

**MINUTE ITEM**

This Calendar Item No. C11  
was submitted for information  
only, no action thereon  
being necessary.

**INFORMATIVE  
CALENDAR ITEM**

A 26

**C11**

04/23/87  
W 23749  
PRC 5893  
Gordon  
PRC 5893

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**DEPARTMENT OF WATER RESOURCES  
NOTICE OF PROPOSED USE OF STATE LANDS  
SEASONAL TIDAL WEIR IN MIDDLE RIVER  
SAN JOAQUIN COUNTY**

**BACKGROUND:**

On September 26, 1979, the State Lands Commission approved a Memorandum of Understanding, effective October 19, 1979, by and between the Department of Water Resources (DWR) and State Lands Commission which provides for the utilization by the DWR of State lands under the control of the Commission lying within the Central Valley Project and the State Water Resources Development System.

**CURRENT PROPOSAL:**

Pursuant to the terms of the Memorandum of Understanding, the DWR has provided the Commission with a "Notice of Proposed Use of State lands" and proposes to construct a seasonal rock filled barrier with a weir notch located in Middle River about 3,500 feet upstream (east) from Victoria Canal. The purpose of the weir is to reduce or eliminate adverse water level conditions created by State and Federal exports of water from Clifton Court Forebay. The principal objective of the project is to improve the availability of the water supply to existing irrigators utilizing Middle River as their source.

The weir barrier will initially be installed at the beginning of the irrigation season, April 1987 and the notch section of the weir will be removed in September 1987. The notch section will then be installed and removed in subsequent years to maintain an adequate water supply during the irrigation season. This is a State Water Resources Development System activity.

(REVISED 04/17/87)

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CALENDAR ITEM NO C11' (CONT'D)

An initial Study and a Negative Declaration conditioned with five mitigation measures were prepared by the DWR. These measures include placement of pipes with flapgates being placed in the weir to facilitate migration of anadromous fish and a portage ramp and warning signs to reduce impact on recreational navigation. A Notice of Determination was filed with the Governor's Office of Planning and Research February 7, 1987.

Staff has reviewed the project and determined the use of the subject land should be limited to a term beginning April 1, 1987 and ending September 1, 1990, subject to the implementation of the mitigation measures referenced herein, and to the filing with the Commission of a copy of the monitoring plan referenced in the mitigation measures. The referenced ending date, September 1, 1990, will concur with the expiration date of United States Army Permit No. 9205 giving Federal authorization of the project.

In accordance with the procedures set forth in the Memorandum of Understanding, staff will acknowledge the "Notice of Proposed Use of State lands".

AB 884: N/A.

EXHIBITS: A. Land Description.  
B. Location Map.  
C. Notice of Determination.

(REVISED 04/17/87)

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CALENDAR PAGE

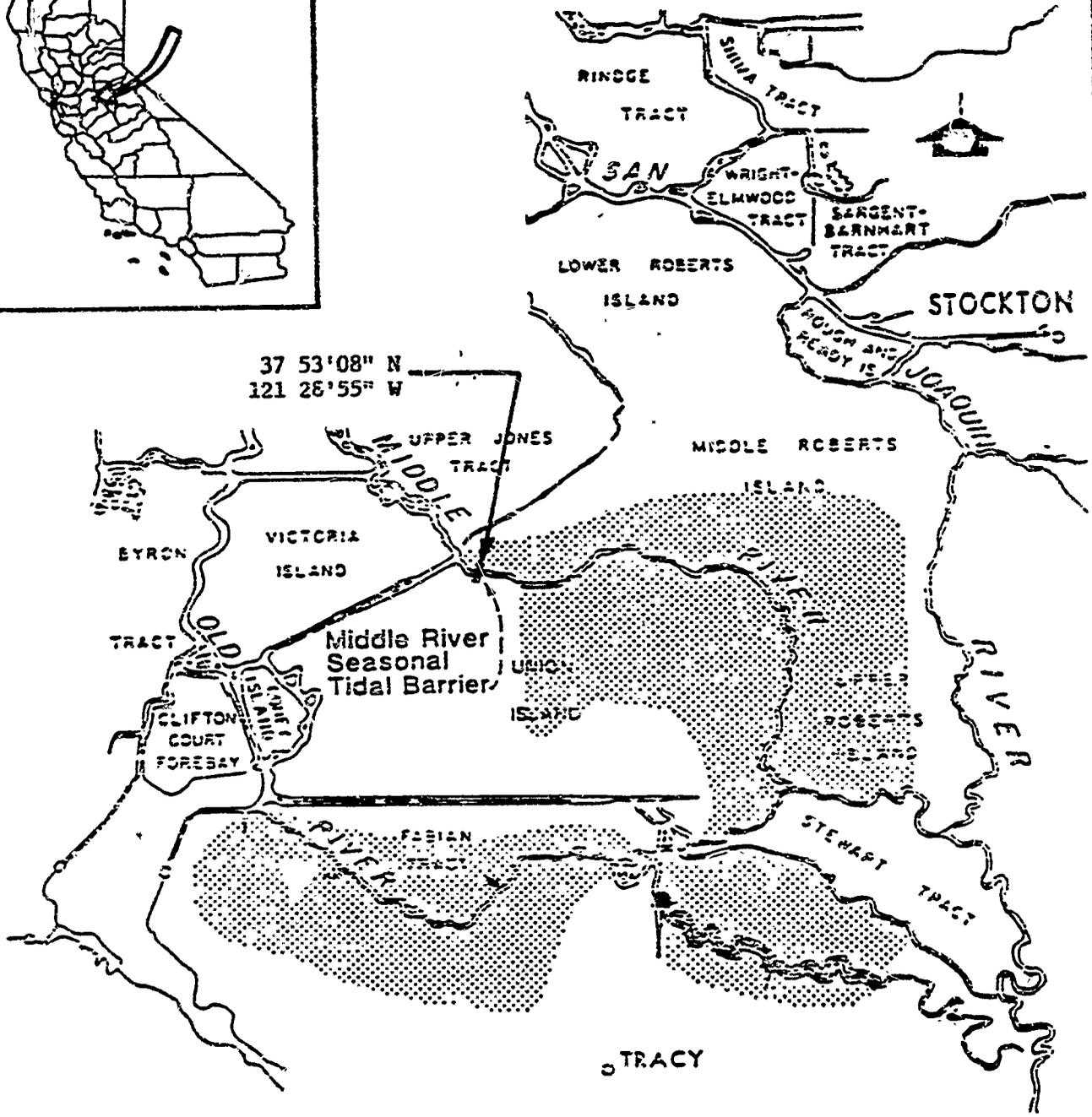
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EXHIBIT "A"  
 LAND DESCRIPTION  
 W 23749



FIGURE 2  
 SOUTH DELTA INTERIM FACILITIES



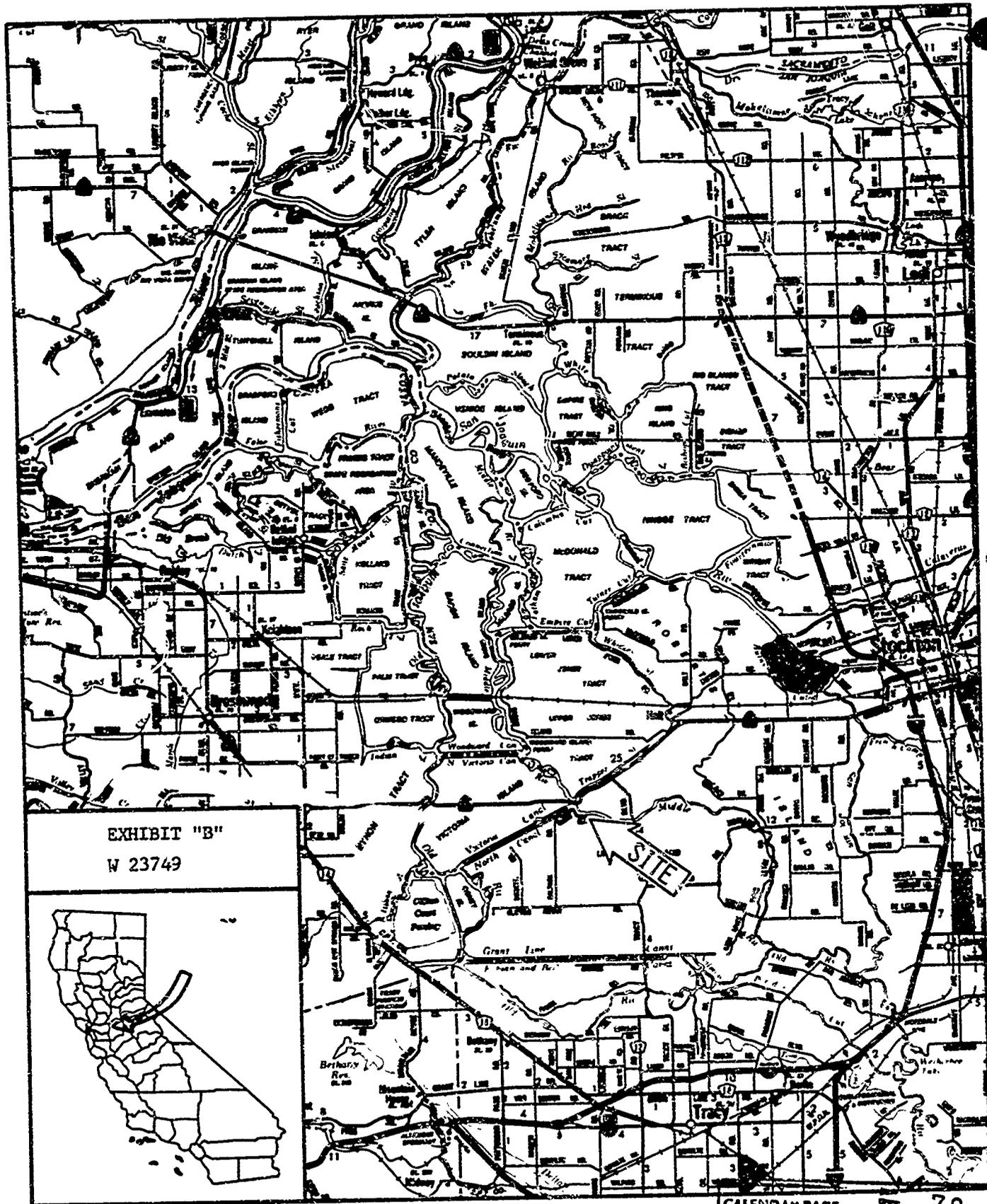


EXHIBIT "B"  
W 23749



EXHIBIT "C"

NOTICE OF DETERMINATION

TO:  Office of Planning & Research  
1400 - 10th Street  
Sacramento, California 95814  
or  
County Clerk  
County of \_\_\_\_\_

FROM: (Public Agency) \_\_\_\_\_  
Department of Water Resources  
State of California

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

Middle River Weir Mitigation Project

Project Title

86012815 Richard Lerseth 445-8807  
State Clearinghouse Number Contact Person Telephone Number  
(If submitted to Clearinghouse)

San Joaquin County, approx. 11-1/2 miles southwest of Stockton and 1/2 mile south of the confluence of Middle River, Trapper Slough and North Canal

Project Location In Middle River construct a seasonal rock-filled barrier 140-foot wide removable weir notch section, with armored 1-1/2 to 1 side slopes, 12 feet wide, elevation +3' IGS, notch elevation 0' to 1' IGS, and 6, 48" pipes with flapgates on Project Description the stream (east) side.

This is to advise that the Department of Water Resources  
(Lead Agency or Responsible Agency)  
has approved the above described project and has made the following determinations regarding the above described project:

- 1. The project  will,  will not, have a significant effect on the environment.
- 2.  An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
- A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.

The EIR or Negative Declaration and record of project approval may be examined at: Central District, 3251 "G" Street, Sacramento California 95816

- 3. Mitigation measures  were,  were not, made a condition of the approval of the project.
- 4. A statement of Overriding Considerations  was,  was not, adopted for this project.

Date Received for Filing \_\_\_\_\_  
FILED AND POSTED BY \_\_\_\_\_  
Governor's Office of  
Planning and Research

James C. McDaniel  
Signature  
Chief, Central District  
Title

FEB 09 1987

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State of California  
The Resources Agency  
DEPARTMENT OF WATER RESOURCES  
Central District

NEGATIVE DECLARATION  
MIDDLE RIVER WEIR  
MITIGATION REPORT

Project Description

The California Department of Water Resources proposes to construct a seasonal rock filled barrier with a weir notch in Middle River about 3,500 feet upstream (east) from Victoria Canal. The purpose of the weir is to reduce or eliminate adverse water level conditions caused by State and Federal exports from Clifton Court Forebay. The barrier is described in Plates 1-8, attached. The project includes the mitigation measures listed below.

The weir barrier will initially be installed at the beginning of the irrigation season, April 1987. The weir notch section will be removed in September 1987. The notch section will then be installed and removed in subsequent years when needed.

Project Location

This project is located in the southern portion of the Sacramento-San Joaquin Delta about 11-1/2 miles southwest of Stockton at Middle River mile 14.85 about 1/2 mile south of the confluence of Middle River, Trapper Slough and North Canal, in Section 36, Township 1 North, Range 4 East, San Joaquin County.

Finding

this project will have no significant adverse effect on the environment.

Basis for Finding

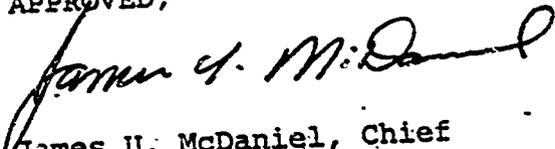
The attached "Initial Study for South Delta Agricultural Water Level Mitigation Project", the comments letters, the Department's response, and the regulatory agencies' permits support this finding.

Mitigation Measures

1. Installation of six pipes with flap gates through the barrier.
2. A rock portage ramp on the south end.

3. Determining the installation date for the middle portion of the weir based on a San Joaquin River flow of 2,000 cfs at Vernalis.
4. That the applicant will submit a monitoring plan for approval by the District Engineer, prior to start of construction. The plan should furnish information on the project's affects on both water quality and fisheries components during construction, and during the period of operation. If the monitoring study shows that riparian/emergent wetland vegetation has been lost, the applicant will submit a revegetation plan to mitigate the loss of wildlife values to the District Engineer for approval. If it is found that juvenile fish migration is being affected, fish passage provisions shall be incorporated in the barrier before the following out-migration season.
5. That waterway markers be installed to warn boaters of the barrier's presence.

APPROVED;

  
James U. McDaniel, Chief  
Central District