

ATTACHMENT 1

Finding of No Significant Impact

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

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 (TRRP) office of the U.S. Bureau of Reclamation (Reclamation) has found that the Proposed Action, supported by the *Channel Rehabilitation and Sediment Management Activities for Remaining Phase 1 and Phase 2 Sites, Part 1: Final Master Environmental Impact Report* and *Part 2: Environmental Assessment/Final Environmental Impact Report* (Final Master EIR – EA/Final EIR), will result in no significant impacts on the human environment considering the context and intensity of impacts.

Part 1 of the supporting documentation, referred to as a Master Environmental Impact Report (Master EIR), is a programmatic document prepared in part to meet the requirements of the California Environmental Quality Act (CEQA). The state Master EIR is analogous to the federal Trinity River Mainstem Fisheries Restoration Final Environmental Impact Statement (FEIS) programmatic document prepared in 2000. Much of the design and analysis for the Proposed Action is discussed in the Draft Master EIR, which, as noted above, is Part 1 of the combined Draft Master EIR – EA/Draft EIR document. Part 2 of this document is an Environmental Assessment (EA) that has been prepared to support the authorization of the Proposed Action at the Remaining Phase 1 sites. Preparation of an Environmental Impact Statement to further analyze possible impacts is not required pursuant to Section 102(2) of the National Environmental Policy Act of 1969 and 40 CFR 1508.27.

Reference: Environmental Assessment for Remaining Phase 1 Channel Rehabilitation and Sediment Management Activities: Trinity River Mile 92.2 to 109.7

Environmental review by:



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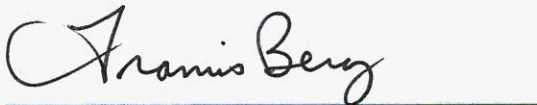
July 30, 2009
Date

Approved by:



Mike A. Hamman
Executive Director, Trinity River Restoration Program

7-30-09
Date
FONSI No. TR-EA 0109



7/31/09
Date

for: Steven W. Anderson
Acting Field Manager, Redding Field Office
Bureau of Land Management, Cooperating Agency

Date
FONSI No. DOI-BLM-CA-N060-2009-0085-EA

This decision is made only for authorization pursuant to BLM Authority

FINDING OF NO SIGNIFICANT IMPACT

Remaining Phase 1 Channel Rehabilitation and Sediment Management Activities: Trinity River Mile 92.2 to 109.7

LEAD AGENCY

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BACKGROUND AND NEED

Completion of the Trinity and Lewiston Dams in 1964 blocked migratory fish access to habitat upstream of Lewiston Dam, eliminated coarse sediment transport from over 700 square miles of the upper watershed, and restricted anadromous fish populations to the remaining habitat below Lewiston Dam. Trans-basin diversions from Lewiston Lake to the Sacramento River basin altered the hydrologic regime of the Trinity River, diminishing annual flows by up to 90 percent. Consequences of diminished flows included encroachment of riparian vegetation, establishment of riparian berms¹, and fossilization of point bars 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 access, and adversely affected fish habitat.

In 1994, the U.S. Fish and Wildlife Service (USFWS) as the NEPA lead agency began the NEPA process for developing the Trinity River Mainstem Fishery Restoration Environmental Impact Statement (EIS). The 2000 Record of Decision (ROD) for the Trinity River Mainstem Fishery Restoration Final Environmental Impact Statement/Environmental Impact Report (FEIS/EIR) directed Department of the Interior agencies to implement the Flow Evaluation Alternative as the Preferred Alternative identified in the FEIS/EIR to restore the Trinity River's anadromous fishery. The ROD directed the U.S. Bureau of Reclamation (Reclamation), through the Trinity River Restoration Program (TRRP), 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. The FEIS functions as project-level guidance for policy decisions associated with

¹ The condition is not as extensive as early studies indicated (e.g., the Trinity River Flow Evaluation Final Report 1999).

managing Trinity River flows and as a programmatic NEPA document providing first-tier support of related mechanical restoration and sediment management actions.

The TRRP, acting under the guidance of the Trinity Management Council (TMC), provides overall program direction to restore, enhance, and conserve the natural production of anadromous fisheries, native plant communities, and associated wildlife resources of the Trinity River basin. 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. The Remaining Phase 1 Channel Rehabilitation and Sediment Management Activities: Trinity River Mile 92.2 to 109.7 (project) is part of the mechanical channel rehabilitation and sediment management components of the ROD. The project is located between Lewiston Dam and the North Fork of the Trinity River and is designed to create, restore, and enhance the full range of anadromous fish habitats in the Trinity River by restoring fluvial processes. Activities to restore fluvial processes include rescaling the river channel and floodplain and managing coarse sediment at the Remaining Phase 1 sites, augmenting gravel at high-flow placement areas, and controlling fine sediment at the Hamilton Ponds. Specifically, this project would selectively remove fossilized berms and encroaching riparian vegetation; revegetate and/or reestablish complex and diverse assemblages of native riparian vegetation; and recreate alternate point bars and complex fish habitat similar in form to those that existed prior to the construction of Lewiston and Trinity dams. These rehabilitation activities are expected to increase habitat suitability and availability for salmonids and other native fish and wildlife species during a wide range of river flow conditions.

Implementing channel rehabilitation work at the remaining six Phase 1 sites would continue implementation of the ROD throughout the reach. Implementation of the Proposed Action (Proposed Project) at the Sawmill site, expected in 2009, would be the fifth in a sequence of channel rehabilitation projects (Hocker Flat constructed in 2005, the Canyon Creek Suite in 2006, Indian Creek in 2007, and Lewiston-Dark Gulch in 2008) to implement the ROD's mechanical channel rehabilitation components, and to rework the Trinity River floodplain based on pre-dam channel morphology characteristics. In addition to ongoing approximately annual sediment management at the Hamilton Ponds and coarse sediment augmentation during high flows, activities at the Sawmill site constitute the third TRRP channel rehabilitation project to implement portions of the ROD's coarse sediment management activities. Gravel processing and augmentation activities initially occurred at the Indian Creek and Lewiston-Dark Gulch sites under both high and low flow conditions (e.g., high-flow injection and low-flow in-channel gravel bar construction). The Proposed Action identified for the Remaining Phase 1 sites is intended to meet the overarching goals of the TRRP: to enhance river processes in order to increase channel complexity and fisheries habitat throughout the mainstem Trinity River downstream of Lewiston Dam. Implementation of the Proposed Action would contribute to the restoration of aquatic habitat in the mainstem Trinity River through the development of properly functioning channel conditions. Rehabilitation activities as described in the Draft Master EIR – EA/Draft EIR, combined with ROD flow releases, are expected to contribute to the restoration of the Trinity River mainstem fishery.

The EA/Draft EIR for the project considered three alternatives: the No-Action Alternative, the Proposed Action, and Alternative 1. After inclusion of all mitigation measures (discussed in detail in Part 1 of the Draft Master EIR – EA/Draft EIR), no significant impacts were determined for the Proposed Action pursuant to NEPA or the California Environmental Quality Act (CEQA). Details concerning these alternatives and other alternatives considered but not carried forward for evaluation are included in Part 2 of *Channel Rehabilitation and Sediment Management for Remaining Phase 1 and Phase 2 Sites* (Draft Master EIR – EA/Draft EIR). The Proposed Action maximizes environmental benefits with less-than-significant environmental impacts and is preferred for implementation. The Proposed Action is described below.

The FEIS acknowledged that the various rehabilitation sites exhibit a variety of conditions that require site-specific designs. The FEIS also recognized that, in many instances, the entire site would not require treatment to facilitate rehabilitation. This is because strategically treating certain areas is expected to initiate development of a dynamic alluvial channel that will promote the formation and maintenance of an alternate bar channel in both treated and untreated areas.

An interdisciplinary team of the TRRP identified discrete activity areas within the boundaries of the six Remaining Phase 1 sites. Activity areas were identified based on the type of activity that would occur in a specific place and include in-channel, riverine, upland, construction staging, road, and temporary crossing areas. Remaining Phase 1 channel rehabilitation site locations and their associated number of discrete activity areas are as follows: Sawmill, 43; Upper Rush Creek, 31; Lowden Ranch, 24; Trinity House Gulch, 17; Steel Bridge Day Use, 11; and Reading Creek, 30. Access to these areas requires existing and new roads and low-flow crossings of the Trinity River in portions of the Remaining Phase 1 sites that would otherwise be inaccessible. The type, extent, and level of activity in each area may be different, depending on the alternative.

For each site, 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 and followed by the construction site number (e.g., U-1, U-2); in-channel work areas (e.g., coarse sediment placement or grade control removal) are identified with an IC; and staging/use areas are characterized with a C. Temporary low-flow channel crossings are labeled with an X, and roads are identified as existing or new. In the Lewiston area, four site locations were defined as Sawmill (SM), Upper Rush Creek (URC), Lowden Ranch (LR) and Trinity House Gulch (THG). In the Douglas City area, two site locations were defined as Steel Bridge Road Day Use (SB) and Reading Creek (RC). The setting and additional details on these activity areas are provided in Chapters 2, 4, and 7 of the Draft Master EIR – EA/Draft EIR.

The TRRP has developed programmatic objectives for channel rehabilitation projects, which are described in Chapter 2 of the Draft Master EIR – EA/Draft EIR. The programmatic objectives were used to identify a number of specific activities that could be applied at each site location. Each activity area was established to meet a suite of specific objectives in conformance with the overall goals and objectives outlined for the TRRP. The activities included in the Proposed Action for the Remaining Phase 1 sites focus on modifying existing grade control features, reconnecting the river's floodplain with the river, establishing or expanding side-channel habitat, and enhancing the bed and banks of the Trinity River for

increased river function and aquatic habitat development. Removal of alluvial material at select locations will provide opportunities to enhance the development of alternate point bars and supplement coarse sediment. Ultimately, the goal of these channel rehabilitation efforts is to provide functional aquatic habitat for all life stages of anadromous salmonids under a range of flow conditions; to provide suitable salmonid rearing habitat, which is presently believed to be a limiting factor in the system; and to reestablish healthy alluvial river geomorphic processes, which will ultimately maintain high-quality salmonid habitat at a dynamic equilibrium.

The Proposed Action includes 15 rehabilitation activities. Each rehabilitation activity is identified with an alpha code for reference throughout the Draft Master EIR – EA/Draft EIR. The rehabilitation activities are shown in Table 1.

Table 1. Remaining Phase 1 Rehabilitation Activities

Label	Activity Type
A	Recontouring and vegetation removal
B	Constructed inundation surface (450 cfs*)
C	Constructed inundation surface (1,000 – 4,500 cfs)
D	Constructed inundation surface (6,000 cfs)
E	Low-flow side channel (300 cfs)
F	Medium-flow side channel (1000 cfs)
G	Alcove (450 cfs; 6,000 cfs)
H	Grade control removal
I	Sediment management (coarse and fine)
J	Placement of excavated materials
K	Staging/use areas (includes gravel processing and stockpiling)
L	Roads, existing
M	Roads, new
N	Temporary channel crossings (Trinity River and Tributaries)
O	Revegetation

Note: cfs = cubic feet per second.

Activities A–I would all occur within riverine areas included for rehabilitation activities as part of the Proposed Action. However, the type and degree of activity would differ slightly for each area along the Remaining Phase 1 reaches. Activities J and K would be associated with the transfer, placement, and stabilization of material excavated from the riverine areas. The location and extent of material stockpiled, transported, and placed would differ for each area. Other activities, including road creation, water crossings, and processing/transportation of alluvial materials, are designed to minimize impacts to the resources described in Chapters 4 and Chapter 7 of the Draft Master EIR – EA/Draft EIR, as revised in the Final Master EIR – EA/Final EIR. The inclusion of in-channel activities is intended to enhance the ability of the river to readjust to changes in the flow and sediment regime provided by the ROD. The Riparian Revegetation Management Plan, prepared in cooperation with the California Department of Fish and Game, U.S. Army Corps of Engineers (USACE), and the Regional Water Quality Control Board – North Coast Region (Regional Water Board), will be implemented to ensure that riparian habitat (e.g., riparian vegetation) is restored in a manner (species and size classes) that supports the TRRP objective of

restoring the form and function of an alluvial river over time. Implementation of the Riparian Revegetation Management Plan will also ensure that the State of California's requirement of "no net-loss of riparian habitat" is met through a 1:1 replacement of affected riparian habitat over time. Project monitoring requirements will allow critical evaluation in order to adjust future rehabilitation plans to incorporate those practices that perform best in the field. A comprehensive discussion of these rehabilitation site activities is provided in Chapter 2 of the Draft Master EIR – EA/Draft EIR.

The Proposed Action meets the requirements of the Trinity River ROD, the Endangered Species Act (ESA), the Clean Water Act, NEPA, the Clean Air Act, the Wild and Scenic Rivers Act, the National Historic Preservation Act, and the Resource Management Plan for the Redding Field Office of the Bureau of Land Management as amended by the Northwest Forest Plan.

FINDINGS

The No-Action Alternative, Proposed Action, and Alternative 1 were evaluated in the EA with respect to their impacts in the following issue areas: land use; geomorphic environment; water resources; water quality; fishery resources; vegetation, wildlife, and wetlands; recreation; socioeconomics; tribal trust; cultural resources; air quality; environmental justice; aesthetics; hazards and hazardous materials; noise; public services and utilities/energy; and transportation/traffic circulation. Based on the following summary of the implementation effects of the Proposed Action (as discussed fully in the Final Master EIR –EA/Final EIR), implementation of the Proposed Action would result in no significant impacts to the quality of the human environment.

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 that public and private access to the Trinity River, adjacent residents, and businesses be maintained. Additionally, project implementation would not prevent existing land uses from continuing or impede future land uses. Therefore, the Proposed Action would not have a significant impact on land use.

Geology, Fluvial Geomorphology, and Soils

Implementation of the Proposed Action is consistent with the 10 healthy river attributes described in the Trinity River Flow Evaluation Study that provide a basis for the TRRP efforts to restore and enhance native fish and wildlife populations. Project construction activities and disturbance would increase the potential for short-term wind and water erosion and could interfere with mineral resources. However, project implementation would include sediment and erosion control measures, and mitigation measures to reduce and avoid potential impacts on mineral resources. Therefore, the Proposed Action would not have significant impacts on geologic resources or processes.

Water Resources

Based on the USACE hydraulic model HEC-RAS, 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, the Proposed Action would not have a significant impact on water resources.

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 mitigation measures would be implemented to avoid and reduce water quality impacts. Therefore, the Proposed Action would not have a significant impact on water quality.

Fisheries Resources

To comply with Section 7 of the 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 Trinity River Division 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 will continue to coordinate with NMFS as it implements the Terms and Conditions of the 2000 Biological Opinion.

Any temporary construction impacts on fish-rearing habitat are expected to be offset by permanent beneficial changes to physical rearing habitat associated with project implementation. Improved river access to the floodplain during flows in excess of summer base flows (450 cubic feet per second), is expected to increase the availability of the slow, shallow edge habitat preferred by juvenile salmonids. 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 rearing habitat diversity for all anadromous salmonids. Because of the Proposed Action's limited construction near the water, inclusion of mitigation measures to protect fishes, and generally localized effects, no significant effects would occur to fisheries resources.

Vegetation, Wildlife, and Wetlands

Construction activities associated with the Proposed Action would result in a temporary loss of riparian vegetation, but the value provided by this vegetation would be offset by restoring floodplain function and riverine processes. Revegetation of alluvial features (i.e., floodplains) would increase structural and species diversity and would speed reestablishment of native riparian vegetation. Long-term changes in river inundation periods are expected to increase both seasonal and perennial riparian habitats.

Reclamation conducted informal consultation with the USFWS concerning effects to the ESA-listed northern spotted owl. Based on the consultation, the known lack of suitable habitat and spotted owl nests in the area (nest data provided by the STNF), and Trinity River bird distribution data provided by the Forest Service's Redwood Sciences Laboratory, Reclamation determined that a biological assessment was not required because the project would have no effect on the northern spotted owl or its critical habitat.

Specific design and contract criteria are included in the project description to ensure that project activities occur in a manner that addresses potential impacts to special-status species, including avian and amphibian species. These activities and prescriptive measures, combined with rapid riparian revegetation rates, ensure that the Proposed Action will not result in significant project impacts to vegetation, wildlife, and wetlands.

Recreation

The Trinity River was federally designated 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, thereby enhancing the Outstandingly Remarkable Values for which it was designated as a Wild and Scenic River, including its anadromous fishery. Implementation of the project would alter the riverine environment; however, construction under the Proposed Action would not permanently affect the scenic or recreational values of the Trinity River for which it was designated. Although the Proposed Action could result in limited temporary interruptions of public access and use, river access would continue to be available at a number of temporary locations within the project boundaries and adjacent to the project sites. Because of the continued availability of river use and access, the generally localized effects, and inclusion of mitigation measures to protect recreationists, impacts on recreation resulting from project implementation would not be significant.

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 increased long-term economic activity. A short-term increase in demand for housing in the general vicinity (i.e., Weaverville) could also occur as construction workers seek lodging during the construction period. However, because of the limited project size and duration, there would be no significant impact on socioeconomic conditions, population, or housing.

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. Several short-term impacts that would affect Tribal Trust assets are considered acceptable provided that long-term fishery and healthy river goals are supported. These impacts are generally associated with construction activities, which would temporarily affect fish and wildlife resources, vegetation, and water quality in localized areas of the Remaining Phase 1 sites. Potential impacts on Tribal Trust assets would be avoided and minimized by project design criteria and mitigation measures provided to protect Tribal Trust assets. While some level of impact to fisheries and water quality cannot be avoided during construction activities, the impacts that would occur to these Tribal Trust assets would be kept at a less-than-significant level. Therefore, the Proposed Action would not have a significant impact on Tribal Trust assets.

Cultural Resources

Cultural resources identified within the Area of Potential Effect are primarily associated with dredger tailing piles at the Sawmill, Lowden Ranch, Trinity House Gulch, and Reading Creek sites. The types of dredger tailings identified include dragline dredge, ground sluice placer, bucket-line dredge, and placer. A hydraulic mining cut was identified at the Sawmill site, and a river crossing, known as "Lowden crossing," was identified near Lowden Ranch in Grass Valley. Reclamation archaeologists determined that one of the identified cultural resource sites (Reading Creek Ground Sluice Placer Tailings and Historic Artifacts) is eligible for listing on the National Register of Historic Places (NRHP). Therefore, the project was revised during the planning stages to avoid potentially significant features. If cultural materials or human remains are encountered during work for the project, the impacts would be negligible because construction would be halted and the proper agency contacted. Because of these pre-project cultural resource surveys, subsequent design changes to avoid potentially significant resources, and mitigation measures to cover potential finds during construction, project impacts to cultural resources during implementation of the Proposed Action would not be significant.

Air Quality

Construction associated with the Proposed Action requires the use of equipment that would temporarily contribute to air pollution in the Trinity River basin in the form of ozone precursors, particulate matter (PM₁₀), and greenhouse gas emissions. Because Reclamation would include provisions in construction contract documents that minimize construction-related impacts on air quality resulting from project activities, the Proposed Action would not result in a significant impact on air quality.

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 or low-income populations. The Proposed Action would not have a significant impact on environmental justice.

Aesthetics

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. 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. Excavated material and disturbed dredger tailings piles would be placed in a manner that blends into the contours of the existing dredger tailings piles. Retention of existing topographic features would lessen the degree of visual impacts and improve the aesthetic quality of the affected reach of the Trinity River. Changes to the landscape will not be noticeable in the long term. Based on these findings, the Proposed Action would not have a significant impact on aesthetics.

Hazardous Materials

Implementation of the Proposed Action would potentially release hazardous materials through accidental spills that could pose a public hazard. However, Reclamation will ensure that the contractor follows Best Management Practices to prevent the release of hazardous materials into the environment (e.g., oils, gasoline) and to provide adequate response measures in case a spill does occur. These practices would ensure that implementation of the Proposed Action would not have a significant impact with respect to hazardous materials.

Noise

Construction and traffic associated with the Proposed Action would generate noise. To minimize potential noise impacts, construction activities would be scheduled between 7:00 a.m. and 7:00 p.m. Monday through Saturday. Additional time constraints may be imposed for activities occurring immediately adjacent to residences and schools. Gravel placement would use local topography to dampen/deflect/decrease the noise leaving the site. During working hours, Reclamation will ensure that the contractor will operate all equipment to minimize noise impacts to nearby sensitive receptors (residences, etc.) so that no significant project impacts from noise would occur.

Public Services and Utilities/Energy

Construction work and temporary road closures would be staged in a manner to allow for access by emergency service providers. Therefore, no significant effects to public services would result from implementation of the Proposed Action.

Transportation/Traffic Circulation

Implementation of the Proposed Action would minimize the use of heavy construction equipment to transport material to and from the project work site. Equipment would be staged on site during construction. Since local roads are built to service occasional heavy equipment traffic, no measurable road wear would result from ingress or egress of construction equipment or during hauling of restoration materials (e.g., gravel) to the sites. For safety reasons, Reclamation will ensure that the contractor will implement a traffic control plan to protect the public during construction. Implementation of these

planning measures will ensure that no significant effects to traffic circulation would result from project implementation.

SUMMARY

Implementation of the Proposed Action, including mitigation measures, would contribute to the long-term environmental quality and sustainability of the Trinity River ecosystem with no significant 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 Draft Master EIR and EA specific to the Remaining Phase 1 sites, it has been determined that it will not have a significant effect on the quality of the human environment considering the context and intensity of impacts.

Furthermore, it is determined that the Proposed Action is not a major federal action, individually or cumulatively, and will not significantly affect the quality of the environment. Therefore, an environmental impact statement is not needed. This determination is based on the Draft Master EIR – EA/Draft EIR and the context and intensity of the following factors (40 CFR 1508.27):

- 1) **There will 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 Remaining Phase 1 rehabilitation sites along a 17.5-mile reach of the Trinity River is expected to provide localized improvements in aquatic and riparian habitats that currently exist at the sites. The sites will incrementally 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 channel rehabilitation project will not result in any significant impacts.
- 2) **Public health and safety are not significantly affected by the project.** Due to the limited duration of the project and implementation of public safeguards, public safety will not be at risk. Standard Reclamation practices for notifying the public of heavy equipment activities during project implementation will be implemented.
- 3) **There will be no significant adverse effects on prime farmlands, park lands, floodplains, wetlands, historic or cultural resources, scenic rivers, ecologically critical areas, civil rights, women, or minority groups.** Although there will be no significant adverse effects in these areas, the project will 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 system. Furthermore, this project 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 and sediment management actions from the ROD, has no significant impacts within the context of the entire array of ROD restoration components.

- 4) **Based on public participation and the involvement of resource specialists, effects of the Proposed Action on the quality of the human environment are not expected to be highly controversial.** Previously, the types of activities associated with the Proposed Action have received general support by Trinity County and its citizenry. Controversy that existed has been resolved through the planning process; therefore, these effects are not determined to be highly controversial. With input from technical staff from the lead, cooperating, and responsible agencies, environmental, social, and economic issues have been addressed in the Draft Master EIR – EA/Draft-EIR so that this project should avoid major scientific controversy over environmental effects.
- 5) **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 Draft Master EIR – EA/Draft EIR. Furthermore, similar actions have been completed by the TRRP in the past with no unpredicted developments.
- 6) **These actions do not set a precedent for other projects that may be implemented to meet the goals and objectives of the Trinity River Restoration Program.** The Trinity River Mainstem Fishery Restoration EIS, the ROD, and the Trinity River Flow Evaluation Report all evaluated and recommended channel rehabilitation projects on the Trinity River below Lewiston Dam. The EIS constitutes the basis for tiering in this instance. The environmental effects of future projects will be analyzed based on need dictated by the ROD, but the need will be balanced by any new information collected during implementation of this project and other recently implemented projects.
- 7) **There are no known significant cumulative effects from this project and other projects implemented or planned on areas separated from the affected area of this project beyond those assessed.** While some short-term adverse direct and indirect effects may result from the project, these effects have been analyzed in the Draft Master EIR – EA/Draft EIR, and will 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. When considered in the context of cumulative watershed effects, the project 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 project, but not to an extent that would cause significant impacts to downstream water quality.
- 8) **Based on surveys accomplished prior to this decision, this action will not adversely affect sites or structures eligible for the National Register of Historic Places, or cause loss or destruction of significant scientific, cultural, or historic resources.** Interdisciplinary teams and individual resource experts have visited the sites and provided recommendations to modify the location of one of the upland disposal areas to avoid a potentially significant cultural resource feature associated with the dredger tailings within the boundaries of the Remaining Phase 1 sites. These modifications would avoid the site that Reclamation determined is eligible for listing on the NRHP. Based on project design and measures described in the Draft Master EIR – EA/Draft EIR, the decision maker has

determined that the project would not result in the destruction of scientific, cultural, or historic resources.

- 9) **The project would not adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.** A biological opinion addressing foreseeable TRRP activities (National Marine Fisheries Service 2000) was written in response to a biological assessment that reflected the findings in the Trinity River Mainstem Fishery Restoration EIS. The opinion was written because Trinity River coho salmon are federally listed as threatened. The opinion describes adverse effects that could result from the channel rehabilitation measures that are included in the preferred alternative described in the EIS. Such adverse effects were determined to be minor and short-lived, dwarfed by the long-term beneficial outcome from implementing the Proposed Action. The displacement of juvenile coho salmon "...is not expected to result in lethal take of these fish." (National Marine Fisheries Service 2000).

The bald eagle has been removed from the Endangered Species list, and consultation is no longer required for this species. The project may affect but would not likely adversely affect the bald eagle because eagles are not known nor expected to nest within or near the project area. There is a potential to temporarily displace foraging eagles for short periods of time (at discrete activity areas) during a time of relatively low eagle foraging activity in the area. Other reaches of the Trinity River would remain undisturbed and available for foraging eagles. Fish, and thus foraging eagles, are expected to start reusing the area immediately following project implementation.

Informal consultation with the USFWS concerning effects to the ESA-listed northern spotted owl was conducted by Reclamation. Based on this informal consultation, known lack of suitable habitat and spotted owl nests in the area (nest data provided by the U.S. Forest Service), and Trinity River bird distribution data provided by the Redwood Sciences Laboratory, Reclamation determined that a biological assessment was not required since the project would have no effect on the northern spotted owl or its critical habitat.

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

- 10) **Implementation of the project does not threaten a violation of Federal, State, or local law or requirements imposed for the protection of the environment.** Implementation of the Proposed Action does 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, and BLM's Resource Management Plan (RMP) for the Redding Field Office.

The project described in this finding is fully consistent with BLM's RMP, FLPMA, and CEQA. The following permits are required to authorize the project:

- Section 404, Clean Water Act, Nationwide Permit 27 (San Francisco District, U.S. Army Corps of Engineers),
- Section 401, Clean Water Act Water Quality Certification (Regional Water Quality Control Board – North Coast Region),
- Section 402, Clean Water Act National Pollutant Discharge Elimination System (NPDES) Stormwater Pollution Prevention Plan (Regional Water Quality Control Board – North Coast Region),
- Section 10, Endangered Species Act, Incidental Take Permit (National Marine Fisheries Service)
- Encroachment Permits (Trinity County),
- Floodplain Development Permit (Trinity County).

Findings Required by Other Laws and Regulations

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

Implementation Date

The Proposed action will be implemented in phases beginning in summer 2009. It is expected that all Phase 1 projects will be completed by 2014.

Contact

For additional information concerning the overall decision to implement the Proposed Action, contact Brandt Gutermuth, Project Manager, Trinity River Restoration Program, P.O. Box 1300, and 1313 Main Street, Weaverville California, 96093.