

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
DIRECTOR'S OFFICE
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**CALIFORNIA ENVIRONMENTAL QUALITY ACT STATUTORY EXEMPTION FOR
RESTORATION PROJECTS
CONCURRENCE NO. 21080.56-2025-086-R2**

Project: Upper Truckee River Sunset Stables, Reach 6 Restoration Project
Location: El Dorado County
Lead Agency: California Tahoe Conservancy
Lead Agency Contact: Scott Carroll; scott.carroll@tahoe.ca.gov

Background

Project Location: The Upper Truckee River Sunset Stables, Reach 6 Restoration Project (Project) is located south of Lake Tahoe, in El Dorado County, on and adjacent to the Upper Truckee River, and borders the South Lake Tahoe Airport and a section of U.S. Route 50. The Project area consists of approximately 200 acres of public lands owned and managed by the California Tahoe Conservancy (Conservancy) and U.S. Forest Service Lake Tahoe Basin Management Unit (LTBMU). The approximate coordinates of the Project are 38.879174, -119.999230.

Project Description: The Conservancy proposes to conserve, restore, protect, or enhance approximately 132 acres of floodplain, meadow, and upland habitat, as well as approximately 4,500 feet of river channel, to assist in the recovery of California native fish and wildlife, and the habitat upon which they depend. The Project is designed to restore geomorphic processes and hydrologic functions, improve water quality, enhance native vegetation community conditions, improve aquatic and terrestrial habitats, and increase the Project area's resiliency to climate change.

The Project will create a more functional floodplain and meadow system to support aquatic species and their habitat as well as native wetland vegetation. Aggraded sediment will be removed, and floodplain areas will be lowered to improve floodplain connectivity and increase groundwater levels. Log bank structures will be installed to enhance aquatic habitat and provide complexity and create areas of refugia for wildlife. Encroaching conifers will be removed to promote native wetland and meadow vegetation. Formerly grazed areas will be stabilized and graded to create a more robust native vegetation community. Sections of a utility access road as well as user-created access trails will be restored, recontoured, and revegetated, and the Conservancy plans to monitor and adaptively manage the Project in perpetuity.

Tribal Engagement: The Project area is within the ancestral lands of the Washoe Tribe of Nevada and California (Tribe). The Conservancy is actively coordinating with the Tribe to ensure their perspectives are part of the Project, which will continue through Project planning and implementation. The Conservancy completed cultural surveys of the Project area and is working with the Tribe to conduct an additional cultural survey and develop a cultural monitoring plan. Site tours of the Project were conducted in December of 2024 and June of 2025 to discuss Project details. The Conservancy is also in ongoing discussions with the Tribe about its involvement in post-project management and providing access for tribal activities in the restored areas.

Interested Party Coordination: As part of the Project development process, the Conservancy has conducted outreach with the general public, experts, and public agencies, including the LTBMU, Lahontan Regional Water Quality Control Board (LRWQCB), Tahoe Regional Planning Agency (TRPA), California Department of Fish and Wildlife (CDFW), United States Army Corps of Engineers (USACE), South Tahoe Public Utility District, City of South Lake Tahoe, and El Dorado County Department of Transportation. The Conservancy has established a Project website to share information, accept comments, and respond to questions. The Conservancy also conducted two public site walks in early September 2025 to answer questions and accept feedback and ideas. The Conservancy employed a science panel to review the Design Basis Report and Schematic Plans. The Conservancy also convened a Technical Advisory Committee (TAC) of regional restoration practitioners, regulators, and partner agencies to review the Project. The Conservancy will continue to engage with the TAC during the design, permitting, and implementation of the Project. Conservancy staff have also presented the Project to its Governing Board (Board) several times, including a Board tour in September 2025 where the Board and public observed the Project firsthand.

Anticipated Project Implementation Timeframes:

Start date: July 2027

Completion date: July 2047

Lead Agency Request for CDFW Concurrence: On December 17, 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 16, 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; or restore or provide habitat for California native fish and wildlife.

The Project is designed to restore a degraded meadow in the Lake Tahoe Basin. The Project will improve natural geomorphic processes and hydrologic functions, increase habitat quality and complexity for aquatic and terrestrial species, enhance native meadow vegetation, and create a system more resilient to climate change. The Project involves placement of wood structures, which will create pockets of scour and pools to provide cover for native fish. Strategic floodplain grading will lower surfaces and create more active floodplains that will support native vegetation, enhance fish and wildlife habitat, and improve groundwater levels. Large swaths of encroaching conifers will be removed to allow native meadow grasses to dominate. The Project will benefit a variety of native species, including native songbirds, small mammals, fish, and the western pearl shell mussel (*Margaritifera falcata*).

- 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 may result in incidental public recreation and safety benefits, including streamlined public river access to prevent disturbance on restoration areas, wildfire risk reduction due to conifer thinning, and the creation of native plant gathering.

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 result in long-term climate resiliency by restoring geomorphic processes, hydrologic functions, and natural vegetative conditions. The restored conditions will increase the river and meadow system's ability to buffer against a changing climate. Project activities will promote increased groundwater levels in areas of floodplain lowering and in meadow areas with tree removal. These improved groundwater conditions, in conjunction with revegetation with native meadow species, will help sustain baseflows during drought years and support cooler river temperatures. Installing bank structures will create deeper scour pools that will create micro habitats within the channel where species will be able to find cooler temperatures in summer, cover, and refugia from higher flow velocities during more extreme weather events. Re-creating meadow conditions will increase carbon sequestration in the area through the removal of dense conifer thickets to promote a more vigorous wetland vegetation that will increase above and below ground biomass. Additionally, removing encroached conifers from the floodplain will create a system more resilient to wildfire.

Long-term Net Benefits to Biodiversity: The Project will result in long-term benefits to biodiversity by restoring upland, meadow, wetland, and river habitats. Restoration of native meadow vegetation will diversify habitats and will especially benefit songbirds, which prefer areas with significant clumps of willow (*Salix*) and the presence of standing water. The conifer thinning will support the needs of small mammals, including Pacific marten (*Martes caurina*), that have historically been present in the area, by creating a corridor that will include coarse woody debris, willow clumps, and retained conifers. In-channel wood structures, in conjunction with grading aggraded sediments, will enhance aquatic habitats by increasing bed complexity, bank stability, velocity refugia, access to secondary channels, and cover, and therefore provide more habitat for native fishes like the Paiute sculpin (*Cottus beldingii*), Lahontan speckled dace (*Rhinichthys osculus robustus*), Lahontan redside (*Richardsonius egregius*), mountain whitefish (*Prosopium williamsoni*), Tahoe sucker (*Catostomus tahoensis*), and tui chub (*Siphateles bicolor*). Additionally, removing aggraded sediments in secondary channels will create pockets of water on the floodplain that will enhance amphibian habitat.

Long-term Net Benefits to Sensitive Species Recovery: The Project will improve aquatic and terrestrial habitat that past surveys have indicated may provide potential habitat for sensitive species. Re-creating active floodplain and converting stands of conifers to meadows with willow will enhance songbird habitat. There is suitable habitat for willow flycatcher (*Empidonax traillii*; listed as endangered under the

California Endangered Species Act (CESA)) and yellow warbler (*Setophaga petechia*; California Species of Special Concern (SSC)), and any enhancements may result in these species moving into the Project area. Lahontan mountain sucker (*Pantosteus lahontan*; SSC), Lahontan cutthroat trout (*Oncorhynchus henshawi henshawi*; listed as threatened under the federal Endangered Species Act (ESA)), and Sierra Nevada yellow-legged frog (*Rana sierrae*; listed as endangered under the ESA and as threatened under CESA) have potential habitat in the Project area and therefore any enhancements to aquatic habitat will improve the potential for these species to move into the Project area. Sierra Nevada snowshoe hare (*Lepus americanus*; SSC) has potential habitat and has historically been observed in the Project area. Strategic removal of encroached conifers to maintain the wildlife corridor perpendicular to the river channel will allow these listed species to move through the Project area. Additionally, endemic western pearl shell mussels (*Margaritifera falcata*) are present in the Project area, and the Conservancy anticipates improving habitats for these species by increasing aquatic heterogeneity.

Procedures for the Protection of the Environment: Prior to initiating the Project, the Conservancy will obtain all necessary permits, including those required from TRPA, LRWQCB, USACE, and CDFW. These permits will contain an array of measures that the Conservancy will implement to protect the environment and cultural resources. The Conservancy will apply a range of procedures for the protection of the environment, including but not limited to:

- Pre-restoration surveys for sensitive species and migratory birds,
- Pre-restoration invasive species removal,
- Limited operating periods,
- The use of low ground pressure equipment,
- Best management practices for erosion control and stabilization, watercourse protection, water treatment, trash disposal, material storage, and revegetation,
- Development of stream diversion, spill prevention, and health and safety plans,
- Cultural resource protections and tribal monitoring when grading in meadow areas,
- Equipment and vehicle staging restrictions, including no heavy equipment in live wetted sections of the channel, and
- Post-restoration management.

Ongoing Management for the Protection of the Environment: The Conservancy will develop and implement an adaptive management plan to ensure Project success. The adaptive management will be integrated with the Project effectiveness monitoring. The Project area has extensive pre-Project monitoring that the Conservancy will use to inform whether the Project is meeting its goals and objectives and determine the need for adaptive management.

The Conservancy will develop an adaptive management plan and use the existing Land Management Program to implement minor fixes like revegetation, constructing fencing to limit access, installing educational signage, removing invasive plants, and moving minor amounts of earth. Further, staff have access to an engineering retainer

and a heavy equipment contract that can be used if the activities exceed in-house capabilities.

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 proposed Project activities, including those activities using heavy equipment, are for the express purpose of restoring habitat.

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

DocuSigned by:

By:  _____

Date: 2/2/2026

Valerie Termini, Acting Director
California Department of Fish and Wildlife