CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
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CALIFORNIA ENVIRONMENTAL QUALITY ACT STATUTORY EXEMPTION FOR RESTORATION PROJECTS
CONCURRENCE NO. 21080.56-2024-054-R1

Project:	Mattole Headwaters Enhancement and Planning Project
Location:	Humboldt and Mendocino Counties
Lead Agency:	Humboldt County Planning and Building Department
Lead Agency Contact:	Portia Saucedo; psaucedo1@co.humboldt.ca.us

Background

Project Location: The Mattole Headwaters Enhancement and Planning Project (Project) is located within parts of southern Humboldt and northern Mendocino Counties. The Project will be implemented across five sites within or adjacent to the Mattole River and its tributaries that include Lost River, Baker Creek, Vanauken Creek, and McKee Creek.

- The Baker Creek site is located off Briceland Thorne Road, approximately 4.2 miles southeast of the intersection of Briceland Thorn Road and Shelter Cove Road (Thorn Junction neighborhood) and 0.7 miles north of the Humboldt/Mendocino County line. The Baker Creek site reach is approximately 1 mile long and spans through land owned by the State of California, the federal government, and Lost Coast Forestlands, respectively. The Baker Creek site reach ends at the confluence with the Mattole River.
- The Lost River site is located off Briceland Thorn Road, approximately 5.5 miles south of the Thorn Junction neighborhood and 0.7 miles south of the Humboldt/Mendocino County line. The Lost River site reach is approximately 1 mile long and spans through land owned by the State of California and Sanctuary Forest, respectively. The Lost River site reach ends at the confluence with the Mattole River.
- The Mattole River site is located along Briceland Thorn Road, with the northernmost part of the site reach approximately 3.4 miles south of the Thorn Junction neighborhood.
- The McKee Creek site is located on an approximately 1.4-mile reach in southern Humboldt County with the downstream end of the site reach approximately 0.1 miles east of the Thorn Junction neighborhood. The McKee Creek site reach spans through several privately owned properties, including property owned by Sanctuary Forest and Merlin Trust.
- The Vanauken site is located off Briceland Thorn Road, approximately 1 mile southeast of the Thorn Junction neighborhood along a reach that is approximately 0.7

miles long, beginning at the confluence of two upstream tributaries and ending at the confluence with the Mattole River. The Vanauken site reach spans mainly through property owned by Lost Coast Forestlands and is 3.5 miles north of the Humboldt/Mendocino County line.

Project Description: Sanctuary Forest, in partnership with the Humboldt County Planning and Building Department, 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 restore or provide habitat for California native fish and wildlife. The Project is designed to restore natural stream process, function, and health conditions at five designated sites within the Mattole River headwaters. Restoration activities will include installation of instream habitat structures and forest thinning in adjacent riparian and upland habitat. The Project is designed to restore habitat for native salmonids, improve dry season stream flows and forest habitat conditions, and accelerate natural large wood recruitment while reducing risk of catastrophic wildfire. Instream treatments include installing log and boulder weirs, subsurface clay restrictive barriers, large wood habitat structures, habitat enhancement and bank stabilization structures, and conducting strategic channel grading for reconnection of inset floodplains. Forest thinning will mostly occur within 300 feet of the stream with the goals of reducing evapotranspiration of overstocked young forests, accelerating natural recruitment of large wood into the stream, restoring diversity of habitat types to the riparian area, and reducing the risk of catastrophic wildfire. Treatment methods will emphasize increasing habitat heterogeneity and the establishment of structural diversity characterized by trees of various species, sizes, ages, and conditions, and will follow guidance for management of cultural resources provided by local tribal groups. Thinning will rely on hand crews as well as tracked equipment such as excavators equipped with masticators, where feasible. Thinned materials will be lopped and scattered and in some cases pile-burned, chipped, or utilized in instream structures.

Following the initial restoration phase the Project will include effectiveness monitoring, which will involve streamflow and water quality monitoring, habitat surveys, and review of performance of individual structures. Adaptive management will include ensuring structures maintain fish passage jump height guidelines and minimal structure modifications. A Project technical advisory committee will convene during a five-year monitoring period to assess effectiveness and adaptive management needs. Most project areas are suited to natural revegetation, but active revegetation using native plants will be conducted where necessary.

Tribal Engagement: The Humboldt County Planning and Building Department referred the Project to the Northwest Information Center, the Bear River Band of the Rohnerville Rancheria, and the Intertribal Sinkyone Wilderness Council. The Bear River Band responded with a request for a cultural resource study for the proposed Project area which has been conducted by William Rich and Associates. All recommendations in the cultural resource study will be adhered to during restoration activities.

In addition, Sanctuary Forest is in close contact with local Wailaki tribal members who have visited the Project's sites and offered input. A cultural resources firm has also been contracted to provide archaeological surveys, historical record searches, and outreach to other tribal groups in the region. Furthermore, Bear River Band of the Rohnerville Rancheria

responded to tribal outreach conducted on behalf of Sanctuary Forest, and representatives from the tribe visited the Project's sites with Sanctuary Forest staff. As the Project progresses, additional surveys will be completed and further consultation with the appropriate tribes will occur.

Interested Party Coordination: Sanctuary Forest has conducted ongoing public outreach and coordination through social media campaigns, newsletters, and open office hours. Sanctuary Forest has communicated or worked closely with the Humboldt County Planning and Building Department, Humboldt County Public Works, California Department of Fish and Wildlife (CDFW), the State Water Resources Control Board, National Marine Fisheries Service (NMFS), and California Department of Parks and Recreation. A portion of the Project lies within Mendocino County, and the Mendocino Department of Planning and Building Services was contacted to coordinate any permit requirements for the Project.

Anticipated Project Implementation Timeframes: Start date: May 2024
Completion date: October 2034

Lead Agency Request for CDFW Concurrence: On May 23, 2024, the Director of CDFW (CDFW Director) received a concurrence request from the Humboldt County Planning and Building Department (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 May 22, 2024, 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 restore and enhance instream, floodplain, and forest habitat in the upper mainstem and four headwaters tributaries of the Mattole River, and will assist in the recovery of Coho Salmon (*Oncorhynchus kisutch*), steelhead trout (*O. mykiss*), and other fish and wildlife species in the Mattole River watershed. Floodplain channels will be created, and large wood features will be installed across the Project sites. The Project will enhance floodplain connection and in-channel complexity thus providing and supporting the creation of important rearing habitat for native salmonids. Forest thinning of overstocked young forests near the channel will improve summer streamflow, support a mosaic of forest habitat types, accelerate the natural recruitment of large wood, and reduce the risk of catastrophic wildfire.

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.

   Some of the Project's restoration activities, including forest thinning, have the potential to reduce the risk of catastrophic wildfire, which would be beneficial to state, federal, and private landowners, and members of the public who live and recreate in the vicinity of the Project.

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: Future anticipated climate change effects, as outlined in the State Wildlife Action Plan for the Northern California Coast, include an increase in average temperatures, a decrease in average rainfall, a shift in the hydrologic regime, and a substantial increase in wildfire risk. This Project will provide enhanced habitat and streamflow for sensitive aquatic species which are vulnerable to climate change as increased temperature, drought, and flooding will have a significant impact on watersheds. The forest thinning component will accomplish long-term climate resilience by restoring habitat heterogeneity in a

landscape impacted by historical timber management. The Project will establish structural complexity and heterogeneity characterized by trees of various species, sizes, ages, and conditions (including standing dead and fallen trees). The risk of catastrophic wildfire will be greatly reduced by re-establishing a healthy tree density and mosaic of habitats and spreading or removing thinned biomass. Thinning overstocked and encroaching conifers will decrease competition among trees and reduce the use of shallow groundwaters that contribute to dry season streamflow.

Long-term Net Benefits to Biodiversity: The Project will restore and enhance habitat for Coho Salmon as well as all anadromous species in the Mattole River basin, including Chinook Salmon (*O. tshawytscha*), steelhead trout, and Pacific Lamprey (*Entosphenus tridentatus*). Other documented aquatic species in the upper Mattole River basin that are expected to benefit from the Project include: northern red-legged frog (*Rana aurora*), foothill yellow-legged frog (*R. boylii*), red-bellied newt (*Taricha rivularis*), coastal giant salamander (*Dicamptodon tenebrosus*), and northwestern pond turtle (*Actinemys marmorata*). The restoration of natural channel processes will create a diversity of habitats throughout the Project's sites that can be utilized by various life stages of these fishes, amphibians, and reptiles. Forest thinning will help restore a diverse mosaic of forest types which in turn is expected to support a wider variety of wildlife species and benefit biodiversity. Reducing the risk of catastrophic wildfire will result in long-term benefits to aquatic species and plant communities alike.

Long-term Net Benefits to Sensitive Species Recovery: The Project will result in long-term benefits for sensitive fish species including Coho Salmon and steelhead trout by improving summer and winter rearing habitat and summer streamflow. In the Project area, Coho Salmon are listed as threatened under both the federal Endangered Species Act (ESA) and the California Endangered Species Act (CESA). In the Project area, both winter-run and summer-run steelhead are listed in a single Northern California Steelhead Distinct Population Segment listing unit as threatened under the federal ESA, and summer steelhead are listed as endangered under CESA.

The Project will improve habitat quality, pool persistence, and streamflow providing juvenile Coho Salmon and steelhead a better chance of surviving the dry season and finding slow water refuge in the wet season. The juvenile life stage is likely the most limited life stage for Coho Salmon due to reductions in quality and quantity of summer and winter rearing habitat. Coho Salmon in the Mattole River represent the southern extent of the Southern Oregon and Northern California Coast Evolutionarily Significant Unit (SONCC ESU) and may be more genetically differentiated from populations nearer the center of their range and contribute significantly to their respective species' total genetic diversity and evolutionary potential. Enhancing habitat for the remaining Coho Salmon in the upper Mattole River watershed and conserving diversity within the SONCC ESU can promote resiliency and the potential for recovery.

Procedures for the Protection of the Environment: The Project includes avoidance and minimization measures for the protection of the environment consistent with those described in resource agency permits for similar past projects. These measures include but are not limited to pre-work biological surveys, biological monitoring, aquatic

species relocation, project area demarcation, noise minimization, seasonal work windows, erosion and sediment control, and strategic operation and maintenance of equipment. Additionally, forest thinning will either occur outside of general bird breeding season or bird surveys will be conducted prior to any work.

Ongoing Management for the Protection of the Environment: The NMFS SONCC Recovery Plan, the NMFS California Coastal Multi-Species Recovery Plan, and the Mattole River and Range Partnership Coho Recovery Strategy outlines and prioritizes restoration, protection, and management actions that will help recover SONCC. This Project is one component of a multifaceted effort to restore healthy fish runs and healthy forests to the watershed and protect the Mattole from further degradation and the effects of climate change. Specifically, post-restoration efforts will include effectiveness monitoring, including streamflow and water quality monitoring; habitat surveys; and review of performance of individual structures. Adaptive management will include ensuring structures maintain fish passage jump height guidelines and minimal structure modifications. A Project technical advisory committee will convene during a five-year monitoring period to assess effectiveness and adaptive management needs. Most of the Project sites are suited to natural revegetation, but active revegetation using native plants will be conducted where necessary. The ongoing management of the forests in the Project's sites will prioritize biodiversity instead of the historic focus on timber production. Management practices will include promotion of habitat heterogeneity, varied canopy density, and retention of snags.

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.

   Use of heavy equipment will be exclusively for habitat restoration activities, including route modifications and improvements that are part of the Project's habitat restoration 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:_____ Date: 6/19/24

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