

CANYON CREEK SUITE OF REHABILITATION SITES: TRINITY RIVER MILE 73 TO 78

Environmental Assessment/Draft Environmental Impact Report

Volume III: Appendices

February 2006

***Project Applicant and Federal
Lead Agency for NEPA***

Trinity River Restoration Program
U.S. Department of the Interior
Bureau of Reclamation



Federal Cooperating Agencies for NEPA

U.S. Department of Agriculture
Forest Service

U.S. Department of Interior
Bureau of Land Management



California Lead Agency for CEQA

North Coast Regional Water
Quality Control Board



Applicant's Consultant

North State Resources, Inc.



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***State Clearinghouse
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Draft Mitigation Monitoring and Reporting Program

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Draft Mitigation Monitoring and Reporting Program

INTRODUCTION

This document comprises the Draft Mitigation Monitoring and Reporting Program (MMRP) for the Canyon Creek Suite of Rehabilitation Sites, Trinity River Mile 73 to 78 Project (project). The purpose of providing the MMRP as a stand-alone document in the Environmental Assessment/Draft Environmental Impact Report (EA/DEIR) is to make clear to the reader the mitigation responsibilities of the Bureau of Reclamation (Reclamation), and Regional Water Quality Control Board – North Coast Region (Regional Water Board) in implementing the project. The mitigation measures listed herein are required by law or regulation and will be adopted by the Regional Water Board 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 have been identified in Chapter 3, Affected Environment and Environmental Consequences of the EA/DEIR, as feasible and effective in mitigating project-related environmental impacts.

This MMRP includes the discussions on the following: legal requirements, intent of the MMRP, 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 INTENT OF THE MITIGATION MONITORING AND REPORTING PROGRAM

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 Sections 1502.14f requires:

- 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 Regional Water Board 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 has been provided in detail through this MMRP to assist staff from Reclamation and the Regional Water Board by providing the most usable monitoring document possible.

AUTHORITIES AND RESPONSIBILITIES

Reclamation, functioning as the Trinity River Restoration Program (TRRP), will have the primary responsibility for the execution and proper implementation of the MMRP. The Regional Water Board 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. These mitigation measures are presented in the same form as originally prescribed in the EA/DEIR - Chapter 3, Affected Environment and Environmental Consequences. The mitigation measures are organized by environmental issue area (i.e., Land Use, Water Quality, etc.) for both the Proposed Action and Alternative 1. Table 1 is comprised of the following four columns:

- **Mitigation Measure:** Lists the mitigation measures identified for each significant impact discussed in the EA/DEIR for the project. The same mitigation numbering system used in the EA/DEIR 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 a 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), 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 complaint shall receive written confirmation indicating the results of the investigation or the final corrective action that was implemented to 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.		
Mitigation Measures 2a: Reclamation or its contractors shall implement the following measures during construction activities: ▪ 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 construction vehicular 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. 3b: Reclamation or its contractors shall prepare and implement an erosion and sedimentation control plan (Storm Water Pollution Prevention Plan [SWPPP]) prior to the start of construction. 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: ▪ 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 immediately prior to scheduled construction.			

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
▪ 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 to intercept sediment 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. This 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 river levels rise and inundate the floodplain. 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.			
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.		
Mitigation Measures 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.			

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
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. 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 whenever a visible increase in turbidity is observed. Monitoring frequency shall be a minimum of every two hours during periods of increased turbidity. 1c: 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, dewatering activities, and routine monitoring to verify effectiveness. Proper implementation of erosion and sediment controls and dewatering activities 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.			
Impact 3.5-2	Construction of the project could result in short-term temporary increases in turbidity and total suspended solids levels following construction.		
Mitigation Measures 2a: Turbidity increases following project construction activities shall not exceed the water quality objectives for turbidity in the Trinity River basin. Turbidity levels are defined in nephelometric turbidity			

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
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. ▪ 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. 2b: 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 whenever a visible increase in turbidity is observed. Monitoring frequency shall be a minimum of every 2 hours during periods of increased turbidity. 2c: Reclamation or its contractor shall prepare and implement a SWPPP that includes silt fences, sediment filters, dewatering activities, and routine monitoring to verify effectiveness. Proper implementation of erosion and sediment controls and dewatering activities shall be adequate to minimize sediment inputs into the Trinity River until vegetation re-growth occurs. 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 the National Weather Service has forecast a greater than 50 percent possibility of rain within the following 24 hours. 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.			

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
Impact 3.5-3	Construction of the project could cause contamination of the Trinity River from hazardous materials spills.		
Mitigation Measures 3a: Reclamation shall require that the contractor prepare and implement a spill prevention and containment plan in accordance with applicable federal and state requirements. 3b: Reclamation shall include in the construction contract documents a requirement that any construction equipment that would come in contact 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.			
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.			

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
3.6 Fishery Resources			
Impact 3.6-2	Implementation of the project could result in increased erosion and sedimentation levels that could adversely affect fishes, including federally listed coho salmon.		
Mitigation Measures 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 (2001), is summarized below. 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. 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 whenever a visible increase in turbidity is observed. Monitoring frequency shall be a minimum of every 2 hours during periods of increased turbidity. 2c: 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 construction ends. All sediment containment devices and erosion control devices will be inspected daily during the construction period to ensure that the devices are			

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
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.			
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.		
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 project boundaries: 3a: Equipment and materials shall be stored away from wetland and surface water features. 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. 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			

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
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.			
Impact 3.6-4	Construction activities associated with the project could result in the mortality of rearing fishes, including federally listed coho salmon..		
Mitigation Measures 4a: To avoid or minimize potential injury and mortality of fish during excavation (berm removal) on the river banks, equipment shall be operated slowly and deliberately to alert and scare adult and juvenile salmonids away from the work area. 4b: 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., $Q \geq 6,600$ cfs) for a period of 3 years following construction. Such fry stranding surveys shall be performed during the months of January through May. If stranding is observed, Reclamation will take appropriate measures to modify floodplain topography to reduce the likelihood of future occurrences of fry stranding.			
Impact 3.6-5	Implementation of the project would result in the permanent and temporary loss of shaded riverine aquatic habitat for anadromous salmonids.		
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 boundaries, Reclamation shall implement the following measures: 5a: Mitigation for riparian plant removal will be based on the actual acreage of riparian vegetation coverage affected by the Proposed Action/Alternative			

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
1 rather than the specific numbers of plants. This measure will support the TRRP objective of removing the homogeneous plant community and replacing it with a diverse assemblage of riparian vegetation. 5b: Reclamation shall develop and implement a revegetation plan for impacts to riparian habitat that occur during project construction. This plan will identify planting mixes, planting procedures, and monitoring requirements. Planted species will include riparian species native to the area that would resist invasion by noxious plant species. The revegetation plan will identify appropriate mitigation for impacts to SRA habitat, describe planting techniques and locations, and incorporate plantings of native species that would resist invasion by noxious plant species. 5c: Reclamation or its contractor shall monitor the plantings annually for up to 3 years to ensure that trees and shrubs have become established. Supplemental planting will be conducted, as necessary, to ensure that this performance standard is met. To meet the revegetation success criteria, the rehabilitation areas should demonstrate a 60 percent survival rate for planted species at the end of the third growing season. Natural recruitment of native riparian species can be included in this criterion. If recovery success cannot be determined after 3 years, an additional 2 years of monitoring shall be conducted. If at any time during the monitoring period it is determined that the success criteria will not be met in the planted and naturally restored areas, additional remediation measures shall be developed and implemented. Once riparian mitigation has been successfully completed, Reclamation shall submit a memorandum to the Corps and NOAA Fisheries documenting the results.			
3.7 Vegetation, Wildlife, and Wetlands			
Impact 3.7-1	Construction activities associated with the project could result in the loss of jurisdictional wetlands and riparian habitat.		
Mitigation Measures			

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
In order to avoid and minimize impacts to jurisdictional wetlands, the following measures should be implemented: 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, jurisdictional waters shall be clearly identified in the construction drawings along with specific instructions to avoid any construction activity within these features. Each jurisdictional feature proposed to be avoided will be flagged, staked, or otherwise marked to ensure that construction activities do not encroach upon them. Marked areas shall be inspected and maintained on a regular basis throughout the construction phase. 1b: Reclamation or its contractor will revegetate riparian areas with a substantial diversity of native plant revegetation areas. Planted areas will grow in over time and will provide increased diversity in riparian structure and species over that which presently exists. Because the present Trinity River channel is encroached (up to 300%) with riparian vegetation that is homogenous in nature, strict replacement requirements based on original stem counts and species are not desirable; 1c: Floodplain values and functions will be enhanced by the Canyon Creek Rehabilitation Sites project. Consequently, substantial new areas beyond those identified in pre-project plant community delineations are expected to recruit to riparian (wetland) habitats, of both seasonal and perennial nature, within a 3-5 year post-project window.			
Impact 3.7-3	Construction of the project could result in the loss of individuals of a special-status plant species.		
Mitigation Measures The following measures shall be implemented at the Conner Creek and Valdor Gulch sites to avoid or minimize project-related impacts to Canyon Creek stonecrop and Hecner's lewisia: 3a: A qualified botanist will visit the unsurveyed			

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
portions of the Conner Creek and Valdor Gulch sites to determine habitat suitability at those locations for Canyon Creek stonecrop and/or Heckner's lewisia. If suitable habitat is determined to be available, surveys shall be conducted during the blooming periods for these species (i.e., May–July) to determine (1) if the species occur and (2) the quality, location, and extent of any populations. If either of these species is found within 250 feet of any proposed disturbance, the following measures shall be implemented. 3b: Prior to the start of disturbance, exclusionary fencing shall be erected around the known occurrences. If necessary, a qualified botanist should be present to assist with locating these special-status plant populations. The exclusionary fencing shall be periodically inspected throughout each period of construction and be repaired as necessary. 3c: If a population cannot be fully avoided, the applicant shall retain a qualified botanist to contact CDFG to determine the appropriate salvage and relocation measures.			
Impact 3.7-4	Construction activities associated with the project could result in impacts to the federally listed Trinity bristle snail.		
Mitigation Measures In order to avoid and/or minimize impacts to the Trinity bristle snail, the following measures shall be implemented: 4a: If identified potential bristle snail habitat is to be disturbed during construction, a minimum of one survey for Trinity bristle snails in this area(s) 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 Trinity bristle snail is detected, the biologist shall relocate it to a suitable location outside of the construction limits. 4b: Mitigation measures presented in Section 3.5 for addressing erosion and sedimentation and			

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
accidental spills shall be fully implemented to mitigate for the potential indirect impacts to riparian habitat due to sedimentation and accidental spills. 4c: Mitigation Measure 3.7-1 (discussed previously) concerning disturbance to riparian habitat will be fully implemented.			
Impact 3.7-6	Construction activities associated with the project could result in impacts to the state-listed little willow flycatcher.		
Mitigation Measures The following mitigation measures shall be implemented to avoid or minimize potential impacts to the little willow flycatcher: 6a: 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, RSL pers. communication). If construction occurs outside of the breeding season, no further mitigation is necessary. If the breeding season cannot be completely avoided, mitigations b and c should be implemented. 6b: A qualified biologist should conduct a minimum of one pre-construction survey for the little willow flycatcher within the project sites and a 250-foot buffer around the sites. The survey should be conducted no more than 15 days prior to the initiation of construction in any given area. The pre-construction survey should be used to ensure that no nests of this species within or immediately adjacent to the project sites would be disturbed during project implementation. If an active nest is found, CDFG will be contacted prior to the start of construction to determine the appropriate mitigation measures. 6c: 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 should 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 3.7-7	Construction activities associated with the project could result in impacts to the foothill		

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
	yellow-legged frog.		
Mitigation Measures In order to avoid and/or minimize impacts to the foothill yellow-legged frog, the following measures shall be implemented: 7a: If any construction in the Trinity River channel will occur prior to August 1 of any construction season, a pre-construction survey for yellow-legged frog larvae and/or eggs shall be conducted by a qualified biologist. This survey would need to be conducted within the construction boundaries 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 boundaries. 7b: In the event that a yellow-legged frog is observed within the construction boundaries, 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. 7c: 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. 7d: Mitigation measures associated with the disturbance to riparian habitat were previously discussed (Mitigation Measure 3.7-1) and will be fully implemented.			
Impact 3.7-8	Construction activities associated with the project could result in impacts to the northwestern pond turtle.		
Mitigation Measures In order to avoid and/or minimize impacts to the northwestern pond turtle, the following measures shall be implemented: 8a: A minimum of one survey for pond turtle nests			

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
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 should be excavated by the biologist and reburied at a suitable location outside of the construction limits. 8b: 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 location within suitable habitat outside of the construction limits. 8c: 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. 8d: Mitigation measures associated with the disturbance to riparian habitat were discussed previously in this section (Mitigation Measure 3.7-1) and will be fully implemented.			
Impact 3.7-9	Construction activities associated with the project could result in impacts to nesting California yellow warblers and yellow-breasted chats.		
Mitigation Measures In order to avoid and/or minimize impacts to nesting California yellow warblers and yellow-breasted chats, the following measures shall be implemented: 9a: Grading and other construction activities should be scheduled to avoid the nesting season to the extent possible. The nesting season for these species in Trinity County extends from March through August. If construction occurs outside of the breeding season, no further mitigation is necessary. If the breeding season cannot be completely avoided, measures b and c should be implemented. 9b: A qualified biologist should conduct a minimum of one pre-construction survey for yellow warblers and yellow-breasted chats within the project sites and a 250-foot buffer around the sites. The			

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
survey should be conducted no more than 15 days prior to the initiation of construction in any given area. The pre-construction survey should 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 should determine the extent of a construction-free buffer zone to be established around the nest. 9c: 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 should 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 3.7-10	Construction activities associated with the project could disrupt nesting by special-status raptors.		
Mitigation Measures In order to avoid and/or minimize impacts to nesting special-status raptors, the following measures shall be implemented: 10a: Construction should be scheduled to avoid the nesting season to the extent feasible. The nesting season for most raptors in Trinity County extends from 1 February 15 through July 31. Thus, if construction can be scheduled to occur between August 1 and February 14, the nesting season would 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 should be implemented. 10b: Pre-construction surveys for nesting raptors should be conducted by a qualified biologist to ensure that no nests will be disturbed during project implementation. These surveys should be conducted no more than 14 days prior to the initiation of construction activities. During this survey, the biologist should inspect all trees immediately adjacent to the			

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
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. 10c: 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 should 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 3.7-11	Construction activities associated with the project could result in impacts to special-status bats and the ring-tailed cat.		
Mitigation Measures In order to avoid and/or minimize impacts to roosting special-status bats, the following measures shall be implemented: 11a: A pre-construction survey for roosting bats and ring-tail cats shall be conducted prior to any removal of trees ≥ 12 inches in diameter at 4.5 feet above grade. The survey will be conducted by a qualified biologist. No activities that would result in disturbance to active roosts of special-status bats or dens of ring-tail 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 will determine the extent of a construction-free zone to be implemented around the roost. If a bat maternity roost or hibernacula or a ring-tail den is present, Measures b or c shall be implemented. CDFG shall also be notified of any active bat nurseries within the disturbance zones. 11b: If an active maternity roost or hibernacula is found, the project will 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 should commence before bat maternity colonies form (i.e.,			

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
prior to March 1) or after young are volant (flying) (i.e., after July 31). The disturbance-free buffer zones described above should 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 a Memorandum of Understanding with CDFG), by opening the roosting area to allow air flow through the cavity. Demolition shall then follow no less 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 should 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. 11c: If an active ring-tail 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 should 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-tail cats to escape during the darker hours.			
Impact 3.7-15	Implementation of the project could result in the spread of non-native and invasive plant species.		
Mitigation Measures In order to avoid and/or minimize the potential introduction and/or spread of noxious weeds, the following measures shall be implemented: 15a: Use only certified weed-free erosion control materials, mulch, and seed.			

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
15b: Preclude the use of rice straw in riparian areas. 15c: Limit any import or export of fill to material not known to be weed free. 15d: Require the construction contractor to thoroughly wash all equipment at a commercial wash facility prior to entering the County. 15e: Within the first 3-5 years, post-project if it is determined that non-native invasive vegetation is out-competing desired planted or native colonizing riparian vegetation, opportunities to control these non-native species may 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 Trinity County Weed Management Cooperative.			
3.8 Recreation			
Impact 3.8-3	Construction activities associated with the project could lower the Trinity River's aesthetic values for recreationists by increasing turbidity levels in the Trinity River.		
Mitigation Measures 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. ▪ 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. 3b: 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			

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
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. 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 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.			
3.11 Cultural Resources			
Impact 3.11-1	Implementation of the project could potentially result in disturbance of undiscovered prehistoric or historic resources.		
Mitigation Measures 1a: 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, then Reclamation will make the necessary plans for treatment of the finds(s) and for			

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
the evaluation and mitigation of impacts if the find(s) are found to be significant as defined in the PA. 1b: 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, then the Native American Heritage Commission (NAHC) will be notified within 24 hours of determination, as required by Public Resources Code 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. 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 historical or unique archaeological resource mitigation takes place.			
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.		
Mitigation Measures 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: ▪ 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			

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
material to and from the construction site shall be 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). ▪ 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.		
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			

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
through the use of portable internal combustion engines registered and certified under the state portable equipment regulation (Health & Safety Code 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. 3b: In general, all requirements of a NCUAQMD "NON-Standard" burn permit will be met for burning. Burn management planning would may include but not be limited to: ▪ 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. 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.			

Mitigation Measure		Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
3.16	Noise			
Impact 3.16-1		Construction activities associated with the project would result in noise impacts to nearby sensitive receptors.		
Mitigation Measures				
1a: Construction activities near residential areas 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. 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).				
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, LCSD, Trinity Life Support Ambulance, and STAR) prior to the start of temporary closures.				
3.18	Transportation/Traffic Circulation			

Mitigation Measure	Timing/Implementation	Responsible Parties (task)	Verification (date and initials)
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 site boundaries and access roads on the left side of Trinity River. 3b: During the construction phase of the project, Reclamation shall limit the amount of daily construction equipment traffic by staging most construction equipment and vehicles on the project site throughout work at each site.			
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 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.			

State of California
Regional Water Quality Control Board
North Coast Region

NOTICE OF PREPARATION
FOR AN ENVIRONMENTAL IMPACT REPORT
Canyon Creek Suite of Rehabilitation Sites: Trinity River Mile 73 to 78

TO: Responsible and Trustee Agencies, and Interested Parties

FROM: State of California, Regional Water Quality Control Board, North Coast Region

SUBJECT: Notice of Preparation for a Draft Environmental Impact Report (EIR) and Environmental Assessment (EA) for the Bureau of Reclamation, Trinity River Restoration Program: Canyon Creek Suite of Rehabilitation Sites: Trinity River Mile 73 to 78. The Draft EIR/EA will be a joint document which meets both California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) requirements.

LEAD AGENCY: North Coast Regional Water Quality Control Board (NCRWQCB),
State of California

PROJECT TITLE: Canyon Creek Suite of Rehabilitation Sites:
Trinity River Mile 73 to 78

PUBLIC SCOPING MEETING: A public scoping meeting has been scheduled for October 20, 2005 at 6:30 pm. at the Junction City Community Hall, 71 Dutch Creek RD. (just south of HWY 299), Junction City, CA. Information on the project will be presented and comments on the scope of the EIR accepted. Announcement of the meeting will be made in Weaverville's local newspaper, the Trinity Journal, and by letter to local landowners.

NOTICE OF PREPARATION COMMENT PERIOD: A 30 day public review period for the Notice of Preparation has been established from October 6 through November 7, 2005. The purpose of this comment period is to provide involved agencies and the public an opportunity to learn about the project and to solicit comments to assist the Lead Agency in identifying the range of actions, alternatives, mitigation measures, and significant effects to be analyzed in the EIR/EA. The Bureau of Reclamation (Reclamation) will be the federal NEPA lead agency and both the U.S. Bureau of Land Management (BLM) and the U.S. Forest Service will act as cooperating agencies under NEPA. The public and agencies will use this 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 October 31, 2005. Please address comments, questions, and responses to:

North Coast Regional Water Quality Control Board c/o
Trinity River Restoration Program
Attn: Brandt Gutermuth
P. O. Box 1300
1313 Main Street
Weaverville, CA 96093

Voice (530) 623-1806, Fax (530) 623-5944, or email bgutermuth@mp.usbr.gov

APPLICANT:

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 Trinity River Basin Fish and Wildlife Management Act (1984) provide the legal authority for projects that restore the fishery resources of the Trinity River. Specifically, these acts include language intended to 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 perpetual 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 focused 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 Canyon Creek Suite of Rehabilitation Sites: Trinity River Mile 73 to 78 (Project) is the second project scheduled to implement the ROD's mechanical rehabilitation component and rework the Trinity River floodplain based on pre-dam channel morphology characteristics.

The NCRWQCB, which issued Clean Water Act 401 Water Quality Certification for the Trinity River Restoration Program's Hocker Flat Channel Rehabilitation pilot project and has permitting authority for this project, will serve as the state California Environmental Quality Act (CEQA) Lead Agency and will prepare an Environmental Impact Report (EIR) for the project as described below. The NCRWQCB 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 NCRWQCB 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 sites are located along an approximately 6.3-mile stretch of mainstem Trinity River between the communities of Junction City and Helena, Trinity County, California. The vicinity of the project is shown in **Figure 1**. Each channel rehabilitation site is referred to by name; while collectively all four sites are referred to as the Canyon Creek Suite of Rehabilitation

Sites (Project). The Environmental Study Limits (ESLs) for each site are illustrated in the Project Location Map, **Figure 2**. Collectively, the four site ESLs comprise the project ESL.

Canyon Creek Suite of Rehabilitation Sites: Trinity River Mile 73 to 78 includes:

Conner Creek

The Conner Creek channel rehabilitation site begins at River Mile 77.4 and extends 0.3 miles downstream along the Trinity River. It is found on the *Dedrick, California* 7.5-minute United States Geological Survey (USGS) quadrangle map, Township 34 North, Range 11 West, Sections 1, 35 and 36, MDBM, 040° 45' 15" North latitude by 123° 04' 00" West longitude.

Valdor Gulch

The Valdor Gulch channel rehabilitation site begins at River Mile 75.4 and extends 1.10 miles downstream along the Trinity River. It is found on the *Dedrick, California* 7.5-minute USGS quadrangle map, Township 34 North, Range 11 West, Sections 27 and 35, MDBM, 040° 45' 53" North latitude by 123° 05' 35" West longitude.

Elkhorn

The Elkhorn channel rehabilitation site begins at River Mile 73.6 and extends 0.8 mile downstream along the Trinity River. It is found on the *Dedrick, California* 7.5-minute USGS quadrangle map, Township 34 North, Range 11 West, Sections 27 and 28, MDBM, 040° 45' 53" North latitude by 123° 06' 08" West longitude.

Pear Tree

The Pear Tree site begins at River Mile 73.1 and extends 0.3 mile downstream along the Trinity River. It is found on the *Dedrick, California* 7.5-minute USGS quadrangle map, Township 34 North, Range 11 West, Section 28, MDBM, 040° 45' 57" North latitude by 123° 06' 57" West longitude.

PROJECT DESCRIPTION: In joint action with Reclamation and BLM, the NCRWQCB is evaluating the Project at each of these identified locations along the Trinity River. The Hocker Flat Project represented the initial TRRP effort to implement the mechanical channel rehabilitation component of the 2000 ROD. Together this Project (encompassing four sites) and the Hocker Flat project (implemented in 2005), will not only work to enhance river processes at their discrete locations, but are also expected to synergistically work together for enhancement of river processes and ultimately to increase fisheries habitat throughout the reach downstream of Canyon Creek.

Within the project 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
- Material Transportation
- Material Disposal
- Revegetation

POTENTIAL ENVIRONMENTAL EFFECTS:

The EIR/EA is being prepared to evaluate potentially significant impacts to the environment. The following section provides a brief discussion of the environmental factors that will be addressed in the 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 will be considered.

Noise. Potential noise impacts associated with construction will be assessed in the EIR/EA. Noise levels will be evaluated for consistency with the Junction 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. Mineral resources will also be addressed, particularly as they relate to activities authorized under the federal 1872 Mining Law.

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. Activities within the active channel of the Trinity River would 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 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 A on the Federal Emergency Management Agency’s (FEMA) Flood Insurance Rate Maps (FIRM), on public and private lands. Areas within Zone A have approximate delineations for the 100-year floodplain, but do not have defined base flood elevations. If it is determined that project activities would result in a change to the 100-year floodplain delineation, a floodplain risk assessment will be performed to determine what impacts, if any, would occur to adjacent structures and the public. However, 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.

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 significant biological impacts, including effects on endangered, threatened, rare, or other special status plant and animal species, and wetland/special aquatic resources.

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 suitable spawning habitat 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). 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. A comprehensive plant and wildlife inventory to determine species presence/absence and potential project-related effects to species that may be present.

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 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. Though they will provide biological guidance and will act as a trustee agency, the California Department of Fish and Game has determined that they are not authorized to permit federally funded Trinity River Restoration Projects, like Hocker Flat and Canyon Creek Rehabilitation Projects. Consequently, neither a "2081 Incidental Take Permit" (California Endangered Species Act) nor a "1602 Streambed Alteration Agreement" will be required.

The project will be assessed for consistency with the state and federal Wild and Scenic Rivers Acts. 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 reviewed and verified by the ACOE.

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, The Hoopa Valley Tribe, 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.

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 keeps release of Mercury below levels of concern. Hazards related to movement of earth and its effects on Mercury availability will be addressed.

Land Use. The proposed Project is consistent with Trinity County's General Plan and related policies. No buildings or permanent structures are located within the ESL. Mineral extraction activities occur within the ESL, and will be incorporated into the project design. 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.

Public Services/Utilities. An analysis of public services and utilities associated with the proposed Project will be included in the EIR/EA.

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.

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 West. 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 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.

DEPARTMENT OF TRANSPORTATION

P.O. BOX 496073
REDDING, CA 96049-6073
PHONE (530) 225-3369
FAX (530) 225-3020



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IGR/CEQA Review
Tri-299-36/68
Canyon Creek
NOP EIR
SCH# 2005102025

November 2, 2005

Brandt Gutermuth
Dept. of Water Resources
P.O. Box 1300
1313 Main Street
Weaverville, CA 96093

Dear Mr. Gutermuth:

Caltrans District 2 has reviewed the Notice of Preparation of an Environmental Impact Report (NOP EIR) submitted on behalf of the U.S. Bureau of Reclamation and the California Regional Water Quality Control Board, for the Canyon Creek Rehabilitation Sites. The project is located in the Trinity River between Lewiston Dam and the North Fork Trinity River (River miles 112 and 72.4).

Caltrans looks forward to reviewing the Hydrology and Flooding sections of the EIR. It appears the proposed project would benefit fisheries, wildlife, and the river system. As identified in the NOP, hydrology, water quality, and floodplain impacts will be assessed. Potential concerns include whether increased bank erosion or flooding impacts would negatively impact State Route 299 adjacent to, and up- and downstream from the project as the result of the proposed actions between the river and State Route 299. We also look forward to the identification and provision of mitigation measures if increased bank erosion or flooding impacts occur that would negatively impact the State's facilities.

Thank you for providing us the opportunity to review this project. If you have any questions, or if the scope of this project changes, please call me at 225-3369.

Sincerely,

MARCELINO GONZALEZ
Local Development Review
District 2

**DEPARTMENT OF FORESTRY AND FIRE PROTECTION**

875 Cypress Ave.
REDDING, CA 96001
Website: www.fire.ca.gov
(530) 225-2086



November 5, 2005

Brandt Gutermuth
Trinity River Restoration Program
P O Box 1300
Weaverville, Ca 96093

RE: Canyon Creek Rehabilitation Sites Trinity River Mile 73 to 78

Dear Brandt,

This letter is in response to your request for comments on the Trinity River Restoration Canyon Creek Rehabilitation Sites. My concern is that disturbed soils in the riparian area will accelerate the spread of invasive non-native plants, further altering the native plant communities, wild life habitats, and the scenic nature of the Trinity River. Disturbed soils are particularly vulnerable to invasive species. To address invasive plants I suggest that the project include an integrated weed management plan. Below is the integrated weed management definition found in Section 7270.5 of the California Food & Agriculture Code, Division 4, Part 4 Weeds, Article 1.7 Noxious Weed Management. It reads in whole:

For the purposes of this article, "integrated weed management plan" means an ecosystem-based control strategy that focuses on long-term prevention of weeds through a combination of techniques, such as biological controls, judicious use of herbicides, modified land management, and cultural practices, and where control practices are selected and applied in a manner that minimizes the risks to human health, nontargeted organisms, and the environment.

This definition would be a good standard to follow regarding the complicated issue of invasive species. One invasive species that is rapidly spreading in the project area is *Ailanthus altissima*, commonly know as the Tree of Heaven. In the summer of 2003 the California Department of Food and Agriculture determined that "Ailanthus altissima presents a serious threat to California's agricultural lands and wild areas. Ecosystems are dominated by Ailanthus to the point that their very function and composition are drastically altered." If you go to http://www.cdffa.ca.gov/phpps/ipc/weedmgmtareas/wma_index_hp.htm then go to the counties you will find at least four projects listed that had a goal of restoring riparian areas by treating ailanthus with herbicides.

The publication USEPA, 2000. Principles for the Ecological Restoration of Aquatic Resources states in part:

American natural areas are experiencing significant problems with invasive, non-native (exotic) species, to the great detriment of our native ecosystems and the benefits we've long enjoyed from them. Many invasive species out compete natives because they are expert colonizers of disturbed areas and lack natural

controls. The temporary disturbance present during restoration projects invites colonization by invasive species which, once established, can undermine restoration efforts and lead to further spread of these harmful species. Invasive, non-native species should not be used in a restoration project, and special attention should be given to avoiding the unintentional introduction of such species at the restoration site when the site is most vulnerable to invasion. In some cases, removal of non-native species may be the primary goal of the restoration project.

What steps will you take to protect the native species that are located in the areas you will be disturbing?

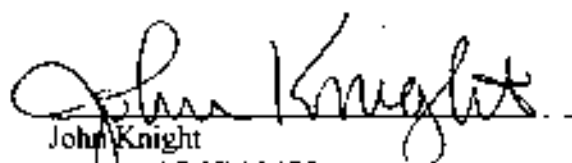
The California Native Plant Society in Roberson, E.B. 2002. Barriers to Native Plant Conservation in the United States: funding, staffing, law. States in part:

Non-native Species Threaten Ecosystems

Native plants are encircled by threats. One of the most serious is invasions by non-native plants, insects, and disease organisms. In the United States, invasive non-native species are estimated to be the second greatest cause of species decline and extinction, following only direct habitat conversion. Successful conservation of native plants, ecosystems and the services and values they provide depends on preventing and controlling infestations by invasive non-native species.

After stream bank and channel restoration work, follow up surveys for invasive species are recommended. I look forward to this project including effective measures for the prevention, control, and eradication of invasive species.

Sincerely,



John Knight
Forester I RPF #2475
Shasta-Trinity Unit, Weaverville
P O Box 1296
Weaverville, CA 96093
530-623-5681

STATE OF CALIFORNIA

Arnold Schwarzenegger, Governor

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 384

SACRAMENTO, CA 95814

(916) 655-4082

(916) 657-5890 - Fax

RWQCB
REGION 1

OCT 28 2005

October 25, 2005

☐ GR	☐ RST	☐ M
☐ JCH	☐ WLS	☐
☐ RJT	☐ RSE	☐

Mr. Dean Pral

Regional Water Quality Control Board, Region 1

5550 Skylark Boulevard, Suite A

Santa Rosa, CA 95403

Re: Canyon Creek Suite of Rehabilitation Sites; Trinity River Mile 73 to 78

SCH# 2005102025

Dear Mr. Pral:

Thank you for the opportunity to comment on the above-referenced document. The Commission was able to conduct a Sacred Lands File search of the approximate project area, which identified no recorded Native American sites within the proposed project site. However, the lack of recorded sites does not preclude the possibility that cultural resources may be present. Additionally, this document contains no supporting documentation prepared in accordance with the CEQA Guidelines (15063 (d) (3)), regarding the conclusion that the project will cause no identifiable impacts to cultural resources. In order to address this shortfall, the Commission recommends that all of the following actions be taken.

- > Contact the appropriate California Historic Resources Information Center for a record search. The record search will determine:
 - * If a part or all of the area of project effect (APE) has been previously surveyed for cultural resources.
 - * If any known cultural resources have already been recorded on or adjacent to the APE.
 - * If the probability is low, moderate, or high that cultural resources are located in the APE.
 - * If a survey is required to determine whether previously unrecorded cultural resources are present.
- > If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - * The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
 - * The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological information center.
- > Lack of surface evidence of archaeological resources does not preclude their subsurface existence.
 - * Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archaeological resources, per California Environmental Quality Act (CEQA) §15064.6 (f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
 - * Lead agencies should consider avoidance, as defined in Section 15370 of the CEQA Guidelines, when significant cultural resources could be affected by the proposed project.
 - * Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
 - * Lead agencies should include provisions for discovery of Native American human remains and cemeteries in their mitigation plans. Health and Safety Code §7060.6, CEQA §15064.6 (e) and Public Resources Code §5097.98 mandate the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

Early consultation with tribes in your area is the best way to avoid unanticipated discoveries once a project is underway. Enclosed is a list of Native Americans individuals/organizations that may have knowledge of cultural resources in the project area. The Commission makes no recommendation of a single individual or group over another. Please contact all those listed; if they cannot supply you with specific information, they may be able to recommend others with specific knowledge. By contacting all those listed, your organization will be better able to respond to claims of failure to consult with the appropriate tribe or group. If you have not received a response within two weeks' time, we recommend that you follow-up with a telephone call to make sure that the information was received.

Sincerely,


 Carol Gaubatz
 Program Analyst
 (916) 655-6251

Native American Contacts
 Trinity County
 October 25, 2005

Hupa Valley Tribe
 Clifford L. Marshall, Chairperson
 P.O. Box 1348
 Hupa, CA 95546
 marshallatlaw@pcvweb.net
 (530) 625-4211
 (530) 625-4594 Fax

Hupa - Hupa

Wintu Educational and Cultural Council
 Robert Burns
 12138 Lake Blvd.
 Redding, CA 96003
 (530) 246-3313

Wintu

Nor-Rel-Muk Nation
 John W. Hayward, Chairperson
 PO Box 673
 Hayfork, CA 95041
 (530) 628-4226
 (530) 628-5100 FAX

Wintu

Wintu Tribe of Northern California
 2675 Bechelli Lane
 Redding, CA 96001
 wintu_tribe@hotmail.com
 (530) 228-8088
 (530) 223-2879 • Gene Malone

Wintu

Round Valley Reservation/Covelo Indian Community
 Shannon Barney, President
 P.O. Box 448
 Covelo, CA 95428
 (707) 983-6126
 (707) 983-6128 - Fax

Yuki; Nomolaki
 Pit River
 Pomo
 Concow
 Waiatko; Wintun

Tsnungwe Council
 Charles Ammon
 P.O. Box 373
 Salyer, CA 95563
 (530) 629-3356
 (530) 629-3356 FAX

Southern Hupa

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 67.94 of the Public Resources Code and Section 8097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resource assessment for the proposed Canyon Creek State of Reclamation Study, Trinity River Mile 72 to 78, SDHS 2004102025, Trinity County

TRINITY COUNTY
Weed Management Cooperative
(TCWMC)

October 26, 2005

Brandt Gutermuth
Trinity River Restoration Program
P O Box 1300
Weaverville, Ca 96093

RE: Canyon Creek Rehabilitation Sites Trinity River Mile 73 to 78

Dear Brandt,

The Trinity County Weed Management Cooperative (Weed CO-OP) is a cooperative effort between the state, Trinity County departments, federal agencies, agricultural interests, private groups, and individuals. The program is directed at controlling, suppressing, and eradicating non-native, invasive, noxious weeds. The proposed Trinity River restoration project includes in part vegetation removal, earth movement in and adjacent to the floodplain, and revegetation. Our concern is that disturbed soils in the riparian area will accelerate the spread of invasive, non-native plants, further altering the native plant communities, wildlife habitats, and the scenic nature of the Trinity River. Disturbed soils are particularly vulnerable to invasive species. To address invasive plants the Weed CO-OP recommends that the project include an integrated weed management plan. Below is an excerpt from the Weed CO-OP's Strategic Plan that describes our approach to invasive species. This plan uses scientifically based integrated pest management principles to reduce the spread of noxious weeds.

Noxious weeds pose a threat to Trinity County crops, rangelands, irrigation systems, roadsides, wild lands, recreation areas and homes. Weed control is best achieved using a long-term, integrated approach. Weed management is an effort to eradicate, suppress, or contain a weed infestation from a particular area. Integrated weed management (IWM) is a systems approach to weed control. IWM involves developing a planned, strategic program that will take several factors into consideration to maximize weed control. These considerations include the control objectives for the land (eradication, suppression, or containment), the effectiveness of the control technique on the target species, biological and environmental factors, land use, economics, policy and legal restrictions, practicality, and the extent and nature of the weed. When implementing weed control techniques, this approach considers using all available control methods known for a weed species. These methods include

chemical, physical, cultural or mechanical methods, as well as general land management practices. Biological control may also be used for containment and control objectives but not for eradication.

The Weed CO-OP believes citizens and landowners in our community underestimate how noxious and invasive weeds negatively affect the environment, economy, and natural resources. The Weed CO-OP encourages you to adopt an integrated weed management approach to invasive species found in the areas you will be working in. For the full text of our strategic plan for Trinity County go to our website:

http://www.cdfa.ca.gov/phpps/tpc/weedmgtaareas/Trinity/Trinity_hp.htm

How does the Trinity River Restoration Program plan to address the prevention, control, and eradication of invasive plant species, taking into consideration Trinity County's policies on herbicide use?

Thank you for the opportunity to comment on the Canyon Creek Suite of Rehabilitation Sites.

Sincerely,



Mark T. Lockhart
Chairman
Trinity County Weed Management Cooperative