

State of California

**Regional Water Quality Control Board
North Coast Region**

**NOTICE OF PREPARATION
OF A MASTER ENVIRONMENTAL IMPACT REPORT**

***Completion of Phase 1 Channel Rehabilitation Projects with Planned
Phase 2 Channel Rehabilitation and Sediment Management Projects***

TO: Responsible and Trustee Agencies and Interested Parties

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

SUBJECT: Notice of Preparation of either a Draft Programmatic/Project Environmental Impact Report or a Draft Master Environmental Impact Report for the Bureau of Reclamation, Trinity River Restoration Program: Completion of Phase 1 Channel Rehabilitation Projects with Planned Phase 2 Channel Rehabilitation and Sediment Management Projects. This Master Environmental Impact Report/Environmental Assessment will be a joint document intended to meet the requirements of both the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA).

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

PROJECT TITLE: Completion of Phase 1 Channel Rehabilitation Projects with Planned Phase 2 Channel Rehabilitation and Sediment Management Projects

PUBLIC SCOPING MEETING: A public scoping meeting will be held in Weaverville, California, on April 16, 2008. Information on the proposed project will be presented and comments on the scope of the Master Environmental Impact Report/Environmental Assessment accepted. Announcement of the meeting will be made in Weaverville's local newspaper, the *Trinity Journal*, and by letter to local landowners who are in proximity of the final Phase 1 project sites.

NOTICE OF PREPARATION COMMENT PERIOD: A public review period for the Notice of Preparation has been established from March 27 through May 12, 2008. 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 that will assist the Lead

Agency in identifying the range of actions, alternatives, mitigation measures, and significant effects to be analyzed in the Master Environmental Impact Report/ Environmental Assessment. The U.S. Bureau of Reclamation (Reclamation) will be the federal lead agency under NEPA, and both the U.S. Bureau of Land Management (BLM) and the U.S. Forest Service will act as cooperating agencies under NEPA. In addition to satisfying the public disclosure requirements, the lead, responsible and trustee agencies will use this joint document when considering proposed actions, permits, and/or other approvals as appropriate.

Public and agency comments must be received no later than 5:00 p.m. on May 12, 2008. 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

PROJECT PROPONENT:

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

Trinity River Restoration Program

P. O. Box 1300

1313 Main Street

Weaverville, CA 96093

INTRODUCTION: The Regional Water Quality Control Board, North Coast Region (Regional Water Board) will be the lead agency under CEQA for the preparation of either a Programmatic/Project Environmental Impact Report or a Master Environmental Impact Report (MEIR) for certain channel rehabilitation and sediment management activities identified in the Record of Decision (ROD) for the Final Environmental Impact Statement (FEIS) for the Trinity River Mainstem Fishery Restoration Program. Whether a programmatic or master document is correct for this purpose will be determined at a later date. To simplify the notification process, this notice refers to the MEIR for the remainder of this document. The ROD identified that channel rehabilitation sites would be implemented in phases over time. For planning purposes, the Trinity River Restoration Program (TRRP) has segregated channel rehabilitation activities into two nearly equal Phase 1 and Phase 2 groups, combined with long-term mainstem sediment management activities. Mechanical channel rehabilitation projects will have been completed at 16 Phase 1 sites identified in the ROD by the end of 2008. The MEIR provides site specific information for implementation of the remaining eight Phase 1 mechanical channel rehabilitation projects and provides conceptual details and locations for mainstem sediment management projects and 23 Phase 2 mechanical channel rehabilitation projects. The remaining eight FEIS Phase 1 sites are physically located within six broad locations and will be referred to as the "Remaining 8 Group" of sites.

Section 15082 of the CEQA Guidelines states that once a decision has been made to prepare an EIR, the lead agency must prepare a Notice of Preparation (NOP) to provide all responsible agencies and interested persons with sufficient information about the proposed project and its potential environmental impacts to enable them to make meaningful suggestions regarding the scope and content of the EIR. Because this NOP was prepared to comply with CEQA, it focuses on the CEQA portion of the joint environmental document that will be prepared to analyze the impacts of the proposed project. It therefore refers throughout to the MEIR portion of the joint document.

This NOP was prepared to request interested parties to submit comments on significant environmental issues, reasonable alternatives and mitigation measures to explore in the MEIR. The comments will help the lead agencies to determine whether the CEQA document will be a programmatic/project EIR or a MEIR. In either case, the comments on this NOP will assist in determining the scope of the CEQA document and ensure an appropriate level of environmental review. A project description, location maps, and a summary of the potential environmental impacts are included in this NOP.

The MEIR will evaluate the potential environmental impacts of the proposed project and recommend mitigation measures, as required. Sufficient project detail is available for the MEIR to satisfy project-level CEQA requirements for the Remaining 8 Group of sites from the Phase 1 TRRP implementation plan. The MEIR will provide programmatic-level CEQA compliance for Phase 2 activities at as many as 23 sites, including addressing cumulative impacts, growth-inducing impacts, and any irreversible significant effects on the environment. It will also provide CEQA compliance for long-term mainstem Trinity River sediment management activities. The programmatic-level analyses in the MEIR are intended to streamline subsequent environmental review of the Phase 2 projects.

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 intended to restore the fishery resources of the Trinity River. Specifically, these acts include language providing authority to protect, restore, and enhance fish, wildlife, and associated habitats within the Trinity River Basin.

In December 2000, the Secretary of Interior signed the ROD for the FEIS with the concurrence of the Hoopa Valley Tribe. 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 would produce a healthy, functioning alluvial river system. Consequently, the ROD included five components to ensure the 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 coarse sediment, for use as spawning gravel and the building of river habitat, below Lewiston dam, and reduction in fine sediments that degrade fish habitats; (d) watershed restoration efforts, addressing negative impacts that have resulted from land use practices in the Trinity River 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 TRRP

office in Weaverville, California, was opened in September 2002 for the purpose of implementing the ROD.

The MEIR will focus on two specific restoration components; (1) 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) and (2) the need to manage sediment within the mainstem Trinity River in the 40-mile reach downstream of Lewiston Dam.

The fundamental intent of channel rehabilitation is to restore the Trinity River's historic alternate point bar morphology and habitat complexity to improve fishery resources. Specifically, the ROD identified 44 potential channel rehabilitation sites and three potential side-channel sites for consideration by the TRRP. The TRRP has recognized the benefit of performing channel rehabilitation in two phases. Phase 1 was initiated with the Hocker Flat channel rehabilitation project in 2005 and continued with the Canyon Creek and Indian Creek projects. When the Lewiston-Dark Gulch channel rehabilitation project is completed in 2008, the TRRP will have implemented mechanical channel rehabilitation activities at 16 FEIS sites (including two side-channels) as part of Phase 1. Phase 1 will be complete when the Remaining 8 Group of sites is constructed in 2009. Phase 2 includes restoration activities within 23 additional FEIS sites within the 40-mile reach of the mainstem Trinity River.

In conjunction with the Phase 1 and 2 channel rehabilitation activities planned for the 47 sites, the sediment management component focuses on the need to ensure that the sediment flux of the mainstem Trinity River is managed to complement the flow and mechanical channel rehabilitation components. Sediment management actions may include the introduction of coarse sediment at selected locations within or in close proximity to channel rehabilitation sites, as well as reducing the fine sediment fraction currently captured by a series of sediment retention structures known as the Hamilton Ponds at the mouth of Grass Valley Creek.

PROJECT LOCATION: The MEIR will address TRRP Phase 1 and 2 activities associated with approximately 40 river miles along the mainstem Trinity River between the communities of Lewiston and Helena, Trinity County, California. In addition, it will address sediment management activities at select locations on the mainstem Trinity River. Coarse sediment augmentation for the mainstem Trinity River is proposed between Lewiston and Douglas City, California. Fine sediment management is proposed for the area known as Hamilton Ponds, Lewiston California. Figure 1 illustrates the general project vicinity. Figure 2 illustrates the Phase 1 and Phase 2 actions areas, including all constructed, authorized, and proposed sites. This figure also indicates the locations where sediment management activities are proposed. As Phase 1 has been implemented, specific sites identified in the ROD have been incorporated into discrete channel rehabilitation projects and project names have been based on local geographic features (e.g., Hocker Flat). For the Remaining 8 Group of sites to be evaluated in the MEIR, however, the project boundaries have been delineated for six varied locations along the 40 mile work reach. With the exception of the Trinity House Gulch and Steel Bridge Day use areas, work may occur on both the right and left banks of the Trinity River. The following paragraphs provide geographic information on these sites:

Sawmill: Trinity River Mile 108.6 to 109.7

The Sawmill site is located on the Trinity River upstream of Rush Creek and downstream of the Old Lewiston Bridge. It is found on the *Lewiston, California* 7.5-minute United States Geological Survey (USGS) quadrangle map, Township 33 North, Range 8 West, Sections 18 and 19, Mount Diablo Base and Meridian (MDBM), 040° 42' 40" North latitude by 122° 49' 06" West longitude.

Upper Rush Creek: Trinity River Mile 107.8 to 108.6

The Upper Rush Creek site is located on the Trinity River immediately upstream of the confluence with Rush Creek. It is found on the *Lewiston, California* 7.5-minute USGS quadrangle map, Township 33 North, Range 8 West, Section 18, Township 33 North, Range 9 West, Section 13 MDBM, 040° 43' 10" North latitude by 122° 49' 37" West longitude.

Lowden Ranch: Trinity River Mile 104.4 to 105.3

The Lowden Ranch site is located on the Trinity River within and immediately upstream of the confluence with Grass Valley Creek and adjacent to the Hamilton Ponds. It is found on the *Lewiston, California* 7.5-minute USGS quadrangle map, Township 33 North, Range 9 West, Sections 23 and 26, MBDM, 040° 41' 39" North latitude by 122° 51' 12" West longitude.

Trinity House Gulch: Trinity River Mile 103.9 to 104.4

The Trinity House Gulch site is located on the right bank of the Trinity River, immediately downstream of Grass Valley Creek. The confluence of Trinity House Gulch is included within this site. It is found on the *Lewiston, California* 7.5-minute USGS quadrangle map, Township 33 North, Range 9 West, Section 22, 23, 26 and 27 MDBM, 040° 43' 10" North latitude by 122° 49' 37" West longitude.

Steel Bridge Day Use: Trinity River Mile 98.5 to 98.9

The Steel Bridge Day Use site is located on the left bank of the Trinity River immediately downstream of the old bridge abutments and in close proximity to BLM's day use recreational site. It is found on the *Weaverville, California* 7.5-minute USGS quadrangle map, Township 33 North, Range 9 West, Section 31 MDBM, 040° 40' 12" North latitude by 122° 55' 20" West longitude.

Reading Creek: Trinity River Mile 92.2 to 93.5

The Reading Creek site is located on the Trinity River downstream of the Douglas City–State Route 299 Bridge, including the confluence of Reading Creek. It is found on the *Weaverville, California* 7.5-minute USGS quadrangle map, Township 32 North, Range 10 West, Sections 1 and 12 MDBM. 040° 38' 37" North latitude by 122° 57' 22" West longitude.

PROJECT DESCRIPTION: In conjunction with the federal NEPA lead agency, the U.S. Bureau of Reclamation TRRP office, the Regional Water Board is evaluating actions that would complete the Phase 1, Remaining 8 Group actions, ensure long-term mainstem sediment management, and initiate the Phase 2 mainstem Trinity River restoration actions. Collectively, the component actions included in Phase 2, combined

with the activities proposed to complete Phase 1, are intended 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 targeted 40-mile reach of the mainstem Trinity River.

Within the boundaries of the remaining Phase 1 channel rehabilitation sites identified in the FEIS, six discrete action areas have been identified. Collectively, these action areas will be known as the Remaining 8 Group of sites. Within these sites, a variety of specific activities 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 activities 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 and stockpiling;
- revegetation;
- processing and placement of gravel into the river;
- spoiling of excavated materials and by-products of gravel processing, and
- construction and/or enhancement of riparian/wetland habitat.

Projects proposed as part of Phase 2 are expected to be similar in size and nature to the Phase 1 channel rehabilitation projects. The 23 Phase 2 sites will be reconfigured into logical action areas using criteria developed during the Phase 1 projects that have already been implemented: effectiveness, practicability, environmental benefits and impacts, and cost.

In addition to channel rehabilitation efforts, the MEIR will evaluate long-term sediment management activities considered essential to enhancing or reestablishing the Trinity River's alternate point bar morphology and channel complexity, and subsequently, to provide an increase in useable fish habitat. Sediment management activities include long-term coarse sediment augmentation of material approximately 3/8 to 6 inches in diameter to enhance aquatic habitat and fine sediment control of sand and silt from Grass Valley Creek delivered to the mainstem Trinity River.

Long-term sediment augmentation responds to the need to restore the geomorphic process and enhance the spawning/rearing habitat required for anadromous salmonids. The MEIR will focus on specific locations that are suitable for long-term augmentation sites. The TRRP has identified the need to augment coarse sediment upstream of Douglas City at several locations, including sites known as the Lewiston Hatchery and Bucktail. Coarse sediment augmentation would occur during spring channel maintenance flows and volumes would vary by water year. On average, the TRRP has established that up to 10,000 yards of coarse sediment will be required to sustain the sediment balance annually.

The Hamilton Ponds at the mouth of Grass Valley Creek provide an efficient means to capture and retain fine sediment, particularly sand sized material that has fostered the

development of large riparian berms that constrain the channel of the Trinity River. This fine sediment also influences the quality of spawning habitat for anadromous salmonids. The Hamilton Ponds require routine maintenance (dredging) to regain capacity on a reoccurring basis. The MEIR will address the environmental impacts of restoring the capacity of these ponds as a component of the overall TRRP implementation plan.

POTENTIAL ENVIRONMENTAL EFFECTS: The Draft MEIR will evaluate potential impacts to the environment and their levels of significance. Based on the analyses and monitoring of Phase 1 sites completed to date, impacts are readily foreseeable and can be feasibly mitigated to acceptable levels. The following section provides a brief discussion of the environmental factors and anticipated impacts that will be addressed in the Draft MEIR.

Air Quality. The Draft MEIR will address both the regional air quality conditions in Trinity County and the air quality impacts that would result from the proposed project. The analysis will determine whether the proposed project would 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 sites, as well as transport of excess material offsite, will be considered. No operational air quality impacts are anticipated after construction has been completed and all materials have been spoiled.

Noise. The existing noise environment and potential noise impacts associated with project construction, as well as the transport, processing, and placement of gravel, will be assessed in the Draft MEIR. Noise levels will be evaluated for consistency with the Douglas City and Lewiston Community Plans, 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. The existing geological and soils conditions as well as impacts of the proposed project related to geological and seismic safety and soils stability will be addressed in the MEIR. The proposed project may open access to marketable mineral resources (sand and gravel) that are not presently available. Other mineral resources, such as gold and platinum, 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 (SMARA).

Hydrology, Water Quality, and Floodplains. The Draft MEIR will address existing hydrologic, water quality, and floodplain conditions as well as any hydrologic, 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 short-term and localized erosion, turbidity, and sedimentation levels at and 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 (CDFG). Activities within the active channel of the Trinity River will be subject to water quality limitations imposed by the Regional Water Board in conjunction with the issuance of waste

discharge requirements under the Porter-Cologne Water Quality Control Act and water quality certification pursuant to the federal Clean Water Act (CWA).

The Trinity River has been listed under section 303(d) of the CWA as impaired by sediment. A Total Maximum Daily Load (TMDL) for the Trinity River was completed by the Environmental Protection Agency (EPA) in December 2001 and recommends implementation of all aspects of the ROD to improve the beneficial uses of the Trinity River (including cold water fisheries) that are impaired by sediment (US EPA 2001).

Per federal Executive Order 11988 (pertaining to floodplain involvement), public notice is hereby given that the proposed project includes construction within the 100-year floodplain of the Trinity River. Portions of the proposed 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 on vegetation and wildlife will be assessed. The Draft MEIR will evaluate the likelihood for any construction-related and short-term 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.

Habitat within the project sites has the potential to support a variety of special-status species, including species listed under the state and federal Endangered Species Acts (ESAs) and species that have other special-status designations. Spring- and fall-run Chinook salmon, coho salmon, Pacific lamprey, and summer- and winter-run steelhead are known to spawn within the Trinity River and its tributaries. Habitat for various life stages is available for these species within the boundaries established for this Draft MEIR. In addition, the Trinity River is designated as critical habitat for the Southern Oregon Northern California Coast Evolutionary Significant Unit of threatened coho salmon by the National Marine Fisheries Service (NMFS). A comprehensive plant and wildlife inventory to determine the presence/absence of species and potential project-related effects to species that may be present will be completed. Other special-status and listed species could occur within or adjacent to the project boundaries, including the little willow flycatcher, 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 boundary, a Biological Assessment pursuant to Section 7 of the Federal Endangered Species Act (ESA) is not expected to be required. A Biological Opinion (BO) concerning listed fish species 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 the proposed project.

The proposed project will be assessed for consistency with the state and federal Wild and Scenic Rivers Acts, as well as the California Fish and Game regulations to protect riparian areas (section 1600) and state listed species (section 2080). Completion of the proposed project is expected to enhance anadromous salmon and steelhead fisheries, which were both identified as “outstandingly remarkable values” of the Trinity River in the Wild and Scenic Rivers acts.

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 proposed project could result in short-term losses of riparian habitat, but those losses should be compensated for by long-term revegetation and increases in habitat quality.

Per federal Executive Order 11990 (pertaining to wetlands), public notice is hereby given that the proposed project may encroach upon wetlands. Construction activities associated with the proposed project could result in impacts to wetland features within the site boundaries that are subject to U.S. Army Corps of Engineer’s (USACE) jurisdiction, pursuant to section 404 of the CWA. Within these boundaries, a delineation of jurisdictional waters of the United States has been conducted.

Cultural Resources. A cultural resources survey and evaluation will be conducted in compliance with the Programmatic Agreement (PA) for cultural resources developed for implementation of the Trinity River mainstem fishery restoration in consultation with the California State Historic Preservation Officer (SHPO) and the Advisory Council on Historic Preservation. The Draft MEIR will be prepared in compliance with the requirement to consult with non-federally recognized tribes as required by the SHPO and the Advisory Council on Historic Preservation. This evaluation will identify the Area of Potential Effect (APE) and will assess the APE to determine the presence of cultural and archaeological resources and their significance. If cultural resources are encountered during the survey, a determination of eligibility for listing on the California Register of Historical Resources and the National Register of Historic Places 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 hazards related to such materials. Historic mercury deposits from past mining activities may exist at one or more sites considered in the Draft MEIR. However, ongoing USGS studies suggest that environmental conditions in the project area are such that mercury levels will remain below the level of concern established by EPA.

Land Use. The proposed project is consistent with Trinity County’s General Plan and related policies. Potential material extraction and disposal activities (e.g., gravels to be processed and placed in the river) are likely to be incorporated into the project design in compliance with SMARA guidelines. Although growth-inducing impacts are not expected to occur as a result of the proposed project, such potential impacts will be examined in the Draft MEIR.

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 related to these factors are expected.

Public Services/Utilities. An analysis of public services and utilities associated with the proposed project will be included in the Draft MEIR. No significant impacts related to these factors are expected.

Visual Resources. A visual impact analysis will be included in the Draft MEIR that describes the existing visual characteristics within and adjacent to the project sites and analyzes any potential visual impacts. No long-term significant visual impacts are anticipated.

Transportation and Circulation. Transportation and circulation impacts associated with the proposed project will be analyzed, including access during construction and impacts to public roads, such as Trinity Dam Boulevard, Trinity Hatchery Road, Lewiston Road, Highway 299 and others as appropriate. Private roads will also be addressed in the Draft MEIR. 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 rights-of-way for public roads may require issuance of an encroachment permit from the responsible public agency.

References

US EPA. 2001. Trinity River total maximum daily load for sediment. Region IX. Water Division. San Francisco, CA.

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