



DEPARTMENT OF FISH AND GAME

<http://www.dfg.ca.gov>

601 Locust Street
Redding, CA 96001
(530) 225-2300



December 29, 2004

Mr. William M. Walker, Senior Planner
Shasta County Department of Resource Management
1855 Placer Street, Suite 103
Redding, California 96001

Dear Mr. Walker:

**Rice - Preapplication for Potential General Plan Amendment
and Subdivision Maps**

The Department of Fish and Game (DFG) has reviewed the preapplication package submitted by Mr. Joe Rice. Mr. Rice is requesting approval to amend the general plan, rezone the property, and subdivide 216 acres in the Salt Creek drainage south of Highway 299 West between Swasey Drive and Lower Springs Road in Shasta County. This property is currently the subject of a land exchange proposal submitted by Mr. Rice to the Bureau of Land Management (BLM) and has not been approved.

In a November 9, 2004, letter to the BLM, DFG opposed this land exchange. The Federal land being proposed for exchange is located west of Redding in the Salt Creek drainage. Resident rainbow trout, migratory anadromous rainbow trout (steelhead), and fall-run Chinook salmon are all known to use lower Salt Creek for spawning. DFG personnel have also observed resident rainbow trout spawning and juvenile rearing in Salt Creek within the project area as well as upstream of the project area. Our principal concern with this exchange and ultimate subdivision is the likelihood that this development will cause substantial sediment deposition and subsequent harm to the aquatic resources of Salt Creek and the Sacramento River.

Since 1997, at the request of both water and fish management agencies, the Bureau of Reclamation has injected 96,050 tons of spawning gravel in the Sacramento River at the mouth of Salt Creek. Additionally, in 2001 CALFED agencies paid approximately \$20 million to improve two fish ladders and a fish screen at the Anderson-Cottonwood Irrigation District (ACID) diversion dam located in the Sacramento River downstream of the mouth of Salt Creek. These

Mr. William M. Walker
December 29, 2004
Page Two

spawning gravel and fish passage improvements were implemented to encourage spawning by natural runs of Chinook salmon, particularly winter-run Chinook, and steelhead in the Sacramento River between the ACID and Keswick dams.

The DFG is concerned that future development in this portion of the Salt Creek drainage will mobilize and deposit sediment in the spawning gravel placed at the Salt Creek and Sacramento River confluence. DFG believes, therefore, that the 216 acres of public land located in the Salt Creek drainage should remain in BLM stewardship. If this land exchange is approved, however, DFG offers the following comments on Mr. Rice's preapplication in our role as both trustee and responsible agency under the California Environmental Quality Act.

The preapplication narrative states that "adopted Shasta County policy is to maintain an Open Space (NO) general plan classification on all land that changes from public to private ownership...." An NO classification would limit development to a single family dwelling on 20-acre parcels. The project proponent is requesting an RA classification with two-acre minimums. In a July 7, 1992, letter to Mr. Pat Cecil of your department, DFG Fisheries Biologist Phil Baker documented the detrimental effects development has had on the adjacent Middle Creek drainage. He emphasized that both Middle Creek and Salt Creek "possess decomposed granite soils and have similar topography." We uphold Mr. Baker's recommendation that the County not "allow the creation of parcels smaller than twenty acres or allow any rezones which would permit parcel sizes less than twenty acres in the Salt Creek drainage until more effective erosion control policies, regulations and methods are developed, implemented and result in the adequate protection of that stream's ecosystem."

Several forks of Salt Creek and other waters of the U.S. are present in the proposed project area. Although Salt Creek and its tributaries become intermittent in the summer, they support various species of nongame fish and runs of salmonids during the remainder of the year. Section 5650 of the Fish and Game Code states it is unlawful to deposit in, permit to pass into, or place where it can pass into the waters of this State any substance or material deleterious to fish, plant life, or bird life. Silt and other erosion products from housing developments are considered deleterious to fish life under this code section. To protect water quality, aquatic species, and riparian habitat along all waters of the U.S., DFG recommends all project disturbances stay a minimum of 50 feet from the top of the stream bank or 25 feet from the outer edge of riparian vegetation, whichever is greater.

Mr. William M. Walker
December 29, 2004
Page Three

Exhibit 5 of the preapplication package shows a proposed access road connecting the southern terminus of Victoria Drive with Lower Springs Road. This road crosses a fork of Salt Creek known to support resident rainbow trout spawning and juvenile rearing. This crossing will require the project proponent notify DFG to obtain a streambed alteration agreement pursuant to Section 1602 of the Fish and Game Code. The proposed access route to the southern unit also crosses a fork of Salt Creek and would require similar protective measures. Additional permits likely to be required for this project include a U.S. Army Corps of Engineers Section 404 permit and a California Central Valley Regional Water Quality Control Board (CVRWQCB) Section 401 permit. Furthermore, this project may affect federally listed anadromous salmonids and consultation with the National Oceanic and Atmospheric Administration Fisheries may be required.

Based on the information provided and our knowledge of the site, it appears that the proposed project may adversely affect fish and wildlife resources or the habitat upon which they depend. Unless rebutted by substantial evidence in the record, this project should not be considered de minimis with regard to its impact on wildlife resources as defined in Section 711.2 of the Fish and Game Code.

If this land exchange occurs we encourage the new owner to meet with DFG and CVRWQCB staff to discuss "Best Management Practices" including suitable erosion control measures which could be incorporated into any development. This early scoping and consultation should minimize any conflicts between development and the natural resources of Salt Creek. Please direct any questions or comments to Environmental Scientist Eda Eggeman at the letterhead address or telephone (530) 225-2753.

Sincerely,



for
DONALD B. KOCH
Regional Manager

Enclosures

cc: See page four

Mr. William M. Walker
December 29, 2004
Page Four

cc: Mr. Brent Owen
P.O. Box 992483
Redding, California 96099-2483

Ms. Eda C. Eggeman
Department of Fish and Game
601 Locust Street
Redding, California 96001-2711

ec: Mr. Craig Martz
Ms. Eda C. Eggeman
Department of Fish and Game
601 Locust Street
Redding, California 96001-2711