



State of California – Natural Resources Agency
 DEPARTMENT OF FISH AND WILDLIFE
 Northern Region
 601 Locust Street
 Redding, CA 96001
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
 CHARLTON H. BONHAM, Director



July 9, 2020

Governor's Office of Planning & Research

Jul 09 2020

David Colbeck
 Trinity County Planning Department
 P.O. Box 2490
 Weaverville, CA 96093

STATE CLEARINGHOUSE

Subject: Review of the Preliminary Environmental Assessment/Initial Study for the Indian Creek Connectivity and Restoration Project, State Clearinghouse Number 2020069018, Douglas City, Trinity County

Dear David Colbeck:

The California Department of Fish and Wildlife (Department) has reviewed the Preliminary Environmental Assessment/Initial Study (EA/IS) dated June 2020, for the above-referenced project (Project). As a trustee for the State's fish and wildlife resources, the Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and their habitat. As a responsible agency, the Department administers the California Endangered Species Act and other provisions of the Fish and Game Code that conserve the State's fish and wildlife public trust resources. The Department offers the following comments and recommendations on this Project in our role as a trustee and responsible agency pursuant to the California Environmental Quality Act (CEQA), California Public Resources Code section 21000 et seq.

Project Description

The Project proposes to *“rehabilitate an approximately 3,300-foot alluvial valley bottom area of Indian Creek in Douglas City with a “stage-0” design to raise groundwater elevations and improve surface water connectivity in a valley section that typically runs dry in late summer and early fall due to altered hydraulic properties. The proposed action would shorten the period when low flows present a barrier to anadromous fish passage and connection to upstream habitat, thereby improving ecologic and geomorphic conditions by promoting the establishment of riparian vegetation and increasing the residence time of water and sediment within the Project area of Indian Creek. The project involves re-grading the valley bottom to create a laterally-flat valley bottom that slopes downstream at a near constant gradient; cutting/filling approximately 32,700 cubic yards of material to create the geomorphic grade surface and allow surface water and groundwater to be retained on site for extended periods of time; and replanting to prevent channel re-incision.”* Work is expected to commence in the fall of 2020 when the channel will be dry.

David Colbeck
Trinity County Planning Department
July 9, 2020
Page 2

Comments and Recommendations

The Department has been working with the Yurok Tribe, Bureau of Land Management, and Trinity County staff on this Project and we appreciate the coordination efforts. The Department has the following comments and recommendations:

Western pond turtle (*Emys marmorata*)

Mitigation Measure 4.6a states, “*Any Project activities in the aquatic or riparian habitat will be preceded by a pre-construction survey, including relocating animals to appropriate habitat upstream or downstream of the Project and flagging nest sites; and...if encountered during construction corrective measures will be implemented such as relocation by a qualified biologist.*” Mitigation Measure 4.4a alludes to the pre-construction surveys being no more than 15 days prior to the initiation of construction in any given area and conducted simultaneously as surveys for birds, foothill yellow-legged frog, and Coastal giant salamander. Western pond turtles have been observed by Department staff inhabiting the stream bank, surrounding floodplain, and riparian habitat within this reach of Indian Creek. Because Western pond turtle exhibit a high site fidelity behavior, any turtles found and relocated during the initial pre-construction surveys two weeks prior to construction are highly likely to return to the construction zone. The Department recommends that Measure 4.6a be modified with language that requires the qualified biologist to flag potential habitat, known occurrence sites, and nest locations during the pre-construction survey, and also perform secondary surveys immediately prior to the start of construction each day that Project activities occur in or near these areas. Then, if found on the day of construction, relocation can occur to designated areas that are free from predators, non-native turtles, and conspecifics which may compete for resources.

Lake or Streambed Alteration Agreement

For any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank (which includes associated riparian resources) of a river or stream, or use material from a streambed, the Department will require a Lake and Streambed Alteration (LSA) Notification, pursuant to section 1600 et seq. of the Fish and Game Code, from the applicant. Project activities, which would be subject to LSA Notification requirements, include construction of stormwater features that discharge on or over the streambank and modification of associated riparian resources growing on the bank. Issuance of an LSA Agreement is subject to CEQA. The Department, as a responsible agency under CEQA, will consider the CEQA document for the Project. The CEQA document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for completion of the agreement. To obtain information about the LSA notification process, please access our website

David Colbeck
Trinity County Planning Department
July 9, 2020
Page 3

at <https://www.wildlife.ca.gov/Conservation/LSA> or to request a notification package, contact the Lake and Streambed Alteration Program at (530) 225-2367.

If you have any questions, please contact Kate Blanchard, Senior Environmental Scientist (Specialist), at (530) 225-2239, or by e-mail at katherine.blanchard@wildlife.ca.gov.

Sincerely,

DocuSigned by:
Curt Babcock
974D273FEE784E2...

Curt Babcock
Habitat Conservation Program Manager

ec: David Colbeck
Trinity County Planning Department
dcolbeck@trinitycounty.org

State Clearinghouse
state.clearinghouse@opr.ca.gov

Leslie Hubbard
Yurok Tribe
lhubbard@yuroktribe.nsn.us

Kate Blanchard
California Department of Fish and Wildlife
katherine.blanchard@wildlife.ca.gov