CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
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CALIFORNIA ENVIRONMENTAL QUALITY ACT STATUTORY EXEMPTION FOR RESTORATION PROJECTS
CONCURRENCE NO. 21080.56-2026-106-R2

Project:	Galiano Fen Restoration Project
Location:	Sierra County
Lead Agency:	Central Valley Regional Water Quality Control Board
Lead Agency Contact:	Nicholas Savino; Nicholas.Savino@waterboards.ca.gov

Background

Project Location: The Galiano Fen Restoration Project (Project) is in Sierra County, about three miles directly south of the unincorporated community of Downieville, and centered approximately at 39.515218, -120.810781. The Project area is approximately 64 acres in size and located within Tahoe National Forest (TNF). The TNF is managed by the U.S. Forest Service (USFS). A portion of Rock Creek, a perennial spring-fed tributary to the North Yuba River near its headwaters, runs through Project area.

Project Description: The South Yuba River Citizens League (SYRCL) proposes to conserve, restore, protect, enhance, and assist in the recovery of California native fish and wildlife, and the habitat upon which they depend. The proposed Project will restore 64 acres of degraded fen, meadow, aspen, and upland habitat. The Project is designed to benefit Sierra Nevada yellow-legged frog (*Rana sierrae*), rainbow trout (*Oncorhynchus mykiss*), Pacific tree frog *(Pseudacris regilla*), and garter snake (*Thamnophis sp*.), as well as nesting and foraging birds. The Project includes stream channel restoration, road and relic feature improvement and removal, and forestry management. The Project will result in improved groundwater recharge, delayed peak season flows, improved water quality, increased carbon storage and wetland vegetation cover, and enhanced climate refugia habitat.

The Project site has experienced mining, cattle grazing, and unauthorized user-created roads, resulting in degradation and disturbances to ecological processes such as erosion and aggradation, groundwater recharge and discharge, and channel-floodplain interactions. The purpose of the Project is to restore approximately 22 acres of degraded wetland habitat, 42 acres of overstocked upland forest, and 2.6 miles of streams, using a combination of beaver dam analogs (BDAs), post-assisted log structures (PALS), large debris jams (LDJ), and forest thinning. Road impacts, relic ditches, ponds, and incised channels will also be remediated in order to restore and enhance habitat. Cattle exclusion fencing and/or virtual fencing will be used as necessary to protect BDA structures, support revegetation efforts, and support long term management and protection of environmental resources in the Project site.

Long-term monitoring of hydrology and plant data will continue after initial restoration actions. Pre- and post-project monitoring data will be compared to track expected benefits in response to restoration actions. Results will be analyzed to evaluate Project effectiveness. If necessary, adaptive management measures will be considered to maintain function.

The Project is within the boundary of an encompassing forest health program known as the North Yuba Landscape Resiliency Project (NYLRP), led by the USFS and the North Yuba Forest Partnership. The NYLRP encompasses 275,000-acres within Sierra and Yuba Counties and seeks to restore the watershed to a healthier, more resilient state.

Tribal Engagement: As a component of the broader NYLRP, this Project's tribal engagement was initiated through the National Environmental Policy Act (NEPA). USFS, as the NEPA lead agency, held formal tribal consultation on August 31, 2021 and September 8, 2021 as part of the Record of Decision 1 NEPA. The Central Valley Regional Water Quality Control Board (Lead Agency) conducted outreach on April 27, 2026 via email and letters with the following tribes: Nevada City Rancheria Nisenan Tribe, Washoe Tribe of Nevada and California, United Auburn Indian Community of the Auburn Rancheria, Colfax-Todds Valley Consolidated Tribe, Berry Creek Rancheria of Maidu Indians, Greenville Rancheria of Maidu Indians, Mooretown Rancheria of Maidu Indians, Nashville Enterprise Miwok-Maidu-Nishinam Tribe, Pakan'yani Maidu of Strawberry Valley Rancheria, Southern Sierra Miwuk Nation, TSI-Akim Maidu of the Taylor Rancheria, and Estom Yumeka Maidu Tribe of Enterprise Rancheria. Additionally, SYRCL emailed the Nevada City Rancheria Nisenan Tribe and the California Indigenous Research Project requesting comments and consultation. SYRCL and a representative of the Nevada City Rancheria Nisenan Tribe will participate in a joint site visit during Summer 2026.

Interested Party Coordination: The Lead Agency has provided public notice of the 401 Water Quality Certification application pursuant to California Code of Regulations. On April 27, 2026, the Lead Agency provided outreach to the Sierra Fund, Sierra Streams Institute, and the Sierra Institute for Community and Environment. Ongoing communication regarding the Project between USFS, SYRCL, and Sierra County commenced November 6, 2025. The Project lies within the active American Hill USFS grazing allotment and has been seasonally grazed by cattle since 1936. The USFS and SYRCL met with the grazing allotment permittee on September 10, 2025 to discuss Project goals, implications for grazing, timelines, and desired outcomes.

Anticipated Project Implementation Timeframes: Start date: June 2027
Completion date: December 2031

Lead Agency Request for CDFW Concurrence: On April 27, 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 April 27, 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.

   The Project will exclusively restore and enhance high value headwater habitats in the North Yuba River watershed. The Project will restore roughly 64 acres of meadow, fen, and upland habitat. This also includes 1.55 acres of riparian habitat and 2.6 miles of stream habitat. By restoring hydrologic function at the Project site through road improvements and channel work, the Project will increase habitat complexity and heterogeneity, ultimately improving habitat for amphibian and bird species. Using BDAs, PALS, and LDJ structures to mimic natural processes and beaver *(Castor canadensis)* activity, prolonged inundation and increased surface water and ground

water interactions will occur. Tree removal and thinning to improve forest health and reclaim lost meadow habitat will increase open meadow habitat and reduce high severity fire risk, ultimately protecting California fish and wildlife that depend on healthy meadow habitat.

The Project will result in a mosaic of wet habitats, offering a variety of water depths and temperatures, and providing suitable habitat for the various life-stages of amphibian species, including the dually listed Sierra Nevada Yellow-legged frog. Other species expected to benefit from the Project through restored habitat include the California spotted owl (*Strix occidentalis occidentalis),* great gray owl (*Strix nebulosa*), greater sandhill crane (*Grus canadensis tabida*), fringed myotis (*Myotis thysanodes*), and pallid bat (*Antrozous pallidus*).

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.

Because of the reduction of hazard trees along evacuation roadways, the Project may have improved public safety and access through forested areas during natural disaster and/or emergency events. Furthermore, according to the Lead Agency, the Project may also result in reduced catastrophic fire risk via a reduction in ladder fuels following the Project's upland thinning activities.

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: Healthy meadows support a climate resilient future by acting as carbon sinks. In addition, restoration actions are expected to attenuate high flow events commonly associated with rain-on-snow and spring snowmelt. Summer or late season flows are anticipated to improve as a result of the Project with the goal of delaying peak season flow and extending low flows later into the year. By restoring high functioning wetland habitat and improving hydrologic function in the site, the Project will enhance habitat for numerous plant and animal species as well as provide a refuge for species needing wetter conditions in drought prone areas. Additionally, restoration will ensure the persistence of migratory and seasonal movement corridors for native species and may facilitate a shift in range in response to warming climate or related impacts by providing "steppingstone" transitional habitat between elevations.

Long-term Net Benefits to Biodiversity: Restoring meadow, fen, and forest habitats will produce a long-term net benefit to the biodiversity of the region by increasing available wet meadow habitat to the Sierra species that have suffered declines associated with habitat degradation and loss.

The Project site has experienced significant conifer encroachment as a result of disrupted hydrologic processes. Without intervention, conifer encroachment will continue due to the impaired hydrology of the drying meadow and rising summer temperatures. Conifer encroachment in the Project site has resulted in shading and suppressing riparian hardwoods and creating a fuels hazard. With implementation of forest thinning and meadow restoration, habitat complexity is expected to improve, supporting a more robust and diverse population of amphibians and birds. As a result, long-term benefits are expected for species and their habitat, including the dually listed Sierra Nevada yellow-legged frog, and numerous other special status and native species, including rainbow trout, garter snake, Pacific tree frog, as well as many nesting and foraging birds.

Long-term Net Benefits to Sensitive Species Recovery: The Project will restore roughly 64 acres of meadow, fen, and upland habitat. This includes 1.55 acres of riparian habitat and 2.6 miles of stream habitat. By restoring hydrologic functions at the Project site, habitat complexity and heterogeneity will increase, ultimately improving amphibian species habitat, the loss of which is a key driver of species decline and the restoration of which is imperative for species recovery. Using BDAs, PALS, and LDJ structures to mimic natural processes and beaver activity, prolonged inundation and an increase in surface water and ground water interactions will occur. Restoration actions will result in a mosaic of wet habitats, offering a variety of water depth and temperature and providing suitable habitat for the various life-stages of resident amphibian species such as Sierra Nevada yellow-legged frog (listed as threatened under the California Endangered Species Act (CESA) and as endangered under the federal Endangered Species Act) whose range overlaps the Project area. The Project is also expected to result in long-term and increased forage opportunities for the California Spotted Owl, a CDFW Species of Special Concern. Other sensitive species expected to benefit from the Project's restoration and enhancement of wet meadow habitat include the great gray owl (listed as endangered under CESA) and the greater sandhill crane (listed as threatened under CESA).

Procedures for the Protection of the Environment: General environmental protection measures will be implemented as outlined in the State Restoration General Order and include measures focused on work windows, environmental awareness training, environmental monitoring, material storage and disposal, and revegetation. Other specific protective measures from the State Restoration General Order that will be implemented include the development of a dewatering plan, aquatic species exclusion and relocation, native revegetation materials and methods, and pre-construction sensitive species surveys.

Water quality monitoring will be conducted according to a water quality monitoring plan approved by the Lead Agency. Water quality monitoring will ensure that in-water work and restoration activities do not negatively affect aquatic habitat.

Ongoing Management for the Protection of the Environment: SYRCL, USFS, and the University of Nevada, Reno will complete monitoring through 2030, consistent with the Sierra Meadows Wetland and Riparian Monitoring Plan protocols, to track expected

benefits to surface water, vegetation, carbon storage, and conifer presence. Long-term monitoring of hydrology and plant data will continue through 2035. Pre- and post-Project monitoring data will be compared to track expected benefits in response to restoration actions. Results will be analyzed to evaluate Project effectiveness.

The Project is designed to result in a self-sustaining wetland ecosystem that requires little human intervention over a 25-to-50-year time frame. However, adaptive management may be necessary to ensure the integrity of restoration solutions and that the Project is meeting objectives and goals. Through 2035, SYRCL and USFS will implement long-term Project monitoring. Beyond 2035, USFS will monitor the function of the Project after large storm events or other disturbances for at least 25 years.

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 sole purpose of construction activities is to meet restoration objectives and achieve expected benefits. All construction actions, including road improvements and recontouring, are intended to restore and/or enhance habitat within the Project site.

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: Signed by: 19042A1B72454D8... Date: 6/12/2026

Meghan Hertel, Director
California Department of Fish and Wildlife