

CITY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
BUREAU OF ENGINEERING
1149 S. BROADWAY, 7th FLOOR
LOS ANGELES, CALIFORNIA 90015
CALIFORNIA ENVIRONMENTAL QUALITY ACT
NOTICE OF EXEMPTION
(Articles II and III – City CEQA Guidelines)

COUNTY CLERK'S USE

Submission of this form is optional. The form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, California, 90650, pursuant to Public Resources Code Section 21152(b). Pursuant to Public Resources Code Section 21167(d), the filing of this notice starts a 35-day statute of limitations on court challenges to the approval of the project.

LEAD CITY AGENCY AND ADDRESS: City of Los Angeles c/o Bureau of Engineering 1149 S. Broadway, 6 th Floor, MS 939 Los Angeles, CA 90015	COUNCIL DISTRICT 1 & 14
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PROJECT TITLE: Los Angeles River Ecosystem Restoration and Recreation Reach 8A Project (also known as <i>L.A. River Fish Habitat Pilot Project-Reach 8A</i>) - (W.O. E1908721 / CIP No. N/A)	LOG REFERENCE
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PROJECT LOCATION: within the Los Angeles River (LA River) Flood Control Channel from the downstream side of the N Main Street crossing to 1,300 feet, or approximately ¼ mile, downstream of the N Main Street crossing, in the Central City North Community Plan Area of the City of Los Angeles (see Figure 1: Project Location). T.G. Page 634, Grid H2, J1, & J2

DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT: The Los Angeles River Ecosystem and Recreation (LARERR) Reach 8A Project (Project) is intended as a first step in creating steelhead fish passage as a migration corridor to the upper tributaries of the LA River Watershed spawning grounds. The Project would contribute to upstream steelhead passage through construction of a fish passage and habitat structures including an inset channel adjacent to the existing low-flow channel, anchored boulders on the existing low-flow channel, resting pockets for velocity and depth refuge, and vegetation features. While focused on providing fish passage and habitat structures to address limiting factors to steelhead trout and other native fish, the Project also addresses watershed-wide data gaps and opportunities to promote future projects and address other limiting factors to steelhead recovery from coast to crest. Please see the project description continuation in the narrative for more details.

CONTACT PERSON Chris Adams	CONTACT INFORMATION Christopher.adams@lacity.org
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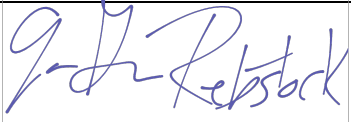
EXEMPT STATUS: (Check One) <input checked="" type="checkbox"/> STATUTORY*	<u>CITY CEQA GUIDELINES</u> N/A	<u>STATE CEQA GUIDELINES</u> Sec. 210808.56
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* See Public Resources Code Sec. 21080 and set forth state and city guidelines provisions.

JUSTIFICATION FOR PROJECT EXEMPTION: This Project is exempt from CEQA pursuant to Public Resources Code Section 21080.56 because the Project meets all of the following conditions: (1) the Project is exclusively to conserve, restore, protect, or enhance, and assist in the recovery of California native fish and wildlife, and the habitat upon which they depend; or is exclusively to restore or provide habitat for California native fish and wildlife; (2) the Project may have public benefits incidental to the Project's fundamental purpose; (3) the Project will result in long-term net benefits to climate resiliency, biodiversity, and sensitive species recovery; and includes procedures and ongoing management for the protection of the environment; and (4) Project construction activities are solely related to habitat restoration.

None of the limitations set forth in State CEQA Guidelines 15300.2 apply (see attached narrative).

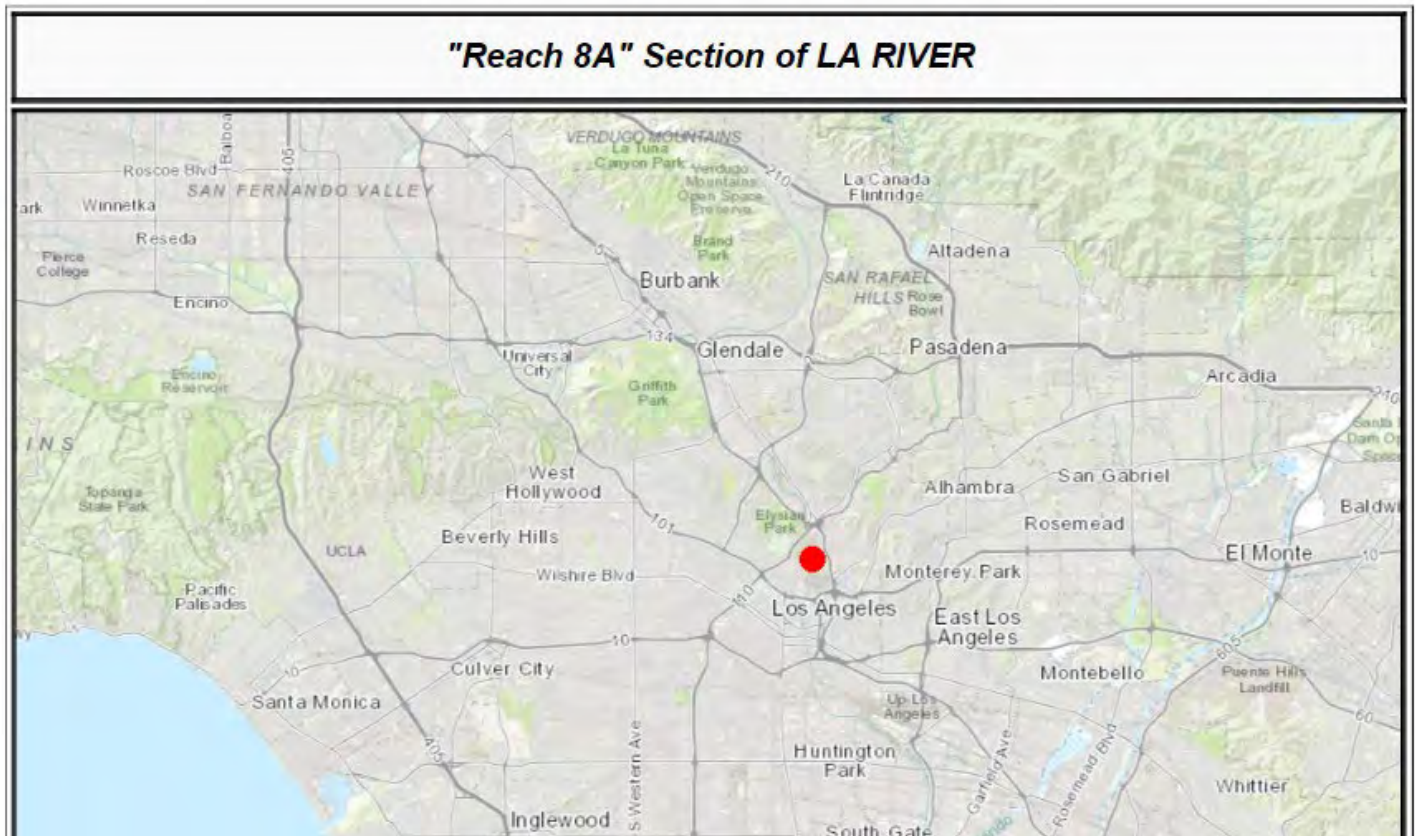
IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT OF EXEMPTION FINDING

SIGNATURE:		TITLE:	DATE:
Dr. Jan Green Rebstock		Environmental Affairs Officer Clean Water Division	2.6.24
FEE: \$75.00	RECEIPT NO. 4ZJQVZL4-467JW87W	REC'D BY	DATE

CATEGORICAL EXEMPTION NARRATIVE

I. DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT, CONTINUED

The Los Angeles River Ecosystem and Recreation (LARERR) Reach 8A Project (Reach 8A Project or Project) would be located within the Los Angeles River (LA River) Channel from the downstream side of the N Main Street crossing to approximately 1,300 feet, or ¼ mile, downstream of the N Main Street crossing where the LARERR proposes a transition to the Piggyback Yard channel widening. This section of the LA River is concrete lined and currently no vegetation is present.



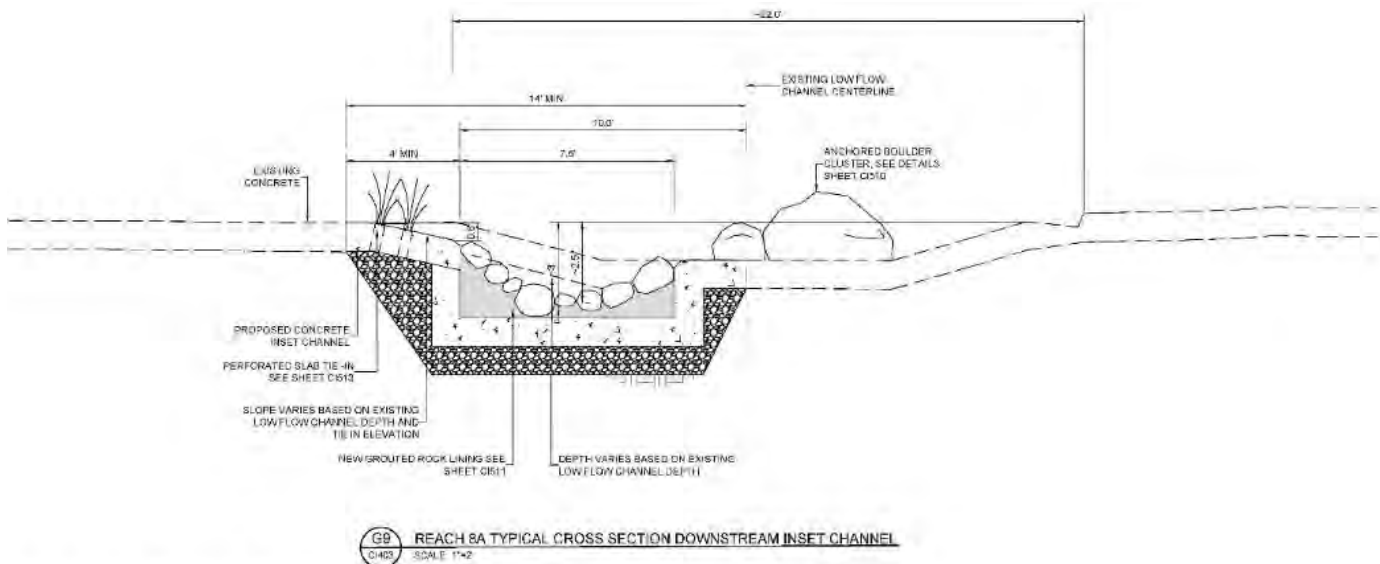
A recent video prepared by the Council for Watershed Health describes the fish passage obstacles in the LA River, the fish passage design process, and the existing synergy between the LARERR and Reach 8A Project (<https://www.youtube.com/watch?v=QPkZTs5-RV0>).

The existing geometry and smooth concrete lining of the channelized LA River is efficient at conveying flood flows, but velocities are too high at moderate flows and depths too shallow at lower flows for fish passage. The general design approach for improving upstream passage is to provide increased depth, where necessary, and lower velocities for fish passage flows by adding deeper inset channels and roughness to the existing low-flow channel. Because the deeper inset channel will add flow conveyance area to the channel cross section, the increased area can be used to offset the reduced flood capacity effects of increased roughness. In addition to lowering average velocities at fish passage flows, the Project design aims to increase hydraulic diversity in the channel to simulate natural conditions that are beneficial to fish and other aquatic organisms. This design objective is achieved through the combination of the inset channels with additional habitat components including resting pockets, scour pools, anchored boulders, and planter features.

Reach 8A has one of the deepest sections of the existing low-flow channel throughout the 4.8-mile project area of the LA River Fish Passage and Habitat Structures Design Project (LAR FPHS Project)

that was explored in the initial phase of the project. The low-flow channel in Reach 8A is between 1- and 1.5-feet-deep. Where the existing low-flow channel is less than 1.5-feet deep within Reach 8A, an inset channel would be constructed adjacent to the existing low-flow channel to achieve over 1-foot of depth for fish passage. The inset channel would be a 7.5-foot-wide rectangular channel lined with concreted rock (median particle sizes range between 6 and 9 inches) to add roughness and variability in bed topography provide favorable and diverse hydraulic conditions for fish passage through a range of design flows. To minimize an associated rise in water surface elevation from added roughness, the proposed channel modifications increase the channel cross-sectional area by lowering the channel invert elevation and setting back the east top edge of the low-flow channel. The inset channel invert would be approximately 1.5 feet below the existing low-flow channel invert elevation. With the inset channel installed, the overall top width of the low-flow channel would increase only slightly from 20 feet to 22 feet.

Where the existing low-flow channel depth is approximately 1.5 feet, the Reach 8A Project proposes to install a series of boulder clusters anchored to the bed of the existing low-flow channel without an adjacent inset channel. The existing depth of the low-flow channel in these sections is sufficient for adult steelhead passage at the tail of storm events and the boulders provide favorable velocities and migration paths without the need for an inset channel. A typical cross section of the Project is presented below.



Reach 8A Project Typical Cross Section

Resting pockets for steelhead would be placed approximately every 100 feet to provide in-channel hydraulic diversity, low-velocity zones, and overhead cover that would occur within a natural system. Resting pockets are designed to provide low-velocity areas where steelhead can rest and recover from fatigue during migration. The resting pockets vary in size but would be no longer than 18 feet and no deeper than 3 feet.

The Reach 8A Project would also include additional habitat features to allow for vegetation establishment. Proposed channel vegetation structures include planter boxes for larger planting arrangements and weepholes or penetrations through the channel lining for smaller intermittent planting. These structures would enhance overhead cover, hydraulic diversity, and biodiversity and aesthetics within the modified fish passage channel and main channel inverts.

Vegetated planter boxes would be placed throughout the reach to provide additional overhead cover and hydraulic diversity within the channel for migrating steelhead. The planter boxes would be standalone modular precast units either along the new inset channel, existing low-flow channel with roughness features added, or the resting pockets. Planter boxes proposed for habitat structures would consist of precast concrete structures within the channel lining with either 1) an open connection to the subgrade for groundwater interaction or 2) fully enclosed concrete planter box with soil media added on top of a concrete lining. These vegetation concepts could provide some water quality benefits through uptake of constituents by the plants themselves or filtration through groundwater infiltration in the planters. The planter boxes would require a grid of divider walls to retain soil during high flow events. The proposed planter boxes would be approximately 5 feet by 7 feet with 19-inch by 19-inch spaces for plantings.

Weephole or penetration concepts expand on observed vegetation within existing flood control structure where opportunistic plants grow in weepholes or other penetrations through the concrete. Small penetrations in the lining could be used as a planting site for single plants. Herbaceous vegetation is preferred to woody vegetation in order to protect the concrete lining. High Density Polyethylene (HDPE) sleeves could also be used to protect the lining by penetrating well below the lining and directing root growth into the subgrade. These vegetation concepts could provide some water quality benefits through uptake of constituents by the plants themselves or filtration through groundwater infiltration in the planters. Open connections below the lining would also provide groundwater exchange and potential thermal refugia from the colder groundwater upwelling and exchanging with the LA River base flow, which is important for supporting juvenile and adult steelhead migration late in the migration window when surface flows are generally warmer.

Unless otherwise stated, the proposed project will be designed, constructed and operated following all applicable laws, regulations, ordinances and formally adopted City standards including but not limited to:

- Los Angeles Municipal Code
- Bureau of Engineering Standard Plans
- Standard Specifications for Public Works Construction
- Work Area Traffic Control Handbook
- Additions and Amendments to the Standard Specifications for Public Works Construction

II. PROJECT HISTORY

BOE determined that the proposed Project is exempt from CEQA pursuant to Public Resources Code Section 21080.56 because the Project meets all of the following conditions: (1) the Project is exclusively to conserve, restore, protect, or enhance, and assist in the recovery of California native fish and wildlife, and the habitat upon which they depend; or is exclusively to restore or provide habitat for California native fish and wildlife; (2) the Project may have public benefits incidental to the Project's fundamental purpose; (3) the Project will result in long-term net benefits to climate resiliency, biodiversity, and sensitive species recovery; and includes procedures and ongoing management for the protection of the environment; and (4) Project construction activities are solely related to habitat restoration.

On February 6, 2023 BOE initiated consultation with California Fish and Wildlife (CDFW) to seek concurrence that the project qualified for this type of statutory exemption. CDFW responded with approval of the determination. The correspondence and attachments, as well as the response from CDFW is included in this document as Attachments 1 and 2 (*see below*).

The LA River Watershed historically supported a population of steelhead (*Oncorhynchus mykiss*)

belonging to the Southern California Steelhead Distinct Population Segment (DPS), which is listed as endangered under the federal Endangered Species Act. Steelhead, the anadromous life history form of rainbow trout, are no longer present due to physical, chemical, and biological changes associated with urbanization of the LA River Watershed. Anadromous fish like Southern California steelhead (steelhead) serve as an indicator of aquatic habitat connectivity and quality at a watershed scale. Although steelhead have not been recently documented in the LA River Watershed, native rainbow trout, the freshwater resident life history form of *O. mykiss* that do not migrate to the ocean, are currently, or have recently, been found in several headwater tributaries including Big Tujunga Creek and the Arroyo Seco above Devil's Gate Dam (SRMA 2020). Recently, 469 *O. mykiss* were translocated into the Arroyo Seco during fish rescue operations in streams impacted by wildfire (CDFW 2020). Steelhead reestablishment is a lofty but attainable goal that is consistent with the City of Los Angeles Mayor's Office biodiversity goals, the National Marine Fisheries Service's (NMFS) recovery goals for the regional steelhead population group (NMFS 2012), County of Los Angeles biodiversity goals, U.S. Army Corps of Engineers (USACE) LA River and Arroyo Seco Watershed goals, and other adopted sustainability, resiliency, and biodiversity policies and plans on federal, state, regional, and local levels.

Providing a successful riverine passage and migration corridor between the ocean and the steelhead's mountain spawning and rearing habitat is among the most significant challenges in reestablishment efforts for this species. Adult and juvenile steelhead formerly navigated the LA River and tributaries during the migratory freshwater phases of their life cycle. While suitable spawning and rearing habitat still exists in some mountain tributary streams within the LA River Watershed, extensive urbanization, flood control infrastructure, and water uses have severely altered the intervening reaches of the LA River and portions of the tributaries, effectively preventing upstream and downstream migration of steelhead. Multiple funding opportunities and multi-benefit watershed-based projects in the LA River Watershed are aligning to allow for planning and implementation of steelhead recovery actions. These actions not only address challenges associated with recovery of this important species, but also provide opportunities to address other integrated water management objectives and needs in the urban communities within the watershed and the LA region.

The City of Los Angeles (City), in conjunction with the U.S. Army Corps of Engineers (USACE), prepared the Final Integrated Feasibility Report (IFR), which includes the Final Feasibility Report and Environmental Impact Statement (EIS)/Environmental Impact Report (EIR) for the Los Angeles River Ecosystem Restoration Project, (now known as and referred to from here on as the Los Angeles River Ecosystem Restoration and Recreation Project [LARERR]). Congress authorized the project in the Water Resources and Development Act of 2016 and Los Angeles City Council adopted the study and certified the EIR on June 29, 2016. The LARERR includes creation and reestablishment of historic riparian strand and freshwater marsh habitat to support increased populations of wildlife and enhance habitat connectivity within the study area, as well as to provide opportunities for connectivity to ecological zones, such as the Santa Monica Mountains, Verdugo Hills, Elysian Hills, and San Gabriel Mountains. Restoration includes the reintroduction of ecological and natural physical processes, such as a more natural hydrologic and hydraulic regime that reconnects the LA River to historic floodplains and tributaries, reduction in flow velocities, increased infiltration, improved natural sediment processes, and improved water quality. The LARERR also includes opportunities for passive recreation that is compatible with the restored environment (City of LA 2020).

The Ecosystem Restoration IFR Final EIS/EIR identified the following problems related to fish and fish passage in the LA River Watershed. Due to its unique geographic position and semi-arid hydrology, the Los Angeles Basin historically supported a small but highly endemic native freshwater fish fauna (Swift and Seigel 1993), none of which remained extant in the main river channel for more than several years following the channelization of the LA River that occurred in 1938 (Hall and Linton

2008). At least five of the seven documented native fish species, endemic to southern California, have been extirpated from this watershed (as well as surrounding watersheds) or have been severely reduced in number and only occur as isolated populations in the headwater tributaries (Swift et al. 1993, Moyle 2002, Moyle et al. 2015). Fish species that have been extirpated from the LA River are shown in Table 1.

Table 1: Extirpated Fish Species

Fish Species	Status
Southern California steelhead (<i>Oncorhynchus mykiss</i>)	Federally Endangered under the Endangered Species Act Candidate Species under the California Endangered Species Act
Unarmored threespine stickleback (<i>Gasterosteus aculeatus williamsoni</i>)	Federally and State Endangered under the Endangered Species Act and California Endangered Species Act
Pacific lamprey (<i>Entosphenus tridentatus</i>)	Federal species of concern
Arroyo chub (<i>Gila orcutii</i>)	California species of special concern
Santa Ana speckled dace (<i>Rhinichthys osculus</i>)	California species of special concern
Santa Ana sucker (<i>Catostomus santaanae</i>)	Federally Threatened under the Endangered Species Act

Source: SRMA 2020, USACE 2015

Current channelized conditions in the mainstem no longer support endemic native fish species but do support non-native fish species. Alterations from the natural river ecosystem include perennial flow, high nutrient levels, higher temperature, and lack of a flood disturbance regime. This has led to the “homogenization of freshwater biota,” which is seen as an increasing threat to biodiversity in California, and in other Mediterranean climate areas throughout the world (Ball et al. 2013). Although no native fish species currently exist in the LARERR project reach, the more natural channel bottom area supports non-native fish species.

Based on results from fish surveys largely conducted in Big Tujunga Creek and the LA River at the Sepulveda Basin and the Glendale Narrows (FoLAR 2008, BonTerra Consulting 2011, CDFW 2014, FoLAR 2015, SRMA 2020), present day aquatic species assemblages are dominated by non-natives such as common carp (*Cyprinus carpio*), mosquitofish (*Gambusia affinis*), tilapia (*Oreochromis sp.*), fathead minnow (*Pimephales promelas*), black bullhead (*Ameiurus melas*), yellow bullhead (*Ameiurus natalis*), channel catfish (*Ictalurus punctatus*), common goldfish (*Carassius auratus*), and centrarchids such as largemouth bass (*Micropterus salmoides*), bluegill (*Lepomis macrochirus*), and green sunfish (*Lepomis cyanellus*). Other non-native aquatic species that presently occur within the LA River basin include red-swamp crayfish (*Procambarus clarkia*) and American bullfrogs (*Lithobates catesbeianus*). Many of these species compete with or are predators of native fish species.

Essential habitat components reduced or eliminated with channelization and change in geomorphic character include fish refugia (to allow fish to withstand high flows) and soft-bottom spawning areas to bury eggs. Restoration of riffle/pool complexes and natural geomorphic character could support native species, including Santa Ana sucker and arroyo chub (USACE 2015).

The Reach 8A Project would link to other biodiversity projects within the City of LA, the LA River Watershed, and its upper tributaries (Arroyo Seco and Tujunga watersheds). The Reach 8A Project is consistent with the LA River Revitalization Master Plan (LARRMP) adopted by the City in May 2007 (City of LA 2007). Similarly, the Reach 8A Project is meant to implement other relevant existing adopted plans, policies, and recommendations from federal, state, regional, and local authorities

within the LA River Watershed, including the NMFS Southern California Steelhead Recovery Plan (NMFS 2012), the Greater Los Angeles County (GLAC) Integrated Regional Water Management Plan (IRWMP) (GLAC IRWM Region 2014), the Los Angeles County LA River Master Plan (LACPW 2019), the Mayor of LA's Sustainability City Plan (City of LA, Mayor of LA 2019), and the City of LA Biodiversity Index (City of LA 2018).

The NMFS Southern California Steelhead Recovery Plan divides the Distinct Population Segment (DPS) into distinct Biogeographic Population Groups (BPGs). The LA River is part of the Mojave Rim BPG. The Recovery Plan includes recommended recovery actions for individual watersheds within the BPG, including the LA River and the Arroyo Seco. Recovery actions for the LA River and the Arroyo Seco include habitat restoration, remediation of passage barriers, control of non-native species, and other actions that address the major stressors and limiting factors for steelhead identified in the Recovery Plan (NMFS 2012). These recovery actions were also discussed in a recent presentation given by Mark Capelli, NMFS Southern California Steelhead Recovery Coordinator, at the April 2022 Salmonid Restoration Federation Conference. The Reach 8A Project is intended to support the NMFS recovery goals and help meet objectives for steelhead recovery in the LA River Watershed and the Mojave Rim BPG.

One of the objectives of the NMFS's Recovery Plan, which is also the goal of the Reach 8A Project, is to restore steelhead to some of the watersheds they previously occupied. The Recovery Plan (NMFS 2012) notes that relatively large areas of high-quality *O. mykiss* habitat exist above the many passage barriers in the river systems within the Southern California Steelhead DPS. This includes habitat in the upper reaches of the Arroyo Seco and the Big Tujunga system (Boughton et al. 2006). While these areas are upstream of impassable barriers and are, therefore, not currently included within the DPS, they are nonetheless considered a major focus of recovery actions because these habitat areas comprise most of the suitable steelhead spawning and rearing habitat within the species' historical range.

Senator Henry Stern's office submitted a comment letter to the California Natural Resources Agency on the Agency's California's draft strategy to conserve 30 percent of the state's land and coastal waters by 2030 (Pathways to 30x30 California). One of the comments was regarding iconic species identified in Appendix A of the strategy document. The comment recommended the inclusion of the Southern California steelhead as an iconic species for the Los Angeles Region as they have unique temperature tolerance, flexible/increased anadromy, and evolution within highly variable and ephemeral conditions, with spotty/inconsistent flow regimes which suggests that it is a critical, distinct genetic population for future climate adaptation of the species as northern populations may fail due to temperature rise and flow variability.

The GLAC IRWMP was adopted by the County Board of Supervisors in 2014. The IRWMP compiles the regional and watershed-specific priorities, including the relevant Resource Management Strategies (RMS) from the California Water Plan Update (2009), and the existing planning efforts, and provides funding support for implementing related plans, programs, and projects. The need to preserve, protect, and improve water resources to benefit wildlife, the public, and ecosystem function, and to improve flood management is covered under several RMS including Ecosystem Restoration (RMS 22), Watershed Management (RMS 27), and Flood Risk Management (RMS 28). The Proposed Project would improve habitat for wildlife and maintain flood control provided by the LA River, which would be consistent with the regional priorities and strategies laid out in the IRWMP.

The LA River Master Plan (LARMP), which was approved by the County of Los Angeles Board of Supervisors on June 14, 2022, is a 50-year planning document that envisions the LA River as a multi-benefit resource that serves as critical flood risk infrastructure (ICF 2020). LA County Public Works (LACPW) developed the LARMP for the entire 51-mile reach of the LA River in 1996. It provides

planning for the optimization and enhancement of aesthetic, recreational, flood risk management, and environmental values by creating a community resource, enriching the quality of life for residents and recognizing the LA River's primary purpose for flood risk management (LACPW 1996). The Master Plan also includes published guidelines for landscaping (LACPW 2004) and signage (LACPW 2003). This plan and its associated goals, objectives, and design guidelines serve as a guide to the development of subsequent river planning and development efforts. The Proposed Project would be consistent with the following LARMP goals regarding the river and biodiversity:

1. Support healthy, connected ecosystems.
 - a. *Planning and development efforts along the river must create habitat areas large enough to support native functioning ecosystems.*
2. Promote healthy, safe, clean water.
 - b. *The 2020 LA River Master Plan would facilitate the development of corridor-based water quality projects and programs to help promote healthy, safe, clean water.*

In addition, CDFW submitted a comment letter in response to the 2020 LA River Master Plan Draft Program Environmental Impact Report, which recommended LACPW refer to the LAR FPHS design report, which includes design criteria used as part of the Reach 8A Project, as a source for steelhead habitat design guidelines. The CDFW comment letter also recommends mitigation measures for future LA River projects including providing fish passage, analyzing whether a project may affect ongoing or future native fish recovery projects, and providing habitat and channel design for multiple life stages and life history strategies exhibited by steelhead such as flow refugia to allow fish to withstand high flow velocities, which are all incorporated into the Reach 8A Project.

Los Angeles City Planning established 35 Community Plan Areas to focus on neighborhood-specific goals under the City's General Plan. The Proposed Project is within both the Northeast Los Angeles and the Central City North communities. The Downtown Community Plan (draft August 2020) updates and combines the Central City North and Central City Community Plans. The Downtown Plan and the Northeast Los Angeles Plan (1999) designate the respective stretches of the river as Open Space, preserving scenic and ecologically significant areas, as well as providing opportunities for outdoor recreation, public gathering, and education. The Northeast Los Angeles Plan establishes goals to preserve existing open spaces and greenways, including the river, in support of environmental and community health (Objective 4-2). The Proposed Project is consistent with these goals and would even improve the functionality of the river as a greenway, connecting to the soft-bottom section also within the Plan area. The Downtown Community Plan identifies the importance of creating and maintaining urban habitats that benefit wildlife and people (LU 17.3) and increasing biodiversity through stewardship of the river as functional habitat and wildlife corridor (PO Goal 10). The Proposed Project would be consistent with the goals of the Northeast Los Angeles and the Downtown Community Plans.

III. ENVIRONMENTAL REVIEW

A. Basis for Statutory Exemption

The proposed Project is exempt from CEQA pursuant to Public Resources Code Section 21080.56 Statutory Exemption for Restoration Projects because the Project meets all of the following **4 conditions**: (1) the Project is exclusively to conserve, restore, protect, or enhance, and assist in the recovery of California native fish and wildlife, and the habitat upon which they depend; or is exclusively to restore or provide habitat for California native fish and wildlife; (2) the Project may have public benefits incidental to the Project's fundamental purpose; (3) the Project will result in long-term

net benefits to climate resiliency, biodiversity, and sensitive species recovery; and includes procedures and ongoing management for the protection of the environment; and (4) Project construction activities are solely related to habitat restoration.

Condition 1

The City of Los Angeles Public Works Department Bureau of Engineering (BOE) has determined that the Proposed Project, pursuant to Public Resources Code section 21080.56 subdivision a, satisfies condition 1 as (a)(1) A project to conserve, restore, protect, or enhance, and assist in the recovery of California native fish and wildlife, and the habitat upon which they depend and (a)(2), a project to restore or provide habitat for California native fish and wildlife. The Project is exclusively a restoration to contribute to the creation of steelhead fish passage. The Project is intended as a first step in creating steelhead fish passage as a migration corridor to the upper tributaries of the LA River Watershed spawning grounds. The Project would implement a portion of the LARERR and would implement the USACE Arroyo Seco Ecosystem Restoration Watershed Study recommendations of fish passage, barrier removal, stream naturalization, and fish habitat improvements to support multiple life stages of rainbow and steelhead trout and re-establishment of resident trout populations. The Project would also improve conditions for other native fish in the LA River Watershed and upper tributaries including Santa Ana sucker, Arroyo chub, Unarmored three-spine stickleback, speckled dace, Pacific lamprey, and other aquatic species and wildlife.

The Project would achieve upstream steelhead passage through construction of a fish passage and habitat structures including an inset channel adjacent to the existing low-flow channel, anchored boulders on the existing low-flow channel, resting pockets for velocity and depth refuge, and vegetation features. The design process developed depth and velocity targets based on CDFW and NMFS guidance to inform the design of these features across a range of flow conditions. The proposed inset channel is located where the existing low-flow channel depth is less than 1.5 feet. The proposed inset channel would provide over 1 foot of depth for fish passage throughout the project reach. Where the existing low-flow channel depth is approximately 1.5 feet, new roughness elements, such as anchored boulder clusters, would be installed on the existing low-flow channel to provide favorable velocities and migration paths without the need for an inset channel. Resting pockets for steelhead would also be constructed approximately every 100 feet to provide in-channel hydraulic diversity, low-velocity zones, and overhead cover that would occur within a natural system. The Proposed Project would also include additional habitat features to allow for vegetation establishment. Proposed channel vegetation structures include planter boxes for larger planting arrangements and weepholes or penetrations through the channel lining for smaller intermittent planting. These structures would enhance overhead cover and hydraulic diversity within the modified fish passage channel and main channel invert.

Condition 2

BOE has determined, pursuant to Public Resources Code section 21080.56, subdivision (b), that the sole purpose of the Project is to contribute to the creation of steelhead fish passage as a migration corridor to the upper tributaries of the LA River Watershed and spawning grounds and is not expected to have incidental public benefits beyond restoration generally. No new access ramps or roadways are proposed as part of the Project. These actions will effectuate the goal of the Project to contribute to the creation of steelhead fish passage in the LA River, and all construction activities support achieving the Project's steelhead passage.

Condition 3

BOE has determined, pursuant to Public Resources Code section 21080.56, subdivision (c), that the

Project will result in long-term net benefits to climate resiliency, biodiversity, and sensitive species, and includes procedures and ongoing management for the protection of the environment.

Climate Resiliency

The Project's modified low-flow channel, new inset channel, roughness elements, resting pockets, and habitat features are designed to be stable and functional over time and under a wide range of site conditions. The Reach 8A Project is expected to provide fish passage across a range of flows based on NMFS and CDFW guidance and input during technical meetings with the design team. The Project results in climate resiliency for upstream passage of steelhead by providing a migration corridor across a range of hydrologic and hydraulic conditions, which increases confidence that fish passage will be successful in an altered watershed subject to disturbances resulting from climate change. Plant species selected for the proposed habitat features would be comprised of local native species that: (1) are appropriate for the inundation regime at their proposed location; (2) historically occur within the LA River Watershed; and (3) and are naturally adapted to local climate conditions, including seasonal drought.

Biodiversity

The Project will contribute toward regional biodiversity by supporting restoration of upstream passage for steelhead and other anadromous species through a range of hydrologic and hydraulic conditions. The Project will also contribute toward increased biodiversity and connectivity of habitats across the City for birds, insects, and other terrestrial species, in line with the City of Los Angeles's Green New Deal biodiversity objectives (City of LA, Mayor of LA 2019). Plant species selected for the Project vegetation features are based on plants previously documented in the watershed (e.g., TNC 2016, Garrett 1993) and palettes included with LA River planning documents such as the LARERR IFR (USACE 2015), LA River Master Plan (LACPW 2021), and City of LA's River Improvement Overlay (RIO) District. In addition, species known to occur in the LA River Watershed, as documented in CalFlora (2021), were also included in the plant species list. Vegetation components of the Project will provide habitat value for fish and other species. The goals of the vegetation features include (1) providing cover, shade, and cooler temperatures for aquatic species; (2) providing refugia for juvenile and adult steelhead; and (3) increasing species biodiversity. The Project will introduce a suite of plant species in a segment of the LA River that is currently devoid of vegetation. Implementation of the proposed habitat enhancement features and vegetation will also demonstrate an increase in biodiversity metrics scores for the City of Los Angeles Biodiversity Index (LA Sanitation & Environment, 2020).

As indicated above, the distinct genetics of these populations are seen as critical to future climate adaptation of the species as northern populations may fail due to temperature rise and flow variability. Recovery of a steelhead population in the LA River Watershed will contribute toward regional biodiversity and climate resiliency of the species by expanding its population size and spawning habitat opportunities across the region. Habitat conditions across watersheds used by steelhead are naturally variable and subject to temporary disturbances impacting habitat including wildfire and drought. Increasing accessible spawning areas will improve regional resiliency and ability of steelhead to utilize additional spawning habitats in response to temporary watershed disturbances that are predicted to increase with climate change. Finally, current and future habitat fragmentation within the LA River Watershed makes each individual habitat unit more valuable and the need to connect these areas more critical. Creating a migration corridor within the LA River for steelhead under a range of conditions will connect fragmented habitat, such as headwater spawning areas or migration holding areas,

and increase the chance for recovery and resilience of the species within the watershed.

Sensitive Species

The Project is intended as a first step in creating steelhead fish passage as a migration corridor to the upper tributaries of the LA River Watershed and spawning grounds through the construction of an inset channel for fish passage where the existing low-flow channel depth is less than 1.5 feet, and the inclusion of roughness elements, where the existing low-flow channel depth is 1.5 feet, in order to slow velocities. The Project would also improve conditions for other native fish in the LA River Watershed and upper tributaries including Santa Ana sucker, Arroyo chub, Unarmored three-spine stickleback, speckled dace, Pacific lamprey, and other aquatic species and wildlife. In addition, plant species selected for Project vegetation features will include native plant species appropriate for the area, which would benefit migratory birds as well.

Procedures and Ongoing Management for Protection of the Environment

Avoidance, minimization, and conservation measures will be implemented during construction of the Project to avoid and minimize impacts to sensitive resources and to protect the environment to the greatest extent feasible. The construction work window for the Project will be limited to the summer dry season period from April to October. Dewatering during excavations and flow diversion of the surface water would be required during construction. It is assumed that deep excavations for the inset channel, resting pockets, and scour pools would require dewatering of groundwater during construction while other elements that do not require deep excavations, such as anchored boulders on the existing LFC or coring weepholes into the existing channel lining, would require surface water diversion of the baseflow.

Habitat structures have been designed to flush sediment and debris during high flows. For example, the downstream edge of the resting pockets is sloped to not trap debris, such as trash or sediment, against or within the structure and allow high flows to flush the debris downstream.

The design of the habitat features considers vector control by reducing standing water, where vectors can easily breed. For instance, the resting pockets, scour pools, and holding pools are proposed within or connected to the inset channel or low-flow channel with continuous baseflows to avoid accumulation of stagnant water in these features. The Greater LA County Vector Control District will be consulted in future design phases and during development of the Operations and Maintenance plan for the Project.

Plant species proposed as part of the Project were selected so that mature height of the plant and root depth would not affect the conveyance of flow or channel lining structure. Vegetation in the channel would be inspected annually to remove invasive species and ensure the size and amount of vegetation in the channel would not affect the conveyance of flow beyond design conditions. The in-channel inundation regime and water supply would be sufficient to ensure survival of the selected species without supplemental irrigation. During the first six months, the plantings should be monitored on a monthly basis to assess health and vigor of the species and determine if any replacement plantings are necessary. Replacement plantings will be reinstalled so that the established performance criteria can be achieved. If the plants look drought stressed at any point, hand watering should be initiated on a weekly basis. The water for hand watering would be supplied from a water truck entering the channel.

Operation and maintenance responsibilities of the Project would be determined by responsibilities outlined in the LA River Ecosystem Restoration Project IFR. Consistent with the IFR, operation and maintenance responsibilities of the Project would be shared by the City

of Los Angeles for fish passage and habitat features and the USACE for flood risk management. As the restoration project sponsor, the City of Los Angeles would maintain constructed fish passage and habitat features including invasive plant management. The City would be responsible for maintaining Project features. Therefore, it is assumed there would be no additional operations and maintenance requirements of the USACE to continue their existing flood risk management of the channel.

Condition 4

BOE has determined, pursuant to Public Resources Code section 21080.56, subdivision (d), that the Project does not include any construction activities, except those solely related to habitat restoration. The Project-related construction activities described below are all related to the overall goal of the Project to restore or enhance habitat in the Project area.

Mobilization/Demobilization

The Project construction contractor will coordinate construction access, schedule, timing, and safety protocols. Project start-up meetings and general construction materials procurement will occur. Equipment and materials will be hauled to the site. At the end of the Project all remaining materials and equipment will be removed from the Project site.

Access and Staging

A construction traffic management plan would be prepared as part of the Project to reduce parking and traffic impacts associated with the Project including staging areas or likely construction routes. Construction materials would be delivered to the Project site as well as excavated soil and demolished material (channel lining) exported from the Project site. Construction vehicles would be scheduled and routed to reduce impacts to regular traffic patterns. Construction access would occur at the existing access ramp at the Arroyo Seco confluence or the new access ramp at the Sixth Street Viaduct. No new access ramps or roadways are proposed as part of the Project. Most construction staging areas would be located outside the channel. Some staging of equipment during construction would occur inside the channel. No modifications are proposed on the west side of the low-flow channel and some staging would occur in this area. Staging areas for this Project would be drawn from those areas identified in the USACE LA River Ecosystem Restoration Project IFR as show in Figure 9.

Inset Channel and Other Project Improvements

The Project construction contractor will excavate and grade the concrete channel as described in the 100 percent design plans. The method of water control (dewatering or bypass) would vary depending on depth of excavation and groundwater along the reach being improved with more upstream reaches having higher dewatering costs due to higher groundwater levels. It is assumed that deep excavations for the inset channel, resting pockets, and scour pools would require dewatering of groundwater during construction while other elements that do not require deep excavations, such as anchored boulders on the existing LFC or coring weepholes into the existing channel lining, would require surface water diversion of the baseflow. Groundwater control would require pumping, potentially a cutoff and collection system or shallow well points and settling of diverted groundwater to control turbidity in settling tanks and/or filtration before being returned to the channel downstream of the work area. Surface water diversions can be achieved with a bypass channel in the main channel overbank around the work area conveyed by gravity without the need for additional pumping. Diverting the dry-weather flows during construction around the construction area would avoid in-stream impacts and disturbances.

Vegetation

The existing condition of the channel is entirely concrete. There is no existing riparian vegetation or native aquatic habitat such as substrate or another natural channel bed in the Project Reach. Diversions and excavation would not disturb any existing habitat, vegetation, or riparian areas. Best management practices and measures would be implemented to avoid and minimize potential negative effects during construction. For vegetation features associated with the Project, the Project construction contractor will secure species from native plant nurseries that can provide locally sourced genotypes. These species will be planted following construction in accordance with the planting sheets in the construction plans.

IV. REFERENCES

California Code of Regulations, Title 14, Division 6, Chapter 3 (State CEQA Guidelines), available from <http://leginfo.legislature.ca.gov/>

California Department of Transportation (Caltrans). *California State Scenic Highway System Map*. Retrieved May 1, 2023, from <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca>

City of Los Angeles Department of City Planning Parcel Profile Report. Retrieved on May 1, 2023, from *NavigateLA* <http://boemaps.eng.ci.la.ca.us/navigate/>

City of Los Angeles Department of Public Works Bureau of Engineering. Retrieved on May 1, 2023, *NavigateLA*. <http://boemaps.eng.ci.la.ca.us/navigate/>

City of Los Angeles Environmental Quality Act Guidelines available from https://planning.lacity.org/EIR/CEQA_Guidelines/City_CEQA_Guidelines.pdf

Los Angeles Municipal Code

Public Resources Code, Div. 13, Sections 21000-21189 (CEQA), available from <http://leginfo.legislature.ca.gov/>

V. ATTACHMENTS

1. CDFW Statutory Exemption for Restoration Projects Concurrence, received March 8, 2023

Figure 1: Project Location



**Attachment 1: CDFW
Statutory Exemption for
Restoration Projects
Concurrence, received
March 8, 2023**



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Director's Office
Post Office Box 944209
Sacramento, CA 94244-2090
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



March 8, 2023

Dr. Jan Green Rebstock
Environmental Affairs Officer
Bureau of Engineering, Department of Public Works
City of Los Angeles, City Hall
200 North Spring Street, Room 361
Los Angeles, CA 90012

**California Environmental Quality Act Statutory Exemption for Restoration Projects –
Los Angeles River Ecosystem Restoration and Recreation Reach 8A Project (Request
No. 21080.56-2023-019-R5)**

Dear Dr. Rebstock:

I am pleased to inform you as the Director of the California Department of Fish and Wildlife (CDFW) that I concur with the lead agency determination by the City of Los Angeles Bureau of Engineering that the Los Angeles River Ecosystem Restoration and Recreation (LARERR) Reach 8A Project qualifies as a statutorily exempt restoration project under the California Environmental Quality Act (CEQA). (Pub. Resources Code, § 21080.56, subd. (e).) My concurrence as the CDFW Director is based on CDFW's independent review of the City of Los Angeles Bureau of Engineering request for concurrence, which CDFW received on February 7, 2023. In my opinion, informed by the best available science and described in the separate CDFW Concurrence, the LARERR Reach 8A Project meets all the qualifying criteria in Public Resources Code section 21080.56, subdivisions (a) to (d), inclusive.

This concurrence signifies the continued commitment by CDFW and its partners in advancing the "Cutting the Green Tape" initiative, which is a collaborative effort to increase the pace and scale of restoration projects in California in a way that protects the environment and results in long-term net benefits to climate resiliency, biodiversity, and sensitive species recovery. CDFW stands ready to continue this effort in coordination with the City of Los Angeles Bureau of Engineering.

CDFW's concurrence will be posted on our website as provided by Public Resources Code section 21080.56. If you have any related questions, please contact Brad Henderson, Cutting the Green Tape Program Manager, at (530) 351-5948, or by email at Brad.Henderson@wildlife.ca.gov.

Sincerely,

Charlton H. Bonham
Director

Dr. Jan Green Rebstock
Environmental Affairs Officer
Bureau of Engineering, Department of Public Works
City of Los Angeles
March 8, 2023
Page 2

ec: Valerie Termini, Chief Deputy Director
California Department of Fish and Wildlife

Josh Grover, Deputy Director
Ecosystem Conservation Division
California Department of Fish and Wildlife

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Brad Henderson
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California Department of Fish and Wildlife

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
DIRECTOR'S OFFICE
POST OFFICE BOX 944209
SACRAMENTO, CA 94244-2090



**CALIFORNIA ENVIRONMENTAL QUALITY ACT STATUTORY EXEMPTION FOR
RESTORATION PROJECTS
CONCURRENCE NO. 21080.56-2023-019-R5**

Project: Los Angeles River Ecosystem Restoration and Recreation Reach 8A Project
Location: Los Angeles County
Lead Agency: City of Los Angeles Bureau of Engineering
Lead Agency Contact: Dr. Jan Green Rebstock, Environmental Affairs Officer;
jan.green.rebstock@lacity.org

Background

Project Location: The Los Angeles River Ecosystem Restoration and Recreation (LARERR) Reach 8A Project (Reach 8A Project) is located within the Los Angeles River (LA River) from the downstream side of the N Main Street crossing to 1,300 feet downstream of the N Main Street crossing (approximately one quarter mile). The coordinates for the most upstream location are approximately 34.067471, -118.224523 and coordinates for the downstream extent are approximately 34.063516, -118.226110.

Project Description: The City of Los Angeles Bureau of Engineering proposes to conserve, restore, protect, or enhance, and assist in the recovery of California native fish and wildlife, and the habitat upon which they depend and restore or provide habitat for California native fish and wildlife. The Project is designed to benefit southern California steelhead (*Oncorhynchus mykiss*), which is a candidate for listing as endangered under the California Endangered Species Act (CESA) and is listed as an endangered Distinct Population Segment (DPS, *O. mykiss irideous pop. 10*) under the federal Endangered Species Act (ESA). The Reach 8A Project will benefit southern California steelhead by improving fish passage within a quarter mile section of the LA River. Currently, this section of the LA River is concrete-lined and no vegetation is present. This Reach 8A Project includes restoration elements of reintroduction of ecological and natural physical processes for a more natural hydrologic and hydraulic regime that reconnects historic floodplains and tributaries and reduces flow velocities.

The LA River watershed historically supported a population of southern California steelhead. Due to extensive urbanization upstream and downstream migration has been prevented. southern California steelhead are no longer present in the lower reaches of the watershed. Suitable spawning and rearing habitat still exist in some upper mountain tributaries of the

watershed. This Reach 8A Project is intended to initiate the linkage and restoration of fish passage for southern California steelhead migration to the upper tributaries of the LA River watershed spawning grounds. To accomplish this, the Reach 8A Project is designed to create a fish passage corridor and habitat structures, including an inset channel adjacent to the existing low-flow channel, anchored boulders in the existing low-flow channel, resting pockets for velocity and depth refuge, and vegetation features. The Reach 8A Project will also address watershed-wide data gaps, opportunities to promote future projects, and other limiting factors to southern California steelhead recovery.

The Reach 8A Project will serve as the first fish passage project within the larger LARERR Project. The larger LARERR Project includes restoring 11 miles of the LA River where proposed restoration measures include creation and reestablishment of historic riparian strand and freshwater marsh habitat to support increased populations of wildlife and enhance habitat connectivity, as well as to provide opportunities for connectivity to ecological zones, such as the Santa Monica Mountains, Verdugo Hills, Elysian Hills, and San Gabriel Mountains. Moreover, this would include the reintroduction of ecological and physical processes, such as a more natural hydrologic and hydraulic regime that reconnects the LA River to historic floodplains and tributaries, reduced flow velocities, increased infiltration, improved natural sediment processes, and improved water quality. Within the larger LARERR Project context, the Reach 8A Project would implement different river features within a quarter-mile reach to demonstrate effectiveness in supporting fish migration passage and habitat features.

The Reach 8A Project will include the following restoration measures:

- An inset channel will be constructed adjacent to the existing low flow channel. The inset channel will be lined with concreted rock to add roughness and variability to the streambed, with a meandering thalweg to provide diverse hydraulic conditions for fish passage at a range of design flows.
- Anchored boulder clusters will be installed in the existing low flow channel, sufficient for adult southern California steelhead passage during migration windows. These boulders will provide recommended water velocities and migration paths without the need for an inset channel.
- Resting pockets for southern California steelhead will be placed approximately every 100 feet to provide in-channel hydraulic diversity, low velocity zones, and cover that would occur in a natural system. The resting pockets are designed to provide low-velocity refuge where southern California steelhead can rest and recover during migration.
- Vegetated habitat features to allow for vegetation establishment within the channel will be installed, including planter boxes and weepholes/penetrations through the channel lining. The vegetation will enhance cover for multiple species, provide hydraulic diversity and promote biodiversity throughout the Reach 8A Project site.

Interested Party and Tribal Coordination:

Interested party engagement and participation has been conducted as part of the planning and design phases of the Reach 8A Project, resulting in 25 meetings from 2019-2022, with

wildlife; (2) the Project may have public benefits incidental to the Project's fundamental purpose; (3) the Project will result in long-term net benefits to climate resiliency, biodiversity, and sensitive species recovery; and includes procedures and ongoing management for the protection of the environment; and (4) Project construction activities are solely related to habitat restoration. Pursuant to Public Resources Code section 21080.56, subdivision (g), CDFW will post this Concurrence on its CEQA Notices and Documents internet page: <https://wildlife.ca.gov/Notices/CEQA>.

This Concurrence is based on best available science and supported, as described below, by substantial evidence in CDFW's administrative record of proceedings for the Project.

This Concurrence is also based on a finding that the Project is consistent with and that its implementation will further CDFW's mandate as California's trustee agency for fish and wildlife, including the responsibility to hold and manage these resources in trust for all the people of California.

Discussion

- A. Pursuant to Public Resources Code section 21080.56, subdivision (a), the CDFW Director concurs with the Lead Agency that the Project will exclusively conserve, restore, protect, or enhance, and assist in the recovery of California native fish and wildlife, and the habitat upon which they depend; or restore or provide habitat for California native fish and wildlife.

The Reach 8A Project is a first step in creating a southern California steelhead migratory corridor to the upper tributaries in the LA River Watershed through fish passage, barrier removal, stream naturalization, and fish habitat improvements. The Reach 8A Project will also benefit other native species including Santa Ana sucker (*Catostomus santaanae*), arroyo chub (*Gila orcuttii*), unarmored threespine stickleback (*Gasterosteus aculeatus microcephalus*), Santa Ana speckled dace (*Rhinichthys osculus ssp. 8*), and Pacific lamprey (*Entosphenus tridentatus*).

- B. Pursuant to Public Resources Code section 21080.56, subdivision (b), the CDFW Director concurs with the Lead Agency that the Project may have incidental public benefits, such as public access and recreation.

The Reach 8A Project does not have any incidental public benefits. No new access ramps or roadways are proposed as part of the Reach 8A Project, and all Reach 8A Project activities support southern California steelhead habitat improvements.

- C. Pursuant to Public Resources Code section 21080.56, subdivision (c), the CDFW Director concurs with the Lead Agency that the Project will result in long-term net benefits to climate resiliency, biodiversity, and sensitive species recovery, and includes procedures and ongoing management for the protection of the environment.

Long-term Net Benefits to Climate Resiliency:

The Reach 8A Project will result in climate resiliency for upstream passage of southern California steelhead by providing a migration corridor across a range of hydrologic and hydraulic conditions. This increased opportunity will build confidence that fish passage will be successful in an altered watershed subject to disturbances resulting from climate change. Plant species that will be used in the Reach 8A Project in habitat features will be comprised of local native species that are appropriate for the inundation regime at the Reach 8A Project site. These species did historically occur within the LA River watershed and are naturally adapted to seasonal conditions.

Long-term Net Benefits to Biodiversity:

The Reach 8A Project will contribute toward regional biodiversity by supporting restoration of upstream passage for southern California steelhead and other anadromous species through a range of hydrologic and hydraulic conditions. The Reach 8A Project will also contribute toward increased biodiversity and connectivity of habitats for birds, insects, and other terrestrial species. Plant species selected for the Reach 8A Project vegetation features are based on plants previously documented in the watershed. Vegetation components of the Reach 8A Project will provide habitat value for fish and other species. The goals of the vegetation features include (1) providing cover, shade, and promoting cooler temperatures for aquatic species; (2) providing refugia for juvenile and adult southern California steelhead; and (3) increasing species biodiversity. The Reach 8A Project will introduce a suite of plant species in a segment of the LA River that is currently devoid of vegetation. Implementation of the proposed habitat enhancement features and vegetation will also demonstrate an increase in biodiversity metrics scores for the City of Los Angeles Biodiversity Index (LA Sanitation & Environment, 2020).

Recovery of a southern California steelhead population in the LA River watershed will contribute toward regional biodiversity of the species by expanding its population size and spawning habitat opportunities across the region. Habitat conditions across watersheds used by southern California steelhead are naturally variable and subject to temporary disturbances impacting habitat including wildfire and drought. Increasing accessible spawning areas will improve regional resiliency and ability of southern California steelhead to utilize additional spawning habitats in response to temporary watershed disturbances that are predicted to increase with climate change. Finally, current and future habitat fragmentation within the LA River watershed makes each individual habitat unit more valuable and the need to connect these areas more critical. Creating a migration corridor within the LA River for southern California steelhead under a range of conditions will connect fragmented habitat, such as headwater spawning areas or migration holding areas, and increase the chance for recovery and resilience of the species within the watershed.

Long-term Net Benefits to Sensitive Species Recovery:

The Reach 8A Project will benefit and contribute to the recovery of southern California steelhead, a candidate for CESA listing as endangered and listed as an endangered DPS under the federal Endangered Species Act, by expanding the accessible habitat for multiple life stages and life history strategies within the watershed.

Access to the upper tributaries will expand genetic opportunities for southern California steelhead, which could act as a reservoir of population genetics. Connection of the fragmented habitat throughout the watershed will lead to opportunities for spawning, drought resiliency and refuge, and migration and migratory holding areas.

The Reach 8A Project may also provide benefits for other sensitive fish species populations native to the watershed, including the Santa Ana sucker, arroyo chub, unarmored threespine stickleback, Santa Ana speckled dace, and Pacific lamprey through providing passage to high quality habitat.

Procedures for the Protection of the Environment:

During the implementation phase the Reach 8A Project will include procedures for the protection of the environment. These include avoidance, minimization, and conservation measures that will be implemented during Reach 8A Project activities to avoid and minimize impacts to sensitive species, natural resources, and protect the environment to the greatest extent feasible.

- Measures to minimize impacts to air quality will include: emissions and maintenance/operation for haul trucks and construction equipment, mobile emissions attenuation, and fugitive dust attenuation.
- Measures to minimize impacts to water quality will include: equipment maintenance, staging and fueling, stormwater pollution prevention plan, visual monitoring, natural resource permitting, hydrologic connectivity, exclusion of pets, control of chemical use (including use of rodenticide, herbicide, and insecticides), construction equipment cleaning, erosion control, materials storage, construction material and spoils, site washout, prevention of off-site tracking of materials, and disposal of trash.
- Measures to minimize impacts to biological resources will include: pre-construction surveys in the Reach 8A Project site in coordination with the USFWS and CDFW and that the Reach 8A Project work window will be limited to the summer dry season period from April-October.
- Measures to minimize impacts to cultural resources will include: halting of work upon encountering cultural resources and contact of proper entities, halting work upon finding human remains, inventories and evaluations of cultural resources for avoidance in the Reach 8A Project site, and adherence to the terms and conditions of the Programmatic Agreement between the U.S. Army Corp of Engineers and State Historic Preservation Office and any amendments to this agreement.
- Measures to minimize impacts of noise on the Reach 8A Project site will include: implementation of a Reach 8A Project noise control plan, regulation of noise from equipment use and maintenance, and vehicle and equipment route limitations.

Ongoing Management for the Protection of the Environment:

Following the implementation phase, the Reach 8A Project will include ongoing management measures for the protection of the environment. Operation and maintenance responsibilities of the Reach 8A Project would be determined by responsibilities outlined in the Los Angeles River Ecosystem Restoration Project Integrated Feasibility Report (IFR). Consistent with the IFR, operation and

maintenance responsibilities of the Reach 8A Project's restoration measures will be maintained by the City of Los Angeles, including maintenance of the fish passage, habitat features, and invasive plant management. The City of Los Angeles would also maintain, when necessary, the other Reach 8A Project restoration features.

- Habitat structures have been designed to flush sediment and debris during high flows and would incorporate vector control through a design and maintenance program. Removal of sediment and trash would need to occur annually or following extreme flow events to ensure continuous function of the fish passage features.
- Vegetation features would require maintenance to ensure continued function of providing shading, cover, and habitat for native aquatic and terrestrial species. During the first six months, the plantings should be monitored on a monthly basis to assess health and vigor of the species and determine if any replacement plantings are necessary. Replacement plantings will be reinstalled so that the established performance criteria can be achieved. If the plants look drought stressed at any point, hand watering should be initiated on a weekly basis. The water for hand watering would be supplied from a water truck entering the channel.
- Removal of invasive species may be required to limit negative effects on native species. For example, non-native, predatory fish species such as largemouth bass could occupy pool habitat that serves as resting habitat within the Reach 8A Project. Removal of non-native predator species from these habitats would reduce the potential for predation on native species that could occupy the same habitats such as southern California steelhead smolts, arroyo chub, and others. Removal could occur when non-natives are captured during routine fish surveys at the site or through additional targeted removal efforts. In either case, efforts to remove non-natives would have to occur periodically over time because non-natives would continually recolonize habitat.
- Weed management would be performed to remove target species as necessary (e.g., monthly) so that the established project performance criteria can be achieved. A list of target plant species would be developed focusing on species detrimental to the successful establishment of plantings including those that have a California Invasive Plant Council (Cal-IPC) rating of "high," or any other species deemed appropriate by a qualified biologist in consideration of the site. During periodic (e.g., monthly) monitoring events the presence of these species would be assessed. Methods for weed management may include mechanical and chemical alternatives.
- Human activities such as graffiti, introduction of trash, and establishment of homeless camps could create safety issues as well as impact the function and aesthetics within the Reach 8A Project. In addition to trash removal described above, additional maintenance may be required to remove graffiti and waste or relocate homeless encampments. The addition of signage and repair of existing fencing (and associated maintenance) may also be required within the Reach 8A Project.

D. Pursuant to Public Resources Code section 21080.56, subdivision (d), the CDFW Director concurs with the Lead Agency that the Project does not include any construction activities, except those solely related to habitat restoration. The Project-

related construction activities described are all related to the overall goal of the Project to restore or enhance habitat in the Project site.

All Reach 8A Project construction activities are related to the protection, restoration, or enhancement of habitat in the Reach 8A Project site. Construction activities will include the following:

- Mobilization. There will be Reach 8A Project meetings, materials procurement, and hauling of these materials to site.
- Access and staging for the Project site including a traffic management plan for materials haul routes both in and out of the Reach 8A Project site.
- Inset channel and other Reach 8A Project improvements will include excavation and grading of the concrete channel and water control (either dewatering or surface water diversion) depending on the depth of excavation and groundwater levels. It is expected that deep excavations for the inset channel, resting pockets, and scour pools will require dewatering. Elements that do not require deep excavations, such as anchoring boulders or coring weepholes would likely require surface water diversion of the baseflow only. Groundwater control will likely require pumping, and potentially a cutoff and collection system or shallow well points and settling of diverted groundwater to control turbidity in settling tanks and/or filtration before being returned to the channel downstream of the Reach 8A Project site. Surface water diversions will be achieved with a bypass channel in the flood control channel by gravity. Diverting the dry-weather flows during construction will avoid in-stream impacts and disturbances.
- Planting will follow in accordance with planting sheets. Vegetation will be locally sourced from native plant nurseries using local genotypes. The planting includes creating structures such as planter boxes and weep holes or penetrations through the flood control channel lining.
- Demobilization. Upon completion of work all materials and equipment will be removed from the Reach 8A Project site.


Scope and Reservation of Concurrence

This Concurrence is based on the proposed Project as described by the Lead Agency Determination and the Request. If there are any subsequent changes to the Project that affect or otherwise change the Lead Agency Determination, the Lead Agency, or any other public agency that proposes to carry out or approve the Project, shall submit a new lead agency determination and request for concurrence from CDFW pursuant to Public Resources Code section 21080.56. If any other public agency proposes to carry out or approve the Project subsequent to the effective date of this Concurrence, this Concurrence shall remain in effect and no separate concurrence from CDFW shall be required so long as the other public agency is carrying out or approving the Project as described by the Lead Agency Determination and the Request.

Other Legal Obligations

The Project shall remain subject to all other applicable federal, state, and local laws and regulations, and this Concurrence shall not weaken or violate any applicable environmental or public health standards. (Pub. Resources Code, § 21080.56, subd. (f).)

CDFW Director's Certification

By:  _____

Charlton H. Bonham, Director
California Department of Fish and Wildlife

Date: 3/14/23 _____