

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
DIRECTOR'S OFFICE
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**CALIFORNIA ENVIRONMENTAL QUALITY ACT STATUTORY EXEMPTION FOR
RESTORATION PROJECTS
CONCURRENCE NO. 21080.56-2025-087-R4**

Project: Eplin Tract Restoration Project
Location: Stanislaus County
Lead Agency: West Stanislaus Resource Conservation District
Lead Agency Contact: Mary Johnson; weststanislausrcd@gmail.com

Background

Project Location: The Eplin Tract Restoration Project (Project) is located at 24946 River Road, in the City of Newman, Stanislaus County, zip code 95360, California; centered at approximately 37.38119, -120.99050; Section 00, Township 6 South, Range 9 East; U.S. Geological Survey map Hatch; Assessor's Parcel Number 049-025-002-000. The Project site is a 117-acre parcel within the San Luis National Wildlife Refuge (SLNWR), owned and managed by the U.S. Fish and Wildlife Service (USFWS).

Project Description: River Partners, as Project Proponent, 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 site has a history of anthropogenic modifications, including land clearing, conversion to cropland, cattle grazing, and the introduction of nonnative weeds. These modifications have degraded biodiversity and ecosystem function at the Project site. To address degradation, the Project includes restoration activities at the 28-acre Front Field, 47-acre Middle Section, and 22-acre Back Field. A total of 97 acres will be restored. Restoration activities at the Front Field will include adaptive weed management, revegetation, and the installation and operation of a temporary drip irrigation system to restore a diverse vegetation community historically consistent with the San Joaquin River floodplain. Weed management will include mechanical, chemical, and cultural methods. Revegetation materials will be sourced from local nurseries, the Project site, and within 50 miles of the Project site. Supplemental water for irrigation will be sourced from an on-site well or purchased from an offsite water source. Restoration activities in the Middle Section and Back Field will include girdling or removal of eucalyptus trees, removal of trash and barbed wire fencing, weed management with previously described methods, and revegetation with hardwood cuttings, acorns, and native forb and grass seeds. The Project site will be monitored and maintained for a three-year period.

Tribal Engagement: To initiate tribal engagement, River Partners submitted a request to the California Historical Resources Information System through the California State University Stanislaus Department of Anthropology and requested a tribal consultation list from the Native American Heritage Commission. Once a list of tribal contacts was compiled, River Partners hosted four tribal engagement events and is coordinating site visits for interested tribal representatives. As part of this effort, there has been coordination with members of the Northern Valley Yokut and California Valley Mewuk to participate in a planned site visit in December 2025. River Partners has also engaged with the California Indian Basketweavers' Association to incorporate culturally significant plants within the Project revegetation palette.

Interested Party Coordination: River Partners has conducted the following efforts to coordinate with interested parties and public agencies to date:

- Initiated conversations with Stanislaus County and the Central Valley Flood Protection Board regarding permitting needs for the Project.
- Regular meetings with USFWS to discuss restoration design and long-term stewardship at the Project site.
- Coordinated with the West Stanislaus Resource Conservation District (Lead Agency) regarding Project planning and review, including a presentation at a Lead Agency board meeting.
- Showcased pre-Project monitoring work conducted to date at the Project site via various blog posts on their website.
- Engaged with various groups of interest, including the Tricolored Blackbird Working Group, Xerces Society, and Central Valley Joint Venture.
- Invited GEI Consultants, Point Blue Conservation Science, Cal eDNA, and Ducks Unlimited, Inc. to perform ecological assessments at the Project site and to participate in design development.

Anticipated Project Implementation Timeframes:

Start date: Fall 2026

Completion date: Fall 2030

Lead Agency Request for CDFW Concurrence: On December 18, 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 December 18, 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: (A) 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; (B) the Project may have public benefits incidental to the Project's fundamental purpose; (C) 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 (D) 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.

The Project location along the San Joaquin River is valuable for restoration, as it offers the opportunity to bolster wildlife connectivity between the SLNWR, the San Joaquin River National Wildlife Refuge, and other protected land throughout the river corridor. Project activities will collectively support the restoration of native vegetative communities including, but not limited to, Grassland, Oak Savanna, and Fremont Cottonwood (*Populus fremontii*) Forest/Woodland Alliance. The restoration of these communities will assist in the recovery of California native fish and wildlife, and the habitat upon which they depend.

- 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 Project site is owned and managed by USFWS as a parcel within the National Wildlife Refuge System. The site is currently closed to the public but may become publicly accessible in the future. Should it ever become publicly accessible, the public may benefit from fishing, hunting, wildlife viewing, or other recreational uses at the Project site.

- 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 re-establish diverse native vegetation, which will provide critical food resources and refugia for an abundance of species as climate change worsens. Structural heterogeneity will increase species richness and ecosystem resilience.

As a management strategy, the existing berm along the Back Field will not be maintained. The San Joaquin River will be allowed to naturally erode the berm and inundate the Project site. The revegetation plant palette includes species that are naturally adapted to and tolerable of floods, which is valuable as flood event severity and frequency is expected to increase with climate change.

Supplemental water will be provided to plantings during the first three growing seasons, with water amounts tapering each year. After plants are established, irrigation use at the Project site will cease. Therefore, compared to the existing agricultural land use, the Project is expected to minimize consumptive water use, which may passively enhance streamflow within the San Joaquin River and reduce ongoing stress on the local aquifer.

Long-term Net Benefits to Biodiversity:

Natural restoration at the Project site is unlikely due to the abundance of nonnative vegetation and limited upstream native seed sources. The Project will jump-start restoration by establishing robust native plant communities and suppressing onsite sources of nonnative weeds. These efforts will increase the abundance of floristic plants onsite, which will provide year-round nectar and pollen for pollinators essential to ecosystem function. The increased abundance of pollinators will support higher trophic levels. In particular, resident and migratory birds, and their potential predators, will experience enhanced foraging, breeding, and nesting habitat from the complex food web and microclimates established by the Project. Increased density and diversity of native vegetation will ultimately strengthen the local food web. The functional food web and habitat complexity provided by the Project will provide long-term net benefits to biodiversity.

Long-term Net Benefits to Sensitive Species Recovery:

The Project will produce multilayered canopies composed of willow (*Salix spp.*), cottonwood, oak (*Quercus spp.*), and other grasses and forbs, which will provide foraging, nesting, and overwintering habitat for an abundance of sensitive avian species, including: Swainson's hawk (*Buteo swainsoni*) and tricolored blackbird (*Agelaius tricolor*), species listed as threatened under the California Endangered Species Act (CESA); and northern harrier (*Circus hudsonius*), a CDFW Species of

Special Concern. The Project will also plant native milkweed (*Asclepias fascicularis*) and nectar-rich native forbs, which will provide food sources for Western monarch butterfly (*Danaus plexippus*) caterpillars and adults. The complex native habitat produced by the Project will provide long-term net benefits to sensitive species, therefore aiding in their recovery.

Procedures for the Protection of the Environment:

River Partners will follow procedures for the protection of the environment during Project activities. These include, but may not be limited to, the following: providing workers with environmental awareness training; preventing leaks and water quality contamination associated with tractors and all-terrain vehicles (ATVs); avoiding work during rain events; protection of existing mature native trees and shrubs; avoiding eucalyptus removal during nesting bird season; pre-implementation surveys; and biological resource monitoring. Additional measures will be followed to minimize impacts associated with mowing, controlled burning, and herbicide application.

Ongoing Management for the Protection of the Environment:

The Project includes three years of monitoring and maintenance to ensure the Project is successful. Maintenance activities may include, but not be limited to, supplemental watering, temporary irrigation system maintenance, adaptive weed management, and maintenance of permanent infrastructure, such as an existing groundwater well, pump, access roads, and gates. After the three-year monitoring and maintenance period, USFWS will manage the Project to conserve and protect habitat for the benefit of California native fish and wildlife.

- 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. Tractors and ATVs and their associated attachments will be used to implement the Project. Their operation will be solely related to habitat restoration. Specifically, mower, wick applicator, and disc harrow or tiller attachments will be used to prepare the site for restoration and adaptive weed management. The furrower attachment will be used to create planting beds. The drill and broadcast seeder attachments will be used to sow native seeds. A trailer will be used to transport restoration materials.

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 the CDFW Director 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.

In its request for a concurrence, the Lead Agency set forth potential bases for a determination that the Project will result in long-term net benefits to climate resiliency, biodiversity, and sensitive species recovery. Although the CDFW Director agrees with the Lead Agency that the Project will provide such long-term net benefits, this Concurrence is not intended to be and should not be construed as an endorsement of every argument set forth in the Lead Agency's concurrence 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

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By: Valerie Termini
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Date: 1/21/2026

Valerie Termini, Acting Director
California Department of Fish and Wildlife