

**CALENDAR ITEM
C02**

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06/19/14

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PRC 4657.9
G. Asimakopoulos

**TERMINATION OF A PUBLIC AGENCY PERMIT AND ISSUANCE OF A
GENERAL LEASE - PUBLIC AGENCY USE**

APPLICANT:

Glenn County Planning & Public Works Agency
P.O. Box 1070
Willows, CA 95988

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the Sacramento River at River Mile 184, adjacent to 8263 Ord Ferry Road, near Ord Bend, Glenn County.

AUTHORIZED USE:

Continued use and maintenance of a public park previously authorized by the Commission, and the removal and replacement of an existing two-lane boat launch ramp, construction and maintenance dredging of the backwater channel near the ramp, construction of an aluminum gangway and boarding float, and placement of riprap not previously authorized by the Commission.

LEASE TERM:

25 years, beginning June 19, 2014.

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 in the lease. The dredged material may not be sold.

SPECIFIC LEASE PROVISIONS:

1. At all times while construction activities are taking place in the Sacramento River, warning signs will be installed on the upland side of the construction site, to provide notice to the public that construction activities are taking place. Prior to the start of construction, warning buoys will be placed in the Sacramento River, both upstream and downstream of the construction site, indicating the tentative dates that the construction will occur.

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2. Construction activities in the Sacramento River must be completed by October 15, 2014.
3. The lease contains provisions that encourage the implementation of the Commission's "Best Management Practices for Guest Dock Users and Boaters," including additional Best Management Practices (BMPs) the Commission subsequently deems appropriate for either of the above categories. Lessee shall post the "BMPs for Guest Dock Users and Boaters" in prominent places within the lease premises. The Lessee shall provide the Commission, on the first anniversary of the lease and tri-annually thereafter, a report on compliance with all BMPs.

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.
2. On April 27, 1972, the Commission authorized a 49-year Public Agency Permit to the County of Glenn, for the construction, operation, and maintenance of a public park located on an island within the Sacramento River. That permit expires April 30, 2021.
3. The existing two-lane boat launch ramp is located on State-owned sovereign land, but has not been previously authorized by the Commission. The Glenn County Planning & Public Works Agency (County) has now applied to remove and replace the existing two-lane boat launch ramp, construct an aluminum gangway and boarding float, dredge the backwater channel near the ramp area, and place rock riprap at the toe of the ramp. The County has also requested that the existing permit be terminated.
4. The existing boat ramp is used by the public. In addition, sediment builds up at the end of the ramp and the side has washed out occasionally. To provide better public access to the River, the County plans to remove and replace the existing two-lane boat launch ramp, and construct an aluminum gangway and boarding float. During construction and for continued maintenance, dredging of the backwater channel near the ramp will be required in order to comply with the California Department of Parks and Recreation Division of Boating and Waterway's (DBW) standards for the fairway and channel areas in the vicinity of the boat launching ramp. As a part of construction, the County plans to remove approximately 500 cubic yards of material with a bucket excavator. Because silt regularly

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builds up in the channel, maintenance dredging will be performed every two to seven years depending on flow conditions and funding availability.

5. Prior to project commencement, and to reduce potential water quality impacts, a turbidity curtain will be installed and remain in place during all in-water work. The dredged material will be recycled as fill, and disposed of at a prescribed location, approximately 1,100 feet from the boat ramp.
6. The boat launch project is being funded by the DBW. Funding expires on December 31, 2014, and cannot be extended. Pursuant to environmental permit limitations, work in the River can only be performed from June 15 through October 15. The County plans to perform in-water work between July and August to avoid peak anadromous fish migration periods
7. **Permit Termination:** The staff recommends that the Commission find that the subject permit termination does not have a potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment, and is, therefore, not a project in accordance with the California Environmental Quality Act (CEQA).

Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, sections 15060, subdivision (c)(3), and 15378.

8. **New Lease:** A Mitigated Negative Declaration, State Clearinghouse No. 2013032053, was prepared by Glenn County and adopted on May 15, 2013, for this project. The California State Lands Commission staff has reviewed such document.

A Mitigation Monitoring Program was adopted by the Glenn County.

9. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. 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:

U.S. Army Corps of Engineers, California Department of Fish and Wildlife,
Central Valley Flood Protection Board, Central Valley Regional Water Quality

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Control Board, and the California Department of Parks and Recreation Division of Boating and Waterways.

EXHIBITS:

- A. Land Description
- B. Site and Location Map
- C. Mitigation Monitoring Program

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Permit Termination: Find that the subject permit termination is not subject to the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c)(3), because the subject activity is not a project as defined by Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.

New Lease: Find that a Mitigated Negative Declaration, State Clearinghouse No. 2013032053, and a Mitigation Monitoring Program were prepared by Glenn County and adopted on May 15, 2013, for this Project and that the Commission has reviewed and considered the information contained therein.

Adopt the Mitigation Monitoring Program, as contained in Exhibit C, attached hereto.

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:

1. Authorize termination, effective June 18, 2014, of Permit No. PRC 4657.9, a Public Agency Permit, issued to the County of Glenn
2. Authorize issuance of a General Lease – Public Agency Use to Glenn County Planning & Public Works Agency beginning June 19, 2014, for a term of 25 years, for the continued use and maintenance of a public park previously authorized by the

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Commission, and the removal and replacement of an existing two-lane boat launch ramp, construction and maintenance dredging of the backwater channel near the ramp, construction of an aluminum gangway and boarding float, and placement of riprap not previously authorized by the Commission, as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; consideration to be 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, and dredged material may not be sold.

EXHIBIT A

PRC 4657.9

LAND DESCRIPTION

A parcel of submerged land in the bed of Sacramento River approximately 400 feet north of the Ord Ferry Bridge and 14 miles south of Hamilton City, Glenn County, State of California, more particularly described as follows:

BEGINNING at the one-quarter corner common to Sections 17 and 19, T. 21 N., R. 1 W., M.D.M. which point is marked by a brass-topped iron pin, stamped "¼ corner Section 17 and 19, R.C.E. 13781." Said point being shown on that certain Record of Survey Map filed for record in the Office of the County Recorder of Glenn County, California, July 16, 1971, in Book 8 of Maps and Surveys, at page 10; thence east, along the centerline of the existing county road, 1077.65 feet to a 3/4 inch iron pipe, tagged R.C.E. 13781; thence leaving said county road North 180.43 feet to the true point of beginning of the parcel herein described; thence northerly along the following courses:

North 42.49 feet; N. 33° 06' 00" W., 218.62 feet to a 3/4 inch iron pipe, tagged L.S. 3653; N. 21° 32' 00" W., 660.00 feet to a 3/4 inch iron pipe, tagged L.S. 3653; N. 06° 05' 00" W., 726.00 feet; N. 32° 27' 00" E., 462.00 feet to a 3/4 inch iron pipe tagged L.S. 3653; N. 01° 57' 00" W., 264.00 feet to a 3/4 inch iron pipe tagged L.S. 3653; thence N. 63° 02' 00" E., 1082.78 feet to a 3/4 inch iron pipe tagged L.S. 3653; thence S. 14° 17' 25" E., 646.18 feet; thence S. 86° 45' 03" E., 229.37 feet; thence S. 02° 22' 31" E., 892.77 feet; thence S. 07° 39' 57" W., 1064.51 feet; thence S. 24° 14' 17" W., 506.66 feet; thence S. 54° 39' 23" W., 240.29 feet; thence West 373.00 feet; thence N. 29° 28' 37" W., 552.52 feet to the true point of beginning.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of said Sacramento River.

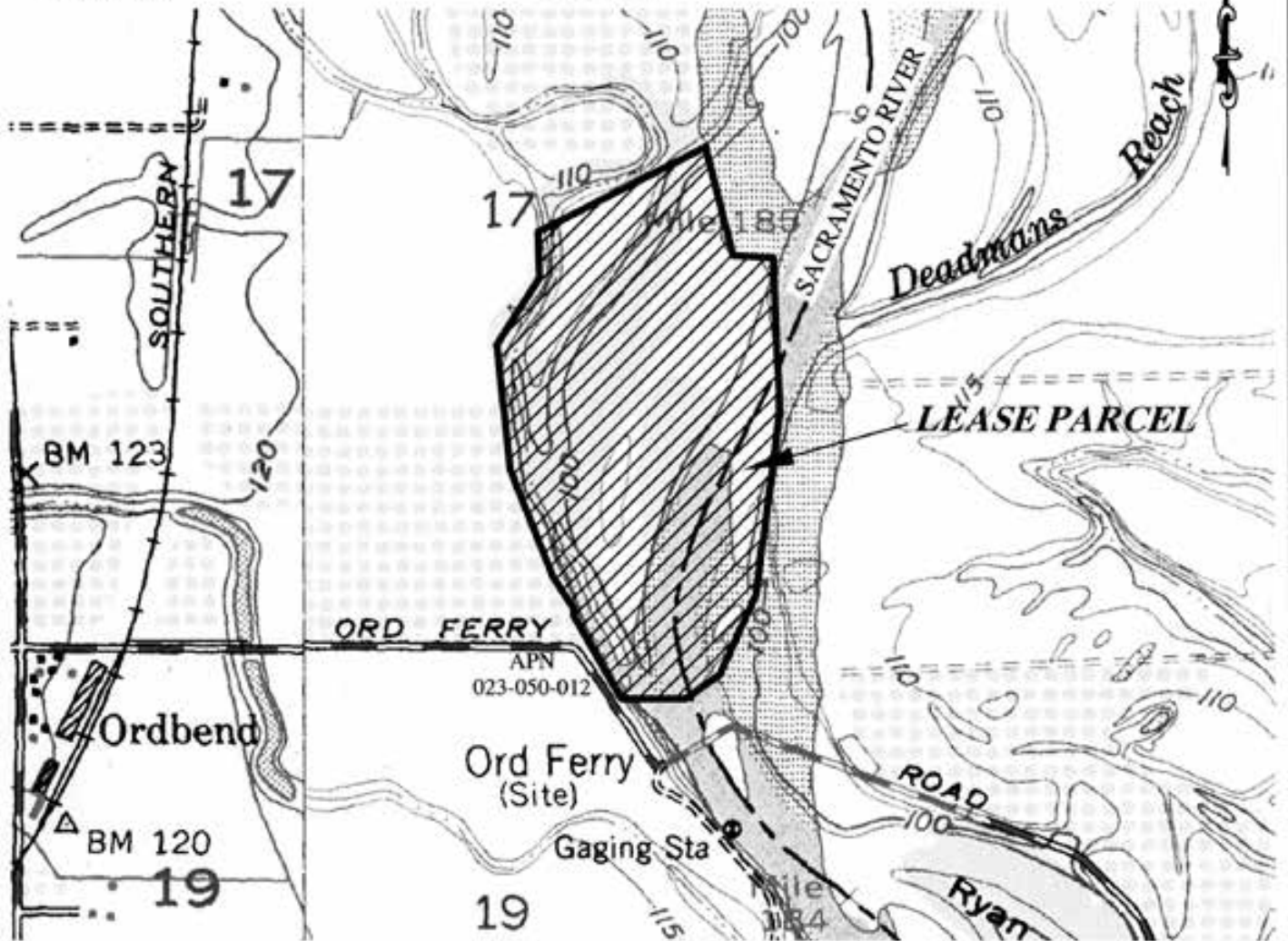
END OF DESCRIPTION

Revised by the California State Lands Commission Boundary Unit on 05/19/2014.
Original description prepared by CSLC on May 1, 1972 as found in PRC 4657 file, ,
Calendar Item 1.



NO SCALE

SITE



8263 ORD FERRY ROAD, NEAR ORD BEND

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 4657.9
 GLENN COUNTY PLANNING
 PUBLIC WORKS AGENCY
 APN 023-050-012
 GENERAL LEASE -
 PUBLIC AGENCY USE
 GLENN COUNTY



This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the 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 any other property.

EXHIBIT C
CALIFORNIA STATE LANDS COMMISSION
MITIGATION MONITORING PROGRAM
ORD BEND BOAT LAUNCH REHABILITATION
(PRC 4657, State Clearinghouse No. 2013032053)

Potential Impact	Mitigation Measure (MM)	Monitoring / Reporting Action	Timing	Responsible Party
Cultural Resources				
Impacts to prehistoric and historic resources	<p>Unanticipated Archaeological Resources. Should activities reveal the presence of prehistoric or cultural resources (i.e., arrowheads, other stone tools, chipping debris, structural remains, shipwrecks, or human skeletal remains), all such activities shall halt within a 100 foot radius of the discovery, and a qualified archaeologist, as well as California State Lands Commission, Senior Staff Counsel Pam Griggs (916) 574-1854, shall be contacted to determine the nature of the find, evaluate its significance, and, if necessary, suggest preservation or mitigation measures.</p> <p>Appropriate mitigation measures, based on recommendations listed in the archaeological survey report, will be determined by the Glenn County Planning and Public Works Agency Director. Should human skeletal remains be encountered, the County Coroner will be notified immediately per State law.</p> <p>Should the County Coroner determine that the remains are in an archeological context, the Native American Heritage Commission in Sacramento shall be notified immediately pursuant to State law to arrange for the Native American participation in determining the disposition of the remains.</p>	Avoid damage to prehistoric and historic resources	During excavation and/or ground disturbing activities	Glenn County Planning and Public Works Agency (PPWA)
Biological Resources				
Impacts to biological resources	<p>Streambed Alteration Agreement. California Department of Fish and Wildlife (CDFW) Streambed Alteration Agreement procedures and mitigation measures to be implemented by Glenn County Planning and Public Works Agency (CDFW's Permittee) include items 1.1 through 3.2:</p> <p>1.1 Documentation at Project Site. Permittee (Glenn County Planning and Public Works Agency) shall make the Agreement, any extensions and amendments to the Agreement, and all related</p>	PPWA as the CDFW Permittee shall meet each administrative requirement.	All Phases	CDFW and PPWA

Potential Impact	Mitigation Measure (MM)	Monitoring / Reporting Action	Timing	Responsible Party
	notification materials and California Environmental Quality Act documents, readily available at the project site at all times and shall be presented to CDFW personnel, or personnel from another State, federal, or local agency upon request.			
	1.2 Providing Agreement to Persons at Project Site. Permittee shall provide copies of the Agreement and any extensions and amendments to the Agreement to all persons who will be working on the project at the project site on behalf of Permittee, including but not limited to contractors, subcontractors, inspectors, and monitors.	PPWA as the CDFW Permittee shall meet each administrative requirement.	All Phases	CDFW and PPWA
	1.3 Notification of Conflicting Provisions. Permittee shall notify CDFW if Permittee determines or learns that a provision in the Agreement might conflict with a provision imposed on the project by another local, State, or federal agency. In that event, CDFW shall contact Permittee to resolve any conflict.	PPWA as the CDFW Permittee shall meet each administrative requirement.	All Phases	CDFW and PPWA
	1.4 Project Site Entry. Permittee agrees that CDFW personnel may enter the project site to verify compliance with the Agreement.	PPWA as the CDFW Permittee shall meet each administrative requirement.	All Phases	CDFW and PPWA
	1.5 Notification of Project Modification. The Permittee agrees to notify CDFW of any modifications made to the project plans submitted to CDFW. Notice: Does Not Authorize "Take." This agreement does not authorize "take" of any listed species. Take is defined as hunt, pursue, catch, capture or kill or attempt to hunt, pursue, catch, capture, or kill. If there is potential for take of any listed species to occur, the Operator shall consult with the CDFW as outlined in Fish and Game Code Section 2081 and shall obtain the required State and federal threatened and endangered species permits.	PPWA as the CDFW Permittee shall meet each administrative requirement.	All Phases	CDFW and PPWA
	2.1 Work Period. Work shall be timed with the driest time within the channel. If water is present at the time of construction, water shall be diverted around the work area and work shall begin after the site is dry. The time period for completing the work within the flowing or standing water of the watercourses shall be confined to the period of June 15 to September 15. Work within the dry portion of the stream shall be timed with awareness of precipitation forecasts and likely increases in stream flow and river flood stages. Construction activities within the stream shall cease until all reasonable erosion control	Compliance	Between June 15 to September 15	CDFW and PPWA

Potential Impact	Mitigation Measure (MM)	Monitoring / Reporting Action	Timing	Responsible Party
	<p>measures, have been implemented prior to all storm events. Construction equipment and material shall be removed from the floodplain if inundation is likely. Revegetation, restoration and erosion control work is not confined to this time period.</p>			
	<p>2.2 Work Period Modification. If Permittee needs more time to complete the project activity, the work may be permitted outside of the work period and extended on a day-to-day basis (or for some other set period of time) by the CDFW representative who reviewed the project, or if unavailable, through contact with the Regional office at regional office contact information. Permittee shall submit a written request for a work period variance to CDFW. The work period variance request shall:</p> <ol style="list-style-type: none"> 1) describe the extent of work already completed; 2) detail the activities that remain to be completed; 3) detail the time required to complete each of the remaining activities; and 4) provide photographs of both the current work completed and the proposed site for continued work. <p>The work period variance request should consider the effects of increased stream flows, rain delays, increased erosion control measures, limited access due to saturated soil conditions, and limited growth of erosion control grasses due to cool weather. Work period variances are issued at the discretion of CDFW.</p> <p>CDFW will review the written request to work outside of the established work period. CDFW will have ten calendar days to review the proposed work period variance. CDFW reserves the right to require additional measures to protect fish and wildlife resources as a condition for granting the variance.</p>	Compliance	Any in-stream work outside of June 15 to September 15	CDFW and PPWA
	<p>2.3 Biological Monitor. A biological monitor is an individual experienced with construction level biological monitoring and who is able to recognize species in the project area and who is familiar with the habits and behavior of those species. Biological monitors shall have academic and professional experience in biological sciences and related resource management activities as it pertains to this project. All biological monitors for the project shall be approved by CDFW prior to commencement of construction activities.</p>	Onsite monitor	Prior to commencement of construction activities	CDFW and PPWA
	<p>2.4 Biological Monitor. On-site with Stop work Authorization.</p>	Minimize impacts to	Daily during	CDFW and

Potential Impact	Mitigation Measure (MM)	Monitoring / Reporting Action	Timing	Responsible Party
	<p>Permittee shall have a biological monitor on site daily during construction activities to ensure that Agreement conditions are being met and recommendations listed in the Biological Resources Assessment are being implemented to minimize impacts to fish and wildlife species and habitat. The biological monitor shall be responsible for conducting pre-construction surveys within the construction zone and monitoring all construction related activities, including any ground-or vegetation-disturbing activities subject to this agreement. The biological monitor shall have the authority to immediately stop any activity that is not in compliance, and/or to order any reasonable measure to avoid or minimize impacts to fish and wildlife. If any sensitive State-listed Species of Special Concern, or threatened or endangered species are found, the biologist shall inform CDFW. If there is a threat of harm to any sensitive species, or aquatic wildlife the biologist shall halt construction and notify CDFW.</p>	<p>fish and wildlife species and habitat</p>	<p>construction activities</p>	<p>PPWA</p>
	<p>2.5 Environmental Awareness Training. All construction personnel shall receive worker environmental awareness training conducted by a qualified biologist. This training shall instruct workers to recognize giant garter snakes, their habitat(s), and nature and purpose of protection measures, and the terms and conditions of any permit applicable to the Project.</p>	<p>Train all construction personnel</p>	<p>Prior to engaging work onsite</p>	<p>CDFW and PPWA</p>
	<p>2.6 Spoil Placement. Spoil sites shall not be located within the areas that may be subjected to high storm flows, where spoil may be washed back into the Sacramento River, or where it may impact streambed habitat, aquatic or riparian vegetation. To prevent burying, trapping, or crushing giant garter snakes, spoil from project operations shall not be placed on or near the canal banks where near is a risk of covering rodent burrows or bank-top soil crevices.</p>	<p>Avoid spoil sites within the areas that may be subjected to high storm flows</p>	<p>During dredging</p>	<p>CDFW and PPWA</p>
	<p>2.7 Speed Limits. Where practical and safe to do so, vehicle speed within giant garter snake (GGS) habitat areas of the Project shall be limited to 20 miles per hour on unimproved access routes and roadways to avoid running over snakes.</p>	<p>Avoid impacts to GGS</p>	<p>All phases</p>	<p>CDFW and PPWA</p>
	<p>2.8 Check for Snakes Under Vehicles. The biological monitor as well as all construction personnel shall visually check for snakes under parked vehicles and equipment within giant garter snake habitat area prior to moving them. If snakes or other listed species are observed by crews, construction personnel will contact the onsite</p>	<p>Compliance</p>	<p>All phases</p>	<p>CDFW and PPWA</p>

Potential Impact	Mitigation Measure (MM)	Monitoring / Reporting Action	Timing	Responsible Party
	monitor.			
	<p>2.9 Restoration of Work Site/Excavated Soil Removal or Distribution. After completion of construction activities, temporary fill and construction debris shall be removed and disturbed areas shall be restored to pre-project conditions. Excavated soil shall either be removed from work site, backfilled into excavations, or distributed over the existing work area.</p>	Restoration of disturbed areas	After completion of construction activities	CDFW and PPWA
	<p>2.10 Giant Garter Snake Encounters. Permittee will comply with avoidance and minimization measures as stated in the Project's California Environmental Quality Act document if a GGS is encountered during construction or preconstruction surveys.</p>	Compliance	During construction or pre-construction surveys	CDFW and PPWA
	<p>2.11 Vegetation Removal. Disturbance or removal of vegetation shall not exceed the minimum necessary to complete operations. Trees may be trimmed using hand tools (clippers, chain saw, etc.) only to the extent necessary to gain access to the work sites. Work shall be done in such a manner to ensure that any living native riparian vegetation within vegetation-clearing zones that can be avoided reasonably, without compromising basic engineering design and safety, is avoided and left undisturbed to the extent feasible.</p> <p>No native trees with a trunk diameter at breast height (DBH) in excess of four (4) inches shall be removed or damaged without prior consultation and approval of a CDFW representative. Any trees with a diameter of 4-inches (DBH) or greater removed without prior approval shall be reported to the CDFW. As determined by the CDFW, trees removed with or without authorization may be required to be replaced on-site, in-kind with container plantings so that the combined diameter of the container planting is equal to the trees removed. Trees planted pursuant to this provision shall be monitored and maintained until successfully established.</p>	Reduce vegetation removal	During vegetation removal	CDFW and PPWA
	<p>2.12 Bird Nests. It is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird except as otherwise provided by the Fish and Game Code. No trees that contain active nests of birds shall be disturbed until all eggs have hatched and young birds have fledged without prior consultation and approval of a CDFW representative. If construction is scheduled during the breeding season then a breeding bird survey will be conducted no more than 15 days prior to the start of construction by a CDFW approved biologist. All active bird nests</p>	Compliance	During vegetation removal	CDFW and PPWA

Potential Impact	Mitigation Measure (MM)	Monitoring / Reporting Action	Timing	Responsible Party
	<p>will be marked following the survey to avoid destruction by equipment. If nesting raptors are identified within the area, a non-disturbance buffer will be established around the nest site. The size of the non-disturbance buffer and any other restrictions will be determined through consultation with the CDFW following completion of the survey.</p>			
	<p>2.13 Sediment Control. Precautions to minimize siltation shall be taken into account during project planning and implementation. This may require the placement of silt fencing, coir logs, coir rolls, straw bale dikes, or other siltation barriers so that silt and/or other deleterious materials are not allowed to pass to downstream reaches. Products with plastic monofilament or cross joints in the netting that are bound/stitched (such as found in straw wattles/fiber rolls and some erosion control blankets) which may cause entrapment of wildlife, shall not be allowed. Passage of sediment beyond the sediment barrier(s) is prohibited. If any sediment barrier fails to retain sediment, corrective measures shall be taken. The sediment barrier(s) shall be maintained in good operating condition throughout the construction period and the following rainy season. Maintenance includes, but is not limited to, removal of accumulated silt and/or replacement of damaged silt fencing, coir logs, coir rolls, and/or straw bale dikes.</p> <p>Upon CDFW determination that turbidity/siltation levels resulting from project related activities constitute a threat to aquatic life, activities associated with the turbidity/siltation shall be halted until effective CDFW approved control devices are installed or abatement procedures are initiated.</p>	Restrict sediment passage	During project planning and implementation and throughout the construction period and the following rainy season	CDFW and PPWA
	<p>2.14 Removal of Silt Barrier. The Permittee is responsible for the removal of non-biodegradable silt barriers (such as plastic silt fencing) after the disturbed areas have been stabilized with erosion control vegetation (usually after the first growing season).</p>	Compliance	After the disturbed areas have been stabilized	CDFW and PPWA
	<p>2.15 Turbidity and Regional Water Board Basin Plan. Subject to approval of the Regional Water Quality Control Board, all in-stream activities and any discharges due to project activities shall at all times attain the turbidity requirements listed in Basin Plan for the project area.</p>	Attain turbidity requirements	At all times	CDFW and PPWA
	<p>2.16 Minimize Turbidity. Permittee shall take precautions to</p>	Minimize turbidity	During construct	CDFW and

Potential Impact	Mitigation Measure (MM)	Monitoring / Reporting Action	Timing	Responsible Party
	<p>minimize turbidity during construction and post-construction periods. Precautions shall include, but are not limited to: pre-construction planning to identify site specific turbidity minimization measures and best management erosion control practices; best management erosion control practices during project activity; and settling, filtering, or otherwise treating silty and turbid water prior to discharge into a stream or storm drain.</p>		<p>ion and post-construction periods</p>	<p>PPWA</p>
	<p>2.17 Pollution Control. Utilize Best Management Practices (BMPs) to prevent spills and leaks into water bodies. If maintenance or refueling of vehicles or equipment must occur on-site, use a designated area and/or a secondary containment, located away from drainage courses to prevent the runoff of storm water and the runoff of spills. Ensure that all vehicles and equipment are in good working order (no leaks). Place drip pans or absorbent materials under vehicles and equipment when not in use. Ensure that all construction areas have proper spill clean-up materials (absorbent pads, sealed containers, booms, etc.) to contain the movement of any spilled substances. Any other substances which could be hazardous to aquatic life, resulting from project related activities, shall be prevented from contaminating the soil and/or entering the waters of the state. Any of these materials, placed within or where they may enter a stream or lake by the Applicant or any party working under contract or with the permission of the Permittee, shall be removed immediately. CDFW shall be notified immediately by the Permittee of any spills and shall be consulted regarding clean-up procedures.</p>	<p>Prevent spills and leaks into water bodies</p>	<p>All Phases</p>	<p>CDFW and PPWA</p>
	<p>2.18 Concrete Primary Containment. The Permittee shall install the necessary containment structures to control the placement of wet concrete and to prevent it from entering into the channel outside of those structures. No concrete shall be poured within the high flow line if the 15 day weather forecast indicates any chance of rain.</p>	<p>Prevent wet concrete from entering the channel</p>	<p>If the 15 day weather forecast indicates chance of rain</p>	<p>CDFW and PPWA</p>
	<p>2.19 Site Restoration. All exposed/disturbed areas and access points within the stream, with the exception of vegetation clearing in the channel, left barren of vegetation from construction activities shall be restored using locally native grass seeds, locally native grass plugs and/or a mix of quick growing sterile non-native grass with locally native grass seeds. Seeded areas shall be covered with broadcast straw and/or jut netted. Products with plastic monofilament or cross joints in the netting that are bound/stitched (such as found in</p>	<p>Restore areas that are barren of vegetation due to construction activities</p>	<p>Near completion</p>	<p>CDFW and PPWA</p>

Potential Impact	Mitigation Measure (MM)	Monitoring / Reporting Action	Timing	Responsible Party
	straw wattles/fiber rolls and some erosion control blankets) which may cause entrapment of wildlife, shall not be allowed.			
	3.1 Notification. The Permittee shall notify CDFW and California State Lands Commission staff within two working days of beginning work within the stream. Notification shall be submitted as instructed by CDFW.	Notification	Within two working days of beginning work	CDFW and PPWA
	3.2 Post-Project Documentation. Upon completion of the project activities described in this agreement, the work area within the stream shall be digitally photographed. Photographs shall be submitted to CDFW and California State Lands Commission staff within two days of completion. Photographs and a notification of completion shall be submitted as instructed by CDFW.	Produce digital photographs	After completion of the project activities	CDFW and PPWA
Impacts to Giant Garter Snake	Giant Garter Snake (GGS) Mitigation. Actual mitigation is dependent on the level and amount of impact the Project causes to potential GGS habitats and determined per the GGS Programmatic. The Project proponent will mitigate at Level 1 for the temporary impacts to 0.31 acre of GGS terrestrial habitat and at Level 1 for temporary impacts to 0.27 acre of GGS aquatic habitat. Compensation for Level 1 temporary impacts per the GGS Programmatic requires restoration of affected snake habitat to pre-construction conditions within the same season or, at most, the same calendar year. It also includes one calendar year of monitoring of the restored habitat and Project site with photo documentation and letter report documenting pre and post construction conditions due one year from the date restoration occurred (U.S. Fish and Wildlife Service [USFWS] 2005). In addition, the following measures will be implemented:			
	A. All construction activity within GGS habitat shall be conducted between May 1 and October 1. This is the active period for GGS and direct impacts are lessened, because snakes are actively moving and can presumably avoid danger on their own. More danger is posed to snakes during their inactive period, because they are occupying underground burrows or crevices and are more susceptible to direct effects, especially during excavation. If construction may need to continue between October 2 and April 30, the USFWS Sacramento Office will be contacted to determine if additional measures are necessary to minimize and avoid take.	Reduce direct impacts to GGS	Between May 1 and October 1	CDFW and PPWA

Potential Impact	Mitigation Measure (MM)	Monitoring / Reporting Action	Timing	Responsible Party
	<p>B. Any dewatered habitat must remain dry for at least 15 consecutive days after April 15 and prior to excavating or filling of the dewatered habitat.</p>	Reduce direct impacts to GGS	At least 15 consecutive days after April 15	CDFW and PPWA
	<p>C. Construction personnel shall participate in a USFWS worker environmental awareness program. Under this program, workers shall be informed about the potential presence of GGS and habitat associated with the species and that unlawful take of the animal or destruction of its habitat is a violation of the ESA. Prior to construction activities, a qualified biologist approved by the USFWS shall instruct all construction personnel about: (1) the life history of the GGS; (2) the importance of irrigation canals, marshes/wetlands, and seasonally flooded areas, such as rice fields, to the GGS; and (3) the terms and conditions of the biological opinion (BO). Proof of this instruction shall be submitted to the Sacramento Fish and Wildlife Office.</p>	Reduce direct impacts to GGS	Prior to construction activities	CDFW and PPWA
	<p>D. Within 24 hours prior to commencement of construction activities, the site shall be inspected by a qualified biologist who is approved by the USFWS Sacramento Fish and Wildlife Office. The biologist will provide the USFWS with a field report form documenting the monitoring efforts within 24-hours of commencement of construction activities (see Giant Garter Snake Reporting Requirements). The monitoring biologist needs to be available thereafter; if a snake is encountered during construction activities, the monitoring biologist shall have the authority to stop construction activities until appropriate corrective measures have been completed or it is determined that the snake will not be harmed. All GGS encountered during construction activities should be allowed to move away from construction activities on their own. Capture and relocation of trapped or injured individuals can only be attempted by personnel or individuals with current USFWS recovery permits pursuant to section 10(a)1(A) of the Federal Endangered Species Act. The biologist shall be required to report any incidental take to the USFWS immediately by telephone at (916) 414-6600 and by written letter addressed to the Chief, Endangered Species Division, within one working day. The Action Area shall be re-inspected whenever a lapse in construction activity of two weeks or greater has occurred.</p>	Compliance	Within 24 hours prior to commencement of construction activities and/or if a snake is encountered during construction activities	CDFW and PPWA
	<p>E. Clearing of wetland vegetation will be confined to the minimal</p>	Reduce impacts to	During clearing of	CDFW and

Potential Impact	Mitigation Measure (MM)	Monitoring / Reporting Action	Timing	Responsible Party
	area necessary to excavate fill placement. Excavation/relocation of channel for removal of accumulated sediments will be accomplished by using equipment located on and operated from top of bank, with the least interference practical for emergent vegetation.	emergent vegetation	wetland vegetation	PPWA
	F. Movement of heavy equipment to and from the Project area shall be restricted to established roadways to minimize habitat disturbance.	Compliance	During movement of heavy equipment	CDFW and PPWA
	G. Protected GGS habitat shall be designated as Environmentally Sensitive Areas (ESAs) and shall be fenced with ESA fencing under the supervision of a qualified biologist approved by the USFWS and avoided by all construction personnel.	Protect ESA	All phases	CDFW and PPWA
	H. After completion of construction activities, any temporary fill and construction debris shall be removed and, wherever feasible, disturbed areas shall be restored to pre-Project conditions. Restoration work may include replanting emergent vegetation.	Removal of temporary fill and construction debris	After completion of construction activities	CDFW and PPWA
	<p>Reporting Requirements. The U.S. Fish and Wildlife (USFWS)-approved biologist shall notify the USFWS immediately if giant garter snake (GGS) are found on-site as detailed in term and Condition D above, and will submit a report including date(s), location(s), habitat description, and any corrective measures taken to protect the snake(s) found. The USFWS-approved biologist shall submit locality information to the CDFW, using completed California Native Species Field Survey Forms or their equivalent, no more than 90 calendar days after completing the last field visit of the Action Area.</p> <p>Each form shall have an accompanying scale map of the site such as a photocopy of a portion of the appropriate 7.5-minute U.S. Geological Survey map and shall provide at least the following information: township, range, and quarter section; name of the 7.5-minute or 15-minute quadrangle; dates (day, month, year) of field work; number of individuals and life stage (where appropriate) encountered; and a description of the habitat by community-vegetation type.</p> <p>A post-construction compliance report prepared by the USFWS-approved monitoring biologist shall be forwarded to the Chief, Endangered Species Division, at the Sacramento Fish and Wildlife Office within 60 calendar days of the completion of each Project. This report shall detail (i) dates that construction occurred; (ii) pertinent information concerning the applicant's success in meeting Project</p>	Compliance	Variable; if GGS is found on-site, no more than 90 calendar days after completing the last field visit of the year	CDFW and PPWA

Potential Impact	Mitigation Measure (MM)	Monitoring / Reporting Action	Timing	Responsible Party
	<p>mitigation measures; (iii) an explanation of failure to meet such measures, if any; (iv) known Project effects on federally listed species, if any; (v) occurrences of incidental take of federally listed species, if any; and (vi) other pertinent information.</p> <p>Contact Information. The Sacramento Fish and Wildlife Office will be notified within three working days of the finding of any dead GGS or any unanticipated harm to GGS. The USFWS contact person for this is the Chief, Endangered Species Division at (916) 979-2725.</p>			
Impacts to Anadromous Fish	<p>Anadromous Fish. The following avoidance, minimization, and mitigation measures will be incorporated into the Project to reduce the potential to adversely affect special-status fisheries:</p> <ul style="list-style-type: none"> A U.S. Fish and Wildlife-approved biologist will be present during the installation of the turbidity curtain, during initial in-water construction related to the push slab installation activities, and during the dredging activities. The biologist will monitor plumes occurring from the proposed construction activities and ensure that the contractor is meeting the regulations set forth by the local state and federal permits. 	Ensure that the contractor is meeting the regulations	During in-water construction of push slab installation activities, and dredging	CDFW and PPWA
	<ul style="list-style-type: none"> Implementation of storm water construction best management practices (BMPs) and preparation of an erosion control and storm water pollution prevention plan (SWPPP) in compliance with the Central Valley Regional Water Quality Control Board that may include, but not be limited to, a combination of temporary sedimentation and erosion control devices, such as geotextile silt fences, straw wattles, turbidity curtains or other devices capable of filtering sediment involved, and preventing post-construction erosion, shall be installed and properly maintained to minimize adverse impacts on waters during and after construction. These devices must be removed upon completion of work in the stream channel and upon stabilization of disturbed upland areas. The SWPPP will also include description of how sediment collected by erosion prevention devices and the dredged material will be removed and disposed of in a manner that will prevent additional erosion and transport to the waterway. 	Implement storm water construction BMPs	All phases	RWQCB and PPWA
	<ul style="list-style-type: none"> In addition to a SWPPP, a dust suppression plan, hazardous materials control and spill prevention and response plan, and a water quality management plan will be developed by the contractor. 	Compliance	All phases	RWQCB and PPWA

Potential Impact	Mitigation Measure (MM)	Monitoring / Reporting Action	Timing	Responsible Party
	<ul style="list-style-type: none"> All construction equipment will avoid operating within and will be stored outside of the stream channel. Any disturbed areas will be re-vegetated where applicable. 	Compliance	All phases	RWQCB and PPWA
	<ul style="list-style-type: none"> No concrete washings or water from concrete will be allowed to enter the waterway and no concrete will be poured within in-channel flowing water. 	Compliance	All phases	RWQCB and PPWA
	<ul style="list-style-type: none"> All stockpiled material and equipment and any fluids that may be harmful to aquatic life will be stored a minimum of 100 feet from the stream bank. 	Compliance	All phases	RWQCB and PPWA
	<ul style="list-style-type: none"> Construction activities will be performed in compliance with the National Oceanic and Atmospheric Administration (NOAA) Fisheries and the California Department of Fish and Wildlife (DFW) Streambed Alteration Permitting guidelines and adopting all design measures required by the CDFW and NOAA Fisheries to provide adequate protection of special-status fisheries. 	Compliance	All phases	CDFW and PPWA
	<ul style="list-style-type: none"> In-water construction activities will be limited to June 1 through October 1 to avoid critical migration, spawning, and breeding times for fish. 	Avoid critical fish migration, spawning, and breeding times	June 1 through October 1	CDFW and PPWA
	<ul style="list-style-type: none"> If dewatering is determined necessary, consultation with the Central Valley Regional Water Quality Control Board (RWQCB) will be conducted and a National Pollutant Discharge Elimination System (NPDES) construction dewatering permit may be required. 	Compliance	If dewatering is necessary	CDFW and PPWA
	<ul style="list-style-type: none"> Loss of riparian vegetation will be minimized by designating these areas as ESAs and by fencing these areas with ESA fencing to avoid inadvertent impacts. 	Minimize loss of riparian vegetation	All phases	CDFW and PPWA
	<ul style="list-style-type: none"> Prior to the initiation of construction, the County will obtain all necessary permits from the RWQCB, the U.S. Army Corps of Engineers (USACE), and CDFW. 	Obtain all necessary permits	Prior to the construction initiation	RWQCB, USACE, and CDFW
Impacts to Essential Fish Habitat	<p>Essential Fish Habitat (EFH). The proposed Project also has the potential to directly impact (Essential Fish Habitat) EFH during the construction of the boat launch. The National Oceanic and Atmospheric Administration (NOAA) Fisheries Preliminary Design Criteria for Small Bank Protection Projects will be implemented into the Project design where applicable. The specific NOAA Design Criteria that may apply to the proposed Project includes the following (footprint of repair is the same as old protection):</p>	Implement protection measures	Variable	CDFW and PPWA

Potential Impact	Mitigation Measure (MM)	Monitoring / Reporting Action	Timing	Responsible Party
	<ul style="list-style-type: none"> • Removal of vegetation is minimized to the maximum extent possible. • If site conditions permit, plant grass, woody, or emergent vegetation, and encourage growth of vegetation types that do not have an adverse effect on levee stability and levee inspections. • Removal of in-stream woody material is avoided or minimized. • Construct projects during periods of the year when anadromous fish species are not likely to be present within the action area. • Check heavy equipment daily for leaks. Do not use equipment until leaks are fixed. • Refuel outside of active stream channel or above ordinary high water at designated sites. • Follow a spill prevention and control plan developed specifically for the project. • Petroleum products, chemicals, cement, or water contaminated with the aforementioned materials shall not be allowed to enter flowing waters. • No work during wet weather or when saturated grounds exist. • Locate staging areas outside of active stream channel or above ordinary high water at designated sites. • Develop an implementation, and effectiveness monitoring plan. 			
Impacts to Bird Species	<p>Pre-Construction Bird Surveys. Pre-construction surveys must be conducted by a qualified biologist to determine if nesting western yellow-billed cuckoos or other bird species protected by the federal Migratory Bird Treaty Act occur within the Action Area. If any active nests are located in the area, appropriate no-disturbance buffers will be established based on the recommendations of the qualified biologist and consultation with the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife (CDFW), if deemed necessary. No construction activities will be allowed within the established no disturbance buffer zones until any young present have fledged or the nest is abandoned.</p> <p>For additional information reference the corresponding Biological Assessment (July 2012) and draft CDFW Streambed Alteration Agreement.</p>	Conduct pre-construction surveys	Prior to construction	CDFW and PPWA