

Final Mitigated Negative Declaration

Project: Thompson Meadow Restoration and Water Budget Evaluation Project

Lead Agency: California Department of Water Resources (DWR) and United States Forest Service (USFS)

Availability of Documents: DWR prepared a draft Environmental Assessment/Initial Study (EA/IS) in support of this Mitigated Negative Declaration (MND). Copies of the Draft IS/EA and proposed MND were provided to the State Clearinghouse on January 8, 2020, initiating a 30-day review period that ended February 7, 2020. In response to comments received during public review, one minor revision was made to the IS/EA Project Design Criteria (shown in underline):

- If needed, a RWQCB approved Storm Water Pollution Prevention Plan (SWPPP) would be prepared by a Contractor. The SWPPP would incorporate appropriate temporary construction site BMPs to implement effective handling, storage, use, and disposal practices for hazardous materials during construction activities, and would include procedures for appropriate response to an accidental release of hazardous wastes/substances.

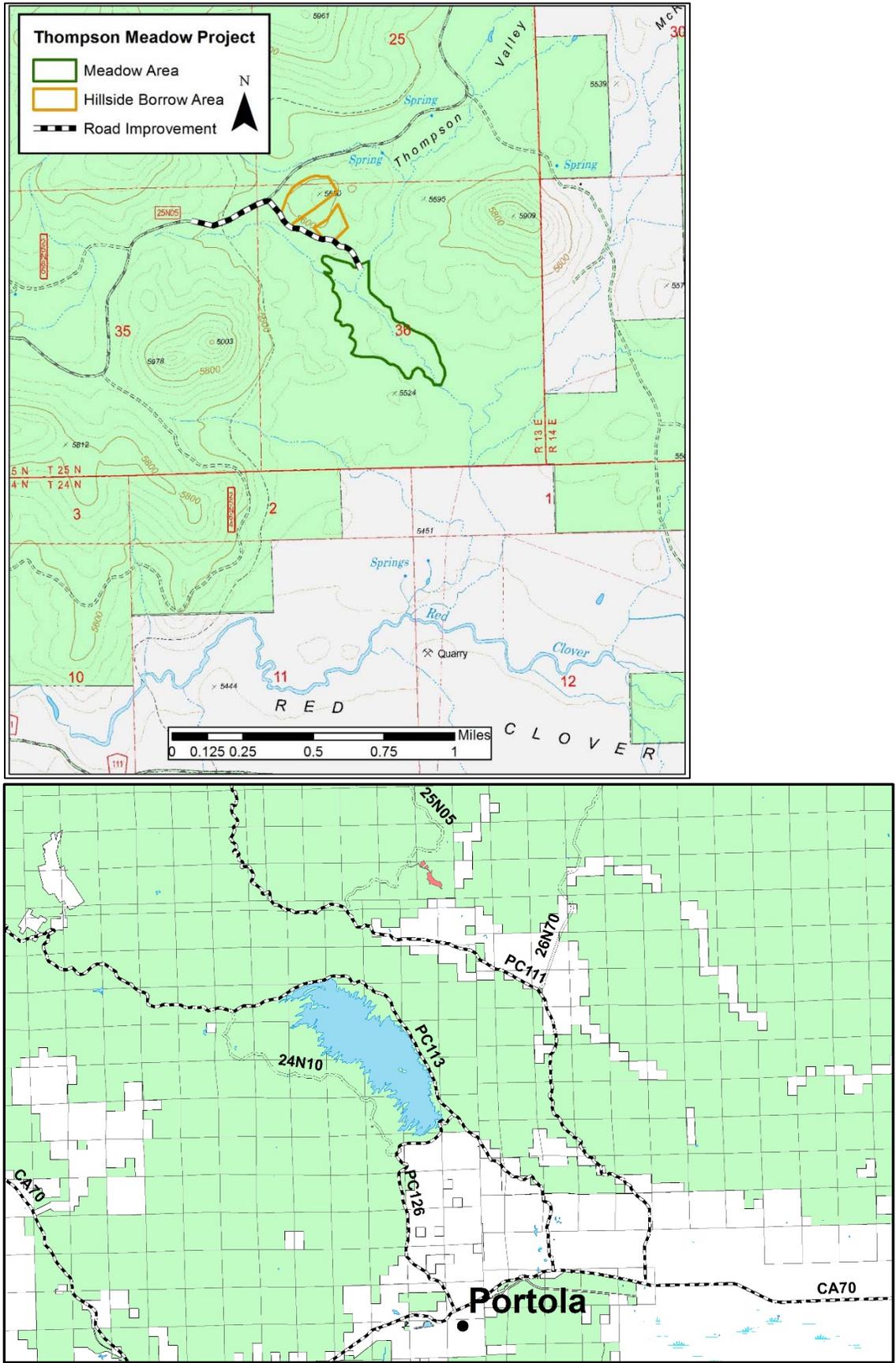
The IS/EA for this MND is available at:

<https://ceqanet.opr.ca.gov/2020019021/2>

A printed copy is available to view during business hours (8:00 a.m. to 4:30 p.m.) at the DWR office located at 2440 Main Street, Red Bluff, CA, by calling (530) 529-7300.

Project Location: Thompson Creek is a tributary to McReynolds Creek, which flows to Red Clover Creek in northeastern Plumas County. The project area is located solely on National Forest System lands within the Beckwourth Ranger District of the Plumas National Forest, approximately 11 air miles north of Portola, CA, in the vicinity of Red Clover Valley, and lies within T25N, R13E, Sections 25 and 36 (Figure 1).

Figure 1. Vicinity Maps for Thompson Meadow Restoration Project



Project Description: DWR and USFS propose to:

- Restore Thompson Meadow using a variety of techniques including partial channel fill and widening (i.e. plug and pond method); complete channel fill; rock sleeper weirs; a meadow cut; fill material from upland borrow sites; rock raised riffle structures; a rock grade control structure; and headcut treatments including raised riffle structures, a rock apron, and an earthen plug.
- Improve and widen existing road.
- Revegetate and stabilize newly constructed restoration areas and borrow areas.
- Install wildlife-friendly fencing around a portion of the restoration area for grazing management.
- Maintain constructed project based on post-project performance monitoring results.

Findings: An Environmental Assessment/Initial Study was prepared to assess the proposed project's potential effects on the environment and the significance of those impacts. Based on the Environmental Assessment/Initial Study, DWR has determined that the proposed project would not have a significant impact on the environment because mitigation measures would be implemented to reduce impacts to less-than-significant levels. This conclusion is supported by the following findings:

1. The proposed project would have no impact on:
 - Aesthetics.
 - Agricultural and forest resources.
 - Energy.
 - Land use and planning.
 - Mineral resources.
 - Paleontology.
 - Population and housing.
 - Public services.
 - Recreation.
 - Transportation.
 - Utilities and service systems.
 - Wildfire.
2. The proposed project would result in a less-than-significant impact on:
 - Geology and soils.
 - Greenhouse gas emissions.
 - Hazards and hazardous materials.
 - Noise.

3. Mitigation measures have been adopted by DWR and USFS to reduce potentially significant impacts to less-than-significant levels on:
 - Air quality.
 - Biological resources.
 - Cultural resources.
 - Hydrology and water quality.
 - Tribal cultural resources.

Mitigation Measures

The following mitigation measures will be implemented by DWR and USFS to avoid, minimize, and mitigate environmental impacts resulting from implementation of the proposed project. Implementation of these mitigation measures would reduce the environmental impacts of the proposed project to a less-than-significant level. A Mitigation Monitoring and Reporting Program for these measures is included in Appendix A of the Environmental Assessment/Initial Study.

Air Quality

- All construction equipment shall be maintained in proper tune according to manufacturer's specifications.
- To the extent feasible, the use of diesel construction equipment meeting current CARB certification standards for off-road heavy-duty diesel engines shall be maximized.
- Unnecessary vehicle idling shall be restricted to 5 minutes or less.
- All off-road heavy-duty diesel equipment greater than 50 horsepower used in execution of the Project shall be registered with the Air Resources Board's Diesel Off-Road Online Reporting System (DOORS) and meet all applicable standards for replacement and/or retrofit.
- All portable equipment used in the execution of Project construction, including generators and air compressors rated over 50 brake horsepower, shall be registered in the Portable Equipment Registration Program.

Biological Resources — Threatened and Endangered Animal Species

- Construction activities would occur during the dry time of the year when stream flow in Thompson Creek is at its lowest, and reproductive cycles for most aquatic species have reached the dispersal stage, from mid-August through mid-November.
- Amphibian surveys for Sierra Nevada yellow-legged frog would be conducted between June and August in the project area and 0.25 mile upstream and downstream of the project area prior to project implementation by a Forest Service approved biologist. Should any Sierra Nevada yellow-legged frogs be located before or during implementation, the USFWS

would be notified and consulted. Project operations would cease and additional protective measures would be taken before re-convening any project activities.

- One month prior to commencement of construction activities, CDFW and the USFWS would be notified to determine if there is gray wolf activity near the Project area.
- If an active wolf den or rendezvous site is located within 1 mile of the Project area prior to or during project activities, a limited operation period (LOP) restricting all noise or smoke generating activities shall be instated from April 1 through July 15. Coordination would continue with CDFW and the USFWS to determine any LOP modifications.
- If fisher were detected prior to or during project work, appropriate LOPs would be implemented to protect denning.
- Should any threatened, endangered, or candidate species be located during project activities, a Forest Service approved biologist would be informed, and project operations would cease until steps are taken to evaluate and minimize or avoid any possible effects not covered by this assessment.

Biological Resources — Special-Status Animal Species

- Prior to construction in each treatment reach, water would be diverted around the treatment area to protect water quality and downstream aquatic life. Native fish, including the mountain sucker, as well as non-native fish, would be removed from each work area just after water diversion, using a backpack electro-shocker. The fish would be transported to the nearest area with adequate suitable habitat.
- Should any special-status species be located during project activities, a Forest Service approved biologist would be informed, and project operations would cease until steps are taken to evaluate and minimize or avoid any possible effects not covered by this assessment.
- Trees with existing raptor nests would be left on the landscape.
- Prior to the initiation of project construction activities occurring during the bird nesting season (February 15th through September 1st), the entire project area would be surveyed by a Forest Service approved biologist. If nests of special status birds are found during pre-construction surveys, the areas would be marked as environmentally sensitive and nests would be monitored by a Forest Service approved biologist for signs of disturbance during construction. CDFW would be notified of the nesting activity if a Forest Service approved biologist determines project construction activities have the potential to disturb the nest site.
- Standard USFS management requirements include limited operating periods (LOPs) when disturbance to wildlife is identified as a concern. The following Limited Operation Periods (LOPs) would be implemented within ¼ mile of known active nest sites: American Peregrine Falcon, February 1st – August 31st; California Spotted Owl: March 1st – August 15th, Northern goshawk: February 15th – September 15th, Bald eagle: January 1st – August 1st. Dates may be adjusted if surveys are conducted prior to project implementation by a Forest Service approved biologist verifying that no active nest sites of the identified wildlife

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species occur within ¼ mile of construction activities.

- If practicable, shrub layer vegetation would be removed outside of the bird breeding season (i.e., removal would occur between September 1st and November 15th).
 - Prior to removal of trees and disturbance of the designated upland borrow sites the area would be surveyed by a Forest Service approved biologist for roosting bats. If bats are detected, steps would be taken to minimize disturbance effects and protect identified roosting sites such as establishing appropriate buffers around the roost site(s) to avoid abandonment of the roost(s). Size of buffers shall depend on the species, roost location, and specific construction activities to be performed in the vicinity. If construction activities are conducted during the maternity season (April 15-August 31) and maternity roosts are identified during surveys, no project activity shall commence within the buffer areas until the end of the pupping season or until a qualified biologist confirms the maternity roost is no longer active.
 - All removal of trees that provide suitable bat roosting (such as trees with deep bark crevices, snags, or holes) shall be conducted between August 31 and October 30, or earlier than October 30 if evening temperatures fall below 45 degrees Fahrenheit and/or more than a half inch of rainfall occurs within 24 hours. These dates correspond to the time period when bats would not be caring for non-volant young and have not yet entered torpor.
- **Biological Resources — Plant Species**
 - Construction activities would occur during the dry time of the year when stream flow in Thompson Creek is at its lowest, and reproductive cycles for most plant species have reached the seed dispersal stage, from mid-August through mid-November.
 - There would be no livestock use of treated areas within Thompson Meadow for at least two to three years following construction activities. Only after Forest Service approved resource specialists have determined that livestock use would not destabilize project features would livestock be permitted to graze the meadow within the fenced off riparian and adjacent meadow area.
 - Appropriate soil fill material for riffles, plugs, grade control structure, and rock apron would be obtained from the closest available source (road modifications, borrow ponds, and meadow borrow site) to minimize travel in the meadow.
 - To minimize the footprint and soil disturbance of project activities, all heavy equipment would stay within the confines of the work area, and material transport within the meadow would generally not exceed 300 feet.
 - Should any TES plant species be located during project activities, a Forest Service approved botanist would be informed, and project operations would cease until steps are taken to evaluate and minimize or avoid any possible effects not covered by this assessment.
 - To avoid the proliferation of weeds, all equipment would be cleaned to ensure it is free of soil, seeds, vegetative matter, or other debris that could contain seeds before mobilization onto the Forest. Equipment would also be washed at the staging area to remove weeds prior to demobilizing from the project area. The project area would be monitored for noxious

weed invasion for three years after implementation. Any weeds encountered would be hand-removed. Weed monitoring and removal would be conducted by USFS staff and/or contracted help. Treatment of any noxious weeds found during monitoring would be accomplished by PNF.

- Equipment staging areas would be free of invasive species. Known infestations would be identified and avoided during project implementation, or removed before project implementation. West Street from Portola would be avoided as an access route to the project area due to known noxious weed infestations along the roadway.
- New or previously unidentified infestations of noxious weeds that are discovered during project implementation would be documented, mapped with a GPS unit, flagged, and avoided. New sites would be reported to a Forest Service approved botanist.
- To the extent possible, only on-site vegetative material, soil, and sand would be used as described above in the Proposed Action.
- Any materials used for restoration or erosion control (i.e. straw, mulch, gravel, and rock material) would be from local sources and weed-free. Rock material collected from the Forest Service Crocker Pit would be verified weed-free by a Forest Service approved botanist prior to rock removal. If it is necessary to use commercially-obtained material, a certificate stating the material was inspected and is weed-free would be required.
- Areas of bare ground would be replanted with existing transplanted vegetation (i.e. sedge mats), willow cuttings, and an appropriate mix of native species developed by a Forest Service approved botanist.

Cultural Resources

- Standard Forest protection measures including flagging and avoiding the portions of the sites outside of the ADI will be implemented.
- If unanticipated cultural resource materials are discovered during construction, all earth-moving activity within and around the immediate discovery area would cease until a qualified archaeologist can assess the nature and significance of the find.
- A Maidu Tribal Monitor and a qualified Forest Service approved archaeologist will be present during project implementation in proximity to two culturally significant sites that are within and adjacent to the project area.
- If human remains are discovered, State Health and Safety Code Section 7050.5 states that further disturbances and activities shall cease in any area or nearby area suspected to overlie remains, and the County Coroner contacted. Pursuant to PRC Section 5097.98, if the remains are thought to be Native American, the coroner will notify the Native American Heritage Commission (NAHC) who will then notify the Most Likely Descendent (MLD). Further provisions of PRC 5097.98 are to be followed as applicable. The Plumas National Forest operates under a Forest specific Native American Graves and Repatriation Act (NAGRPA) protocol (2017) that will be utilized to immediately inform and engage Indian Tribes in the event of the discovery of Native American human remains

or associated items outlined within NAGPRA, i.e. funerary objects, sacred objects and objects of cultural patrimony.

Hydrology and Water Quality

- Prior to construction in each treatment area, water would be diverted around the treatment reach to protect water quality and downstream aquatic life.

Greenhouse Gas Emissions

- **GHG 1.** Evaluate project characteristics, including location, project work flow, site conditions, and equipment performance requirements, to determine whether specifications of the use of equipment with repowered engines, electric drive trains, or other high-efficiency technologies are appropriate and feasible for the project or specific elements of the project.
- **GHG 2.** Evaluate the feasibility and efficacy of performing on-site material hauling with trucks equipped with on-road engines.
- **GHG 3.** Ensure that all feasible avenues have been explored for providing an electrical service drop to the construction site for temporary construction power. When generators must be used, use alternative fuels, such as propane or solar, to power generators to the maximum extent feasible.
- **GHG 4.** Evaluate the feasibility and efficacy of producing concrete on-site and specify that batch plants be set up on-site or as close to the site as possible.
- **GHG 5.** Evaluate the performance requirements for concrete used on the project and specify concrete mix designs that minimize GHG emissions from cement production and curing while preserving all required performance characteristics.
- **GHG 6.** Limit deliveries of materials and equipment to the site to off-peak traffic congestion hours. Construction BMPs apply to all construction and maintenance projects that DWR completes or for which DWR issues contracts. All projects are expected to implement all construction BMPs unless a variance is granted by the Division of Engineering Chief, Division of Operation and Maintenance Chief, or Division of Flood Management Chief (as applicable) and the variance is approved by the DWR CEQA Climate 18 Change Committee. Variances will be granted when specific project conditions or characteristics make implementation of the BMP infeasible and where omitting the BMP will not be detrimental to the project's consistency with the GGERP.
- **GHG 7.** Minimize idling time by requiring that equipment be shut down after five minutes when not in use (as required by California Code of Regulations, Title 13, Section 2485, the State's airborne toxics control measure). Provide clear signage that posts this requirement for workers at the entrances to the site and provide a plan for the enforcement of this requirement.

- **GHG 8.** Maintain all construction equipment in proper working condition and perform all preventative maintenance. Required maintenance includes compliance with all manufacturer’s recommendations, proper upkeep and replacement of filters and mufflers, and maintenance of all engine and emissions systems in proper operating condition. Maintenance schedules shall be detailed in an air quality control plan prior to commencement of construction.
- **GHG 9.** Implement a tire inflation program on the job site to ensure that equipment tires are correctly inflated. Check tire inflation when equipment arrives on-site and every two weeks for equipment that remains on-site. Check vehicles used for hauling materials off-site weekly for correct tire inflation. Procedures for the tire inflation program shall be documented in an air quality management plan prior to commencement of construction.
- **GHG 10.** Develop a project-specific ride share program to encourage carpools, shuttle vans, transit passes, and/or secure bicycle parking for construction worker commutes.
- **GHG 11.** Reduce electricity use in temporary construction offices by using high-efficiency lighting and requiring that heating and cooling units be Energy Star compliant. Require that all contractors develop and implement procedures for turning off computers, lights, air conditioners, heaters, and other equipment each day at close of business.
- **GHG 12.** For deliveries to project sites where the haul distance exceeds 100 miles and a heavy-duty class 7 or class 8 semi-truck or 53-foot or longer box-type trailer is used for hauling, a SmartWay2 certified truck will be used to the maximum extent feasible.
- **GHG 13.** Minimize the amount of cement in concrete by specifying higher levels of cementitious material alternatives, larger aggregate, longer final set times, or lower maximum strength, where appropriate.
- **GHG 14.** Develop a project-specific construction debris recycling and diversion program to achieve a documented 50-percent diversion of construction waste.
- **GHG 15.** Evaluate the feasibility of restricting all material hauling on public roadways to off-peak traffic congestion hours. During construction scheduling and execution, minimize, to the extent possible, uses of public roadways that would increase traffic congestion.

Tribal Cultural Resources

Refer to the “Cultural Resources” mitigation measures section.

MANDATORY FINDINGS OF SIGNIFICANCE

- No substantial evidence exists that the proposed project would have a negative or adverse effect on the environment.
- The project would not substantially degrade the quality of the environment, significantly reduce the habitat for fish and wildlife species, result in fish or wildlife populations below a self- sustaining level, reduce the number or restrict the range of a special-status species, or eliminate important examples of California history or prehistory.
- The project would not have environmental effects that would cause substantial direct or indirect adverse effects on humans.
- The project would not have environmental effects that are individually limited but cumulatively considerable.

As the DWR decision-making body for this project, I have reviewed and considered the information contained in the Final Mitigated Negative Declaration, which includes the Environmental Assessment/Initial Study, Proposed Mitigated Negative Declaration, comments received during the public review process, and responses to comments prior to approval of the project.

In accordance with Section 21082.1 of the California Environmental Quality Act (CEQA), I find that DWR has independently reviewed and analyzed the Environmental Assessment/ Initial Study and Proposed Mitigated Negative Declaration for the proposed project and that the Environmental Assessment/ Initial Study and Proposed Mitigated Negative Declaration reflect DWR’s independent judgment and analysis. I find that although the proposed project could have a significant effect on the environment, there would not be a significant effect in this case because revisions to the project have been made by the project proponents, DWR and USFS, as described in the Proposed Mitigated Negative Declaration.

Therefore, on the basis of the whole record before DWR, I find that there is no substantial evidence that the project will have a significant effect on the environment. I therefore adopt this Mitigated Negative Declaration pursuant to CEQA Guidelines Section 15074.

Curtis K Anderson

8/13/2020

Curtis Anderson
Chief, Northern Region Office
California Department of Water Resources

Date