



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 \(EPICS\) Document Repository](#).

1. LEAD AGENCY

Lead Agency Name:	California Regional Water Quality Control Board, Lahontan Region
Contact Person’s Name:	Adam Henriques
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2. PROJECT PROPONENT

Check Box and Skip to Number 3 if Same as Lead Agency

Business/Agency/Organization:	USDA Forest Service Lake Tahoe Basin Management Unit
Contact Person’s Name:	Sarah Muskopf
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3. PROJECT INFORMATION

A. Project Name:	Upper Truckee River Lahontan Cutthroat Trout Restoration Project
B. County or Counties:	El Dorado
C. Lat./Long. Coordinates:	38.758291 N, -120.023457 W
D. Estimated Project Start/End Dates:	August 2023 - October 2030

E. Provide a brief description of the Lead Agency’s discretionary approval pursuant to CEQA.

The Upper Truckee River Lahontan Cutthroat Trout Restoration Project (Project) requires the Lead Agency’s discretionary approval of a Clean Water Act Section 401 Water Quality Certification and Granting of Exemption to Waste Discharge Prohibitions contained in the Water Quality Control Plan for the Lahontan Region.



F. Provide a brief description of the Project location, size, and funding sources. Please cite and attach any supporting documents.

Project Location

The Project is located in El Dorado County, California, on National Forest System land within the Lake Tahoe Basin Management Unit, approximately nine miles south of the City of South Lake Tahoe. The Project is located in the Meiss Inventoried Roadless Area, south of Highway 89 and north of Highway 88 in South Lake Tahoe, California. The Project centroid is located at 38.758291°, -120.023457°. The Project includes 5 miles of stream habitat in the upper portions of the Upper Truckee River watershed. The Project area includes the Upper Truckee River below the confluence of Showers Lake Outlet to a waterfall at 38.783408°, -120.026824°, and the outlets of Showers Lake and Round Lake. The Project is accessible by trail only from the Round Lake Trailhead (18E05), located adjacent to the intersection of South Upper Truckee Road and Bridge Road in El Dorado County, the Pacific Crest Trail – Meiss Trailhead, located on Highway 88 in Alpine County, and the Big Meadow trail (19E00), located on Highway 89. Due to the remote nature of the Project, access requires a combination of hiking on established LTBMU system trails and overland travel.

The Project Map is included as an attachment.

Project Size

The total Project size is 5 miles of perennial stream.

Funding Sources

To date, the Project has received approximately \$885,000 from Sierra Nevada Public Lands Management Act (SNPLMA), California Tahoe Conservancy, USFS Appropriated Funds, Trout Unlimited (Collection Agreement), and US Fish and Wildlife (Interagency Agreement(s)) for planning and implementation efforts that occurred from August 2009 to February 2023. The LTBMU is currently seeking approximately \$900,000 from California Department of Fish and Wildlife Watershed Restoration Grants Branch to fund three years of implementation efforts.

G. Provide a brief Project description and summarize the expected environmental benefits (e.g., acres or stream-miles restored/enhanced, species benefitted, etc.). Please cite and attach any supporting documents.

Project Background

Lahontan cutthroat trout (LCT) from Macklin Creek were successfully reintroduced into the headwaters of the Upper Truckee River (Meiss Meadows area) in the early 1990s by the California Department of Fish and Wildlife (CDFW) in collaboration with the Lake Tahoe Basin Management Unit (LTBMU). This reintroduction took place following the removal of brook trout from a total of 8 km (5 miles) of stream and 6 hectares (15 acres) of lake habitat over three years of rotenone application. Additional brook trout removal using electrofishing and gillnetting took place from the mid-1990s to 2006. Sampling continued for three years after the last brook trout was caught. The LCT population in Meiss Meadows is currently one of the only high-elevation self-sustaining populations of LCT found in meadow habitat in the species' historic range and is the only self-sustaining LCT population in the Lake Tahoe Basin.

In 2008 the LTBMU began implementation of the Upper Truckee River (UTR) Lahontan Cutthroat Trout Expansion Area downstream of the Meiss Meadows area. The Lahontan Cutthroat Trout Expansion Area encompasses 16 km (10 miles) of perennial stream and ~34 hectares (85 acres) of lake habitat within the



Headwaters of the Upper Truckee River and Benwood Meadow subwatersheds. The objective of the effort is to facilitate natural downstream range expansion of the Meiss Meadows LCT population by removing non-native trout.

Reclaiming aquatic habitat in the UTR watershed is consistent with CDFW goals and objectives for recovering and developing waters for native salmonid fisheries. The CDFW currently works under the interagency Fishery Management Plan for Lahontan Cutthroat Trout in California and Western Nevada Waters, which identifies the UTR as a priority area in Lake Tahoe to reclaim aquatic habitat for LCT. The UTR and tributaries upstream of the confluence with the Showers Lake drainage are also designated by the California Fish and Game Commission as a Heritage and Wild Trout Water for a self-sustaining population of LCT within their historic (native) drainages. Recovery efforts in The Lahontan Cutthroat Trout Expansion Area are considered the highest priority by the Tahoe Basin LCT Recovery Implementation Team and were identified in the Updated Goals and Objectives for the Conservation of Lahontan Cutthroat Trout (2019).

Project Description

The purpose of the Project is to restore habitat for Lahontan Cutthroat Trout (LCT) by eradicating non-native fish species from 5 miles of the Upper Truckee River Watershed using electrofishing and gillnetting in temporarily isolated stream segments. The Project is a subcomponent of the larger Lahontan Cutthroat Trout Expansion Area, which includes 10 miles of stream and 85 lake acres. Only the remaining 5 miles of treatment will be addressed in the Project, as described.

Continued management and LCT recovery action implementation in the UTR watershed is identified as a key objective in the recovery and conservation of the species by the Western Geographic Management Unit, Tahoe Unit. Creation of large, interconnected systems to increase the probability of long-term persistence of LCT populations is crucial for the recovery of the species. In addition, interconnected systems with diverse habitat type and complexity are expected to result in higher densities of LCT, allowing fish to exhibit multiple life-history characteristics, further improving resiliency of the population and the probability of long-term success.

To achieve the purpose, the Project requires the temporary dewatering, or isolation from active channel flow, of predetermined stream reaches where electrofishing and gillnetting will occur. Flow isolation is necessary for effective gillnetting and electrofishing. Small sandbag dams and flexible plastic piping will be used to divert the stream flow for dewatering. Diversion dams will be installed at the upper portion of a reach, effectively trapping the water from moving downstream, and dewatering the reach below. Water will be diverted out of the diversion dam to a point downstream.

Poly-pipe manufactured by Arizona Bag Company will be used for the diversion system, as it packs down to a small size and can be transported into the backcountry more efficiently than rigid piping. The poly-pipe will be laid along the stream bank for the entirety of a workable reach prior to dam construction. Pipe lays will vary in length depending on the length of the reach being dewatered and will range from 200 ft in length on sections of the Showers Lake Outlet, to 3000 ft in length on the mainstem Upper Truckee River. Placement of pipe will follow remnant or overflow channels wherever possible and will be stabilized in place using t-posts and stakes in order to prevent movement. Pipe will be located far enough away from the stream channel that if a breach were to occur, impacts from erosion will be minimized to the extent practicable.

Diversion dams and pipelines may be in place for several days or weeks, depending on reach length and labor availability. If diversion structures are running overnight, each workday will start with a visual inspection of the structures and diversion pipe. Diversions will not be unattended for longer than overnight.



Diversion dams will be constructed of sandbags filled with gravel derived from dry portions of stream channel as close as possible to the diversion site. Material will be returned to the channel from the location it was sourced from after diversion dams are removed. Plastic sheeting will be incorporated into the diversion dams to create the best seal possible. Seep dams will be constructed as needed in each treatment reach to capture more flow and will be tied into the main diversion piping. Seep dams will be constructed in the same manner as diversion dams.

Diverted water will be reintroduced to the channel below the reach that is being worked. Water will re-enter the channel along an armored surface in order to dissipate energy and decrease velocity, thereby avoiding potential turbidity impacts.

Due to subsurface inflows from groundwater and springs, it is anticipated that the diverted channel will contain a small amount of water, and in some instances minor amounts of flow, below the diversions. Portable gasoline powered semi-trash pumps will be used to capture any accreted flow and dewater any remaining habitat. In some instances, manual bilge pumps will be used to extract water not captured by gasoline powered pumps. Following the completion of fish removal, flows will be returned to the channel and diversions will be removed.

A YSI turbidity sonde will be installed downstream of the project site to provide continuous monitoring of dewatering activities to ensure compliance with the forthcoming Clean Water Act Section 401 permit.

Dewatering is currently being utilized to restore habitat for LCT by Trout Unlimited at Independence Lake and California Department of Fish and Wildlife at Silver Creek in Mono County. Both efforts have been successful in efficiently eradicating non-native trout from LCT occupied habitat, allowing field crews the ability to manually treat up to five miles in a single season and successfully eradicate target species in approximately two to three treatments. In comparison, the Lake Tahoe Basin Management Unit has been treating the same one mile of stream since 2013 using electrofishing only with limited success. The dewatering method, in combination with electrofishing and gillnetting, will allow us to complete recovery efforts in the entire Project area within seven years. Upon completion, reintroduction of LCT is proposed in the Project area, which will enhance the existing population and provide the public with exceptional fishing experience for both stream dwelling and lacustrine life forms.

The Project Map is included as an attachment and additional detail on the Project can be found in the attached Decision Memo for Implementation of the Upper Truckee River Lahontan Cutthroat Trout Restoration Project.

Expected Environmental Benefits

As described above, The Project seeks to restore 5 miles of stream habitat for LCT in the UTR watershed, thus promoting natural range expansion of the self-sustaining Meiss Meadows population of LCT.

The Project will promote natural range expansion of the upstream Meiss Meadows population of LCT. Upon project completion, this effort will help to connect approximately 17 miles of perennial stream channel and 100 acres of lake habitat for LCT, a federally threatened species per the Endangered Species Act. This meta-population will be the largest, interconnected, climate resilient LCT habitat in the Sierra Nevada, with both lacustrine and stream life histories. Due to the complexity of habitat exhibited in the Project area, the restored area will provide climate resilient habitat to meet all life-history requirements and provide opportunities for further downstream range expansion.



H. CDFW recommends public outreach and coordination with interested parties. Please provide a summary of engagement with tribes, agencies, and other interested parties. Be careful not to include any sensitive or confidential information. Please cite and attach any supporting documents.

Outreach efforts occurred during Project planning and development, including formal public scoping conducted in compliance with the National Environmental Policy Act (NEPA). In addition to public scoping that was initiated in July 2008, stakeholder coordination occurred between February and March 2008. Stakeholder coordination occurred between the LTBMU and The Washoe Tribe of California and Nevada, Lahontan Regional Water Quality Control Board, Tahoe Regional Planning Agency, League to Save Lake Tahoe, and California Trout. All parties expressed support for the Project. US Fish and Wildlife Service, and CDFW were involved in all planning efforts.

LTBMU provided an opportunity for the Washoe Tribe of Nevada and California to consult on the Project with a written letter dated July 17, 2008. The Environmental Director of the Washoe Tribe of Nevada and California responded to the letter on August 9, 2008, with support for the Project and LTBMU efforts to restore LCT habitat in the Upper Truckee River Watershed. The response included recommendations to LTBMU to educate the public on the negative impacts of non-native aquatic species, record the presence of any exotic nuisance species, and to educate field personal regarding the protection of cultural resource sites and discovery of new sites.

The Project has been discussed regularly since implementation began in 2009 at Tahoe Basin Recovery Implementation Team (TBRIT) meetings, which includes members from CDFW, Nevada Division of Wildlife, USFWS, California Tahoe Conservancy, TRPA, and Washoe Tribe of Nevada and California. The Project was identified as the highest priority restoration Project by the TBRIT and is thus supported by this group.

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 and attach any supporting documents.

The Lead Agency determined the Project is exclusively both (1) a project to conserve, restore, protect, or enhance, and assist in the recovery of habitat for California native fish and wildlife, and the habitat in which they depend on; and (2) a project to restore or provide habitat for California native fish and wildlife

The purpose of the Project is to restore 5 miles of stream habitat for LCT in the UTR, promoting natural range expansion of the self-sustaining Meiss Meadows population. LCT is a federally listed species on the Endangered Species Act and native to California. The Project includes the removal of non-native trout, which



prey, compete, and hybridize with LCT. This effort has been identified as a key objective in the recovery of this species within its range in the Tahoe Basin.

B. An eligible Project may have incidental public benefits, such as public access and recreation. Please cite and attach any supporting documents.

The Lead Agency determined that the Project has incidental public benefits related to recreation. Upon completion, reintroduction of LCT is proposed in the Project area to enhance the existing population, which may provide public benefit through increased opportunities for freshwater recreational fishing.

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 and attach any supporting documents.

Overview:

The Lead Agency 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.

1)The Project will result in long-term net benefits to LCT, a federally threatened species. The restored area will provide climate resilient habitat that meets all life-history requirements of the species and provide opportunities for further downstream range expansion.

2) The Project contains environmental management procedures that will be implemented during construction and ongoing environmental management measures for the protection of the environment post-Project.

By restoring habitat for LCT, the completed Project will restore a climate-resilient, biodiverse aquatic community in the Upper Truckee River Watershed, and assist in efforts to recover this federally listed species.

Long-Term Net Benefits to Climate Resiliency:

The Lead Agency determined that the Project results in long-term net benefits to climate resiliency. Climate predictions indicate significant changes in hydrologic conditions including reduced snowpack, earlier spring flow events, and increase water temperatures, all of which can have negative impacts on LCT. The habitat in the Project area contains a suite of diverse habitat types including large, deep, cold-water lakes, and functional interconnected perennial stream channels with pool refugia and riffle habitat. Diverse habitats increase success of species by providing various options to meet life-history requirements under different climate scenarios. Lake habitat is specifically important in years when stream channels are low or dry due to drought conditions and where water temperatures exceed thresholds for life history requirements. The restored meta-population in the Project area will be the largest, interconnected, climate resilient LCT habitat in the Sierra Nevada, with both lacustrine and stream life histories. Creation of large, interconnected systems to increase the probability of long-term persistence of LCT populations is crucial for the recovery of the species and persistence through various climate induced changes.



Long-Term Net Benefits to Biodiversity:

The Lead Agency determined that the Project results in long-term net benefits to biodiversity. The Project will create and enhance an interconnected LCT population. Interconnected systems with diverse habitat types and complexity are thought to result in higher densities of LCT, allowing fish to exhibit multiple life-history characteristics, further improving resiliency of the population and the probability of long-term success. Increasing the probability of long-term persistence of LCT encourages a stable aquatic community and supports native food webs, supporting a biodiverse ecosystem.

By removing non-native trout, this Project also restores habitat for other California native species, specifically speckled dace (*Rhinichthys osculus*).

Long-Term Net Benefits to Sensitive Species Recovery:

The Lead Agency determined that the Project results in long-term net benefits to sensitive species recovery. Upon Project completion, this effort will connect approximately 17 miles of perennial stream channel and 100 acres of lake habitat for LCT, a federally threatened species per the Endangered Species Act. Reintroduction of LCT is proposed in the Project area, which will enhance the existing population in both stream dwelling and lacustrine life forms. The Project aims to restore the largest, interconnected meta-population of LCT in the Sierra Nevada.

Procedures for the Protection of the Environment:

The Lead Agency determined that the Project includes procedures for the protection of the environment during Project implementation. Those procedures associated with Project activities are comprised of the following resource protection measures:

1. Avoid staging areas in meadows. Where meadows must be used, designate a manager knowledgeable in Leave No Trace techniques and with some experience with the sensitive features of meadows. Try to avoid meadows that are wet, have an abundance of willows, have been the subject of past restoration actions, and are known to have been used by native riparian-dependent species in the past.
2. Hazardous materials required for Project implementation will be stored at staging areas a minimum of 25 feet from waterbodies.
3. Locate refueling areas away from waterbodies. Prohibit fuel storage within 10 feet of a waterbodies and outside stream environment zones. Refuel pumps in areas a safe distance (minimum 10 ft) from stream channels and stream environment zones. Place fuel absorbent mats or leak free tray under pump while refueling.
4. Spill prevention and clean-up of hazardous materials would be implemented in accordance with the Lake Tahoe Basin Management Unit Spill Notification and Response Plan (for emergency spills).
5. Prior to the start of construction, all equipment will be inspected for leaks and regularly inspected thereafter until removed from the Project site.
6. In Northern goshawk and California spotted owl PACS avoid using pumps during the LOPs unless surveys indicate the PAC is not occupied. Consult with wildlife biologist annually to ensure data is up to date.
7. To avoid noise impacts to sensitive wildlife species, limited to the extent feasible the amount of time pumps are running.
8. When dewatering and constructing/removal of coffer dams: a. Design pump intakes and outlets to minimize turbidity and the potential to wash contaminants into adjacent creeks or wetlands. Use an energy dissipater to prevent erosion at the outlet. Screen pump intakes with wire mesh, sized to prevent fish and amphibians from entering the pump system. Check intake periodically to ensure screen is functioning properly. Where appropriate, use pumps with low entry velocity to minimize removal of aquatic species.



- a. Any turbid water pumped from the work site will be disposed of in an approved location that prevents turbid water from reentering the active channel.
- b. To collect and divert the river flow around in-channel construction areas, sandbag coffer dams sealed with 6-millimeter plastic or equivalent will be used upstream to pond water for pumping. The sandbags and plastic sheeting will be keyed into the existing channel bed and banks to minimize leakage. Exact dimensions of coffer dams will depend on size of stream channels and flows.
- c. Locate coffer dams to minimize bed and bank disturbance and the need to remove/prune riparian vegetation.
- d. During removal of coffer dams, turbid water may need to be pumped out of the channel to avoid short term water quality impacts. Any disturbance to channel bed or banks would be returned to stable condition after coffer dams are removed.

Additional resource protection measures specific to the protection of LCT can be found in the Biological Opinion (File No. 2008-F-0434-R001).

Ongoing Management for the Protection of the Environment:

The Lead Agency determined that the Project includes ongoing management for the protection of the environment. Forest Service manual direction (FSM 2670.12) directs the Forest Service to conduct activities and programs to assist in the identification and recovery of threatened and endangered plant and animal species. The Land and Resource Management Plan (2016) has specific objectives that support the recovery LCT in the UTR. Post implementation, effectiveness monitoring will occur to 1) ensure complete target species eradication from the action area and to 2) ensure that all temporary impacts associated with Project implementation are returned to pre-project conditions. LTBMU proposes the use eDNA sampling as the main monitoring effort as it is relatively inexpensive, has been proven as an effective tool in determining species presence/absence, and is less intrusive than electro-fishing. Post implementation monitoring is proposed annually for three years following completion. After three years of no detections, monitoring efforts will continue and are expected to shift to once every three years.

D. The Project does not include any construction activities, except for construction activities solely related to habitat restoration. Please cite and attach any supporting documents.

The Lead Agency determined that the Project does not include any construction activities, including construction activities related to habitat restoration. Proposed activities include gillnetting, electrofishing, and use of temporary diversion dams to dewater the stream channel during Project activities. Temporary diversion dams do not require construction and will be removed from the stream channel when not in use during Project activities.

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.



A handwritten signature in black ink, appearing to read "Michael R. Plaziak".

Date: March 17, 2023

Lead Agency Signature

Printed Name and Title: MICHAEL R. PLAZIAK, PG, EXECUTIVE OFFICER