CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
DIRECTOR'S OFFICE
POST OFFICE BOX 944209
SACRAMENTO, CA 94244-2090

CALIFORNIA ENVIRONMENTAL QUALITY ACT STATUTORY EXEMPTION FOR RESTORATION PROJECTS
CONCURRENCE NO. 21080.56-2022-016-R3

Project:	Pescadero Creek Habitat Enhancement at Pescadero Creek County Park
Location:	San Mateo County
Lead Agency:	San Mateo Resource Conservation District
Lead Agency Contact:	Stephanie MacDonald; stephanie@sanmateorcd.org

Background

Project Location: The Pescadero Creek Habitat Enhancement at Pescadero Creek County Park (Project) is located on Pescadero Creek in the unincorporated community of Loma Mar, San Mateo County, assessor's parcel numbers 084-130-120 and 085-150-080, in the La Honda, California U.S. Geological Survey (USGS) 7.5 minute topographic quadrangle. The Project will be implemented within Pescadero Creek in the northwest portion of Pescadero Creek County Park from approximately 180 meters west of Carriger Creek to 600 meters east of Rhododendron Creek, coordinates 37.259032, -122.239820.

Project Description: Pescadero Creek is a key watershed for the recovery of both Central California Coast (CCC) coho salmon (*Oncorhynchus kisutch*) and CCC steelhead trout (*Oncorhynchus mykiss*) and has been identified as having a low abundance of instream large wood, an essential habitat feature for salmonids. Parts of the Project reach contain sections of relatively straight, incised channels that lack complexity. These straight, incised channels lack resting pools and bends to slow water velocity, making it difficult for fish to navigate during high flow events. Due to low levels of large wood in the Project reach, there are several pools with minimal cover or complexity, which leave salmonids vulnerable to predation.

To address this issue, San Mateo Resource Conservation District (Lead Agency) will implement the 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 restore or provide habitat for California native fish and wildlife along an identified reach of Pescadero Creek. The Project is designed to benefit CCC coho salmon and CCC steelhead, and other aquatic wildlife, as well as the stream habitat conditions in Pescadero Creek. Activities of the Project will include installing large wood features at approximately 35 sites along Pescadero

Creek through unanchored, direct felling methods of approximately 125 on-site trees. As a result, the Project will enhance approximately 3.2 kilometers of habitat for CCC coho salmon and CCC steelhead by creating high- and low-flow refugia, slowing flows, sorting and storing sediment, providing cover in pools, and creating new pools. Following the implementation of these restoration measures, the Lead Agency will conduct post-project monitoring and maintenance, including the possibility of using hand equipment (e.g., hand winches and pulleys) to augment or adjust features if it is determined they are not functioning as intended.

The National Oceanic and Atmospheric Administration (NOAA) Fisheries wood loading targets for Pescadero Creek range from 1.3-11 key pieces per 100 meters, depending on the bankfull width of the creek, and the Project plans to install 4 key pieces per 100 meters, which based on the Project site bankfull width would meet NOAA Fisheries wood loading target. All trees will be sourced onsite and are primarily composed of Douglas fir (*Pseudotsuga menziesii*) and Redwood (*Sequoia sempervirens*), with additional red alders (*Alnus rubra*) and tanoaks (*Notholithcarpus densiflorus*) included in some structures.

The Project's installation of large wood features would create refugia from high velocity and areas of slack water in these reaches, provide cover for existing pools, create new pools and backwater habitat areas that contain cover, increase floodplain activation where feasible, and enhance overall habitat complexity while also reducing incision by building up the channel through sediment storage. These enhancements will provide the habitat diversity fish need to forage, take refuge, rest, rear, and spawn.

Interested Party and Tribal Coordination: The Lead Agency has discussed various coastal creek projects, including this one, with a local tribal group in both the fall of 2021 and summer of 2022, and reached out again in the fall of 2022 to provide a status update. The Lead Agency will also engage with tribal groups during the permitting process. Furthermore, it is anticipated the Lead Agency will request a California Historical Resources Information System search from the Northwest Information Center at Sonoma State University and has requested a Sacred Lands File Search through the California Native American Heritage Commission. Additional records requests may be completed if deemed necessary.

Furthermore, the Lead Agency will also incorporate avoidance and minimization measures to avoid and/or minimize impacts to cultural resources during Project implementation including consultation with the local tribal group(s) or a qualified archaeologist to ensure that any resources found during the Northwest Indian College and California Native American Heritage Commission searches are not disturbed by Project activities. The Lead Agency will ensure a qualified biologist or tribal representative provide environmental and cultural resources awareness training prior to the start of Project activities, as well as assist and provide guidance should any cultural resources be discovered during Project implementation.

The proposed Project reflects restoration priorities from the Integrated Watershed Restoration Program (IWRP) Technical Advisory Committee (TAC). The IWRP TAC is comprised of representatives from federal and state resource agencies, local governments, and tribal groups, including the U.S. Fish and Wildlife Service, NOAA Fisheries, California Department of Fish and Wildlife (CDFW), San Francisco Regional Water Quality Control Board, California

Coastal Commission, USDA Natural Resource Conservation Service, and County of San Mateo.

Anticipated Project Implementation Timeframes: Start date: September 2023
Completion date: October 2029

Lead Agency Request for CDFW Concurrence: On December 22, 2022, the Director of CDFW (CDFW Director) received a concurrence request from San Mateo Resource Conservation District (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 December 23, 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 includes the implementation of restoration actions to restore natural function of Pescadero Creek and its ecosystem to provide improved habitat and feeding opportunities for salmonids. A low abundance of instream large wood and reduced instream habitat complexity were identified as major limiting factors in the Santa Cruz Mountains Diversity Strata by NOAA Fisheries and the Project will address this by installing nearly four pieces of large wood per 100 meters in the Project reach. The goal of this Project is to support CCC coho salmon and CCC steelhead recovery through the installation of large wood features intended to increase wood loading, increase the number of pools, create high- and low-flow refugia for salmonids, increase cover, and increase habitat complexity for salmonids.

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.

   Improving forest health, by removing select dominant or codominant trees to use as large wood features, may include some incidental public health and safety benefits by increasing long-term carbon sequestration and fire resilience.

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.

   Long-term Net Benefits to Climate Resiliency:
   The Project will provide enhanced habitat for sensitive aquatic species which are vulnerable to climate change as changes in temperature, drought, and flooding will have a significant impact on watersheds. Once completed, the Project will restore and mimic natural processes, and allow the ecosystem to adapt and recover from extreme disturbance related to climate change. Additionally, the Project will increase long-term carbon sequestration rates by improving forest health through removing selected dominant or codominant trees.

   Long-Term Net Benefits to Biodiversity:
   The Project will result in long-term net benefits to biodiversity through the restoration and improvement of habitat used by sensitive aquatic species. The lack of large wood and reduced instream habitat complexity were identified as major limiting factors in the Santa Cruz Mountain Diversity Strata in the NOAA Fisheries recovery plans for CCC coho salmon and CCC steelhead. Both limiting factors would be addressed by the

Project. Other aquatic species including Pacific lamprey (*Entosphenus tridentatus*) are also expected to benefit from the increased complexity and diversity of habitat created by the Project. The proposed improvements are designed to last for decades and will benefit many generations of aquatic sensitive species, and the placement of large wood features may also help collect natural-occurring large wood that will last beyond the lifespan of what is installed as part of the Project.

Long-Term Net Benefits to Sensitive Species Recovery:
The Project will recover and enhance habitat necessary for the survival of aquatic sensitive species including CCC coho salmon, CCC steelhead, and Pacific lamprey. The Pescadero-Butano watershed is one of two independent watersheds for CCC coho salmon recovery in San Mateo County and the second largest of the three independent watersheds south of the Golden Gate Bridge and has been identified as a key watershed for the recovery of CCC coho salmon and CCC steelhead, with low abundance of instream wood having been identified as a key limiting factor. The Project will address this key limiting factor for CCC coho salmon and CCC steelhead in the region by installing large wood features throughout the Project site, which will lead to the enhancement of approximately 2 miles of habitat, create high- and low-flow refugia, slow flows, improved sorting and storing of sediment, provide cover in pools, and create new pools. In the long term, these enhancements could provide lasting habitat diversity that sensitive aquatic species need to forage, take refuge, rest, rear, and spawn.

Procedures for the Protection of the Environment:
The Lead Agency will implement avoidance and minimization measures, as well as best management practices for the protection of the environment during the Project. These avoidance and minimization measures include protections for sensitive species, including marbled murrelet (*Brachyramphus marmoratus*), CCC coho salmon, CCC steelhead, Pacific lamprey, amphibians, San Francisco dusky-footed woodrat (*Neotoma fuscipes annectens*), special-status and nesting birds, and special-status plant species. Best management practices for Project activities include erosion control, staging and stockpiling materials, equipment and vehicle maintenance and cleaning, hazardous material management, and fire prevention.

Ongoing Management for the Protection of the Environment:
The Project will include ongoing management for the protection of the environment. In part due to the average height of felled trees being three times longer than bankfull width, the large wood felled into the creek is designed to stay in place, however it is possible structures may shift or move due to the dynamic nature of the creek system. Large wood moving down the stream is a natural dynamic that provides complexity and protection for fish in the new location it naturally lodges. However, the Lead Agency will work with partners to determine if mobilized wood needs to be reconfigured if it poses a risk to infrastructure. The Lead Agency will also continue to work with local landowners in the watershed to inform and educate them on the importance of large wood in creeks to help prevent wood from being removed in the future. The Lead Agency has developed a long-term management and maintenance plan to assess the effectiveness of the proposed Project. Success criteria includes

meeting wood loading targets, retaining large wood features installed during implementation, creating at least 19 pools, and enhancing and expanding existing habitat by creating high- and low-flow refugia and increasing cover. The Project reach will remain under long-term management and protection by the San Mateo County Parks Department.

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 area.

   The only aspects of the Project that might be considered construction activities are the felling and installation of large wood features exclusively for habitat restoration purposes.

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:_____ Date: 2/3/23

Charlton H. Bonham, Director
California Department of Fish and Wildlife