

MINUTE ITEM

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12/20/78

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CALENDAR ITEM

C15.

12/78
W 21387
De La Cruz

CERTIFICATION OF NEGATIVE DECLARATION
FOR RIGHT-OF-WAY LEASE

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

BACKGROUND: The Commission's staff, on January 28, 1977, received an application from Mr. Chand for Right-of-Way lease for construction and operation of a private agricultural ferry crossing at a former channel of the Sacramento River at Wilson Landing Road, about 10 miles northwest of Chico, Butte and Glenn Counties.

The island, to which Mr. Chand is requesting access, was part of the bank of the Sacramento River and was severed as the result of an avulsive change of the Sacramento River. Prior to this change, the island was being farmed.

In accordance with CEQA Guidelines, the Commission's staff conducted an initial study and determined that the proposed project would not have a significant effect on the environment. Consequently a negative declaration was prepared in compliance with CEQA Guidelines.

A negative declaration was circulated through the State Clearinghouse. The Clearinghouse has acknowledged receipt of the negative declaration and has completed the required review.

CURRENT SITUATION:

Adverse comments were received from the California Department of Fish and Game and Newhall Land and Farming Company regarding the proposed project.

The comments received from Fish and Game indicate that the actual placement of the crossing will have minimal impacts on fish

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CALENDAR ITEM NO. C15.(CONTD)

and wildlife, however in providing Mr. Chand with access to his island, they believe his farming operation will remove valuable riparian vegetation and convert the island to agricultural land.

As mitigation for the potential loss of the riparian vegetation on the island, Fish and Game has proposed that Mr. Chand confine his farming operations to the high terrace land, further defined as the interior of island, and leave a riparian vegetation band along the perimeter of the land.

The applicant has agreed to the mitigation measures which Fish and Game is proposing.

The concerns expressed by Newhall Land and Farming Company are minimal and can be resolved through discussion with the applicant and representatives of Newhall Land and Farming.

PREREQUISITE ITEM:

In accordance with Chapter 1200, Statutes of 1977, the State Lands Commission must certify and complete a negative declaration within 105 days or complete and adopt an EIR within 1 year following receipt of a completed application. This application was certified complete on September 28, 1978.

EXHIBITS: A. Negative Declaration. B. Site Map.

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.
2. CERTIFY THAT NEGATIVE DECLARATION #224 HAS BEEN COMPLETED IN COMPLIANCE WITH CEQA OF 1970, AS AMENDED AND THE STATE GUIDELINES, AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
3. DETERMINE THAT THE PROPOSED PROJECT WILL NOT HAVE A SIGNIFICANT IMPACT ON THE ENVIRONMENT.

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

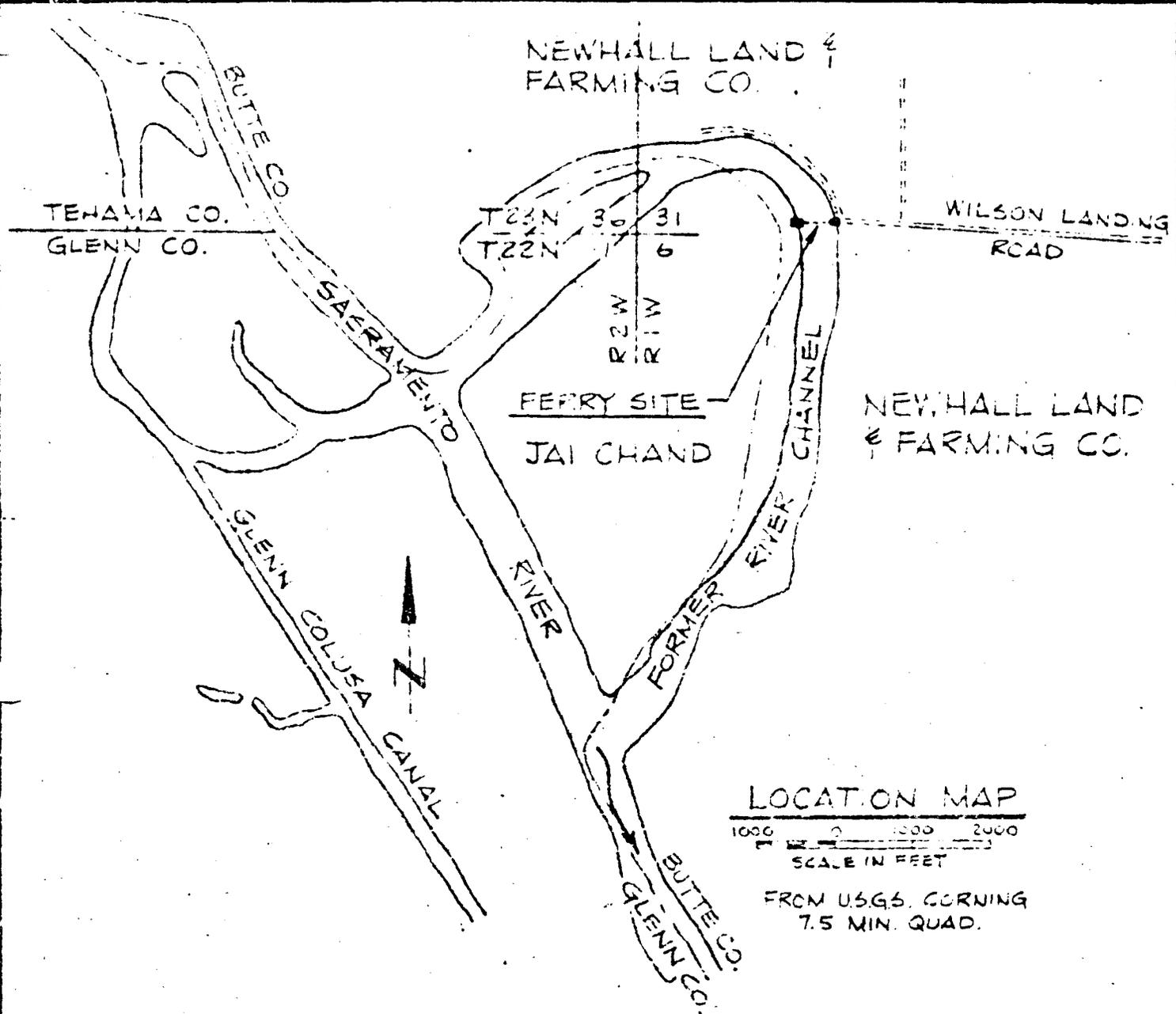
FISH AND WILDLIFE - Richard Morat

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

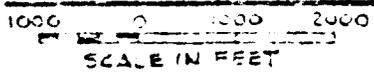
MINES AND GEOLOGY, DIVISION OF - Dr. Roger Sherburn

STATE RECLAMATION BOARD - Barney Myers

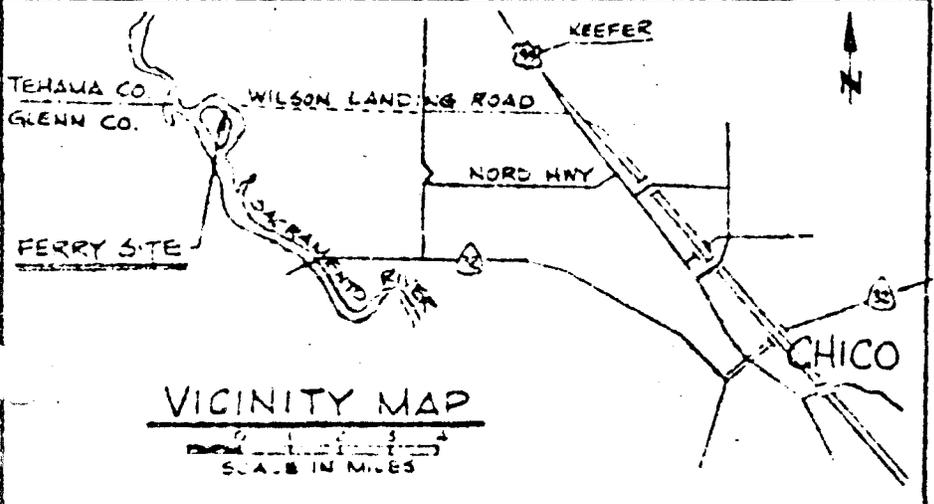
U. S. ARMY CORPS OF ENGINEERS - Jerry McQuaid



LOCATION MAP



FROM U.S.G.S. CORNING
7.5 MIN. QUAD.



MCCAIN ASSOCIATES (916) 343-8228
555 EAST AVENUE CHICO CALIFORNIA 95926
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

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 *Jah*
Assistant Wildlife Manager Biologist
Region 2

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RECEIVED
STATE LANDS COMMISSION

2740

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

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

10. TYPE OF ACTION
a New c Modification
b Continuation
TYPE OF CHANGE (Complete if 10b or 10c was checked)
11. 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 (Months)
17. EST. PROJECT START 19
18. EST. PROJECT DURATION 1 (Months)
19. APPLICANT TYPE
A. State F. School District A
B. Interstate G. Community Action Agency
C. Sub State Dist H. Sponsored Organization
D. County I. Indian
E. City 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 YES NO COUNTY-WIDE YES NO MULTICOUNTY YES NO

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) 322-78

31. d ENVIRONMENTAL DOCUMENT REVIEW REQUIRED YES 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
f Does your agency have a civil rights affirmative action policy and plan? YES NO
g Is project covered by ASSEPTIV? YES NO
If yes, is MOA executed? YES NO
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
a Notification b Application
33. b ACTION TAKEN
a With Comment c Waived
b Without Comment d Unfavorable
34. STATE APPLICATION IDENTIFIER (SAI) C A
State Number

35. CLEARINGHOUSE IMPACT CODE
STATE WIDE YES NO
County/ City Ping Area
County/ City Ping Area
County/ City Ping Area
County/ City Ping Area
County/ City Ping Area

36. STATE PLAN REQUIRED Yes No
37. RECEIVING DATE AT CLEARINGHOUSE 19
38. a SIGNATURE OF CH OFFICIAL
38. FINAL CH ACTION DATE 19

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 19
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
52. Application Rec'd. yr mo day 19
53. a Exp. Action Date yr mo day 19
Always Complete 53a OR b
53. b Ret. to Applicant yr mo day 19

45. ORGANIZATIONAL UNIT
46. ADMINISTERING OFFICE
REVISIONS
Amended Applic. Received yr mo day 19
Rev. Expected Action Date yr mo day 19
54. Exp. Action Revised As Of yr mo day 19
REVISIONS
Subsequent R Applicant yr mo day 19

47. ADDRESS - Street or P. O. Box
48. CITY
49. STATE
50. ZIP CODE
51. TELEPHONE NUMBER

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

55. a Awarded b Rejected c Withdrawn
56. FUNDS AVAILABLE 19
57. ENDING DATE 19
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
2741

PART 1

PART 2

PART 3

PART 4

PART 5

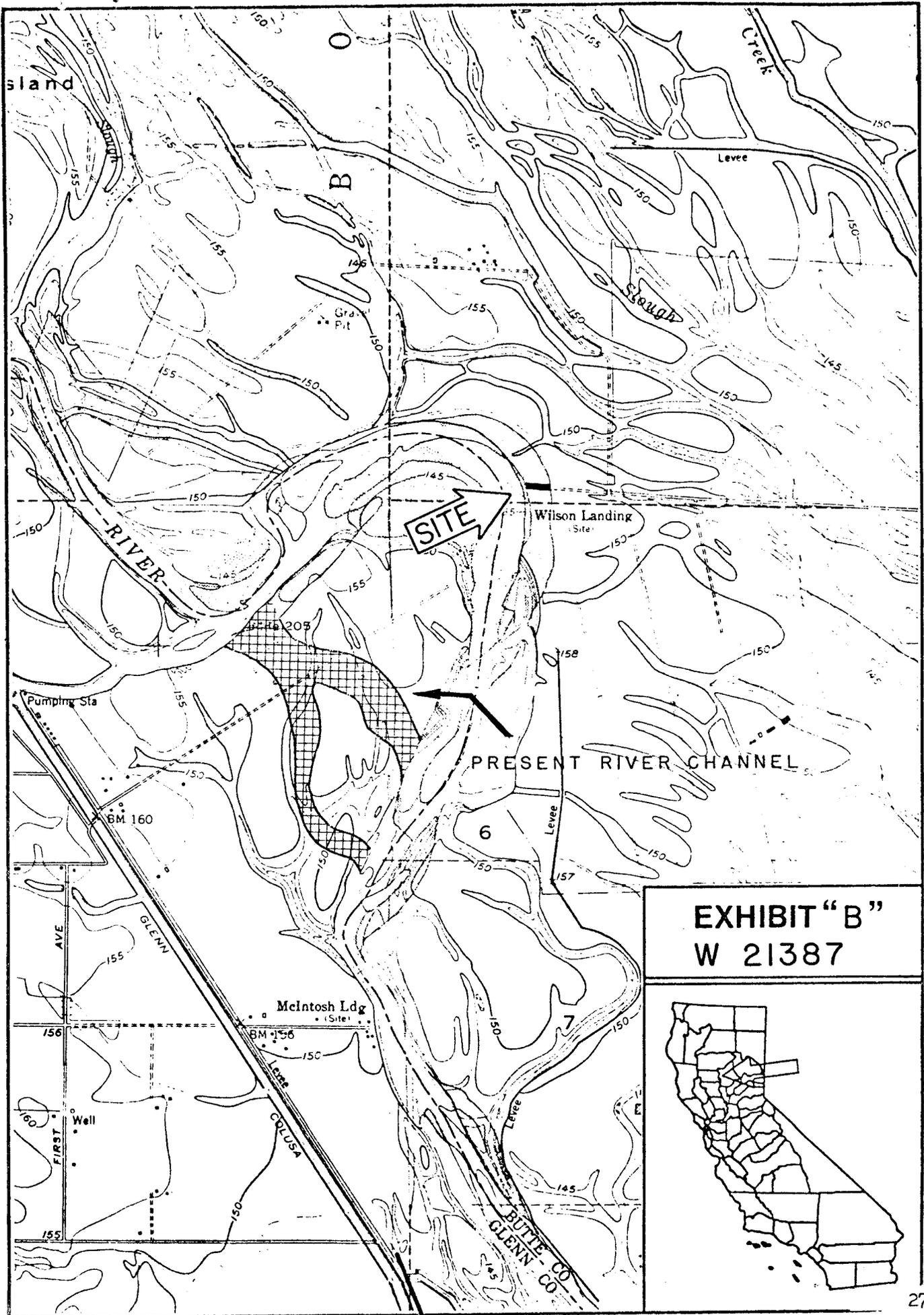


EXHIBIT "B"
W 21387

Hamilton City 0.8 miles