

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
DIRECTOR'S OFFICE
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**CALIFORNIA ENVIRONMENTAL QUALITY ACT STATUTORY EXEMPTION FOR
RESTORATION PROJECTS
CONCURRENCE NO. 21080.56-2022-013-R1**

Project: Trinity Alps Forest Restoration Project
Location: Shasta, Siskiyou, and Trinity Counties
Lead Agency: California Wildlife Conservation Board (WCB)
Lead Agency Contact: Judah Grossman; Judah.Grossman@Wildlife.ca.gov
Project Proponent: Trust for Public Land

Background:

Project Locations: The Trinity Alps Forest Restoration Project (Project) encompasses eight parcels, all of which are contiguous to the Trinity Alps Wilderness Area or the Castle Crags Wilderness Area, and are in either Shasta, Siskiyou, or Trinity Counties. The Project occurs on the following eight Assessor Parcel Numbers (APN): 031-280-010, 003-160-003, 003-200-001, 003-200-002, 003-250-001, 004-060-002, 030-150-070, and 030-150-090.

Project Description: The Trust for Public Land (TPL) proposes to conserve, restore, protect, or enhance, and assist in the recovery of California native fish and wildlife, and the habitat upon which they depend. TPL plans to acquire and then restore approximately 3,600 acres of biodiverse alpine woodland that lies on the Pacific Crest Trail (PCT) corridor and is adjacent to large, federally-designated wilderness areas. Currently, the Project areas are zoned and managed for timber production. TPL intends to purchase these lands, thereby terminating timber harvest, and implement a comprehensive suite of restoration treatments aimed at erasing the legacy effects of logging. These legacy effects include sediment release into waterways from roadways and erosional features, culverts acting as barriers to the passage of aquatic organisms, roadways interrupting hillslope hydrology, roadways interrupting natural infiltration and concentrating flows patterns in adverse directions, wildlife disturbances from logging activities, and loss of complex habitat through the removal of large trees. After the restoration phase is complete, TPL intends to donate the land to the United States Forest Service (USFS) to be incorporated into existing USFS lands and wilderness areas.

This Project is anticipated to enhance and restore habitat for native plants and animals in the area. Approximately 300 road features and 35 miles of road are proposed to be removed which will improve conditions in no fewer than 100 stream channels, 105 springs, and 49 meadow systems. The improvements to hydrology and flow patterns are expected to increase the size of existing wetlands and wet meadows, leading to increased riparian and wetland vegetation, and to generally promote understory growth of vegetation through increased precipitation infiltration and corresponding groundwater availability.

Interested Party and Tribal Coordination:

TPL attempted to communicate about the Project with a list of tribal contacts in September of 2022. These attempts included emails, followed by a verbal communication with one of the listed tribal contacts which gave general support for the Project and might participate in the Project's monitoring activities.

TPL and the USFS have received letters of support from the Land and Water Conservation Fund, US Representative Jared Huffman, Siskiyou County Supervisor Ed Valenzuela, CalWild, the Pacific Crest Trail Association, and general citizens. TPL, USFS, and the Pacific Crest Trail Association have reached out to interested parties throughout 2020 and 2021, including: presenting to Rotary International, meeting with Trinity County Supervisor Groves, meeting with the California Wilderness Coalition, multiple meetings with adjacent landowners and other interested parties, hosted a Trinity Center Open House, and hosted a Trinity County Collaborative Meeting.

Anticipated Project Implementation Timeframes:

Start date: January 2023

Completion date: October 2027

Lead Agency Request for CDFW Concurrence: On October 11, 2022, the Director of CDFW (CDFW Director) received a concurrence request from the Wildlife Conservation Board (Lead Agency) pursuant to Public Resources Code section 21080.56, subdivision (e) (Request). The Request seeks the CDFW Director's concurrence with the Lead Agency's determination on October 10, 2022, that the Project meets certain qualifying criteria set forth in subdivisions (a) to (d), inclusive, of the same section of the Public Resources Code (Lead Agency Determination). The CDFW Director's concurrence is required for the Lead Agency to approve the Project relying on this section of the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.).

Concurrence Determination

The CDFW Director concurs with the Lead Agency Determination that the Project meets the qualifying criteria set forth in Public Resources Code section 21080.56, subdivisions (a) to (d), inclusive (Concurrence).

Specifically, the CDFW Director concurs with the Lead Agency that the Project meets all of the following conditions: (1) the Project is exclusively 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 is exclusively to restore or provide habitat for California native fish and wildlife; (2) the Project may have public benefits incidental to the Project's fundamental purpose; (3) the Project will result in long-term net benefits to climate resiliency, biodiversity, and sensitive species recovery; and includes procedures and ongoing management for the protection of the environment; and (4) Project construction activities are solely related to habitat restoration. Pursuant to Public Resources Code section 21080.56, subdivision (g), CDFW will post this Concurrence on its CEQA Notices and Documents internet page: <https://wildlife.ca.gov/Notices/CEQA>.

This Concurrence is based on best available science and supported, as described below, by substantial evidence in CDFW's administrative record of proceedings for the Project.

This Concurrence is also based on a finding that the Project is consistent with and that its implementation will further CDFW's mandate as California's trustee agency for fish and wildlife, including the responsibility to hold and manage these resources in trust for all the people of California.

Discussion

- A. Pursuant to Public Resources Code section 21080.56, subdivision (a), the CDFW Director concurs with the Lead Agency that the Project will exclusively conserve, restore, protect, or enhance, and assist in the recovery of California native fish and wildlife, and the habitat upon which they depend; or restore or provide habitat for California native fish and wildlife.

The Project will remove approximately 300 road features, primarily culverts, and approximately 35 miles of logging roads. The removal of culverts will improve passage for aquatic organisms in affected streams, and the removal of logging roads will decrease sediment release into waterways, improve hydrology and precipitation infiltration, and should lead to an overall improvement of conditions within waterways and wetlands both within the Project areas and in downstream reaches.

- B. Pursuant to Public Resources Code section 21080.56, subdivision (b), the CDFW Director concurs with the Lead Agency that the Project may have incidental public benefits, such as public access and recreation.

Following Project completion, TPL plans to donate the Project's parcels to the USFS to be incorporated into existing Shasta Trinity National Forest lands and managed as wilderness under the Federal Wilderness Act. As a result, of the land being managed under the Federal Wilderness Act this may subject parts of the Projects areas to potential future public access and recreational use.

- C. Pursuant to Public Resources Code section 21080.56, subdivision (c), the CDFW Director concurs with the Lead Agency that the Project will result in long-term net benefits to climate resiliency, biodiversity, and sensitive species recovery, and includes procedures and ongoing management for the protection of the environment.

The Project will remove road and related infrastructure which will result in the restoration of wetlands, springs, and meadows. This will in turn expand habitat and diversity for native species in the area. Additionally, by donating approximately 3,508 acres into wilderness areas, this will cease logging activity in perpetuity which benefits climate resiliency.

Long-term net benefits to climate resiliency: Unpaved roads are often considered to be the predominant sediment source in forested catchments. Removal of roads and

stabilization of erosional features will reduce sediment pollution to the surrounding waterways, increase infiltration of precipitation, and make the Project areas better able to withstand severe storm events and flashy hydrology.

The Project will also result in wetlands restoration which will contribute to climate resiliency by lessening destruction from flooding caused by storms, absorbing carbon from the atmosphere and storing it long-term, functioning as water storage, reducing water momentum and erosive potential, and allowing for groundwater recharge. The healthy meadows resulting from the Project will restore net carbon sinks in comparison to degraded meadows, which are often net carbon emitters.

After restoration is complete, TPL will then donate the land to the USFS to be incorporated into existing USFS lands and wilderness areas. The lands that are proposed to be included in the wilderness areas will then cease logging activity in perpetuity. Additionally, when trees are removed, they no longer have the ability to store carbon dioxide. By adding the lands into wilderness, it creates additional opportunities to sequester carbon on the landscape, which contributes to climate resiliency.

Long-term net benefits to biodiversity: This Project is anticipated to expand habitat and diversity for native species in the area by removing roads, reestablishing historic drainage patterns, and improving the quantity and quality of streams and wetlands. A net gain of wetlands and associated wetland and riparian vegetation can be accomplished through restoration in cases where wetlands and waterways have been degraded or lost due to anthropogenic activities. Increasing the quantity and quality of aquatic features within the Project areas will benefit all the surrounding biota, and by placing the Project areas into long-term management under the Forest Service, the ecological uplift generated by this Project will be guaranteed well into the future.

Long-term net benefits to sensitive species recovery:

The Project ensures long-term benefits to sensitive species recovery through multiple actions. The removal of roadways and associated culverts will improve habitat connectivity for aquatic organisms as well as over-land animal movement. The reduction and/or elimination of roadways and vehicle passage will reduce noise, reduce sediment generation, reduce ground compaction, and eliminate any vehicle-associated mortality. The elimination of logging and the improvement of hydrologic conditions throughout the area will encourage a more complex habitat that will benefit all local wildlife, primarily by improving conditions in wetlands and waterways, and by allowing trees to reach size and age classifications that normally make them prime timber harvest candidates.

The California Natural Diversity Database (CNDDDB) identifies a diversity of threatened and endangered species that have the potential to benefit from the Project's restoration efforts. These include salmonids (*Salmonidae*), California wolverines (*Gulo gulo luteus*), Yellow-legged frog (*Rana muscosa*), Cascades frog (*Rana cascadae*), and Trinity buckwheat (*Eriogonum alpinum*). Furthermore, there are a number of Species of Concern identified in the project areas that may benefit from this project, as

well. These include, Pacific tailed frog (*Ascaphus truei*), Western Pond turtle (*Actinemys marmorata*), Southern long-toed salamander (*Ambystoma macrodactylum sigillatum*), fishers (*Pekania pennanti*), and spotted bats (*Euderma maculatum*).

Procedures and Ongoing Management for the Protection of the Environment:

Impacts to sensitive resources and the environment will be avoided and minimized to the greatest extent feasible with the implementation of protective measures. Procedures to protect the environment include but are not limited to those detailed in the comprehensive suite of Best Management Practices (BMP) proposed by the applicant. Further, roadway decommissioning and culvert removal will follow the guidance outlined in the Rural Roads Handbook (2015) - *Closure and Decommissioning* section.

To accomplish ongoing management for the protection of the environment the Project areas are anticipated to have long-term durability and be self-sustaining in regard to management and maintenance as much as possible. Furthermore, the lands associated the Project areas are planned to be donated to the USFS to monitor and manage under the USFS policies and the Wilderness Act of 1964. In the long term, USFS will manage the Project areas as wilderness under the approved Shasta-Trinity National Forest, Trinity Alps Wilderness, and/or Castle Crags Wilderness Management Plans.

- D. Pursuant to Public Resources Code section 21080.56, subdivision (d), the CDFW Director concurs with the Lead Agency that the Project does not include any construction activities, except those solely related to habitat restoration. The Project-related construction activities described are all related to the overall goal of the Project to restore or enhance habitat in the Project areas.

All Project-related construction activities are related to the overall goal of the Project to restore or enhance habitat in the Project areas. Therefore, the Project does not include any construction activities except those that are solely related to habitat restoration.

Scope and Reservation of Concurrence

This Concurrence is based on the proposed Project as described by the Lead Agency Determination and the Request. If there are any subsequent changes to the Project that affect or otherwise change the Lead Agency Determination, the Lead Agency, or any other public agency that proposes to carry out or approve the Project, shall submit a new lead agency determination and request for concurrence from CDFW pursuant to Public Resources Code section 21080.56. If any other public agency proposes to carry out or approve the Project subsequent to the effective date of this Concurrence, this Concurrence shall remain in effect and no separate concurrence from CDFW shall be required so long as the other public agency is carrying out or approving the Project as described by the Lead Agency Determination and the Request.

Other Legal Obligations

The Project shall remain subject to all other applicable federal, state, and local laws and regulations, and this Concurrence shall not weaken or violate any applicable environmental or public health standards. (Pub. Resources Code, § 21080.56, subd. (f).)

CDFW Director's Certification

By:  _____
Charlton H. Bonham, Director

Date: 11/10/22