CEQA STATUTORY EXEMPTION FOR RESTORATION PROJECTS (SERP) CONCURRENCE REQUEST

Completion and submission of this form is voluntary. This form may be submitted to request concurrence from the Director of Fish and Wildlife pursuant to Public Resources Code section 21080.56.

Submit this form (pdf) and all attachments via the Department's Environmental Permit Information Management System (EPIMS) Document Repository.

1. LEAD AGENCY

Lead Agency Name:	California Regional Water Quality Control Board, Lahontan Region
Contact Person Name	Liz van Diepen
Street Address:	2501 Lake Tahoe Blvd.
City, State, Zip:	South Lake Tahoe, CA 96150
Contact Person's Telephone:	530-542-5492
Contact Person's E-mail:	Elizabeth.vandiepen@waterboards.ca.gov

2. PROJECT PROPONENT ☐ Check Box and Skip to Number 3 if Same as Lead Agency

Business/Agency/Organization	Truckee River Watershed Council (TRWC)
Contact Person's Name:	Michele Prestowitz
Street Address:	10418 Donner Pass Rd.
City, State, Zip:	Truckee, CA 96161
Contact Person's Telephone:	530-550-8760 x4
Contact Person's E-mail:	mprestowitz@truckeeriverwc.org

3. PROJECT INFORMATION

A. Project Name:	Boca Unit Restoration Project
B. Estimated Project Start/End Dates:	8/1/23 – 9/30-23
C. Provide a brief description of project location, size, and funding sources. Please cite supporting documents and provide as an attachment.	

The Boca Unit Restoration project is located on the mainstem of the Truckee River. It is in unincorporated Nevada County approximately 6 miles east of Truckee, CA. Access to the site is via I-80 eastbound, approximately 3 miles past the Overland Trail exit, via a gravel parking lot immediately adjacent to I-80. See the project location map in the attached Project Description.

Project center: 39.373297, -120.104486

APNs: Nevada County: 48-220-05, 48-220-06

All the proposed work is located on state-owned land managed by the California Department of Fish and Wildlife (CDFW) at the Boca Unit of the Truckee River Wildlife Area. The area was designated by the California Fish and Game commission in 1996 to preserve the trout fishery and access to the river. The site is also known as the CDFW Loop, River Bend, or Horner's Corner. CDFW granted a Right of Entry Permit for the period beginning on August 1, 2020 and ending on November 1, 2026. See attached Right of Entry Permit.

The construction footprint is 6.7 acres, benefitting 11 acres of floodplain and 4 acres of upland habitat. See attached Aquatic Resources Map.

Planning and design for this project was funded by the Wildlife Conservation Board 2019 Forest Conservation Program in the amount of $309,000. Additional cost share was provided by the Truckee River Watershed Council and Truckee River Chapter of Trout Unlimited. Funding for implementation will be provided by the Wildlife Conservation Board 2021 Forest Conservation Program in the amount of $1,116,000, pending anticipated Board approval August 2022. Additional cost share will be provided by the Truckee River Watershed Council. See attached 2019 Planning Grant Application and 2021 Implementation Grant Application.

D. Provide a project summary and expected environmental benefits (i.e., acres or stream-miles restored/enhanced, species benefitted, etc.). Please cite supporting documents and provide as an attachment.

The purpose of the project is to restore and enhance 11 acres of floodplain on the main stem of the Middle Truckee River. It is focused on addressing multiple critical needs including restoring hydrologic function to this reach, reconnecting the river to its historic floodplain, reducing sediment and associated pollutants, and improving riparian habitat acreage, quality, connectivity, and function. The project will address fundamental issues stemming from historical land uses at a heavily degraded site and will provide increased resilience and adaptive capacity of headwater systems in the face of forecasted climate change. The project will also provide sustainable recreational access designed to protect sensitive natural resources.

Restoration will be accomplished by removing anthropogenic fill associated with the railroad spur to create a floodplain bench; activating and stabilizing high flow channels using grade controls, cobble armoring, and natural roughness elements such as cobbles, woody debris, willow poles, willow fascines to accommodate return flows to the main channel; and revegetation with native seed and materials salvaged onsite including sod, willows,

alder, and chokecherry. Other project elements are native surface road decommissioning including those within wetland areas, restoring the borrow site from which fill for a railroad spur was originally sourced, constructing a stormwater retention basin to capture and treat runoff from Interstate 80, and conversion of a native surface road to a river access trail for the purposes of habitat protection by limiting the establishment of user-created trails and associated impacts including compaction, habitat loss, and erosion.

The project was identified by the Truckee River Revitalization Assessment (attached). See also attached 401 Application and 90%DesignBasisMemo.

E. CDFW recommends that lead agencies meet and confer with tribes, representatives of any affected local agencies, and other stakeholders prior to submitting a SERP request to CDFW. Please provide a summary of project consultation with tribes, agencies, and other stakeholders and submit documentation as an attachment.

Project development included stakeholder coordination at all stages of development from assessment to planning and design, which will continue through the construction and monitoring phases. In 2018, TRWC completed the attached Truckee River Revitalization Assessment guided by a Technical Advisory Committee that included CDFW, Lahontan Regional Quality Control Board, Nevada County, Town of Truckee, Truckee Donner Public Utility District, Truckee Donner Recreation and Park District, Truckee Sanitary District, and the U.S. Forest Service. The planning phase of this project also received broad-based community support from organizations including Truckee River Trout Unlimited, Tahoe Truckee Fly Fishers, Mountain Area Preservation, the Truckee Donner Land Trust, and the Truckee Chamber of Commerce (see attached 2019 Grant Funding Letters of Support). In particular, as the sole landowner of the Boca Unit project area, CDFW was directly involved in project development and restoration design review (see 2021 Grant Funding Letter of Support_CDFW).

On June 21st, 2022, Lahontan Regional Quality Control Board staff spoke with the Director of Cultural Resources for the Washoe Tribe, which is the only federally recognized tribe with cultural affiliation to the project location. The Director of Cultural Resources expressed general support for restoration of the Truckee River as long as no cultural resources exist on site. The Director of Cultural Resources did not dispute the findings of the 2021 cultural resources report, which did not identify the presence of cultural resources within the project‘s area of potential affect. See attached Section 4.3 (PDF p. 47/89) of the Boca Unit Cultural Resources Report and Washoe Email_6-22-22.

4. REQUIRED DETERMINATIONS

Provide a full description for each determination below:

A. The project is exclusively one or both of the following: (1) a project to conserve, restore, protect, or enhance, and assist in the recovery of California native fish and wildlife, and the habitat upon which they depend, or (2) a project to restore or provide habitat for California native fish and wildlife. Please cite supporting documents and provide as an attachment.

The Lahontan Regional Quality Control Board has determined that the project is exclusively a project to restore or provide habitat for California native fish and wildlife. The project intends to restore and enhance habitat for California native fish and wildlife in a designated wildlife area by incorporating large woody debris to create shelter and low elevation channels to prevent stranding, expand riparian and wetland habitat by excavating anthropogenic fill and establishing vegetation, and improve water quality by promoting sediment deposition and surface-groundwater interaction.

B. An eligible project may have incidental public benefits, such as public access and recreation. Please cite supporting documents and provide as an attachment.

The Lahontan Regional Quality Control Board has determined that the primary purpose of the project is restoration, but it may have incidental public benefits. The project site currently has a network of historic and user-created trails and roads, which contribute to compaction and resulting sedimentation during storm events. The project involves reworking 0.7 acres of native surface roads within the project area to improve riparian function, enhance appropriate use, and prevent the establishment of volunteer trails. 0.52 acres of roads will be fully decommissioned, with the remaining 0.18 acres consolidated into a single trail system in which roads will be narrowed to trail width in the segment of this new trail. A short segment of new trail will be installed where fill material associated with the railroad spur berm is removed to tie into the consolidated trail. Trail work will prohibit vehicle access and limit pedestrian trampling of the restored habitat by focusing impacts to a single designated trail. User-created trails result in compaction, erosion, and loss of vegetation, and are likely to form in the absence of a designated river access trail. Reconfiguring roads into a single access trail will reduce the footprint of disturbed soil areas and assist in the recovery of native fish and wildlife and the habitat upon which they depend. See attached 90% Design Plans.

C. The project does both of the following: (1) results in long-term net benefits to climate resiliency, biodiversity, and sensitive species recovery; and (2) Includes procedures and ongoing management for the protection of the environment. Please cite supporting documents and provide as an attachment.

Overview

The Lahontan Regional Quality Control Board has determined that the project does both of the following: (1) results in long-term net benefits to climate resiliency, biodiversity, and sensitive species recovery; and (2) Includes procedures and ongoing management for the protection of the environment. The project will result in long-term net benefits to aquatic species, terrestrial species, avian species, and water quality by re-establishing floodplain connectivity, reducing channel bank erosion, increasing forage and refugia, improving riparian and wetland habitat, and promoting sediment deposition, which will reduce nutrients and increase dissolved oxygen in the water column.

Long Term Net Benefits to Climate Resiliency:

According to the “Climate Change Considerations” section of the attached Boca Watershed Assessment, the Sierra Nevada region is expected to experience a shift in the precipitation regime with increases in peak runoff and frequency, magnitude, and duration of drought. The project will promote floodplain connectivity and has been designed to promote overbank flows every two years. This will result in more frequent inundation of wetlands, increased carbon storage capacity and nutrient cycling, and more groundwater recharge. Additionally, better floodplain connectivity will provide juvenile fish and other aquatic species with more habitat and protection from predators. The project will also promote sediment deposition, which is expected to lower water temperatures and increase dissolved oxygen available to aquatic species. Because high flows will be more widely distributed during flood events, project implementation will result in reduced shear stresses and erosion on the outer bend of the Truckee River within the project area, which will also reduce sediment loading to this federal Clean Water Act section 303(d) listed waterbody. Excavation of the floodplain bench will bring surface elevations closer to

groundwater levels, which is expected to better support wetland hydrology during times of drought. The project has been designed to work with climate change driven shifts in precipitation, flooding, and temperature.

See attached 90%DesignBasisMemo showing the results of modeled shear stresses, depths, velocities under various hydrologic conditions (i.e. return intervals) pre and post-project.

Long Term Net Benefits to Biodiversity:

Enhanced floodplain features will promote biodiversity by providing transitional habitat across a range of elevations from uplands to the river. Increased riparian and wetland vegetation cover will provide habitat for a range of wetland species. Sod and root balls will be salvaged and re-used onsite to accelerate development of riparian and wetland vegetation. Post-implementation vegetation monitoring will include establishment of transects to measure species composition, quantitative cover, and plant vigor. Riparian plant recruitment will be measured through greenline composition and height class measurements through the project site.

Long Term Net Benefits to Sensitive Species Recovery:

The project will provide long term nets benefits to sensitive species, including aquatic and terrestrial organisms such as aquatic insects, resident and migratory birds, aquatic reptiles, amphibians, and mammals not specifically targeted by the project.

According to the California Native Plant Society and the California Natural Diversity Database's Martis Peak and Boca 7.5' United States Geological Survey quadrangles, several special status plant and animal species have the potential to occur in the project area. Potential special status wildlife species include the Lahontan cutthroat trout (LCT) (*Oncorhynchus clarkia hensawi*), yellow warbler (*Dendroica petechia brewsteri*), willow flycatcher (*Empidonax traillii*), and bald eagle (*Haliaeetus leucocephalus*). Potential special status plant species include Mingan moonwort (*Botrychium minganense*), Davy's sedge (*Carex davyi*), slender cottongrass (*Eriophorum gracile*), Plumas ivesia (*Ivesia sericoleuca*), Center Basin rush (*Juncus hemiendytus* var. *abjectus*), Santa Lucia dwarf rush (*Juncus luciensis*), alder buckthorn (*Rhamnus alnifolia*), and obtuse starwort (*Stellaria obtusa*).

The project reach of the Truckee River contains suitable habitat for LCT. Based on consultations with a representative from the United States Fish and Wildlife Service, Reno Office, there are no naturally occurring populations of LCT in the Truckee River, but artificial populations introduced as part of recovery activities receive the same protection as natural populations. Studies of aquatic insect populations in the Truckee River show that as deposited fine sediment increases, the diversity and structure of these communities shift toward more sediment-tolerant species and species not preferred by local and native fish, including LCT. The Truckee River has historically provided important spawning habitat for LCT. Sediment reduction as a result of the project is an important goal in restoring the Truckee River as choice spawning grounds.

The montane riparian habitat along this reach of the Truckee River provides suitable nesting habitat for yellow warbler, suitable foraging habitat for willow flycatcher, and potential forage for bald eagle. There are few bird species in the Sierra Nevada that do not utilize riparian habitats and would benefit from the project. The project will increase the resiliency of the Truckee River and its constituent species by providing habitat connectivity, supporting mitigation and species movement in this headwater refuge.

Potential habitat for special status plants exists in the project area, but none were identified during focused plant surveys in the project area in May 2022. However, upstream vegetation could colonize the area post-project.

Procedures and Ongoing Management for the Protection of the Environment:

Environmental protection measures that will be employed during project implementation include scheduling work during the dry season (typically May 1 through October 15), limiting soil disturbance and areas of equipment access, isolating work areas from flowing waters, protecting existing vegetation where feasible, preventing the introduction of invasive species, implementing a spill prevention plan, controlling fugitive dust, and implementing stormwater controls in accordance with the statewide Construction General Permit.

The project has been designed to be self-sustaining by re-establishing natural hydrologic and geomorphic functions. Grade control features have been designed to be stable and functional for the life of the project. Floodplain roughness features are anticipated to recruit additional woody debris and will evolve over time. A monitoring plan has been developed to ensure the project is stable, revegetation is successful, and success criteria are met. Adaptive management will occur in the event success criteria are not met.

As the sole landowner, CDFW is committed to the protection of the property in perpetuity. TRWC will conduct monitoring, which is partially described in the “long-term net benefits to biodiversity” section above for the duration of the grant period (additional description in the attached Monitoring Plan). Grant period monitoring will include vegetation (i.e. community level mapping, lodgepole encroachment, range plots), soil carbon and root mass, landscape scale attributes (i.e. climate, NDVI, NDWI), channel cross-section and longitudinal profiles, fish counts, and photo points. Following the grant period, TRWC will continue to visually monitor for vegetative cover and vigor for at least five years following project construction and until success criteria are met. TRWC will continue informal assessment of site stability for a minimum of 25 years. See attached Long Term Maintenance Plan.

D. The project does not include any construction activities, except for construction activities solely related to habitat restoration. Please cite supporting documents and provide as an attachment.

The Lahontan Regional Quality Control Board has determined that the project does not include any construction activities, except for construction activities solely related to habitat restoration. Construction activities will include:

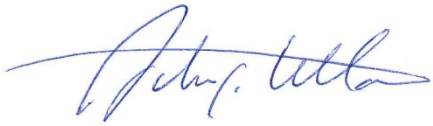
1. Mobilization and Site Preparation. Complete pre-project botany, wildlife, and archaeology surveys. Conduct pre-construction environmental and cultural resources training. Surveys and training will be completed by TRWC and other qualified contractors. Mobilize equipment to project area. Establish stockpile and staging areas. Install construction Best Management Practices (BMPs) for temporary erosion controls. As much as possible, all access routes and staging areas take advantage of existing trails, roads, and disturbed areas while maintaining the shortest possible distance between the staging area and construction zone.
2. Install Dewatering and Diversion System. A Diversion and Dewatering Plan will be completed prior to grant agreement. The Diversion and Dewatering Plan will include all elements necessary to convey streamflow safely and cleanly around the work area.

3. Vegetation Salvage. Remove any existing topsoil, sod, and other vegetation from area where inset floodplain bench will be widened. Stockpile sod adjacent to work area and keep watered until placed.
4. Grading. Grade inset floodplain bench as identified on design plans. Tie into existing W-weirs. Use material generated from grading to restore natural terrace slope.
5. Install stormwater basin. Use material generated from grading to fill former borrow site and create a stormwater basin with spillway and outflow swale.
6. Stabilize activated floodplain channels. Incorporate floodplain roughness features. Install buried grade control structures in northernmost channel at return to Truckee River. Handwork only in smaller overflow channels.
7. Decommission roads and trail work. Preserve existing trail along remaining railroad spur. Install new trail along toe of restored hillside and top of floodplain bench and connect to W-weir to maintain fishing access and prevent establishment of user-created trails. Tie into existing single track fishing access trails. Decommission existing road on the upper terrace down to trail width. Decommission other roads within floodplain as directed in the field. Decommission all existing roads beyond the main parking area by ripping, incorporating water bars on steep sections, seeding, and mulching. Install boulder blockades and fence.
8. Revegetation and biotechnical bank stabilization. Complete additional revegetation work by hand. Install coir netting and willow stakes on slope, replant salvaged vegetation, plant willow poles, spread native seed, mulching and place slash in disturbed areas. Corps crews and TRWC volunteers will assist with revegetation.
9. Demobilization. Restore all access routes and staging areas and remove construction equipment from site.

See attached 2021 Implementation Grant Application.

5. CERTIFICATION

I certify that I have the authority to determine whether a project is exempt pursuant to CEQA Guidelines section 15025(a)(1), and this project meets all the requirements described in Public Resources Code section 21080.56, and that I have submitted all the determinations required therein necessary to obtain the concurrence of the Director of Fish and Wildlife.



6/29/2022
Lead Agency Signature

Date:

Printed Name and Title: Ben Letton, Assistant Executive Officer