CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
DIRECTOR'S OFFICE
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CALIFORNIA ENVIRONMENTAL QUALITY ACT
STATUTORY EXEMPTION FOR RESTORATION PROJECTS
CONCURRENCE NO. 21080.56-2025-067-R5

Project:	Ventura River Watershed Riparian Resilience Program
Location:	Ventura County
Lead Agency:	Ventura County Resource Conservation District
Lead Agency Contact:	Jamie Whiteford; jamie.whiteford@vcrcd.org

Background

Project Location: The Ventura River Watershed Riparian Resilience Program (Program) is located in the Ventura River Watershed, in Ventura County at approximate center coordinates of 34.370550, -119.309577.

Project Description: The Lead Agency, in coordination with the Ojai Valley Land Conservancy (OVLC), 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. The Project is a ten-year Program designed to benefit native riparian habitat throughout the Ventura River Watershed and will benefit multiple listed and native species, including southern California steelhead (*Oncorhynchus mykiss*; endangered under the federal Endangered Species Act (ESA) and the California Endangered Species Act (CESA)), least Bell's vireo (*Vireo bellii pusillus*; endangered under the ESA and CESA), and Crotch's bumblebee (*Bombus crotchii*; candidate for listing under CESA). Other species that are likely to benefit include, but are not limited to, southwestern pond turtle (*Actinemys pallida*; proposed for listing as threatened under the ESA); arroyo chub (*Gila orcuttii*), two-striped garter snake (*Thamnophis hammondii*), California red-legged frog (*Rana draytonii*; endangered under the ESA) and southwestern willow flycatcher (*Empidonax traillii extimus*; endangered under the ESA and CESA).

The Program includes phased restoration of riparian corridors of the Ventura River Watershed through the removal of giant reed (*Arundo donax*) and other invasive plants, and active revegetation with native riparian plant species. Invasive plant species that will be removed include, but are not limited to, castor bean (*Ricinus communis*), Scotch broom (*Cytisus scoparius*), tree of heaven (*Ailanthus latissimus*), eucalyptus (*Eucalyptus* spp.), and Virginia creeper (*Parthenocissus quinquefolia*). Other invasive plant species to be treated will be listed as High, Moderate, or Limited by the California Invasive Plant Council (Cal-IPC).

Removal of giant reed and other invasive plant species will primarily be implemented by

manual removal with hand tools followed by herbicide application. Other techniques for removal of invasive plant biomass include mastication, removal of biomass debris by mechanized equipment, felling or climbing/rigging with use of a skid steer, basal bark treatment/girdling, drill and fill, weed-whacking, hand-pulling, solarization, and loosening of soil to remove roots/rhizomes. All cut biomass will be removed from the work area and transported to a designated staging area at least daily. This biomass may be chipped, incinerated, mowed, or used for habitat creation in upland habitat with approval from a qualified biologist. Any seed heads found will be bagged on site and taken off site for disposal.

The preferred method for herbicide application will be cut-and-daub, but other methods such as foliar spray may be employed as necessary for invasive plant removal. The herbicide used will be an aquatic approved formula applied under the direction of an individual with a Qualified Applicator License (QAL).

The Program will use a phased approach to address giant reed systematically throughout the watershed, over approximately 24 river miles and 2,000 acres. Phase I is defined as the initial treatment and first two retreatments of giant reed and other invasive plant species. This Phase will occur outside of nesting bird season (February 15 – September 15). Phase I will also include Early Detection Rapid Response (EDRR), involving monitoring the distribution and extent of giant reed and other invasive plant species across the Program area. The EDRR will detect, treat, and remove new occurrences of invasive plants before they can establish. Phase II will involve semi-annual retreatments of giant reed and emergent invasive plant species as sites begin to re-establish with vegetation. This Phase will also include treatment of any new target invasive plant species occurrences detected through monitoring efforts. Phase III includes native riparian revegetation and maintenance activities (such as irrigation, weeding, and monitoring), that will aim to increase natural native plant recruitment and bank stabilization. Phase IV will consist of long-term monitoring and watershed-wide EDRR, and will include field surveys, drone surveys, and citizen science to detect new invasive species occurrences in the Program area.

The Lead Agency will be responsible for administering the Program approach to this watershed-wide effort through providing information, permitting, use requirements, project standards, reporting, maintaining records, and ensuring permits are up to date. The Lead Agency will work with other entities to develop giant reed or other invasive species removal projects that meet the Program's eligibility criteria and enroll them in the Program. The Lead Agency will review all sub-projects proposed for the Program, and will evaluate methods, Best Management Practices, and avoidance and minimization measures to verify consistency with the Program requirements. The Lead Agency may approve qualifying sub-projects through execution of a contract or a memorandum of understanding and shall ensure sub-project compliance with the overall Program and any permitting requirements.

Tribal Engagement: OVLC has consulted with all local bands of the Chumash Tribe. Tribal engagement will be ongoing throughout the program life cycle as the Lead Agency and OVLC plan to continually actively engage with these local bands in all Program phases.

Interested Party Coordination: OVLC is actively conducting outreach and coordination with

the interested parties, including with riparian landowners, the general public, and public agencies. OVLC is building partnerships with riparian landowners and securing access agreements. Community outreach to the general public is building support for giant reed removal and riparian restoration through OVLC communications on the internet, local news media coverage, and community meetings. Public agencies have been engaged in the area and have been present at local community meetings. These agencies include, but are not limited to, the Ventura River Watershed Council, Ventura County – Weed Management Area Meetings, and the Ojai Valley Fire Safe Council.

Anticipated Project Implementation Timeframes: Start date: March 2025
Completion date: March 2035

Lead Agency Request for CDFW Concurrence: On January 10, 2025, 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 January 10, 2025 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 Program 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. This Program is specifically designed to target and remove giant reed in the Ventura River Watershed and will also remove other invasive plant species that negatively impact the riparian habitat in the watershed. Giant reed creates dense monoculture stands that consume substantial amounts of water and can contribute to the risk of catastrophic wildfire in the riparian zone. Through its removal and subsequent revegetation, native plant communities will be able to offer better habitat and foraging opportunities to native wildlife species. Giant reed removal is also expected to increase instream flow, benefiting all native riparian species.

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.

   The Program may have incidental public benefits, including increased surface water supply, reduced risks associated with flooding, and increased wildfire safety. Giant reed infestations consume large quantities of water. Removal of giant reed will likely have positive impacts on water supply for the community and contribute to in-river flows. During high flow events, giant reed biomass can contribute to impacts on critical infrastructure, exacerbating flood risks for downstream communities. Removal of this biomass, in particular root masses, may improve flood conditions for the surrounding communities.

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 Program will have net benefits to climate resiliency through the removal of giant reed and other invasive plant species. Removing giant reed followed by active native plant restoration will help increase instream flow and allow for the growth of native riparian vegetation. The Program will also reduce wildfire hazards for native species and habitats in the watershed by creating healthy riparian corridors, increasing tree canopy shading, and eliminating continuous flashy fuel loads created by invasive plant species.

Long-term Net Benefits to Biodiversity: The Program will have net benefits to biodiversity through the removal of monoculture stands of giant reed that outcompete native vegetation. The removal of giant reed and other invasive species will allow for native riparian communities to reestablish, creating more biodiverse habitats and allowing for more native species of wildlife to use these native habitats.

Long-term Net Benefits to Sensitive Species Recovery: The Program will have net benefits for sensitive species recovery, and will specifically benefit the following species, including but not limited to, least Bell's vireo, southwestern willow flycatcher, Crotch's bumble bee, southern California steelhead, and California red-legged frog.

Through the removal of invasive species and subsequent revegetation, sensitive native species will benefit by being able to utilize native habitat features to complete their life cycles. Least Bell's vireo and southwestern willow flycatcher will benefit from an increase in natural vegetation for nesting and foraging. Crotch's bumble bee will benefit from an increased number of foraging opportunities from native flowering plants. Southern California steelhead and California red-legged frog will benefit from increased instream flow and native cover opportunities.

Procedures for the Protection of the Environment: The Program includes procedures for the Protection of the Environment. Avoidance and Minimization measures for the Program include but are not limited to: pre-construction biological surveys; work area delineation; biological monitoring; a workers environmental awareness program; dry weather vegetation removal work window; nesting bird season work restriction for initial vegetation removal; and nesting riparian bird species buffers. The Program is seeking permits from United States Army Corps of Engineers, Regional Water Quality Control Board, National Oceanic and Atmospheric Administrations (NOAA), U.S. Fish and Wildlife Service (USFWS), and CDFW to ensure environmental protections are in place to protect biological resources. Avoidance and Minimization measures for the protection of the environment include applicable measures from the State Water Resources Control Board Statewide Restoration General Order, USFWS Programmatic Biological Opinion, and NOAA Programmatic Biological Opinion.

Ongoing Management for the Protection of the Environment: The Program includes ongoing management for the protection of the environment. This includes long-term EDRR in Phase IV of the Program to specifically target resprouts or new occurrences before they have an opportunity to re-infest the watershed. Upon completion, the Program is expected to eradicate giant reed from the watershed, aligning with the goals of the Ventura River Watershed Management Plan (2015). Future infestations will be reported and treated beyond the treatment phases of the Program. OVLC will develop a reporting structure to be used to notify the Lead Agency and OVLC of future infestations from private property owners and other community members in the watershed.

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 Program does not include any 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: _____ Date: 3/27/25

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