo day
55. b Subsequent Re Applicant
yr mo day
Always Complete 53a OR b

ITEMS 55-65 TO BE COMPLETED BY THE FEDERAL OFFICE APPROVING THE GRANT APPLICATION

55. a Awarded b Rejected c Withdrawn
56. FUNDS AVAILABLE
57. ENDING DATE
58. FEDERAL GRANT ID
59. FEDERAL FUND ACCOUNT NUMBER
60. FEDERAL AMOUNT (F Y funds) () \$
61. STATE SHARE () \$
62. LOCAL SHARE () \$
63. OTHER () \$
64. TOTAL (60, 61, 62, 63) () \$
65. MULTIPLE PROGRAM-LINK
-12-
2415