

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
DIRECTOR'S OFFICE
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**CALIFORNIA ENVIRONMENTAL QUALITY ACT STATUTORY EXEMPTION FOR
RESTORATION PROJECTS
CONCURRENCE NO. 21080.56-2023-027-R1**

Project: Mountain Meadows Creek Restoration Project
Location: Lassen County
Lead Agency: Honey Lake Valley Resource Conservation District
Lead Agency Contact: Andrea Stuemky, astuemky@honeylakevalleyrcd.us

Background

Project Location: The Mountain Meadows Creek Restoration Project (Project) is located about six miles southeast of the census-designated place of Westwood, in the southwest portion of Lassen County. The Project area encompasses approximately 441.35 acres of meadow. The approximate coordinates of the center of the Project area are 40.26247, -120.90406. The Mountain Meadows Creek flows directly through the Project area and into the Mountain Meadows Reservoir, which is the headwaters for Hamilton Branch Creek that flows into Lake Almanor, whose outflow is the North Fork of the Feather River. The Project area is owned by RRF Westwood LLC and actively managed by W.M. Beaty & Associates.

Project Description: The Project area was historically a multiple channel system. Legacy land use impacts have resulted in an active, deeply incised channel that follows the north edge of the alluvial fan/boundary of the meadow. The downstream portion of this channel has been historically dredged and re-purposed to carry irrigation return flows and groundwater discharge. Furthermore, two deeply incised channels in the center of the fan are disconnected from the current active flow. These features also show other direct alteration (e.g., levees and culverts), likely to facilitate drainage of the meadow for early season use, then later to convey irrigation water to extend seasonal productivity. In addition, there is a network of railroad logging grades across the fan which has also disrupted channel processes. Finally, in the northwest portion of the upper fan pockets of concentrated cobbles were mined for ballast rock for the railroad tracks.

The Honey Lake Resource Conservation District (Honey Lake RCD) in partnership with the Plumas Corporation proposes to carry out the Project to conserve and restore habitat for California native fish and wildlife. The Project is designed to eliminate channel incision and reactivate historic flow-paths on the meadow surface and will include planting native plant species in the riparian corridor and xeric portions of the meadow, removal of encroaching conifers, and implementing grazing management changes to enhance habitat quality for meadow species. The restored hydrology and improved floodplain function will promote more

vigorous growth of mesic meadow plant species, enhance summer flow conditions, and improve water quality by eliminating eroding banks and filtering flood flows on the meadow floodplain surface.

The Project includes a variety of treatment techniques to eliminate channel incision, including partial fill in the three primary gullies (and several upland ditch fingers tributary to the primary gullies) and complete fill or riffle augmentation with rock and sod riffles in less-incised reaches of channel. On-site fill will be generated from in-gully borrow areas, creating ponds as the groundwater table recovers. Additional fill will be generated from a terrace on the meadow edge that will be graded, reducing the overall number of borrow ponds. Filling the incised gullies at Mountain Meadows Creek will require excavation and placement, using heavy equipment, of approximately 80,000 cubic yards of soil in the approximately: forty partial channel fill plugs; four upland ditch plugs; and one complete fill reach to eliminate the existing gullied channel and raise/restore the base elevation of surface water flow in the meadow. An additional estimated 125,000 cubic yards of fill would be placed in the upland, eroded segments of channel outside of mapped wetland areas, for a total of approximately 225,000 cubic yards of fill.

Additionally, the Project includes filling, abandoning, and seeding an eroded, cross-meadow roadway; planting/fencing of up to 300 native shrubs in the riparian corridor; addition of rock to an existing forest road to reduce erosion and accommodate sheet flow under restored flow conditions; removal of encroaching conifers on approximately seventy-five acres of meadow/riparian corridor; and construction of cross-pasture fencing to implement grazing management changes that promote habitat quality in the meadow.

Interrelated and interdependent Project actions include post-restoration monitoring and assessment of the structural integrity within the Project area to identify potential maintenance needs. If it is determined that any occurring erosion is affecting the structural integrity of the Project, maintenance actions may be taken to ensure the Project continues to meet desired conditions. Maintenance actions would be similar to those proposed for the restoration listed above and may require the use of heavy equipment.

Tribal Engagement: Efforts to engage local tribes and record local knowledge of cultural sites occurred during 2021 and 2022 and included emails, phone calls, and/or certified letters to contacts provided by the Native American Heritage Commission. In July 2022 the Honey Lake RCD received a response letter from the Concow-Maidu of Mooretown Rancheria.

Interested Party Coordination: The Project is part of a broader landscape-scale restoration effort in the Mountain Meadows Basin. The Project proponent received three years of funding from the Intermountain West Joint Venture (2010-2012) to foster stakeholder relationships of the Mountain Meadows Conservancy and advance a suite of restoration projects, including the Project. The Mountain Meadows Conservancy has supported efforts to secure funding for the Project. The Project proponent has provided periodic updates to local watershed collaboratives including the July 2019 State of the Lake Forum (Lake Almanor Basin) and meetings of the South Lassen Watershed Group. Additionally, a field tour of the Project area was conducted in April 2022 that included agency representatives from the California Department of Fish and Wildlife's (CDFW) Cutting the Green Tape Program and U.S. Fish and Wildlife Service's (USFWS) Partners for Fish and Wildlife Program.

Anticipated Project Implementation Timeframes: Start Date: August 2023
End Date: December 2026

Lead Agency Request for CDFW Concurrence: On April 21, 2023, the Director of the California Department of Fish and Wildlife (CDFW Director) received a concurrence request from the Honey Lake RCD (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 April 19, 2023, 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 intends to restore and enhance mesic meadow habitat by restoring floodplain function at Mountain Meadows Creek. The Project will eliminate channel incision and reactivate historic flowpaths on the meadow surface and includes planting native plant species in the riparian corridor and xeric portions of the meadow, removal of encroaching conifers, and implementing grazing management changes to enhance habitat quality for meadow species. The restored hydrology and improved floodplain function will promote more vigorous growth of mesic meadow plant species, enhance summer flow conditions, and improve water quality by eliminating eroding banks and filtering flood flows on the meadow floodplain surface.

- 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.

All Project activities are exclusively for the purpose of habitat restoration.

- 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:

An important climate-related impact to Sierra Nevada ecosystems is the shift from decreasing numbers of snow events to increased rain events. Restoring the Mountain Meadows Creek meadow floodplain addresses this impact in several ways. Reconnecting the incised channels with the meadow floodplain will allow flows to spread out, attenuating peak velocities and reducing opportunities for flood events downstream. As flows disperse across the floodplain, water is absorbed into meadow soils, providing increased water retention and replenishment of the shallow groundwater aquifer. The increased groundwater retention in turn compensates for the reduced snowpack and projected declines in spring runoff by slowly filtering and releasing water into stream channels later into the summer months. Extending the availability of cold, clean surface water in the meadow and downstream provides resiliency to drought climate impacts on habitats for a multitude of both terrestrial and aquatic wildlife species. Moreover, the hydrologic improvements are expected to make the meadow self-sustaining, ensuring this habitat is available for species that have reduced habitat under drier conditions.

The Project will also promote climate resiliency through a two-fold effect on carbon storage: (1) restoring the meadow will prevent continued loss of carbon via oxidation from continued drying meadow soils; and (2) the restored meadow will act as a net carbon sink as the meadow soils begin to re-sequester carbon through increased aboveground and belowground biomass.

Long-term Net Benefits to Biodiversity:

In conjunction with neighboring restoration efforts, the Project would contribute to long-term net benefits to biodiversity in the area by expanding the contiguous habitat footprint in the basin. This will counter the effects of modeled fragmentation in a

critically important migratory bird corridor and in the home range of the Lassen Pack gray wolf (*Canis lupus*).

Additionally, the Project is designed to enhance biodiversity by restoring wet meadow habitat. The Project will increase the diversity of avian forage and habitat by improving riparian and wet meadow characteristics through much of the Project area. These improvements are expected to enhance breeding for meadow bird species including willow flycatcher (*Empidonax trailii brewsteri*), yellow warbler (*Setophaga petechia*) and greater sandhill crane (*Antigone canadensis tabida*). Expansion of meadow habitat would also improve habitat quality for the herd of Rocky Mountain elk (*Cervus canadensis nelsoni*) that is expanding in northern California.

Revegetation efforts will also contribute to biodiversity by seeding disturbed areas with a blend of native graminoids and forbs. Additionally, the Project includes planting and fencing of up to 300 native shrubs in the riparian corridor, willow staking, and construction of cross-pasture fencing to implement grazing management changes that promote habitat quality in the meadow.

Long-term Net Benefits to Sensitive Species Recovery:

The Project's restoration measures will create suitable habitat and support long-term net benefits and recovery for sensitive species documented within and in the vicinity of the Project area. The following sensitive species were determined by Plumas Corporation and Klamath Wildlife Resources, based on CDFW and USFWS Information for Planning and Consultation (IPAC) queries, as well as past species surveys and analysis, to have the most potential to be present within or near the Project area, and include Sierra Nevada yellow-legged frog (*Rana sierrae*), foothill yellow-legged frog (*Rana boylei*), western pond turtle (*Actinemys marmorata marmorata*), northern goshawk (*Accipiter gentilis*), California spotted owl (*Strix occidentalis occidentalis*), great gray owl (*Strix nebulosa*), willow flycatcher, greater sandhill crane, bald eagle (*Haliaeetus leucocephalus*), osprey (*Pandion haliaetus*), gray wolf, Sierra marten (*Martes caurina sierra*), Pacific fisher (*Pekania pennanti*), wolverine (*Gulo gulo*), pallid bat (*Antrozous pallidus*), western red bat (*Lasiurus blossevillii*), and Townsend's big-eared bat (*Corynorhinus townsendii*).

Procedures for the Protection of the Environment:

The Project has a suite of project-specific protection measures, including but not limited to: dry season work window, species relocation plans, salvage plans for existing vegetation, adherence to a Construction General Permit and a site-specific Stormwater Pollution Prevention Plan (SWPPP), species-specific surveys (plant and animal) prior to construction with possibility of limited operating periods and/or buffers if detections occur, noxious weed prevention and treatment plan, and vehicle washing protocol.

Ongoing Management for the Protection of the Environment:

The Project has been designed to be self-sustaining by re-establishing the natural floodplain hydrologic function, which mitigates the erosive potential of peak flows. To ensure this, the Project includes 5 years of post-restoration monitoring and will identify the need for maintenance, if necessary. If it is determined that any occurring erosion is

affecting the Project's structural integrity, maintenance and/or management actions may be taken.

The Project also includes the development of a long-term management plan, development of criteria for grazing management, and ensuring that grazing does not adversely affect the restoration. The plan will be developed in collaboration with the landowner, land manager, and grazing lessee. As part of the long-term management plan, the Project will include the installation of cross-fences to control distribution of cattle during periods of soil saturation.

- 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's implementation activities are all related to the overall goal of the Project to restore or enhance habitat in the Project area. The Project outline involves:

- Restoration clearances: pre-restoration surveys/flagging for wildlife, botany, and noxious weeds will be conducted beginning in spring 2023.
- Mobilization and site preparation: stockpile and staging areas will be identified prior to equipment mobilization, and all access routes will be on existing roads.
- Project Implementation: partial channel fill, complete channel fill, riffle construction, road decommissioning, road armoring, conifer removal, demobilization.
- Revegetation, Fencing, and Grazing Management.
- Post-Project Monitoring.

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: 6/20/23 _____

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