



EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX
DIRECTOR

January 3, 2018

Heather M. Reith
California Department of Parks and Recreation
22708 Broadway St
Columbia, CA 95310

Subject: Great Valley Grasslands - Floodplain Restoration
SCH#: 2017121006

Dear Heather M. Reith:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on January 2, 2018, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2017121006
Project Title Great Valley Grasslands - Floodplain Restoration
Lead Agency Parks and Recreation, Department of

Type MND Mitigated Negative Declaration
Description This IS/MND has been prepared by Parks and Rec to evaluate the potential environmental effects of the proposed project. The proposed project would restore floodplain habitat in the Great Valley Grasslands by removing parts of an existing levee near the boundary of the Park. Reconnection of the floodplain would help restore natural processes in the park, including establishment of native vegetation.

Lead Agency Contact

Name Heather M. Reith
Agency California Department of Parks and Recreation
Phone 209-536-2887 **Fax**
email
Address 22708 Broadway St
City Columbia **State** CA **Zip** 95310

Project Location

County Merced
City
Region
Lat / Long
Cross Streets
Parcel No.

Township	Range	Section	Base
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Proximity to:

Highways 165
Airports
Railways
Waterways San Joaquin River
Schools
Land Use non-ag and natural veg

Project Issues Air Quality; Archaeologic-Historic; Biological Resources; Water Quality; Wetland/Riparian

Reviewing Agencies Resources Agency; Central Valley Flood Protection Board; Department of Fish and Wildlife, Region 4; Cal Fire; Office of Historic Preservation; Department of Parks and Recreation; California Highway Patrol; Caltrans, District 10; Office of Emergency Services, California; State Water Resources Control Board, Division of Drinking Water; Regional Water Quality Control Bd., Region 5 (Fresno); Department of Toxic Substances Control; Native American Heritage Commission; Delta Stewardship Council; State Lands Commission

Date Received 12/04/2017 **Start of Review** 12/04/2017 **End of Review** 01/02/2018

CALIFORNIA STATE LANDS COMMISSION
 100 Howe Avenue, Suite 100-South
 Sacramento, CA 95825-8202



Established in 1938

JENNIFER LUCCHESI, *Executive Officer*
 (916) 574-1800 Fax (916) 574-1810
 California Relay Service TDD Phone 1-800-735-2929
 from Voice Phone 1-800-735-2922

Contact Phone: (916) 574-1890
Contact FAX: (916) 574-1885

January 2, 2018

File Ref: SCH #2017121006

Sovereign Lands of Planning & Research

IAN 02 2018

STATE CLEARINGHOUSE

Heather M. Reith
 California State Parks, Central Valley District
 22708 Broadway Street
 Columbia, CA 95310

Subject: Initial Study/Mitigated Negative Declaration (IS/MND) for Great Valley Grasslands – Floodplain Restoration, Merced County

Dear Ms. Reith:

The California State Lands Commission (Commission) staff has reviewed the subject IS/MND for the Great Valley Grasslands – Floodplain Restoration (Project), which is being prepared by the California Department of Parks and Recreation (CDPR). CDPR is the lead agency under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.). The Commission is a trustee and responsible agency for projects that could directly or indirectly affect sovereign lands and their accompanying Public Trust resources or uses.

The Commission has jurisdiction and management authority over all ungranted tidelands, submerged lands, and the beds of navigable lakes and waterways. The Commission also has certain residual and review authority for tidelands and submerged lands legislatively granted in trust to local jurisdictions (Pub. Resources Code, §§ 6009, subd. (c); 6009.1; 6301; 6306). All tidelands and submerged lands, granted or ungranted, as well as navigable lakes and waterways, are subject to the protections of the common law Public Trust.

As general background, the State of California acquired sovereign ownership of all tidelands and submerged lands and beds of navigable lakes and waterways upon its admission to the United States in 1850. The State holds these lands for the benefit of all people of the State for statewide Public Trust purposes, which include but are not limited to waterborne commerce, navigation, fisheries, water-related recreation, habitat preservation, and open space. On navigable non-tidal waterways, including lakes, the State holds fee ownership of the bed of the waterway landward to the ordinary low water mark and a Public Trust easement landward to the ordinary high water mark,

except where the boundary has been fixed by agreement or a court. Such boundaries may not be readily apparent from present day site inspections.

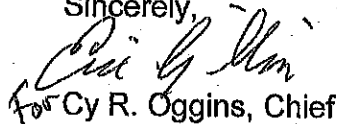
On February 22, 2013, the Commission authorized the issuance of Lease No. PRC 8162.9, a General Lease - Public Agency Use, to the San Joaquin River Parkway and Conservation Trust, Inc. (Item 57, February 22, 2013) for removal of non-native, invasive exotic plants, and native plant revegetation in the San Joaquin River, between Friant Dam and the confluence of the Merced River. The proposed project is within the lease premises of Lease No. PRC 8162.9 which will expire November 24, 2022.

Commission staff has reviewed the IS/MND, as well as other available information including historic mapping, site specific information and natural phenomena in the vicinity of the subject property. The proposed project, as Commission staff understands it, is to abandon a portion of the existing levee system adjacent to the San Joaquin River and Salt Slough, and restore portions of Great Valley Grasslands to a naturally functioning condition by selectively breaching or removing portions of the existing levees, thereby restoring hydrologic connectivity between the river channels and the adjacent floodplain terraces. Removal of the levee materials from existing locations and placement of removed levees in suitable locations on-site will be accomplished using standard construction techniques with excavators, bulldozers, scrapers, and standard hauling vehicles. There are no existing pipelines and no new pipelines or control structures are to be included in the project.

From the information available to us at this time, it appears that the project activities would not be located on sovereign lands under jurisdiction of the Commission. Consequently, Commission staff does not object to the project. However, the bed of the San Joaquin River is subject to a public navigation easement. This easement provides that members of the public have the right to navigate and exercise the incidences of navigation in a lawful manner on State waters whether publicly or privately owned that are capable of being physically navigated by oar or motor-propelled small craft. Such uses may include, but not be limited to, boating, rafting, sailing, rowing, fishing, fowling, bathing, skiing, and other water-related public uses.

These comments are made without prejudice to any future assertion of State ownership or public rights, should circumstances change, or should additional information become available, and are not intended, nor should they be construed as a waiver or limitation of any right, title, or interest of the State of California in any lands under its jurisdiction. For questions concerning Commission leasing jurisdiction, please contact Randy Collins, Public Land Management Specialist, at (916) 574-0900, or via email at randy.collins@slc.ca.gov.

Sincerely,


for Cy R. Oggins, Chief

Division of Environmental Planning
and Management

cc: Office of Planning and Research
R. Collins, CSLC

CENTRAL VALLEY FLOOD PROTECTION BOARD

3310 El Camino Ave., Ste. 170
SACRAMENTO, CA 95821
(916) 574-0609 FAX: (916) 574-0682



Year 01/02/2018
E

December 18, 2017

Ms. Heather Reith
California Department of Parks and Recreation
22708 Broadway Street
Columbia, California 95310

Governor's Office of Planning & Research
DEC 22 2017
STATE CLEARINGHOUSE

Subject: Great Valley Grasslands - Floodplain Restoration,
Mitigated Negative Declaration, SCH Number: 2017121006

Location: Merced County

Dear Ms. Reith,

Central Valley Flood Protection Board (Board) staff has reviewed the subject document and provides the following comments:

The proposed project is within the San Joaquin River, a regulated stream under Board jurisdiction, and may require a Board permit prior to construction.

The Board's jurisdiction covers the entire Central Valley including all tributaries and distributaries of the Sacramento and San Joaquin Rivers, and the Tulare and Buena Vista basins south of the San Joaquin River.

Under authorities granted by California Water Code and Public Resources Code statutes, the Board enforces its Title 23, California Code of Regulations (Title 23) for the construction, maintenance, and protection of adopted plans of flood control, including the federal-State facilities of the State Plan of Flood Control, regulated streams, and designated floodways.

Pursuant to Title 23, Section 6 a Board permit is required prior to working within the Board's jurisdiction for the placement, construction, reconstruction, removal, or abandonment of any landscaping, culvert, bridge, conduit, fence, projection, fill, embankment, building, structure, obstruction, encroachment, excavation, the planting, or removal of vegetation, and any repair or maintenance that involves cutting into the levee.

Permits may also be required to bring existing works that predate permitting into compliance with Title 23, or where it is necessary to establish the conditions normally imposed by

Ms. Heather Reith
December 18, 2017
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permitting. The circumstances include those where responsibility for the works has not been clearly established or ownership and use have been revised.

Other federal (including U.S. Army Corps of Engineers Section 10 and 404 regulatory permits), State and local agency permits may be required and are the applicant's responsibility to obtain.

Board permit applications and Title 23 regulations are available on our website at <http://www.cvfpb.ca.gov/>. Maps of the Board's jurisdiction are also available from the California Department of Water Resources website at <http://gis.bam.water.ca.gov/bam/>.

Please contact James Herota at (916) 574-0651, or via email at James.Herota@CVFlood.ca.gov if you have any questions.

Sincerely,



Andrea Buckley
Environmental Services and Land Management Branch Chief

cc: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044