

MINUTE ITEM

This Calendar Item No. 09
was approved as Minute Item
No. 9 by the State Lands
Commission by a vote of 2
to 0 at its 12/23/86
meeting.

CALENDAR ITEM

A 61

009

12/23/86
W 23521
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S 25

GENERAL PERMIT - PUBLIC AGENCY USE

APPLICANT: United States Bureau of
Reclamation
Yuma Projects Office
Bin 12487
Yuma, Arizona 85365

AREA, TYPE LAND AND LOCATION:

A 31.0+ acre parcel of sovereign land, located
in the Colorado River near the City of Needles,
San Bernardino County.

LAND USE:

Construction and maintenance of a flood control
levee.

TERMS OF PROPOSED PERMIT:

Initial period: 25 years beginning October 1,
1986.

CONSIDERATION:

The public health and safety; 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.

APPLICANT STATUS:

Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee has been received

STATUTORY AND OTHER REFERENCES:

- A. P.R.C.; Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Adm. Code: Title 2, Div. 3; Title 14,
Div. 6.

(REVISED 05/08/37)

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AB 884: N/A.

OTHER PERTINENT INFORMATION:

1. This proposed permit covers the remaining 3.4 miles of a 13.3-mile levee system project (known as the Nevada Levee Extension Project) on the west side of the Colorado River. Completion of the final 3.4 miles phase is required to protect the integrity of the entire levee project.
2. The purpose of the overall project is to prevent erosion, and to protect life and property in the event of high volume water releases from Hoover Dam and flood runoff from tributary drainages.
3. The annual rental value of the site is estimated to be \$9,500.
4. 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.
5. A Finding Of No Significant Impact (FONSI) was prepared and adopted for this project by the Federal Bureau of Reclamation. The document was circulated for public review as broadly as State and local law requires and notices were given meeting the standards in 14 Cal. Adm. Code 15072(a). Therefore, pursuant to 14 Cal. Adm. Code 15225, the staff recommends the use of the Federal FONSI in place of a Negative Declaration.
6. During the environmental process, onsite review by the Department of Fish and Game revealed the need for specific mitigation measures. Negotiations between Department of Fish and Game and the Bureau of Reclamation resulted in a Letter of Agreement setting forth the agreed upon mitigation measures. That Letter has been

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made part of the proposed Public Agency Permit, and requires the permittee to perform said mitigation work.

7. The applicant has paid the required \$25 filing fee, but has requested a waiver of the \$450 expense deposit. By letter, the applicant advises that the levee facility will provide flood control benefits to both public and private owned lands along the California side of the Colorado River. Staff concurs in these findings, and recommends waiver of the expense deposit in this transaction.

APPROVALS OBTAINED:

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

EXHIBITS:

- A. Land Description.
- B. Location Map.
- C. Finding of No Significant Impact (FONSI).
- D. Mitigation Letter of Agreement.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE FINDING OF NO SIGNIFICANT IMPACT PREPARED AND ADOPTED FOR THIS PROJECT BY THE FEDERAL BUREAU OF RECLAMATION MEETS THE REQUIREMENTS OF THE CEQA; THEREFORE, PURSUANT TO 14 CAL. ADM. CODE 15225, ADOPT SUCH FEDERAL DOCUMENT FOR USE IN PLACE OF A NEGATIVE DECLARATION.
2. DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
3. AUTHORIZE WAIVER OF THE \$450 EXPENSE DEPOSIT.
4. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.
5. AUTHORIZE ISSUANCE TO UNITED STATES BUREAU OF RECLAMATION OF A 25-YEAR GENERAL PERMIT - PUBLIC AGENCY USE BEGINNING OCTOBER 1, 1986; IN CONSIDERATION OF THE PUBLIC HEALTH AND SAFETY, 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; FOR CONSTRUCTION AND MAINTENANCE OF A FLOOD CONTROL LEVEE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT A

LAND DESCRIPTION

W 23521

All those California State lands in San Bernardino County, California, along the west bank of the Colorado River lying immediately beneath a levee and riprap placed for bank protection as shown on the United States Bureau of Reclamation design sheet entitled "Nevada Levee Extension, Sta. 0+00 to Sta. 344+71.21" No. 423T-303-463, a copy of which is on file with the State Lands Commission.

END OF DESCRIPTION

PREPARED AUGUST 14, 1986 BY BOUNDARY SERVICES UNIT, M. L. SEAPER,
SUPERVISOR.

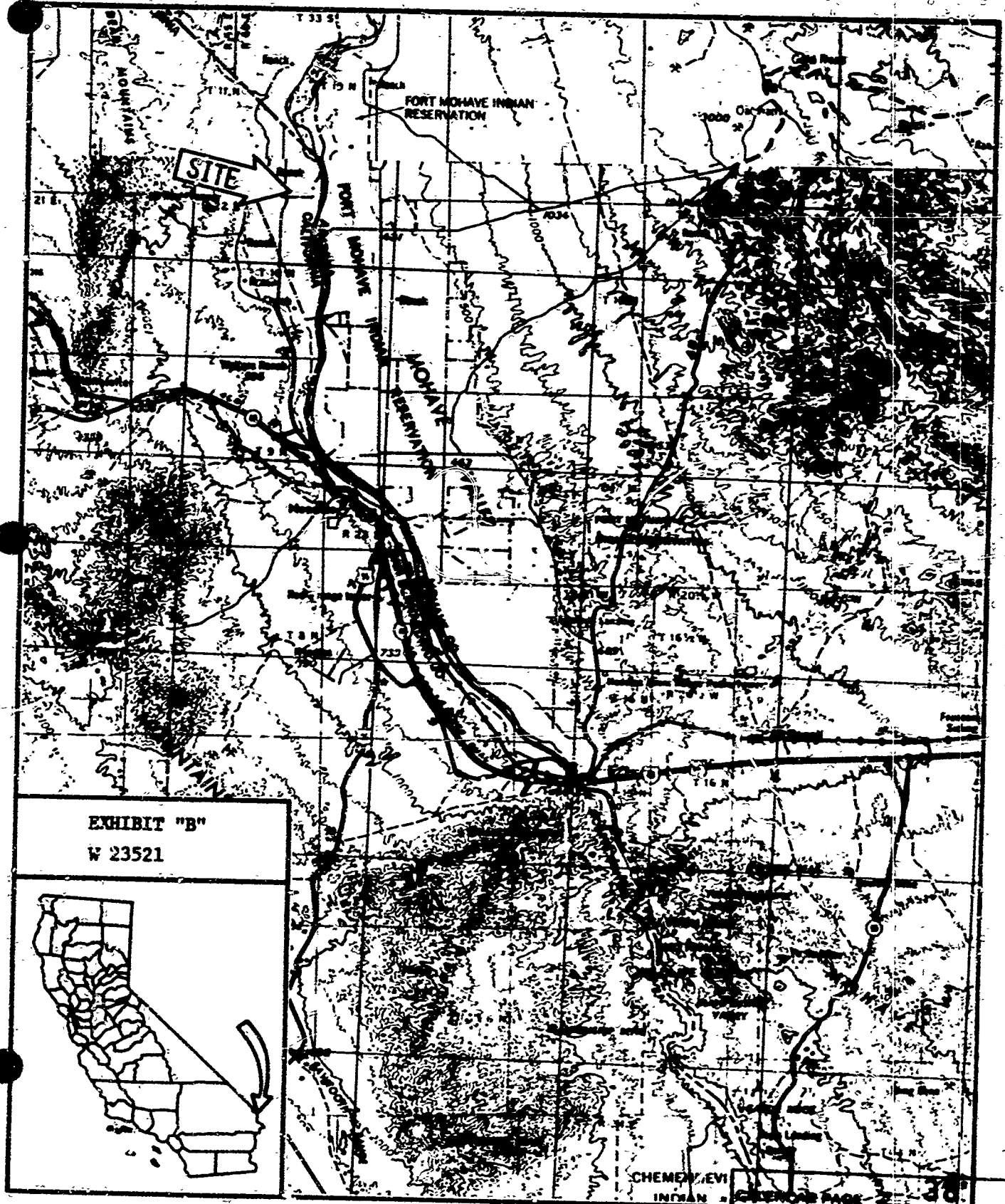


EXHIBIT "B"
W 23521



CHEMEHUEVI INDIAN RESERVATION
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EXHIBIT "C"

U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
LOWER COLORADO REGION
YUMA PROJECTS OFFICE

FINDING OF NO SIGNIFICANT IMPACT

NEVADA LEVEE EXTENSION
MOHAVE DIVISION
CALIFORNIA, NEVADA

FONSI NO. LC-86-6
Finding of No
Significant Impact
Number (Region)

Recommended *John Blum* Date 10/4/86
Project Manager

Concur *William E. Rennie* Date 10/8/86
Regional Environmental Officer

Approved *Roy D. Gear* Date 10/21/86
Regional Director

**Rationale for Finding of No Significant Impact (FNSI)
for Construction of the Nevada Levee Extension
Mohave Division
Colorado River Front Work and Levee System**

The Bureau of Reclamation (Reclamation) proposes to construct a levee between River Miles 258.2 and 252.7 on the California/ Nevada side of the Colorado River. The new levee would be constructed to design height for a 100-year flood event (70,000 cubic feet/second). Presently this reach of the river is unprotected by a levee, leaving valuable farmland susceptible to damage by high flows.

Based on the attached Environmental Assessment for the project, approval of the FNSI is recommended for the following reasons:

1. Implementation of the proposed action would protect approximately 5,000 acres of farmland as well as public safety from high flows in the river.
2. Approximately 43 acres of vegetation and wildlife habitat would be impacted by the proposed action. This would be mitigated by planting 50 acres of cottonwood, willow, screwbean mesquite, and honey mesquite at a suitable site. No impacts to aquatic resources are expected.
3. No Federally-listed or -proposed for listing wildlife or plant species would be affected by the project.
4. Impacts to cultural and historical resources are limited to two sites in a borrow pit to be used. Mitigation for these sites consisted of full data recovery and analysis.
5. Impacts to water quality would consist of localized short-term increases in suspended solids.

EXHIBIT "D"

LC-156

SEP 3 1986

SPECIAL FILE COPY - WFO RECEIVED	SEP 11 1986	SEARCHED	INDEXED	SERIALIZED	FILED

*11-11-86
For [unclear]
This [unclear]
in [unclear]*

Mr. Fred Worthley
 Regional Manager
 California Department
 of Fish and Game
 245 West Broadway
 Long Beach, California 90802

Dear Mr. Worthley:

Mitigation for the proposed Nevada Levee Extension, Mohave Division, was tentatively agreed to during a meeting on August 5, 1986, with Messrs. Bruce Ellison and Ron Powell, California Department of Fish and Game; and Ms. Kerrie Palermo and Mr. Del Kidd, Bureau of Reclamation (Reclamation). During this meeting, it was established that the revegetation of 50 acres with native trees would adequately compensate for both the direct and indirect impacts from the proposed project.

Due to the lack of suitable revegetation sites in or near the project area, it was decided that the cleared areas along the Cibola Levee might be suitable for revegetation; this would also enhance previous revegetation sites in the area. On August 12, 1986, specific sites were chosen during an on-site meeting with Mr. Ron Powell, Ms. Kerrie Palermo, and Mr. Ron McKinstry of the Fish and Wildlife Service. These sites will require some further evaluation of land ownership, soil suitability, and exact acreages available. If these sites prove unsuitable, we will meet with Messrs. Powell and McKinstry and select an alternative site.

The revegetation project is presently scheduled to begin in the spring of 1986 (the earliest available timeframe for seedlings to be read-). Cottonwood, willow, screwbean mesquite, and honey mesquite will be planted at a density of 25 of each species per acre. Reclamation will provide replacement plantings if mortality from the original revegetation effort exceeds 70 percent over the first 3 years of growth.

Contact Mr. Del Kidd at 602-726-2679 or FTS-764-6679 if you have any questions or comments on this mitigation proposal.

Sincerely yours,

Edward M. Hallenbeck
 Regional Director

cc: Field Supervisor, Division of Ecological Services, Fish and Wildlife Service, 2934 W. Fairmount Avenue, Phoenix, Arizona 85017

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