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. 21080.56-2024-062-R6

Project:	Pickel Meadow Restoration Project
Location:	Mono County
Lead Agency:	Lahontan Regional Water Quality Control Board
Lead Agency Contact:	Meghan Walsh; Meghan.Walsh@waterboards.ca.gov

Background

Project Location: The Pickel Meadow Restoration Project (Project) is located on Pickel Meadow, which is a 450-acre meadow located along the West Walker River in Mono County, adjacent to State Highway 108. The overall Project size is approximately 7.3 acres (0.5 acres/4,311 linear feet in aquatic areas, 6.8 acres in upland areas) and will result in approximately 71 acres of net ecological uplift both within and beyond the 7.3-acre Project area. The Project area is primarily located on the Pickel Meadow Wildlife Area owned and managed by the California Department of Fish and Wildlife (CDFW) with a portion of the Project located on land owned and managed by the US Forest Service, Humboldt-Toiyabe National Forest (HTNF). The approximate coordinates of the Project area are 38.34954, -119.53237.

Project Description: The Lahontan Regional Water Quality Control Board (Lead Agency) in partnership with American Rivers, CDFW, and HTNF, 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 will enhance and restore the physical and biological functions, improve aquatic habitat complexity, and prevent further incision and erosion within the West Walker River. The outcome of the Project is expected to result in the restoration of approximately 71 acres and 8,699 linear feet of aquatic and meadow habitat in Pickel Meadow, including 64 acres and 1,677 ft. of wetland, six acres and 326 ft. of riparian, and one acre and 6,696 linear ft. of streambed/bank. This will promote a more biodiverse area by increasing wet meadow and riparian vegetation growth and increasing interactions between plant and animal communities. Furthermore, the Project will help maintain and preserve important habitat characteristics for fish and wildlife and enhance native plant community structures.

Three primary impairments have been identified as leading to the degraded aquatic habitat conditions and increased erosion in Pickel Meadow: (1) the alluvial fan at the upstream end of the meadow, that historically distributed water across the meadow surface during high

flows, is disconnected from the meadow by an artificial berm, now used as a parking lot for recreational access; (2) the water table throughout the meadow is lowered due to past and recent incision in the upper meadow; and (3) the West Walker River channel through Pickel Meadow is highly simplified and lacks deep pools and other cover for fish and aquatic organisms.

Except for the disconnected alluvial fan, these impairments likely stem from historic land use practices, primarily grazing, which have led to reduced vegetation, increased soil compaction, and increased erosion.

To address these issues and restore site conditions the Project will include the following activities:

- **Alluvial Fan Reconnection:** The artificial berm at the upstream end of the Project will be removed, and the area will be graded to direct flows towards the historical alluvial fan channels to reestablish geomorphic and biological processes at a range of flows. Disturbed areas will be revegetated with appropriate native plant communities. Apex log jams will also be installed in the West Walker River to encourage reactivation of alluvial fan channels.

- **Aquatic Habitat Improvements:** Three apex log jam structures, a boulder field, and approximately 26 boulder clusters will be installed in the West Walker River to increase hydraulic complexity and improve fish habitat. Additionally, approximately eight habitat logs and nine boulder clusters will be installed in a side channel of the West Walker River to increase complexity and cover.

- **Spring Protection and Grazing Improvements:** Wildlife-friendly cattle exclusion fencing will be installed to protect a spring, and the existing fence line around the Middle Pickel Pasture and will be realigned to permanently exclude livestock from the alluvial fan reconnection areas.

- **Diversion Upgrades:** The CDFW diversion point, located on a side channel of the West Walker River, will be moved upstream and upgraded to ensure reliability and allow CDFW to continue irrigating a portion of the upper meadow that cannot be reconnected to the West Walker River due to its proximity to Highway 108. Continued irrigation will support the existing native wetland plant community and high-quality wildlife habitat. In addition to the diversion upgrade, boulders will be strategically placed in the main channel of the West Walker River to help safeguard the connectivity of the side channel from which water is being diverted.

- **Public Access Relocation:** Some of the current recreational and access features on site will be relocated and/or improved to support restoration and protect meadow resources. To allow for distributed water across the meadow surface during high flows and to move access away from sensitive areas, the existing parking lot will be moved closer to the highway, and the existing trail that currently traverses across the artificial fill area will be realigned to connect the relocated parking lot to the Walker River. The

realigned trail will allow access for Project's monitoring, maintenance, and adaptive management activities.

After initial restoration activities are completed, the Project will include maintenance, Monitoring, and adaptive management work. This work is anticipated to include groundwater monitoring, general vegetation monitoring, residual stubble height, photo point monitoring, As Built records, Institute for Bird Populations (IBP) avian monitoring, California Rapid Assessment Method (CRAM) monitoring of riparian and slope Wetlands, visual assessment of cover, and timelapse streamflow monitoring.

Tribal Engagement: The Lead Agency sent out physical letters and e-mailed letters to all three tribes that the Native American Heritage Commission has listed within proximity of the Project area. All communications were sent in early November 2024. Additionally, on November 7, 2024, the Lead Agency followed up with phone calls to each of these three tribes to ensure that the emails/letters have been received and to confirm whether tribes would like to consult regarding the impacts of this Project.

The HTNF has also initiated tribal consultation and State Historical Preservation Officer consultation in preparation of their National Environmental Policy Act (NEPA) process. Ten tribes were contacted via mail in May 2024. As of October 2024, no tribes had responded to the HTNF.

Interested Party Coordination: The Lead Agency has partnered with American Rivers, CDFW, and HTNF to collaborate with interested parties to develop the Project goals and the Project design, including Plumas Corps., The Wildlands Conservancy, Trout Unlimited, Marine Corps Mountain Warfare Training Center, California Trout, and Caltrans.

Anticipated Project Implementation Timeframes: Start date: August 2025
Completion date: December 2032

Lead Agency Request for CDFW Concurrence: On November 7, 2024, 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 November 7, 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 sole purpose of the Project is to restore aquatic and meadow habitat in Pickel Meadow. The Project's restoration activities will reconnect the alluvial fan with the meadow, improve aquatic habitat complexity, and prevent further incision and erosion. Altogether, the Project is expected to restore the structural and functional integrity of 71 acres of meadow and aquatic habitat for native fish and wildlife, including providing suitable habitat for Lahontan cutthroat trout (*Oncorhynchus clarkii henshawi*), Sierra Nevada red fox (*Vulpes vulpes necator*), wolverine (*Gulo gulo*), and greater sage-grouse (*Centrocercus urophasianus*).

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.

   While the exclusive purpose of the Project is habitat restoration, the Project may have incidental public access and recreation benefits. These incidental benefits will support the restoration of the area by re-directing existing public access and recreation away from sensitive ecosystems.

As part of the Project's restoration activities, the existing parking lot will be downsized and relocated closer to the highway. Likewise, the existing trail, that currently traverses across parts of the artificial fill area, will be relocated away from sensitive habitat that will be created by the Project, while still providing public access to the Walker River to facilitate existing recreation activities of fishing, hiking, and wildlife viewing. CDFW will utilize the relocated parking lot and trail for its ongoing management and monitoring of the Pickel Meadow Wildlife Area.

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: Project will have long-term net benefits to climate resiliency. Restoring the geomorphic and biological processes of the alluvial fan and meadow will result in more frequent out-of-bank flows in the upper meadow, resulting in increased area of wetted meadow and improving shallow groundwater levels.

Wet meadows address climate change issues by acting as carbon sinks, attenuating flood flows and acting as natural firebreaks during wildfire season. Furthermore, restored meadows with healthy river corridors and wetlands also act to store water during spring runoff and slowly release water later into the summer, improving base flows and water quality, which is expected to improve valuable riparian and wetland habitat, raising the shallow groundwater levels and increasing the energy needed to dry them out.

Long-term Net Benefits to Biodiversity: The Project will have long-term net benefits to biodiversity by restoring the geomorphic and biological processes of the alluvial fan and increasing wetness throughout the meadow. This will promote a more biodiverse area by increasing wet meadow and riparian vegetation growth and increasing interactions between plant and animal communities. The restored meadow habitat will increase insect and prey diversity and quantities, increasing availability for foraging for species such as the great gray owl (*Strix nebulosa*), as well as providing more favorable habitat for moonwort species.

The Project will also enhance fish habitat by installing boulder clusters and log structures around the confluence with Silver Creek, increasing channel complexity, which will benefit mountain whitefish (*Prosopium williamsoni*), Lahontan mountain sucker (*Catostomus lahontan*), and potentially Lahontan cutthroat trout. The Project will also improve riparian habitats for avian species like the willow flycatcher (*Empidonax traillii*) and restore high-quality meadow habitat in the upper portion of Pickel Meadow for mule deer (*Odocoileus hemionus*) and other terrestrial species.

Long-term Net Benefits to Sensitive Species Recovery: The Project will have net benefits to sensitive species by restoring and improving meadow, riparian, and aquatic habitats. The Project will also increase the available fish habitat and cover through the

placement of log jams and boulders clusters near the confluence of Silver Creek. The following special status flora and fauna are expected to benefit from the Project:

- mountain whitefish
- Lahontan cutthroat trout
- Lahontan mountain sucker
- northern goshawk (*Accipiter gentilis*)
- bald eagle (*Haliaeetus leucocephalus*)
- great gray owl
- monarch butterfly (*Danaus plexippus*)
- dainty moonwort (*Botrychium crenulatum*)
- upswept moonwort (*Botrychium ascendens*)
- slender moonwort (*Botrychium lineare*)
- Tioga Pass sedge (*Carex tiogana*)
- Liddon's sedge (*Carex petasata*)
- western valley sedge (*Carex vallicola*)
- eel-grass pondweed (*Potamogeton zosteriformis*)

Procedures for the Protection of the Environment: The Project includes procedures for the protection of the environment that will avoid and minimize potential impacts of the Project to the sensitive species that occur or have the potential to occur on site including, but not limited to, in-channel work being conducted during the low-flow period, a plant and soil salvage plan, a revegetation plan, invasive species introduction prevention, erosion control measures, and biological monitoring.

The Project will also obtain the appropriate permits and approvals including a Lake and Streambed Alteration Agreement from CDFW and approval under the Statewide Restoration General Order and the Statewide Construction General Permit from the Lead Agency.

Ongoing Management for the Protection of the Environment: A monitoring plan has been developed for this Project that includes monitoring Project goals, maintenance, and adaptive management to meet the success criteria developed for the Project. Post-Project monitoring and adaptive management will be conducted by American Rivers, their subcontractors, CDFW, and HTNF staff. Monitoring will include: groundwater levels, vegetation establishment and communities, residual stubble height, photo points, As Built records, avian surveys, CRAM monitoring for riparian and slope wetlands, visual assessment of cover, and timelapse streamflow monitoring.

Long-term management will be continued by CDFW. The management goals of the Pickel Meadow Wildlife Area are to preserve, protect, and enhance wetland, riparian, and aquatic habitats as well as provide public access to the West Walker River.

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.

All Project activities are related to the protection, restoration, or enhancement of habitat in the Project area. Restoration activities will include the following:

- Earthwork to remove the artificial fill and reconnect the historic alluvial fan channels.
- Placement of apex log jam structures, a boulder field, and approximately 26 boulder clusters in the West Walker River.
- Replace the CDFW diversion structure.
- Install cattle fencing.
- Rebuild the existing parking lot off the artificial fill area.
- Relocate the existing trail off the artificial fill area.

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: 12/11/2024

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