

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
DIRECTOR'S OFFICE
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**CALIFORNIA ENVIRONMENTAL QUALITY ACT STATUTORY EXEMPTION FOR
RESTORATION PROJECTS
CONCURRENCE NO. 21080.56-2026-089-R4**

Project: Powerhouse Riffles Restoration Project
Location: Stanislaus County
Lead Agency: Turlock Irrigation District
Lead Agency Contact: Michael Cooke; micooke@tid.org

Background

Project Location: The Powerhouse Riffles Restoration Project (Project) is located within the lower Tuolumne River, a tributary to the San Joaquin River, downstream of the La Grange Dam, in the unincorporated community of La Grange, Stanislaus County; centered at approximately 37.66433, -120.44679; Sections 16, 17, 18, 20, and 21, Township 3 South, Range 14 East; U.S. Geological Survey Map La Grange; Assessor's Parcel Numbers 008-024-029-000, 008-024-028-000, 008-043-007-000, 008-042-005-000, 008-025-001-000, 008-025-002-000, and 008-024-080-000 (Project site).

Project Description: Turlock Irrigation District, along with Modesto Irrigation District and San Francisco Public Utilities Commission (collectively, Project Proponents), propose 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 primarily benefit Central Valley fall-run Chinook salmon (*Oncorhynchus tshawytscha*), Central Valley spring-run Chinook salmon (*O. tshawytscha pop.11*), and Central Valley steelhead (*O. mykiss irideus pop.11*). Project Proponents will fully fund Project implementation.

The Project will restore high quality salmonid rearing and spawning habitat within a 2,500-foot reach of the mainstem Tuolumne River. The Project will consist of activities associated with initial implementation, monitoring, and maintenance (collectively, Project Activities). Initial implementation activities will consist of the following: the expansion of an existing access road; creation and removal of temporary staging areas and access roads; creation of approximately 4.8 acres of in-channel gravel bar and riffle complexes; installation of large wood, boulders, and willow trenches; and revegetation of disturbed areas with a native seed mix (Initial Implementation). Upon the completion of Initial Implementation, monitoring and maintenance activities will occur for a minimum of two years. Monitoring will include, but is not limited to the following: topographic and bathymetric surveying, hydraulic modeling, benthic macroinvertebrate (BMI) sampling, and redd surveys (Monitoring). Maintenance

activities may include adjustments to final grade, gravel quantity, boulder and large wood quantities and placement, and reseeding of disturbed areas (Maintenance).

Tribal Engagement: Turlock Irrigation District (Lead Agency) coordinated a pedestrian cultural survey of the Project site, which occurred June 27, 2025. Representatives from three tribes participated in the survey. These tribes will be invited to participate in monitoring of the Project site during Initial Implementation.

Interested Party Coordination: Project Proponents coordinated and conducted a meeting on June 18, 2025, to introduce the Project to various agencies, including California Department of Fish and Wildlife (CDFW), U.S. Fish and Wildlife Service (USFWS), National Marine Fisheries Service (NMFS), Central Valley Regional Water Quality Control Board, and the U.S. Army Corps of Engineers (USACE). Project Proponents considered the feedback that they received at and after that June 18, 2025, meeting. Project Proponents also presented the Project at two Tuolumne River Technical Advisory Committee meetings in 2025. In addition to agencies previously mentioned, representatives of the following groups were introduced to the Project: California Department of Water Resources, California Department of Parks and Recreation, East Stanislaus Resource Conservation District, Trout Unlimited, Yosemite Rivers Alliance, and Tuolumne River Conservancy.

Anticipated Project Implementation Timeframes: Start date: May 2026
Completion date: December 2029

Lead Agency Request for CDFW Concurrence: On January 6, 2026, 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 4, 2026, 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.

Within the Project site, the river can be characterized as having a lake-cascade morphology due to the presence of steep riffles and long, flat pools. This morphology is caused by scour from high flows and the lack of replacement gravel, both of which are attributed to the La Grange Dam upstream. The Project will reconstruct the existing lake-cascade channel morphology into a pool-riffle morphology, designed to provide suitable depth, velocity, and substrate for salmonid spawning and rearing. Boulders and large wood will provide velocity refuge and opportunities for drift feeding of BMI. Installed in-stream features will provide hydraulic complexity and microtopography that will offer habitat diversity.

- 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 Lead Agency expects the Project will provide incidental public benefits to recreational users on the lower Tuolumne River. While the Project will not establish formal public access points, it is understood that boaters and anglers frequently travel to the Project site from river access points downstream. The riffle complexes established by the Project may be utilized by anglers as shallow wading areas and will provide channel complexity for boaters. Additionally, it is expected that recreational users will experience enhanced opportunities for viewing fish and wildlife, due to increased utilization of habitat within 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 site begins approximately 2,200 feet downstream of the La Grange Dam, which is the barrier to anadromy within the Tuolumne River. This area has the best conditions for salmonids with cold, oxygenated water. Access to cold water is critical to salmonid resilience in response to warmer, drier climate change conditions. Spawning surveys have documented substantial occurrences of fall-run Chinook salmon spawning in this area in the past, but recent data suggests spawning has declined as gravel has mobilized downstream over time. The Project will augment this gravel to restore the suitability of spawning habitat below La Grange Dam.

Long-term Net Benefits to Biodiversity:

Though Central Valley fall-run and spring-run Chinook salmon and Central Valley steelhead are the primary species intended to benefit from the Project, other species are expected to experience benefits. Increased BMI within the Project site will not only provide a food source for salmonids but also other native fish, amphibians, and reptiles. The conversion of the Project site to pool-riffle morphology will reduce habitat suitability for non-native and/or invasive aquatic predators that have a preference for lake-cascade morphology. If spawning habitat is utilized as expected, raptors and mammalian predators associated with riparian habitat along the Tuolumne River and greater San Joaquin River watershed may benefit from the increased productivity of salmon runs. Revegetation will include the seeding of a mix of native floristic species, which will provide foraging opportunities for native pollinators, such as Crotch's bumble bee (*Bombus crotchii*), a candidate species for listing as endangered under the California Endangered Species Act (CESA).

Long-term Net Benefits to Sensitive Species Recovery:

Historically, Central Valley spring-run Chinook salmon, listed as threatened under both the federal Endangered Species Act (ESA) and CESA, was one of the most abundant runs on the Pacific coast. By 1998, NMFS concluded that Central Valley spring-run Chinook salmon had been extirpated from all tributaries in the San Joaquin River Basin. Central Valley fall-run Chinook salmon, a CDFW Species of Special Concern, and Central Valley steelhead, a species listed as threatened under the ESA, have also declined over the last century. The decline of salmonids is largely attributed to habitat degradation and the blockage of freshwater habitats by dams. Though, recently (2025) it has been estimated that 1,500-3,000 spring-run Chinook salmon adults strayed into the Tuolumne River, likely derived from the San Joaquin River Restoration Program experimental population. Also, annual escapement surveys convey that fall-run Chinook salmon escapement into the lower Tuolumne has steadily increased since 2021. This suggests recent restoration efforts on the lower Tuolumne River have been successful in supporting sensitive species recovery. To further contribute toward sensitive species recovery, the Project will increase the availability and quality of salmonid spawning habitat on the lower Tuolumne River. This addresses recovery action TUR-2.2 from the NMFS 2014 Recovery Plan for The Evolutionarily Significant

Units of Sacramento River Winter-run Chinook Salmon and Central Valley Spring-run Chinook Salmon and the Distinct Population Segment of California Central Valley Steelhead. It is expected that the abundance of spring-run and fall-run Chinook salmon and Central Valley steelhead will increase as a result of the Project and other recent and planned restoration efforts on the lower Tuolumne River.

During Project planning, populations of Stanislaus monkeyflower (*Erythranthe marmorata*), a California Rare Plant Rank 1B.1 species, were observed within the Project site. Populations were restricted to exposed bedrock outcroppings. These populations appear to be the first documented occurrence of the species along the lower Tuolumne River. To avoid impacts to Stanislaus monkeyflower, the Project design was modified to avoid bedrock outcroppings. And to aid in the recovery of the species, Project Proponents contracted the collection of seed for donation to the California Botanic Garden and collected a voucher specimen for donation to California Polytechnic State University Humboldt. While the Project does not include the propagation of Stanislaus monkeyflower within the Project site, Project planning efforts have contributed to conservation and research opportunities for the species, which may provide long-term net benefits to its recovery.

Procedures for the Protection of the Environment:

Project Proponents intend to pursue streamlined permitting pathways for restoration projects. These may include, but are not limited to:

- CDFW Restoration Management Permit;
- State Water Resources Control Board Order for Clean Water Act Section 401 Water Quality Certification and Waste Discharge Requirements for Restoration Projects Statewide;
- USFWS Programmatic Biological and Conference Opinion on the California Statewide Programmatic Biological Assessment for Restoration: Multi-Agency Implementation of Aquatic, Riparian, Floodplain and Wetland Restoration Projects to Benefit Fish and Wildlife in California;
- National Oceanic and Atmospheric Administration Restoration Center Central Valley Office Programmatic Approach to Facilitate Implementation of Restoration Projects in the Central Valley of California; and
- USACE Regional General Permit #16 for Anadromous Salmonid Fisheries Restoration.

Additional local, state, and federal permits will be secured as needed. Through permits that will be necessary for the Project, the Project will be required to follow various procedures for the protection of the environment, which may include, but not be limited to, the following measures: worker environmental awareness training; surveys for special-status species before and during Project Activities; biological monitoring during Initial Implementation and Maintenance; avoidance of mature riparian vegetation; and the use of biodegradable fuels and lubricants. A list of measures the Project Proponents intend to follow (Measure List) was submitted by the Lead Agency as an attachment to the Request. The Measure List is largely derived from the streamlined permitting pathways listed above. The Measure List may be modified as Project

permits are secured.

Ongoing Management for the Protection of the Environment:

Upon the completion of Initial Implementation, at least two years of Monitoring will be performed to evaluate whether the Project is meeting objectives and permitting requirements. Monitoring metrics include, but are not limited to, redd density, spawning habitat acreage, rearing habitat acreage, density of BMI, and water quality (temperature and dissolved oxygen). It is expected that final permits for the Project will also require as-built surveying and reporting, photographic monitoring, and vegetative cover assessments.

Gravel from the Project is expected to mobilize downstream naturally over time as a result of sediment transport. This is a Project goal, rather than something to be adaptively managed. However, if Monitoring results suggest adjustments to the Project may be necessary to achieve Project objectives and fulfill permitting requirements, Project Proponents may conduct Maintenance. Maintenance may include adjustments to final grade, gravel quantity, boulder and large wood quantities and placement, and reseeded of disturbed areas.

Monitoring and Maintenance will be conducted in accordance with the Project-specific Science, Monitoring, and Maintenance Plan.

- 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.

Except for the expansion of an existing unpaved access road that is necessary to facilitate construction equipment access to the Project site, the Project does not include the construction of permanent infrastructure or facilities. This road may remain after the completion of Initial Implementation, to provide established access for Monitoring of the Project site and potential Maintenance. The Project will require the use of construction equipment to complete Project Activities. Specifically, excavators, bulldozers, loaders, and haul trucks will be used to transport and install gravel, boulders, large wood, willow trenches, seed, and mulch. Construction of staging areas and new access road segments will be necessary to facilitate Project Activities, but they will be seeded with a native seed mix and mulched upon the completion of Initial Implementation and any subsequent Maintenance.

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.

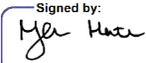
In its Request, the Lead Agency set forth potential bases for a determination that the Project will result in long-term net benefits to climate resiliency, biodiversity, and sensitive species recovery. Although the CDFW Director agrees with the Lead Agency that the Project will provide such long-term 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.

The Project is intended to serve as early implementation of non-flow commitments associated with the Healthy Rivers and Landscapes Program. This Concurrence is specific to this project and is not a determination by the CDFW Director that all Healthy Rivers and Landscape Program projects necessarily meet the qualifying criteria set forth in Public Resources Code section 21080.56, subdivisions (a) to (d), inclusive. If in the future CDFW receives lead agency determinations requesting concurrence from the CDFW Director that other Healthy Rivers and Landscape Program projects meet those criteria, the CDFW Director will evaluate those requests on a case-by-case basis.

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

Signed by:
By:  _____
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Date: 3/16/2026 _____

Meghan Hertel, Director
California Department of Fish and Wildlife