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May 21, 2026

**VIA ELECTRONIC MAIL ONLY** [bmattson@gcid.net](mailto:bmattson@gcid.net)

File Ref.: SCH #2025091009

Glenn-Colusa Irrigation District  
Brad Mattson, Assistant General Manager  
PO Box 150  
Willows, CA 95988

**Subject: Notice of Preparation (NOP) for an Environmental Impact Report for Glenn-Colusa Irrigation District Gradient Facility Rehabilitation Project, Butte, Glenn, and Tehama Counties**

Dear Brad Mattson:

The California State Lands Commission (Commission) staff have reviewed the subject NOP for an Environmental Impact Report (EIR) for the Glenn-Colusa Irrigation District Facility Rehabilitation Project (Project), which is being prepared by the Glenn-Colusa Irrigation District (GCID). The GCID, as the public agency that oversees the Gradient Facility and is 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 lands and their accompanying Public Trust resources or uses. Additionally, because the Project involves work on State sovereign land under the Commission's jurisdiction, the Commission will act as a responsible agency. Commission staff requests that GCID consult with us on preparation of the Draft EIR as required by CEQA section 21153, subdivision (a), and CEQA Guidelines section 15086, subdivisions (a)(1) and (a)(2).

### **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; and 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.

Based on a review of the information contained in the previous IS/MND for the Project, the Sacramento River between River Miles 205 and 206 is State sovereign land under the jurisdiction of the Commission, and portions of the Project will occur within the Commission's jurisdiction. On June 27, 2000, the Commission issued Lease 8176 to GCID authorizing construction of the riverbed gradient facility at this location. An application to amend Lease 8176 for the Project activities has been received.

### **Project Description**

GCID proposes to construct bank stabilization and river channel protection to meet the agency's objectives and needs of restoring geomorphic and hydraulic conditions of the Sacramento River channel and to maintain safe fish passage and boating navigation at the GCID diversion.

From the Project Description, Commission staff understands that the Project would be phased to include the following components that have potential to affect State sovereign land:

#### Phase One: (Summer/Fall 2026)

- Constructing spur dikes on the east and west banks of the river
- Installing a riprap pad on the east overbank
- Installing rock slope protection near the intake bypass return channel on the west bank

#### Phase Two: (to be completed between 5 to 15 years after Phase One)

- Constructing additional spur dikes on the east and west banks
- Installing additional rock protection riprap pads and a rock protection berm in the east overbank area
- Partially filling the scour hole
- Installing rock protection on the west bank near the scour hole

In addition, according to the Project Description, it is possible that not all of the Phase 2 components will be implemented.

### **Environmental Review**

Commission staff requests that GCID consider the following comments when preparing the EIR, to ensure that impacts to State sovereign land are adequately analyzed for the Commission's use of the EIR to support a future lease approval for the Project.

#### General Comments

1. Project Description: A thorough and complete Project Description should be included in the EIR in order to facilitate meaningful environmental review of potential impacts, mitigation measures, and alternatives. The Project Description should be as precise as possible in describing the details of all allowable activities (e.g., types of equipment or methods that may be used, maximum area of impact or volume of sediment removed or disturbed, seasonal work windows, locations for material disposal, etc.), as well as the details of the timing and length of activities. In particular, please illustrate on figures and engineering plans and provide written description of activities occurring below the ordinary high-water mark and ordinary low-water mark for Project area waterways. Thorough descriptions will facilitate Commission staff's determination of the extent and locations of its leasing jurisdiction, make for a more robust analysis of the work that may be performed, and minimize the potential for subsequent environmental analysis to be required.

#### Biological Resources

2. For land under the Commission's jurisdiction, the EIR should disclose and analyze all potentially significant effects on sensitive species and habitats in and around the Project area, including special status wildlife, fish, and plants, and if appropriate, identify feasible mitigation measures to reduce those impacts. The EIR should conduct queries of the California Department of Fish and Wildlife's (CDFW) California Natural Diversity Database and U.S. Fish and Wildlife Service's (USFWS) Special Status Species Database to identify any special status plant or wildlife species that may occur in the Project area. The EIR should also include a discussion of consultation with CDFW, USFWS, and the National Marine Fisheries Service (NMFS), as applicable, including any recommended mitigation measures and potentially required permits identified by these agencies.
3. Invasive Species: One of the major stressors in California waterways is introduced species. Therefore, the EIR should consider the Project's potential to encourage the establishment or proliferation of aquatic invasive species (AIS) such as the quagga mussel, golden mussel, or other nonindigenous, invasive species including aquatic

plants. For example, construction boats and barges brought in from long stays at distant projects may transport new species to the Project area via vessel biofouling, wherein marine and aquatic organisms attach to and accumulate on the hull and other wetted parts of a vessel.

If the analysis in the EIR finds potentially significant AIS impacts, possible mitigation could include contracting local vessels and barges or requiring contractors to inspect and clean the hull and other wetted surfaces of vessels prior to arrival in California. The Commission's Marine Invasive Species Program could assist with this analysis as well as with the development of appropriate mitigation (information at <https://www.slc.ca.gov/misp/>).

4. Construction Noise: The EIR should evaluate noise and vibration impacts on fish and birds from construction, restoration, or flood control activities in the water, on the levees, and for land-side supporting structures. Mitigation measures could include species-specific work windows as defined by CDFW, USFWS, and NMFS. Again, staff recommends early consultation with these agencies to minimize the impacts of the Project on sensitive species.

#### Cultural Resources

5. Title to Resources: The EIR should also mention 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 California State Lands Commission (Pub. Resources Code, § 6313). In addition, Commission staff requests that the following statement be included in the EIR's Mitigation and Monitoring Plan: "The final disposition of archaeological, historical, and paleontological resources recovered on state lands under the jurisdiction of the California State Lands Commission must be approved by the Commission."

#### Environmental Justice

6. Environmental justice is defined by California law as "the fair treatment and meaningful involvement of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies." (Gov. Code § 65040.12) This definition is consistent with the Public Trust Doctrine's principle that management of trust lands is for the benefit of all people.

The Commission adopted an updated [Environmental Justice Policy and Implementation Blueprint](#) in December 2018 to ensure that environmental justice is an essential consideration in the agency's processes, decisions, and programs. The

twelve goals outlined in the Policy reflect an urgent need to address the inequities of the past, so they do not continue. Through its policy, the Commission reaffirms its commitment to an informed and open process in which all people are treated equitably and with dignity, and in which its decisions are tempered by environmental justice considerations.

Although not legally required in a CEQA document, Commission staff suggests that GCID include a section describing the environmental justice community outreach and engagement undertaken in developing the EIR and the results of such outreach. The California Office of Environmental Health Hazard Assessment developed the [CalEnviroScreen](#) mapping tool to assist agencies with locating census tracts near proposed projects and identifying the environmental burdens, should there be any, that disproportionately impact those communities. Environmental justice communities often lack access to the decision-making process and experience barriers to becoming involved in that process. It is crucial that these communities are consulted as early as possible in the project planning process. Commission staff strongly recommends using the [CalEnviroScreen](#) tool and then, as applicable, reaching out through local community organizations, such as the [California Environmental Justice Alliance](#). Engaging in early outreach will facilitate more equitable access for all community members. In this manner, the CEQA public comment process can improve and provide an opportunity for more members of the public to provide input related to environmental justice. Commission staff also recommends incorporating or addressing opportunities for community engagement in mitigation measures. Commission staff will review the environmental justice outreach and associated results as part of any future Commission action.

Thank you for the opportunity to comment on the NOP for the Project. As a trustee and responsible agency, Commission staff requests consultation on this Project and to be kept advised of changes to the Project Description and all other important developments. Please send additional information on the Project to the Commission staff listed below as the EIR is being prepared, including the Notice of Intent for release of the Draft EIR.

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 that will be posted online, including relevant CEQA documentation,

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must meet accessibility requirements for Commission staff to place the application on the Commission agenda.

Please refer questions concerning environmental review to Christine Day, Senior Environmental Scientist, at (916) 574-0027 or via email at [Christine.Day@slc.ca.gov](mailto:Christine.Day@slc.ca.gov). For questions concerning Commission leasing jurisdiction, please contact Madison Waldo, Public Land Management Specialist II, at (916) 562-0038 or via email at [Madison.Waldo@slc.ca.gov](mailto:Madison.Waldo@slc.ca.gov).

Sincerely,

A handwritten signature in black ink that reads "Nicole Dobroski". The signature is written in a cursive, flowing style.

Nicole Dobroski, Chief

Division of Environmental Science,  
Planning, and Management

cc: Office of Planning and Research  
C. Day, Commission  
M. Waldo, Commission