

DRAFT MITIGATION, MONITORING AND REPORTING PLAN

Appendix A

INDIAN CREEK REHABILITATION SITE: TRINITY RIVER MILE 93.7 TO 96.5

Draft Mitigation Monitoring and Reporting Program

July 2006

Project Applicant and Federal Lead Agency for NEPA

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Draft Mitigation Monitoring and Reporting Program

Introduction

This document comprises the draft Mitigation Monitoring and Reporting Program (MMRP) for the Indian Creek Rehabilitation Site: Trinity River Mile 93.7 to 96.5 (project). The purpose of providing the MMRP as a stand-alone document in the Environmental Assessment/Draft Environmental Impact Report (EA/Draft EIR) is to make clear to the reader the mitigation responsibilities of the Bureau of Reclamation (Reclamation), and the Trinity County Planning Department (Trinity County) in implementing the project. The mitigation measures listed herein are required by law or regulation and will be adopted by Trinity County as part of the overall project approval.

Mitigation is defined by both the California Environmental Quality Act (CEQA) – Section 15370 and the National Environmental Policy Act (NEPA) as a measure which:

- Avoids the impact altogether by not taking a certain action or parts of an action
- Minimizes impacts by limiting the degree or magnitude of the action and its implementation
- Rectifies the impact by repairing, rehabilitating, or restoring the impacted environment
- Reduces or eliminates the impact over time by preservation and maintenance operations during the life of the project
- Compensates for the impacts by replacing or providing substitute resources or environments

Mitigation measures provided in this MMRP are identified in Chapter 3, Affected Environment and Environmental Consequences of the EA/Draft EIR, as feasible and effective in mitigating project-related environmental impacts. These measures are also summarized in Volume I, Executive Summary of the EA/Draft EIR.

This MMRP includes a discussion of the following topics related to the MMRP: legal requirements, the intent of the MMRP, the development and approval process for the MMRP, the authorities and responsibilities associated with the implementation of the MMRP, a description of the mitigation summary table, and resolution of noncompliance complaints.

Legal Requirements

The legal basis for the development and implementation of the MMRP lies within both CEQA (including the California Public Resources Code) and NEPA. Sections 21002 and 21002.1 of the California Public Resources Code state:

- Public agencies are not to approve projects as proposed if there are feasible alternatives or feasible mitigation measures available that would substantially lessen the significant environmental effects of such projects; and

- Each public agency shall mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so.

Section 21081.6 of the California Public Resources Code further requires that:

- The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation.
- The monitoring program must be adopted when a public agency makes its findings under CEQA so that the program can be made a condition of project approval in order to mitigate significant effects on the environment. The program must be designed to ensure compliance with mitigation measures during project implementation to mitigate or avoid significant environmental effects.

NEPA 40 CFR Section 1502.14f requires that:

- Agencies shall include appropriate mitigation measures not already included in the proposed action or alternatives.

Intent of the Mitigation Monitoring and Reporting Program

The MMRP is intended to satisfy the requirements of CEQA as they relate to the project. It is anticipated to be used by Reclamation and Trinity County staff, participating agencies, project contractors, and mitigation monitoring personnel during implementation of the project.

The primary objective of the MMRP is to ensure the effective implementation and enforcement of adopted mitigation measures and permit conditions. The MMRP will provide for monitoring of construction activities as needed, on-site identification and resolution of environmental problems, and proper reporting to lead agency staff.

Development and Approval Process

The timing elements for implementing mitigation measures and the definition of the approval process have been provided in detail through this MMRP to assist staff from Reclamation and Trinity County by providing the most usable monitoring document possible.

Authorities and Responsibilities

Reclamation, functioning as the TRRP, will have the primary responsibility for the execution and proper implementation of the MMRP. Trinity County may provide Reclamation with support, as warranted.

Reclamation will be responsible for the following activities:

- Coordination of monitoring activities
- Management of the preparation and filing of monitoring compliance reports
- Maintenance of records concerning the status of all approved mitigation measures

Summary of Monitoring Requirements

Table 1, which follows, summarizes the mitigation measures and associated monitoring requirements proposed for the project. Table 1 consists of the following four columns:

- **Mitigation Measure:** Lists the mitigation measures identified for each significant impact discussed in the EA/Draft EIR for the project. The same mitigation numbering system used in the EA/Draft EIR is carried forward in this MMRP.
- **Timing/Implementation:** Indicates at what point in time or project phase the mitigation measure will need to be implemented.
- **Responsible Parties (tasks):** Documents which agency or entity is responsible for implementing mitigation measures and what, if any, coordination is required (e.g., approval from Caltrans). If more than one party has responsibility under a given mitigation measure, the tasks of each individual party is identified parenthetically (e.g., “implementation” or “monitoring”).
- **Verification:** Provides spaces to be initialed and dated by the individual responsible for verifying compliance with each specific mitigation measure.

Resolution of Noncompliance Complaints

Any person or agency may file a complaint that states noncompliance with the mitigation measures that were adopted as part of the approval process for the project. The complaint shall be directed to Reclamation, via the TRRP office (P.O. Box 1300, 1313 South Main Street, Weaverville, CA 96093) and Trinity County (60 Glen Road, Weaverville, CA 96093) in written form, providing detailed information on the purported violation. Reclamation shall conduct an investigation and determine the validity of the complaint. If noncompliance with a mitigation measure is verified, Reclamation shall take the necessary action(s) to remedy the violation. The complainant shall receive written confirmation indicating the results of the investigation or the final corrective action that was implemented in response to the specific noncompliance issue.

**TABLE 1
SUMMARY OF MITIGATION MONITORING REQUIREMENTS**

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
3.3 Geology, Fluvial Geomorphology, and Soils			
Impact 3.3-2	Construction activities associated with the project could potentially result in increased erosion and short-term sedimentation of the Trinity River.		
<p>Mitigation Measures</p> <p>2a: Reclamation or its contractors shall implement the following measures during construction activities:</p> <ul style="list-style-type: none"> ▪ Areas where ground disturbance would occur shall be identified in advance of construction and limited to only those areas that have been approved by Reclamation. ▪ All vehicular construction traffic shall be confined to the designated access routes and staging areas. ▪ Disturbance shall be limited to the minimum necessary to complete all rehabilitation activities. ▪ All supervisory construction personnel shall be informed of environmental concerns, permit conditions, and final project specifications. 	Construction	Reclamation	
<p>2b: Reclamation or its contractors shall prepare an erosion and sedimentation control plan (Storm Water Pollution Prevention Plan [SWPPP]). Measures for erosion control will be prioritized based on proximity to the river. The following measures shall be used as a guide to develop this plan:</p> <ul style="list-style-type: none"> ▪ Restore disturbed areas to pre-construction contours to the fullest extent feasible. ▪ Salvage, store, and use the highest quality soil for revegetation. ▪ Discourage noxious weed competition and control noxious weeds. ▪ Clear or remove roots from steep slopes 	Pre-construction Construction Post-construction	Reclamation	

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
<p>immediately prior to scheduled construction.</p> <ul style="list-style-type: none"> ▪ Leave drainage gaps in topsoil and spoil piles to accommodate surface water runoff. ▪ To the fullest extent possible, cease excavation activities during significantly wet or windy weather. ▪ Use bales and/or silt fencing as appropriate. ▪ Before seeding disturbed soils, work the topsoil to reduce compaction caused by construction vehicle traffic. ▪ Rip feathered edges (and floodplain surfaces where appropriate) to approximately 18 inches depth. The furrowing of the river's edge will remove plant roots to allow mobilization of the bed, but will also intercept sediment before it reaches the waterway. ▪ Spoil sites shall be located such that they do not drain directly into a surface water feature, if possible. If a spoil site drains into a surface water feature, catch basins shall be constructed to intercept sediment before it reaches the feature. Spoil sites shall be graded and vegetated to reduce the potential for erosion. ▪ Sediment control measures shall be in place prior to the onset of the rainy season and will be monitored and maintained in good working condition until disturbed areas have been revegetated. If work activities take place during the rainy season, erosion control structures must be in place and operational at the end of each construction day. <p>Reclamation will develop the erosion and sedimentation control plan in conjunction with BLM and the Regional Water Board and in cooperation with the NMFS, and CDFG. Reclamation's project manager will ensure the preparation and implementation of an erosion and sediment control plan prior to the start of construction.</p>			

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
3.5 Water Quality			
Impact 3.5-1	Construction of the project could result in short-term temporary increases in turbidity and total suspended solids levels during construction.		
<p>Mitigation Measures</p> <p>1a: Turbidity increases associated with activities shall not exceed the water quality objectives for turbidity in the Trinity River basin. Turbidity levels are defined in nephelometric turbidity units (NTUs). The current threshold for turbidity levels in the Trinity River, as listed in the Basin Plan for the North Coast Region (2001), is summarized below.</p> <ul style="list-style-type: none"> ▪ Turbidity shall not be increased by more than 20 percent above naturally occurring background levels. Allowable zones of dilution within which higher percentages can be tolerated may be defined for specific discharges upon the issuance of discharge permits or waiver thereof. 	Construction	Reclamation	
<p>1b: To ensure that turbidity levels do not exceed the threshold listed above during river's edge project construction activities, Reclamation or its contractor shall monitor turbidity levels 50 feet upstream and 500 feet downstream of the point of river's edge construction activities. At a minimum, field turbidity measurements shall be collected on a daily basis during river's edge construction (within 10 ft of the water line). Whenever a visible increase in turbidity is observed, monitoring frequency shall be a minimum of every two hours during this period.</p> <ul style="list-style-type: none"> ▪ If the grab sample results indicate that turbidity levels exceed the established thresholds identified in the Basin Plan, actions shall be implemented immediately to reduce and maintain turbidity at or below the thresholds. Potential remedial actions include temporarily halting construction activities and implementation of additional Best Management Practices (BMPs) until turbidity is at or below the thresholds. 	Construction	Reclamation	

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
<p>1c: Fill gravels used on the streambeds, stream banks, and river crossing will be composed of washed, spawning-sized gravels from a local Trinity Basin source. Gravel will be washed to remove any silts, sand, clay, and organic matter and will be free of contaminants such as petroleum products. Washed gravel will pass the Caltrans cleanliness test #227 with a value of 85 or greater.</p>	<p>Pre-construction Construction</p>	<p>Reclamation</p>	
<p>1d: Reclamation or its contractor shall prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) that describes BMPs for the project including silt fences, sediment filters, and routine monitoring to verify effectiveness. Proper implementation of erosion and sediment controls shall be adequate to minimize sediment inputs into the Trinity River until vegetation re-growth occurs. All BMPs and sediment and erosion control devices will be inspected daily during the construction period to ensure that the devices are properly functioning. Excavated and stored materials will be kept in upland sites with erosion control properly installed and maintained. Excavated and stored materials will be staged in stable upland sites. All applicable erosion control standards will be required during stockpiling of materials.</p>	<p>Pre-construction Construction</p>	<p>Reclamation</p>	
<p>Impact 3.5-2</p>	<p>Construction of the project could result in short-term temporary increases in turbidity and total suspended solids levels following construction.</p>		
<p>Mitigation Measures</p> <p>2a: Turbidity increases associated with activities shall not exceed the water quality objectives for turbidity in the Trinity River basin. Turbidity levels are defined in nephelometric turbidity units (NTUs). The current threshold for turbidity levels in the Trinity River, as listed in the Basin Plan for the North Coast Region (2001), is summarized below.</p> <ul style="list-style-type: none"> ▪ Turbidity shall not be increased by more than 20 percent above naturally occurring background levels. Allowable zones of dilution within which higher percentages can be tolerated may be defined for specific 	<p>Construction</p>	<p>Reclamation</p>	

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
discharges upon the issuance of discharge permits or waiver thereof.			
<p>2b: To ensure that turbidity levels do not exceed the threshold listed above following construction, Reclamation or its contractor shall monitor turbidity during and after rainfall events for the first year following completion of the project or until the road is properly decommissioned and adequately revegetated, to observe if erosion attributable to the access roads is resulting in increases in turbidity and total suspended solids in the Trinity River. At a minimum, field turbidity measurements shall be collected whenever a visible increase in turbidity is observed.</p> <ul style="list-style-type: none"> ▪ If increases in turbidity and total suspended solids are observed as a result erosion from access roads, then field turbidity measurements shall be collected 50 feet upstream of a point adjacent to the end of the access road and 500 feet downstream. ▪ If the grab sample results indicate that turbidity levels exceed the established thresholds identified in the Basin Plan, actions shall be implemented immediately to reduce and maintain turbidity at or below the thresholds. This would include addition of sediment control devices such as silt fences or sediment filters. The reason or source of increased sediment input shall be identified and resolved to preclude further sediment input. 	Construction	Reclamation	
Impact 3.5-3	Construction of the project could cause contamination of the Trinity River from hazardous materials spills.		
<p>Mitigation Measures</p> <p>3a: Reclamation shall require that the contractor prepare and implement a spill prevention and containment plan in accordance with applicable federal and state requirements.</p>	Pre-construction	Reclamation	
<p>3b: Reclamation shall include in the construction contract documents a requirement that any construction equipment that would come in contact</p>	Pre-construction	Reclamation	

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
with the Trinity River will need to be inspected daily for leaks prior to entering the flowing channel. External oil, grease, and mud will be removed from equipment using steam cleaning. Untreated wash and rinse water must be adequately treated prior to discharge if that is the desired disposal option.			
3c: Reclamation shall include in the construction contract documents a requirement that hazardous materials, including fuels, oils, and solvents, not be stored or transferred within 150 feet of the active Trinity River channel. Areas for fuel storage, refueling, and servicing will be located at least 150 feet from the active river channel. In addition, the construction contractor shall be responsible for maintaining spill containment booms onsite at all times during construction operations and/or staging of equipment or fueling supplies. Fueling trucks will maintain a spill containment boom at all times.	Pre-construction	Reclamation	
Impact 3.5-5	Construction and maintenance of the project could result in the degradation of Trinity River beneficial uses identified in the Basin Plan.		
Mitigation Measures The significance of sediment, settleable materials, suspended materials, and turbidity impacts, as well as recommended mitigation measures are addressed under Impacts 3.5.1 and 3.5.2. The significance of and mitigation for chemical constituents and toxicity impacts are addressed under Impact 3.5.3.	Pre-construction Construction	Reclamation	
3.6 Fishery Resources			
Impact 3.6-1	Implementation of the project could result in effects on potential spawning and rearing habitat for anadromous fishes, including federally listed coho salmon.		
Mitigation Measures 1a: Because the proposed construction schedule includes in-river work that could impact spawning spring- and fall-run Chinook salmon, coho salmon, and steelhead or their eggs once in the gravel, prior to the start of project construction, Reclamation or its contractor shall retain a qualified fisheries biologist to conduct a survey for active redds and potential	Pre-construction Construction	Reclamation	

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
<p>spawning habitat 200 feet upstream and downstream of the proposed in-river construction activities. Anti-spawning mats (heavy-gauge wire fencing secured over streambed gravels) will be installed in areas identified as potential spawning sites within the immediate vicinity of the low-flow channel crossings at R2 on the Trinity River and R9 on Weaver Creek. These anti-spawning mats will eliminate use of the area by spawning adults and will ensure that no impacts could occur to developing eggs placed in the gravel. Excavation work at R5 would only be conducted during late-summer, low-flow conditions (e.g., July – September 15) Anti-spawning mats will be installed prior to the beginning of spawning (i.e., on/or before September 15).</p>			
<p>1b: Fill gravels used on the streambeds and stream banks will be composed of washed, spawning-sized gravels from a local Trinity Basin source. Gravel will be washed to remove any silts, sand, clay, and organic matter and will be free of contaminants such as petroleum products. Washed gravel will pass the Caltrans cleanliness test #227 with a value of 85 or greater. This material will be graded to match natural streambed and bank contours at the site after completion of work. Care should be taken when removing gravel from the work berms following completion of construction activities to ensure that turbidity levels are not exceeded due to the disturbance of dirt and debris that may accumulate in the gravel during construction.</p>	Construction	Reclamation	
<p>Impact 3.6-2</p>	<p>Implementation of the project could result in increased erosion and sedimentation levels that could adversely affect fishes, including federally listed coho salmon.</p>		
<p>Mitigation Measures</p> <p>2a: Turbidity increases associated with project construction activities shall not exceed the Regional Water Board water quality objectives for turbidity in the Trinity River basin. Turbidity levels are defined in nephelometric turbidity units (NTUs). The current threshold for turbidity levels in the Trinity River, as listed in the Basin Plan for the North Coast Region</p>	Construction	Reclamation	

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
<p>(2001), is summarized below.</p> <p>Turbidity shall not be increased by more than 20 percent above naturally occurring background levels. Allowable zones of dilution within which higher percentages can be tolerated may be defined for specific discharges upon the issuance of discharge permits.</p>			
<p>2b: To ensure that turbidity levels do not exceed the threshold listed above during project construction activities at the river's edge, Reclamation or its contractor shall monitor turbidity levels 50 feet upstream and 500 feet downstream of the point of river's edge construction activities. At a minimum, field turbidity measurements shall be collected on a daily basis during river's edge construction (within 10 ft of the water line). Whenever a visible increase in turbidity is observed. Monitoring frequency shall be a minimum of every 2 hours during periods of increased turbidity.</p> <p>If the grab sample results indicate that turbidity levels exceed the established thresholds identified in the Basin Plan, actions shall be implemented immediately to reduce and maintain turbidity at or below the thresholds. Potential remedial actions include temporarily halting in-channel construction activities and implementation of additional Best Management Practices (BMPs) until turbidity is at or below the thresholds.</p>	Construction	Reclamation	
<p>2c: Proper implementation of erosion and sediment containment devices during and after construction shall be adequate to minimize sediment inputs into the Trinity River. Planting of native plants, hydroseeding, or other Type-D erosion control, shall be applied to areas where vegetation has been removed to reduce short-term erosion prior to the start of the rainy season. Soils shall not be left exposed during the rainy season.</p> <p>Because these activities must take place during the late fall, winter, and spring, temporary erosion and sediment control structures must be in place and operational at the end of each construction day and</p>	Pre-construction Construction	Reclamation	

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
maintained until disturbed ground surfaces have been successfully revegetated upon completion of construction activities and/or decommissioning of the access road.			
<p>2d: Reclamation or its contractor shall prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) that describes Best Management Practices (BMPs) for the project. Ripping of all riparian areas to create furrows parallel to the river is expected to stop delivery of storm water to the river; however, BMPs, including silt fences, sediment filters, and routine monitoring to verify effectiveness, may be necessary. Proper implementation of erosion and sediment controls and dewatering activities shall be adequate to minimize sediment inputs into the Trinity River until construction ends. All sediment containment devices and erosion control devices will be inspected daily during the construction period to ensure that the devices are functioning properly. Any erosion control devices found to be nonfunctional must be repaired or replaced following their discovery or by the end of the work day if rain is imminent or if a greater than 50 percent possibility of rain has been forecast within the following 24 hours by the National Weather Service. In those cases where, for safety reasons, repairs cannot be made immediately, they should be completed as soon as the work can safely be performed. Excavated and stored materials will be kept in upland sites with erosion control properly installed and maintained. Excavated and stored materials will be staged in stable upland sites. All applicable erosion control standards will be required during stockpiling of materials.</p>	Pre-construction Construction	Reclamation	
Impact 3.6-3	Construction activities associated with the project could potentially result in the accidental spill of hazardous materials that could adversely affect fishes, including federally listed coho salmon.		
<p>Mitigation Measures Construction specifications shall include the following measures to reduce potential impacts associated with accidental spills of pollutants (fuel, oil, grease, etc.) to vegetation and aquatic habitat resources within the</p>	Pre-construction	Reclamation	

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
<p>project boundary: 3a: Equipment and materials shall be stored away from wetland and surface water features.</p>			
<p>3b: Vehicles and equipment used during construction shall receive proper and timely maintenance to reduce the potential for mechanical breakdowns leading to a spill of materials. Maintenance and fueling shall be conducted in an area at least 150 feet away from the Trinity River.</p>	Construction	Reclamation	
<p>3c: The contractor will develop and implement site-specific best management practices (BMPs), a water pollution control plan, and emergency spill control plan. The contractor will be responsible for immediate containment and removal of any toxins released. Section 3.5 and Section 3.15 provide additional details on mitigation measures developed for water quality standards, hazards, and hazardous materials. The responsible agencies (i.e., Regional Water Board) will be involved in the development and approval of these plans and practices.</p>	Construction	Reclamation	
<p>Impact 3.6-4</p>	<p>Construction activities associated with the project could result in the mortality of rearing fishes, including federally listed coho salmon.</p>		
<p>Mitigation Measures 4a: To avoid or minimize potential injury and mortality of fish during riverine activities (including in-channel activities at R-5, X-1 and X-2) equipment shall be operated slowly and deliberately to alert and scare adult and juvenile salmonids away from the work area.</p>	Construction	Reclamation	
<p>4b: Reclamation or its contractor shall minimize potential injury and mortality of fish during the use of low-flow channel crossings. This will be accomplished by minimizing vehicle traffic and by operating equipment and vehicles slowly and deliberately to alert and scare adult and juvenile salmonids away from the crossing area, or by having a person wade ahead of equipment to scare fish away from the crossing area.</p>	Construction	Reclamation	
<p>4c: To avoid or minimize potential injury and mortality of fish during excavation and placement of fill</p>	Construction	Reclamation	

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
<p>materials within the active low-flow channel, equipment shall be operated slowly and deliberately to alert and scare adult and juvenile salmonids away from the work area. The contractor shall be instructed that before submerging an excavator bucket or laying gravel below the water surface, the excavator bucket will be operated to “tap” the surface of the water, or a person will wade ahead of fill placement equipment to scare fish away from the work area. To avoid impacts to mobile life stages of salmonids that may be present in the water column, the first layers of clean gravel that are being placed into the wetted channel shall be added slowly and deliberately to allow fish to move from the work area.</p>			
<p>4d: Monitoring of the rehabilitated floodplain sites for salmon fry stranding shall be performed by a qualified fishery biologist immediately after recession of floodflow events designated as a 1.5- year or less frequent event (i.e., $Q \geq 6,000$ cfs) for a period of 3 years following construction. Such fry stranding surveys shall be performed during the months of January through May. If substantial stranding is observed, Reclamation will take appropriate measures to return stranded fishes to river habitats and to modify floodplain topography to reduce the likelihood of future occurrences of fry stranding.</p>	Post-construction	Reclamation	
<p>Impact 3.6-5</p>	<p>Implementation of the project would result in the permanent and temporary loss of shaded riverine aquatic habitat for anadromous salmonids.</p>		
<p>Mitigation Measures To maintain overall SRA habitat values within the project reach, the Proposed Action would be designed to minimize losses of riparian vegetation adjacent to the Trinity River channel, except where necessary to re-activate river access to the floodplain. Boundary markers shall be installed along all riparian areas outside of delineated rehabilitation areas. These markers will stop construction access so that impacts to riparian vegetation are minimized. To compensate for loss of riparian vegetation within project boundary, Reclamation shall implement the following measures:</p>	Pre-construction Construction	Reclamation	

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
<p>5a: To mitigate for the loss of riparian habitat, the Project would be designed to preserve riparian vegetation within the site boundaries to increase the diversity of native vegetation types and age classes available post-project and to facilitate natural vegetation of constructed surfaces that is appropriate for fish and wildlife species. Prior to the start of construction activities, Reclamation shall retain a qualified biologist to identify potential construction access routes necessary for the project to ensure that these features avoid and/or minimize to the fullest extent impacts to riparian habitat. In addition, Reclamation shall clearly identify and flag biologically sensitive areas (e.g., jurisdictional waters and riparian habitat) to be protected in the field and provide specific instructions to avoid any construction activity within these features. Each jurisdictional riparian feature to be avoided will be flagged, staked, or otherwise marked to ensure that construction activities do not encroach upon them. Reclamation shall inspect and maintained marked areas on a regular basis throughout the construction phase.</p>			
<p>5b: Reclamation shall develop a Riparian Revegetation and Monitoring Plan (Plan), subject to approval by the Corps, Regional Water Board and CDFG, prior to implementing the proposed project. The Plan shall include measures that insure that all riparian vegetation removed by the TRRP projects within the 40 mile corridor of the Trinity River downstream of Lewiston Dam will be replaced by natural recruitment, replanting, or any combination thereof at an areal ratio of 1:1 within a five year time-frame. The Plan should include measures that support the TRRP objective to replace homogeneous vegetation with a diverse assemblage of riparian vegetation, including provisions for incorporation of native species that can resist invasion by noxious plant species. Because the present Trinity River channel is encroached (up to 300 percent) with riparian vegetation that is homogenous in nature, the Plan need not require strict replacement based on original stem counts and species.</p>	<p>Pre-construction Post-construction</p>	<p>Reclamation</p>	

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
<p>5c: Reclamation shall initiate a 5 year mitigation monitoring program after the first growing season following project implementation. After a period of three years, Reclamation, in consultation with the Corps, Regional Water Board and CDFG will be determine the need (if any) for additional plantings and will assess and/or remedy any loss of riparian habitat, including jurisdictional wetlands within the site boundaries (as defined in the EIR) in order to ensure that there will be no-net loss of wetlands and riparian habitat at the end of the 5-year monitoring period. , Determining the response of riparian habitat to the channel rehabilitation project after three years of monitoring will provide a two year period for Reclamation to take additional pro-active measures towards meeting the goal of no net-loss of riparian habitat within the boundaries of the Canyon Creek Suite of Rehabilitation Sites.</p> <p>Reclamation shall complete a post-project wetland delineation and vegetation habitat evaluation as a basis for comparing pre and post-project conditions and submit the results to the Corps, Regional Water Board and CDFG. In the event that this delineation identifies a net loss in riparian habitat, Reclamation shall enhance or reestablish riparian vegetation that will function as SRA habitat within the boundaries of the rehabilitation sites. Potential options to accomplish this objective include increasing the density and diversity of riparian vegetation to supplement natural recruitment, and introducing riparian plants in locations to expand riparian habitat. In the event the conditions within the boundary of the Indian Creek site preclude the ability to adequately mitigate onsite, Reclamation may consider alternate locations for riparian vegetation mitigation within the local Trinity River corridor, subject to approval by the Corp, the Regional Water Board and CDFG.</p>	<p>Post-construction</p>	<p>Reclamation</p>	

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
Impact 3.6-6	Implementation of the project could result in effects on potential spawning and rearing habitat for anadromous fishes, including federally listed coho salmon.		
Mitigation Measures 6a: Fill gravels used on the low water crossings, streambeds and stream banks will be composed of washed, spawning-sized gravels from a local Trinity Basin source. Gravel will be washed to remove any silts, sand, clay, and organic matter and will be free of contaminants such as petroleum products. Washed gravel will pass the Caltrans cleanliness test #227 with a value of 85 or greater.	Construction	Reclamation	
6b: Reclamation or its contractor shall construct the low-flow channel crossings to allow adequate depth and velocity for adult and juvenile salmonids to safely pass. Flows associated with storm events are not considered critical as the width and hydrologic conditions associated with low-flow channel crossings in the Trinity River and Weaver Creek delta are not considered to limit fish passage at elevated flows and would be comparable to hydrologic conditions in local riffle and run features. For low-flow channel crossings at base flows, velocities shall not exceed 2 fps to allow for juvenile fish passage. Minimum water depth at low-flow shall not be less than 12-inches to provide adequate depth for adult salmon and steelhead passage.	Construction	Reclamation	
3.7 Vegetation, Wildlife, and Wetlands			
Impact 3.7-1	Construction activities associated with the project could result in the loss of jurisdictional waters (e.g., wetlands) and riparian habitat.		
Mitigation Measures 1a: Prior to the start of construction activities, Reclamation shall retain a qualified biologist to identify potential construction access routes necessary for the project to ensure that these features avoid and/or minimize to the fullest extent impacts to jurisdictional waters. In addition, Reclamation shall clearly identify, and flag in the field, biologically sensitive areas (e.g., jurisdictional waters and riparian habitat) to be protected, and will provide the contractor specific	Pre-construction	Reclamation	

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
instructions to avoid any construction activity within these features. Reclamation shall inspect and maintain marked areas on a regular basis throughout the construction phase.			
<p>1b: Reclamation shall develop a Riparian Revegetation and Monitoring Plan, subject to approval by the Corps, Regional Water Board, and CDFG, prior to implementing the proposed project. The plan shall include measures that ensure that all riparian vegetation (a key parameter of jurisdictional wetlands) removed by the TRRP projects within the 40-mile corridor of the Trinity River downstream of Lewiston Dam is replaced by natural recruitment, replanting, or any combination thereof at an areal ratio of 1:1 within a 5 year time-frame. Because the present Trinity River channel is encroached (up to 300 percent) with riparian vegetation that is homogenous in nature, this plan need not require strict replacement based on original stem counts and species. The plan shall acknowledge that the ultimate goals of the TRRP include functional riparian habitat and no net-loss of jurisdictional wetlands throughout the 40-mile reach of the Trinity River below the TRD. Because riparian habitat and jurisdictional wetlands will respond to river restoration with some degree of spatial and temporal variability, areal habitat coverages within a river reach will remain relatively consistent while habitat changes at specific locations may be measurable.</p>	<p>Pre-construction Construction</p>	<p>Reclamation</p>	
<p>1c: Floodplain values and functions will be enhanced by the Indian Creek Rehabilitation Site project as well as by ROD flows. Consequently, substantial new areas beyond those identified in pre-project plant community delineations are expected to convert to riparian habitats (in some cases, jurisdictional wetlands), both seasonal and perennial, within a 3–5 year post-project window. Reclamation will take advantage of opportunities during or after project construction to enhance wetland functions within project boundaries or to create conditions required for functional jurisdictional wetlands (i.e., hydrology, vegetation, and hydric soils) to persist over time. For example, excavation of areas upslope</p>	<p>Pre-construction Post-construction</p>	<p>Reclamation</p>	

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
<p>(beyond the 6,000 cfs OHWM line) to a depth coincident with low-flow (450 cfs) conditions may provide opportunities to establish the hydrologic conditions necessary for establishing functional jurisdictional wetlands.</p> <p>Reclamation shall initiate a 5-year mitigation monitoring program after the first growing season following project implementation. After a period of three years, the need will be evaluated (if any) for additional wetland enhancement. At that time, Reclamation, in consultation with the Corps, Regional Water Board and CDFG, will determine the need to further enhance or create additional areas of jurisdictional wetlands within the project boundary defined in the EIR so that there will be no-net loss of wetlands at the end of the 5-year monitoring period. Determining the need to further enhance or create additional wetland areas after three years of monitoring will provide a two year period for Reclamation to take additional pro-active measures towards meeting the goal of no net-loss of jurisdictional wetland habitat within the boundaries of the Indian Creek site.</p> <p>Reclamation shall conduct a post-project wetland delineation five years after project construction for comparison to the pre-construction wetland delineation. In the event that a post-project wetland delineation identify a net loss of jurisdictional wetlands within the Indian Creek site, the TRRP, in consultation with the Corps, the Regional Water Board, and CDFG, will implement additional mitigation measures to further enhance or create additional jurisdictional wetlands within the boundary of the Indian Creek site. In the event the conditions within the boundary of this site precludes the ability to adequately mitigate onsite, Reclamation may consider alternate locations for jurisdictional wetland mitigation within the local Trinity River corridor, subject to approval by the Corps, the Regional Water Board and CDFG.</p>			

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
Impact 3.7-4	Construction activities associated with the project could result in impacts to the state listed little willow flycatcher.		
Mitigation Measures 4a: Grading and other construction activities should be scheduled to avoid the nesting season to the extent possible. The nesting season for this species in Trinity County extends from June 15 through July 31 (P. Herrera, Redwood Sciences Laboratory, pers. comm.). If construction occurs outside of the breeding season, no further mitigation is necessary. If the breeding season cannot be completely avoided, Mitigation measures 4b and 4c should be implemented.	Pre-construction Construction	Reclamation	
4b: A qualified biologist shall conduct a minimum of one pre-construction survey for the little willow flycatcher within the project site and a 250-foot buffer around the site. The survey shall be conducted no more than 15 days prior to the initiation of construction in any given area. The pre-construction survey shall be used to ensure that no nests of this species within or immediately adjacent to the project site would be disturbed during project implementation. If an active nest is found, CDFG shall be contacted prior to the start of construction to determine the appropriate mitigation measures.	Pre-construction	Reclamation	
4c: If vegetation is to be removed by the project and all necessary approvals have been obtained, potential nesting substrate (e.g., shrubs and trees) that will be removed by the project shall be removed before the onset of the nesting season, if feasible. This will help preclude nesting and substantially decrease the likelihood of direct impacts.	Pre-construction	Reclamation	
Impact 3.7-5	Construction activities associated with the project could result in impacts to the foothill yellow-legged frog.		
Mitigation Measures 5a: If any construction in the Trinity River, Indian Creek, and/or Weaver Creek channel will occur prior to August 1 of any construction season, a pre-construction survey for yellow-legged frog larvae	Pre-construction	Reclamation	

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
and/or eggs shall be conducted by a qualified biologist. This survey would need to be conducted within the construction boundary no more than 2 weeks prior to the start of in-stream construction activities. If larvae or eggs are detected, the biologist shall relocate them to a suitable location outside of the construction boundary.			
5b: In the event that a yellow-legged frog is observed within the construction boundary, the contractor shall temporarily halt in-stream construction activities until the frog has been moved to a safe location with suitable habitat outside of the construction limits.	Construction	Reclamation	
5c: Mitigation measures presented in Section 3.5 for addressing erosion and sedimentation and accidental spills shall be fully implemented to mitigate for potential indirect impacts to dispersal habitat for the yellow-legged frog due to sedimentation and accidental spills.	Construction	Reclamation	
5d: Mitigation measures associated with the disturbance to riparian habitat were previously discussed (Mitigation Measure 3.7-1) and will be fully implemented.	Pre-construction Construction	Reclamation	
Impact 3.7-6	Construction activities associated with the project could result in impacts to the northwestern pond turtle.		
Mitigation Measures 6a: A minimum of one survey for pond turtle nests shall be conducted a maximum of one week prior to construction. A qualified biologist shall be retained by Reclamation to conduct the survey. If a pond turtle nest is found, the biologist shall flag the site and determine whether construction activities can avoid affecting the nest. If the nest cannot be avoided, the nest shall be excavated by the biologist and reburied at a suitable location outside of the construction limits.	Pre-construction	Reclamation	
6b: In the event that a pond turtle is observed within the construction limits, the contractor shall temporarily halt construction activities until the turtle has been moved by a qualified biologist to a safe	Construction	Reclamation	

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
location within suitable habitat outside of the construction limits.			
6c: Mitigation measures presented in Section 3.5 (Water Quality) for addressing erosion and sedimentation and accidental spills shall be fully implemented to mitigate for the potential indirect impacts to potential dispersal habitat due to sedimentation and accidental spills.	Construction	Reclamation	
6d: Mitigation measures associated with the disturbance to riparian habitat were discussed previously in this section (Mitigation Measure 3.7-1) and shall be fully implemented.	Pre-construction Construction	Reclamation	
Impact 3.7-7	Construction activities associated with the project could result in impacts to nesting yellow warblers, yellow-breasted chats, Vaux's swifts, and ruffed grouse.		
Mitigation Measures In order to avoid and/or minimize impacts to nesting Vaux's swifts, ruffed grouse, California yellow warblers, and yellow-breasted chats, the following measures shall be implemented: 7a: Grading and other construction activities shall be scheduled to avoid the nesting season for these species to the extent possible. The nesting season for these species in Trinity County extends from March 15 through August. If construction occurs outside of the breeding season, no further mitigation is necessary. If the breeding season cannot be completely avoided, measures 7b and 7c shall be implemented.	Construction	Reclamation	
7b: A qualified biologist shall conduct a minimum of one pre-construction survey for these species within the project site and a 250-foot buffer around the site. The survey shall be conducted no more than 15 days prior to the initiation of construction in any given area. The pre-construction survey shall be used to ensure that no nests of these species within or immediately adjacent to the project sites would be disturbed during project implementation. If an active nest is found, a qualified biologist shall determine the extent of a construction-free buffer zone to be established around the nest.	Pre-construction	Reclamation	

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
<p>7c: If vegetation is to be removed by the project and all necessary approvals have been obtained, potential nesting habitat (e.g., shrubs and trees) that will be removed by the project shall be removed before the onset of the nesting season, if feasible. This will help preclude nesting and substantially decrease the likelihood of direct impacts.</p>	Construction	Reclamation	
<p>Impact 3.7-8</p>		<p>Construction activities associated with the project could disrupt nesting by special-status raptors.</p>	
<p>Mitigation Measures In order to avoid and/or minimize impacts to nesting special-status raptors, the following measures shall be implemented:</p> <p>8a: Construction shall be scheduled to avoid the nesting season for raptors to the extent feasible. The nesting season for most raptors in Trinity County extends from February 15 through July 31. Thus, if construction can be scheduled to occur between August 1 and February 14, the nesting season will be avoided and no impacts to nesting raptors would be expected. If it is not possible to schedule construction during this time, the following mitigation measures shall be implemented.</p>	Construction	Reclamation	
<p>8b: Pre-construction surveys for nesting raptors shall be conducted by a qualified biologist to ensure that no nests will be disturbed during project implementation. These surveys shall be conducted no more than 14 days prior to the initiation of construction activities. During this survey, the biologist shall inspect all trees immediately adjacent to the impact areas for raptor nests. If an active raptor nest is found close enough (i.e., within 500 feet) to the construction area to be disturbed by these activities, the biologist, in consultation with the CDFG, shall determine the extent of a construction-free buffer zone to be established around the nest.</p>	Pre-construction	Reclamation	
<p>8c: If vegetation is to be removed by the project and all necessary approvals have been obtained, potential nesting habitat (i.e., trees) that will be</p>	Pre-construction	Reclamation	

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
removed by the project shall be removed before the onset of the nesting season, if feasible. This will help preclude nesting and substantially decrease the likelihood of direct impacts.			
Impact 3.7-9	Construction activities associated with the project could result in impacts to special-status bats and the ring-tailed cat.		
<p>Mitigation Measures</p> <p>In order to avoid and/or minimize impacts to roosting special-status bats and the ring-tailed cat, the following measures shall be implemented:</p> <p>9a: A pre-construction survey for roosting bats and ring-tailed cats shall be conducted prior to any removal of trees ≥ 12 inches in diameter at 4.5 feet above grade. The survey shall be conducted by a qualified biologist. No activities that would result in disturbance to active roosts of special-status bats or dens of ring-tailed cats shall proceed prior to completion of the surveys. If no active roosts or dens are found, no further action would be warranted. Because bats are known to abandon young when disturbed, if a maternity roost is located, a qualified bat biologist shall determine the extent of a construction-free zone to be implemented around the roost. If a bat maternity roost or hibernacula or a ring-tailed cat den is present, Measures 9b and/or 9c shall be implemented. CDFG shall also be notified of any active bat nurseries within the disturbance zones.</p>	Pre-construction Construction	Reclamation	
<p>9b: If an active maternity roost or hibernacula is found, the project shall be redesigned to avoid the loss of the tree occupied by the roost, if feasible. If the project cannot be redesigned to avoid removal of the occupied tree, demolition of that tree shall commence before bat maternity colonies form (i.e., prior to March 1) or after young are volant (flying) (i.e., after July 31). The disturbance-free buffer zones described above shall be observed during the bat maternity roost season (March 1–July 31). If a non-breeding bat hibernacula is found in a tree scheduled to be razed, the individuals shall be safely evicted, under the direction of a qualified bat biologist (as determined by</p>	Construction	Reclamation	

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
<p>a Memorandum of Understanding with CDFG), by opening the roosting area to allow air flow through the cavity. Demolition shall then follow no sooner than the following day (i.e., there will be no less than one night between initial disturbance for air flow and the demolition). This action shall allow bats to leave during dark hours, thus increasing their chance of finding new roosts with a minimum of potential predation during daylight. Trees with roosts that need to be removed shall first be disturbed at dusk, just prior to removal that same evening, to allow bats to escape during the darker hours.</p>			
<p>9c: If an active ring-tailed cat nest is found, the project will be redesigned to avoid the loss of the tree occupied by the nest if feasible. If the project cannot be redesigned to avoid removal of the occupied tree, demolition of that tree shall commence outside of the breeding season (February 1 to August 30). If a non-breeding den is found in a tree scheduled to be razed, the individuals shall be safely evicted under the direction of a qualified biologist. Trees with dens that need to be removed shall first be disturbed at dusk, just prior to removal that same evening, to allow ring-tailed cats to escape during the darker hours.</p>	Construction	Reclamation	
<p>Impact 3.7-11</p>	<p>Construction activities associated with the project could result in impacts to BLM sensitive species.</p>		
<p>Mitigation Measures Since no significant impacts for the Pacific fisher were identified, no mitigation is required. Mitigation measures 5a, 5b, and 5c will reduce the impacts to the foothill yellow-legged frog to a less-than-significant level. Mitigation measures 9a and 9b will reduce the impacts to special-status bat species to a less-than-significant level.</p>	Pre-construction Construction	Reclamation	
<p>Impact 3.7-13</p>	<p>Implementation of the project could result in the spread of non-native and invasive plant species.</p>		
<p>Mitigation Measures 13a: When using imported erosion control materials (as opposed to rock and dirt berms), use only</p>	Construction	Reclamation	

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
certified weed-free materials, mulch, and seed.			
13b: Preclude the use of rice straw in riparian areas.	Construction	Reclamation	
13c: Limit any import or export of fill to material known to be weed free.	Construction	Reclamation	
13d: Require the construction contractor to thoroughly wash all equipment prior to entering the County. Equipment shall be inspected to ensure that it is free of plant parts as well as soils, mud, or other debris that may carry weed seeds.	Construction	Reclamation	
13e: Utilize a mix of native grasses, forbs, and non-persistent non-native species (mix to be developed in cooperation with members of the TCWMC) for disturbed areas that are subject to infestation by non-native and invasive plant species. Where appropriate, a heavy application of mulch will be utilized to discourage introduction of these species.	Post-construction	Reclamation	
13f: After completion of final grading activities, Reclamation shall coordinate with members of the Trinity County Weed Management Cooperative (TCWMC) to identify high priority areas that shall be treated using planting plugs of native grass species to accelerate occupation of disturbed sites and increase the likelihood of reestablishing a self-sustaining population of native plant species.	Post-construction	Reclamation	
13g: Within the first 3 to 5 years post-project, if it is determined that the project has caused non-native invasive vegetation to out-compete desired planted or native colonizing riparian vegetation, opportunities to control these non-native species shall be considered. When implementing weed control techniques, the approach will consider using all available control methods known for a weed species. Control methods will be consistent with those adopted by the TCWMC and the Trinity County Board of Supervisors.	Post-construction	Reclamation	

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
3.8 Recreation			
Impact 3.8-1	Construction activities associated with the project could disrupt recreation activities (boating, fishing, and swimming) in the Trinity River.		
Mitigation Measures 1a: Reclamation or their contractor shall provide precautionary signage to warn recreational users of the potential safety hazards associated with project construction activities. Signs and/or buoys shall be placed within and directly adjacent to the project boundary along the Trinity River in accordance with the requirements specified in Title 14, Article 6 of the California Code of Regulations. Notification signs will be posted at the Steel Bridge and Indian Creek boat launches, as well as at the private boat launch behind the Indian Creek Motel. Additionally, public notification of proposed project construction activities and associated safety hazards shall be circulated in the local Trinity Journal newspaper and posted on the bulletin board maintained by the TRRP in Weaverville, California at least two weeks prior to the start of construction activities.	Construction	Reclamation	
Impact 3.8-2			
Mitigation Measures 2a: Reclamation or their contractor shall provide precautionary signage to warn recreational users of the potential safety hazards associated with project construction activities. Signs and/or buoys shall be placed within and directly adjacent to the project boundary along the Trinity River in accordance with the requirements specified in Title 14, Article 6 of the California Code of Regulations. Notification signs will be posted at the Steel Bridge and Indian Creek boat launches, as well as at the private boat launch behind the Indian Creek Motel. Additionally, public notification of proposed project construction activities and associated safety hazards shall be circulated in the local Trinity Journal newspaper and posted on the bulletin board maintained by the TRRP in Weaverville, California at least two weeks prior to the start of	Construction	Reclamation	

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
construction activities.			
Impact 3.8-3	Construction activities associated with the project could lower the Trinity River's aesthetic values for recreationsists by increasing turbidity levels in the Trinity River.		
<p>Mitigation Measures</p> <p>3a: Turbidity increases associated with project construction activities shall not exceed the Regional Water Board water quality objectives for turbidity in the Trinity River basin. Turbidity levels are defined in nephelometric turbidity units (NTUs). The current threshold for turbidity levels in the Trinity River, as listed in the Basin Plan for the North Coast Region (2001), is summarized below.</p> <ul style="list-style-type: none"> ▪ Turbidity shall not be increased by more than 20 percent above naturally occurring background levels. Allowable zones of dilution within which higher percentages can be tolerated may be defined for specific discharges upon the issuance of discharge permits or waiver thereof. 	Construction	Reclamation	
<p>3b: To ensure that turbidity levels do not exceed the threshold listed above during river's edge and in-channel project construction activities, Reclamation or its contractor shall monitor turbidity levels 50 feet upstream and 500 feet downstream of the point of river's edge and in-channel construction activities. At a minimum, field turbidity measurements shall be collected whenever a visible increase in turbidity is observed. Monitoring frequency shall be a minimum of every 2 hours during periods of increased turbidity.</p>	Construction	Reclamation	
<p>3c: Reclamation or its contractor shall prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) that describes BMPs for the project. Ripping of all riparian areas is expected to stop delivery of storm water to the river; however, BMPs, including silt fences, sediment filters, dewatering activities, and routine monitoring to verify effectiveness, may be necessary. Proper implementation of erosion and sediment controls and dewatering activities shall be adequate to minimize sediment inputs into the Trinity River until river levels</p>	Pre-construction Construction	Reclamation	

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
<p>rise and inundate the floodplain. All sediment containment devices and erosion control devices will be inspected daily during the construction period to ensure that the devices are functioning properly. Excavated and stored materials will be kept in upland sites with erosion control properly installed and maintained. Excavated and stored materials will be staged in stable upland sites. All applicable erosion control standards will be required during stockpiling of materials.</p>			
<p>3.11 Cultural Resources</p>			
<p>Impact 3.11-1</p>	<p>Implementation of the project could potentially result in disturbance of undiscovered prehistoric or historic resources.</p>		
<p>Mitigation Measures 1a: Plans for spoiling excavated materials have been altered to place materials outside of the areas of the Union Hill Mine Terrace that contain distinct features that define the historic site. To ensure cultural resource protection, these sensitive areas within the Union Hill Mine Terrace will be flagged for avoidance by a Reclamation archaeologist prior to construction. Construction workers will be informed of the flagging and its purpose.</p>	<p>Pre-construction Construction</p>	<p>Reclamation</p>	
<p>Impact 3.11-2</p>	<p>Implementation of the proposed project could potentially result in disturbance of undiscovered prehistoric or historic resources.</p>		
<p>Mitigation Measures 2a: Prior to initiation of construction or ground-disturbing activities, all construction workers shall be alerted to the possibility of buried cultural remains. This would include prehistoric and/or historic resources. Personnel shall be instructed that upon discovery of buried cultural materials, work within 50 feet of the find shall be halted and Reclamation's designated archaeologist consulted. Once the find has been identified, Reclamation will make the necessary plans for treatment of the finds(s) and for the evaluation and mitigation of impacts if the find(s) are found to be significant as defined in the PA.</p>	<p>Construction</p>	<p>Reclamation</p>	

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
<p>2b: If buried human remains are encountered on non-federal lands during construction, work in that area must be halted, and the Trinity County Coroner's Office shall be immediately contacted. If the remains are determined to be of Native American origin, the Native American Heritage Commission (NAHC) will be notified within 24 hours of determination, as required by Public Resources Code, Section 5097. The NAHC will notify designated Most Likely Descendants, who will provide recommendations for the treatment of the remains within 24 hours. The NAHC will mediate any disputes regarding treatment of remains. For the discovery of Native American human remains and associated items on Federal lands, the Native American Graves Protection Act (25 U.S.C. 3001) and its implementing regulations (43 CFR Part 10) will be followed.</p> <p>If the find is determined to be a historical resource or a unique archaeological resource, as defined by CEQA, contingency funding and a time allotment sufficient to allow for implementation of avoidance measures or other appropriate mitigation shall be made available. Work may continue on other parts of the proposed project while mitigation for historical or unique archaeological resources takes place.</p>	Construction	Reclamation	
3.12 Air Quality			
Impact 3.12-1	Construction activities associated with the project could result in an increase in fugitive dust and associated particulate matter (PM₁₀ and PM_{2.5}) levels.		
<p>Mitigation Measures</p> <p>1a: Reclamation shall include provisions in the construction bid documents specifying that the contractor shall implement a dust control program to limit fugitive dust and particulate matter emissions. The dust control program may include, but will not be limited, to the following elements, as appropriate:</p> <ul style="list-style-type: none"> ▪ Inactive construction areas will be watered as needed to ensure dust control. ▪ Pursuant to the California Vehicle Code (Section 23114), all trucks hauling soil or other loose material to and from the construction site shall be 	Pre-construction Construction	Reclamation	

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
<p>covered or should maintain adequate freeboard to ensure retention of materials within the truck's bed (e.g.,(ensure 1-2 feet vertical distance between top of load and the trailer).</p> <ul style="list-style-type: none"> ▪ Excavation activities and other soil-disturbing activities shall be conducted in phases to reduce the amount of bare soil exposed at any one time. Mulching with weed free materials may be used to minimize soil erosion, as described in Sections 3.3 and 3.5 of the EA/DEIR. ▪ Watering with either equipment and/or manually would be conducted on all stockpiles, dirt/gravel roads, and exposed or disturbed soil surfaces, as necessary, to reduce airborne dust. ▪ All paved access roads, parking areas, and staging areas shall be swept (with water sweepers) at each construction site, as required by Reclamation. ▪ Roads will be swept (with water sweepers) if visible soil material is carried onto adjacent public roads, as required by Reclamation. ▪ All ground-disturbing activities with the potential to generate dust shall be suspended when winds exceed 20 miles per hour, as directed by the NCUAQMD. ▪ Reclamation or its contractor shall designate a person to monitor dust control and to order increased watering as necessary to prevent transport of dust offsite. This person will also respond to citizen complaints. 			
Impact 3.12-2	Construction activities associated with the project could result in an increase in construction vehicle exhaust emissions.		
<p>Mitigation Measures 2a: Reclamation shall include provisions in the construction bid documents specifying that the contractors shall comply with NCUAQMD Rule 104 (3.0) Particulate Matter. This compliance could occur through the use of portable internal combustion engines registered and certified under the state portable equipment regulation (Health & Safety Code</p>	Pre-construction Construction	Reclamation	

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
41750 through 41755).			
Impact 3.12-3	Construction activities associated with the project and removal of vegetation could result in vegetative materials that managers will decide to burn.		
Mitigation Measures 3a: Piles will consist only of dried vegetative materials. Burn piles will be no larger than 10 feet in diameter. Field personnel will be on site during all hours of burning and materials necessary to extinguish fires will be available at all times.	Construction	Reclamation	
3b: In general, all requirements of a NCUAQMD "NON-Standard" burn permit will be met for burning. Burn management planning may include but not be limited to: <ul style="list-style-type: none"> ▪ Ensure that burning occurs only on approved burn days as defined by the NCUAQMD (determined via calling 1-866-BURN-DAY). ▪ Burning will only occur during suitable conditions to ensure control of ignited fires. For instance: Water to wet the litter and duff layer and penetrate the mineral soil layer to 1/4 inch or more will be present, wind speeds will be low (< 10 mph), and temperature will be low (< 80° F) ▪ Piles may be covered with a 5-foot x 5-foot sheet of 4-mil polyethylene plastic to promote drying of the slash. At least 3/4 of each pile surface would be covered and the plastic anchored to preserve a dry ignition point. Dry fuel conditions will minimize smoke emissions. ▪ Slash piles would not be constructed on logs, stumps, on talus slopes, within 25 feet of wildlife trees with nest structures, in roadways or in drainage ditches. Piles would not be placed within 10 feet of trees intended to be saved (reserved trees), or within 25 feet of a unit boundary. 	Construction	Reclamation	
3c: Notification of the public and the NCUAQMD will occur each day. Depending on wind direction and proximity to roads, signs or personnel will notify residents and traffic on nearby access routes.	Construction	Reclamation	

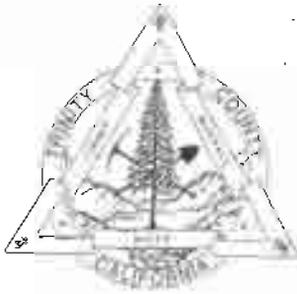
Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
3.14 Aesthetics			
Impact 3.14-1	Implementation of the project could result in the degradation and/or obstruction of a scenic view from key observation areas.		
In order to minimize impacts to visual resources resulting from the removal of vegetation within the project study area, mitigation measures 1a through 1d, as described Section 3.7 (Vegetation, Wildlife, and Wetlands), will be implemented where applicable for all alternatives.	Pre-construction Construction Post-construction	Reclamation	
3.16 Noise			
Impact 3.16-1	Construction activities associated with the project would result in noise impacts to nearby sensitive receptors.		
Mitigation Measures	Construction	Reclamation	
1a: Construction activities near residential areas (i.e., sensitive receptors 1-3 and 5-6) would be scheduled between 7:00 AM and 7:00 PM, Monday through Saturday. No construction activities shall be scheduled for Sundays or other hours and days established by the local jurisdiction (i.e., Trinity County). The contractor may submit for variances in construction activity hours, as needed.			
1b: Reclamation shall require in construction specifications that the contractor maintain all construction equipment with manufacturer's specified noise muffling devices.	Pre-construction Construction	Reclamation	
1c: Reclamation shall require in construction specifications that the contractor place all stationary noise-generating equipment as far away as feasibly possible from sensitive noise receptors or in an orientation minimizing noise impacts (i.e., behind existing barriers, storage piles, unused equipment).	Pre-construction Construction	Reclamation	

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
3.17 Public Services and Utilities/Energy			
Impact 3.17-3	Implementation of the project may result in disruption to emergency services or disruption to school bus routes or student travel routes during the construction phase.		
Mitigation Measures 3a: Reclamation shall stipulate in the contract specifications for construction that the contractor must stage construction work and temporary closures in a manner that will allow for access by emergency service providers.			
3b: Reclamation shall stipulate in the contract specifications that the contractor must provide 72-hour notice to the local emergency providers (i.e., TCSD, CDF, DCCVFD , and Trinity Life Support Ambulance) prior to the start of temporary closures.	Pre-construction Construction	Reclamation	
3.18 Transportation/Traffic Circulation			
Impact 3.18-3	Implementation of the project would affect access to adjacent land uses.		
Mitigation Measures 3a: Construction bid documents will require that access be maintained throughout the construction period for all private residences adjacent to the project boundary and access roads on the left side of Trinity River.	Pre-construction Construction	Reclamation	
3b: During the construction phase of the project, Reclamation shall limit the amount of daily construction equipment and vehicles within the project boundary throughout the work period.	Construction	Reclamation	
Impact 3.18-5	Construction activities could pose a safety hazard to motorists, bicyclists, and pedestrians.		
Mitigation Measures 5a: Reclamation shall include provisions in the contract specifications that require the construction contractor to prepare and implement a traffic control plan that would include provision and maintenance of temporary access through the construction zone, reduction in speed limits through the construction zone, signage and appropriate traffic control devices, illumination during hours of darkness or limited	Pre-construction Construction	Reclamation	

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
visibility, use of safety clothing/vests to ensure visibility of construction workers by motorists, and fencing as appropriate to separate pedestrians and bicyclists from construction activities.			

SCOPING AND PUBLIC INVOLVEMENT PROCESS

Appendix B



TRINITY COUNTY
PLANNING DEPARTMENT NATURAL RESOURCES DIVISION
190 Glen Rd. PO Box 2819 Weaverville, CA 96093
(530) 623-1351 x3411 FAX (530) 623-1353

Notice of Preparation
For An Environmental Impact Report
Indian Creek Rehabilitation Project: Trinity River Mile 93.7 to 96.5

TO: Responsible and Trustee Agencies, and Interested Parties

FROM: Trinity County Planning Department

SUBJECT: Notice of Preparation for a Joint Draft Environmental Impact Report (EIR) and Environmental Assessment (EA) for the Bureau of Reclamation, Trinity River Restoration Program: Indian Creek Rehabilitation Project: Trinity River Mile 93.7 to 96.5. The Draft EIR/EA will be a joint document, which meets both California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) requirements.

CEQA LEAD AGENCY: Trinity County Planning Department (County)

NEPA LEAD AGENCY: U.S. Bureau of Reclamation (Reclamation)

NEPA COOPERATING AGENCY: U.S. Bureau of Land Management

PROJECT TITLE: Indian Creek Rehabilitation Project: Trinity River Mile 93.7 to 96.5

PUBLIC SCOPING MEETING: A public scoping meeting will be held on February 8, 2006 at 6:30 pm at the Board of Supervisors Chambers at the Weaverville Library, 211 Main Street, Weaverville, CA. Information on the project will be presented and comments on the scope of the joint EIR/EA will be accepted. Announcement of the meeting will be made in Weaverville's local newspaper, the Trinity Journal, and by letter to local landowners and interested parties.

NOTICE OF PREPARATION COMMENT PERIOD: A public review period for the Notice of Preparation has been established for a thirty day (30) period from January 20, 2006 to February 21, 2006. The purpose of this comment period is to provide involved agencies and the public with an opportunity to learn about the project and to solicit comments to assist the Lead Agencies in identifying the range of actions, alternatives, mitigation measures, and environmental effects to be analyzed in the joint EIR/EA. The County, as CEQA Lead Agency,

POSTED IN: THE OFFICE OF
THE TRINITY COUNTY CLERK

FROM: 1/20/06 TO: 2/20/06

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and other agencies will use this joint EIR/EA when considering proposed actions, permits, and/or other approvals for the project.

Public and agency comments must be received no later than 5:00 p.m. on February 21, 2006.

PLEASE ADDRESS COMMENTS QUESTIONS AND RESPONSES TO:

Trinity County Planning Department Natural Resources Division

Attn: Joshua Allen

USPS Mail: P.O. Box 2819

UPS/FedEx: 190 Glen Road

Weaverville, CA 96093

Phone: (530) 623-1351 ext. 3411

Fax: (530) 623-1353

E-mail: jallen@trinitycounty.org

Approximately 3 months after close of the public review period for the scoping process, the Lead Agencies will issue the draft EIR/EA and will provide members of the public and other interested parties an opportunity to review and provide comments on the project.

PROJECT PROPONENT:

U.S. Bureau of Reclamation, Northern California Area Office

Trinity River Restoration Program (TRRP)

P.O. Box 1300

1313 Main Street

Weaverville, CA 96093

BACKGROUND: The Central Valley Project Improvement Act (1992) and the 1955 Trinity River Act provide the legal authority for projects that restore the fishery resources of the Trinity River. Specifically, these acts include language intended to require the federal government to preserve, propagate, protect, restore, and enhance fish, wildlife, and associated habitats within the Trinity River Basin.

In December 2000, the Secretary of Interior signed a Record of Decision (ROD) for the Trinity River Fishery Restoration Final Environmental Impact Statement (FEIS). This decision recognized that restoration and maintenance of the Trinity River's fishery resources requires rehabilitating the river itself, and restoring the attributes that produce a healthy, functioning alluvial river system. Consequently, the ROD included five components to ensure long-term restoration and maintenance of the Trinity River: a) Variable annual instream flows ranging from 369,000 acre-feet (af) in critically dry years to 815,000 af in extremely wet years; b) Physical channel rehabilitation, including the removal of riparian berms and the establishment of side channel habitat; c) Sediment management, including the supplementation of spawning gravels below Lewiston dam and reduction in fine sediments which degrade fish habitats; d) Watershed restoration efforts, addressing negative impacts which have resulted from land use practices in the Basin; and e) Infrastructure improvements or modifications, including rebuilding or fortifying bridges and addressing other structures affected by peak instream flows provided by the

ROD. The Trinity River Restoration Program office in Weaverville, California was opened in September 2002 for the purpose of implementing the ROD.

The ROD's channel rehabilitation component focuses attention on the need to physically manipulate the bank and floodplain features of the Trinity River between River Mile 112.0 (Lewiston Dam) and River Mile 72.4 (North Fork Trinity River). The channel reconstruction is intended to restore the Trinity River's historic alternate point bar morphology and habitat complexity to improve fishery resources. The Indian Creek Rehabilitation Project: Trinity River Mile 93.7 to 96.5 (Project) is the third channel rehabilitation project already built or in the planning stages that will work together to enhance river processes and to increase fisheries habitat downstream of Lewiston Dam. This project has no specific flood control objectives. The project purpose and need is to provide increased juvenile salmonid rearing habitat on the mainstem Trinity River, and to reduce flow impacts to homes and other human improvements located adjacent to the Trinity River, from implementation of ROD flows.

The Trinity County Planning Department (County), which issued Floodplain Development Permits under separate CEQA Notice of Determinations for both the Trinity River Restoration Program's Hocker Flat Channel Rehabilitation pilot project and the Trinity River Bridges Project, has permitting authority for this project, and as noted above, will serve as the state CEQA Lead Agency and will prepare an Environmental Impact Report (EIR) for the project as described below. The County requests your views concerning the scope and content of the environmental information germane to your interests or agency's statutory responsibilities in connection with the proposed project. The public and reviewing agencies will need to use this joint EIR/EA, prepared by the County and Reclamation, when considering proposed actions, permits, or other project approvals.

A project description, location maps, and a summary of the potential environmental effects are included in this Notice of Preparation.

PROJECT LOCATION: The proposed project site is located along an approximately 2.73 mile stretch of mainstem Trinity River between the communities of Lewiston and Douglas City, Trinity County, California; Trinity River Mile 93.7 to 96.5. The proposed project will be located between the geographic locales of Township 32 North, Range 9 West, Section 4 and Township 32 North, Range 10 West, Section 1 Mt. Diablo Meridian Baseline (40° 39' 13" N, 122° 53' 56" W and 40° 39' 02" N, 122° 56' 27" W). The vicinity of the project is shown in **Figure 1**. Each channel rehabilitation site is referred to by the phase they will take place during implementation of the project; while collectively all phases are referred to as the Indian Creek Rehabilitation Project (Project). The Environmental Study Limits (ESLs) for the project site is illustrated in the Project Location Map, **Figure 2**.

PROJECT DESCRIPTION: Within the project Environmental Study Limit (ESL), discrete activity areas have been identified. Within these activity areas, a variety of specific actions may be conducted that are intended to enhance or reestablish the Trinity River's alternate point bar morphology and channel complexity, and to subsequently provide an increase in useable fish habitat. In addition, these actions are intended to enhance the riparian and terrestrial habitat

adjacent to the Trinity River. The following actions may be conducted in one or more activity areas as part of this project:

- Removal of Vegetation, including Mature Riparian Vegetation
- Earthwork in the Trinity River Floodplain and within the active river channel
- Material Transportation
- Material Disposal in compliance with the Surface Mining and Reclamation Act and Section 30.1 of the Trinity County Zoning Ordinance (Mining)
- Revegetation

POTENTIAL ENVIRONMENTAL EFFECTS: The joint EIR/EA is being prepared to evaluate potential impacts to the environment and their levels of significance, if any. The following section provides a brief discussion of the environmental factors and anticipated impacts that will be addressed in the joint EIR/EA.

Air Quality. The EIR/EA will address regional air quality conditions in Trinity County and the air quality impacts resulting from the actions incorporated into this project. Air quality will be examined to determine if the proposed Project would result in a conflict with the North Coast Unified Air Quality Management District regional air quality plan. The nearby Weaverville Basin is in moderate “non-attainment” of state PM10 standards. Vehicle exhaust and fugitive dust from construction activities on and adjacent to the site, as well as transport of excess material offsite will be considered. There will be no anticipated operational air quality impacts after construction has been completed and all materials have been spoiled.

Noise. Potential noise impacts associated with construction will be assessed in the EIR/EA. Noise levels will be evaluated for consistency with the Douglas City Community Plan, the Trinity County General Plan and Zoning Ordinance, and State and federal standards and guidelines regulating noise on public and private lands.

Geology and Soils. Geological and seismic safety, and soils stability will be addressed in the EIR/EA. The project may open access to marketable mineral resources (e.g., sand and gravel) that are not presently available. Mineral resources will also be addressed, particularly as they relate to activities authorized under the federal 1872 Mining Law, Section 30.1 of the Trinity County Zoning Ordinance (Mining) and the Surface Mining and Reclamation Act.

Hydrology, Water Quality, and Floodplains. The EIR/EA will address any hydrology, water quality, and floodplain impacts that may occur as a result of the proposed project.

The construction phase of the project may have the potential to increase erosion, turbidity, and sedimentation levels downstream of the project sites. Work within the floodplain will be subject to streambed alteration agreement conditions issued by the California Department of Fish and Game. Activities within the active channel of the Trinity River will be subject to water quality limitations imposed by the California North Coast Regional Water Quality Control Board in conjunction with the issuance of a 401 Certification pursuant to the federal Clean Water Act.

The Trinity River has been listed under Section 303(d) of the Clean Water Act as a waterbody impaired by sediment. A Total Maximum Daily Load (TMDL) for the Trinity River was completed by the U.S. Environmental Protection Agency in December 2001. It is anticipated that the completed project will improve the beneficial uses of the Trinity River (cold water fisheries) that are impaired by sediment.

Per federal Executive Order 11988 (pertaining to floodplain involvement), public notice is hereby given that the project includes construction within the 100-year floodplain. Portions of the project are within Zone AE on the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Maps (FIRM), on public and private lands. Areas within Zone AE have specific elevations designated for the Base Flood Elevation (BFE), which is the 100-year floodwater elevation. It is anticipated that completion of the proposed project will reduce flooding risks and will not adversely affect the 100-year floodplain delineation. Project activities in designated floodplains on private lands will require issuance of a Floodplain Development Permit from Trinity County pursuant to Section 29.4 of the Trinity County Zoning Ordinance.

Biological Resources. Existing biological conditions within the Trinity River and the area surrounding the project sites will be described, and potential impacts of the proposed Project on vegetation and wildlife will be assessed. The EIR/EA will evaluate the likelihood for any construction-related significant biological impacts, including effects on endangered, threatened, rare, or other special status plant and animal species, and wetland/special aquatic resources. Long-term environmental impacts on biological resources are anticipated to be beneficial.

The proposed Project ESL has the potential to support a variety of special-status species (listed and non-listed). Spring and fall Chinook salmon, coho salmon, Pacific Lamprey and summer and winter steelhead are known to spawn within the Trinity River and its tributaries. Habitat for various life stages is available for the species within the study limits of the project. In addition, the Trinity River is designated as critical habitat for coho salmon by the National Oceanic and Atmospheric Administration: Fisheries Section (NOAA Fisheries). A comprehensive plant and wildlife inventory to determine species presence/absence and potential project-related effects to species that may be present will be completed. Other special-status and listed species within the project area could potentially include the willow flycatcher, green sturgeon, silky cryptantha, northwestern pond turtle, yellow warbler, yellow-breasted chat, bald eagle, and osprey.

Because there are no known listed riparian and terrestrial species under the jurisdiction of the U.S. Fish and Wildlife Service within the project ESL, a Biological Assessment is not expected to be required based on the scope of the project pursuant to Section 7 of the Federal Endangered Species Act (ESA). A Biological Opinion (BO) was issued by NOAA Fisheries on October 12, 2000 for the Trinity River Fisheries Restoration Program. This BO is considered adequate to address listed fish species that may be affected by this project.

The project will be assessed for consistency with the state and federal Wild and Scenic Rivers Acts, as well as the California Fish and Game Code (Sections 1600 and 2080). Completion of the proposed Project is expected to enhance anadromous salmon and steelhead fisheries; both identified as outstandingly remarkable values of the Trinity River.

The proposed Project includes a variety of riparian and wetland habitat elements. These elements are considered sensitive, and ecologically important to a variety of human and natural resources. Activities associated with the project could result in the loss of an undetermined acreage of riparian habitat.

Per federal Executive Orders 11990 (pertaining to wetlands), public notice is hereby given that the project may encroach upon wetlands. Construction activities associated with the proposed Project could result in temporary and permanent impacts to wetland features within the ESL that are subject to U.S. Army Corps of Engineer's (ACOE) jurisdiction, pursuant to Section 404 of the Clean Water Act. Within the ESL, a delineation of jurisdictional waters of the United States has been conducted and a delineation report submitted to the ACOE for verification.

Cultural Resources. A cultural resources survey and evaluation will be conducted, in compliance with the cultural resource Programmatic Agreement (PA) prepared for the Trinity River Restoration Program in cooperation with federal agencies, Hoopa Valley Tribe, Yurok Tribe, Tsnungwe Nation, Nor-El-Muk Band of Wintu Indians, the California State Historic Preservation officer, and the advisory council on historic preservation. This evaluation will assess the area within the project ESL to determine the presence and significance of cultural and archaeological resources identified. The project site does not contain any known prehistoric cultural resources; however, there may be cultural resources that are currently hidden within the project study limits that could be unearthed and discovered during the construction phase of the proposed Project. If cultural resources are encountered during the survey, a determination will be made in compliance with the PA and CEQA Guidelines section 15064.5.

Hazards. The actions associated with the proposed Project are not expected to involve the use of hazardous materials and, therefore, will not expose the public to significant hazard. Historic Mercury deposits from past mining efforts may exist on site. However, based on findings at the Hocker Flat site, chemical binding of Mercury to the soils is expected to be below levels of concern.

Land Use. The proposed Project is consistent with Trinity County's General Plan and related policies. Potential material extraction and disposal activities will be incorporated into the project design and in compliance with SMARA guidelines. Growth-inducing impacts are not expected to occur as a result of the project, but will be examined.

Socioeconomic/Displacements/Environmental Justice. Right-of-way acquisition, residential/business displacements, relocation assistance, business impacts, and neighborhood cohesion will be analyzed pursuant to both CEQA and NEPA. In addition, environmental justice concerns will be addressed pursuant to NEPA. No significant impacts in this context are expected.

Public Services/Utilities. An analysis of public services and utilities associated with the proposed Project will be included in the EIR/EA. No significant impacts in this context are expected.

Visual Resources. A Visual Impact Analysis will be included in the EIR/EA describing the existing visual characteristics of the project area and analyzing any potential visual impacts. No long-term significant visual effects are anticipated.

Transportation and Circulation. Transportation and circulation impacts associated with the proposed Project will be analyzed, including access during construction, and any impacts to public roads, including State Highway 299 and the associated bridge over the Trinity River located immediately downstream of the ESL. A principal objective of the proposed Project is to ensure implementation in a manner that provides safe transit in and adjacent to the project area. Activities within existing Right-of-Ways for public roads may require issuance of an encroachment permit from the responsible public agency.

Construction Impacts. The document will identify and analyze any further short-term construction impacts associated with air quality, noise, water quality, traffic congestion and detours, safety, visual, business access, community facilities, etc.

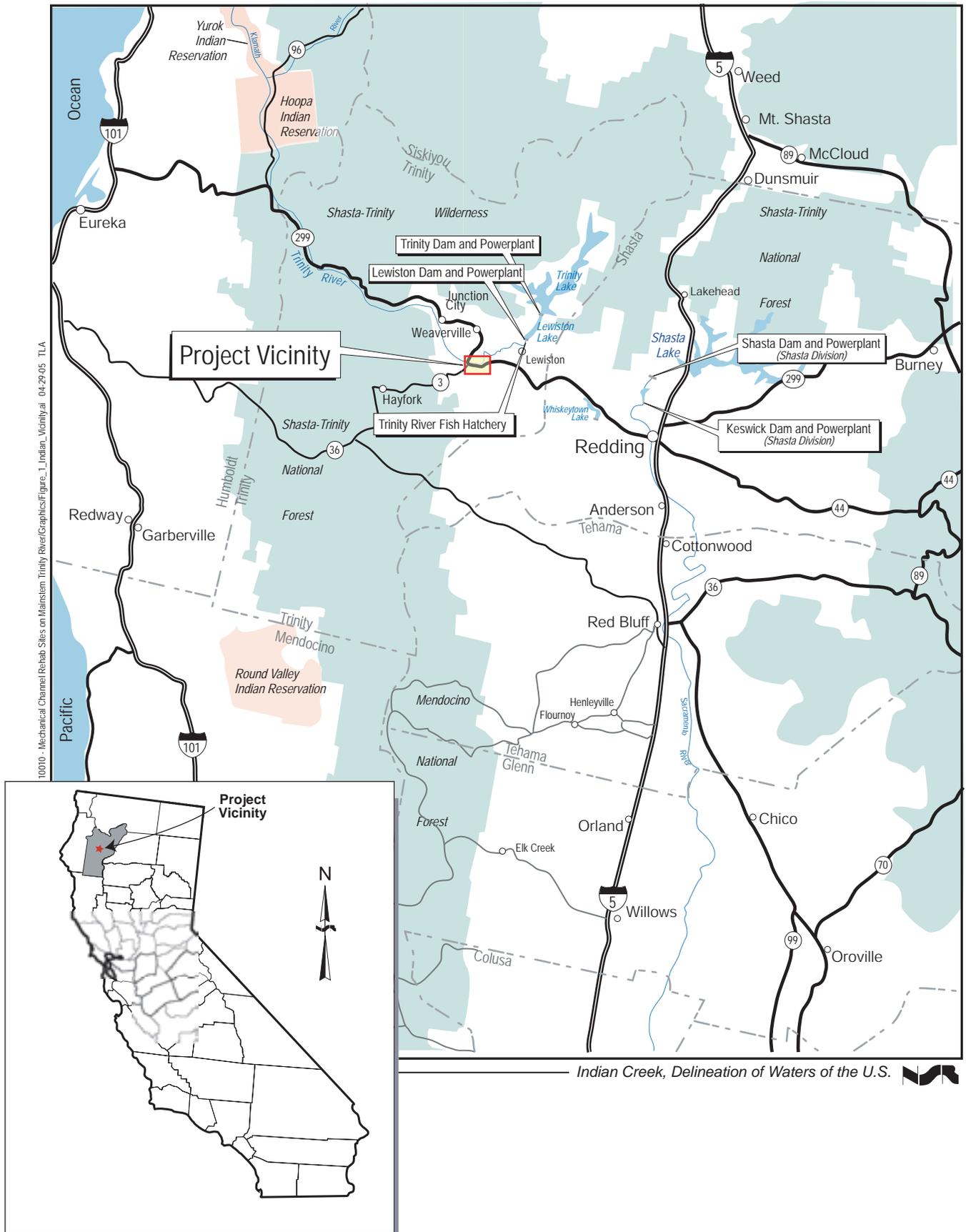


Figure 1. Project Vicinity

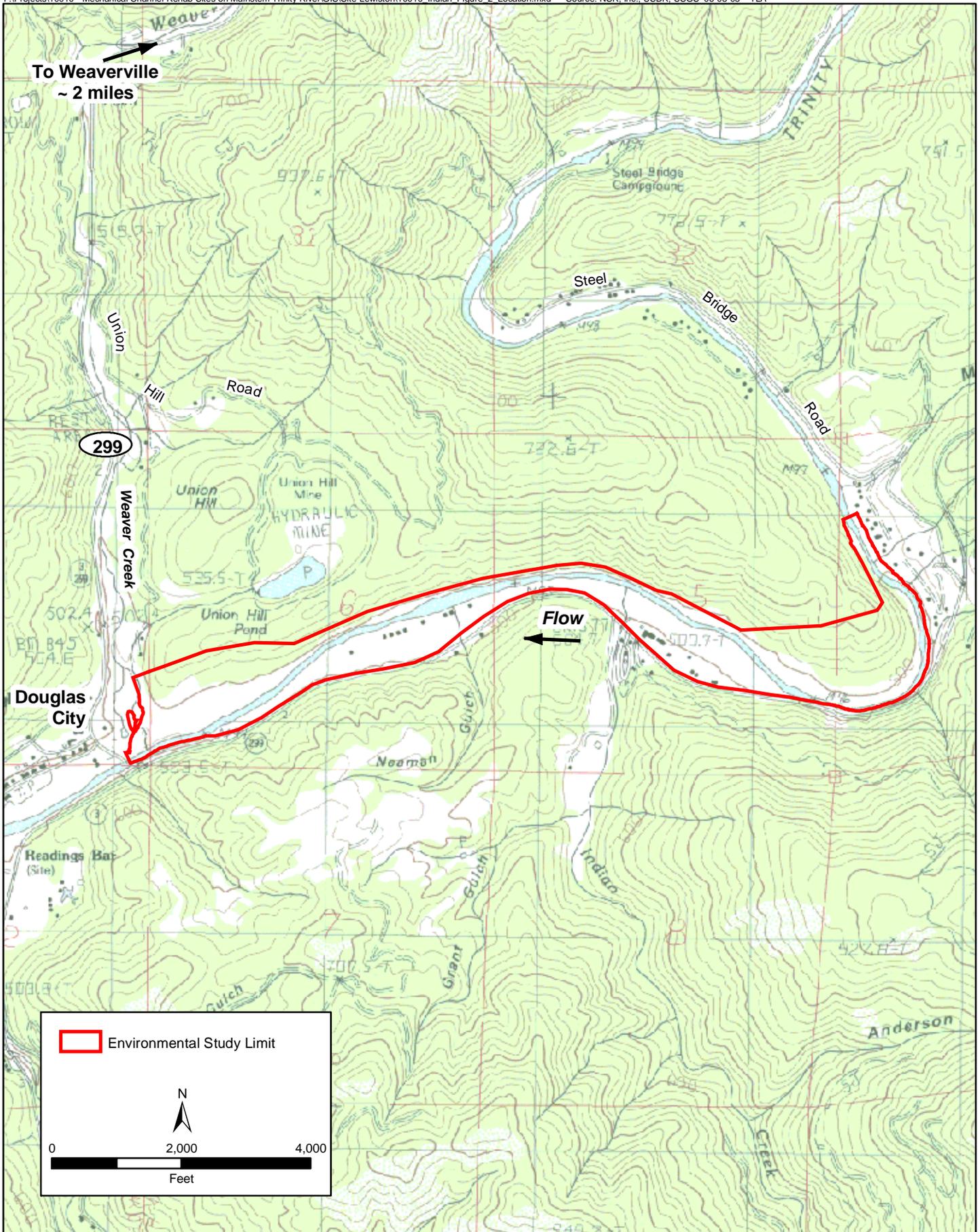


Figure 2. Project Location

Indian Creek Rehabilitation Site: Trinity River MP 93.7 to 96.5

Scoping Report

March 2006

Prepared for:

U.S. Bureau of Reclamation
Trinity River Restoration Program

Prepared by:

North State Resources, Inc.

Review and Organization of Scoping Comments

Comments were submitted to the Trinity County Planning Department via written correspondence and e-mail in response to the issuance of a Notice of Preparation and a public scoping meeting held February 8, 2006.

Types of Submittals

The types of scoping submittals include:

- Individual letters from government agencies
- Individual letters from non-governmental organizations
- Individual letters from members of the public

Table 1 shows the number of responses for each submittal type.

Table 1. Number of Responses per Submittal Type

Submittal Type	Number of Responses
Individual letters from agencies and tribes	7 Comments, 2 No Comments
Individual letters from NGOs	1 (California Trout)
Individual letters from members of the public	3
Oral comments at public scoping meeting	N/A
<i>Total Submittals</i>	13

Identification of Specific Comments and Issue Spreadsheets

All scoping letters and other submittals were reviewed to identify specific comments. An excel spreadsheet was created to indicate the issues contained in each scoping submittal. The first columns of the spreadsheet contain the entity and name of each commenter. The remaining columns are for the issue areas likely to be addressed in the EIR/EA. These issue areas were determined using the standard EIR/EA issue areas as outlined in the Notice of Preparation:

- Project Description
- Air Quality
- Noise
- Geology and Soils

- Hydrology, Water Quality, and Floodplains
- Biological Resources
- Cultural Resources
- Hazards
- Land Use
- Socioeconomic, Displacements, Environmental Justice
- Public Services, Utilities
- Visual Resources
- Transportation and Circulation
- Scoping
- Other Issues (Construction Impacts)

Representative Scoping Comments

The following section provides representative comments identified in the comment letters and other submittal types. These comments are direct quotes from the submittals, although some of them have been slightly paraphrased for clarity. These comments are intended to assist the Trinity County Planning Department in identifying the significant issues that will direct the development of a range of alternatives as well as the effects and mitigation measures to be analyzed in the EIR/EA.

Project Description

The following comments concern the project description:

- This project may have the potential to increase public access at the expense of private landowners who would have to deal with associated issues such as trespass, trash, and security. This issue should be addressed in the EIR/EA and in the project design (Jim Smith 2/16/06).

Air Quality

The following comments concern the potential effects of the proposed action on air quality:

- No Comments

Noise

The following comments concern the potential effects of the proposed action on noise:

- No Comments

Geology and Soils

The following comments concern the potential effects of the proposed action on geology and soils:

- Under the Geology and Soils section it states “marketable materials may become available.” Could this lead to the possibility of a permanent commercial mining operation such as a sand and gravel crushing plant being located in the area after the project is completed? (Jim Smith 2/16/06).
- The sediment from Indian Creek (70,000 tons/yearly average) causes most of the problems below Indian Creek, and should be addressed in the EIR/EA, then engineered and fixed (Sid Mickelson 3/9/06).

Hydrology, Water Quality, and Floodplains

The following comments concern the potential effects of the proposed action on hydrology, water quality, and floodplains:

Hydrology

- The anticipated project impacts on Corps jurisdictional areas will not be known until the Corps receives a permit application for the Indian Creek Project from the TRRP at a later date (Corps 1/31/06).
- I understand that BOR is planning on using 6,000/cfs as a benchmark for their current studies. The river bottom has risen over the years with no maintenance and low flows. In determining the benchmark at 6,000/cfs, what year was used? It should be an old benchmark made 30 to 40 years ago to equate to flows of 32,500/cfs. I believe the current 6,000/cfs is hurting our property now, namely our swimming pool and the trees on our lower bank (Sid Mickelson 3/9/06).
- As I understand it, the current plan is to take a wedge out of the delta (1,000 cubic yards) creating a wall on the west end. However, approximately 49,000 cubic yards (including about a third fines smaller than 8mm), of which will wash through and fill the planned hole and continue to be a bottleneck unless the Indian Creek watershed and the hole is maintained thus helping to solve the problems downstream (Sid Mickelson 3/9/06).
- Insure high flows do not go under home; insure high flows do not enter carport or workshop; insure high flows do not damage irrigation pump; insure high flows do not damage storage buildings. What about sand bag availability? The restoration program should more actively remove excess vegetation across river. Why are there no side channels planned in our area? Protective small berm from

dredged material to protect area? Is there any potential danger from Pine trees being undermined? What about removal of high flow debris? (Charlene and George Weing 2/8/2006).

Floodplains

- Potential concerns include whether increased bank erosion or flooding impacts would occur. Because stream modifications could impact Caltrans bridge structures, we request notification of any channel rehabilitation or alteration within one-mile upstream or downstream of our facilities adjacent to, and up- and downstream from the project as the result of the proposed actions (Caltrans 3/10/06).
- This {NOP} author assumes the term “flood control” refers to winter storm events and Safety of Dam releases and is not referring to inundation or flooding due to ROD releases. According to TRRP staff the “preliminary” study models show this project may effect up to a 2 foot decrease in flow elevation at the maximum ROD release. Final flow elevation model results should be known and incorporated into the preparation of the EIR/EA (Jim Smith 2/16/06).
- Flood plain elevation impacts or improvements to private structures should be quantitatively addressed in the EIR/EA along with any resulting impacts to private land and development (Jim Smith 2/16/06).
- It has been communicated that the project plans will incorporate designs to mitigate ROD flow impacts to private structures and property. Those impacts should also include erosion of private land and loss of use issues. With the intended design of an active river morphology that will allow the river channel to meander, what processes and resources are in place or available to affected private land owners if future river changes begin to impact both structures and loss of land issues? These issues should be addressed in the environmental documents (Jim Smith 2/16/06).

Water Quality

- Any septic system or water well adversely affected shall be addressed on a case-by-case basis. This department must approve and permit any repairs or replacements per minimum building code standards (Environmental Health, Building and Development Services, Trinity County 2/27/06).

Biological Resources

The following comments concern the potential effects of the proposed action on biological resources:

- The revegetation plan/action should consider controls for noxious weeds (CalTrout 2/3/06).

- The Corps requests that NMFS (via TRRP) review the Indian Creek proposal soon after a permit application is submitted to the Corps and confirm to the Corps that the proposed Indian Creek project is consistent with the October 12, 2000 Biological Opinion (Corps 1/31/06).

Cultural Resources

The following comments concern the potential effects of the proposed action on cultural resources:

- The absence of specific site information in the Sacred Lands File does not assure the absence of cultural resources in any project area. Other sources of cultural resources should also be contacted for information regarding known and recorded sites. The NAHC recommends that you also request a research of archaeological records held by the California Historic Resource Inventory System at California State University, Chico (NAHC 2/3/06).
- Lead agencies should consider avoidance, as defined in Section 15370 of the CEQA Guidelines, when significant cultural resources could be affected. Provisions should also be included for accidentally discovered archaeological resources during construction (NAHC 2/3/06).
- Once the cultural resources survey and evaluation are completed, the Corps requests a copy of the survey and evaluation for review by the District Archaeologist (Corps 1/31/06).
- At this time, the Nor Rel Muk Nation requests that a representative from the Tribe be on site during the required initial study to comply with CEQA requirements (Nor Rel Muk Nation 1/26/06).
- At such time as any significant cultural resources are determined and/or identified through the initial study, the Tribe requires a certified (paid) Nor Rel Muk Cultural Resource Monitor be on site during project work at these particular sensitive cultural areas (Nor Rel Muk Nation 1/26/06).
- The Tribe also requests information as to the BOR process for the handling and disposition of artifacts and cultural resources identified and located within the project period, in the event that any of these items are found during the project work? (Nor Rel Muk Nation 1/26/06).
- The Tribe requests that any such artifacts and/or cultural material is returned to the Nor Rel Muk Nation for final disposition and/or re-burial as determined by the Cultural Leaders and Elders of the Tribe (Nor Rel Muk Nation 1/26/06).

Hazards

The following comments concern the potential effects of the proposed action on hazards:

- No Comments

Land Use

The following comments concern the potential effects of the proposed action on land use:

- Land use in a large section of the project area is residential, specifically 14 mostly contiguous lots. The proposed project should not affect, limit, or change this current use (Jim Smith 2/16/06).

Socioeconomic, Displacements, Environmental Justice

The following comments concern the potential effects of the proposed action on socioeconomic, displacements, and environmental justice issues:

- No Comments

Public Services, Utilities

The following comment concerns the potential effects of the proposed action on public services and utilities:

- The proposed project boundary includes an area near Douglas City, where the WCSD maintains a water treatment plant. Flooding of Weaver Creek and the Trinity River has compromised the treatment plant's raw water intake (infiltration gallery). Repairs and enhancement of the infiltration gallery should be coordinated with the Creek Rehabilitation Project (Weaverville CSD 2/14/06).

Visual Resources

The following comments concern the potential effects of the proposed action on visual resources:

- Much of the project area has certain mature riparian growth contributing to its remarkable esthetics for which the local property owners value and chose to live near. The proposed project design should attempt to accommodate these features in order to maintain the area's overall esthetic values (Jim Smith 2/26/06).

Transportation and Circulation

The following comment concerns the potential of the proposed actions to affect transportation and circulation issues:

- The environmental study boundaries are located in close proximity to the State Route 299 highway bridge (Caltrans 3/10/06)

Other Comments

The following comments concern "other" issues:

- If burning vegetation from May 1st to the close of fire season a California Interagency Burn Permit will be required (CDF 1/30/06).
- I believe many trees and root balls will end up flowing down the river and cause many problems for private property owners and fisherman. If the reasoning is to provide habitat for the fish downstream, large rocks or other (even man made) items would be better (Sid Mickelson 3/9/06).
- As I understand, the plan is to leave the sediment at Mickelson and Scatenas', then remove islands at Smith and Davis locations, believing the water flows will then knock out the sediment at Lot#1 and continue on. With a berm on the Northwest edge of Lot #1 island and going diagonally Southeast forcing the river to the North bank. Then a large bulldozer could be used saving money and time versus an excavator. Plus the cat is only in the river to create the first berm. This method would also reduce water pressure percolation through the silt to our pool (Sid Mickelson 3/9/06).

WILD & SCENIC RIVER ACT, SECTION 7 DETERMINATION

Appendix D

APPENDIX D

WILD AND SCENIC RIVER, SECTION 7 ANALYSIS AND DETERMINATION

INTRODUCTION

Federal protection of this section of the Trinity River in the Wild and Scenic System was completed in order to preserve the Outstandingly Remarkable Values (ORV) identified on the date of designation (January 19, 1981). These ORV's include the free-flowing condition, anadromous and resident fisheries, outstanding geologic resource values, scenic values, recreational values, cultural and historic values, and the values associated with water quality. The Bureau of Land Management (BLM) has classified the Trinity River (mainstem) as a Recreational River from 100 yards below Lewiston Dam downstream to Cedar Flat.

This analysis and subsequent determination evaluates the effects of the proposed project (Indian Creek Rehabilitation Project: Trinity River Mile 93.7 to 96.5) on the Trinity River's free-flowing attributes and other ORV's, and ensures their protection as required under Section 7 of the Wild and Scenic Rivers Act. Due to the level of detail provided in the EA/DEIR, this analysis is presented in a summary format and refers the reader to the specific sections of Chapter 2, 3 and 4 of the EA/DEIR for additional information on water quality, fisheries, wildlife, flora and fauna, recreational, cultural resources and aesthetic values.

SECTION 7 ANALYSIS

This analysis and determination follows the Evaluation Procedure presented in Appendix C of the Technical Report of the Interagency Wild and Scenic Rivers Coordinating Council, Wild and Scenic Rivers Act: Section 7. Under interagency agreement between the National Park Service, the BLM and the U.S. Forest Service, the BLM generally has responsibility for conducting Section 7 determinations for this river segment.

1) Establish Need

- a. The specific purpose of the proposed project is to protect or enhance the values for which the river was designated as eligible; restore the natural characteristics of the river; and/or improve the water quality of the river. The proposed project would initiate channel rehabilitation activities as described in Chapter 2 of the EA/DEIR. The proposed project was included in the Record of Decision (ROD) issued by the Department of the Interior (DOI) in 2000, and is intended to restore the fish resources of the Trinity River. This project would be implemented in conjunction with other programs and projects under the direction of the

Trinity River Restoration Program (TRRP). The implementation of the Proposed Action will incorporate measures to assure that the project is consistent with the goals established under the BLM's Redding Resource Management Plan, specifically to support management actions that would enhance Trinity River fisheries. The Proposed Action would not diminish the scenic, recreational, or water quality values of the river.

- b. Project-related impacts to free-flowing characteristics of the river would be minimized to the extent practicable.
- c. The Proponent and manager of the project is a Federal government entity. The Proposed Action has been developed through a cooperative effort by the Bureau of Reclamation (Reclamation), BLM and the Trinity County Planning Department (Trinity County) under the direction of the TRRP. The Proposed Action would actually improve the conveyance of flows by reestablishing alluvial attributes of the Trinity River, namely floodplains, side channels, and transverse bars. These activities are intended to decrease the potential for channel constriction by removing riparian berms.

The Proposed Action is consistent with management goals and objectives for the Trinity River and is designed to maintain and/or enhance the ORV's. It is also consistent with BLM objectives that support the TRRP.

2) Define a Proposed Activity

The project proponents, the project purpose, the need for the project, and the geographic location of the project are described in Chapter 1 of the EA/DEIR. Specific information on the duration of the Proposed Action and the magnitude/extent of the proposed activities is provided in Chapter 2 of the EA/DEIR. Chapter 4 describes the relationship to past and future management activities with an emphasis on cumulative effects.

3) Describe How the Proposed Activities Would Directly Alter Within-Channel Conditions

Implementation of the Proposed Action would result in both short-term and long-term impacts. These impacts and relevant mitigation measures are described in Section 3.3 (Geology), Section 3.4 (Water Resources), Section 3.5 (Water Quality), and Section 3.6 (Fishery Resources) of the EA/DEIR.

The existing conditions of the rehabilitation site are the result of a variety of natural and management disturbance mechanisms that have occurred along the river corridor over the past 75 years. Channelization of the Trinity River is a result of historic dredge activities, and has been further exacerbated by the modified flows produced by the Trinity River Division of the Central Valley Project. At the date of designation, riparian berms had been developing for more than 20 years within the site boundary and scientists recognized that the alluvial nature of the river had been modified extensively. Although recent changes in the flow regime provide some opportunity to modify the form and function of the Trinity River, the ROD (Department of

Interior 2000) recognized that mechanical channel rehabilitation would be needed to reconfigure sections of the river and provide opportunities for alluvial processes to occur.

Although there are short-term effects anticipated during project implementation, primarily with regards to water quality, juvenile salmonid rearing habitat and riparian vegetation, the long-term effects are expected to be positive and cumulatively beneficial over time.

4) Describe How the Proposed Activity Would Directly Alter Riparian and/or Floodplain Condition

The Proposed Action is anticipated to impact alluvial deposits adjacent to the Trinity River within the 2.8-mile reach encompassed by the rehabilitation site. Although it's generally recognized that these alluvial deposits existed on the date of designation, the transitory nature of riverine environments precludes a quantification of these features. The extensive body of scientific evidence available for the Trinity River suggests that the riparian berms and floodplain features supported extensive, well established riparian communities at the time of designation. As a result of modified flow regimes, riparian berms came to be inhabited by a monoculture of riparian vegetation. The interaction between vegetation and fine sediment continued to expand this condition along the river corridor, although large floods such as that which occurred in 1997, modified this riparian community to some degree. Riparian berms tend to inhibit access to the floodplain.

Section 3.4 (Water Resources), Section 3.6 (Fishery Resources), and Section 3.7 (Vegetation, Wildlife and Wetlands) discuss the specific impacts and relevant mitigation measures associated with the Proposed Action relative to existing riparian and floodplain conditions. Although there are short-term effects anticipated during construction, the long-term effects are expected to be positive and cumulatively beneficial over time. As a component of the TRRP, the Proposed Action is expected to provide a positive benefit to the Trinity River's ORV's, including anadromous fish resources.

5) Describe How the Proposed Activity Would Directly Alter Upland Conditions

The Proposed Action would remove material (primarily fine textured sediments) from riparian berms, floodplains, and to a lesser degree, the low flow channel. This material will be placed on either adjacent upland areas or transported off-site to a commercial location. Material proposed for removal includes tailing deposits that resulted from bucket-line dredge activities that occurred in the Trinity River between 1930 and 1950. These deposits typically consist of long linear piles of sand, gravel, cobbles and boulders, devoid of vegetation, and are piled on floodplains and terrace features adjacent to the current river channel. Removal of tailing material from riparian berms and floodplains would change the productivity potential of these areas, thus increasing the potential for occupation by a diverse assemblage of vegetative and wildlife species. A riparian revegetation plan will be incorporated into the Proposed Action and will emphasize the re-establishment of native species and vegetative community types throughout the entire project boundary. Respective sections of the EA/DEIR, Chapter 3 (i.e., Section 3.4 (Water Resources),

Section 3.6 (Fishery Resources), Section 3.7 (Vegetation, Wildlife and Wetlands), Section 3.8 (Recreation), Section 3.11 (Cultural Resources) and Section 3.14 (Aesthetics)) discuss the specific impacts and relevant mitigation measures relative to upland conditions as they relate to the ORV's for the Trinity River.

6) Evaluate and Describe How Changes in On-Site Conditions Can/Would Alter Existing Hydrologic or Biologic Processes

As discussed in previous sections, the EA/DEIR provides a detailed description of the existing condition and environmental impacts associated with the project, including a substantial number of mitigation measures. A primary objective of the Proposed Action is to reestablish alluvial processes within the rehabilitation site, and provide the opportunity for the river to reoccupy the floodplain with greater frequency. A basic premise of the TRRP is to promote changes to the alluvial reaches of the river in a manner that restores the physical processes and biological resources that were recognized as ORV's at the time of designation.

7) Estimate the Magnitude and Spatial Extent of Potential Off-Site Changes

Chapter 4 of the EA/DEIR discusses the other impacts of the Proposed Action, including cumulative impacts that might be produced by project actions extending along the river corridor. With the exception of short-term water quality impacts (construction related turbidity), implementation of the Proposed Action would not adversely impact the Trinity River. In fact, the intent of the Proposed Action is to promote large-scale beneficial changes to the riverine environment and adjacent physical habitat. Such changes are expected to enhance efforts to restore the Trinity River's fishery resources.

8) Define the Time Scale over Which Steps 3-7 are Likely to Occur

Project implementation is anticipated to occur between fall 2006 and fall 2008. Specific limitations on project operations may be incorporated into the project as a result of applicable legal requirements.

9) Compare Project Analyses to Management Goals

Management goals relative to free-flow, water quality, riparian area, and floodplain conditions would not be affected by the Proposed Action. It is expected that one of the primary benefits of this project would be to increase the ORV (anadromous fishery) of the Trinity River. Impacts to the visual resources of the Trinity River would be minimal with the implementation of design criteria and mitigation measures. The Proposed Action would be consistent with any future actions taken by the TRRP.

10) Section 7 Determination

Implementation of the Proposed Action, as described in Chapter 2 of the EA/DEIR, would not affect the free-flowing condition of this segment of the Trinity River.

USFWS SPECIAL-STATUS SPECIES DISCUSSION

Appendix E

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Listed/Proposed Threatened and Endangered Species for the WEAVERVILLE Quad (Candidates Included)

March 13, 2006

Document number: 774634887-134251

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KEY:

(PE) Proposed Endangered Proposed in the Federal Register as being in danger of extinction

(PT) Proposed Threatened Proposed as likely to become endangered within the foreseeable future

(E) Endangered Listed in the Federal Register as being in danger of extinction

(T) Threatened Listed as likely to become endangered within the foreseeable future

(C) Candidate Candidate which may become a proposed species Habitat Y = Designated, P = Proposed, N = None Designated

* Denotes a species Listed by the National Marine Fisheries Service

Type	Scientific Name	Common Name	Category	Critical Habitat
Fish				
*	<i>Oncorhynchus kisutch</i>	S. OR/N. CA coho salmon	T	Y
Birds				
	<i>Coccyzus americanus</i>	Western yellow-billed cuckoo	C	N
	<i>Haliaeetus leucocephalus</i>	bald eagle	T	N
	<i>Strix occidentalis caurina</i>	northern spotted owl	T	Y
Mammals				
	<i>Martes pennanti pacifica</i>	Pacific fisher	C	N

**Listed/Proposed Threatened and Endangered Species for
Trinity County (Candidates Included)**

March 13, 2006

Document number: 774634887-13419

KEY:

(PE) Proposed Endangered Proposed in the Federal Register as being in danger of extinction
 (PT) Proposed Threatened Proposed as likely to become endangered within the foreseeable future
 (E) Endangered Listed in the Federal Register as being in danger of extinction
 (T) Threatened Listed as likely to become endangered within the foreseeable future
 (C) Candidate Candidate which may become a proposed species Habitat Y = Designated, P = Proposed, N = None Designated

* Denotes a species Listed by the National Marine Fisheries Service

Type	Scientific Name	Common Name	Category	Critical Habitat
Plants	<i>Arabis macdonaldiana</i>	McDonald's rock-cress	E	N
Fish	<i>Hypomesus transpacificus</i>	delta smelt	T	Y
*	<i>Oncorhynchus kisutch</i>	S. OR/N. CA coho salmon	T	Y
*	<i>Oncorhynchus mykiss</i>	Central Valley steelhead	T	Y
*	<i>Oncorhynchus mykiss</i>	Northern California steelhead	T	Y
*	<i>Oncorhynchus tshawytscha</i>	CA coastal chinook salmon	T	Y
*	<i>Oncorhynchus tshawytscha</i>	Central Valley fall/late-fall chinook salmon	C	N
*	<i>Oncorhynchus tshawytscha</i>	Central Valley spring-run chinook salmon	T	Y
*	<i>Oncorhynchus tshawytscha</i>	winter-run chinook salmon	E	Y
Amphibians	<i>Rana aurora draytonii</i>	California red-legged frog	T	Y
Birds	<i>Brachyramphus marmoratus</i>	marbled murrelet	T	Y
	<i>Coccyzus americanus</i>	Western yellow-billed cuckoo	C	N
	<i>Haliaeetus leucocephalus</i>	bald eagle	T	N
	<i>Strix occidentalis caurina</i>	northern spotted owl	T	Y
Mammals	<i>Martes pennanti pacifica</i>	Pacific fisher	C	N