

U.S. BUREAU OF RECLAMATION
MID-PACIFIC REGION
NORTHERN CALIFORNIA AREA OFFICE
TRINITY RIVER RESTORATION PROGRAM
WEAVERVILLE, CALIFORNIA

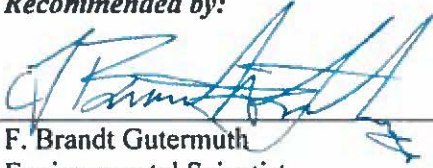
BUREAU OF LAND MANAGEMENT
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FINDING OF NO SIGNIFICANT IMPACT

In accordance with the National Environmental Policy Act of 1969 (NEPA), as amended, and with the Council on Environmental Quality's Regulations for Implementing the Procedural Provisions of NEPA (40 CFR Parts 1500-1508), the Trinity River Restoration Program office of the U.S. Bureau of Reclamation and the Bureau of Land Management, Redding Field Office, have found that the Proposed Action, supported by the analysis disclosed in the final Environmental Assessment/Initial Study (EA/IS) for the Trinity River Channel Rehabilitation Site: Dutch Creek (River Mile 85.1-86.6) would result in no significant impacts on the human environment considering the context and intensity of impacts.

Supporting documentation in the EA portion of the EA/IS was prepared to meet the requirements of NEPA. For the purposes of NEPA, the EA portion is tiered to the *Trinity River Mainstem Fishery Restoration Program Environmental Impact Statement* and incorporates by reference the *Channel Rehabilitation and Sediment Management Activities for Remaining Phase 1 and Phase 2 Sites, Part 1: Final Master Environmental Impact Report*.


Recommended by:


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12 Dec 2019

Date

Approved by:



Michael Dixon
Executive Director,
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12 DEC 2019

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Approved by:


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13 Dec 2019

Date

FONSI No. DOI-BLM-CA-N060-2019-0006 EA

FINDING OF NO SIGNIFICANT IMPACT
Trinity River Channel Rehabilitation Site:
Dutch Creek (River Mile 85.1–86.6)

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BACKGROUND AND NEED

The Bureau of Reclamation (Reclamation) completed the Trinity River Division (TRD) of the Central Valley Project (CVP) in 1964, blocking passage of salmonids and lamprey to habitat upstream of Lewiston Dam and restricting anadromous fish to habitat downstream. The TRD also eliminated coarse sediment transport from over 700 square miles of the upper watershed. Trans-basin diversions from Lewiston Lake diminished annual flows by up to 90 percent and altered the hydrologic regime of the Trinity River for a 40-mile reach downstream. The consequences of diminished flows included encroachment of riparian vegetation, establishment of riparian berms, and changes in alluvial processes at various locations along the river as far downstream as the North Fork Trinity River. These geomorphic changes resulted in a decrease in the diversity of species and age classes of riparian vegetation along the river, impaired floodplain function, and adversely affected fish habitat.

In 1994, the U.S. Fish and Wildlife Service (USFWS) as the federal lead agency and Trinity County as the California Environmental Quality Act (CEQA) lead agency began the National Environmental Policy Act (NEPA) process for developing the Trinity River Mainstem Fishery Restoration Environmental Impact Statement (EIS)/Environmental Impact Report (EIR). The 2000 Record of Decision (ROD) for the Trinity River Mainstem Fishery Restoration Final Environmental Impact Statement/Environmental Impact Report (FEIS/EIR) (December 19, 2000; USDI 2000) directed Reclamation and the USFWS to implement the Flow Evaluation Alternative, coupled with additional watershed protection efforts (described in the Mechanical Restoration Alternative), as the Preferred Alternative identified in the FEIS/EIR to restore the Trinity River's anadromous fishery. Through the Trinity River Restoration

Program (TRRP), the ROD directed Reclamation to restore the Trinity River fishery by implementing a combination of higher releases from Lewiston Dam (up to 11,000 cubic feet per second [cfs]), floodplain infrastructure improvements, channel rehabilitation projects, fine and coarse sediment management, watershed restoration, and an Adaptive Environmental Assessment and Management Program. As a project-level NEPA document, the FEIS/EIR provides guidance for policy decisions associated with managing Trinity River flows, and as a programmatic NEPA document, it provides first-tier support of related mechanical restoration and sediment management actions. The 2009 Master EIR provides more specific analysis of non-flow elements of the TRRP and was incorporated by reference in the NEPA document for the Proposed Action to support NEPA decisions required by Reclamation and the Bureau of Land Management (BLM).

The TRRP, acting under the guidance of the Trinity Management Council (TMC), provides the overall program direction required to implement the 2000 ROD. TMC member agencies include Reclamation, USFWS, National Marine Fisheries Service (NMFS), U.S. Forest Service (USFS), the Hoopa Valley Tribe (HVT), the Yurok Tribe (YT), the California Natural Resources Agency represented by the California Department of Fish and Wildlife (CDFW) and the California Department of Water Resources (DWR), and Trinity County. In addition to providing technical expertise for the design and review of the rehabilitation sites, the TRRP provides technical and administrative support to the TMC related to both scientific evaluation of restoration progress and management implementation.

The TRRP is responsible for the overall implementation of the ROD, which identified the Dutch Creek site as a Phase 2 site. The Trinity River Channel Rehabilitation Site: Dutch Creek (River Mile [RM] 85.1–86.6) project (Proposed Action) includes placement of a new bend in the river, reduction of riparian encroachment, placement of large woody debris (LWD), physical alteration of alluvial features (e.g., floodplains and side channels), construction of hydraulic structures (wood and log features), and removal/replacement of riparian vegetation at strategic locations. Extensive revegetation of native riparian vegetation areas (woody and wetland species) and management of upland mixed-conifer habitats are included in the Proposed Action. These rehabilitation activities would increase habitat suitability and availability for salmonids and other native fish and wildlife species during a wide range of river flow conditions. The Proposed Action includes work at the Dutch Creek site, located in part on public lands managed by the BLM Redding Field Office and by the Shasta-Trinity National Forest. Construction activities at the site are anticipated to begin in 2019 and continue through 2020. Construction activities near residential areas would be scheduled between 7:00 a.m. and 7:00 p.m., Monday through Saturday. No construction activities would be scheduled for Sundays.

The project area encompasses approximately 155 acres, including 32 acres of BLM land, 48 acres of National Forest System land, and 75 acres of private land. Activities would take place on approximately 40 acres. The Dutch Creek rehabilitation site is located about 5 miles south (upstream) of Junction City, California. It is in Township 33 North, Range 10 West, Sections 29 and 32, Mount Diablo Base and Meridian (MDB&M) (Figure 1-1). The river elevation at the site is approximately 1,520 feet above mean sea level.

Land ownership and the project boundary are shown on Figure 2-1 of the EA/IS. TRRP staff, with interdisciplinary review from the BLM and its TRRP partners, developed the site boundaries to incorporate the rehabilitation activities described in Chapter 2 of the EA/IS.

Access to the Dutch Creek site is via Dutch Creek Road, which intersects State Route 299 at Junction City, to Evans Bar Road and Forest Service motorized trails 10W16 and 10W16a. The location of this project in relation to other TRRP sites is illustrated on Figure 1-1 of the EA/IS.

Rehabilitation activities directed by the ROD and further described in the EA/IS, in conjunction with annual ROD flow releases, are expected to contribute to the restoration of the Trinity River mainstem fishery. Implementing channel rehabilitation work at the Dutch Creek site would continue implementation of the ROD and would contribute to the restoration of aquatic habitat in the mainstem Trinity River through the development of properly functioning channel conditions.

The EA/IS for the project considered two alternatives: the No Action Alternative and the Proposed Action (Alternative 1 in the EA/IS). After consideration of the environmental commitments and project design features listed in Chapter 2 and Appendix C of the EA/IS, impacts from the Proposed Action would be less than significant pursuant to NEPA. Details concerning these alternatives and other alternatives considered but not carried forward for evaluation are included in Chapter 2 of the EA/IS.

An interdisciplinary team of the TRRP identified discrete activity areas within the boundaries of the Dutch Creek site. Each activity area was established to meet a suite of specific objectives in conformance with the overall goals and objectives outlined by the TRRP. Activity areas are labeled using an alpha-numeric system based on the type of activity that would occur in a specific place. Riverine activities are labeled with an R followed by the construction site number (e.g., R-1, R-2); upland activities are labeled with a U followed by the construction site number; in-channel work areas are identified with an IC; and construction staging/use areas are identified with a C followed by the construction site number.

The TRRP has developed programmatic objectives for channel rehabilitation projects that are described in Chapter 2 of the EA/IS. Ultimately, the goals of the channel rehabilitation efforts are to provide functional aquatic habitat for all life stages of anadromous salmonids over a range of flow conditions; to provide suitable salmonid rearing habitat, presently believed to be a limiting factor in the system; and to reestablish healthy alluvial river geomorphic processes that would maintain high-quality salmonid habitat at a dynamic equilibrium.

Dutch Creek Rehabilitation Activities

The activities proposed at the Dutch Creek site are briefly described below; additional details are provided in Chapter 2 and Appendix C of the EA/IS.

Proposed Action (Alternative 1 – from the EA/IS)

The Dutch Creek project reach begins approximately 3 miles upstream of the Dutch Creek Road Bridge in Junction City. Habitat for salmonids and other aquatic and riparian species is currently impaired throughout this reach by the legacy of dredger mining and water diversions. The Proposed Action has been developed to strike a balance between active (e.g., construction) and passive (e.g., flow regime changes) methods for restoring aquatic and riparian habitat, while facilitating on a smaller scale dynamic fluvial geomorphic processes that existed before Lewiston Dam was completed.

This alternative consists of a number of rehabilitation activities at the Dutch Creek site. These activities are based on those described and analyzed in Section 2.3.2 of the Master EIR (Regional Water Board and Reclamation 2009).

The proposed rehabilitation activities are briefly described below. Appendix C of the EA/IS provides a more in-depth description of the design objectives and discusses each activity area in detail. With the exception of recontouring and vegetation removal, each activity type and activity area has been assigned a unique alphabetic and numeric identification and descriptive label that corresponds to the type and location of the activity areas illustrated on Figure 2-1.

Recontouring and Vegetation Removal

Under the recontouring and vegetation removal activities, the ground surface would be modified to reduce riparian encroachment and the risk of stranding juvenile salmonids. To varying degrees, vegetation would be cleared and removed at all activity areas that would be subject to rehabilitation activities with the exception of crossings. Where recontouring is part of the Proposed Action (e.g., floodplain lowering), the entire site would be subject to vegetation removal. Where possible, riparian vegetation (e.g., willows) would be salvaged for use in on-site revegetation efforts. Unlike other activities, these activities are not illustrated on Figure 2-1 because they overlap with most of the other activity areas.

Grading would be required to construct or enhance topographic features that could develop into functional riparian habitat; excavation and the placement of fill would be balanced. In addition to the activity areas that would be cleared prior to grading, site-specific removal of trees (e.g., conifers and hardwoods) would be required to enhance the safety of the work site, reduce fuel loading, and improve local conditions for individual tree growth and wildlife; the trees that are removed would be used in on-site wood placement. Upland and contractor use areas (e.g., U-2a, C-2) include discrete locations where retention of existing vegetation would occur to screen upland and staging activities in order to lessen the degree of visual impacts. Removal of vegetation is based on consultation with, and authorization by, BLM, the Forest Service, and landowners.

Vegetation removed from activity areas, including contractor use areas, would be used for in-river placement as large wood or would be chipped or masticated for use as part of revegetation efforts to increase nutrients in depositional areas and enhance the water-holding capability of these deposits. There are a limited number of mature trees at this site; as available and authorized, these trees may be used in the construction of habitat and flow modification features. Activities would be accomplished using a variety of methods, including hand tools and heavy equipment such as excavators, bulldozers, dump trucks, and, potentially, scrapers. Where feasible, existing riparian vegetation would be maintained to facilitate future recruitment.

Riverine Construction (R) - Lowered Floodplains, Collection Channel

At two locations (R-1, R-2), inundated surfaces (i.e., floodplains) would be constructed to inundate and function at flows ranging from 350 to more than 6,000 cubic feet per second (cfs). Construction of these surfaces would also enhance the type and degree of connection to the mainstem at various flows as portions of the existing mainstem channel would maintain water and aquatic habitat during all flows. These activities are intended to expand the surface area of the channel that could be inundated by reoccurring flows below the ordinary high water mark (i.e., 6,000 cfs). Vegetation would be cleared as necessary, and earth would be excavated to meet design elevations for periodic inundation. Either of these areas (R-1 or R-2) or adjoining contractor use areas may also be used for processing alluvial material that would be used in construction (e.g., cobbles for ballast and fish rock) of in-channel and riverine activity areas. See Table 2-1 in the EA/IS for more details on these features.

Newly inundated surfaces would provide important rearing and slow-water habitat for juvenile salmonids and other native anadromous fish and wildlife. They would also increase the likelihood of channel migration resulting in enhanced sinuosity, thereby providing the habitat variability that was historically present and is required to support rapid growth of native fishes.

These treatment areas would rely on a combination of natural recruitment of native riparian vegetation and riparian planting to establish a more diverse assemblage of native vegetation. Revegetation efforts would be consistent with requirements and commitments outlined in the TRRP's Draft Riparian Mitigation and Monitoring Plan. This plan requires supplemental efforts (e.g., in-planting, weed control, irrigation) as necessary to establish riparian vegetation to meet the standard of no net loss in riparian vegetation from pre-project levels.

In-Channel Construction (IC)

In-channel construction (IC) of a meander channel complex (bars, pools, riffles, and side channel) would include those features that would result in a new bend in the river under base flow conditions (e.g., 450 cfs) and would be constructed during the in-channel construction window (July 15 to September 15) authorized by the California Department of Fish and Wildlife. This complex consists of activity areas IC-1, IC-2a, IC-2b, IC-2c, IC-3, IC-4, IC-5, and IC-6 and structured log jams (SLJs) SLJ-1, SLJ-2, and SLJ-3 and is intended to create a meander sequence with a bar-pool-riffle morphology that functions under the current TRRP flow regime. Construction of this complex would increase channel length, complexity, and sinuosity and reduce slope in this section of the channel. Collectively, the construction of these activity areas would provide a diversity of water depths and velocities across a wider range of flows than the existing mainstem channel configuration. Activity areas IC-2a and IC-2c are riffles that would link the bars together and separate the pools. The general location of the pools is shown on Figure 2-1.

The construction of various types and sizes of grade control structures, including construction or excavation of alluvial features, would increase channel complexity through promotion of channel migration, increased sinuosity, reduced fine sediment storage, increased coarse sediment transport, and restoration of depositional features available for spawning and rearing habitat. Riffles are the shallower, faster moving sections of a river. Gravel bars and islands provide habitat complexity as well as other ecological functions.

During construction of this complex, earthen berms and turbidity curtains would isolate constructed features to ensure that water quality standards are met. These berms would be removed at the end of construction if the water within these contained areas is of appropriate quality for discharge to the river or they may be left in place for removal by subsequent high flows. Alternatively, water in the constructed features may be pumped to uplands or slowly metered into the mainstem river post-construction. These techniques would ultimately reduce the amount of turbid water that would reach the Trinity River and would ensure that water quality permit requirements¹ are met (e.g., no more than 20 nephelometric turbidity units (NTU) at 500 feet downstream of construction) (Regional Water Board 2015).

Meander Channel Complex (Bars, Riffles and Pools)

In-channel construction (IC) of a meander channel complex (bars, pools, riffles, and side channel) would include those features that would result in a new bend in the river under base flow conditions (e.g., 450 cfs) and would be constructed during the in-channel construction window (July 15 to September 15) authorized by the California Department of Fish and Wildlife. This complex consists

¹ Bureau of Reclamation, Trinity River Restoration Program –General Water Quality Certification, Order No. R1-2015-0028 – Regional Water Board enrolls the TRRP project to document compliance with section 401 of the Clean Water Act.

of activity areas IC-1, IC-2a, IC-2b, IC-2c, IC-3, IC-4, IC-5, and IC-6 and structured log jams SLJ-1 and SLJ-2 and is intended to create a meander sequence with a bar-pool-riffle morphology that functions under the current TRRP flow regime.

Construction of this complex would increase channel length, complexity, and sinuosity and reduce slope in this section of the channel. Collectively, this construction would provide a diversity of water depths and velocities across a wider range of flows than the existing mainstem channel configuration. Activity areas IC-2a and IC-2c are riffles that would link the bars together and separate the pools. The general location of the pools is shown on Figure 2-1.

Upland (U)

Excavated materials (i.e., fill) that would not be used for instream construction would be placed in upland environments as fill on terraces formerly subjected to a variety of placer mining activities. Two activity areas would be used on river right: U-2a on BLM land and U-2b on NFS lands.

There are no upland fill areas on river left. River-right activity areas have been located to ensure that their placement would not increase the elevation of the 100-year flood, consistent with requirements of Trinity County's Floodplain Ordinance. A portion of U-2a may also be used for processing alluvial material (e.g., fish rock) that would be used in the construction of in-channel and riverine activity areas. If material from these locations is needed for instream construction, it may be excavated from authorized on-site IC, R, and U activity areas, processed within these activity areas, and placed in accordance with the design specifications described in Appendix D.

These activity areas would be used to place excess material excavated in the construction of riverine and in-channel activity areas (some material may be extracted for in-channel use before excess material is placed in these locations). Within these activity areas, the depth of fill would range from about 1 foot near their edges to as much as 35 feet, depending on the size and location of the activity area. Fill materials would be spread in uniform layers that would blend in with the natural terrain and provide stable slopes for revegetation.

Detailed Master EIR Activities Described to Provide Additional Clarity Beyond That in Table 2-1 of Master EIR

Impacts associated with the use of organic (e.g., large wood, slash) and inorganic (e.g., boulders) materials were covered in the Master EIR under Sediment Management activities along with other activities that would facilitate channel construction and maintenance (e.g., excavation and placement of alluvial material in in-channel and riverine areas). The TRRP would use appropriate materials to cause and enhance changes in the river channel to improve habitat and ecological function. The addition of large rock (>6 inches) as ballast for rock/wood structures (e.g., structured log jams) would increase the probability that these structures would remain in place and confine the river, thereby increasing the power of the river to scour and maintain adult salmonid holding habitat.

As appropriate, large wood and accompanying slash removed as part of vegetation clearing activities would be retained and used for construction of SLJs and wood placement (WP) during riverine and in-channel activities to provide additional hydraulic and habitat complexity and temporary erosion control measures; these activities could potentially occur in any of the IC or R features. This activity could include large wood placement of individual pieces, small accumulations, and large habitat structures. Construction of SLJs and WP would develop topographical and hydraulic complexity and increase bank length to provide additional salmonid

rearing habitat over a wide range of flows. The use of wood would also improve spawning, holding, and rearing habitat for anadromous salmonids.

Woody material is a natural part of healthy rivers. It provides important habitat for aquatic species by providing cover from high flows and predators. The low-velocity areas collect suitable spawning materials, and woody organic materials are a food source for aquatic insects. Woody material can help create and maintain beneficial habitat features such as pools, islands, and gravel bars.

Processed alluvial material would be created on-site, obtained and imported from offsite gravel processing areas, or purchased from local vendors for delivery. Unprocessed material or “pit-run” dirt and gravel from onsite excavation may not be placed directly in-river but may be used in construction of features and for habitat enhancement when using methods that would be continuously monitored for compliance with turbidity standards during work in or near the river.

All large wood features would be designed so that local velocities would be safe for navigation during relatively low river flows (less than approximately 2,000 cfs). Natural wood material would be placed in a manner to reduce the chances of hazardous contact with swimmers and boaters at flows less than about 2,000 cfs.

Because of uncertainties about the availability, types, shapes, and sizes of the wood and the planned construction methods, the exact amounts and locations of wood placement are not known at this time. Trees, tree tops, and branches for use in constructing large wood structures would be obtained onsite and/or from other lawful sources (e.g., public or private lands where vegetation management activities have occurred) and delivered to the project area. Final WP locations and dimensions of SLJs would be determined in the field based on direction from Reclamation’s field engineer.

Contractor Use Areas (C)

There are 11 activity areas that would be available as staging and contractor use areas and, in some instances, processing of alluvial material. Activity area C-2 would be used for access and for construction and short-term storage of materials necessary for building SLJ and WP structures on river left. Activity area C-10 would be used for short-term storage of materials in accordance with private landowner approval. The other C areas would be directly associated with the construction and revegetation of riverine and in-channel activity areas (including in-channel wood features). These areas would be necessary for the temporary storage of equipment and materials (e.g., gravel, large wood, slash). Typically, these activity areas are subject to clearing and/or grading to varying degrees to ensure safe and efficient temporary work areas. Activity areas C-7, C-8, and C-9 include portions of Forest Service motorized trails. These trails would be subject to intermittent closures during construction; however, access to private lands would be provided. Collectively, all C areas serve as transportation corridors for moving equipment and materials from one activity area to an adjacent activity area. Water from on-site sources would be applied to these areas for dust abatement as directed by the Contracting Officer.

A review of activity areas A-5 and C-13, as well as activity area C-11, after the Draft EA/IS was circulated for public comment determined that the removal of an abandoned vehicle at C-13 should not occur, and that the removal of the cabin and other structures in area C-11 would not occur. Pedestrian/off-highway vehicle access via A-5 would be used to remove fuel, lubricants, and batteries from the vehicle to avoid impacts to cultural resources in these activity areas. The tables

and figures in Chapter 2 and Appendix D of the EA/IS include these three activity areas (C-11, A-5, and C-13).

Access Routes (A)

There are five access routes identified as discrete activity areas. Activity area A-1 is the only route that provides public access to the portion of the site on river left. This route is a narrow, overgrown native-surface route that provides vehicle access to activity areas C-7, C-8, and C-9 from the end of Trinity County's Evans Bar Road. The four access routes on river right (A-2, A-3, A-4, and A-5²) would provide access to the activity areas on river right. Following completion of authorized use of these routes, rehabilitation measures (e.g., erosion control, revegetation) would occur in coordination with BLM, the Forest Service, and landowners. Forest Service motorized trail 10W16 would be reestablished in a manner that controls access by motorized vehicles using a combination of signage, grading, and physical barriers (e.g., boulders). The Forest Service would also reestablish or relocate Forest Service motorized trail 10W16A to provide public access to the river.

These routes would primarily be used by a wide array of heavy equipment and other vehicles, often requiring pull-outs (which would be placed at appropriate locations in the field) for two-way traffic. The site-specific design and use of these routes would consider factors like topography, soils, existing vegetation, and the need for future vehicle access, (e.g., for revegetation maintenance). Best management practices would be used to reduce the impacts of road-related sediment on the riparian and aquatic environments.

Temporary Crossings (X)

One temporary crossing of the Trinity River (X-3) would be required. This would be a ford constructed using imported clean gravel and/or native alluvial materials excavated from the bed and bank of the Trinity River or adjacent sources (i.e., fish rock). Crossing of Carr Creek (X-2), an intermittent stream on the right bank (eastern side) of the Dutch Creek site, would also be required and would be at a location where the creek generally recedes below the ground surface in summer and fall. Several additional temporary fords would be used in the construction of in-channel features. The locations of these temporary fords would be determined during implementation in order to minimize environmental impacts. Early in meander construction, the crossings would pass through IC-4 and IC-3. Later, the crossings would occur at constructed riffles IC-2a, IC-2c, and IC-3 consistent with the requirements for X-3. All temporary crossings would be designed and constructed to meet the requirements for heavy equipment such as trucks and excavators. Material used in the construction of these crossings would primarily be extracted from authorized activity areas. The number of vehicle trips using the river crossings would be minimized to the extent possible, and fords would not be used to transport excavated materials across the river. All excess extracted material would be placed on river right.

Due to requirements to retain passage for fish and boats, at least one-third of each ford would be submerged to a minimum depth of 1 foot under base flow conditions. The construction of X-3 would likely require some vegetation removal on either side of the crossing within an approved activity area adjacent to the crossing (e.g., C-7, A-2, A-3). All temporary crossings would be constructed in a manner that does not impede passage of aquatic organisms or navigability of vessels at the crossings.

² The use of A-5 as an access route would be restricted to pedestrian/off-highway vehicle use; no clearing or grading would occur on this route.

Revegetation

Impacts to vegetation are anticipated in most activity areas. The site-specific revegetation design is described in Appendix C; revegetation of riparian and upland areas would rely on a combination of planting and natural recruitment of native species consistent with TRRP's Draft Riparian Mitigation and Monitoring Plan and the needs of the BLM and the Forest Service. Native willows from the impact areas would be replanted as clumps during construction to speed recovery of vegetation. Replanting of affected native vegetation (e.g., willows and cottonwoods) would be completed after construction in accordance with a site-specific plan. Wood placement may be used in any activity area to enhance site conditions (e.g., water retention or shade, etc.) for the benefit of plantings or natural regeneration. This activity may include watering during the first 3 years post-planting.

In general, the TRRP objective is to ensure that riparian vegetation is minimally affected by TRRP activities and is replaced at a 1:1 ratio (no net loss of riparian habitat) within the Trinity River corridor. Revegetation would provide aquatic refugia at high flows, improve terrestrial habitat for birds and other wildlife, provide future wood recruitment, and provide future terrestrial nutrient input to the river. Additional planting, seeding, and mulching in the upland areas would occur using native seed and rooted or bare-root stock. In order to restore native plant communities, Reclamation would remove noxious and invasive plants such as tree-of-heaven (*Ailanthus altissima*) and black locust (*Robinia pseudoacacia*) as part of the initial vegetation and grading activities. About 34 acres would be planted with live plants, and 50 acres (much of it overlapping planted areas) would be seeded with native grasses and mulched.

FINDINGS

Both the No Action and Proposed Action alternatives were evaluated in the EA/IS with respect to their impacts in the following issue areas: land use, geomorphic environment, water resources, water quality, fishery resources, vegetation, wildlife, wetlands, recreation, socioeconomics, cultural resources, air quality, visual resources, hazards and hazardous materials, noise, public services and utilities/energy, transportation/traffic circulation, environmental justice, and tribal trust.

Based on the following summary of the implementation effects of the Proposed Action (as discussed fully in the EA/IS), there would be no significant impacts to the quality of the human environment; therefore, an environmental impact statement (EIS) or a supplement to the existing EIS is not necessary and will not be prepared.

Land Use

The Proposed Action is located in Trinity County, California, and would be consistent with Trinity County's General Plan and Zoning Ordinance, which provides development standards for land in Trinity County, including areas located within the Trinity River floodplain. Short-term land use impacts resulting from the Proposed Action would be minimal because of project design criteria that require maintenance of public and private access to the Trinity River, adjacent residents, and businesses. Additionally, project implementation would not prevent existing land uses from continuing or impede future land uses. Therefore, impacts on land use would be less than significant.

Geology, Fluvial Geomorphology, and Soils

Implementation of the Proposed Action, including the environmental commitments and project design features listed in Chapter 2 and Appendix C of the EA/IS, would be consistent with the 10

healthy river attributes described in the Trinity River Flow Evaluation Study, the basis for the TRRP efforts to restore and enhance native fish and wildlife populations. It is also consistent with the Aquatic Conservation Strategy, as described in Appendix C of the EA/IS. Project construction activities and disturbance would increase the potential for short-term wind and water erosion. However, project implementation would include project design features such as sediment and erosion control measures to reduce and avoid potential short-term construction impacts on soils. Therefore, impacts on these resources would be less than significant.

Water Resources

Based on the U.S. Army Corps of Engineers' (Corps) Hydraulic Engineering Center River Analysis System (HEC-RAS) model used by Trinity County to assess compliance with Trinity County's General Plan and Zoning Ordinance, implementation of the Proposed Action, including excavation or placement of alluvial materials in the 100-year floodplain and low-flow channel, would not increase the base flood elevation of the Trinity River. Additionally, project implementation would not result in significant risk of injury, death, or loss involving flooding or erosional processes. The proposed activities are expected to have minimal, if any, effects on groundwater elevations or groundwater quality. Therefore, impacts on water resources would be less than significant.

Water Quality

Implementation of the Proposed Action, including construction activities in and adjacent to the low-flow channel, could temporarily increase turbidity and total suspended solids in the water column. It could also result in a spill of hazardous materials (e.g., grease, solvents) into the Trinity River. Construction activities would be staged and timed to minimize potential water quality effects, and appropriate project design features, such as placing clean rock berms around work areas and isolating them from the river, would be implemented to avoid and reduce water quality impacts. Therefore, impacts on water quality would be less than significant.

Fisheries Resources

To comply with Section 7 of the Endangered Species Act (ESA), Reclamation initiated informal consultation with the National Marine Fisheries Service (NMFS) concerning project effects on the federally and state-listed (threatened) Southern Oregon/Northern California Coast (SONCC) evolutionarily significant unit (ESU) of coho salmon. NMFS affirmed that certain non-flow measures, including the mechanical rehabilitation and sediment management projects identified in the ROD, were considered in its 2000 Biological Opinion issued in response to the FEIS/EIR. In that Biological Opinion, NMFS identified implementation of mechanical rehabilitation projects as reasonable and prudent measures to minimize TRD effects on SONCC ESU coho salmon. Subsequent to the ROD, NMFS provided the TRRP with documentation necessary to ensure that the 2000 Biological Opinion did in fact consider the types of activities associated with the Proposed Action.

Reclamation continues to engage in informal technical consultation with NMFS in order to update the 2000 Biological Opinion. In support of a formal re-consultation under Section 7 of the ESA and to obtain an updated Biological Opinion, Reclamation is currently preparing a new BA that focuses on advances in and changes to actions associated with the TRRP Implementation Program since 2000 (i.e., the rationale for the continuing adaptation of techniques for channel rehabilitation and fine and coarse sediment management since program inception) that will be used by NMFS as the information

basis for writing a new Biological Opinion. While the reinitiated Section 7 consultation is underway, the 2000 Biological Opinion remains in effect for the Proposed Action. Reclamation will continue to coordinate with NMFS as it implements the terms and conditions of the 2000 Biological Opinion.

Temporary construction impacts on fish-rearing habitat would be minimized through implementation of environmental commitments and project design features. In the long term, changes to physical rearing habitat associated with project implementation are expected to be beneficial. Collective improvements in fluvial channel dynamics contributed by the Proposed Action, in conjunction with future channel rehabilitation projects throughout the Trinity River between Lewiston Dam and the North Fork Trinity River, are ultimately expected to improve spawning and rearing habitat for all life stages of anadromous salmonids. Because effects would generally be localized and because the Proposed Action includes commitments and project design features to avoid and minimize adverse impacts on fish, effects to fisheries resources would be less than significant.

Vegetation, Wildlife, and Wetlands

Construction activities associated with the Proposed Action would result in a temporary loss of riparian vegetation and waters of the United States. However, in the long term, floodplain function and riverine processes would be restored by revegetation of alluvial features, particularly floodplains. About 5 acres of upland habitat falls within the 4.11-acre U-2a area (BLM) and the 1.05-acre U-2b area (Forest Service). Under the Proposed Action, these upland areas would be cleared, covered in excavated material, and revegetated with native species. Current habitat in the area of U-2a and U-2b areas consists of chaparral species with emergent gray pine (*Pinus sabiniana*), which is common in the general area. A loss of about 5 acres of this habitat in the near term would not have a measurable effect on wildlife species that use this habitat type and, eventually, this habitat is expected to return. Overall, the Proposed Action would increase structural and species diversity and would speed reestablishment of native riparian and potentially upland vegetation. Long-term changes in river inundation periods are expected to increase both seasonal and perennial riparian habitats as well as offset impacts to wetlands and other waters. Construction activities associated with the Proposed Action would result in the temporary loss of waters of the United States, including wetlands; however, the project is intended to result in a net increase in wetlands and other waters. The project is designed to enhance the functions and services of the aquatic system, including wetlands and other waters.

The Proposed Action was planned to directly benefit riparian and upland habitat and function and has the potential to affect wildlife, including special-status wildlife species (designated BLM sensitive species and/or federally and state-listed threatened and endangered species). Specific environmental commitments and project design features are included in the Proposed Action to ensure that activities occur in a manner that addresses potential impacts to special-status species, including avian and amphibian species.

No wildlife species listed under the ESA as threatened, endangered, or candidates for listing as threatened or endangered were observed in the project area during habitat mapping efforts. Early in the design process, the initial project boundary included designated critical habitat (CH) for northern spotted owl (NSO) (*Strix occidentalis caurina*). Subsequently, the boundary of the project was revised to reduce CH in the project area based on early input from Reclamation, USFWS, BLM, and Forest Service biologists. The Proposed Action evolved so that only a few mature conifers would be removed from NFS lands within CH at two activity areas (A-2 and U-2b) in order to provide safe access and to ensure adequate space for excavated material above the Federal

Emergency Management Agency 100-year floodline. While activity area A-5³ would be used to access activity area C-13, no mature conifers would be removed at either A-5 or C-13.

The 2019 BA prepared by Reclamation and submitted to the USFWS determined that the Proposed Action may affect, but is not likely to adversely affect, the NSO. Reclamation also determined that the Proposed Action would not adversely modify designated CH for the NSO. The BA acknowledges that the boundary of designated CH for NSO overlaps with the project area within three activity areas. The Proposed Action was designed to avoid CH on river left and minimize the project footprint on CH on river right. Approximately 0.73 acre of potential foraging/dispersal habitat in A-2 would be used to create equipment access for project activities. At activity area U-2b, 1.1 acres would be converted from montane hardwood-conifer upland (with less than 40 percent canopy coverage) to native grass uplands. The Proposed Action would remove approximately 1.1 acres of upland foraging/dispersal habitat (U-2b) from designated CH.

In its 2019 BA, Reclamation determined that the Proposed Action is not likely to adversely affect the NSO or its CH for the following reasons:

- Designated CH at the Dutch Creek site does not contain the physical and biological features of NSO CH required for nesting/roosting. Canopy closure is less than 60-80 percent within the Dutch Creek project boundary.
- The two NSO activity sites nearest the project area are 0.7 mile and 1.2 miles, respectively, at their nearest point. No adverse effects to NSO from noise are anticipated because these activity centers are greater than 0.25 miles from project activity areas.
- The proposed activities are limited to early-seral forest representing 2.3 acres of potential foraging and dispersal habitat. No potential nesting or roosting habitat occurs in the project area.
- The proposed activities would not downgrade or remove a significant amount of potential foraging or dispersal habitat. Abundant foraging habitat would exist in the area post-construction to maintain local activity center owls (the BA and USFWS concurrence letters are available for review at TRRP's Weaverville, California office). Consequently, the amount of potential habitat removed is minor and the effects are discountable.

In a June 24, 2019, letter to Reclamation, the USFWS concurred with both of the determinations made in the BA – that the project may affect, but is not likely to affect the NSO or to adversely modify designated NSO critical habitat.

The West Coast Distinct Population Segment of Fisher (*Pekaniaia pennant*) is proposed as a federal threatened species. The BA acknowledges that this species may be present in or in close proximity to the project area on a transitory basis and may use the Trinity River as a travel corridor. It is not expected to breed or den within the project area. Occasional transitory individuals of this species would avoid areas where TRRP activities are proposed, and project impacts would not jeopardize the continued existence of the species.

Although the bald eagle has been removed from the endangered species list, Reclamation will follow the National Bald Eagle Management Guidelines provided by the US Fish and Wildlife Service to

³ Activity area A-5 will provide restricted access and no vegetation disturbance will required.

protect the bald eagle; modified commitments are outlined in Appendix E of the Draft EA. Reclamation will comply with the bald eagle protection act (BEPA) and has worked with USFWS eagle biologists to incorporate best management measures in order to minimize and avoid construction impacts to a known pair of nesting bald eagles within the Dutch Creek project boundary. Reclamation will obtain a USFWS BEPA incidental take permit prior to starting project construction⁴.

The BA submitted to the USFWS details the potential ESA impacts of the project. In its June 24, 2019, letter to Reclamation, the USFWS concurred with both of the determinations made in the BA.

The Proposed Action, including the environmental commitments and project design features listed in Chapter 2 and Appendix D of the EA/IS, combined with riparian revegetation measures, would ensure that the Proposed Action would not result in significant impacts to vegetation, wildlife, and wetlands.

Recreation

The Secretary of the Interior designated the Trinity River as a National Wild and Scenic River in 1981. Implementation of the Proposed Action would result in a long-term benefit to the form and function of the Trinity River relative to the values that existed on the date of designation, thereby enhancing the Outstandingly Remarkable Values for which it was designated as a Wild and Scenic River, including its anadromous fishery. Implementation of the Proposed Action would alter the riverine environment; however, construction activities would not permanently affect the scenic or recreational values of the Trinity River for which it was designated.

Construction activities could result in temporary disruptions to public access along Forest Service motorized trail 10W16 and 16A and to private residences in activity area C-10. However, river access and recreational opportunities would continue to be available at other locations along the river downstream (e.g., Evans Bar, Sky Ranch). Potential disruptions to recreational activities within the project area would be temporary and minimal. Because construction of the Proposed Action could affect the safety of recreational users, signage would be employed to notify river users to be cautious of heavy equipment in the river corridor. Construction activities associated with the Proposed Action could lower the Trinity River's aesthetic values for recreationists by increasing its turbidity; however, increases in turbidity are expected to be localized and of short duration.

Socioeconomics, Population, and Housing

The Proposed Action could directly generate short-term income growth through the payment of wages and salaries, but would result in little long-term increased economic activity. Because of the limited size and duration of the project, impacts on socioeconomic conditions, population, or housing would be negligible.

⁴Since 2016, a bald eagle (*Haliaeetus leucocephalus*) nest in a tall conifer tree has been occupied by a pair of adult birds during the nesting season. This nest is within 1/4 mile west of the A-1 access road (Forest Service motorized trail 10W16) and is visible from activity area C-7. Residential and recreational traffic occurs along this route throughout the nesting season, and since 2014, ongoing planning and design studies have also occurred here. While formal nest site monitoring data are not available, TRRP biologists observed a juvenile bird in the nest in 2017 and 2018. Weekly visits by TRRP staff documented that this juvenile had fledged by August 1, 2018.

Cultural Resources

Implementing the Proposed Action would result in no adverse effect on historic properties pursuant to Section 106 of the National Historic Preservation Act (NHPA) 36 CFR § 800. All known cultural resources have been recorded and documented, as described in Chapter 3 of the EA/IS. Within the area of potential effects (APE), cultural resource surveys identified five historic-era cultural resources consisting of four mining sites and one road route. The lead agencies for cultural resource protection (BLM, Forest Service, and Reclamation) have determined that there would be no adverse effect to historical properties; consultation with the State Historic Preservation Office (SHPO) process was completed on July 17, 2019 when the SHPO concurred with Reclamation's determination that there would be no adverse effect to historic properties from project implementation., and the avoidance of these sites, in conjunction with the inclusion of the environmental commitments described in Table 2-2 of the EA/IS, would ensure that implementation of the Proposed Action would have no significant effect to cultural resources.

Air Quality

Construction activities would generate short-term and localized fugitive dust, gas and diesel emissions, and smoke that could affect air quality. Reclamation would implement project design features, including requiring provisions in construction documents that minimize construction-related impacts on air quality in order to minimize impacts to air quality.

Visual Resources

Potential impacts of project activities on visual resources would include changes brought about by the removal of vegetation, construction of inundated surfaces, creation of access roads, and the presence of equipment in the project area. These activities could result in temporary degradation and/or obstruction of a scenic view from key observation areas. Over the long-term, implementation of the Proposed Action is expected to complement the visual resources and aesthetic values of the project area by restoring the function and form typical of an alluvial river. The design of the Proposed Action incorporates the diversity of the landscape and vegetation types in the project vicinity into the character of the rehabilitated riverine and upland areas. Retention of existing topographic features as well as natural revegetation and manual planting would lessen the degree of visual impacts and improve the aesthetic quality of the affected reach of the Trinity River.

Hazardous Materials

Activities associated with the Proposed Action would use potentially hazardous materials (e.g., oil and fuels) associated with the operation of vehicles and construction equipment during implementation. Implementation of best management practices would minimize the potential for any project-related hazardous materials to become a public hazard. These practices would ensure that impacts with respect to hazardous materials would be less than significant.

Noise

During the construction phase of the Proposed Action, noise from construction activities would temporarily dominate the noise environment in the project area. Based on comments received on the Draft EA/IS, the size and location of several activity areas were adjusted to increase the distance between these areas and adjacent private parcels. Construction noise would be temporary and would be expected to occur primarily between the months of July and December. To minimize potential

noise impacts, construction activities would be scheduled between 7:00 a.m. and 7:00 p.m. Monday through Saturday. During working hours, Reclamation would ensure that the contractor operates all equipment to minimize noise impacts to nearby sensitive receptors (residences adjacent to the project area, etc.). Noise impacts resulting from implementation of the Proposed Action would be temporary and minimal.

Public Services and Utilities/Energy

The Proposed Action would not disrupt electrical or telephone service within or adjacent to the project area. A project-specific traffic control plan, including traffic control associated with project activities, would be implemented. The Proposed Action is not expected to cause more than minimal, if any, disruptions to public services. Access for mobilization and demobilization of heavy equipment, however, may require a higher level of traffic control for local roadways and may disrupt traffic flow and circulation before, during, and after construction. Any disruptions to public services resulting from mobilization and demobilization of heavy equipment are expected to be minimal and of short duration.

Transportation/Traffic Circulation

Construction equipment and vehicles would temporarily increase traffic on local roads around the project area, primarily Dutch Creek Road and Evan's Bar Road, and on SR 299, which provides access to the area from local communities. Throughout the construction periods, the amount of daily construction equipment traffic would be limited by staging the construction equipment and vehicles in the project area boundary for the duration of work. Impacts related to short-term increases in vehicle trips would be minimal. Use of area roads by project-related trucks and heavy equipment would increase wear and tear on the local roadways. Traffic safety hazards could arise for motorists, bicyclists, pedestrians, and equestrians in the vicinity of the construction access routes as a result of the movement of project-related trucks and heavy construction equipment. The contractor would be required to implement a traffic control plan during construction to maximize public safety and maintain traffic flow. Impacts to transportation and traffic circulation would be minimal to moderate, but would be temporary and insignificant.

Tribal Trust

TRRP's overarching goals of restoring, enhancing, and conserving the natural production of anadromous fisheries, native plant communities, associated wildlife resources, and overall health of the Trinity River basin are consistent with federal Tribal Trust responsibilities. The primary TRRP goals originate partly from the federal government's trust responsibility to protect fishing rights for ceremonial, subsistence, and commercial purposes of the region's Indian tribes. Under the Proposed Action, the Trinity River would continue to support Tribal Trust assets. Several short-term impacts would occur that would affect Tribal Trust assets, including geology, fluvial geomorphology, and soils; water quality; fishery resources; and vegetation, wildlife, and wetlands. These impacts are generally associated with construction activities that would temporarily affect resources in the project area. Potential impacts on Tribal Trust assets would be minimized by project design criteria implemented to protect Tribal Trust assets. The impacts that would occur to Tribal Trust assets would be less than significant.

Environmental Justice

There is no evidence to suggest that the Proposed Action would cause a disproportionately high adverse human health or environmental effect on minority and low-income populations compared to other area residents. No disproportionate or specific health risks or other impacts to low-income or minority groups would be associated with the Proposed Action.

SUMMARY

Implementation of the Proposed Action is expected to contribute to the long-term environmental quality and sustainability of the Trinity River ecosystem with no significant adverse impacts to the environment.

FINDING OF NO SIGNIFICANT IMPACT IN ACCORDANCE WITH 40 CFR 1508.27

After considering the environmental effects described for the Proposed Action in the Trinity River Channel Rehabilitation Site: Dutch Creek (RM 85.1–86.6) EA/IS, it has been determined that implementation of the Proposed Action would not have significant environmental impacts, is in conformance with the BLM's Resource Management Plan (RMP), and would not have a significant effect on the quality of the human environment considering the context and intensity of impacts. Therefore, an EIS is not needed and will not be prepared.

This finding is based on my consideration of the Council on Environmental Quality's (CEQ) criteria for significance (40 CFR 1508.27), both with regard to the context and to the intensity of the impacts described in the EA/IS or as articulated in the letters of comment.

Context

Based on the documentation in the EA/IS and project record, I find that the short-and long-term effects of the Proposed Action are not significant with respect to society as a whole, the affected region, or the site-specific location. The effects of the Proposed Action are disclosed in Chapter 3 of the EA/IS and support the findings that it meets TRRP objectives established in the 2000 ROD and would be consistent with the resource management plans for the BLM and the Forest Service.

Intensity

I have considered the potential intensity/severity of the impacts anticipated from the project decision relative to each of the 10 areas suggested for consideration by the CEQ. With regard to each:

- 1) ***Impacts that may be both beneficial and adverse.*** There would be no significant effects, beneficial or adverse, resulting from implementation of this project. The finding is not biased by the beneficial effects of the action. The construction of the Proposed Action at the Dutch Creek site is expected to provide localized improvements in aquatic and riparian habitats currently present at the site. The Proposed Action would assist in meeting long-term needs to enhance fish habitat and provide properly functioning river conditions. Viewed within the context of a healthy Trinity River, and against implementing the larger river restoration program required under the ROD, this project would not result in any significant impacts.

- 2) ***The degree to which the Proposed Action affects public health and safety.*** Public health and safety would not be significantly affected by the project. Due to the limited duration of the Proposed Action and implementation of public safeguards, public safety would not be at risk. Standard Reclamation practices for notifying the public of heavy equipment activities would be implemented during construction activities.
- 3) ***Unique characteristics of the geographic area such as proximity of historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.*** There would be no significant adverse effects on prime farmlands, park lands, floodplains, wetlands, historic or cultural resources, scenic rivers, or ecologically critical areas. Although there would be no significant adverse effects in these areas, the Proposed Action would result in a minor amount of disturbance to river attributes while enhancing the outstandingly remarkable value—the anadromous fishery—for which the river was designated in the Wild and Scenic River system. The section of the Trinity River in the project area was designated as Scenic under the federal and state Wild and Scenic Rivers Acts (WSRA; Public Law 90-542 1968). This designation serves to preserve the river’s free-flowing condition, water quality (e.g., extremely low turbidity levels under low-flow conditions), and ORVs. The section of the Trinity River subject to this alternative was found to have ORVs due to its anadromous fishery. Appendix J of the public Draft EA/IS provides a comprehensive analysis of this alternative consistent with the requirements of the Section 7 of the WSRA and the W&S determination has now been signed by the BLM and Forest Service. The Proposed Action is programmatically tiered to the Trinity River Mainstem Fishery Restoration Program EIS, which recommended implementation of the six components of the ROD. The Proposed Action, which involves implementation of a subset of channel rehabilitation actions from the ROD, has no significant impacts within the context of the entire array of ROD restoration components.
- 4) ***The degree to which the effects on the quality of the human environment are likely to be highly controversial.*** A federal action is controversial if a substantial dispute exists as to its size, nature or effect; there is no such controversy for the Proposed Action.
- 5) ***The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.*** Since the signing of the 2000 Trinity River Restoration Program ROD and efforts to begin its implementation, TRRP and other agencies have held numerous public meetings and open houses to obtain public input and provide the public with information on the overall TRRP rehabilitation activities. As part of ongoing TRRP outreach activities, TRRP staff members have met with local groups (e.g., fishing guides and mining groups) and individual landowners from the Junction City area to obtain stakeholder input and advice and to address general concerns not specific to the Dutch Creek rehabilitation activities. Notice of all public meetings and other pertinent project information are announced in local newspapers and posted on the TRRP’s website: <http://www.trrp.net>. Appendix B of the December 2018 public Draft EA/IS includes a summary of the scoping and public involvement prior to preparation of the EA/IS.

Consistent with Reclamation and BLM’s NEPA requirements, the public review of the EA/IS began when the agencies posted the document to their official websites on December 19, 2018. The official public review period began on that date and continued through January 17, 2019. At the onset of the review period, notices informing the public of the availability of the EA/IS for review were posted on the TRRP website, at the TRRP

Weaverville and BLM Redding Field offices, and in the *Trinity Journal* and *Redding Record Searchlight* newspapers; the public notices were also mailed to local landowners and emailed to interest groups. An open house to describe the Proposed Action and receive public input was held on November 28, 2018, at the North Fork Grange Hall on Dutch Creek Road in Junction City, California.

After the public review period, five public comment submittals were addressed with input from technical staff from the lead, cooperating, and responsible agencies (see Appendix C of the EA/IS). No environmental effects were identified in the comments.

There are no known effects on the human environment that are highly uncertain or involve unique or unknown risks. The effects of the Proposed Action have been clearly evaluated in the EA/IS. Similar activities have been completed at past channel rehabilitation sites both upstream (Deep Gulch-Sheridan Creek site in 2017) and downstream (Lower Junction City site in 2014), and data collected from monitoring and analysis showed that no unique or unknown impacts to the human environment have resulted.

- 6) ***The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.*** These actions do not set a precedent for other projects that may be implemented to meet the goals and objectives of the TRRP. The Trinity River Flow Evaluation Report and, subsequently, the Trinity River Mainstem Fishery Restoration EIS and 2000 ROD collectively evaluated and recommended channel rehabilitation projects on the Trinity River below Lewiston Dam. The environmental effects of future projects would be analyzed and would take into account any new information collected during implementation of the Proposed Action and other recently implemented projects.
- 7) ***Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.*** There are no known significant cumulative effects from the Proposed Action and other projects implemented or planned on areas separated from the affected area of this project beyond those assessed. Cumulative impacts are analyzed in Chapter 4 of the EA/IS. While some short-term adverse direct and indirect effects may result from the project, these effects have been analyzed in the EA/IS and would not lead to significant cumulative effects. Potentially significant long-term project effects from implementation of the ROD were evaluated in the Trinity River Mainstem Fishery Restoration EIS, later supplemented by the 2009 Master EIR, and updated in the EA/IS for the Dutch Creek site. When considered in the context of cumulative watershed effects, the Proposed Action is intended to improve the alluvial processes and function of the mainstem Trinity River and at the same time improve the ability of the Trinity River to mobilize and transport sediment. Cumulative short-term impacts such as soil disturbance and turbidity would occur in response to the Proposed Action, but not to an extent that would cause significant impacts to downstream water quality.
- 8) ***The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historic resources.*** The lead agencies for cultural resource protection (BLM, Forest Service, and Reclamation) have determined that there would be no adverse effect to historical properties. The Section 106 process was completed on July 17, 2019 when the SHPO concurred with Reclamation's

determination that there would be no adverse effect to historic properties from project implementation. The avoidance of these sites, in conjunction with the inclusion of environmental commitments described in Table 2-2 of the EA/IS, would ensure that implementation of the Proposed Action would have no significant effect to cultural resources.

Based on environmental commitments and project design features listed in Chapter 2 and Appendix D of the EA/IS, the decision maker has determined that the Proposed Action would not result in the destruction of scientific, cultural, tribal, or historic resources.

- 9) ***The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.*** The Proposed Action would not adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the ESA. A biological opinion for the Trinity River Mainstem Fishery Restoration EIS and its effects on Southern Oregon/Northern California Coast coho salmon, Sacramento River winter-run chinook salmon, central valley spring-run chinook salmon, and central valley steelhead (NMFS 2000) addressing foreseeable TRRP activities was written in response to a BA that reflected the findings in the Trinity River Mainstem Fishery FEIS/EIR.

Reclamation continues to engage in informal technical consultation with NMFS in order to update the 2000 Biological Opinion. In support of a formal re-consultation under Section 7 of the ESA and to obtain an updated Biological Opinion, Reclamation has prepared a new BA that focuses on advances in and changes to actions associated with the TRRP Implementation Program since 2000 (i.e., the rationale for the continuing adaptation of techniques for channel rehabilitation and fine and coarse sediment management since program inception) that would be used by NMFS as the information basis for writing a new Biological Opinion. While the reinitiated Section 7 consultation is underway, the 2000 Biological Opinion remains in effect for the Proposed Action. Reclamation will continue to coordinate with NMFS as it implements the terms and conditions of the 2000 Biological Opinion.

In its 2019 BA, Reclamation determined that the Proposed Action is not likely to adversely affect the NSO or its CH for the following reasons: a) No adverse effects to NSO from noise are anticipated because local activity centers are greater than 0.25 miles from project activity areas; and b) Abundant foraging habitat would exist in the area post-construction to maintain local activity center owls. Consequently, the amount of potential habitat removed is minor and the effects are discountable.

No federally or state-listed threatened or endangered plant species occur within or adjacent to the site boundaries defined for the Proposed Action.

- 10) ***Whether the action threatens a violation of federal, state, or local law or requirements imposed for the protection of the environment.*** Implementation of the Proposed Action would not threaten a violation of federal, state, or local law or requirements imposed for the protection of the environment. Implementation of the Proposed Action would not threaten violation of any laws. Its implementation meets requirements under the ROD, the ESA, the Clean Water Act, the Federal Land Protection and Management Act (FLPMA), NEPA, the Clean Air Act, the Wild and Scenic Rivers Act, the National Historic Preservation Act, the

Shasta-Trinity National Forest Land and Resources Management Plan, and BLM's RMP, as amended, for the Redding Field Office.

The Proposed Action described in this finding is fully consistent with BLM's RMP, the FLPMA, and the California Environmental Quality Act. The following permits are required to authorize the project:

- Section 404, Clean Water Act, Nationwide Permit 27 (San Francisco District, Corps);
- Section 401, Clean Water Act Water Quality Certification (Regional Water Quality Control Board, North Coast Region);
- Section 10, Endangered Species Act, Incidental Take Permit (NMFS);
- Encroachment Permits (Trinity County or California Department of Transportation); and
- Floodplain Development Permit (Trinity County).

FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS

The Proposed Action to implement the rehabilitation activities, including those specifically under the jurisdiction of BLM, is consistent with the intent of the RMP for the Redding Field Office with respect to resource management conditions. The Proposed Action is also consistent with the direction provided in the BLM's Trinity River Recreation Area Management Plan.

IMPLEMENTATION DATE

The Proposed Action is expected to be constructed in summer 2020; some preparatory brush clearing and road grading on river left is anticipated to begin in 2019 pending environmental clearances, and all construction activities are expected to be complete by the end of 2020. In any year, all in-channel rehabilitation work must be performed between July 15 and September 15. Revegetation would take place during construction and in the fall and winter months following construction; seeding would primarily be used in the uplands and cuttings or plants would be used in riparian areas. Irrigation and vegetation maintenance may take place for 3 to 5 years post-construction or through fall 2024 but would be minimized in this remote location.

CONTACT

For additional information concerning the Proposed Action, contact Brandt Gutermuth, Project Manager, Trinity River Restoration Program, P.O. Box 1300, and 1313 Main Street, Weaverville California, 96093. Phone: (530) 623-1800.