

## Background

The California Department of Fish and Game (DFG) is the principal agency with responsibility to manage and conserve the biological resources of the state, including fish, wildlife and plants. The mission of DFG is to manage California's diverse fish, wildlife, and plant resources, and the habitats upon which they depend, for their ecological values and for their use and enjoyment by the public. As part of its responsibility, DFG operates a statewide system of fish hatchery facilities that rear and subsequently release millions of trout, salmon and steelhead of various age and size classes into state waters. These fish are reared and released for recreational and commercial fishing, for conservation and restoration of fish species that are native to California waters, for mitigation of habitat losses caused by construction of dams on the state's major rivers, and for mitigation of fish lost at state-operated pumping facilities in the Sacramento-San Joaquin Delta. The state has been operating hatcheries for more than 100 years, and in the process has supported fishing as a significant recreational opportunity for residents and visitors to California. Currently DFG has 184 authorized positions dedicated to establishing policy for and managing the operation of its own hatchery facilities and the hatcheries of other state, federal, and local entities throughout the state.

After the passage of the California Environmental Quality Act (Public Resources Code Section 21000 et seq. [CEQA]) in 1970, DFG continued to operate its hatchery facilities and stocking of fish without undertaking a CEQA impact evaluation. Stocking activities were considered exempt from CEQA review on several grounds, including Section 15301 (j) of the State CEQA Guidelines, which specifically provides an exemption from CEQA review to fish stocking conducted by DFG. In the fall of 2006, with growing concern that the stocking of trout was having adverse effects on native fish and wildlife species, DFG initiated an internal environmental review of its stocking program. DFG began the process of preparing an environmental evaluation document describing the potential impacts associated with its hatchery and stocking activities, including:

- all 24 of the trout, salmon and steelhead hatchery facilities operated by DFG;
- the stocking of trout, salmon and steelhead in state waters;
- the issuance of private stocking permits to parties wishing to stock fish (including trout and warm water fish);
- hatchery operations; and
- DFG protocols used to determine where fish are released.

Prior to issuing this evaluation, DFG was sued in a court case regarding the effects of its fish stocking on legally protected and sensitive fish and wildlife populations. In May 2007, the Sacramento Superior Court ruled in *Pacific Rivers Council, et al., v. California Department of Fish and Game* (Case No. 06 CS 01451), in which the petitioners alleged that DFG was in violation of CEQA by continuing its fish stocking program without conducting an environmental review of the effects of that program. The petitioners noted a special concern for the effects of trout stocking on native species of fish and amphibians. The ruling required DFG to comply with CEQA by preparing an environmental

evaluation of its fish stocking activities on a schedule approved by the court. As part of the ruling, the petitioners' request that fish stocking be suspended until the environmental review was completed was denied. Instead, the court ordered interim measures that limit DFG's ability to stock fish where monitoring surveys have demonstrated the presence of certain sensitive native aquatic and amphibian species, or where monitoring surveys for these species have not yet been conducted. The sensitive and native species identified by the plaintiffs are listed in Table 4-1 of Chapter 4 in this document. Where budget and staff are available, DFG is conducting surveys for the native fish and wildlife species at lakes and streams where stocking has been halted and where the presence of these species is unknown so that stocking can resume if these species are not present.

DFG determined that, as part of its analysis of ongoing fish stocking, it would also include an evaluation of the fish stocking mandates included in Assembly Bill (AB) 7, passed by the State legislature in 2005 and included in the California Fish and Game Code (CFGC) as Section 13007. This section of the CFGC mandates that one-third of the fees collected from the issuance of sport fishing licenses be deposited into the Hatchery and Inland Fisheries Fund (HIFF) and used for the management, maintenance, and capital improvement of California's fish hatchery facilities, the Heritage and Wild Trout Program, other sport fishing activities, and enforcement of these activities. Furthermore, Section 13007 establishes requirements for yearly increases in trout production and mandates that DFG increase production of trout based upon the 2008 sport fishing license sales. Specifically, by July 1, 2009 and thereafter, DFG is to release a minimum of 2.75 pounds of trout per sport fishing license sold in 2008, 2.25 pounds of which must be of catchable size or larger. Section 13007 (b) (3) stipulates that by January 1, 2012, at least 25 percent of the trout produced in the state must be native California trout.

This joint environmental impact report/environmental impact statement (EIR/EIS) has been prepared in compliance with the above-mentioned court order, CEQA and the National Environmental Policy Act (NEPA). The EIS is being prepared jointly with the EIR in compliance with the provisions of NEPA in support of the U.S. Fish and Wildlife Service (USFWS), which is acting as co-lead agency. The USFWS has undertaken a co-lead agency role to support its decision-making regarding funding of certain elements of the hatchery operation and stocking activities of DFG under the Sport Fish Restoration Act (SFRA). All aspects of the DFG and USFWS involvement in California's hatchery and stocking activities are described in detail in Chapter 2 of this report. The remainder of this Introduction provides general background on:

- The nature of California's hatchery and stocking program;
- The DFG objectives for the hatchery and stocking program and the purpose and need of USFWS funding for certain elements of this program;
- The background and status of the CEQA and NEPA processes;
- Potential uses of the CEQA and NEPA processes by other agencies; and
- The next steps in the CEQA/NEPA process.

## California's Hatchery and Stocking Program

Since the late 1800s the State of California has been involved in the construction and operation of fish hatcheries and the stocking of fish from these hatcheries. A detailed history of this state-sponsored activity was published in 1970 in Fish Bulletin 150: A History of California's Fish

Hatcheries 1870–1960 (Leitritz 1970). A summary of that history is contained at the beginning of Chapter 2 (“Program Description”). The state’s involvement in hatcheries and stocking has evolved into a diverse set of activities in the past 135 years. DFG’s intent in this EIR/EIS is to analyze the environmental effects of a number of specific programs it currently manages that surround the rearing and stocking of a specific set of fish species. The whole of these individual programs is referred to as “the Program” in subsequent chapters, and serves as the baseline and No Action alternative as defined by CEQA. The detailed analysis of the current condition or baseline, as contained in Chapters 3–6, is not typical for CEQA or NEPA, which usually analyze a proposed project or proposed action. However, the court order that directed preparation of this EIR/EIS mandated that DFG analyze its current fish stocking program. Alternatives to the current DFG Program have been developed based on the environmental effects of the Program and are analyzed in Chapter 7, including proposed changes to the current Program. The intent is to identify a proposed project or action after review of the effects of the Program and the alternatives. The individual elements of this Program and their interrelationships are briefly described below, and are described in detail in Chapter 2.

The various elements of DFG’s activities surrounding the rearing and stocking of fish (“the Program”) within the state include:

- operation of 14 trout hatchery facilities owned by DFG and the related stocking of fish,
- operation of eight salmon and steelhead hatchery facilities owned by others and the related stocking of fish,
- operation of two salmon and steelhead hatchery facilities owned by DFG and the related stocking of fish,
- providing education staff and fish for stocking under the Fishing in the City program,
- issuing authorizations and providing fish eggs for the Classroom Aquarium Education Project (CAEP),
- issuing permits for stocking public and private waters with fish reared at private aquaculture facilities, and
- implementing the fish production and native trout conservation requirements contained in California Fish and Game Code Section 13007.

All of these Program activities are authorized and directed by a number of state and federal laws, regulations, contracts and management directives. For example, the Trinity River Hatchery is owned by the United States Bureau of Reclamation and is operated by DFG pursuant to a contract that specifies certain annual fish production goals that DFG is responsible for producing. These authorizations and directions are discussed in detail in Chapter 2.

There are also a number of funding sources for the Program that are discussed in Chapter 2. Two funding sources currently play a role in supporting certain segments of the Program and are mentioned here. Funding from the SFRA, which is administered by the USFWS, is used to support: 1) operation of the 14 trout hatchery facilities owned and operated by DFG, 2) stocking fish from these hatchery facilities, 3) operating the Mad River steelhead hatchery and its associated stocking, and 4) managing the Fishing in the City and CAEP programs. As indicated earlier, funding directed in Section 13007 of the CFGC mandates that one-third of fees collected from issuing sport-fishing licenses be deposited into the HIFF and used for the management, maintenance, and capital improvement of California’s trout hatchery facilities.

The 14 DFG-owned and operated trout hatchery facilities rear rainbow, golden, cutthroat, brown, lake, and brook trout; and kokanee, coho, and Chinook salmon. The trout and salmon from these facilities are stocked in “inland waters,” which are water bodies not typically accessible to fish migrating from the ocean. The goal of these hatchery facilities is primarily to provide recreational fishing opportunities to California residents, with a secondary goal of mitigating lost habitat.

The 10 DFG-operated salmon and steelhead hatchery facilities rear and stock primarily Chinook and coho salmon and steelhead, which are “anadromous” fish and are stocked in “anadromous” waters. “Anadromous” characterizes the life cycle of a fish that spawns in fresh water and spends a significant portion of its adult life in the ocean. Anadromous waters are waters accessible to fish migrating from the ocean (14 CCR section 1.04). The salmon and steelhead hatchery facilities operated by DFG are in place primarily to mitigate for the loss of salmon and steelhead spawning habitat caused by the construction of dams. One of the hatchery facilities is in place to partially mitigate for the loss of fish caused by operation of the state-owned Sacramento-San Joaquin Delta pumps. Some of these hatchery facilities also raise small numbers of trout for stocking in inland waters. Because of the different ownership relationships, fish species, funding and objectives of salmon and steelhead hatchery facilities, they are considered distinct from the trout hatchery facilities in DFG’s overall Program.

Fishing in the City is an educational program managed by DFG staff and local sponsors. Small numbers of primarily rainbow trout and channel catfish are purchased by DFG or local sponsors from private aquaculture facilities and stocked in primarily urban settings. Some DFG regions have a similar urban fishing program that receives fish from DFG hatchery facilities that are then stocked in primarily urban settings. This program is distinct from the larger DFG trout, salmon and steelhead hatchery program, but because it involves stocking of fish in state waters, it is included in this Program for analysis.

The CAEP is also an educational program. DFG’s role is to provide salmon or trout eggs from its hatchery facilities to classrooms for science education. The class follows the development of the eggs into small fish, which are subsequently released to water bodies dictated by DFG. Because of the release of these fish to state waters, the CAEP is included in this Program for analysis.

The final element of the Program is the private stocking permit program. This permit program involves the authorization of stocking trout and a variety of “warm water” fish raised at private, registered aquaculture facilities. “Warm water” refers to certain non-salmonid fish usually suited for water that consistently exceeds 70°F (salmonids are bony soft-finned fish of the family Salmonidae that includes salmon, trout, whitefish, and char). Catfish and a variety of sunfish such as bass, bluegill and crappie are typical warm water fish. Private stocking permits are issued by DFG, often for stocking private ponds and lakes, but also for stocking public waters. A significant element of this program is a permit exemption for stocking certain species of fish in private waters in all or portions of 37 California counties (refer to California Code of Regulations [CCR], Title 14, Section 238.5). This permit program was included in the overall Program for this EIR/EIS because of the potential for effects on native species from the stocking activities.

# Hatchery and Stocking Program Objectives, Purpose, and Need

## California Environmental Quality Act Objectives

CEQA requires that an EIR include project or program objectives because the statement of objectives informs the public of the project's or program's intent and is important in helping the lead agency develop a reasonable range of alternatives to evaluate in the EIR. The objectives also aid the decision makers in selecting a course of action and in preparing findings at the end of the CEQA process. As indicated earlier in this chapter, this EIR/EIS is analyzing a Program rather than a specific proposed project.

The fundamental objectives of DFG's Program are to continue the rearing and stocking of fish from its existing hatchery facilities for the recreational use of anglers, for mitigation of habitat loss due to dam construction and blocked access to upstream spawning areas, for mitigation of fish losses caused by operation of the state-operated Sacramento-San Joaquin Delta pumps, and for conservation and species restoration. These fundamental objectives should be accomplished while addressing the impacts of hatchery-stocked and privately stocked fish on native, sensitive or legally protected fish and wildlife species.

## National Environmental Policy Act Purpose and Need

NEPA requires that an EIS include the underlying purpose and need for the proposed action because this statement explains why the federal agency and project proponents are undertaking the proposed action and what objectives they intend to achieve. The statement of purpose and need is also used to determine the appropriate range of alternatives to be evaluated in the EIS.

The purpose of USFWS's proposed SFRA funding is to support operations of DFG's 14 trout hatchery facilities, the Mad River Hatchery for steelhead, associated stocking of fish produced at those hatchery facilities, and operation of the DFG Fishing in the City and CAEP programs. The need addressed by the proposed action is the support of viable recreational fishing in California, through increased angler success that is provided by stocking of hatchery fish in both urban and rural water bodies. Provision of SFRA funds for support of private stocking permits or operation of other anadromous fish hatchery facilities and their associated stocking efforts is outside the scope of actions contemplated by USFWS at this time.

# California Environmental Quality Act and National Environmental Policy Act Compliance

## Background

CEQA requires all state and local government agencies to consider the environmental consequences of projects over which they have discretionary authority before taking action on those projects (California Public Resources Code [PRC] Section 21000 et seq.). In support of its ongoing discretionary authority over the Program, DFG is preparing this EIR. CEQA Guidelines Section 15121(a) states that an EIR is a public information document that assesses potential environmental

effects of a proposed project, as well as identifies mitigation measures and alternatives to the project that could reduce or avoid adverse environmental impacts (14 CCR 15121[a]).

This document is a joint EIR/EIS that satisfies the requirements of CEQA and NEPA for disclosing environmental impacts and recommended mitigation measures related to DFG's Program and its alternatives prior to a decision being made on the future direction of the Program. This EIR/EIS is intended to analyze statewide and other related site-specific actions that could occur as a result of the proposed action.

CEQA requires that state and local government agencies mitigate or avoid, whenever feasible, the significant environmental impacts of projects that it approves or implements. Section 15382 of the State CEQA Guidelines (Title 14 of the CCR) defines a significant impact on the environment as stated below.

“Significant effect on the environment” means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant.”

Under NEPA and the Council on Environmental Quality's (CEQ's) NEPA regulations (40 CFR Section 1500 et seq.), federal agencies are required to evaluate the environmental effects of an action, including feasible alternatives, and identify mitigation measures to minimize adverse effects when they propose to carry out, approve, or fund a project that may have a significant effect on the environment. The USFWS has determined that its involvement in funding the existing Program requires compliance with NEPA and preparation of an EIS. The USFWS is the federal lead agency under NEPA for this analysis.

The USFWS will use the analysis to inform its decisions on providing federal funds under the SFRA to assist DFG with operating its 14 trout hatchery facilities and related facilities and a single non-mitigation-related steelhead hatchery (Mad River Hatchery), including stocking from those 15 facilities. The USFWS will also use this analysis to inform decisions related to providing funding for DFG's Fishing in the City and CAEP. These programs are described in detail in Chapter 2. The federal action will not include funding DFG's private stocking permit program or any of the other DFG-operated salmon and steelhead hatchery facilities and associated stocking.

The CEQA Guidelines, in Section 15125(a), indicate that the baseline from which impacts are to be determined is normally the environmental setting at the time the Notice of Preparation (NOP) is published. For the purposes of analyzing the Program in this EIR/EIS, baseline conditions have been identified as the existing environmental setting or actual hatchery and stocking operations. Because these activities are historic and ongoing, and vary from year to year, the baseline includes operations over the past five years (2004 through 2008). The NEPA impact analysis is associated with its limited scope in the Program, as described earlier.

## **Status of the Environmental Review Process**

### **Notice of Preparation/Notice of Intent**

The CEQA and NEPA processes were officially initiated for the Program with the posting of a notice of preparation (NOP) at the Governor's Office of Planning and Research (OPR) on August 5, 2008,

and the publishing of a notice of intent (NOI) in the Federal Register on August 5, 2008. These notices included information that described DFG's Program, the objectives of DFG and USFWS relative to the Program, the location and timing of scoping meetings, the issues that would be addressed in the EIR/EIS, and instructions on how to provide input into the scope and content of the EIR/EIS.

In August of 2008, DFG prepared and circulated an Initial Study (IS) for the Hatchery and Stocking Program that identified potentially significant impacts from the Program on Biological Resources and Hydrology and Water Quality. Comments received during the public review period indicated that there were possible impacts to Recreation and Economics, Cultural Resources, and Air Quality. Based on the comments received, resource sections for Recreation and Economics and Cultural Resources were added. Air Quality impacts are being discussed in the Cumulative Impacts Chapter, as they pertain to greenhouse gas emissions. During preparation of the EIR/EIS, more information became available on the number of fish that are necessary to meet requirements in CFGC Section 13007, and it was determined that facilities would not be expanded, which is a change in the project description contained in the IS. For this reason, there is a discussion of the cultural resources associated with the program, but the potential for impact through facility modification was removed. Resources not discussed in this EIR/EIS because there was no potential for impact are: Aesthetics, Agricultural, Geology and Soils, Hazardous Materials (although chemicals used at the facility are discussed), Land Use Planning, Minerals, Noise, Population and Housing, Public Services, Transportation, and Utilities. Because there was no effect of the Program on any population, there was no disproportionate impact on low-income or minority populations subject to the Environmental Justice Executive Order of 1994. A copy of the IS can be reviewed at the DFG web site ([http://www.dfg.ca.gov/news/pubnotice/hatchery/DFG\\_Hatchery\\_IS\\_20080801.pdf](http://www.dfg.ca.gov/news/pubnotice/hatchery/DFG_Hatchery_IS_20080801.pdf)).

## Scoping

Public involvement is a vital and required component of the CEQA and NEPA processes. Scoping is a process to gather input from the public, including its issues and concerns and, together with technical input and agency considerations, to define the significant issues to be addressed in the environmental document. The State CEQA Guidelines (14 CCR Section 15000 et seq.) require scoping meetings under limited circumstances and encourage scoping activities. NEPA regulations (40 CFR 1500 et seq.) define *scoping* as "an early and open process for determining the scope of issues to be addressed, and for identifying the significant issues related to the proposed action." The main objectives of the scoping process are to:

- provide the public and potentially affected agencies with adequate information and time to review and provide oral and written comments on a project,
- help ensure that issues related to the project are identified early and properly studied,
- ensure that the project alternatives are balanced and thorough, and
- prepare the appropriate environmental documentation.

Two public scoping meetings were held in September 2008 to make the public and agencies aware of the EIR/EIS underway and to invite members of the public and agency staff to provide their input regarding the scope of issues evaluated in the EIR/EIS. Outreach efforts for these meetings included paid advertisements, media releases, mailings, filing the NOP at the OPR, publication of the NOI in the Federal Register, and posting meeting information on the DFG and USFWS websites. The first

scoping meeting was held in Sacramento, California, on September 8, 2008, and the second was held in Carson, California, on September 11, 2008.

## **Environmental Impact Report/Environmental Impact Statement**

The draft EIR/EIS was made available to the public for review and comment on September 25, 2009. Copies of the document were filed with OPR along with a Notice of Completion (NOC) as required by PRC, Section 21161. Copies were also filed with the U.S. Environmental Protection Agency (EPA) and a notice of the document's availability was posted in the Federal Register. The close of the 45-day public comment period for CEQA purposes was November 10, 2009. Due to an anticipated later date for the notice in the Federal Register, the close of public comment for NEPA purposes was November 30, 2009. The draft EIR/EIS was subject to public and agency comment at four public meetings, held in Carson, Bakersfield, Sacramento, and Redding, California. Responses to comments are in Appendix M.

This EIR/EIS document contains a series of chapters, designed in consideration of the content requirements of CEQA and NEPA. The list of chapters is:

- Chapter 1, "Introduction";
- Chapter 2, "Program Description";
- Chapter 3, "Hydrology, Water Supply, and Water Quality";
- Chapter 4, "Biological Resources";
- Chapter 5, "Recreation and Economics";
- Chapter 6, "Cultural Resources";
- Chapter 7, "Alternatives";
- Chapter 8, "Cumulative Impacts";
- Chapter 9, "Public and Agency Involvement";
- Chapter 10, "References Cited"; and
- Chapter 11, "List of Preparers."

The document also includes a number of appendices that support the chapters listed above.

## **Other Public Agencies Whose Approval or Input May Be Needed**

This environmental document may be used by a number of federal and state agencies that have some involvement in DFG's Program. As indicated earlier, DFG and the USFWS, as co-lead agencies, will use this document to support decisions on the future direction and funding of the Program. Other agencies that may use this EIR/EIS to support Program-related decisions are listed below.

- U.S. Department of Commerce, National Oceanic and Atmospheric Administration (NOAA), National Marine Fisheries Service (NMFS)—The NMFS will be consulted by the USFWS in compliance with the federal Endangered Species Act (ESA) and Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). As part of its NEPA responsibilities,

the USFWS must consider whether its actions (SFRA funding) may affect federally listed threatened or endangered species, candidate species, or species proposed for listing, including critical habitat. Under the ESA, the NMFS will be consulted regarding potential Program effects on anadromous fish, including steelhead, salmon, and sturgeon. The NMFS may use this EIR/EIS in the consultation process and in developing a biological opinion (BO) as part of the ESA compliance process. Under the Magnuson Stevens Act, NMFS will be consulted regarding potential Program effects on essential fish habitat (EFH).

- California Regional Water Quality Control Boards (RWQCBs)—The RWQCBs and their oversight organization, the State Water Resources Control Board (SWRCB) were established to protect the quality of the state's surface and groundwater through passage of the Porter-Cologne Water Quality Control Act in 1969. This act allows the RWQCBs to issue waste discharge requirements (WDRs) for facilities that would discharge wastes to the waters of the state. Most of the DFG hatchery facilities have been issued WDRs for their hatchery discharges. The RWQCBs in California are also responsible for issuing National Pollutant Discharge Elimination System (NPDES) permits for discharges of waste to the waters of the state, under the auspices of the federal Clean Water Act (CWA). Most of the DFG-operated hatchery facilities have NPDES permits for discharges emanating from the fish-rearing facilities. The RWQCBs may use this EIR/EIS when modifying or issuing new permits or WDRs to the hatchery facilities.
- U.S. Army Corps of Engineers (USACE)—The USACE is the builder and owner of the Warm Springs Hatchery and Coyote Valley Fish Facility on tributaries of the Russian River. The Warm Springs Hatchery was built to provide mitigation for a loss of fish spawning habitat due to the construction of Warm Springs Dam. The USACE may use this EIR/EIS in extending or modifying its contract with DFG to operate the facility. The EIR/EIS may also be used to make decisions regarding requests to modify or expand facilities at the hatchery.
- U.S. Bureau of Reclamation (Reclamation)—Reclamation constructed and owns the Nimbus salmon and steelhead hatchery on the American River below Nimbus Dam. This hatchery was built as a mitigation facility for the construction of Folsom and Nimbus Dams. Reclamation also constructed and owns Trinity River Hatchery on the Trinity River. This hatchery provides mitigation for salmon and steelhead spawning habitat lost to construction of the Lewiston and Trinity Dams. Reclamation may use this EIR/EIS in extending or modifying its contract with DFG to operate the facility. The EIR/EIS also may be used to make decisions regarding requests to modify or expand facilities at the hatchery.
- California Department of Water Resources (DWR)—The Feather River Hatchery for salmon and steelhead on the Feather River was constructed and is owned by the DWR. This hatchery is a mitigation facility to compensate for spawning habitat losses from construction of Oroville Dam. It also rears Chinook salmon for enhancement purposes. The Thermalito Annex fish-rearing facility is ancillary to Feather River Hatchery. The DWR may use this EIR/EIS in extending or modifying its contract with DFG to operate the facility. The EIR/EIS also may be used to make decisions regarding requests to modify or expand facilities at the hatchery.
- East Bay Municipal Utility District (EBMUD)—EBMUD constructed and owns Mokelumne River Hatchery. This hatchery was built as mitigation for the loss of spawning habitat from the construction of Camanche Dam. EBMUD may use this EIR/EIS in extending or modifying its contract with DFG to operate the facility. The EIR/EIS also may be used to make decisions regarding requests to modify or expand facilities at the hatchery.

## Future Steps

Following the close of the public comment period on the draft EIR/EIS, DFG and the USFWS reviewed comments and determined whether changes should be made to the document to more accurately reflect potential effects of the Program. In compliance with CEQA and NEPA, responses were developed for all written comments received during the review period; these responses are incorporated into this final EIR/EIS. This final EIR/EIS contains any necessary revisions to the draft document and the responses to public comment (Appendix M). This final document will be distributed to those who commented and those requesting the report, and will be forwarded to state and federal agencies with jurisdiction or expertise relative to the Program. The USFWS will file the final EIR/EIS with EPA, and this filing will be noticed in the Federal Register. It also will be available on the DFG's website ([www.dfg.ca.gov](http://www.dfg.ca.gov)). This final EIR/EIS will be subject to review and either certification or rejection by DFG. At the end of this process, DFG will be free to approve the continuation of the Program as described in the EIR/EIS, or to adopt an alternative program or mitigation for the existing Program. The USFWS also will make a determination on the adequacy of this final document under NEPA and either approve its ongoing SFRA funding of the Program, modify its funding action, or discontinue its funding through a Record of Decision (ROD).