

**CALIFORNIA STATE LANDS  
COMMISSION**

100 Howe Avenue, Suite 100-South  
Sacramento, CA 95825-8202



*Established in 1938*

**JENNIFER LUCCHESI**, Executive Officer

**916.574.1800**

TTY CA Relay Service: 711 or Phone **800.735.2922**  
from Voice Phone **800.735.2929**  
or for Spanish **800.855.3000**

**Contact Phone: 916.574.1900**

March 3, 2023

File Ref: SCH #2023020064

City of Redding  
Amber Kelley  
777 Cypress Avenue  
Redding, CA 96001

**Governor's Office of Planning & Research**

**March 3 2023**

**STATE CLEARING HOUSE**

VIA ELECTRONIC MAIL ONLY [akelley@cityofredding.org](mailto:akelley@cityofredding.org)

**Subject: Initial Study/Mitigated Negative Declaration for Turtle Bay Boat Ramp Project, Shasta County**

Dear Amber Kelley:

The California State Lands Commission (Commission) staff has reviewed the Initial Study/Mitigated Negative Declaration (IS/MND) for the Turtle Bay Boat Ramp Project (Project), which is being prepared by the City of Redding (City). The City, as the public agency proposing to carry out the Project, is the lead agency under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.). The Commission is a trustee agency for projects that could directly or indirectly affect State sovereign land and their accompanying Public Trust resources or uses. Additionally, because the Project involves work on State sovereign land, the Commission will act as a responsible agency.

**Commission Jurisdiction and Public Trust Lands**

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 Doctrine.

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.

The main channel of the Sacramento River, at the project location, is natural, navigable, non-tidal, and, therefore, State sovereign land under the Commission's jurisdiction. A lease will be required for the portions of the project extending into the river below the ordinary low water mark.

### **Project Description**

The City proposes to upgrade their facilities at the Turtle Bay Boat Ramp site to meet the City's residents' increased interest in boating and fly-fishing.

From the Project Description, Commission staff understands that the Project would include a two-lane boat ramp, an extension of the existing floating dock, and a new boating access beach adjacent to the ramp for drift boats and non-motorized vessel launching, all of which have potential to affect State sovereign land.

### **Environmental Review**

Commission staff requests that the City consider the following comments on the Project's IS/MND, to ensure that impacts to State sovereign land are adequately analyzed for the Commission's use of the IS/MND when considering a future lease application for the Project.

### **General Comments**

1. Missing base layer: In Figure 3, the map showing the kayak launch to be decommissioned in 2027, the base layer is missing. Please include a base layer to the map.
2. Additional Figure: Please include a figure that shows the potential locations for the boat ramp and boating access beach. This will allow Commission Staff to determine which components of the project will be in Commission

jurisdiction and better aid with determining potential environmental impacts as a Responsible Agency.

### Cultural Resources

3. Title to Resources Within Commission Jurisdiction: The IS/MND should state that the title to all abandoned shipwrecks, archaeological sites, and historic or cultural resources on or in the tide and submerged lands of California is vested in the State and under the jurisdiction of the Commission (Pub. Resources Code, § 6313). Commission staff requests that the City consult with Staff Attorney Jamie Garrett should any cultural resources on State lands be discovered during construction of the proposed Project.

Staff requests that the following statement be included in the IS/MND's Best Management Practices, CR-1: "The final disposition of archaeological, historical, and paleontological resources recovered on State land under the jurisdiction of the California State Lands Commission must be approved by the Commission."

Thank you for the opportunity to comment on the IS/MND for the Project. As a responsible and trustee agency, the Commission will rely on the adopted IS/MND when issuing a new lease as specified above (see Section "Commission Jurisdiction and Public Trust Lands"). We request that you consider our comments before adopting the IS/MND.

Please send electronic copies of the adopted IS/MND, Mitigation Monitoring Program, Notice of Determination, and approving resolution when they become available. Please note that federal and state laws require all government entities to improve accessibility of information technology and content by complying with established accessibility requirements. (29 U.S.C. § 794d; 36 C.F.R. § 1194.1 et seq.; Gov. Code, § 7405.) California State law prohibits State agencies from publishing on their websites content that does not comply with accessibility requirements. (Gov. Code, § 115467.) Therefore, any documents submitted to Commission staff during the processing of a lease or permit, including all CEQA documentation, must meet accessibility requirements for Commission staff to place the application on the Commission agenda.

Refer questions concerning environmental review to Christine Day, Environmental Scientist, at [Christine.Day@slc.ca.gov](mailto:Christine.Day@slc.ca.gov) or (916) 562-0027. For questions concerning archaeological or historic resources under Commission jurisdiction, please contact Jamie Garrett, Staff Attorney, at [Jamie.Garrett@slc.ca.gov](mailto:Jamie.Garrett@slc.ca.gov) or (916) 574-0398. For questions concerning

Commission leasing jurisdiction, please contact Ninette Lee, Public Land Management Specialist, at [Ninette.Lee@slc.ca.gov](mailto:Ninette.Lee@slc.ca.gov) or (916) 574-1869.

Sincerely,

A handwritten signature in black ink that reads "Nicole Dobroski". The signature is written in a cursive style with a prominent initial "N".

Nicole Dobroski, Chief  
Division of Environmental Science,  
Planning, and Management

cc: Office of Planning and Research  
C. Day, Commission  
J. Garrett, Commission  
N. Lee, Commission