

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
DIRECTOR'S OFFICE
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**CALIFORNIA ENVIRONMENTAL QUALITY ACT STATUTORY EXEMPTION FOR
RESTORATION PROJECTS
CONCURRENCE NO. 21080.56-2023-032-R5**

Project: Taylor Ranch Arundo Removal Project Phase 4
Location: Ventura County
Lead Agency: Ventura County Resource Conservation District (VCRCD)
Lead Agency Contact: Desirae Braga, desirae.braga@vcrd.org

Background

Project Location: The Taylor Ranch Arundo Removal Project Phase 4 (Project) is located on the lower Ventura River on five parcels of land, Accessor's Parcel Numbers 060-0-310-165, 060-0-310-185, 068-0-141-015, 060-0-320-195, and 071-0-120-075. The Project is located along Highway 33, in both the City of Ventura and unincorporated Ventura County at coordinates 34.286278, -119.308571.

Project Description: The VCRCD (Lead Agency), in partnership with the Wood-Claeysens Foundation, 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 and proposes to restore or provide habitat for California native fish and wildlife. The Project is designed to benefit native plant species in the area including Plummer's baccharis (*Baccharis plummerae*), southern California black walnut (*Juglans californica*), and southwestern spiny rush (*Juncus acutus* ssp. *leopoldii*) through the improvement and enhancement of riparian habitat. Wildlife species that are likely to benefit include monarch butterfly (*Danaus plexippus*), tidewater goby (*Eucyclogobius newberryi*), southern California steelhead (*Oncorhynchus mykiss irideus* pop. 10), California red-legged frog (*Rana draytonii*), tricolored blackbird (*Agelaius tricolor*), western yellow-billed cuckoo (*Coccyzus americanus occidentalis*), least Bell's vireo (*Vireo bellii pusillus*), and southwestern willow flycatcher (*Empidonax traillii extimus*).

The Project will restore 213 acres of land through the removal of Arundo (*Arundo donax*). Arundo is an invasive grass species rated 'High' by the California Invasive Plant Council. The species is known to have a severe ecological impact by displacing native riparian habitat and impacting plant and wildlife species that utilize these habitats within riparian corridors. Other concerns associated with Arundo include increased fire load, altered channel morphology, and reduced availability of surface water and groundwater.

The Project includes manual removal of Arundo with foot crews, hand tools, and herbicide. Herbicide use will utilize the cut and daub method and follow-up spraying on foliage, applied by a qualified herbicide applicator. Arundo stems will be cut, and herbicide will be applied to freshly cut stems. Small water crossings for foot traffic may be spanned during low-flow periods with temporary planks that will be removed after use. Arundo biomass will be moved to a staging area, chipped, and hauled away from the site. Several other invasive woody plant species will be opportunistically removed, including tree tobacco (*Nicotiana glauca*), castor bean (*Ricinus communis*), and tamarisk (*Tamarix spp.*). Treatment will occur yearly, outside of bird nesting season, as necessary to treat Arundo in the Project area.

Tribal Engagement: Tribal representatives from the Chumash Ventureño tribe have been contacted about the Project. An advocate for the Ventureño tribe reviewed the Project description and discussed the Project with the Lead Agency. On April 5, 2023, a Chumash representative called by phone and made suggestions about the Project.

Interested Party Coordination: The Army Corps of Engineers (ACOE) was consulted about the Project via email on November 2, 2022. ACOE confirmed that Project activities will not require authorization under Section 404 of the Clean Water Act or Section 10 of the Rivers and Harbors Act. The State Water Resource Control Board was contacted in the process to obtain Clean Water Act Section 401 coverage.

Anticipated Project Implementation Timeframes:

Start date: September 2023

Completion date: September 2028

Lead Agency Request for CDFW Concurrence: On August 14, 2023, the Director of the California Department of Fish and Wildlife (CDFW Director) received a concurrence request from the 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 August 14, 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 activities of invasive vegetation removal and follow-up re-treatments will directly restore, enhance, and protect riparian habitat. Improving riparian habitat will provide benefits to sensitive and listed species and are expected to directly benefit listed riparian bird species such as least Bell's vireo, western yellow-billed cuckoo, and southwestern willow flycatcher.

- 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.

Through implementation of the restoration measures, the Project may have other incidental public utility, health, and safety benefits. By removing invasive plant species, water quality and supply may be enhanced by the reduction in soil erosion, which may also benefit downstream users. Furthermore, removal of non-native vegetation may decrease the health and safety risks associated with wildfires within large stands of *Arundo*. Reducing the risk of wildfire may also minimize the acute risk of poor air quality. Long-term, native plant reestablishment may improve carbon sequestration, which may help mitigate against the effects of climate change.

- 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 have benefits to climate resiliency through the removal of Arundo. Arundo tends to out-compete native vegetation but is susceptible to wildfire and can increase the frequency and severity of wildfire. Through the removal of Arundo, the Project will allow native vegetation to re-establish, which is better adapted to seasonally dry, wildfire-prone conditions. This will likely reduce the severity and frequency of future wildfires in the Project area.

Long-term Net Benefits to Biodiversity: Through the removal of Arundo, there will be increased native vegetation biodiversity, which in turn provides suitable habitat for more native wildlife species. Left unchecked, Arundo can form monotypic stands that out-compete native vegetation. Through removal of the Arundo stands, the Project will enable native plant species to re-establish in the riparian area. The native vegetation provides ecosystem benefits for native wildlife in the form of nesting, foraging, cover, rearing, migration, and shelter habitats. These ecosystem services ultimately promote biodiversity.

Long-term Net Benefits to Sensitive Species Recovery: The Project will improve the quality of riparian habitat by increasing native tree cover, particularly by arroyo willow (*Salix lasiolepis*) and red willow (*Salix laevigata*). This willow habitat will contribute for foraging, nesting, and aquatic cover for listed species including least Bell's vireo and southern California steelhead. Least Bell's vireo primarily nest in riparian habitats dominated by willows and mule fat (*Baccharis salicifolia*), with dense understory vegetation. Native vegetation also provides rearing and sheltering habitat (i.e., cover) for multiple life stages of southern California steelhead.

Procedures for the Protection of the Environment: The Project includes avoidance and minimization measures to ensure the protection of the environment, wildlife species, and their habitat. Measures include, but are not limited to, qualified biological monitoring, establishment of nesting bird protections and work windows, sensitive species surveying, implementation of buffers when necessary, and low impact and responsible herbicide treatment and application methods.

Ongoing Management for the Protection of the Environment: The Project includes ongoing management for the protection of the environment. Following the initial removal measures there will be ongoing efforts to control and eradicate Arundo and other invasive vegetation throughout the Project area through at least 2028. Following 2028, the Wood-Claeysens Foundation is committed to continue ongoing vegetation management, and if necessary, may seek opportunities to continue project activities.

- 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 does not include construction activities.


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.

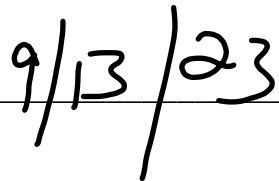
Other Legal Obligations

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
California Department of Fish and Wildlife

Date:  _____