
NOTICE OF PREPARATION

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To: Responsible Agencies and Interested Parties

Date: September 16, 2008

Subject: Notice of Preparation of Draft Environmental Impact Statement and Draft Environmental Impact Report

Project Title: **PAIUTE CUTTHROAT TROUT RESTORATION PROJECT**

Environmental review of this project is required under both the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA). Implementation of the project will require discretionary approvals from federal and state agencies. The California Department of Fish and Game (CDFG) will serve as the lead agency under CEQA, the U.S. Fish and Wildlife Service (USFWS) will serve as the lead agency under NEPA, and the U.S. Forest Service (USFS) will serve as a cooperating agency under NEPA.

To ensure coordination and to prevent duplication of efforts, CDFG, USFWS, and USFS will prepare a joint Environmental Impact Statement/Environmental Impact Report (EIS/EIR) as recommended by Title 40 section 1506.2 of the Code of Federal Regulations and CEQA Guidelines section 15222.

This Notice of Preparation (NOP) has been prepared to satisfy the requirements of CEQA. This NOP provides a description of the project, the project location, and a brief discussion of the probable environmental effects of the project.

The NOP is an important step in the environmental scoping process, which is designed to determine the range of issues to be addressed in the EIS/EIR. The objectives of scoping include:

- o Ensuring agency and public involvement in the environmental review process;
- o Determining which specific impacts must be evaluated in the EIS/EIR;
- o Establishing a reasonable range of alternatives; and
- o Identifying the scope of issues that must be discussed to adequately and accurately address the potential impacts of the project as they relate to permitting and approval authority.

We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIS/EIR prepared by our agency when considering your permit or other

approval for the project. We will need the name for a contact person at your agency. **Your written response must be received at the earliest possible date but no later than October 31, 2008.**

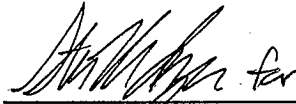
Please send your written response to:

Stafford Lehr
Senior Environmental Scientist
California Department of Fish and Game
North Central Region
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Telephone: (916) 358-2838
slehr@dfg.ca.gov

For additional information about the project or the scoping process, please use the contact information listed above.

A scoping meeting will be held on Tuesday, October 7, 2008 from 4:00-7:00 p.m. at Turtle Rock Park Community Center, 17300 Highway 89, Markleeville, California. Persons needing reasonable accommodations to attend the meeting should contact Stafford Lehr at the phone number listed above as soon as possible. Please call no later than one week before the scoping meeting.

Date: September 16, 2008



Stafford Lehr
Senior Environmental Scientist

Description of the Proposed Project:

The Paiute cutthroat trout (*Oncorhynchus clarki seleniris*) is a federally listed threatened species. Silver King Creek is part of the Paiute cutthroat trout's historic range but is currently populated by hybridized non-native trout that could threaten the existence of pure Paiute cutthroat trout located above Llewellyn Falls if these populations were inadvertently mixed. Hybridization with non-native fish is a primary threat to the subspecies. The fish present in reaches downstream from Llewellyn Falls to Silver King Canyon are a genetic mixture of introduced rainbow (*Oncorhynchus mykiss*), Lahontan cutthroat (*Oncorhynchus henshawi*), golden trout (*Oncorhynchus aguabonita*), and native Paiute cutthroat trout.

The proposed project would geographically isolate pure populations of Paiute cutthroat trout. CDFG, in collaboration with USFWS and USFS, proposes to remove all non-native hybridized trout in Silver King Creek, in Alpine County, California, from Llewellyn Falls to Silver King Canyon, using the piscicide rotenone. Alternatives that will be considered include: no action, chemical treatment, various fish removal methods (e.g., mechanical removal and dewatering), combination of dewatering followed by chemical treatment.

This action is necessary to implement the Recovery Plan for the Paiute cutthroat trout (*Oncorhynchus clarki seleniris*). USFWS published a revised Recovery Plan for the Paiute Cutthroat Trout (Recovery Plan), which is available for public review at: http://ecos.fws.gov/docs/recovery_plan/040910.pdf. The first two criteria in the Recovery Plan for accomplishing the goal of delisting the species are: (1) removal of all nonnative salmonids in Silver King Creek and its tributaries downstream of Llewellyn Falls to fish barriers in Silver King Canyon; and (2) occupation by a viable population of all historic habitat in Silver King Creek and its tributaries downstream of Llewellyn Falls to the fish barriers in Silver King Canyon.

Location of the Proposed Project:

The Silver King Creek drainage is located on the eastern slope of the Sierra Nevada Range, in Alpine County, California. The drainage is a main tributary to the East Fork of the Carson River, which drains into the Lahontan Basin. The project area occurs within the Carson-Iceberg Wilderness on National Forest System lands administered by the Carson Ranger District, Humboldt-Toiyabe National Forest (See Attachment 1).

The proposed project would encompass 14.7 kilometers (9.1 miles) of historic Paiute cutthroat trout habitat in Silver King Creek, from Llewellyn Falls downstream to Silver King Canyon as well as the accessible reaches of three small named tributaries: Tamarack Creek, Tamarack Lake Creek, the lower reaches of Coyote Valley Creek downstream of barrier falls, and Tamarack Lake.

Probable Environmental Effects of the Project:

CDFG, USFWS, and USFS have determined this project could result in significant environmental impacts and/or have a significant impact on the quality of the human environment. Preparation of an EIS/EIR is thus appropriate. CDFG, USFWS, and USFS have identified the following environmental considerations as potential significant effects of the project:

- o Effects on Biological Resources.

- Effects on Paiute Cutthroat Trout. Rotenone is toxic to fish. Fish that are not removed from the water would be exposed to potentially fatal concentrations of rotenone. Any Paiute cutthroat trout present in the project area would likely be lost during the project's implementation. Mechanical removal may result in the loss of some Paiute cutthroat trout due to stress or injury. Dewatering in combination with chemical treatment may result in the loss of Paiute cutthroat trout that may remain in the project area. The EIS/EIR will evaluate any potential significant impacts on Paiute cutthroat trout.
- Effects on Non-Target Organisms. Rotenone is toxic to fish and other gill-breathing organisms, such as aquatic invertebrate nymphs and larvae and some forms of amphibians. There may be

negative effects of the project on non-target organisms, including, but not limited to aquatic invertebrates, amphibians, Management Indicator Species, Forest sensitive species, and species listed as Threatened, Endangered, or Proposed under the Endangered Species Act. Rotenone is toxic to some aquatic organisms and may affect macro-invertebrate populations. Dewatering followed by chemical treatment will have the same effects on non-target organisms as stated above. The EIS/EIR will evaluate any potential significant impacts on non-target organisms.

- Hazardous Materials. Rotenone is a restricted-use pesticide due to its aquatic toxicity and acute toxicity when inhaled. It may only be purchased and used by Certified Applicators or persons under their direct supervision. Although the U.S. Environmental Protection Agency has determined the use of rotenone for fish control does not present a risk of unreasonable adverse effects to humans, the EIS/EIR will analyze any potential significant impacts due to the use of rotenone. The transportation and handling of rotenone poses a potential risk of accidental spillage in route to the project site or at the project site. Potential significant impacts from an accidental spill will be analyzed in the EIS/EIR.
- Effects on Hydrology and Water Quality. The proposed project would require a National Pollutant Discharge Elimination System permit from the Lahontan Regional Water Quality Control Board. The application of rotenone could result in concentrations of some constituents that would temporarily exceed water quality standards. Implementation of the proposed project would require a neutralization plan. The EIS/EIR will evaluate all potentially significant impacts to both surface and groundwater quality and multiple methods of neutralization.
- Effects on Recreational Fisheries. Silver King Creek is used by recreational anglers. There may be potentially significant impacts on angling opportunities due to the potential long-term closure of approximately eleven (11) miles of angling waters along Silver King Creek in the Carson-Iceberg Wilderness within Alpine County, California.

NOP DISTRIBUTION:

This NOP was sent to the following agencies, organizations, and individuals:

Federal:

- U.S. Fish and Wildlife Service
- Advisory Council on Historic Preservation
- Federal Tribes
- U.S. Army Corps of Engineers
- U.S. Army Corps of Engineers, San Francisco Division
- U.S. Department of Agriculture
- U.S. Department of Agriculture Animal & Plant Health Inspection Service

- U.S. Department of Agriculture National Agricultural Library
- U.S. Department of Agriculture Natural Resources Conservation Service
- U.S. Department of Agriculture Office of Civil Rights
- U.S. Department of Interior, Office of Environmental Policy & Compliance
- U.S. Environmental Protection Agency
- U.S. Environmental Protection Agency, Region 9 San Francisco
- U.S. Fish and Wildlife Service
- U.S. Forest Service, Humboldt-Toiyabe National Forest
- U.S. Forest Service, Carson Ranger District

State Agencies:

- California Department of Boating and Waterways
- California Department of Food & Agriculture
- California Department of Health Services
- California Department of Pesticide Regulation
- California Department of Toxic Substances Control
- California Department of Water Resources
- California Native American Heritage Commission
- Office of Environmental Health Hazard Assessment
- State Clearinghouse
- State Historic Preservation Officer
- State Water Resources Control Board

Regional and Local Agencies:

- Northern Sierra Air Quality Management District
- Lahontan Regional Water Quality Control Board
- Alpine County Board of Supervisors
- Alpine County Clerk
- Town of Markleeville

Individuals and other Organizations:

- Alpine County Chamber of Commerce
- Alpine County Sheriff
- Carson River Resort
- Sorensen's Resort
- Woodfords Station
- Washoe Tribe of Nevada and California
- Center for Collaborative Policy
- Nancy Erman
- Jim Crouse
- David Katz
- Mike Matuska
- John Regan
- Bob Rudden
- Judy Wickwire
- Dave Zelmer

Entire Range of Paiute Cutthroat Trout

